

TWO OF A TRADE

MANUFACTURERS AT LAW

VERDIOT FOR A FARTHING

Edmond Platt-Ruskin, button-badge manufacturer, of Sydney, in No. 1 Jury Court to-day, before Mr. Justice Sly and a jury of four, claimed £1000 damages from Alfred Ernest Patrick, also a button-badge manufacturer, of Sydney, in respect of alleged slander.

Plaintiff alleged that the defendant falsely and maliciously stated: "There he is; the biggest rogue and blackguard in the country. He took my bread away. Your order ought to have been with me. I will make these badges for half the price. I will make them at £1. He will never execute the order. He only goes about and takes orders."

The defendant, in his pleas, said he was not guilty.

Mr. J. J. Cohen (instructed by Messrs. B. Keith Cohen and Walker) appeared for the plaintiff; and Mr. Mack (instructed by Mr. George Bourne) for the defendant.

Plaintiff in his evidence said he was a manufacturer of button badges at Moore-street, Sydney. The defendant, with whom he was acquainted, and had business transactions, was also a manufacturer of button badges in the city. On March 10, 1916, plaintiff visited the office of the hon. secretary of the Nurses Comforts' Fund (Mrs. T. E. B. Russell) in regard to an increased order for buttons in connection with Button Day. Upon witness entering the hon. secretary's office, the defendant, it was alleged, used the words complained of.

Mr. Mack (to plaintiff): What do you say your name is?—Since I have been in Great Britain I have adopted the name of Platt-Ruskin, but my Russian name is Platkin. I was known in the theatrical profession as Platt-Ruskin, but my Russian friends call me Platkin.

Did the Russian Consul ever say you were a disgrace to Russia?—No, certainly not.

Did you not say you were a captain in the

a disgrace to Russia?—No, certainly not.

Did you not say you were a captain in the Russian army?—No, I did not.

Did you not advertise that you were a captain in the Russian Army?—No; I did not. The statement that I was a captain in the Russian Army appeared in one paper, and I asked the editor to contradict it. The paper was the Theatre Magazine. I certainly objected to the statement that I was a Russian captain. The statement appeared in September, 1915.

How did you get the idea you were a captain?—Please let me explain. I had been asked by the Russian Consul to fix up the Russian portion of the procession, for, I think, Allies Day. I looked for costumes, and, amongst others, found some suitable for Cossacks. I was told to lead the procession, and I was in front of others dressed as soldiers. I was wearing the uniform of a captain. I passed his Excellency the Governor, and he received my salute. After that my friends and other people called me captain when asked to have a drink.

His Honor: You took part in some procession and after that you were called captain?—Yes, your Honor.

Mr. Mack (to plaintiff): Did you not, in May, 1916, in the Sydney Morning Herald, publish a statement to the effect that you were not a Russian captain, but that you had served as a private in Russia in 1897-99?—I did publish a statement.

As a matter of fact, did you not publish the statement because the Russian Consul directed you to do so?—No; certainly not.

In answer to Mr. Mack, plaintiff said he had written one letter to Mrs. Russell regarding the defendant. After Mr. Patrick had called on Mrs. Russell he remarked to witness that he (plaintiff) was charging her too much for the badges. He denied he said that Patrick exploited the Melbourne patriotic committee. Witness said his correspondence was 1000 letters a week, and he was connected with a great number of patriotic funds. Witness said he had written and produced plays under the name of Platt-Ruskin. Throughout Great Britain and Australia he was known in the theatrical profession as Platt-Ruskin. He had toured the world with Maud Allen under the name of Platt-Ruskin. Some of his friends, however, referred to him as Platt and Platkin. He was not yet naturalised, but was in communication with the Russian authorities regarding it. He desired to be a naturalised British subject because he wished to enlist.

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Mrs. Emily Russell, hon. general secretary of the Australian Nurses' Gift Fund, said she organised Button Day. On the date of the alleged slander the defendant was in the office of the fund. He had told her he was of the opinion that the plaintiff could not execute the order for the button badges, and she replied if he could not execute the order she would give the order to the defendant. When the defendant was speaking to her Mr. Ruskin came in to the office. "But," added witness, "there was so much confusion I don't know what was exactly said." Mr. Ruskin had helped to make Button Day a success.

Mr. Mack (to witness): Did Mr. Platt-Ruskin ever refer to the defendant as an exploiter?—No; he did not.

Mr. Mack said he did not propose to call the defendant, submitting that on the occasion of the alleged slander the words, if used, were not calculated to do plaintiff any injury.

The jury found in favor of plaintiff, with damages one farthing.
