

insertion should be... I letters of credit... CHRONICLE 1786.]

The name of Mrs Sadler, Blissy, was accidentally omitted from those who kindly sent contributions to Mrs Finch's tea table at the late Orphan Bazaar.

LIMERICK GOLF CLUB.—We are asked to state that, weather permitting, the links will be open to-morrow.

NEENAH PETTY SESSIONS.—These sessions were held on Saturday before Mr Charles E Tutthill (in the chair), Colonel Kingsley, C B, Mr Anthony Parker, Major Waring, R M, and Mr W C Willington. The cases disposed of were of no importance.

CONGREGATION OF A ROMAN CATHOLIC CHURCH.—At Kilsahany, Miltown-Malbay, County Clare, the new R.C. Church of St Augustine was dedicated to Divine Service on Sunday last by the Most Rev. Dr. McCorrack, Bishop of Galway, Kilmacud, and Kilfenora. The ceremonies were attended by a large congregation.

THE DARTY ASSOCIATION SHOW.—At the meeting of the Finance Committee of this Association yesterday, a report of which appears in our fourth page, it was proposed by Mr W L Stokes, J P, seconded by Mr W Thorp, B Sc, and resolved—That the best thanks of the Committee are due, and hereby tendered, to our Hon Sec, Mr O'Callaghan, for his indefatigable exertions in bringing our late Show to such a successful issue.

THE ROYAL IRISH REGIMENT.—On Sunday last about six hundred men of the Royal Irish Regiment attended ten o'clock Mass in St John's Cathedral. They were played to and from the barracks by the splendid band of the Regiment.

THE LORD LIEUTENANT.—His Excellency, who proceeded from Dromoland to Killybeg on Saturday morning, drove over in the afternoon to Nenagh, where he was received by Captain Waring, B.M., and County Inspector Allman-Smith. The Lord Lieutenant left for Dublin by the 6 o'clock train.

THE LATE ALDERMAN CUNIHAN, J.P.—We have been requested to state that there will be Office and High Mass for the repose of the soul of the late Mr Jerome Cunihan, J.P., at St Michael's church at half-past ten o'clock on Friday morning, at which the Most Rev. Dr. O'Dwyer will preside.

TRANSFELD'S CIRCUS.—A crowded house greeted the performance at Transfeld's Circus last night, and on the whole the bill of fare was a capital one, and worthy of good patronage. The French Battouts, taken part in by the whole of the acrobatic performers, again appeared on the bill, and was well received.

ASSAULT ON A BAKER.—An assault is alleged to have been committed on Saturday night by a labourer named Michael Kelly on a baker named Edward Dwyer, in the employment of the Crown Mills Bakery. It appears that the accused was passing through Carr-street on Saturday night in company with a soldier when they came in contact with Dwyer, and a row ensued.

A FARMER DROWNED NEAR ENNIS.—Ennis, Tuesday. While returning from the fair of Clere Castle last evening a young farmer named Michael Kearney, of Rylane, five miles from here, was drowned at a part of the road which was flooded by the recent heavy rains. He was driving with two other men, when the horse took fright in the flood, and the car was capsized.

COUNTY TIPPERARY PROTESTANT ORPHAN SOCIETY.—The fifty-eighth annual meeting of the North Riding in connection with the above Society was held at Nenagh a few days since, under the presidency of the Right Rev Dr Wynne, Lord Bishop of Killaloe. Amongst those present were—The Dean of Killaloe, the Rev Canons Warren (Clonmel), Massey, Stowell, Gillespie, and Thomas, Rev Chancellor O'Sullivan, Rev Drs Lee and Samuels, Rev F J Costello, Rev H Fry and the Rev Mr Lopdell, Messrs E H Falkiner, P Woodward, P Smithwick, G Smithwick, and Charles E Tutthill.

FUNERAL OF THE LATE FATHER FITZGERALD, P.P.

Yesterday the funeral obsequies of this deeply lamented clergyman took place at St. Mary's R.C. Church, the ceremony being of the most impressive kind. The building was draped for the occasion, and signs of mourning were conspicuous on all sides, the deceased clergyman having gained the love and respect of everyone with whom he came in contact. There was a large number of clergyman—about fifty—present from this diocese, and the diocese of Killaloe was well represented, while an immense concourse of the general public assembled to pay a last tribute of respect to the memory of the deceased.

Amongst the clergyman present were—Very Rev Archdeacon Elnaugh, P.P., V.E., Adare; Very Rev Dr Shanahan, P.P., V.G., St. Munchin's; Very Rev Dr Dwan White, P.P., V.G., Nenagh; Very Rev Dr Moloney, P.P., V.G., Buthacoola; Very Rev M Donor, P.P., V.E., Shanagold; Very Rev John Carrick, P.P., V.F., Kilsahany; Very Rev Andrew Murphy, P.P., V.F., Mungret; Very Rev Thomas Collins, P.P., V.F., Hallinan, Adm. St. Michael's; Rev P Lee, Adm. St. John's; Rev Father Gleeson, P.P., Parteen; Rev T Halpin, P.P., Donoughmore; Rev T Brown, P.P., Mungret; Rev N Graham, P.P., Cratloe; Rev Father Downes, P.P., Ballingarry; Rev James Moloney, P.P., Padlaskoury; Rev J Halpin, P.P., Banogue; Rev S Danaher, P.P., Longhill; Rev J Hallinan, P.P., Cappa; Rev D E Shanahan, P.P., St. Patrick's; Rev William Mulcahy, P.P., Croagh; Rev Father Casey, P.P., Abbeystead; Rev John O'Shaughnessy, P.P., Knockderry; Rev George Quinn, P.P., Ailsha; Rev R Kirby, P.P., Ballygarra; Rev J O'Shea, P.P., Croon; Rev R O'Kennedy, P.P., Fedaunac; Rev W J Higgins, P.P., Erin; Rev E M'Coyp, P.P., Bulgaden; Rev John Ryan, P.P., Glenroe; Very Rev Father Head, S.J., Prior; Rev Father O'Keefe, S.J.; Rev Father Gately, S.J.; Rev Father Lynch, S.J.; Rev Father M'Donnell, S.J., Mungret; Very Rev Father Maher, O.S.B., Guardian, Ennis; Very Rev Father M'Dermott, O.S.B., Guardian, Limerick, &c.

The chief mourners were—Mrs Fitzgerald, Loughill, sister; Michael Fitzgerald, brother-in-law; Mrs Fitzgerald, Glin, sister-in-law; John Lyons, Grannagh, brother-in-law; Patrick Fitzgerald, Daniel Fitzgerald, Michael Lyons, James Lyons, and Patrick Fitzgerald, nephews; Miss Fitzgerald, Loughill House, niece; Wm and Mrs DeCourcy, Kilkenny; John Fitzgerald, Matthew M'Coyp, solicitor; Timothy M'Coyp, solicitor; Rev James M'Coyp, Rev James Gregan, C.C., cousins; Miss M'Coyp, Dunctona; Patrick O'Shaughnessy, Maurice Redmond, and Mrs Redmond, Patrick Moloney and Mrs Moloney, Greenpark.

Amongst the general public were—The Mayor (Mr B O'Donnell), attended by the Sergeants-at-Arms and Mace-bearers; the Town Clerk (Mr H MacDonnell), Alderman D Ryan, Alderman P Bioridan, Alderman D Landers, Alderman S O'Mara, Mr M McDonnell, T.C., Mr E McManus, Mr J J. James, Mr J. Gifford, Mr W. Williams, Mr N. P. M. James, O'Mara, T.C., Mr J. William Spillane, J.P.; Mr James Quinn, J.P.; Mr V. Neill, J.P.; Dr O'Neill, Limerick Asylum, and Mrs O'Neill; Mr E.H. Poo, Hoserford, Mr P Herbert, T.C.; Dr F Graham, Dr Holmes, Dr Nolan, Dr Mulcahy, Dr J F Shanahan, Mr J Morton, Manager Provincial Bank; Dr Gelston, Mr Ryan, Dominick Street; Mr Esteph Nash, Brother Brophy, Brother Walsh, Mr S B Quin, P.; Mr Michael Fitzgibbon, P. O., Backaloe; Dr J B Egan, Rathmore; Mr James Flynn, Cruise's Hotel, Mr S O'Brady, Mr M Egan, and Mrs Egan, Mrs T E O'Brien, South Hill; Mr Thomas McDonnell, Nicholas Street; Mr John Kivlehan, Dr J O'Shaughnessy, J.P.; Mr Chas O'Donnell, solicitor, Limerick; Mr W E Hastings, solicitor, Limerick; Mr Stephen Connings, T.C., solicitor; Mr John O'Donnell, Mr J Anglin, T.C., Mr J J Brown, C.E.; Mr P E Bourke, J.P.; Mr D Doyle, Mr J Ellard, Mr John H DeCourcy, Petty Sessions Clerk; Mr H G Guinness, Clerk of the Union; Mr Bealy (Concord Col), Mr P J Golden, Manager Munster and Leinster Bank; Mr T H Kenny, solicitor; Mr W F O'Grady, J.P.; Mr T M Bourke, Mr A E O'Keefe, Mr M J DeCourcy, coroner; Mr John Clune, J.P.; Mr A Hall, jun; Mr P Hurligan, George Hotel; Mr William Lloyd, Mr Henry O'Shea, Mr F W McCarthy, Dr Shanahan, Mr James P Morrissey, Mr John Ryan, solicitor; Mr Peter Cronin, Mr T M Carthy, Mr Thomas O'Connell, Mr Thomas Hartigan, T.C.; Mr P Moloney, Mr J O'Shaughnessy, P.P.; Mr P O'Namara, Mr R M O'Namara, solicitor; Mr William Cullen, solicitor, &c.

Wreaths were sent by Mrs T E O'Brien, South Hill; Mrs James Flynn, Cruise's Hotel; Mrs Fitzgerald, South Hill House; the Teachers, St Mary's Schools, Mungret College, the Good Shepherd Convent; Mrs Fitzgerald, Greenhills; the Sisters of Mercy, the Faithful Companions, Laurel Hill; the Confraternity Holy Family, St Mary's; Mrs J Gilligan, Mrs Meagher, Miss O'Dua, and Miss Gilligan.

Mr P A O'Keefe, M.P., was unavoidably absent from the funeral, having to attend the conference of the Irish party in Dublin. At a meeting of the City Dispensary Committee yesterday, there being present—Dr O'Shaughnessy (presiding), Mr Edward O'Connell, and with the Secretary, Dr Lee, the following resolution was adopted on the proposition of Mr E O'Connell—That this meeting do adjourn as a mark of respect to the memory of the late Very Rev Daniel Fitzgerald, P.P., of St Mary's, who was an active and zealous member of this Committee for many years, and whose loss as a clergyman and citizen is felt throughout the city, where his memory will be long and dearly remembered.

IMPORTANT JUDGMENTS IN CASES HEARD AT LIMERICK QUARTER SESSIONS.

His Honor, County Court Judge Adams, accompanied by his Registrar, Mr I. Donnelly, sat in the County Courthouse this afternoon and delivered judgments in the following cases heard at the recent Quarter Sessions.

Cook v. ALLEN. His Honor said—In this case the plaintiff seeks by his Equity Civil Bill to enforce the payment of a debt of £43 4 9d by the sale of defendant's lands of Tuogh, against which the plaintiff has registered a statutory mortgage. I find all the statements in the Civil Bill to be true in fact, and I allowed the case to stand for judgment on a point of law. On the 13th June, 1885, judgment was made for the plaintiff, £40, but six years afterwards, on the 15th April, 1891, that judgment was registered as a judgment mortgage. No law for the execution had been obtained. Mr Fitz, for defendant, contended that the registration was bad, as under judicature rules, order 41, rules 18-19, no execution can issue six years after a judgment without the leave of the court. Mr Fitz's contention is supported by a strong passage in a work of the first authority, "Madden on Registration," page 181. The distinguished author, now Mr Justice Madden, lays down absolutely that after six years no judgment can be registered as a mortgage without the leave to issue execution being first obtained. This view is supported by a dictum of Lord Chancellor Napier in Hone v. O'Flaherty, 9 Irish Chancery Reports, 119-127. I have looked into the matter with not a little care, and my own view, no doubt of little or no value in a matter of the kind, would rather incline in favour of Mr Fitz's contention, for it seems to me that it will be argued the registration of the judgment as a mortgage was, so to speak, in substitution for the old bill of Elongit, and was therefore executed. But the matter has been cleared by a very recent authority. In the very recent case of Barnett v. Bradley (26 L.R.I. 209-212) the facts whether a judgment was entered upon a bond, but the warrant of attorney on which the judgment was marked contained a condition to stay execution for two years after the date of the judgment. Within a week after judgment was marked the judgment creditor (the defendant in the action) registered the judgment as a judgment mortgage. The action was one of judgment, and at the trial the sole question was whether the registration of the judgment was a violation of the condition which suspended the issuing of execution. The Court of Queen's Bench decided in favour of the defendant, and this decision was upheld by the Court of Appeal. The decision was that the judgment creditor was entitled, notwithstanding the stay of execution, to register his judgment as a mortgage, and that the registration of the judgment as a mortgage was not in any sense an execution, and that even if registering the judgment was irregular the judgment mortgage was good until set aside by same authority through which it was obtained. These doctrines appear to me to be in point and conclusive in the present case, and I therefore give the plaintiff a decree with costs.

Messrs Jones Blackall and Son, solicitors, for plaintiff.

Mr Francis M Pitt, solr, for defendant.

WILMALOCK GUARDIANS v. NOONAN. His Honor said—This is a civil bill for £1 12s seed rate. Under the Seed Act of 1890 (the 54th Vic. c. 9), the Guardians supplied Michael Dineen, the occupier of the lands of Ballyriggan, with seed. In 1891 the final instalment of the price of the seed fell due, and the Guardians duly rated Dineen for 16s, the amount of the instalment. Some time in 1891 the defendant, Noonan, went into occupation of the lands as a tenant, and the second instalment of 16s fell due, and Noonan being in occupation was rated in that sum. In 1893 Noonan was rated for the sum of £1 12s "arrear of rate due under the Seed Act," that sum of course being made up of the instalments of 16s each. The question here is: is Noonan by reason of his subsequent occupation of these lands liable for the price of the seeds supplied to Dineen? The Seed Act of 1890, section 6, sub-section 4, provides that if in some manner and with the same remedies as if it were poor rate? The 71st section of the Irish Poor Relief Act provides that poor rate shall be paid by "the person in the actual occupation of the rateable property at the time of the rate made, and on his default, then by the person subsequently in the occupation of the rateable property, from whom seed rate shall be demanded." The argument for the Guardians is that reading the sections together the defendant as a tenant occupier of the land is liable for the price of the seed sold to Dineen. I will not say what is my own view of the matter is, for on looking closely into it I find that it is closed by authority. The section of the Act of 1891 was taken from the 6th section of the Act of 1890—4 Vic. c. 1. Under the old Act a case was tried—Limerick Guardians v. Larkin (L.R.I., volume 16, page 402)—in which it was held that while the production of the rate book in an action for poor rate is at least prima facie evidence of the rate being due, in an action for seed rate the actual delivery of the seed must be proved. In Limerick v. Coy (L.R.I., vol. 2, page 243), it was decided by the Court of Appeal that seed rate was not poor rate for franchise purposes. I now come to the important case which seems to me to rule the present case. It was unreported at the time, but it is referred to as "Elliot's Case," in Lamont v. Coy, and is briefly reported in a note to that case. I have looked at the papers in Elliot's case in the files of the Queen's Bench Division. They were once received and read at my disposal by the obliging officers of that court. It was a proceeding similar to this, in which the Guardians of the Castlebar Union claimed seed rate against a subsequent occupier for the price of seed supplied to a previous occupier. Lord Justice Barry decided against the Guardians, and stated a case when his judgment was reversed by the Queen's Bench Division, of which he had ceased to be a member before the case was argued. The note in Lamont v. Coy thus states, I think quite accurately, the decision in Elliot's case. The case stated was whether an instalment due for

set off by a decision in the case of Allright against the Great Southern Company, and he would dismiss the process allowing costs.

Mr Blood-Smyth, solicitor, appeared for the plaintiff, and Mr Dundon, solicitor, for the defendants.

McKnight v. Cusack. Mr Kearney, solicitor, said in Mr Moran's case, McKnight against Patrick Cusack, he had lodged the money in court, and served notice of appeal on Mr Moran, intimating that his Lordship had allowed the clerk to extend the usual time to re-appear, having delayed in the first instance in sending the money to him (Mr Kearney). On his return yesterday he learned that Mr Moran had lodged the decree with the Sheriff, and that the Sheriff's officers went out to make a seizure.

Mr Leahy, C.S., said he was the legal adviser to the Sheriff, and found that his Lordship could not stay execution if Mr Moran insisted, and unless Mr Moran, as a matter of courtesy, delayed the matter.

His Lordship said he did not care about the question of courtesy, or any personal feeling to him. If Mr Moran had a right to levy his money.

Mr Leahy said the law was perfectly plain: that the only thing which could delay execution would be the lodgment of the money, or recognizances, within four days. Neither had been done.

Mr Kearney—There is at present a case in hearing bearing on it.

Mr Leahy—We can't wait for that. Hand over the money to Mr Moran.

His Lordship—The man you go against has no goods. It will not be of any avail to you.

Mr Kearney—Could you not put a stay of execution on it?

His Lordship declined to do so. This concluded the business of the court.

RATHKEALE PETTY SESSIONS. (FROM OUR REPORTER.)

These Petty Sessions were held yesterday before Dr Hayes (in the chair), Mr P Hartigan, and Major E. Heston, R.M.

USING ABUSIVE LANGUAGE TO A MAGISTRATE. District Inspector Webber charged Denis and John Hayes with using threatening and abusive language calculated to lead to a breach of the peace, towards Mr J B Hewson, J.P., of Castlehewson, at Rathkeale Fair, on the 15th of October last.

Mr Liston, solr, appeared for the defendants. Sergeant O'Toole deposed that he was on duty in Rathkeale Fair on the 15th of October; his attention was drawn to Denis and John Hayes, who were following Mr Hewson, about, Denis shouting at the top of his voice, and using abusive language; both defendants shouted "grabber"; the street was crowded at the time; Mr Hewson turned up Thomas street and went to the top of the street, where he saw the defendants and a widow and appeared to be watching some cattle; the two defendants followed until they were within about ten yards of him, and they were joined by several people; Denis again abused Mr Hewson, who he stated took two widows' houses, and he described him as: an exterminator; defendant went on like this for some time, and his conduct was calculated to cause a breach of the peace; witness had caution d Denis Hayes when he first saw him following Mr Hewson not to do anything wrong; he did not know whether John Hayes heard the warning; John Hayes did not do anything himself but shout "grabber" once or twice, but he appeared to be pronouncing his brother; Denis was under the influence of drink but John was sober; John had a farm near Askerton.

Constable Cunningham, who was with Sergeant O'Toole on the day in question, corroborated his evidence, and stated that Mr Hewson complained to him that the defendant was following him, and the people did not appear to join with the defendants in their denunciations of Mr Hewson, but merely came to look on from curiosity, and when Denis Hayes called for three cheers they did not respond.

The majority of the Bench decided on binding both defendants in £20 and two sureties of £10 each to keep the peace for twelve months or to go to gaol for one month. They decided to take the alternative.

Michael Carroll with being drunk in the public street on the 5th inst. Mr Webster, D.I., also charged the same defendant with assaulting the constable when arresting him.

Mr Liston, solr, appeared for the defendant.

For being drunk defendant was fined 5s Gd, and for the assault on the constable he was fined 5s.

Major Rolleston dissented to this decision, and considered that for the assault defendant ought to have been fined £1.

After several other cases were disposed of the court adjourned.

The Hon William and Lady Victoria Plunket are on a visit, at Rogate Lodge, Petersfield, to Sir Hugh and Lady Wyndham.

The funeral of the late Lord Carbery took place on Saturday at Loxton, near Southampton, in presence of a large assembly of mourners. The Central News is officially informed that Mr J A Keupe, a principal clerk at the Treasury, has been appointed deputy chairman of the Board of Customs.

A Pall Mall Gazette Buenos Ayres telegram states that the friends of Jabez Alfaro in Salta have commenced yet another criminal suit against him. The general opinion here is that the proceeding in question is a plan to prevent Jabez being taken back to England.

The Women's Temperance Union has sent a request to Mr Cleland asking him to refuse to allow the regulation of the champagne to be broken over the bow of the new American liner St Louis when she is christened on Monday by Mrs Cleland. The Union has at the same time forwarded a bottle of pure river water, which it hopes will be substituted for the wine. Appropos of the Duke of Coburg as philatelist, the National Observer, tells a rather pleasing story of how, on the occasion of his showing his collection of stamps to an American lady, she exclaimed, "Why this rushes creation. It's a regular stampede." To the same source we are also indebted for the suggestion that Mr Irving's Muni-