

WARRANTED CIRCULATION, 2,000.

COUNTY WILL CASE.

In the High Court, Dublin, on Tuesday afternoon, an action was heard in which the plaintiff sought to propound a will of one Patrick O'Donoghue, late of Ballyneety, County Limerick, shopkeeper, deceased, dated 29th March last, and a codicil of the same date. The plaintiff claims to be one of the next-of-kin, and a legatee under the will, and defendant, Thomas Bourke, claims as legatee under a prior will of 19th January, 1901, and also pleads that the will of 29th March was not duly executed, and that it was obtained by undue influence and fraud.

Mr. W. F. Kenny (instructed by Mr. T. H. Keany) applied to fix issue and mode of trial, and suggested it should be heard by a judge without a jury.

Mr. C. F. Doyle (instructed by Mr. Dundon, solicitor) asked for a jury.

His Lordship fixed the trial of the action before a judge and jury of City of Dublin on Saturday next.

THE STOCKBROKER AND THE SERGEANT.

In the Court of Appeal on Tuesday afternoon, before Lords Justices Fitzgibbon, Walker, and Holmes, in the case of Longman v. Byrne and another, the plaintiff appealed from a decision of the Vacation Judge refusing him final judgment for the sum of £180 due by defendants as makers of a joint and several promissory note. The plaintiff is a stockbroker doing business in London, and the defendant, Byrne, is a sergeant in the R.I.C., the other defendant being Mr. Cullen, of the Crown Hotel, Newport, Co. Tipperary. The action was brought on foot of certain shares purchased by the plaintiff for the defendant Byrne, Cullen being his security, and which shares were lodged by plaintiff at his bank as collateral security for payment of the bill by the defendant, the bill being the price of the shares. When the bill became due, and was dishonoured, the plaintiff was obliged to issue a writ on foot of it, and the defendants having appealed, the plaintiff moved for final judgment, which was refused.

After hearing the arguments, the Court reversed the order made by the Court below, and gave judgment for the plaintiff with costs of the suit and of the appeal.

THE LOSS OF THE KINCORA.

In the Admiralty Division of the High Court on Tuesday, Sir Francis Jeune and the Trinity Masters gave judgment in claim and counterclaim for damages arising out of the fatal collision which occurred in the St. George's Channel in August last, between the Waterford steamer Kincora and the White Star steamer Oceanic. The Kincora sank in a few minutes, and seven of her crew were drowned. The court held that the Kincora was going at an excessive speed in the dense fog, and that she was further in default on account of having failed to stop when she heard the first whistle from the Oceanic. As regards the Oceanic herself the evidence went to show that she was making six and a third knots, which having regard to the density of the weather, the court concluded was excessive. The President therefore pronounced both vessels to blame for the collision, and on the application of counsel for the Oceanic a stay of execution pending an appeal was granted.

BOY POACHERS IN TROUBLE.

At Patrickswell on Tuesday two young men of the labouring class named Enright and Gavin, of Newtown, were summoned by Lord Clarina for trespassing on his lands at Carrig East, in pursuit of game on the 15th.

Mr. Hunt, solicitor, Limerick, appeared for Lord Clarina.

Cornelius Allen, gamekeeper to his Lordship, deposed he found defendants feretting a hedge belonging to Lord Clarina. They had with them a dog, a ferret, nets, and a dead rabbit. He asked them did they know the lands they were on, and the defendants replied they did that it belonged to a man named John Walsh who gave them permission to ferett the place.

THE LATE MR. P. S. PALMER.

FUNERAL AND VOTE OF SYMPATHY.

The death of this estimable gentleman, which, was noticed in our issue of Saturday, came on the people of Newcastle as a great shock, for it had been fully hoped and believed the dangerous phase of his illness was passed, and that a little time, with the careful ministrations of his attendants, would restore him to usual health. The interment took place at Churchtown on Tuesday, the cortege being large and representative. The people of Newcastle extend to Mrs. Palmer and her family very sincere sympathy in their sorrow.

The officiating clergymen were: Very Rev. Canon Vance, Newcastle and Rathronan, and Rev. T. W. Dickson, Kilboy.

The chief mourners were—Ernest J. Palmer, Eyre Palmer (sons); Henry Palmer, Clontarf, Dublin (brother); Eyre Powell, J.P., Passage, Co. Cork (brother-in-law); Charles Maunsell, Finnetertown (cousin).

Amongst the general public were—Monsignor Haninan, P.P., D.D., V.G., Newcastle West; Rev. John Reeyes, C.C., do; Rev. J. O'Shea, C.C., do; Captain R. Curling, J.P., The Castle; Richard O'Grady, Rathfridy; Thomas Hurley, J.P., Chairman District Council; P. O'Shaughnessy, J.P.; James D. Leahy, C.E.; Daniel Leonard, D.C.; Michael Leonard, D.C., Ringwood; E. J. Baird, Manager Provincial Bank; Michael H. Woulfe, Dr. George Pierce, John Condon, solicitor; Robert Cussen, solicitor; Herbert Sullivan, J.P., Curraghmore; Eyre Ievers, J.P., Glenduff Castle; Harry F. O'Donnell, Care Cottage; George L. Sheehy, J.P., Moriddy; O'Grady Conyers, Castletown; F. G. Conyers, C.E.; E. O'F. Nugent, National Bank; Frank O'Donoghue, do; Richard Murray, do; C. C. Binns, Vancouver; Thomas E. Lloyd, Heathfield; Robert E. Lloyd, George Lloyd, Edward Lloyd, Thomas S. Deane, Manager National Bank, Rathkeale; E. S. Deane, Harold Deane, P. Murray, J.P., Ballisteen; James Brouder, A. J. Byrnes, Clerk District Council; Thomas Ambrose, Master Newcastle Workhouse; Thomas McCoy, Edward Sheehy, Dr. Moloney, Ballingarry; W. A. Roche, Jerome Coakley, James P. Laven, solicitor; Dr. E. Lloyd Aherin, Hearnbrook; Maurice Aherin, do; Frederick St. Clair Hobson, J. W. L. Dale, D.I.; R. K. Sheehy, C. Harnett, William A. Dowman (Manager, Munster and Leinster Bank, Dromcolloher), John Murphy, T.C., Joseph Cregan, T.C., F. A. Johnston (Limerick), Michael Culhane, John Byrnes (Clerk of Union), Michael Murphy, T.C., Edward Kennedy, T.C., James Sullivan (Dromin House), Mathew O'Mahony, Eugene S. O'Mahony, Mus. Prof., W. Creagh Harnett, J.P. (Abbeyfeale), John Harnett (Listowel), W. H. Massy (Rathgonan), William Phelan, J. M. Donovan (vice-chairman, Rathkeale District Council), James O'Mahony (Cullina), Edward Stanley, R. Nash, Stafford O'Brien, William Hough, T. D. Cowper, S. Ambrose, D. Kennedy, John Kennedy, Maurice Curtin, Laurence Curtin, James Quin, John Creed, David McCoy, James Roche, Patrick Madigan, Myles Ryan, Patrick Enright, J. McDonnell, T.C., Thomas Byrnes, Patrick Sheehy, George Mulcahy, M. Treacy, Edward Murphy, Timothy McMahon.

The Head-Constable and several members of the R.I.C. marched at the funeral. Mr. Robert Floyd, of the Bank of Ireland, was unavoidably absent.

Wreaths were sent from the following—"In loving memory from his beloved and sorrowing widow and children, God's will be done"; "With his sister Janie's deepest sorrowing love"; "In loving and affectionate memory from Kattie, Lizzie and Arthur"; "In affectionate remembrance from Dr. Hobart"; "With deepest sympathy from Lena"; "In loving memory from Richell and Lucy Curling"; "With deepest sympathy from Mr. Mrs. and Miss McDonald, Killelinc House"; "With sincere sympathy and love from Major and Mrs. Sheehy, Castletown"; "With deep sympathy from Mr. and Mrs. Lloyd and sons, Heathfield"; "The last mark of regard from a very dear friend"; "Entered into rest, Mrs. J. S. Furlonge and family"; "From David Roche"; "With deepest sympathy from Mr. and Mrs. Dale"; "In memory of a kind and loving friend from Dorothy and Kittie Curling"; "With deep sympathy from Mr and Mrs W. A. Roche"; "With much sorrow from his old pal, Fred Hobson"; "With deep sympathy from Catherine Conyers, Castletown"; "With deep regret and sincere sympathy from Dr. and Mrs. H. G. Moloney"; "With deep sympathy and condolence from Rathfridy"; "From the Newcastle West Club with sincerest sympathy and deep regret."

resolution of the Guardians directing that advertisements be issued for the election of an additional nun as day nurse, and for a qualified night nurse, and in reply to the enquiry as to the legality of advertising elections without notice having been previously given to each Guardian that such appointment would be made, stated that the mode of appointment of officers is regulated by article 26 of the General Regulations, from which it would be observed that notice need not be sent to each member. Before, however, an increase in the number of the special staff of the Workhouse is made, the Local Government Board as a general rule require that notice of the proposal should first have been given to the Guardians individually. In the present instance it appeared to the Board that sufficient publicity has been given to the matter as a committee of the whole house was twice specially summoned to consider the question of the nursing and on the last occasion the Guardians adopted a resolution similar to that passed on the 10th inst.

The Chairman said it was he who raised the question and suggested that the opinion of the Local Government Board should be asked. However, it appeared to him that if it answered the Local Government Board they would require advertisements, but on this occasion it did not.

THE STOUT CONTRACT.

The following letter addressed to the Clerk, was read from Mr. Denis Donovan, the Limerick agent for Lady's Well Brewery.

DEAR SIR—I called at the Union on Saturday 26th inst, accompanied by a representative of the Brewery, with the object of obtaining a sample of the porter complained of for the purpose of an independent analysis. We were not fortunate in seeing the Master. I saw him on Monday, but found that the porter had been all used. My firm have no doubt whatever, that the porter (1065 gravity) supplied to the Union, was fully up to the contract standard in every respect, and they therefore cannot accept the figures of Dr. Cameron. They have instructed me to ask the Guardians to be good enough to send an official to our stores here to take samples from a cask of the same consignment from which we supplied the Union. One of those samples we will ask you to send to Somerset House, and the other one we propose to have analysed ourselves by an independent analyst. Your immediate attention to this matter will oblige,

Yours faithfully,

DENIS DONOVAN.

Mr. Moran said he understood Mr. Donovan was present, and suggested that he should be heard.

The Chairman did not agree with the suggestion in the letter that the Board should send one of its officials to Cork to take a sample of the stout for analysis. The sample had been sent in the ordinary way to Sir Charles Cameron, and having regard to his analysis, the Guardians decided to re-advertise.

Mr. Moran said this was a very important matter for the firm. The firm was established for one hundred and fifty years, and it certainly would not be for the sake of such a small contract that they would supply an inferior article.

Mr. Donovan said it had been stated that the stout supplied by the firm which he represented was inferior to that specified in their contract and bond. He pointed out that the firm regarded its honour and respectability in this matter far more than any monetary result that might accrue from that contract. He referred to the analyses made by Sir Charles Cameron, and drew attention to the fact that the tot in the analyses was inaccurate, and although that was not a serious error, still it required explanation. He read an independent analysis of a similar sample, showing that the stout was a degree decimal seven above the specified sample.

The Chairman asked if the independent analyses showed that the article was "stout."

Mr. Donovan replied in the affirmative.

The Chairman—But how are we to go behind the analysis?

Mr. Moran said that it was quite possible that an error occurred in the analysis, which might have been made by Sir Charles Cameron's assistants.

Mr. Lane—I agree with you.

Mr. Donovan—There is actually a mistake in the tot.

Mr. Moran—I think as a matter of fair play we should comply with the request made in the letter. This is one of the few surviving industries in the south of Ireland, and should at least get fair play.

Mr. Donovan thought he should be supplied with a part of the sample sent for analysis.

The Master said he merely sent the sample in the usual way.

The Board unanimously decided to continue the contract from this firm, and an order was made that in future when samples were being sent for analysis, portion should be given to the agent in order that he might have an opportunity of having an independent analysis made.

DOCTORS' SUBSTITUTES.

Dr. Shanahan wrote enclosing certificate from Dr. Holmes that he was suffering from sciatica, and would be unable to resume duty for some time. He named Dr. Graham as his substitute.

The Chairman: Dr. Shanahan does not say when he will be able to resume duty, and it may be an indefinite time.

Mr. Coffey, Relieving Officer, said he under-

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