

and also to the tea plantations in Assam. But, unfortunately, owing to extensive failures of the monsoons rains, droughts and early recurring hurricanes, though the families have occurred. Though the natives bore up against their misfortunes with admirable fortitude, and tines with admirable food such as brought out reserves of food such as few nationalities could produce, and the authorities put forth though the strenuous efforts, yet the loss of life has been tremendous. As general facts, both wages and prices have risen during the last few years. In a family the women and children earn something, but little needed, and can be got without little payment. Rent for cottages is but little known. The price of food-grain may be known. The price of food-grain may be known. The price of food-grain may be known.

inevitable. It appears hard that there is no redress, but after all it is only fair that an owner's liability should be confined to the acts of his own servants. Mr. Justice Grantham, who tried this case, gave it as an instance of the promptitude with which work is now done at the Law courts. The accident took place on September 15 last, on the 24th writ of action was issued, the statement of claim was dated 2,804, and the defence was put in on Nov. 5, and notice of trial given on the 19th. Particulars were not delivered until Jan. 8 last. Yet now on Feb. 6 the case was being tried. The progress certainly was not very rapid according to the great requirements but to justify Mr. Justice Grantham's boast, that the "Law's delay" is now at an end.

LONDON COUNTY COUNCIL.

It is passing strange, just thirty years after the last of the taxes on knowledge was swept away, to find a clergyman seeking brief notoriety by a crusade against Sunday papers. The following letter, written by the vicar of St. Andrew's, Lower Stratham, has been circulating in the district for some weeks:—

In declining to come forward as a candidate for the County Council in the St. George's division of the Tower Hamlets, Lord Rosebery has issued a manifesto on behalf of the majority of the existing council. He says—

- 1. Removal of petty, needless, and unreasonable restrictions on expenditure.
2. The water supply.
3. The incidence of rates.
4. The administration of police.
5. The unity of London by the absorption of the City.

The discovery that Mrs. Osborne might have evaded arrest till Doomsday if she had not voluntarily surrendered (remarks the Daily News) does not detract much glory upon our detective service. That having got her, the authorities should literally not know what to do with her shows an incompetence which can only be called grotesque. Mr. Cuffe receives a salary of 1,500l. a year, and his chief, Sir Augustus Stephens, is paid 3,000l. a year. If they cannot do their work on those terms they had better say so.

One of the most important conferences of recent years will meet in Manchester during the week. Representatives of all the nations of Great Britain are to consider whether they should not close work at every colliery in the country for a week or fortnight at the same time. This is the result of the Federation meeting at Birmingham. The proposal is an extreme one to make, but it indicates the lines on which the Federation are inclined to move.

The Standard, in inserting the following contradiction, at the request of Mrs. Weist Hill, observes that "it is quite unnecessary. The evidence of Mr. B. Morris inflicted no injury upon any one."

Colonel Alexander Gordon sends us particulars of a bill giving to efficient volunteers the right of exemption from service on juries. One year's service is to entitle a volunteer to a temporary certificate, and 10 years' efficiency would entitle him to be made for entire exemption. Everything that tends to improve the volunteer service must be for the good of the country, and we hope to see the bill passed during the coming session.

At a meeting on Tuesday of the general committee of the Congregational Union the Rev. J. Guinness Rogers brought up the report of a special committee respecting the vacant secretariat, recommending the appointment of the Rev. W. J. Woods, of Clapton, subject to ratification by the annual meeting in May. Mr. Woods was accordingly appointed secretary.

It is well known that if a tradesman delivers his goods carriage paid, they do not technically leave his possession until they are actually delivered at their destination, and any accident which may happen falls upon him. If, however, the customer pays the carriage the tradesman's liability ceases when he has delivered the goods to the carrier who is supposed to be agent of the customer. This does not always hold good, however, as was shown in the Divisional Court of Queen's Bench, yesterday.

Post-office robbery.—Ralph John Bannister was committed for trial, at Bow-street, yesterday, charged with stealing a packet, the property of the Postmaster-General. Prisoner was empaneled at the South-Western post-office, and a suspicious being aroused, a test packet was made up. The contents of this were subsequently found upon him. Other articles, which he admitted to be Post-office property, were found at his home.

THE PEARL ROBBERY. SURRENDER OF MRS. OSBORNE. SCENE AT THE GUILDHALL. CHARGED AT BOW STREET WITH PERJURY.

The robbery of Mrs. Hargreave's famous pearls, which led to the shameful persecution of the losers—the mystery being only cleared up by the intervention

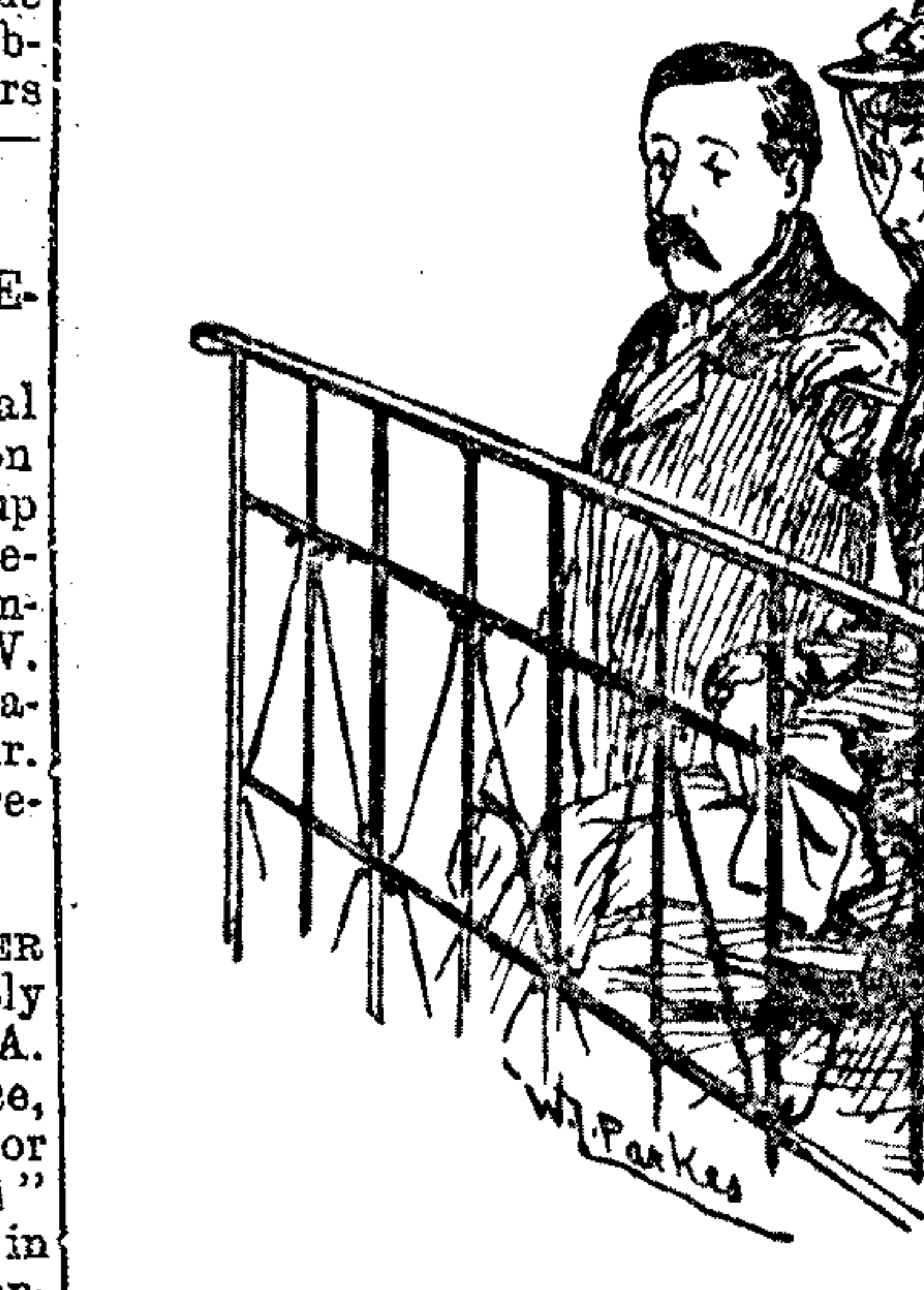


CAPT. OSBORNE. MRS. OSBORNE. INSPECTOR TAYLOR

of a reader of the printed reports—seems likely to end in a judicial scandal. There is a distinct danger (says the Times) of the public judgment being thrown off its balance by a gush of amiable sentiment called forth by Mrs. Osborne's surrender. We will concede that in the circumstances the authorities might have shown a little more consideration in details, and also very much more wisdom. As to the surrender itself, upon the strength of which Mrs. Osborne seems to have been converted into a heroine, it is the only reparation she can make for very grave offences against society and her husband. To give herself up is not an act of transcendent virtue. The artificial elaboration of defensive theories by her friends, even though theories of the situation, ought not to sweep away in a burst of irrational commiseration all sense of the faults she has committed, and of the broad general aims of the wholesystem of jurisprudence.

Further comment is called for by the exceptional treatment of the prisoner after her surrender. By permission of Sir John Bridge, Mrs. Osborne was removed to Holloway in a cab, being accompanied thither by her husband, Captain Osborne.

Examining them, decided they were not worth more than 500l., and that sum was offered and eventually accepted. The lady who sold the jewels gave an address in Hyde Park-gardens, where she was visiting, and a country address in Yorkshire. At first she demurred, but on being informed that no use would be made of it, she gave the address as Redcliffe Hall, Bradford, Yorkshire.



MR. AND MRS. OSBORNE IN THE DOCK AT BOW-STREET.

become a mother for the first time, are all beside the issue. That issue—shall the law be administered without fear or favour?

in the early part of February, 1891, and on the 19th of the same month were sold to Messrs. Spink and Son, Jewellers, 2, Gracechurch-street, City. It is an old-established firm, having been established by a great-great-grandfather of the present junior member 120 years ago. Directly the loss was discovered the police were set to work, and Messrs. Spink notified that they were in possession of the jewels. Miss Florence, Ethel Elliot, who had been staying with Mrs. Hargreave, was suspected of the theft, and the circulation of the charge caused considerable scandal in society. It did not, however, delay Miss Elliot's marriage to Captain Osborne for more than one day, it taking place quite privately on Sunday, April 5, instead of on the previous Saturday, for which it was arranged. After a few days in town the

young couple went abroad for their honeymoon. When they returned the friends of Mrs. Osborne forced on the legal inquiry into the case. Sir Henry James is the lady's godfather, and it was at his request that Sir Charles Russell undertook the part of prosecuting counsel in the action for slander. On the dramatic ending of the trial Mrs. Osborne, it is believed, escaped to the Continent by the club train the night before the close of the case, viz., on Monday, Dec. 21st. The warrant for her arrest on the charge of "obtaining a cheque for 550l. by false pretences" was issued from the detective department of the City of London Police on Christmas day, and a full copy of the document appeared in Lloyd's of Dec. 27th. At Bow-street on Friday Mr. Coward was particularly anxious to know the date of the warrant for perjury, and was told by the Treasury solicitor that it was Jan. 1. We have the authority of Messrs. Spink for stating that the warrant for false pretences was not issued on their application. The initial

must therefore be sought in some other direction. The facts of Mrs. Osborne's arrest and the bungle at Guildhall—when the court was kept waiting a full hour for a Treasury official—are creditable to any properly constituted legal authority.

The Exchange Telegraph company states that Mrs. Osborne will be regarded as a sick prisoner, and accommodated in the infirmary. She will be treated with as much consideration as the rules of the prison, modified by the recommendation of the doctor, will allow. She is in a very low state of health, and after a heartrending parting from her husband she remained for some time in an exceedingly prostrate condition. The long journey from Iron, and the bad passage of Thursday night, with the grave mental tortures attendant upon her condition, have greatly impaired her vitality, and her friends state that, but for the devoted attention of her husband, she would have collapsed under the strain.

The Central News says—Mrs. Osborne's short acquaintance with her present quarters in Holloway Prison has had a somewhat serious effect upon her. Her husband was allowed by the prison authorities to remain with her after the arrival at the prison until the arrangements for her care during her imprisonment there had been made known to him. Mrs. Osborne was very restless, and at times hysterical during the night, and seems to feel her new position acutely, and the absence of her husband adds to the poignancy of her grief. She has scarcely spoken to anyone in Holloway Prison, and it is only with difficulty that she can be induced

to eat anything. The doctors, however, have no doubt that she will be quite strong enough to be taken to Bow-street on Friday next for the adjourned hearing of the charge against her. Captain Osborne visited his wife yesterday morning at half-past ten, and remained in the prison the full time allowed to visitors. A report has been circulated that while the jewels have been restored to Mrs. Hargreave a sum of 550l.

to his stock-in-trade! the one may be a sale

has been placed in the hands of the City police to be paid over to Messrs. Spink whenever the course of legal proceedings shall permit such a course. As soon as the pending prosecution is over, Mr. John Elliot, Mrs. Osborne's grandfather, will pay over to Messrs. Spink their costs in the action brought against them by Major Hargreave for the recovery of the jewels. Further, Major Hargreave will also have his costs paid in the recent action for libel, Mr. Elliot being very anxious that every restitution in his power shall be made to all those who have suffered by the action of his grandfather.

At the slander trial the deposition of Mr. John Ledsons Elliot, grandfather of the plaintiff, was read. In this Mr. Elliot stated that he was formerly a partner in the firm of Elliot, Watney, and Co., and for 30 years manager of it. He remembered his granddaughter Florence Ethel Elliot visiting him on Feb. 19 at the Albany. She came to drink tea with him, the time arranged being 3.30. The clock was chiming 5.30 when she arrived, and he said, "How punctual you are!" She remained with him an hour or more.—Sir Charles Russell said the deponent was 83 years of age.—His Lordship: I know him. He is a member of the Athenaeum—the only surviving original member of the Athenaeum, I think. He became a member in 1824.

The Commander-in-chief, on the recommendation of a medical board, has granted leave of absence to Captain Osborne until July 21.

The action by Mrs. Hargreave against Messrs. Spink and Son was heard at the Guildhall before Mr. Justice Wills, without a jury, on October 29.—Mr. Elliot, in opening the case for the plaintiff, stated that, some time during the month of February, 1891, the jewellery in question was stolen from the plaintiff's residence, and on Feb. 19 it was purchased by the defendants at their shop in Gracechurch-street. The defendants had given the plaintiff every assistance for identification, and also with regard to the person from whom they purchased. These facts were not disputed, but the defendants claimed that, as the sale to them was at their customary place of business and in the ordinary course of trade, the sale was in market overt, and consequently, under the statute it was necessary the thief should be convicted before plaintiff could establish any title to the jewels.—Mrs. Georgina Louisa Hargreave, in giving evidence, explained the loss of the jewels from the secret drawer in her dressing-table.—In cross-examination, plaintiff said a friend of hers first saw the defendants on the matter, taking a number of photographs, one of which was identified as that of the lady who sold the jewels to the defendants. The photograph was of a lady visitor to the house, who was on a visit to the plaintiff

between the time she last saw the jewels and missed them.—Mr. Chanell, Q.C., on behalf of the defendants, did not dispute the identity of the jewels, but contended that they were bought in the ordinary course of business in market overt.—Mr. Spink, a member of the defendants' firm, stated that on Feb. 19 a lady called at the shop and offered certain jewels for sale, for which she asked 800l. Witness, after his brother, and an assistant, after



MR. LEWIS COWARD.

examining them, decided they were not worth more than 500l., and that sum was offered and eventually accepted. The lady who sold the jewels gave an address in Hyde Park-gardens, where she was visiting, and a country address in Yorkshire. At first she demurred, but on being informed that no use would be made of it, she gave the address as Redcliffe Hall, Bradford, Yorkshire. She was a young lady of between 25 and 30 years of age, and she said the jewels were left to her. Payment was made by a crossed cheque, but on February 23rd, the lady returned and had the cheque changed for an open one. Subsequently he saw a notice of the robbery of the jewels, and he at once gave information to the police. He had also subsequently seen and identified the lady from whom he purchased the jewels.—In cross-examination, witness said it did not occur to him to wire to Bradford to see if the name was correct, but it afterwards transpired that the address was inaccurate.—His lordship, in giving judgment, said he considered the sale was not made in market overt, and therefore the plaintiff must succeed. The result was unfortunate for the defendants, but he could not help thinking they were themselves to a great extent to blame for it, because before the person who bought the goods left the shop the defendants had an experience which might have suggested caution. Under all the circumstances he gave judgment for the plaintiff, and with costs; the jewellery to be handed over to the plaintiff on her undertaking to return it in the event of the decision being reversed on appeal.

In some quarters the above decision has been referred to as being given "under an old and all but obsolete statute of Henry VIII." The matter, however, is clearly stated in Messrs. Lockwood's popular work, "Every Man's Own Lawyer." After explaining that market overt implies "open market," it is said—

in market overt, but not so the other. For instance, if a servant steal his master's books, and go and sell them to a bookseller in the City of London, the sale to the bookseller is not a sale in market overt, and the bookseller acquires no right to the books as against the true owner from whom they were stolen. But if the books are added to the stock-in-trade, and exposed for sale in his shop, and then purchased bona fide by a customer in the ordinary way of trade, the purchase by the customer would be a purchase in market overt, and give the customer an indefeasible title to the books.

Last night's Star says—A circumstance has arisen which enables a correspondent to make a plausible suggestion, how it was possible Miss Elliot may have obtained a knowledge of Messrs. Spink otherwise than through her brother-in-law. A relative of the correspondent's lately died. The death was duly announced in the Times, and the usual rush of circulars to the executors followed. Amongst them was a note headed "Probate Valuations Department," of which the following is an extract:—"Spink and Son beg respectfully to announce that they accurately value silver plate and jewels, or they purchase the same if desired. In valuing for probate Messrs. Spink and Sons beg to state that they invariably price the articles at their actual value, not at extreme prices they would never realise, as is so frequently done." The point is, that Mrs. Osborne not long since lost her parents, and may have received some such note as this.

THE ACTION FOR SLANDER. In the action for slander which commenced in the Queen's Bench on Dec. 15th, Sir Charles Russell appeared for the plaintiff, and said Mrs. Osborne brought the case, relying on the unshaken confidence of her friends, and relying on the sense of her own innocence, and relying, above all, that the tribunal would do her honest justice. In her own evidence, Mrs. Osborne not only denied all knowledge of the stolen jewels, but made statements most injurious to the character of Mr. and Mrs. Hargreave, and their friend Mr. Engleheart. Among other things, Mrs. Osborne declared that during her stay at Torquay she was discussing money matters with Mrs. Hargreave, when the latter said that she was in great difficulties, and that Major Hargreave did not allow her sufficient money. She said she would like to be present at the witness's marriage, but had not enough money to buy a new dress. The witness asked her if she would accept a present of 10l. from her in order to buy a new dress, and come. Mrs. Hargreave refused at first, but afterwards accepted it. Major Hargreave was subjected to a cruel cross-examination at the hands of Sir Charles Russell, and opinion went very strongly against the unfortunate defendants. Then came the startling finish of the trial. When Mr. Justice Denman handed to the counsel on both sides Messrs. Benjamin's letter—which detailed the visit to them of the mysterious lady who wanted notes for gold on Feb. 23, the day upon which Messrs. Spink's cheque was cashed—the solicitors representing the plaintiff and the defendants made independent and immediate application to the National Provincial bank for the numbers of the notes. They consisted of seven 50l. notes and 10 20l.—making up the exact amount of the cheque, 550l., cashed at Glyne's. It appears that the lady had driven to Conduit-street in a cab, and therefore the weight of the gold—12lb. Troy, or about 9lb. avoirdupois—would not have distressed her. Armed with the numbers of the notes the solicitors applied for information at the Bank of England, but the officials refused to answer any questions as to the payment of the notes unless upon subpoena. The necessary formality having been complied with, the Bank of England authorities disclosed the full extent of their information. They found that one of the 50l. notes which the National Provincial bank branch had given to the unidentified lady was actually in their possession, and, according to the statement of the Solicitor-general, it bore the signature of Miss Elliot. The note was easily traced from the Bank of England to the Union bank, the head office of which had received it in the due course of business on the previous day from its Tottenham-court-road branch. The number of the note was 19,196, the value 50l., and the date February 5, 1890. Further inquiry showed that the branch of the Union bank had received the note on March 4, 1891, from Messrs. Maple. The case, as everybody knows, ended in a verdict for the defendants, for whom great sympathy was expressed. At the same time the public mind was shocked by Mr. Justice Denman going out of his way to laud Sir Charles Russell and the other counsel for their "noble" conduct.

THE SURRENDER AT DOVER. There is little doubt that some weeks ago Mrs. Osborne was sheltered at Gisors. She travelled under the name of Ogilvy, and was traced by the City detectives to the Norman town, and might have been there and then arrested but for the precipitate action of the Commissaire de Police, who invaded the convent in which it was believed that Mrs. Osborne was hiding, and commenced a rigorous search at two o'clock in the morning, to the mortification of the inmates, the scandal of the locality, and the disgust of the English police-officers. The latter maintain that no search could be effective under such circumstances, and that Mrs. Osborne left Gisors unperceived the next day. Be that as it may, she completely baffled her pursuers and made her way to Iron, whence she returned on the advice of her counsel, and voluntarily surrendered herself. She is to plead "Guilty" at the trial, and it will then be urged on her behalf that just before going down to Torquay Mrs. Osborne was suffering from hysteria. Physically and mentally weakened, she yielded to temptation; and having allowed the opportunity of confession to go by, she preferred to brave anything sooner than break that confidence in her innocence which her husband and her friends entertained.

Mrs. Osborne arrived on Thursday night at Dover by the mail packet Foam, running in connection with the Paris club service. The boats had been closely watched throughout Wednesday and Thursday by a few persons, one of whom was Detective Taylor, of the London City police, who held a warrant for her arrest. It was intimated that Mrs. Osborne might be expected some time during the day, and on Thursday night it was known to the police that she had left Calais. As the boat neared Dover prior Detective Taylor proceeded down the steps to the gangway, and there awaited the passengers.

When Mrs. Osborne stepped upon the quay she was the object of close scrutiny by the few gathered on the gangway. She was attired in black, and appeared utterly broken down, pale and haggard, being led ashore by her husband and one of the sailors. The boat had made a very rough passage. From the landing stage Mrs. Osborne was conducted to the South-Eastern Club train, in which a "private" compartment had been reserved. The detective accompanied her into the saloon, and left with her for London. When she entered her compartment she appeared quite prostrate, sitting with her hand to her forehead, the blinds of the carriage were drawn. She was the object of a deal of commiseration on the part of the dozen or two people who had gathered on

to eat anything. The doctors, however, have no doubt that she will be quite strong enough to be taken to Bow-street on Friday next for the adjourned hearing of the charge against her. Captain Osborne visited his wife yesterday morning at half-past ten, and remained in the prison the full time allowed to visitors. A report has been circulated that while the jewels have been restored to Mrs. Hargreave a sum of 550l.