LAW REPORT, March 9.

SUPREME COURT OF JUDICATURE.

COURT OF APPEAL.

(*Before the* MASTER *of the* ROLLS, LORD JUSTICE FRY, *and* LORD JUSTICE LOPES, *with* CAPTAIN ROSS, R.N., *and* CAPTAIN CURLING *as Assessors.*)

IN RE SHIP ALBANO.

This was an appeal by the plaintiffs, the owners of the steamship Meggie, from a judgment of the President of the Admiralty Court, given on June 29, 1891, by which he found that the defendants, the owners of the steamship Albano, were not to blame for the collision which took place under the following circumstances :—The steamship Meggie was anchored off Lower Hope Point, on the river Thames. The steamship Albano was on her way from London to Cardiff on February 8, 1891, and was following the steamship Schwan, which had shortly before passed her and was proceeding up the river about three lengths ahead of the Albano. The Schwan crossed the bows of the Albano and collided with another vessel. The Albano succeeded in avoiding the Schwan and another steamship named the Obedient, but collided with the Meggie. The President asked the Trinity Masters several questions and received different answers, and in the result found that the Albano was not to blame.

SIR WALTER PHILLIMORE, Q.C., and Mr. PYKE, Q.C., appeared for the appellants, and pointed out that the Meggie was at anchor and the Albano was moving The President found that the Albano was so embarrassed by the misconduct of the leading vessel that her own conduct was to be excused. The burden of proof, however, was upon her, and, if the captain was guilty of an error of judgment, the defendants must be held liable. Having quoted "The Annot Lyle" (11 Law Rep., P.D., 114) and "The Indus" (12 Law Rep., P.D. 46), he was stopped by the Court.

Mr. BARNES, Q.C., and DR. F. W. RAIKES argued on behalf of the respondents, and submitted that the moving vessel must be found guilty of some negligence. The following cases, among others, were quoted :—"The City of Pekin" (14 App. Cas., 40) ; "The Marpesia" (4 Law Rep., P.C., 212) ; "The Sisters" (1 Law Rep., P.D. 117).

SIR WALTER PHILLIMORE having replied,

The COURT dismissed the appeal.

The MASTER of the ROLLS, in giving judgment, said, —A collision has occurred between a steamer which is moving and one at anchor, and the question is whether, having done this, she is to be held liable for the damage. It seems to me that the rule of law has been laid down with regard to such a collision many times in the Court of Admiralty and in the Privy Council, and in the most distinct terms in this Court of Appeal. I am of opinion that what is laid down as the law by this Court must govern this Court, even if it differs from others. The Privy Council has no power to overrule this Court. In the case of the Annot Lyle these definitions which were thought to be somewhat loose in the Admiralty Court were considered It was a judgment given by Lord Herschell, and Lord Justice Fry and myself agreed with the law as there laid down and with the terms used there. "Under these circumstances the burden is on the defendants to discharge themselves from the liability which arises from the fact that the Annot Lyle came into collision with and damaged a ship at anchor. The cause of a collision in such a case may be an inevitable accident not arising from negligent navigation, but unless the defendants can prove this the law is clear that they are liable for the damage caused by their ship." After a long experience in the Admiralty Court, and subsequently in dealing with Admiralty appeals, I say there has always been a distinction between inevitable accident and mere negligence. Inevitable accident is a larger term. This matter was again considered in the Indus. I there said, "It is the duty of a vessel in motion to keep clear of one at anchor if the latter can be seen, and if she does not keep clear, then she must show good cause for not doing so. They could say . . . an overwhelming storm occurred . . . or an entirely unforeseen accident, . . to the machinery." These words are deliberately used. It is not enough to say in such a case merely, "I was not guilty of want of ordinary care or skill." It must be shown to be inevitable accident. That is the law laid down by the Court. What is inevitable accident? To my mind these cases show clearly it is to be distinguished from mere want of care and skill. A person relying on inevitable accident must show that something happened over which he had no control, and the effect of which he could not have avoided by the greatest care and skill. If that be so, and the facts found here were to be adopted by us, I should say that the defendants had failed to make out what they were bound to make out. The defendants have shown they were not guilty of unreasonable want of care or skill, but they have not shown that there was not something better that could have been done. They would have fallen short of showing there was inevitable accident. But we have consulted the gentlemen who are sitting with us in this case, and it is a matter of nautical skill. They, unlike the Trinity Masters who assisted the President, are agreed, and they tell us the Albano was not following too close to the Schwan; she performed a right manœuvre to avoid the Schwan, and that it was owing to the tide that she was unable to keep clear of both the Obedient and the Meggie. There was, then, something which happened over which she had no control, and I think the decision in the result was right, and the appeal must be dismissed.

LORD JUSTICE FRY.—In my opinion we must take the law as laid down in the cases of the Annot Lyle and the Indus. I think the Master of the Rolls has introduced a somewhat new rule, and for myself I prefer to adhere to the definitions already given. It appears to me that inevitable accident as applied to two vessels in motion and to one in motion and the other at rest differs. It is obvious that the facility with which a stationary object may be avoided is greater. I think the facts of a case make an important difference. If the matter had been left to my judgment I should have thought it possible to make one's way up the Thames without coming into collision. The Assessors have given us certain advice and it is impossible for me not to accept it. Therefore I take it that it is made out that the Albano acted without any ordinary care or skill. If she acted in the best way she could, it follows that inevitable accident is the cause of the collision in this case.

LORD JUSTICE LOPES.—I wish to express my views to the proper definition of inevitable accident. I adopt the definition given in the Marpesia. I also wish to say that I do not recognize any distinction in this respect between accidents on land and accidents at sea. I agree that the appeal must be dismissed.

HIGH COURT OF JUSTICE.

CHANCERY DIVISION.

(*Before* MR. JUSTICE NORTH.)

IN RE THE MERCANTILE BANK OF AUSTRALIA (LIMITED).

A winding-up petition having been presented against this company, Mr. G. W. Booker, the present manager in London, and Mr. A. E. S. Guinness were to-day appointed joint provisional liquidators. Mr. Elgood appeared for the petitioner, Mr. Bramwell Davis for the bank.

QUEEN'S BENCH DIVISION.

(*Before* MR. JUSTICE CAVE, *without a Jury.*)

MANNERS V. WILSON.

This was an action for wrongful dismissal and for arrears of salary, with a counterclaim for cross charges. The plaintiff, it appeared, had been engaged in June, 1890, as "business manager" of a railway in Mexico, constructed by the defendant, at a salary of £600 a year with expenses, with instructions to reside at a place called Alvarado and make out his accounts monthly. He resided a considerable time at Vera Cruz, and did not send monthly accounts, and in December, 1890, the defendant, his employer, wrote to him stating his dissatisfaction and desiring him in future to act under the engineer and as his clerk. This the plaintiff refused to do, and brought this action, in which the defendant justified his dismissal and disputed his money claim and set up a cross claim. The dismissal was disputed, and was also justified on several grounds, chiefly excessive expenditure, living at Vera Cruz, and not making monthly accounts. There had been a commission to take evidence at Vera Cruz, and witnesses were also examined now.

Mr. Crump, Q.C., and Mr. Walker were for the plaintiff ; Mr. Willis, Q.C., and Mr. C. Mathews were for the defendant.

The learned JUDGE, after hearing out the case, fully came to the conclusion upon the main question as to the dismissal—that there had been a dismissal, as requiring the plaintiff to change his position from that of manager into a mere subordinate and clerk was a dismissal. But he held that the dismissal was justified by the plaintiff's not making out his accounts monthly as stipulated. This he thought very important, for these accounts would have indicated where he was living at the time, and would have disclosed that he was residing at Vera Cruz and would have enabled his employer to object to it, and by withholding these accounts all information was withheld. This, therefore, he considered to have been good legal ground of dismissal, and as to that there must be judgment for the defendant, though as to the money claims the case must go to the Official Referee, who would report to him on the case.

(*Sittings in Bankruptcy, before* MR. REGISTRAR GIFFARD.)

IN RE COBB.

This was an application by William Simms Cobb for an order of discharge.

Mr. Egerton S. Grey appeared as Assistant Official Receiver ; and Mr. Edward Clayton for the debtor.

From the evidence and the report of the Official Receiver it would seem that in 1878 the debtor purchased the goodwill and effects of the Railway Tavern, Mildmay-park, and commenced business there with a capital of £600. He traded at a profit until the date of the receiving order (October 12 last), and his failure appeared to be wholly attributable to losses by betting, which he estimated at about £450 during the last three years. The Official Receiver asserted that the debtor did not succumb to any sudden temptation in this respect, but, on the contrary, he systematically engaged in these transactions, betting in small sums, and never losing more than £5 at one time. The statement of affairs showed liabilities amounting to £539, and it appeared that a first and final dividend of 17s. 6d. in the pound had been declared. The Official Receiver opposed the application by reason of insufficient book-keeping, and on the further ground that the debtor had brought on his failure by rash and hazardous speculation.

Mr. Clayton, in support of the application, pointed out that it was not reported against the debtor, under sec. 8, sub-sec. 3, clause (*f*), of the Act of 1890, that he had brought on or contributed to his bankruptcy by "gambling." With reference to the alleged rash and "hazardous speculation," he submitted that if a man entered into betting transactions when he was perfectly solvent, which was the case here, they did not constitute "rash," although they might be "hazardous" speculations. He cited "*Ex parte* Evans *re* Barnard and Rosenthal (31 *Law Journal*, Bankruptcy, 63). In that case, during the period of unquestionable solvency, but shortly before bankruptcy, a trader purchased goods for, as he alleged to the seller, the home trade. The goods were very soon afterwards consigned to a relative in America, and were disposed of at very great loss. The bankrupt was opposed on the ground of having made a misrepresentation, and that the consignment of the goods to America was a rash and hazardous speculation within the meaning of the then existing Act. The Court of Appeal held, however, that the Act did not apply, the debtor at the time of the venture being possessed of property beyond the amount of his liabilities, and the representation, although erroneous, not being fraudulent. The learned counsel, in conclusion, expressed his willingness that judgment should be entered up against the debtor for £5.

MR. REGISTRAR GIFFARD, in giving judgment, said he did not think it necessary to inquire whether the losses by gambling were identical with rash and hazardous speculation. The justice of the case would be fully met by the Court granting the discharge, subject to the debtor consenting to judgment being entered up against him for £5.

(*Before* MR. REGISTRAR BROUGHAM.)

IN RE A. M. MOORE.

A petition was recently presented against the debtor, who is described as of 163, Strand, editor of the *Hawk* newspaper.

Upon the application of Mr. Lickfold,

His HONOUR now granted the usual receiving order.

(*Before* MR. H. BROUGHAM, *Official Receiver.*)

IN RE T. H. HODGENS.

At a meeting of creditors held to-day a proposal made by the debtor for payment to all his unsecured creditors of a cash composition of 5s. in the pound was entertained. The failure occurred in September, 1890, the debtor then being described as of Gledstanes-road, West Kensington, and the unsecured liabilities were returned in the statement of affairs at £6,070, with assets £1,107. The debtor ascribed his insolvency to losses, amounting to about £15,000, by speculations on the Stock Exchange. He estimated his expenditure between 1888 and the date of the receiving order at £6,000, which included expenses incurred in connexion with his yacht Vanduara.

PROBATE, DIVORCE, AND ADMIRALTY DIVISION.

(*Before the* RIGHT HON. *the* PRESIDENT *and a Special Jury.*)

GILROY V. GILROY AND COCK.

Robert Henry Gilroy petitioned for the dissolution of his marriage with E. Frances Gilroy, whose maiden name was Kelogg, on the ground of her adultery with a Major Urquhart and Charles Hornblower Cock. Major Urquhart being dead when the petitioner was instituting his proceedings for a divorce, leave was given to Mr. Gilroy to name in the title of his petition only one co-respondent. The respondent at first filed an answer simply denying the adultery charged against her, but the co-respondent, in addition to a denial of the charge against him, filed a counter-charge of adultury against the petitioner ; but on being ordered to furnish particulars and on his failing to comply with that order, his counter-charge was struck out with costs. The petitioner, however, in an amended answer, filed only a short time before the trial, adopted the co-respondent's counter-charge and furnished particulars as to time and place. The petitioner, in a reply, denied the counter-charge.

Mr. Inderwick, Q.C., and Mr. H. Bargrave Deane appeared for the petitioner ; Mr. Lockwood, Q.C., and Mr. Gill for the respondent ; Mr. Bayford, Q.C., and Mr. Searle for the co-respondent.

The hearing of the action had already extended into a third day, when, at the close of the petitioner's case, it came to a sudden termination. Mr. Gilroy himself and a large number of other witnesses in support of his petition were examined and cross-examined. Their evidence was directed to showing that in 1876 Mr. Gilroy, who is of a family of extensive manufacturers at Dundee, had a cattle ranch in one of the Western States of America. At springs near his ranch he met the respondent, a very young lady, and, after a short acquaintance with her and her family, married her at her father's house in California, on the 21st of November, 1876. Subsequently they cohabited in the United States, in Scotland, and at Temple Lougherne, county of Worcester, where Mr. Gilroy has a farm. There are two children of the marriage. For some considerable time he felt annoyance at what he regarded as light conduct on the part of his wife with various gentlemen, one of whom was the deceased Major Urquhart, but when he remonstrated with her she invariably assured him that he was mistaken. About 1886 and 1887 he was on friendly terms with Major Urquhart ; but on one occasion he requested that gentleman to leave his house in consequence of having noticed him and Mrs. Gilroy together in circumstances which aroused his suspicions. On receipt of a letter from Major Urquhart assuring him that he had been mistaken, he, however, thought he might have been, and accepted the assurances of Major Urquhart and Mrs. Gilroy as to their entire innocence. In March, 1891, one of his servants gave him information that Mr. Cock, who is a country gentleman, had been to Temple Lougherne in his absence ; had given there the name of Herbert ; had asked to see Mrs. Gilroy, who received him ; and that, brandy and soda having been ordered up, the respondent and the co-respondent were together in a sitting-room when the servants went to bed. Mrs. Gilroy's explanation of this to her husband was that Mr. Herbert had called about a horse. The same month Mrs. Gilroy came up to London on a Saturday and remained from home until Monday. Her explanation of this was that she had come up to see her lawyers. By this time Mr. Gilroy had received information which caused him to disbelieve both explanations ; and he made inquiries which resulted in this suit. Amongst other circumstances which created an impression on his mind very unfavourable to his wife were those connected with a photograph of herself which he found in her album. In the words of the learned Judge, "that photograph was not indecent but it was indelicate." On his asking her how she had come by it, Mrs. Gilroy told her husband that a lady had taken it for fun ; but, not believing this, he wrote to a photographer at San Francisco for copies of it, and he had them by return post. Some men gave evidence that in 1887 they saw Major Urquhart and Mrs. Gilroy in circumstances which, if these witnesses were telling the truth, would leave no doubt as to improper relations between the major and the lady. It was shown by the evidence of servants in a London hotel that Mrs. Gilroy and the co-respondent Cock were both staying at that hotel from the Saturday to Monday when, according to the lady's account, she was in London for the purpose of seeing her lawyers. The lady and gentleman did not come to the hotel, nor leave it at the same hours ; they had different sitting-rooms and bedrooms there, and Mrs. Gilroy passed under her own name there, while Cock passed under the name of Herbert ; but as soon as she was installed in the hotel she left with the hall porter a letter directed to Mr. Herbert. When he arrived he took that letter from the hall table, and he was seen with Mrs. Gilroy in her sitting-room. What apparently brought the case to a close was the production by a Post Office official of telegrams which passed between the respondent and the co-respondent on the day they both came up to the London hotel. One from the lady to the co-respondent telling him of an arrival at the particular hotel to which she was coming, conveyed that information in very gross terms, if the reference was to her own arrival, as counsel for the petitioner asked the Court to infer. It was stated by them that until its production in Court by the Post Office official they had not seen it and had been unaware of the terms in which it was couched. After its production only two or three witnesses were examined, and they only very briefly, their evidence being necessary to legally complete the petitioner's case. At the close of their examination,

Mr. LOCKWOOD said he did not propose to address the jury or to examine witnesses in support of the respondent's case.

Mr. BAYFORD, like his learned friend Mr. Lockwood, had nothing to say to the jury.

The PRESIDENT, in a very brief summing up, told the jury that he thought it unnecessary to review the evidence in support of the petition. He recommended them to confine their attention to that portion of it which related to the respondent and the co-respondent, and to return no finding as to the charge against her and the late Major Urquhart. As to the counter-charge, no evidence whatever had been given in support of it, and it was no longer before the jury as an issue in the case.

The jury at once found that the respondent and the co-respondent had committed adultery.

The PRESIDENT pronounced a decree *nisi*, with costs against the co-respondent, and gave the petitioner the custody of the children of the marriage.

COUNTY OF LONDON SESSIONS.

(*Before* SIR P. H. EDLIN, Q.C., *Chairman, sitting at Clerkenwell.*)

CHARLES THOMAS, 29, a turf commission agent, was indicted for assaulting Walter Foster and occasioning him actual bodily harm. Mr. W. H. Leycester (with Mr. R. D. Muir) was for the prosecution ; Mr. Bodkin for the defence. The prosecutor, Foster, was a cabman, living in Hereford-street, Lisson-grove. It was suggested that he had originally incurred the prisoner's enmity by being on friendly terms with a person who was a witness for the defence in a case which was recently tried in this Court, and in which the prisoner was prosecuting two men named MacMahon and Mackney for assaulting him. On the night of Saturday, Feb. 20, the prosecutor happening to be in the bar of a publichouse with the prisoner, there was a quarrel, and a man named Drury, who was with the prisoner, took up a glass and was about to throw it at the prosecutor when the barman took it from him. The noise became so great that the police were called in, and the prisoner and four or five men who were with him, and who were all threatening to murder Foster, were turned out. Foster went home to his lodgings, which were close by, and soon after, about 12 30 a.m., while he was there with his wife and two young children and a woman who was visiting them, they heard the sound of footsteps on the stairs. Mrs. Foster ran to the door of the room and locked it, and her husband put his shoulder against it. They heard several men outside beating and kicking the door, and presently the panels were broken and the door, bursting open, threw Foster to the ground. Thomas rushed into the room shouting "Let's kill the —." Drury followed, and, as Foster was lying on his back, Thomas kicked him in a delicate part of the body, inflicting permanent injury upon him. Mrs. Foster ran to help her husband, with her baby in her arms, and Drury struck her in the breast. Meanwhile the other woman who was in the room was crying "Police" and "Murder" at the open window, and two constables came in. They were assailed with basins and jugs thrown over the stairs at them, but they came up to the prosecutor's room, where they found him holding Thomas against the wall. Thomas was given into custody, but the others were allowed to go, and, although the prosecutor had since obtained a warrant against Drury, neither he nor any of the others could be found. It was stated that they were men of violent character, and that some of them had been before convicted of assaults. It was also said that there was a gang of men infesting the neighbourhood of Marylebone, and headed by MacMahon, who had an old quarrel with Thomas and his friends, and that Thomas had been several times assaulted and severely injured by them. The prisoner was found *Guilty*. A detective stated that the prisoner was an associate of "welshers" and other bad characters. The learned Chairman said that if there were opposing factions in this neighbourhood it would seem that there was violence on both sides. It did not appear, however, that Foster was a member of either of these gangs. He characterized the assault of which the prisoner had been convicted as one of the most gross, brutal, and savage which had ever come before him, and said he doubted whether he ought not to send him into penal servitude. He sentenced him to one year and eight months' imprisonment with hard labour.

(*Before* MR. WARRY, Q.C.)

ANDREW SULLIVAN was found *Guilty* of attempted larceny. Mr. W. J. Abram was for the prosecution. It appeared that on the evening of March 3 the window of a jeweller's shop, kept by a Mr. Jenkins, in St. George-street, E., was broken from the outside. Miss Jenkins, the prosecutor's daughter, who was in the shop, ran out and saw the prisoner there trying to wrench away the iron bars in front of the window. The contents of the window were all in confusion. The prisoner ran off when he saw her, but was arrested later in the day and identified by Miss Jenkins. He had been convicted before, and was sentenced to 12 months' imprisonment with hard labour.

LAW NOTICES, March 10.

HOUSE OF LORDS, WESTMINSTER.—At 10 15 :—Gill (pauper) v. Shelton and another (further hearing)—Pickard and Curry and others v. Prescott (for hearing)—Miller and Co. v. Clyde Bridge Steel Company (Limited) (for hearing).

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL, WHITEHALL.—At 10 30 :—Appeal.—Omrao Begum and another v. Secretary of State for India.

SUPREME COURT OF JUDICATURE.—COURT OF APPEAL.

APPEAL COURT I.—Before the MASTER OF THE ROLLS and LORDS JUSTICES FRY and LOPES, at 10 30 :—Appeals from the Probate, Divorce, and Admiralty Division, with Assessors—Capt. Knox, R.N., and Capt. Curling.—Re Ship Merchant Prince (Owners of the Catalonia v. Owners of Merchant Prince)—Re Ship Dictator (Gamecock Steamtug Company and others v. Owners of Steamship Dictator, cargo and freight).

APPEAL COURT II.—Before LORD HERSCHELL and LORDS JUSTICES LINDLEY and KAY, at 10 30 :—From the Queen's Bench Division. For Judgment.—Moore and Co. v. Reid and another—Durham and Northumberland Working Men's Permanent Building Society v. Davidson. Appeals from the Queen's Bench Division. Final List.—O'Neill v. Everest, part heard—Warburton, on behalf of certain members of Huddersfield Industrial Society (Limited) v. Huddersfield Industrial Society (Limited)—Ballard v. Church and others—Good and Co. v. Isaac and Sons—Willett v. M'Lean.

HIGH COURT OF JUSTICE.—CHANCERY DIVISION.

CHANCERY COURT I.—Before MR. JUSTICE CHITTY, at 10 30 : —Causes for trial, without witnesses.—Re Persian Investment Corporation ex parte Buck, and Re same ex parte Galois, part heard—Re South Yorkshire Railway and River Dun Company ex parte Constable of Swinton—E. M. D. Taylor v. Taylor—Weston v. Isherwood—Leslie v. Caithness—Re J. C. Stilwell's estate (Urquhart v. Haskins)—Lane v. De Teissier ex parte Executors and Trustees—Re Bristol Port and Channel Dock Company—Re H. A. Bowyer's Will and Settled Land Acts ex parte W. G. Bower—Re H. A. Bowyer's Settled Estate and Seyled Land Act.

CHANCERY COURT II.—Before MR. JUSTICE NORTH, at 10 30 : —Cause for Trial, with witnesses.—Bright v. Eckersley, part heard. Adjourned Summonses.—Re J. Law (Frewby v. Graham)—Kemeys-Tynte v. Kemeys-Tynte—Jackson v. Talbot—Maxsted v. Fearenside.

CHANCERY COURT III.—MR. JUSTICE A. L. SMITH (for Mr. Justice Romer).—No sitting.

LORD CHANCELLOR'S COURT.—Before MR. JUSTICE STIRLING, at 10 30 :—Causes for Trial, with witnesses.—Hitchcock v. Stretton, part heard—Beckett and Co. v. Wake, and Trimble v. Beckett and Co.

CHANCERY COURT IV.—Before MR. JUSTICE KEKEWICH, at 10 30 :—Causes for Trial, with witnesses.—Mogridge v. Clapp, part heard—Tidmarsh v. Tidmarsh—Keen v. Shillingford and Co.—Engel v. South Metropolitan Brewing and Bottling Company—Davis v. Simpson.

QUEEN'S BENCH DIVISION.

QUEEN'S BENCH COURT VII.—DIVISIONAL COURT.—Before MR. JUSTICE CAVE and MR. JUSTICE COLLINS, at 10 30 :—Ex Parte Motions on the Civil Side. Opposed Motions on the Civil Side.—Jones v. Kendal and another—Mynors v. Wright—Scott v. Mercantile Accident Company (217)—Pollock v. Corbin and others—Re a Solicitor, ex parte Incorporated Law Society (27)—Re a Solicitor, ex parte Incorporated Law Society (168)—Notre Dame, &c., Mining Company v. Wynne—Western National Bank of New York v. Koppel—Palmer v. Caledonian Railway Company—Mansfield v. Gunn.

QUEEN'S BENCH COURT III.—Before MR. JUSTICE DENMAN, at 10 30 :—For Judgment.—Cronk v. M'Manus (1,167). Middlesex Actions, Common Juries.—Neale v. Northcott, part heard—Tressler v. Newgass and another (1,623)—Hawkins v. Lund—Blackledge v. Linscott.

BANKRUPTCY.—At the Court, Lincoln's-inn.—Before MR. REGISTRAR HOPE.—First Court.—Discharge.—E. D. Griffiths, at 11—E. R. Graburn, at 11—W. A. Hale, at 11. Public Examinations.—J. Jay, at 11 30—W. Gayler, at 11 30—W. H. Gales, at 12 30. Adjourned Public Examinations.—W. Fraser, at 12—R. Johnson, at 12 30—C. Graham, at 12 30. Before MR. REGISTRAR LINKLATER.—In Room 20.—Adjourned Application.—C. L. Williams, at 11. Two petitions at 11, four petitions at 11 30, four petitions at 12, seven petitions at 12 30, and one petition at 2. Private Sittings.—J. Witchurch, at 12—I. E. Wertheimer, at 2.

MEETINGS OF CREDITORS.—At Bankruptcy-buildings, Carey-street, Lincoln's-inn.—Before the OFFICIAL RECEIVERS.—First Meetings.—Ashton Lever, at 11—J. S. Levin, at 2 30. General Meeting.—J. N. Beasley, at 12. Adjourned Meeting.—A. W. Stephens, at 12. Preliminary Meeting.—Hartley, at 12.

PROBATE, DIVORCE, AND ADMIRALTY DIVISION.

PROBATE, DIVORCE, AND ADMIRALTY COURT I.—Before the RIGHT HON. SIR CHARLES BUTT, President, at 10 30 :—Divorce Causes, with special juries.—Craig v. Craig and Hamp—Hanbury v. Hanbury.

PROBATE, DIVORCE, AND ADMIRALTY COURT II.—Before MR. JUSTICE JEUNE, with Trinity Masters, at 10 30 :—With witnesses.—Damage.—The Brunette, part heard.—The Lutetia. Salvage.—The Lepanto.

LORD MAYOR'S COURT, GUILDHALL.—At 10 30 :—Cause.—Cridgo v. Fullers Earth Union.

APPEAL COURT I.—The following Queen's Bench final appeals are the next cases to come into the paper after the Admiralty appeals :—Jenkinson and another v. Bullock—Hilleary v. Noyce—Sandgate Board of Health v. Keene—Rose v. Bank of Australasia—Attorney-General v. Mayor, &c., of Oldham. Queen's Bench final appeals will be continued in Court II. to-morrow. The following Queen's Bench licensing appeals are postponed until Monday next, March 14, when they will probably be at the head of the paper in Court I. :—The Queen v. Justices of Glamorgan (Applegate and Evans's cases)—The Queen v. Justices of Pontypool (Hyde and others). Queen's Bench final appeals will be resumed in Court I., when the remaining Admiralty appeals in to-day's paper are finished. Bankruptcy appeals are postponed until next week.

APPEAL COURT II.—Chancery final appeals will be resumed in Court II. on Monday next, March 14. Queen's Bench final appeals will be continued in Court II. to-morrow (Friday), and interlocutory appeals, probably, on Saturday. The following are the next Queen's Bench final appeals to come into the paper of Court II. after to-day's list :—M'Gregor v. Hart—Wilkinson v. Taylor—Jacobson v. Lister—Dawe v. Fairweather—Archer v. Hobbs (No. 69a).

ARBITRATIONS.—At the Royal Courts of Justice.—Before the Arbitrators.—In Queen's Bench Court I.—At 10 30.—Rio Flour, &c., Company v. Snell. In Room 526.—At 11 30.—Tussaud v. Phœnix Fire Office.

COMPANIES (WINDING-UP) ACTS.—At 34, Lincoln's-inn-fields.—Before MR. REGISTRAR GIFFARD.—At 11.—Public Examination.—Kinnears and Company (Limited).

CREDITORS' AND CONTRIBUTORIES' MEETINGS.—The first meetings of creditors and contributories in the Crown Investment Trust (Limited) are appointed for March 16, at 7, New-court, Lincoln's-inn.

THE WEST INDIAN MAIL SERVICE.—A deputation from the Associated Chambers of Commerce waited upon Sir James Fergusson, the Postmaster-General on Tuesday, to ask that Plymouth should be made the port of departure for the West Indian mails instead of Southampton. The deputation included Lord Monkswell, Sir A. K. Rollit, M.P., Sir Stafford Northcote, M.P., Sir John Puleston, M.P., Mr. Leng, M.P., and Mr. W. Summers, M.P. Sir A. K. Rollit, in introducing the deputation, said that not only Plymouth, but many towns in the North which were represented, were materially interested in this question, inasmuch of the saving of time which would be accomplished would be of immense advantage to the whole commercial community. Mr. Daw, secretary of the Plymouth Chamber of Commerce, presented a memorial, which showed that for the last 24 years the mails from the West Indies have been landed at Plymouth, and that under the present contract with the Royal Mail Steam Packet Company the Postmaster-General had the power of making Plymouth the port of departure for the West India mails without extra payment. If this right were enforced and the mails were embarked at Plymouth on Thursday at noon instead of at Southampton on Wednesday evening, they would reach Barbados in the evening instead of in the morning of the day of arrival. A very slight acceleration of the speed named in the existing contract would enable the packets to reach Barbados from Plymouth at the same hour and day as they are now timed to arrive at. The memorialists therefore urged that the Royal Mail Steam Packet Company should be asked to name the sum for which they would agree to expedite the speed of the packets one quarter of a knot on the voyage from Plymouth to Barbados, which would enable them to reach the latter port three hours only after the time stipulated in the existing contract, and which would still allow about six hours of daylight for the transfer of the inter-colonial mails as required by the Post Office officials at Barbados. Sir James Fergusson, in reply, pointed out the difficulties which had arisen in the negotiations with the colonies on the matter. Two of the colonies decidedly objected and declined to be parties to the arrangement proposed, while three others attached certain conditions which would make it very difficult to carry out. Objections made by some of the colonies to the later arrival there would be got rid of by the accelerated speed under the proposed arrangement. It came to this, that that must be paid for either by an extension of the contract or in cash ; but some of the colonies were not willing to assist in either of these directions. He did not see how that difficulty was to be got over unless the Imperial Government overruled the colonies in extending the contract or undertook the whole additional subsidy. Mr. Cousins said the Post Office had plenty of money, and it really was a question whether the trade should be lost by the slow delivery of the letters. If the English Government had to pay the whole sum that consideration should not stand in the way. Sir James Fergusson said that he would be happy to open fresh negotiations with the Royal Mail Steam Packet Company. He was sure the Post Office would be exceedingly glad if some means could be found of carrying out the improvement which they wished.

MARRIAGES ABROAD.—The object of a Bill, introduced by the Lord Chancellor, is to consolidate the Acts of Parliament relating to marriages of British subjects outside the United Kingdom. The Bill contains no further amendment, it is stated, than is necessary to make the enactments uniform and consistent with subsequent legislation, to remove doubts, and to make the language clearer and more concise. The alterations which may be considered perhaps to go beyond the above objects are these :—(1) The fees are left to be fixed entirely under the Consular Salaries and Fees Act of last year, instead of being fixed partly by the Bill and partly under that Act ; (2) the forms are left to be framed by Order in Council instead of being partly in the Act and partly framed by Order in Council.

CENTRAL CRIMINAL COURT, March 9.

TRIAL OF MRS. OSBORNE.

(*Before* MR. JUSTICE A. L. SMITH.)

Mrs. FLORENCE ETHEL OSBORNE was indicted for stealing a pair of diamond earrings and a pair of pearl earrings, the property of Georgiana Louisa Hargreave, and for receiving them knowing them to have been stolen, and also for committing wilful and corrupt perjury as a witness in an action brought by her against George Hargreave and Georgiana Louisa Hargreave for slander, in the Queen's Bench Division of the High Court.

The prisoner, who was evidently in a weak state of health and manifested much emotion, was assisted into the dock by a female warder, who remained seated beside her during the proceedings. Major and Mrs. Hargreave occupied seats at the solicitor's table and Captain Osborne was also present in court.

The prisoner pleaded "Guilty."

Mr. Fulton and Mr. C. F. Gill appeared for the prosecution, on the part of the Director of Public Prosecutions ; Sir Charles Russell, Q.C., Mr. C. Mathews, and Mr. Lewis Coward were for the prisoner.

Mr. FULTON said,—My Lord, I appear in this case with Mr. Gill, instructed by the Solicitor to the Treasury, who is also the Director of Public Prosecutions. I will just briefly state to your Lordship the circumstances connected with the case.

MR. JUSTICE A. L. SMITH.—I have read the whole of the depositions. Unless you wish to address me, I am fully alive to all the facts of the case.

Mr. FULTON.—Then there is nothing I desire to say, excepting this, my Lord, with regard to the perjury. Of course, that is the charge which induced the Public Prosecutor to take the case up. So far as the larceny itself is concerned, probably that would have been left to private persons to deal with. The action of the Public Prosecutor was taken in consequence of the attempt to pervert the due course of law and justice by commencing an action for slander, in which the perjury was committed. But for the action of the accused in "Osborne v. Hargreave," as far as the Public Prosecutor is concerned, we should not have appeared in the matter.

SIR CHARLES RUSSELL.—My Lord, I appear with my learned friends Mr. Charles Mathews and Mr. Coward, and I would ask permission to say a word or two in this very remarkable and very distressing case. As regards the original act of the abstraction or theft of these jewels, those who now, I think, know more fully the facts of the case have found themselves utterly at a loss to suggest any motive for that, and there is no reason, however that statement may tell, for supposing that there was in any shape or way any pressure on this lady, and her friends have been driven to the conclusion that that act must have been committed by her under something approaching a temporary aberration. Indeed, they have formed that notion—that opinion—partly because, as I understand, it is the fact that this lady had been a short time before the occurrence in question treated medically as suffering from hysteria. Your Lordship knows from the depositions the subsequent history of the case. Her friends, who believed implicitly in her, sought the earliest opportunity that seemed to present itself to make the attempt to vindicate her reputation, and she, in assenting to the attempt that was made by the bringing of an action for slander, probably—woman as she is—had not thought out to its almost necessary consequence the course that she was then entering upon. She probably had in some vague way thought that it might be the means of relieving her in the opinion of her friends, without, as the result showed it must do, appearing to involve in an implication of guilt any other and entirely innocent person. And in that connexion I think it material to tell your Lordship one fact. The action was originally brought against Major Hargreave alone, for certain alleged slanderous words used by him. In that original action Major Hargreave had been advised apparently to merely deny the words alleged to be uttered by him and to plead privilege. He did not plead a justification of the words in the sense that they were true, and at that time the lady was anxious that the case should be terminated by the acceptance of the plea of privilege. My Lord, it is a pity that it was not so. She was overborne by the enthusiasm of her friends—by the implicit confidence they placed in her ; and Mrs. Hargreave, having been supposed to have uttered words also of a slanderous character, was joined in the action, and she justified the words. At that time this lady was married, and there could be no doubt that the whole of the proceedings, in their initiation and subsequently, were mainly the act of her friends acting, as was quite natural, in implicit belief in her innocence. Your Lordship also knows that, in point of fact, although the statements which are now admitted to have been false statements were made by the prisoner at the bar in her evidence, before any action could proceed upon those false statements they had, in fact, been retracted by her, and at her instance her counsel were instructed to withdraw from the case, so that the matter was not left to the jury to act on evidence that had so falsely been given. That trial over, I think it right to draw your Lordship's attention to what has since happened. The husband of this lady and the friends of this lady desired to do all that could be done, if not entirely to undo the mischief, at least to render it as little mischievous as possible. I will now ask your Lordship to allow me to read a correspondence that has passed between the Public Prosecutor and those who represent the prisoner at the bar. The first letter I will read is from Messrs. Wontner and Sons, and is as follows :—

"19, Ludgate-hill, E.C., Jan. 20, 1892.

"Sir,—'Osborne v. Hargreave.'—At the request of Mr. John Lettsom Elliot, the grandfather of Mrs. Osborne, we beg to forward you £250 in notes, being moneys found at the house where she was living, and apparently part of the proceeds of the gold changed into notes, and our cheque for £300, which makes up the £550 lost by Messrs. Spink and Son, which money comes from Mr. J. L. Elliot, who desires to repair in this way the wrong done by his granddaughter. We send the money to you instead of to Messrs. Spink, in order that there may be no thought of the payment being other than most properly dictated. "We are, Sir, yours obediently,

"WONTNER and SONS.

"The Director of Public Prosecutions, Treasury, S.W."

Later Captain Osborne addressed the correspondence which I am now about to read to the same quarter. It is dated from Regent's-park, January 25, 1892. The trial had come to an end in December, and in the meanwhile a warrant had been issued against the lady for obtaining money under false pretences, that being the only warrant then issued. It was not the fact that the warrant was issued at the instance of the Public Prosecutor, but by the City police. The letter was as follows :—

"Sir,—My wife is most anxious to surrender herself forthwith for trial upon the charge contained in the warrant, which at your instance, as I am informed, has been issued against her. But her health is so precarious, owing to her present position of pregnancy, that I have absolutely forbidden her voluntarily to endanger her own life and possibly that of her child by passing in the solitude and misery of a prison the weary months which must elapse between this and the early days of June, when she expects her confinement, at which, it being her first confinement, I am naturally anxious that she should have the best medical aid that can be procured. I desire to inform you, first, that Messrs. Wontners have received instructions to forward to you the sum of £550 with which to repay Messrs. Spink the money given by them for the jewels sold at their premises in Gracechurch-street on February 19, 1891, and I believe they have acted upon these instructions."

My Lord, I may add in addition to that that Messrs. Spink and Son have been paid £624 for costs. (Reading) :—

"2. That arrangements have been made by Messrs. Wontner to pay the costs incurred by Messrs. Spink in the action of 'Hargreave v. Spink,' tried at the Guildhall before Mr. Justice Wills in November, 1891. 3. That arrangements have been made by Messrs. Wontner to pay the costs incurred by Major and Mrs. Hargreave in the action of 'Osborne v. Hargreave,' tried before Mr. Justice Denman at the Royal Courts of Justice in December, 1891."

My Lord, these have also been paid, amounting to £1,569. (Reading) :—

"Thus you will appreciate that Mrs. Hargreave has got back her jewels, that Messrs. Spink will be repaid the money they gave for them, and that the costs incurred in the two actions—one for detinue and the other for slander—will be refunded, in the one instance to the successful and in the other to the unsuccessful litigants. Under all these circumstances, is it possible that my wife's surrender for the purposes of trial may, with your concurrence, be postponed until after her child has been born, and that in the meantime she may not be harassed by the constant fear of capture, terrible enough to a person in strong health, but distracting and even dangerous to one so completely prostrated as Mrs. Osborne, whose suffering in the immediate past it is impossible for me to paint, and whose apprehension as to the immediate future, if her present mental and physical agony is protracted, I find it impossible to convey to you. You need fear no departure from this undertaking, which is given upon my solemn word, and with Mrs. Osborne's unreserved sanction. If my wife lives she shall surrender herself to justice upon the charge which at your instance has been made against her. Is it asking too much for a delay—unusual, I know—but which I think, and you may perhaps agree, is not inconsistent with the dictates of humanity? I have the honour to be, Sir, your obedient servant, C. A. OSBORNE. To Sir Augustus Stephenson, K.C.B."

To that came an answer from the office of the Public Prosecutor of which no complaint whatever could be, or ought to be, made. It was a courteous statement of the fact that they could not enter into any arrangement of that kind ; the lady ought to surrender. On the 29th of January Captain Osborne wrote a further letter to Sir A. Stephenson, as follows :—

"Sir,—In answer to your letter of the 26th of January"—my Lord, that should be the 27th of January—(reading) "which expresses your inability to accede to my urgent request that delay might be afforded to my wife until after her confinement for the execution of the warrant which has been issued against her, I have had an opportunity of placing this new aspect of affairs before her and of learning her wishes upon it. It only remains for me now to inform you of the course of action Mrs. Osborne urgently desires to adopt. She is convinced that she ought to surrender forthwith, in spite of the considerations which have led me hitherto to resist her wish in the matter, and I feel myself compelled to acquiesce, although I am aware that in coming to this conclusion she is greatly influenced by the belief which, rightly or wrongly, she entertains that in so acting she would best consult my interests. I am, therefore, returning forthwith to where she is to bring her to England with such speed as her delicate condition of health will allow, in order that she may surrender herself into the custody of the English police and undergo her trial at the earliest possible moment. I beg to inform you that Colonel Smith will receive from Messrs. Wontner a notification of the date and hour of her arrival in England as soon as they can be exactly known. I doubt not that Colonel Smith will use his own discretion as to where the arrest will be effected ; but if this can, with your sanction, occur at my father's house, above address, to save the unnecessary pain of publicity, I shall esteem it a favour.—I have the honour to be, Sir, your most obedient servant, C. A. OSBORNE."

My Lord, in conformance with that she was brought by her husband to Dover and there taken into custody by the police and subsequently brought before the magistrate and committed to her trial here. So far as the theft—the abstraction of these jewels—is concerned, they have been returned to their true owner. As regards the money which Messrs. Spink paid, that has been returned to them, and in each case the parties have been reimbursed the outlay which they have been obliged to incur in the matter. And as regards the imputations—the unjust and groundless imputations—which were unfortunately made against certain persons, Major and Mrs. Hargreave particularly, in the course of the trial, they have been completely relieved of them and their character and position have been vindicated. As regards the lady's present condition of health your Lordship has means, by reference to the prison authorities, to ascertain that for yourself, and I say nothing about it. I have only, in conclusion, to say that, while I make no appeal to your Lordship because this is a lady by birth, by education, and by position, I make no appeal based on that ground, yet it is right to remind your Lordship that, in dealing with a person of that kind, identity of punishment does not mean equality of punishment, and that to a person brought up as she has been, the position in which she has been placed, the humiliation to which she has been exposed, the anguish she must have suffered, the loss of the respect and confidence of her friends—having regard to all these circumstances, has she not been punished for the grievous fault she has committed? My Lord, I have no more to say. Your Lordship will deal with the case as the justice of the matter requires.

Mrs. Hargreave, rising from her seat at the solicitors' table in the well of the Court :—My Lord, as I and my husband have been the chief sufferers in this case, I desire to say ——

MR. JUSTICE A. L. SMITH.—I ought not to hear you, Mrs. Hargreave, unless you are here to plead for mercy.

Mrs. Hargreave.—I am here to plead for mercy, my Lord. I have known and loved her all my life, and I am perfectly convinced that she could not have been in her right mind when she was doing what she did. May I beg your Lordship to deal as leniently with her as possible.

MR. JUSTICE A. L. SMITH.—Florence Ethel Osborne, you have pleaded guilty to a felony of jewelry and to an indictment for perjury. You stole the goods of your friends when you were staying with them. These jewels you converted into money, and that money you appropriated to your own use. On the finger of suspicion pointing to you as being the thief you commenced an action in the Queen's Bench Division for the purpose of vindicating your character. You first brought it against Mr. Hargreave, and then Mrs. Hargreave was added as a defendant. In that action you falsely and corruptly swore to facts leading or intending to lead the jury to the conclusion that you had not stolen the goods, and for days you sat by your eminent counsel instructing him that you were not the thief, and making it necessary for him to do what he did—to suggest that you were not the thief and that your friends were. I myself do not know what would have been the result of your action had it not been for the interposition of a witness who was able to produce a document with your endorsement which told beyond all doubt on which side the truth lay. If you had succeeded by your wilful and corrupt perjury in obtaining a verdict in your favour, your old friends, Mr. and Mrs. Hargreave, would have left that Court with a stain of indelible ignominy ; but fortunately that has not been so. I am aware of your condition, I am aware of your frail health, I am aware that all the jewelry has been returned, and that the moneys you have misappropriated have been returned, and that all costs have been paid to persons who by reason of your perjury had to enter into litigation. You have been some time in prison. You have, I notice, surrendered yourself to justice and confessed to your guilt. I am willing to take all this into consideration, and also what Mrs. Hargreave has stated to me to day, and the strong recommendation to mercy from her, who, above all others, has been wronged by your action. The *maximum* punishment for perjury is seven year's penal servitude. I am not going to pass that, but I know that the sentence I am about to pass, certainly to a person in your position, is one of great severity. The punishment I am about to inflict upon you is that you be imprisoned with such hard labour as your state of health will enable you to preform. During that imprisonment you will be attended by the prison doctors and attendants. The sentence of the Court is that you be imprisoned and kept to hard labour for nine calendar months.

JOHN NOBLE, 46, sweep, was indicted for the wilful murder of Mary Elizabeth Swift.

Mr. C. Mathews and Mr. Horace Avory prosecuted; Mr. Thompson defended.

The prisoner and the deceased had been acquainted with each other for some time, and it was alleged that he had been jealous of her. On the night of February 4 they went to several publichouses, and subsequently the prisoner, as it was alleged, inflicted a wound on her throat with a razor, from which she died.

Mr. THOMPSON contended, in defence, that there was no evidence to prove that the deceased's death was caused by the prisoner, but that if the evidence pointed to that conclusion the circumstances were of such a provocative nature as would justify the jury in reducing the case to manslaughter.

MR. JUSTICE A. L. SMITH summed up.

The jury found the prisoner *Guilty* of murder, but strongly recommended him to mercy on the ground of provocation.

MR. JUSTICE A. L. SMITH sentenced the prisoner to death, and said the recommendation to mercy would be forwarded to the proper quarter.

BIRMINGHAM WATER BILL.

TO THE EDITOR OF THE TIMES.

Sir,—I have no desire or intention to enter on a discussion of the general questions with reference to the Birmingham scheme which will be submitted to the committee of the House of Commons, but I shall be obliged if you will allow me, through your columns, to offer a few words of explanation on one or two points as to the speech made by myself which is referred to in your paper to-day, and from which quotations were read in the House last night.

I have not the honour of being "City Clerk of Birmingham," as stated in your leader of to-day, but am Chairman of the Water Committee. The speech in question was not made on Monday last, but on the 7th of April, 1891, at a time, it will be observed, when the proposal for a Royal Commission on the water supply of London had not been made.

My speech was published in a pamphlet form shortly after its delivery, and extensively circulated.

It was necessary in the course of this speech to deal with the whole question of the scheme I was then submitting to the council. The first and most essential point was that of the necessity and urgency of finding a new source of supply, and this was, as I think, conclusively shown by the statistics I submitted as to the growth and requirements of our water department, and without the slightest reference to London.

Speaking, however, on the whole subject and to an audience not so well informed as to the surrounding circumstances as was the Water Committee, I thought it necessary to advert to the probability that London would have to go to Wales for water, and might be competitors for the identical district selected by our engineers. This I did by the passages quoted last night, which were used by me as incidental only to the main argument.

I altogether deny that any possible competition with London led to the production of our scheme at a time earlier by a single day than was necessary for the wants of Birmingham itself. I may add that the scheme had been for months under the consideration of the Water Committee, and that it is essentially the same as one recommended to the corporation of Birmingham in 1871 by Mr. (now Sir Robert) Rawlinson in an elaborate report on the whole subject.

At the recent conference with the representatives of the metropolitan members we urged the absolute necessity of immediate action to give Birmingham a fresh supply, and explained that it was our own needs, and not a desire to forestall London, that had led to the steps we had taken. When I addressed the conference I mentioned that I held in my hand a print of the speech in question, which I was ready to discuss if necessary.

I am, Sir, your obedient servant,

THOS. MARTINEAU.

9, Bridge-street, Westminster, March 9.

THE LABOUR COMMISSION.

Yesterday the sittings of the Shipping Section (Group B) were resumed at the Commission-room, Westminster-hall, under the presidency of Lord Derby. The other members present were Sir Michael Hicks-Beach, M.P., Mr. Leonard Courtney, M.P., Mr. Gerald Balfour, M.P., Mr. Burt, M.P., Mr. Bolton, M.P., Mr. Jesse Collings, M.P., Professor Marshall, Mr. Plimsoll, Mr. Tait, Mr. Mawdsley, Mr. Austin, and Mr. Trow ; and Mr. John Burnett and Mr. Geoffrey Drage, joint secretaries ; and Mr. F. V. Hornby, assistant secretary.

The first witness called was Mr. E. Gatley, general secretary of the Upper Mersey Watermen's and Porters' Association, who said that his society was established in 1889 and contained about 1,035 members. Its headquarters were at Runcorn. The weekly wage paid to the men was 11s. and 16s. in some districts, and the captain was paid 5s. more weekly wage than the men. The hours of work on an average for the year round were 100 hours per week. That was the time the men were obliged to be on board the canal-boats, though they might not actually be at work that time. They thought the hours were too excessive. Very long shifts were worked, sometimes of 48, 60, and up to 70 hours. The men asked some time ago for a six hours' rest after 24 hours' work, but the masters could not see their way to concede that. The nature of the work was very dangerous, and they had to work in all kinds of weather. Between Runcorn and Liverpool no boats, belts, or buoys were provided on the canal-boats, and men and women had been drowned in consequence. The Canal Boats Act was openly violated. Boats registered to accommodate three or four persons often carried a man with his family of six or seven persons. With regard to inspections, sometimes three or four years intervened between two inspections. They objected to women and girls being employed on canal-boats because the work was unfit for them. Sometimes children of five or six were employed to drive the horses. He had never seen any case where the employers had paid compensation for accidents.

LORD DERBY.—Would you prohibit women from working on board these boats without consulting them in the matter?—Yes.

By Mr. TROW.—The married men who were members of the union were opposed to women and children being allowed to live and work in the boats, but the married men who were not members of the union had not been consulted in the matter.

Mr. J. Billam said he was an insurance agent, secretary of three large friendly societies, and the honorary secretary of the Piccadilly (Manchester) branch of the same union. His section represented the quick boats—the flying boats. The pay on these boats averaged, for mates, 22s. a week. The highest wage paid to any single man was 25s., though out of the 70 or 80 men so employed not more than two in his section received that sum. With regard to the female labour on the boats, they thought it was too degrading ; sometimes the women had to handle pig iron of half a hundredweight.

Mr. W. Turner, honorary secretary to the Burscough branch of the same union, was next called. He said that on one class of boats—the steamers and ply-boats —the hours worked were 120 per week. That was the number of hours actually worked in loading, manning, and discharging the boats. The wages for mates was 3d. an hour, and for captains 3½d. The best paid men were those on the trip boats, who got 3½d. an hour. With regard to the conditions of female labour, women had often to clamber up the lock gates from the boat down below in order to close the gate and raise the lock again, and he had seen a woman with a child at her breast thrown into the canal by the force of the tiller.

By Mr. TAIT.—The sanitary conditions on board were not quite satisfactory ; they had scarcely space enough. He would suggest that the hours of work should be reduced by the prohibition of Sunday labour, and three-fourths of their men would be content if that were done.

The next witness was Mr. W. Hough, secretary of the Winsford Watermen's Association, who said there was practically no limit to the time the men had to work. Men had worked from 12 o'clock on Sunday night till 12 o'clock on the Saturday following, thus going the whole week without sleep unless they could manage to sleep whilst at their work.

Mr. Chadwick, general secretary of the Mersey Flatmen's Association, gave evidence as to the conditions of work on the Mersey, and the Commission then adjourned until to-day.

POLICE.

At MARYLEBONE, yesterday, WILLIAM BONE, a cab driver, living at Shouldham-street, was summoned by the Royal Society for the Prevention of Cruelty to Animals for ill-treating a horse. The evidence showed that the defendant kept the animal out for 11 hours, and when he took it back to the yard where he was employed it was found to be quite done up and covered with weals. The animal was seen by Mr. Anderson, a veterinary surgeon, who found it to be suffering from leg-weariness and to have all the appearances of having been overdriven. Mr. Williams told the defendant that he would make him suffer a little of what the horse had had to endure, and sentenced him to 21 days' imprisonment.

At WESTMINSTER, DANIEL BRYANT CREMER, 30, a well-dressed man, described as a valet, of Eaton-court, Eaton-lane, Pimlico, was charged before Mr. de Rutzen with stealing letters containing cheques from Victoria and Connaught mansions, Victoria-street, Westminster. On Tuesday prisoner called three times at Connaught-mansions, Victoria-street, asking for a Mr. Beeson, who was not known there. The porter left him for a short time to make inquiries, and then, feeling assured that the prisoner had no legitimate business, he called a policeman to interrogate him. Prisoner denied to the constable that he had been inside the building, and he was thereupon taken into custody. Behind the hall door of the mansions, the porter subsequently found several letters crumpled up, as if hurriedly flung away. They were addressed to persons living in the flats, and one contained a cheque for a considerable sum. Besides this the police found on the prisoner a letter addressed to the secretary of the Planet Electrical Engineering Company (Limited), containing a cheque for £42. This letter had been stolen a short time before from the letter-box or hall table of a building in Victoria-street, where the company have their offices. Detective Beard said there had lately been numerous complaints of this class of robbery from West-end mansions, and he had no doubt there would be many more cases against the prisoner. The accused was remanded.

At the THAMES Police-court, CHARLES BEEKS, a police-constable, was summoned under the Elementary Education Act for not sending his daughter, aged 13, to school. Mr. Mather, who prosecuted on behalf of the School Board, said that the defendant, instead of obeying the law, appeared to defy it. The case having been proved, Mrs. Beeks, who represented her husband, said the child was 13 years of age, and had twice passed Standard V. She considered that the girl ought now to be allowed to stay at home to help to look after the other children, who were younger. Four other children were regularly attending school, and she produced a number of certificates bearing out the truth of her statement, and added that one was for scripture history. Under these circumstances she considered it hard that the girl was not allowed to assist at home. Mr. Sheil took a similar view, and suggested that the summons should be withdrawn. Mr. Mather replied that he could not do that. Mr. Sheil (with asperity).—One penny fine. In another case the magistrate imposed a similar penalty.

At SOUTHWARK, the REV. F. G. LEE, the vicar of All Saints, Lambeth, appeared to an adjourned summons charging him with an act of misconduct. Mr. St. John Wontner, solicitor, prosecuted on behalf of the Commissioners of Police, and Mr. Washington, solicitor, defended. Offences were alleged to have been committed on two occasions at the vicarage upon a lad named Clifton, lately an inmate of a reformatory school. Evidence having been called for the defence, Mr. Slade said it would be more satisfactory for the case to go before a jury. Defendant was therefore committed and allowed out on bail.

At NORTH LONDON, JOSEPH BERNAL, an old man, appeared before Mr. Marsham on six summonses alleging that he sold intoxicating liquors without the necessary licence. Mr. Squire prosecuted for the Inland Revenue authorities ; and Mr. Blanchard Wontner defended. The evidence was that on January 31 Police-constable Ewens, of the N division, went to a tobacconist's shop at 288, St. Paul's-road, Highbury (the defendant's name was over the door), and passed from the shop to the back parlour, where he saw about a dozen young men with the defendant, his wife, three daughters, and two sons. Witness and Police-constable Bickley, who was with him, were served with whisky and beer, and 3d. each was charged for the drinks. The bottled beer and whisky were taken from a cupboard in the back parlour. On another occasion when Ewens and Bickley visited the place, the defendant's daughters played the piano and sang songs, and the police and others joined in the choruses. On a third visit the two detectives were accompanied by Mr. Dickens, an Inland Revenue officer, and then one of the sons of the defendant suggested that the witnesses should become members of the club, as "that would save a bother." Ewens and Bickley assented, and members' tickets were given them, for which they paid nothing. They were not proposed and their names were not posted up. The police were served with whisky and beer both before and after receiving their certificates. The defendant submitted that it was a club, but the only book he could show was one with counterfoils of the tickets mentioned. Mr. Marsham inflicted fines upon Bernal to the amount of £45.

TO THE EDITOR OF THE TIMES.

Sir,—In justice to the medical profession, will you permit me to state that "Elgin Laws," referred to in your police intelligence of to-day, and described as a "medical man," is not on the medical register?

Your obedient servant,

GEORGE BROWN, President General Practitioners' Alliance.

General Practitioners' Alliance, 11, Adam-street, Strand, W.C., March 9.