

Horse- and Cattle-stealing.(See *Police Gazette*, 1901, page 158.)

MANAIA.—William Pearce's horses have been found straying.

WELLINGTON.—**Thomas Edwards** (name probably fictitious) is charged on warrant with the theft, on or about the 24th June, 1901, of a horse, the property of John Casey (recovered), value £20. Offender is a colonial, about thirty years of age, about 5 ft. 9 in. high, stout build, fresh complexion, brown hair, clean-shaved except sandy moustache, prominent nose; dressed in dark-tweed trousers, light-check waterproof overcoat, and fawn-coloured soft-felt hat. The horse was stolen from complainant's paddock at Crofton, and sold at Wellington on the 29th ultimo for £5.

ADDINGTON.—**J. H. McCabe** (name probably fictitious) is charged on warrant with the theft, on the 17th July, 1901, of a horse, saddle, and bridle, and a red-lined mackintosh coat, the property of George Kininmouth; value, £10. Offender is supposed English, twenty-eight or thirty years of age, 5 ft. 6 in. or 7 in. high, medium build, pale complexion, clean-shaved, prominent cheek-bones and chin; dressed in black-cloth cutaway coat, dark trousers and vest, both too short for him, muffler round waist, fawn-coloured tweed cap, muffler with black spots round his neck. He was seen riding the horse away, and he sold the saddle and bridle the same day. The horse was found in the pound; the coat is still missing.

(See *Police Gazette*, 1901, page 172.)

TEMUKA.—George Johnson's horses have been found straying.

BALCLUTHA.—Adam Paterson, farmer, reports supposed stolen at Port Molyneux, about the 22nd May last, four heifers—a red, a red with white tip on tail, a red-and-white speckled, a white with roan neck; and a white steer with red cheek and neck: rising two years old, no brands, ear-marked with back half off right ear, and some with back bit off left ear, in addition to back half: total value, £12 10s.

(See *Police Gazette*, 1901, page 172.)

INVERCARGILL.—Percy Challis's horse has been found straying.

Missing Friends.

SAM HANSEN is inquired for by the Petone police with a view of serving him with a notice of fine for threatening language. Description: German, wood-cutter, about thirty years, about 5 ft. 6 in. high, slight build, fair complexion, clean-shaved; dressed in grey-tweed suit and cap. Is fond of drink. On the 3rd instant he was fined 10s., and 8s. costs.

WILLIAM MALLINDER is inquired for by the Petone police with a view of serving him with a notice of fine for assault. Description: About thirty years of age, about 5 ft. 7 in. high, dark complexion, clean-shaved except brown moustache; dressed in dark-tweed suit and soft-felt hat. Was employed at the Gear Company's Works as gut-runner. Is fond of drink. On the 5th ultimo he was fined £1, and 10s. costs.

THOMAS RITCHIE is inquired for by the Dunedin police at the instance of his wife. Description: A native of Belfast, Ireland, a wood-carver, thirty-six years of age, 5 ft. 10 in. high, medium build, fresh complexion, fair hair, blue eyes, fair moustache, scar above left eye; dressed in brown trousers and vest, blue coat, and hard black hat. Is well informed, and talks fluently. He left his home on the 2nd instant, and has not been heard of since.

FLORENCE CHERITON is inquired for by the Timaru police at the instance of her husband. Description: A native of England, a ladies' nurse, fifty years of age, 5 ft. 4 in. high, hair turning grey, weak eyes, wears coloured glasses. She left her home, Latser Street, on the 14th June last, and no trace of her can be obtained.

SOPHUS SCHIELLERUP is inquired for by the Devonport police at the instance of Richard Davies. Description: A native of Sweden, a carter, thirty years of age, 5 ft. 6 in. high, medium build, light-brown hair beard whiskers and moustache. Was last heard of at Hunter and Nolan's saleyards, Auckland, on the 19th instant. He left his horse and dray at Nichols's livery-stable on above date, and has not been heard of since. Fears are entertained for his safety.

(See *Police Gazette*, 1901, page 86.)

MARKS ERSTICK or GURSTICK, inquired for by the Kaikāia police, has been arrested, for failing to pay fine and costs, by Constable J. Addison, Auckland police.

(See *Police Gazette*, 1901, page 172.)

THE body of Charles Parkinson was found in the Avon River on the 20th instant. An inquest was held, and a verdict of "Found drowned" returned.

(See *Police Gazette*, 1901, page 127.)

FERDINAND CHEVALLIER, inquired for, is an inmate of Porirua Asylum. (01/763.)

Miscellaneous Information.*Resignation.*

DISTRICT-CONSTABLE THOMPSON, GEORGE EDWARD, Port Albert, 31st July, 1901. (01/1152.)

Rewards.

CONSTABLE F. J. COLLINS, No. 911, has been awarded £1 10s., and CONSTABLE A. A. MITCHELL, No. 968, £2, for services in obtaining the conviction of Mary A. Christoffersen for sly-grog selling at Little Akaloa. (01/963.)

CONSTABLE L. J. COCKERY, No. 869, has been awarded £2 for arresting an absentee from the s.s. "Waikato," at Wellington. (01/54.)

Long-service Medal Awarded.

A LONG-SERVICE medal has been awarded, in terms of Regulation No. 65, to

Constable YOUNG, WALTER BOND, No. 507. (01/1033.)

Law Report.

K.B. Div. (Lord Alverstone, C.J., }
and Lawrence, J.) } 1901.
April 25.

WINTER V. BANCKS AND ANOTHER.

[*"Times Law Reports,"* Vol. xvii., pages 446 and 447.]

Trover—Servant acting under Master's Orders—Police Officer acting under Instructions.

The plaintiff having lost a gig, the person in whose possession it was found was tried for larceny and acquitted. The police officer who had taken possession of the gig, acting under the instructions of his superior officer, refused to hand it over to the plaintiff. *Held*, that the officer was liable in trover.

Judgment in this case, which had been argued in the previous week, when the Court reserved their judgment, was delivered to-day. The facts appear sufficiently in the judgment.

The Lord Chief Justice said: This is an appeal on the part of the defendant from the judgment of his Honour Judge Gwynne James, who gave judgment for the plaintiff with £4 damages. The action was brought in trover by Mr. Winter to recover the value of a gig alleged to have been converted by the defendants, Bancks and Lings. Judgment was given for the defendant Bancks, but judgment for £4 damages was given against the defendant Lings. It was contended on behalf of the plaintiff that the Judge had rightly found that the defendant Lings had been guilty of conversion in having refused to deliver the gig to the plaintiff, and in having subsequently delivered it to a man named Broderick. It was contended on behalf of the defendant that he had not been guilty of any act which rendered him liable in the action. The material facts appear to be as follows: On the 17th May the plaintiff bought a gig at Newton fair. Subsequently to the purchase the gig disappeared and was afterwards found in the possession of Broderick. Broderick was prosecuted for the larceny at Liverpool Quarter Sessions, and on the 17th July was acquitted. On the same day Broderick's solicitor wrote to the police officer in charge at Newton-le-Willow Police-station, and to all others whom it might concern, a letter demanding possession and return of the gig. On the 18th July, the next day, the plaintiff's solicitor wrote to the sergeant in charge at Newton-le-Willows Police-station claiming that the gig was still the plaintiff's property and asking that it should not be given up to any other person than the plaintiff. On the 20th Mr. Grundy, the Acting-Superintendent, wrote to the plaintiff's solicitor stating that it had been decided to return the gig to Broderick at 12 on Saturday, the 21st. On the 31st July the plaintiff's solicitor wrote to Sergeant Bennet, the sergeant in charge at the police-station, giving him notice of his intention to commence an action on behalf of the plaintiff for the recovery of the gig. The only other material facts proved before the learned Judge were that on the 18th July the plaintiff asked the defendant Bancks for the gig and he refused to give it up, and that upon the 21st the plaintiff again asked Bancks and the defendant Sergeant Lings, who was Bancks's superior officer, to deliver to him the gig, and that one of them