

FEATHERSTON.—1st ultimo, from Featherston Camp, **Frank Fitzsimmons** (private), age twenty-four, height 5 ft. 9 in., clerk and soldier, native of America, fair complexion, brown hair, blue eyes; 137 lb. weight. Next-of-kin, Frank Fitzsimmons (father) Linwood, Christchurch.

FEATHERSTON.—1st ultimo, from Featherston Camp, **Thomas Ewenson Carston** (private), age twenty, height 5 ft. 4 in., farm labourer and soldier, native of New Zealand, fair complexion, light-brown hair, grey eyes, scar on left eyebrow, flat feet; 147 lb. weight. Next-of-kin, Christina Carston (wife), Little River. He was last employed by W. Frame, Wyndham.

FEATHERSTON.—1st ultimo, from Featherston Camp, **Benjamin Barker** (private), age thirty-four, height 5 ft. 3½ in., bushman and soldier, native of England, medium complexion, brown hair, grey eyes; 154 lb. weight. Next-of-kin, Mrs. E. Barker (mother), Aberdeen, Scotland. He was last employed by C. C. Brien, Kaitoke.

FEATHERSTON.—1st ultimo, from Featherston Camp, **Herbert Kiddle** (private), age twenty-one, height 5 ft. 3½ in., motor-mechanic and soldier, native of New Zealand, fair complexion, brown hair, blue eyes; 135 lb. weight. Next-of-kin James Edward Kiddle (father), Clothier Street, Linwood, Christchurch. He was last employed by R. H. Philcox, Parnell, Auckland.

UPPER HUTT.—6th ultimo, from Trentham Camp, **Frederick Gough**, age about thirty-eight, height 5 ft. 5 in., carpenter and soldier, native of England, brown hair and complexion, blue eyes. Next-of-kin, Mrs. L. Hewson, 27 Hutt Road, Petone. Last employers, Hawaiian Trust Company, Honolulu.

WELLINGTON.—26th February last, from Trentham Camp, **Michael Joseph McCann**, age twenty-five, height 5 ft. 4 in., jockey and soldier, native of New Zealand, medium build, dark complexion, black hair, hazel eyes.

WELLINGTON.—21st February last, from Trentham Camp, **James O'Keefe**, age thirty-five, height 5 ft. 3 in., labourer and soldier, native of Ireland, medium build, fair complexion, brown hair, light-blue eyes.

DUNEDIN.—2nd ultimo, from Trentham Camp, **Harry Te Whao**, age about twenty, height 5 ft. 7 in., baker and soldier, aboriginal, medium build, dark complexion, black hair, dark eyes. He has a sister, Martha Te Whao, residing at 77 Glen Road, Mornington, Dunedin. Accused was given leave and failed to return to camp.

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

HULL (England).—15th January last. Information is requested for **Alfred William Spencer**, *alias* **Fred Spencer**, who is believed to have arrived in Auckland about July last under an assumed name, age thirty-eight, medium height, grocer, traveller, and publisher, native of England, slim build, fair complexion, wavy fair hair, stooping gait, round shoulders. Inquiry by A. E. Spencer, 13 Hamlyn Avenue, Hull. (P. 16/330).

PERTH (WESTERN AUSTRALIA).—24th ultimo. Inquiry is requested for **Michael David Nathan**, who has deserted his wife. Description: Age forty, height 5 ft. 6½ in., labourer, native of New South Wales, stout build, sallow complexion, black hair, dark-brown eyes, round face, scar inside tip of right ring-finger. If located, an endeavour is to be made to induce him to maintain his wife. His photograph is filed in the Commissioner's Office, Wellington. (See *Western Australia Police Gazette*, 1904, page 181.) (P. 16/543.)

SYDNEY (NEW SOUTH WALES).—17th instant. Inquiry is requested for **Eric Jefferay Eyles**, who is suspected of murdering Joe Yee, a Chinese on the 14th instant. Description: Age twenty to twenty-three, height 5 ft. 6 in., casemaker, thin build, sallow complexion, thin features, dark hair (thin on top); impediment in speech. His photograph and description appears in *New South Wales Police Gazette*, 1915, page 490. (P. 16/555.)

REDFERN (NEW SOUTH WALES).—5th instant. A **warrant** has been issued for the arrest of **Richard Thomas Harrison**, charged with wife-desertion. He is forty-seven years of age, 5 ft. 8 in. high, stout build, dark complexion, dark hair turning grey, large brown eyes, scar on bridge of nose; dressed in a navy-blue suit and black hard hat; a jeweller. Supposed to be in New Zealand. Complainant, Matilda Agnes Harrison, 80 Renwick Street. If located, a communication is to be sent to the Commissioner of Police, Wellington. (See *New South Wales Police Gazette*, 1916, page 189.)

LAUNCESTON (TASMANIA).—4th instant. Inquiry is requested for **John Frederick Whitcombe**, who has deserted his wife, Ruth Margaret Whitcombe. Description: Age forty-seven, height 5 ft. 10 in., farmer, medium build, dark complexion, black hair turning grey, dark-brown eyes, short nose, dark thick eyebrows, large ears, round smiling face, slightly stooped, lump on small of back, scar on one knee, left leg stiff; usually dressed in a blue-serge suit, and wears a heavy gold watch-chain with two gold medals (presented to him by St. Patrick's Rifle Club), with his name on them, attached; fond of music and dancing, and plays the violin. He is supposed to have left Hobart for New Zealand on or about the 15th December, 1915, with *Florence Corcoran*, age thirty-four, very small, lower part of face inclined to one side. His photograph is filed in the Commissioner's Office, Wellington. Should any information be obtained, an urgent communication is to be sent to the Commissioner of Police, Wellington. (P. 16/544.)

## MISCELLANEOUS INFORMATION.

### Resignations.

No. 1904. Constable Crighton, James Wilkie. 13th April, 1916.

No. 1454. Constable Watson, John. 8th April, 1916.

## LAW REPORT.

("New Zealand Law Reports," 1916, page 216.)

[S.C. IN BANCO. INVERCARGILL.—(SIM, J.)—2ND AND 4TH MARCH, 1916.]

McFARLANE v. ROBSON.

*Criminal Law—Police Offences—Cruelty to Animals—Permitting Horse to be driven in a Weak Condition—Horse driven by Servant of Accused—Absence of Mens rea—Magistrate's Findings of Facts insufficient to support Conviction—Police Offences Act, 1908, s. 7 (1) (a).*

The appellant was convicted under s. 7 (1) (a) of the Police Offences Act, 1908, of cruelly ill-treating a horse by permitting it to be driven whilst in a weak condition. The Magistrate did not find that the appellant actually knew that the horse was being driven, but that he should have known it, and should have given instructions for the horse not to be used.

*Held*, That to justify a conviction under that section there must be proof of guilty knowledge on the part of the accused.

Bowden v. Alder (15 G.L.R. 595) followed. (See also *Linssen v. Hitchcock*, 34 N.Z. L.R. 545; 17 G.L.R. 473.)

*Semle*, That actual knowledge is not necessary if it is proved that the accused has wilfully abstained from acquiring knowledge on the subject.

*Elliott v. Osborne* (55 L.T. 378) approved.

APPEAL from the decision of George Cruickshank, Esq., S.M. at Invercargill, convicting the appellant of cruelty to a horse.

The facts are sufficiently stated in the judgment.

Keddell for the appellant.

A. H. Haggitt for the respondent.

*Cur. adv. vult.*

Sim, J. :—

The appellant, who is a pastrycook and confectioner in Invercargill, was convicted of the offence of cruelly ill-treating a horse by permitting it to be driven whilst in a weak and poor condition. The horse was not driven by the appellant himself, but by one of his drivers, and the Magis-