

**SUMMONS DIVISION.**

(Before Mr. F. P. Meares, A.S.M.)

**Conniving at Desertion.**

Leopold Barfield was summoned on an information charging him with conniving at the desertion of Ernest Heine from the German vessel Adolf. Mr. T. A. Braye (Messrs. Braye and Cohen) appeared for the prosecution, and Mr. W. A. Reid (Messrs. Reid and Reid) for the defendant. Mr. Reid said he objected to the jurisdiction of the Court. He submitted that there was no authority to prosecute. The information was laid by Senior-constable Tinsley, and the Act provided that there could be no prosecution except by permission of some representative of the German Government. Mr. Braye said the section quoted was intended to meet prosecutions against seamen. The Magistrate said he thought the prosecution was good. At Mr. Reid's request he agreed to note the objection. Senior-constable Tinsley deposed that on the 22nd he saw defendant, and asked him where were the ten men who ran away from the Adolf, and he said he did not know. Witness asked him if he knew them all, and he replied that he did. He said he knew Heine, Roenpage, and Eul, but did not have any of their clothes. Defendant said those three men told him that they were going to desert. On the following day witness confronted the defendant with the three men named, and they said he (defendant) was the man who had their clothes. Defendant said that he had bought a bag from Heine, but did not know where it was. Defendant spoke in German. Ernest Heine deposed that he was a seaman, and had been employed on the vessel Adolf. About June 20 witness deserted from the vessel at Newcastle. Before he left the vessel he told defendant that he was going to do so. He asked defendant to mind his clothes, telling him at the same time that he was deserting. Defendant told him to

clothes, telling him at the same time that he was deserting. Defendant told him to bring his clothes in at the back gate, and if he was not there to say the parcel was for Leo. It was Israel's place he was to take the clothes to. Witness knew that defendant was working at Israel's. He took five parcels to Israel's, and gave two to the defendant. Witness deserted from the vessel, and had been arrested by the police. At the police station defendant said to witness, "Why did you not tell him you sold me the bag?" Heinrich Roenpage deposed that he had deserted from the Adolf. He had seen the defendant on the vessel several times. Witness had taken clothes to defendant. He was at the police station when Heine was brought in. That was the case for the prosecution. Mr. Reid submitted there was no evidence that Heine deserted as required by the provisions of the Foreign Seamen's Act. Mr. Braye said Heine had sworn that he deserted. The magistrate held that there was evidence of desertion. Mr. Reid said he would rely on the points he had taken, and would call no evidence. The defendant was fined £5, with £1 7s costs, in default a month. Fourteen days were allowed to pay the fine, Mr. Reid stating that he intended to apply for a prohibition.

#### Alleged Improper Language.

Percival Pritchard was summoned on an information charging him with using improper language. Mr. A. H. James appeared for the defendant, who pleaded not guilty. Constable Toohey deposed that on the afternoon of the 18th inst. defendant was playing football at Hamilton. Witness heard the defendant use the language complained of. The defendant deposed that he did not use the language complained of. James Scullthorpe and Ben Green also gave evidence. The case was dismissed.

#### Riotous Behaviour.

Henry Myers and William Bowden pleaded guilty to behaving riotously at Carrington on July 18. Bowden was fined 10s, with 6s costs, in default seven days, and Myers 5s with 6s costs.

10s, with 6s costs, in default seven days, and Myers 5s, with 6s costs, in default two days.

#### Assault.

William Morgan summoned George Caruthers, charging him with assault. Mr. H. V. Harris (Messrs. Harris, Westcott, and Co.) appeared for the complainant, and Mr. T. A. Braye (Messrs. Braye and Cohen) appeared for the defendant, who pleaded guilty under provocation. The complainant, a bread-carter, deposed that on Wednesday last he went to defendant's house to deliver bread. The defendant asked if his wife had taken bread on the previous day, and on being told that she did, he struck witness in the face. Mary Henderson, a married woman, at Carrington, deposed that she saw defendant hitting the complainant. The defendant deposed that he was a coaltrimmer. On Tuesday last witness's wife made a complaint about the complainant. On the following day witness spoke to him, and asked him what he meant by insulting his wife, and he said it was a mistake. Witness then struck him. Annie Caruthers gave evidence that complainant made a remark which she considered insulting. To Mr. Harris: Complainant said he did not mean anything. The defendant was fined £1 10s, with costs £1 13s, in default a month.

#### Wife v. Husband.

Mary Ann Dawson summoned Robert Dawson, her husband, on a charge of desertion. There were also claims for the support of three children. Mr. T. A. Braye (Messrs. Braye and Cohen) appeared for the complainant, and Mr. A. H. James for the defendant. Mr. James consented to an order for the payment of

### PRIVATE HOUSING COURT.

PIPITEA PAH, ZARA-ST., NEWCASTLE.

goods to the defendant. A. Braye (Messrs. Braye and Cohen) appeared for the complainant, and Mr. H. V. Harris (Messrs. Harris, Westcott,

peared for the complainant, and Mr. H. V. Harris (Messrs. Harris, Westcott, and Co.) for the defendant. The case had been part heard and adjourned. After further evidence, the case was dismissed, plaintiff to pay £2 10s costs and expenses, in default seven days.

---