

MAGISTRATES' COURTS.

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CHRISTCHURCH.

WEDNESDAY, JUNE 24.

(Before C. C. Bowen, Esq., R.M.)

DRUNK AND DISORDERLY.

Thomas Henderson, arrested by Constable Lamb for drunkenness, was fined 10s, or twenty-four hours.

WIFE DESERTION.

John Wm. Bottomore was arrested on the charge of deserting his wife at Auckland.

Chief Detective Feast stated that he saw the defendant outside the Court, and addressed him as Bottomore. He admitted that that was his name, and that he had lived on the Thames. He (witness) told him there was a warrant out for his arrest on the charge of deserting his wife and family, who were living at present at the Thames. The warrant was at the depôt, and would be sent for. Subsequently the Chief Detective stated that information had come from Auckland that a warrant had been issued for defendant's arrest, but he had discovered that it was still in Wellington.

Defendant said he had no family, and had left the Thames to come here to seek employment. He had left his wife, as he could not live with her. He had no family, and would send her means when he got employment.

Detective Feast mentioned that defendant was living here with another woman.

His Worship said he would adjourn the case until that day week, defendant to enter into recognisances in the sum of £50 to appear then.

LARCENY.

John Broughton, remanded the previous day on the charge of stealing a watch and chain in England, was again brought up.

His Worship said that he had made up his mind to dismiss the case as it happened in England; but he hoped it would be a warning to prisoner, as without a doubt he had feloniously appropriated the watch. He trusted that now he was starting life in this colony that he would accept this as a warning. The charge would be dismissed.

[Sir Cracroft Wilson here joined his Worship on the Bench.]

WILFULLY PLACING STONES ON A PAILWAY

LINE.

Noah Uzvera, a young East Indian boy, was charged on warrant with wilfully placing stones on the Great Southern line of railway near Burnham station on the 18th instant.

Chief Detective Feast mentioned to his Worship that only one of the witnesses was present in Court (the porter, which the acting traffic manager had promised should be there) though he had also spoken to Mr Warren, and told him it would be necessary that all the witnesses should attend that morning.

His Worship said that when the railway authorities wanted to prosecute, and would not attend for that purpose, he did not know what to do. This case of placing stones on a railway line was a very serious charge, and not a soul was here from the railway to look after it. This was not the first time that such a thing had occurred, and he would certainly represent the matter to the Government. Those parties would have to be subpoenaed the same as any body else. It was perfectly monstrous that on a charge of this sort the witnesses could not attend from the railway.

Chief Detective Feast said he would try and have the witnesses ready in an hour, and his Worship adjourned the case for that time.

When the case was again called, the following evidence was taken:—

Detective Walker: I arrested the boy this morning on the warrant produced. I went to Burnham and saw the boy at his father's house. I asked him why he put the stones on the railway, and he said he was only playing. I asked him what he went behind the gorse fence for to hide, and he said because he would like to see a good smash. I said how would you like your father to have been in the train, and he said that would have been bad.

In reply to his Worship, the boy said that he was only playing, and wished to see a "smash."

Sir Cracroft Wilson asked the boy if he knew what "smash" meant, but he did not seem to understand the meaning of the word.

Sir Cracroft then asked the father of the boy some questions in Hindostanee, who replied that on that afternoon the boy was attending to some cows while he went to the station with a load of stone, and the officer in charge of the railway station at Burnham told him that the boy had been putting stones on the rails. He then accompanied the station-master to the place, and when he saw what the boy had been doing, he beat him. The boy was about six years of age.

George Dorne, engine-driver, examined, stated—When about a mile and a quarter coming from Dunsandel towards Burnham, I saw stones on the line. I could not tell at first whether they were birds or not, but on nearing them I found they were large stones varying from twelve to fourteen inches in diameter. I at once slackened the speed. Before I shut off steam I was travelling at between thirty-five and forty miles an hour. I was travelling with the heavy engine, and the guard-irons on that engine are laid across, and would throw small stones off the line.

Benjamin Kenricka—I am porter employed at Burnham station. I was ordered to go up the line on that day until I came to within 100 yards of the nineteen and half mile post and saw some stones laid close on three-quarters of a chain on the line and also a pyramid of big stones built on each side of the line. I threw the stones off the line, and when the train passed, saw the boy behind the gorse fence, and asked him what he was doing on the line he replied, "Yes, me there, me won't do it again." If the stones had been left that position when the goods train came up, they would most likely have thrown the engine off.

In reply to Sir Cracroft Wilson, the father of the boy again stated that he beat the boy very severely, immediately after he had been told that he placed stones on the line.

Sir Cracroft Wilson, at the request of his Worship asked the father what security he could give that the boy would not be guilty of this offence again.

He replied in the metaphor of his language, "If he does, I am your victim." The witness also said that he was aware of the enormity of the offence, and that loss of life might have resulted.

In reply to his Worship (through Sir Cracroft Wilson),

The father of the lad said he would not only enter into a bond to pay £20 that the offence should not occur again; but if it did, he (his Worship) might also "hang him."

The necessary bond was entered into, and the boy was discharged.

LYTTELTON.

TUESDAY, JUNE 23.

[Before W. Donald, Esq., R.M.]

DRUNK AND DISORDERLY.

William Dennythorne and Henry Cassiday, arrested by Constable Graham, it being their first offence, were cautioned and dismissed.

DAMAGE TO PRIVATE PROPERTY.

William Woods, charged on the information of Mrs Fitzsimmons; case was remanded for one week, the Bench advising defendant that he had best replace the things damaged or pay for them.

KAIAPOI.

MONDAY, JUNE 22.

[Before G. L. Mellish, Esq., R.M.]

ASSAULT.

Edwin Clark and W. Eiby were charged with assaulting a little boy named Arthur J. Moore. A cross summons was heard charging A. J. Moore with behaving so as to provoke a breach of the peace. Both cases were dismissed.

A case against the lad Moore for discharging fireworks was also dismissed.

CIVIL CASES.

Malay v. T. H. Harrison: Mr Weir, attorney for the defendant, applied for a rehearing, and, having stated his grounds, it was granted, the case to be re-heard next Court-day. Clark v. Stevenson, claim £10 15s 6d, for fencing; paid into Court £2 12s, set off £4 4s 9d; judgment for amount of £5 18s, each party to pay his own costs.

TUESDAY, JUNE 23.

[Before G. L. Mellish, Esq., R.M., and J. Birch, Esq.]

ASSAULT.

George Gibbs, W. Edlin, and W. H. Walton, three lads, residing at Woodend, were charged on the information of an old woman named Margaret Antill with assaulting her with stones, and injuring her dwelling house. The case against Walton was withdrawn, there not being sufficient evidence against him.

Inspector Barsham stated that on infor-

mation reaching him he went to complainant's house at Woodend; he found several stones inside, some of which he produced; three panes of glass broken, and the complainant appeared to have been severely injured. Her face was covered with blood, and her arms and other parts of her body were much contused. From what he saw and heard he arrested the accused on warrant.

Margaret Antill stated that, at 6 p.m., on the 13th, she was sitting by the fire, when, hearing a rattle in the verandah, she went out to go to a back shed, when a shower of stones fell on to the roof, and others hit her on the arms, head, and other parts of the body. She heard and saw several boys run away, but could not swear to them. She was not able to leave the house next day, from the injuries received from the stones. When she was able to go out, she went to Mrs Murchie's, and hearing laughing in the house, listened, when she heard Edlin saying he "thought they had done for Mother Antill this time." She taxed him with being at the house on 13th, when he said, "if you think so, summon me."

To Gibbs—You have thrown stones on previous occasions?

To Edlin—I swear that I believe you were among the other boys?

W. H. Walton, a lad who was with the accused, said Gibbs and some other boys called at their house for him. He went with them. Opposite Mrs Antill's they got a slip rail out of the fence, and he saw Edlin throw it under her verandah. Gibbs and witness went away across a paddock, where they waited some time for the others. During this time witness heard stones thrown at Mrs Antill's house, and some of them came up and said they had been throwing stones.

Gibbs admitted that Walton's statement was correct.

Edlin confessed that he helped to get the rail loose and throw it under the verandah, he also threw stones. About three dozen or so were thrown.

The Bench administered a severe caution to Gibbs and dismissed him, they had concluded to send Edlin for trial as, in addition to imprisonment, he would probably be sentenced to lashes, but ultimately sentenced him to two months' imprisonment with hard labor.