

If you want to keep your good looks keep your good nature.

Anybody can find time to find fault.

Half the flattery of the world is expended on women—the other half on tombstones.

A GLEBE FOR NEWCASTLE.

IMPORTANT JUDGMENT BY JUDGE ADAMS

At Rathkeale Quarter Sessions yesterday, his Honor Judge Adams delivered judgment in the case of Curling v. Vance. His Honor said—

These are two actions brought by the trustee of the Devon estate against Canon Vance, the Rector of Newcastle and Rathronan—one to recover a house in the town of Newcastle, and the other for £78 for use and occupation of the house. By deed dated 29th May, 1883, the then Earl of Devon let to the Representative Church Body a piece of land, on which was this house, for 999 years, at £2 a year, as "a glebe for the residence and enjoyment thereof of the incumbent for the time being of the parish of Newcastle." The land was not at the time taken by the Church Body, nor was the rent of £2 ever paid. It is, indeed, possible this small rent was never intended to be paid. After the making of this deed a Mrs. Plummer remained in possession of the house, and her rent was received annually by the Earls of Devon. Sometime in 1894, Mr. Curling, the then agent, met Canon Vance and told him about this lease, of which Canon Vance knew nothing, if I remember right, being appointed to the parish after the making of the lease. At the request of Mr. Curling, Canon Vance promised not to disturb Mrs. Plummer during her life. She died a few months later, and Canon Vance then took possession of this house, receiving the keys from the agent, and of course taking possession with the agent's consent. Canon Vance has now been eleven years in possession, but has never gone into residence in the place, having there a tenant who pays him rent. It is now sought to treat him as a trespasser, or at best a tenant at will of Lord Devon. On the 24th February last, the Earl of Devon's solicitor served a notice on the Representative Church Body, which contained the following passage:—

"Now the Earl of Devon requires the Representative Church Body either to build a residence for the Incumbent of Newcastle on said holding in pursuance with the terms and conditions of said lease, or in default to surrender same, and on adopting the latter alternative to pay all rent and arrears to the last gale day."

It is now contended by my friend Mr. Holmes, in an able argument for plaintiff, that no rent having been paid, and no glebe house having been erected, the trusts have failed, and the lease must in law be treated as having lapsed or surrendered, especially as the bit of land let with the house has never been out of the possession of the Earl of Devon. I hold on the contrary that the true legal position of the parties is well stated in the passage from Lord Devon's notice, which I have read. I hold that the lease still subsists, that the Commissioners are in possession of this house by their servant the Rector of Newcastle. I dismiss both actions. I think that the Earl of Devon intended to practically surrender the lease to the Church Body for the use of our brethren the respected community of their Church in Newcastle. Whether the use of the place is satisfactory I leave to the Church Body to settle "in foro domestico."

Mr. Holmes (instructed by Mr. Leahy) appeared for plaintiff, and Mr. Blood Smyth for defendant.

TRADE SCHOLARSHIPS.

from the suburbs, which show the ruffians.

LITTLE BOYS SENT FOR TRIAL

AT THEIR OWN REQUEST.

(FROM OUR CORRESPONDENT)

At the Ennis Petty Sessions yesterday, two little lads, between 12 and 16, named Pat Moriarty and Pat Quin were charged with stealing 4s. 6d. from Mrs. Keane, Ennis, on April 2, and Quin was charged with receiving said sum. Accused when asked if they would be tried by the Bench or elect to go before the judge and jury at Quarter Sessions, both elected the latter course.

Sergeant Parkinson said that the lad Quin had tried to slip a two-shilling piece into his stocking, but it fell on the ground. When searched at the barrack Quin had a half-crown and a penny on him. He said the latter was his own, but the half-crown was Moriarty's. The latter had nothing on him.

There was no other evidence, and the defendants were sent for trial to the Quarter Sessions, and allowed out on bail.

THE SHANNON FATALITY.

At a special meeting of the Limerick Repertoire Dramatic Company held at 37 George street, Mr. P. A. O'Connor presiding, it was unanimously decided, "That we the members of the above Society do hereby tender our heartfelt sympathy with the relatives of the deceased, and that this expression of our sincerest sorrow be conveyed to the members of their respective families." It was also proposed by Mr. J. J. Roche that a performance be given by the members for the joint benefit of the families of the deceased, on some future date to be arranged.

THE APPEAL.

The appeal for aid on behalf of the victims of the Shannon boating fatality of Sunday has up to the present reached a handsome total. Only on Tuesday last the Committee having charge of the fund made the call upon the citizens, and to-day, four days after their circular, as much as £40 have been realised for the families of those who were accorded what might be described a public funeral on Wednesday. If the same response during the next few days can be measured in the light of what has taken place since Tuesday, then the efforts of the Distress Committee will be fully rewarded.

A NEW MUNICIPAL ASSET.

At noon to-day the disused City Prison was handed over in a formal manner to the Corporation by Mr. Gaynor, representing the authorities. The building was subsequently inspected by its new owners, who contemplate converting it to the most advantageous use possible. Several suggestions have been made as to how it can best be utilized as a beneficial municipal asset, but in the absence of any practical proposal its utilization awaits decision. Meantime it remains in charge of Mr. Gaynor, who to-day agreed to become caretaker under the Corporation, and a portion will be used by the Christian Brothers as a school while the Gerald Griffin Memorial enlargement of their own schools is being made.

ST. MARY'S TEMPERANCE SOCIETY

The members of the above Society held a most enjoyable re-union on Sunday evening last in the Christian Brothers' Schools, Bridge Street. The company, which numbered fifty-four couple, were ably looked after by the following energetic committee—Messrs. J. M'Cormick, M. Guerin, J. W. Fitzgerald, W. Fitzgerald, J. Pivott,

EVEN POLICEMEN

Scarcely ten of the hundred were saved, another heroism sacrificed to the raging flames, man wept as the cries of the alarm rang in their ears.

FORTUNATE RATHKE.

Mr. Roger Greene, solicitor received news of the safe arrival (Mr. Costello) and his family in San Francisco. Mr. and Mrs. Costello's children, left San Francisco intending to come to Dublin for the summer months, who is a Rathkeale man, is the goods warehouse in San Francisco with his other property, is valued over a quarter of a million. has yet come through as unfared, but his friends look upon the scene of the disaster as a fortunate circumstance.

LIMERICK RES.

Miss Sproule informs us that in stating that Mr. W. Sproule be the manager of the wreck and that Mr. W. Sproule Manager of the Southern Pacific Company, San Francisco.

FATE OF IRISH R

From Mr. E. W. Armstrong visitor to London, a "Daily News" learnt something of the conditions of the city which seem most.

"If the first telegrams are Armstrong," the earthquake very heart of the city. The district, where the shock is most severely, is a large south of the main thorough, several factories and hundred houses. I saw it stated was first experienced about morning. The work people would, therefore, be in bed, among them has been the wooden houses, too, ex wooden buildings in this are one and two storeys high owned by Irish people."

TO-DAY'S PART

EFFECTS ON T EXCHAN

(BY TELEGRAPH)

A decidedly better tone in departments in the London morning, a feature being ranging from half to 1 1/2 stocks. Consols have, however, a sixteenth, presumably in insurance offices.

STILL BUR

Sar The flames, fanned by the the Ferry House. The company's now under control.

GUARDING TH

Wa General Funston telegrams are guarding the ruins of where there are many Depositors will receive the Most of the casualties districts.

EARTHQUAKE SHOCK