

this not having been shown, he felt that he that did not come within the mean-

was dismissed.
M'Namara v. Gough. said that the action was a replevin.— that his client had paid £50 to the present defendant, for which he obtained years of a piece of building ground, at old Gough's life-time, of £3, after which was to have the land at a pepper-corn.— contended that the distress for rent was

of the deceased deposed that her hus- er made a lease to the plaintiff, who had gales' rent since her husband died. a produced to show the arrangement had a pepper-corn; but a receipt in the name d having been produced for payment of October, 1860, and it having been proved ad died the February previous, his lori- t the receipt being a forgery, it should be e lease also was forged; yet, he believed had been given to the plaintiff, but at a

was dismissed.
The plaintiff addressed Mr. Donovan of Rath- aid that he would reverse the decision ; previous day relative to the action for of Hanly against Moran. He had con- natter more attentively, and recollecting n was purblind and could not have known ht at a distance even if he were amongst o had attacked his house. It was there- e of malice for him to state a party had t of which he was not sure. He would ve a dismissal without prejudice, and Mr. ight bring his action again on. His Lord- empennell a jury to try it.

Donovan—As the witnesses are gone home, my bring the case before a local jury.

Madigan v. Purcell. an action for damage done to a cow by the defendant having set his dogs at her passing on his land. The dismissal below ed for £5 claimed, inasmuch as the Assis- ter considered that as the cow was a tres- as there was no evidence of scienter on the defendant.

The plaintiff held that the defendant was responsi- quence of having set the dogs, and there- ed decrees.

Osborne v. Noonan. is an action to recover a sum of £3 10s. due by book account for meat, &c. who is a butcher in the village of Hos- posed to the correctness of the account hem, which was denied by Kennedy Noonan. ordship granted a decree for the amount

case of Osborne v. Mr. Denis Nugent, for of value of a sheep sent to graze on de- land, and which plaintiff alleged the defen- sed to give up to him, alleging that he had rdshis said, from evidence, it appeared that was not to pay for the grazing of the sheep; before, Nugent was not responsible in law reep, which must have been, according to ence, taken off his lands. ss affirmed, with costs.

The Great Southern and Western Railway Company.

was a record to recover damages to the amount 00, in consequence of injuries sustained by the owing to an accident which occurred to the Brures in January, 1863.

ellett read the plea. He said the sum- d plaint contained one count, which alleged defendants were the managers of the Cork nerick direct Railway, and that, in conse- of the negligence of their servants, plaintiff tained damages to the amount already men- The defence was a denial of negligence, and ation that the accident was occasioned through lect on the part of the plaintiff himself.

Exham then stated the case on the part of the F. He said the plaintiff in the case was a man name of Patrick Ward, who had been in the ment of the defendants for the period of seven- ars, and in the month of June last he was dis- by the company under circumstances which he detail to the jury. If they had to try the case rd to any passenger travelling by the train, the uestion for their consideration was the amount nages to be awarded, as the accident had oc- owing to the negligence of their own servants, company admitted. But they say that the ff was not entitled to damages, inasmuch as l undertaken certain risks in connection with his

the occurrence. It was contended that had been in fault, that did not involve the company, as Mr. Danaher was found, as Mr. Ilbery would prove, to be an excellent officer of the company: and, though he might have been in fault in not look- ing after the goods vans, which were in the way, and in not exercising proper supervision over the signals, and such like, yet, the company, he asserted, was not responsible, as they had selected Mr. Danaher as a good and fit officer, and found him so to be until the accident now complained of had occurred. If they proved that the signals, or any of them, were up at the time, it was evident that the guard was not on the look-out, although entrusted with the lives of so many passengers as were com- mitted to his care. If the guard had looked out he could have seen the signal light, and then there would have been sufficient time to shunt the goods' vans out of the way, which the driver was endeavouring to perform as quickly as possible. There was always much sympathy manifested towards persons injured on railway lines, and the temptation was strong to thrust peoples hands into the pockets of a railway company. He trusted that the jury would give the matter due con- sideration and apprehend it was a question of law, more for his lordship than the jury to take into account, the fact of a man taking office under a company when he knew that certain risks were to be encoun- tered, just as a groom taking charge of a vicious horse. In such case, the man himself, he contended, was responsible for consequences. He would leave the matter then in the hands of the jury in whose discrimination he trusted.

Mr. Edward Reardon, engineer on the Cork direct line, examined by Mr. Exham, deposed to the accuracy of the railway map which was produced, on which the station and Brures line were described.

Sir John Benson examined by Mr. Clerk, Q.C., stated that he was the engineer to the Cork and Limerick Direct Railway Company, and had examined the signals, and considered them in proper order at the time of the occurrence; and the signal posts were had from Stephens, of London, and of good quality and proper signals; was of opinion that if the station signal were up and high the distant light was not; the guard could stop the train if he were on the look out; the Great Southern and Western Company worked the Cork Direct Line, but the Cork Direct Company pay for any repairs or alterations made in the works.

Richard Lalor, examined by Mr. Coffee, Q.C.— Deposed that he was porter on the Cork Direct Line at the time of the accident; the goods train came in before the passenger train; there were eighteen waggons and two vans to the goods engine; the goods train went towards the siding to get to the lie-by; it was necessary to remove some waggons out of the lie-by, and I raised the signal light to warn the passenger train until the waggons were got out of the way; the station master told me to clear the way; when I heard the passenger train coming in I ran away to- wards the road, and did not see it until it struck into the goods train.

To Mr. Exham, Q.C.—There were several porters of us there; there was no head porter; we were all officers, and no soldiers; every man for himself; that was my week to raise the signal light; I am now in the militia; the guard asked me why the light was not up, and I swore and told him it was and to look at it.

Four other witnesses were then examined includ- ing George A. Albery, Esq., traffic superintendent of the Great Southern and Western Railway Company, when the further hearing of the case was adjourned until Monday.

CITY RECORD COURT—THIS DAY.

The Right Hon. Mr. Justice Keogh accompanied by the City High Sheriff, the Hon. Mr. Vereker, and Mr. Franks, High Sheriff of the County, took his seat on the bench this morning at half-past 10 o'clock, and proceeded with the record of "Sullivan v. cotter" which was adjourned from yesterday evening.

Mr. Exham, Q.C., addressed the jury for the defen- dants.

Mr. J. Murphy replied on the whole case for the plaintiff.

The learned Judge charged the jury, who retired, and, after a half-an-hour's absence, returned a verdict in favour of the plaintiff for the full amount of damages sought and costs, and the jury expressed their regret that the damages were not laid at £300.

At the request of the jury the judge said he would report to the executive in favour of the boy who was convicted on the evidence of the bailiffs.

Maurice Roche, who pleaded guilty to embezzling a cheque of the National Bank at Rathkeale, was sentenced to 12 months' imprisonment from date of committal.

Report in our next of all the proceedings of this day.

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(March 5)

Wants a Situation.

A Man and Wife, want a Situation, as General Servants: the Man, a general In-door Servant, who knows his business, and every respect; is a careful Driver in any harness. His Wife would take charge of a Gate Lodge, or Laundry, or would go as Plain Cook. Both can be well recommended.

Address—M. M., 21, Denmark-street; or, Office of this Paper.

March 5.

BIRTHS.

At Upper Fitzwilliam-street, Dublin, the wife of Anthony J. Cliffe, Esq., D.L., of Bellevue, county Wexford, of a son.

At Newtown Park-avenue, Dublin, the wife of Townley W. Hardman, Esq., of a daughter.

At Brunswick-street, Dublin, the wife of Mr. N. Brougham, dentist, of a daughter.

At Red Barns House, Dundalk, the wife of Colonel Shute, 4th Dragoon Guards, of a daughter.

At Baronstown House, county Kildare, the wife of Edward Bourke, Esq., of a son.

In Londonderry, the wife of Archibald M'Corkell, Esq., of a son.

At Donaghmore, Queen's County, the wife of Mr. A. M. Baird, of a son.

At Portland-place, London, the wife of Sir James Duke, Bart. M.P., of a daughter.

At Park-road, Regent's-park, London, the wife of Richard Mahony, Esq., of Dromore, county Kerry, of a daughter.

At Croxton-park, Cambridge, the Lady Vaughan, of a daughter.

MARRIAGES.

At the American Legation, Paris, Mortimer O'Connor, Esq., M.D., of Ballylongford, county Kerry, to Susan Frances, daughter of the late Jacob M. Haldeman, Esq., of Harrisburg, Penn., America.

At St. Peter's Church, Dublin, Benjamin Armstrong, Esq., of Woodfort, county Meath, to Catherine, daughter of the late John Crozier, Esq., Gortha House, county Fermanagh.

At the office of the District Registrar, Dublin, J. F. Alexander, Esq., of Upper Rathmines, to Susanna, daughter of Robert Gouch, Esq., of Waterford.

In the Wesleyan Centenary Church, Stephen's-green, South, Dublin, the Rev. Samuel Dunlop, Bray, to Catherine Rebetca, daughter of Edmund M. Robinson, Esq., Stephen's-green, North, Dublin.

In St. Jude's Church, Dublin, the Rev. Wm. Hughes, Rector of Killymard, county Donegal, to Jane Olivia, daughter of Robert Bowker, Esq., Trillick, county Tyrone.

DEATHS.

On the 29th ult., of malignant fever, in Dublin, De Courcy O'Grady, Esq., son of the late John O'Grady, Esq., of Castle Farm, county Limerick—a gentleman remarkable for the highest honour, a deep and practical sense of religion, and most generous in his charities to the poor.

On the 3rd instant, at his residence, Hollywood, in this county, James Hewson, Esq., at the advanced age of 80.

On the 3rd inst., at Upper Cecil-street, at the advanced age of 86, Mary, relict of the late James Kearney, Esq., of Bally- cahane, in this county.

This morning, in Glentworth-street, Frances Taverner, aged 83 years—one of the oldest of the Society of Friends.

On the 4th inst., at Carnass, Miss Hunt, sincerely regretted.

At Pallaskenry, on the 2nd inst., the infant child of Mr. G. F. Benson.

At Holyhead, Charles Bianconi, jun., Esq., of Longfield, Cashel, county Tipperary.

At Nelson-place, Cork, Wm. Myles, Esq., V.S.

At Ballincollig Barracks, Walter Francis Fitzadlem, infant son of Joseph Bourk, Esq., Assistant-Surgeon R.A.

At Rathangan Lodge, county Kildare, Edwin W. P. Sandi- lands, B.C.L., late Fellow of St. John's College, Oxford, son of the Rev. Percival Sandilands.

At Haecourt-place, Dublin, Mary, relict of Peter Markey, Esq., of Drogheda.

At Upper Sherrard-street, Dublin, Alicia, daughter of the late Thomas Lenahan, Esq., of Rogerstown, county Dublin.

Anne, widow of the late John Crawford, Esq., of Leghorn, and daughter of the late General Sir George Cockburn, of Shangana Castle, Bray.

At Herbert-terrace, Dublin, Emma Euphemia, daughter of the late John Hitchcock, Esq.

At Pembroke-quay, Dublin, Mr. William Colgan, late of Hodgstown, county Kildare.

At Lower Baggot-street, Dublin, Mr. Wm. Gibson.

At Dolphin's-barn, Dublin, Mrs. Catherine O'Malley.

At Dorset-street, Dublin, Mr. John Carroll.

Maria, daughter of George Campbell, Esq., of Graceville, Clontarf.

At Donnybrook, Martha, wife of John Kearney, Esq.

At Belmont, Boyle, Maria, wife of James Davis, Esq., S.I. Constabulary.

At Rosemount, New Ross, Henry Xavier, son of the late James Edmund Byrne, Esq., of Terenure, county Dublin.

At Martinstown, county Meath, Isabella, widow of the late John Robinson, Esq.

At Falmouth, John Jacob, Esq., M.D., F.R.C.S.L., Surgeon to the Queen's County Infirmary, Maryborough.

In London, Richard Baker, Esq., late of the War-office, Dublin and London.

At Park-street, Grosvenor-square, London, Miss Jane Delap, daughter of the late Samuel Francis Delap, Esq., of Monellan, county Donegal.

At Queen's-road, Regent's-park, London, suddenly, the Rev. Thomas George James, Prebendary of Wells, and incum- bent of Hanover Church, Regent-street.