

**ABSCONDING FROM INDUSTRIAL SCHOOL.**

LINCOLN.—**Robert Thomas Graham**, age nineteen, height about 5 ft. 5 in., dark-brown hair, dark complexion, pointed nose, brown eyes, good build; probably dressed in grey-tinted woollen stuff. His father resides at Lincoln. Absconded from licensed service with Thomas Chave, Kelly's Road, Shirley, Christchurch, on 10th instant.

**DESERTERS FROM HIS MAJESTY'S SERVICE.**

*From H.M.S. "Encounter."*

FREMANTLE.—**Thomas Richard Brooks**, age thirty, height 5 ft. 5½ in., private R.M.L.I., native of England, light-brown hair, blue eyes, fresh complexion, mole on centre of back, on cheek, and on back of neck. Deserted 4th ultimo.

**Samuel John Hipkiss**, age twenty-two, height 5 ft. 6½ in., private R.M.L.I., native of England, light-brown hair, grey eyes, fresh complexion, scar on back of head. Deserted 4th ultimo.

**Harold Edwards**, age nineteen, height 5 ft. 7½ in., private R.M.L.I., native of England, brown hair, blue eyes, fresh complexion, two dots on right forearm. Deserted 4th ultimo.

**Lawrence Last**, age twenty-one, height 5 ft. 6 in., third-class officers' steward, native of England, brown hair, blue eyes, fresh complexion. Deserted 5th ultimo.

**Clarence Edward Paulick**, age nineteen, height 5 ft. 10 in., ordinary seaman, native of South Australia, black hair, brown eyes, dark complexion. Deserted 4th ultimo.

**Charles McDonald**, age twenty-six, height 5 ft. 11 in., first-class stoker, native of Scotland, fair hair, grey eyes, fresh complexion. Deserted 5th ultimo.

**Robert G. S. Watt**, age twenty-two, height 5 ft. 7 in., first-class stoker, native of Scotland, dark-brown hair, brown eyes, pale complexion, clasped hands on right forearm. Deserted 5th ultimo.

**John Robert Emery**, age twenty-four, height 5 ft. 7¼ in., second-class stoker, native of England, brown hair, blue-grey eyes, fresh complexion, flags, crown, and crossed swords and flowers on 1-ft forearm. Deserted 4th ultimo.

**John Michael Hannan**, age nineteen, height 5 ft. 7¼ in., ordinary seaman, native of Invercargill, New Zealand, brown hair, dark-grey eyes, fresh complexion, "Kia Ora" and feather on right forearm, usual place of residence, Manners Street, Wellington. Deserted 5th ultimo.

**Edward Bryans**, age twenty-five, height 5 ft. 5½ in., first-class stoker, native of Ireland, brown hair, brown eyes, fresh complexion, scar on right leg. Deserted 5th ultimo.

SYDNEY.—**William Smart**, age twenty-one, height 5 ft. 5 in., ordinary seaman, native of England, light-brown hair, grey eyes, fresh complexion. Deserted 19th ultimo.

**George Benjamin Miles**, age nineteen, height 5 ft. 6 in., ordinary seaman, native of England, light-brown hair, hazel eyes, fair complexion, scar on left thigh. Deserted 19th ultimo.

A reward not exceeding £3 is offered for the apprehension of each.

*From H.M.S. "Challenger."*

PORT ADELAIDE.—**Charles William Orr**, age twenty-five, height 5 ft. 7 in., native of England, dark-brown hair, grey eyes, dark complexion, scar on back of right hand, above elbow, and under right eye. Deserted 27th ultimo.

A reward not exceeding £3 is offered for his apprehension.

**INQUIRIES, ETC., FROM OUTSIDE NEW ZEALAND.**

ENGLAND.—Inquiry requested for **Henry Clark** and **Charles Hinton**, who emigrated from Burford, Oxfordshire, to New Zealand about thirty years ago, and have not been heard of for the last five years. No description given. Inquiry by their relative, Frederick Clark, 74 North Street, Edgeware Road, London. (10/628.)

**MISCELLANEOUS INFORMATION.**

*Rewards.*

AUCKLAND.—Sergeant J. Ferguson, No. 691, and Constable H. R. Huntley, No. 1540, have been awarded £1 each for services in connection with the conviction of Barron Devoley for sly-grog selling. (10/1180.)

THAMES.—Constable W. Neill, No. 1227, has been awarded £2 for arresting the escaped prisoners A. G. Helm and R. Nicholson. (10/1231.)

WANGANUI.—Detective T. Quirke, No. 1029, has been awarded 10s. by the Customs Department for services in connection with the conviction of Wah Chong at Palmerston North for smoking opium. (10/3.)

WELLINGTON.—Sergeant B. Rutledge, No. 489, has been awarded £2, and Constables E. J. McKlvey, No. 832, and P. Doyle, No. 1337, £1 10s. each, for services in connection with the conviction of Jim Kee at Wellington for having opium in his possession. (10/2.)

DUNEDIN.—Constable E. C. Trehey, No. 721, has been awarded £1 for services in connection with the conviction of T. K. Harty for sending liquor into a no-license district without being properly labelled. (10/1256.)

**LAW REPORT.**

(“N.Z. Law Reports,” Vol. xxix, page 376.)

REX v. PYKE AND MCGILL.

*Criminal Law—Challenge for Cause—Joint Indictment—One Accused tried alone and found Guilty—Same Jury cannot be challenged for Cause on Trial of other Accused.*

Two persons who were out on bail were jointly indicted for a crime. One of them surrendered to his bail, was tried alone, and found guilty. The other person, who had failed to appear through an accident, surrendered to his bail the next day.

*Held*, That on the trial of the second accused his counsel could not challenge for cause on the ground of prejudice any of the jurymen who had sat on the trial of the first accused.

*Held*, further, That it would be improper for the Crown Prosecutor acting on the suggestion of counsel for the accused to stand aside all the jurymen who had sat on the former jury.

WHEN this case was called on McGill, who was on bail, did not appear. The case against Pyke was then taken, and he was found guilty. On the following day the case against McGill was called on.

WILFORD, for the accused:—

The indictment charges McGill and Pyke jointly with this offence, and Pyke has been found guilty. A certain number of the jury-panel whose names appear on the back of the indictment were empanelled to try Pyke's case. I ask for a ruling as to whether the Court will allow it to be a ground of challenge for cause that those jurors have served on the jury in the case in which the prisoner Pyke was undefended. I wish in this trial, if possible, to have an absolutely fresh jury who have not tried practically the same facts.

[CHAPMAN, J.—I do not think that can be called a challenge for cause. Cause means favour.]

Prejudice is the same thing.

[CHAPMAN, J.—I cannot assume prejudice.]

Cannot your Honour assume this: that a jury having heard the case, and having unanimously found the other man guilty, that it is beyond human nature for a man not to be somewhat prejudiced in favour of the facts that he has already given a verdict upon. The slightest reason for cause is sufficient if your Honour thinks that it is sufficient.

[CHAPMAN, J.—I never heard of its being treated as cause.]

This has been an extraordinary happening, because, as it has turned out, the prisoners are not tried together purely because McGill himself accidentally failed to attend. He is now at a disadvantage, having only six peremptory challenges.

CHAPMAN, J.—In the case of Reg. v. Sullivan (8 A. & E. 831; 8 L.J. M.C. 3) it was laid down that “A person who has acted as a grand juror on the finding of a bill of indictment may also be challenged for cause if returned to serve on a petty jury either on the trial of that indictment or on any other indictment for the same offence.” A grand juror is said technically to be a party to the indictment. Then, it is also stated that “A person who sat upon a former petty jury which convicted other defendants upon the same indictment is not therefore subject to challenge”: Archbold's Criminal Practice (23rd ed. 204). That is exactly this case, and that represents the practice of this Court. I cannot therefore hold as a matter of law that merely to show that a juror had served on the jury that tried the other man would be a disqualification.

WILFORD.—Perhaps the Crown would help me out of the difficulty by asking them to stand aside.