

SYDNEY.—Lost or mislaid since the 31st May last, the property of **Mrs. Helena Hall**, Glenrowan, a platinum and diamond necklet, fine platinum-wire chain round the neck; and two hanging-bands studded with diamonds, ending with two large diamond drops: value, about £200. Identifiable. Photograph of necklet filed in the Commissioner's Office, Wellington. (See *New South Wales Police Gazette*, 1910, page 204.) (F. P. B. 313/10.)

TAMWORTH (NEW SOUTH WALES)—Description of **Richard O'Donnell**, alias **Ernest Leonard**, alias **Darky Agnew**, who about 1 a.m. on the 12th February last escaped from legal custody at Breeza whilst under committal charged with maliciously wounding at Collarenebri, and whilst being conveyed to Narrabri for trial, thirty-three years of age, 5 ft. 5 in. high, about 9st. 2 lb. weight, fresh complexion, small features, brown eyes, brown moustache only, Highlander dancing over crossed swords tattooed on left forearm, star above left wrist, blue spot outside left forearm, female and sailor outside right upper arm, blue spot above "RUB" outside right forearm, scar on right chest-bone; dressed in a black-serge coat, striped trousers, and dark-striped greenish-coloured cap. Identical with discharged prisoner same name (vide *New South Wales Police Gazette*, 1907, page 34), and offender same name (vide *New South Wales Police Gazette*, 1909, page 436; also Photo-book No. 47, page 201). Before escaping he expressed his intention of making for New Zealand. He is a dangerous criminal. For photograph of offender see *New South Wales Police Gazette*, 1910, page 71. Arrest desired. (F.P.B. 312/10.)

SCOTLAND.—Inquiry requested for **Andrew Church**, age about forty, tall, fair hair, blue eyes. He was married at Port Douglas, Queensland, about 1902, and left for New Zealand, and is said to have been living at the Hutt, Wellington, until about twelve months ago, but no trace of him having been there can be discovered. Inquiry by his mother, **Martina Church**, Moor Park, Scotland. (10/1510.)

IRELAND.—Inquiry requested for **John Gleeson**, age forty-four, height 5 ft. 7 in., fresh complexion, light-grey eyes, dark-brown hair. He enlisted in the Royal Artillery in 1885, and served seven years with the colours and four years in the reserve. In 1908 he was stopping at the Crown Hotel, Denniston, and wrote to his wife in July, 1909, and was supposed to have gone to Reefton, but no trace of him can be obtained there. He was formerly in the Martinborough district, and was afterwards employed on a survey party on the West Coast, South Island. Inquiry by his wife, that he may be induced to send some money for the support of herself and child. (10/1671.)

MISCELLANEOUS INFORMATION.

Appointments as Constables.

1st August, 1910.

- No. 1597.—Acheson, James.
- No. 1598.—Baker, Frederick John.
- No. 1599.—Bird, Edward Thomas.
- No. 1600.—Borland, Henry Alexander.
- No. 1601.—Catlin, Robert Henry.
- No. 1602.—Edwards, James.
- No. 1603.—Gray, Robert Henry.
- No. 1604.—Lloyd, David Hugh.
- No. 1605.—McLean, Graham William.
- No. 1606.—McLeod, William John.
- No. 1607.—McNeill, Joseph.
- No. 1608.—O'Donnell, William.
- No. 1609.—Shearman, Langley Howard.
- No. 1610.—Sleeth, William Joseph.
- No. 1611.—Young, John Bruce.

Rewards.

WANGANUI.—Constable M. Flanagan, No. 1297, has been awarded £1 for services in connection with the conviction of Peter Anderson for supplying liquor to a Maori woman. (10/1590.)

WELLINGTON.—Sergeant B. Rutledge, No. 489, and Constables E. J. McKelvey, No. 832, H. J. Smith, No. 1576, J. Edwards, No. 1602, and D. H. Lloyd, No. 1604, have been awarded 10s. each for services in connection with the conviction of Norman R. Smith for sly-grog selling. (10/1661.)

WELLINGTON.—Sergeant B. Rutledge, No. 489, and Constables E. J. McKelvey, No. 832, R. H. Gray, No. 1603, and W. J. Sleeth, No. 1610, have been awarded £1 each for services in connection with the conviction of W. Swanson and Sydney Phillips for sly-grog selling. (10/1660.)

DUNEDIN.—Constable J. D. Leeca, No. 412, has been awarded £2 2s. by the Post and Telegraph Department for obtaining the conviction of boys for breaking insulators. (10/1685.)

LAW REPORTS.

("Times Law Reports," Vol. xxvi, page 460.)

[K.B. DIV. (DARLING, J.)—28TH APRIL, 1910.]

DAVIS v. SLX.

Betting—Gaming—Person "found" in Betting-house—Person coming to Premises after Police had taken Possession—Betting Act, 1853 (16 and 17 Vict., c. 117), ss. 1, 11.

A person may be found on premises within the meaning of s. 11 of the Betting Act, 1853, although he only comes thereon after the police have entered the premises. But the power of arrest given to the police by that section is limited to the arrest of persons found on the premises for the purpose of betting.

MR. JUSTICE DARLING said on the point of law, whether the arrest was illegal in the circumstances, the facts were not in dispute. The plaintiff came in for no other purpose than to buy the *Daily Mail*; did the warrant justify his arrest as one of the persons included in section 11 of the Act? The plaintiff came in after the police had taken possession of the premises, and he would hold that the word "found" extended to persons who might not be actually on the premises when the police arrived. But the Act said not that all persons might be arrested, but that all "such" persons, and the word such in section 11 must, he thought, refer back to the particular persons mentioned in section 1; and the plaintiff was not one of such persons. Therefore he would hold that the police were not justified in arresting the plaintiff. But as the defendant was protected by the statute of Geo. II he must direct the jury to give a verdict on the first question for the defendant. The order would therefore be judgment for the defendant on the first question, without costs, and for the plaintiff with costs on the other questions.

A stay of execution was granted on terms.

[Solicitors—H. S. A. Foy, for the plaintiff; Wontner and Sons, for the defendant.]

("N.Z. Law Reports," Vol. xxix, page 540)

[S.C. IN BANCO. AUCKLAND (EDWARDS, J.)—8TH DECEMBER; 15TH DECEMBER, 1910.]

SHEARMAN v. KAY.

Statute—Construction—The Police Offences Act, 1908, Section 4 (i)—The Public Works Act, 1908, Section 153 (o)—Conflict with the Impounding Act, 1908, Section 17 (b)—Depasturing Horse on Road with Consent of Local Authority—Conviction under Police Offences Act—Consolidated Statutes—Priority—Generalia specialibus non derogant.

The appellant was convicted under section 4 (i) of the Police Offences Act, 1908, for permitting a horse to be at large on a public road. He pleaded the consent of the local authority given under section 17 (b) of the Impounding Act, 1908. From this conviction he appealed to the Supreme Court. There was a conflict between the provisions of the Police Offences Act, the Public Works Act, and the Impounding Act, all of the consolidated statutes of 1908. All the provisions in such Acts had appeared in enactments previous to the consolidation.

Held, 1, That prior to 1908 the appellant could not have been properly convicted, owing to implied repeal of previous enactments by the Impounding Act, 1884; 2, that as regards the construction of the consolidated statutes of 1908 the maxim *Generalia specialibus non derogant* applied, and the Impounding Act, being treated as an exception to or qualification upon the other enactments, must prevail, and the conviction be quashed.

EXTRACTS FROM NEW ZEALAND GAZETTE.

(From Gazette, 1910, page 3122.)

Inspector of Sea-fishing appointed.

Marine Department,
Wellington, 30th July, 1910.

HIS Excellency the Governor has, in pursuance of the power and authority in him vested by subsection (1) of section 4 of the Fisheries Act, 1908, appointed

JOHN DOUGAN,

of Port Chalmers, Police Sergeant, to be an Inspector of Sea-fishing under the above-mentioned Act.

J. A. MILLAR.

Inspector of Factories appointed.

Department of Labour,
Wellington, 28th July, 1910.

HIS Excellency the Governor has been pleased to appoint

Constable DOUGLAS JOHNS

to be an Inspector under the Factories Act, 1908. The appointment is dated the 26th day of July, 1910.

J. A. MILLAR,
Minister of Labour.