1882 – Newspapers

Norwich Mercury *07 January 1882*

Mr. Geo. Harvey, Forncett St. Peter, licensed victualler, and Messrs. Morgan and Co., Norwich, brewers, appellants, and the Justices of the Petty Sessional Division of Depwade, and Mark Grimes, superintendent of police, were the respondents. The appeal was in respect of an endorsement of the license, on November 15th, by the Justices at Long Stratton, of the Chequers Inn, Forncett St. Peter, kept by Geo. Harvey. Mr. Simms Reeve (instructed by Mr. Page, Hotson and Page, Long Stratton), represented the respondents, and Mr. T. C. Blofeld (instructed by Mr. J. C. Chittock), represented the appellants. Mr. Reeve, in opening the facts of the case, said Harvey recently occupied a house at Forncett St. Peter, and on Sunday, November 6th, the police had their attention drawn to that house, and found a man there in a beastly state of drunkenness. In consequence of this the authorities thought it their absolute duty, seeing the way in which the house was and had been previously conducted, to bring the matter before the Magistrates. The case was proved and defendant fined. He should call witnesses who would prove that the man was in a state of intoxication when he entered the house, and that he had previously been refused drink at a public-house about a mile and a half distant from that kept by Harvey. When Harvey's attention was called to the state the man was in he said his wife drew the ale and he knew nothing about it. The Magistrates fined defendant 15s. and 20s. costs, and thinking that it would be the means of putting a stop to this sort of thing they endorsed the license. This had the desired effect, and several other licenses were endorsed. In support of his statement he called John Dix, landlord of the White Horse Inn, Hapton, who said on November 6th last he remembered two men, named Buck and Hales coming to his house, which was a mile and a half distant from that occupied by Harvey. He refused to serve these two men as they were intoxicated. Cross-examined—His daughter assisted him in serving his customers. The men were not served with a pint of beer on the night he had mentioned. He did not know where they had been previously, but he saw them going down the road after leaving his house. Elizabeth Dix, daughter of the last witness, deposed to seeing the two men mentioned in her father's house, but denied serving them with drink, although they requested it. John Durrant said for 2½ years past he had been stationed at Forncett. At 9.20 p.m. on Sunday, November 6th, he visited the Chequers Inn, kept by Harvey. He saw several men in the kitchen, amongst whom was the man Buck who was beastly drunk, and was "casting his stomach." (Laughter). Hales was also there, but had no beer in front of them. He said he had been at Dix's house that night, and he would not serve him any beer. Witness drew

Harvey's attention to the state Buck was in, and asked him how long he had been there. Harvey replied, "He came in about seven o'clock, my wife drew him a glass of ale, when he had drank half of it I found he was drunk." A man named Frosdick was standing outside, and witness requested him to see Buck home. Witness had frequently cautioned defendant about the way he conducted himself, and produced his journal in which were five entries of "cautions" which had been made by him. In cross-examination, witness said when he first went into the house, at twenty minutes past nine, Buck was asleep. Hales was the worse for drink, but not drunk. He took proceedings against Buck for drunkenness, and he was convicted. A person named Frosdick offered to treat him with some ale, but this he resented. Some other persons, the names of whom Mr. Blofeld gave, were in the kitchen, but he did not treat them. He did not partake of anything in the bar. He served a summons upon Harvey on the Tuesday following his visit. Cross-examined—When the railway was in course of construction from Forncett to Wymondham he had great trouble with the navvies who used the houses in the village, but he did not warn the landlady as to what kind of men they were. He had given Harvey prudential warnings as to the conduct of his house, but he did not enter these in his journal. The reason why he entered these cautions in the journal was because he had seen persons enter and leave the house the worse for drink. Robert Frosdick, Bunwell, labourer, said on the evening in question he with a man named Frost went to the Chequers Inn, and there he saw the landlord, Hales, Buck, Durrant, the police constable, and several other persons in the kitchen. Superintendent Mark Grimes said frequent complaints had been made to him of the way the house was conducted, and he took proceedings against defendant, and he was convicted. This was the case for the respondents, and Mr. Blofeld in addressing the Court for the appellants, quoted the section under which the proceedings were taken, and said it was in the jurisdiction of the Court either to confirm, quash, or modify the order. In the latter case, although the fine might not be reduced, yet the consequences might be made less serious. He should prove that the man Buck was not served with any beer in the house. Hales was served with some which he handed round, and Buck then drank about half a glass of the ale. Defendant had kept the house 22 years, and the owners had never had any complaint made to them of the bad way in which the house had been conducted. Adverting to the entries of "cautions," entered into the journal of the very zealous officer, learned counsel said nothing would have been more easier than for him to have put down the names of the persons whom he found drunk on the premises. This was not done, and he

submitted that there had been no specific case of drunkenness. Under these circumstances he hoped the Court would set aside the endorsement. He then called Henry Morgan, a member of the firm of Morgan and Co., King Street Brewery, who said defendant had occupied the Chequers, which was his property for the past 22 years. He came with a good character, and since he had been in occupation no complaints had been made to him as to the bad conduct of the house. He had never made enquiries of the police of the conduct of the house. Mr. W. Mayhew, general manager for Messrs. Morgan, said he had frequently visited the Chequers, and had received no complaint. He considered Harvey was one of the firm's best tenants. Henry Felse, traveller for Messrs. Morgan, also deposed to frequently visiting the Chequers, and never receiving any complaint. In answer to Mr. Reeve witness said he thought there was no occasion for enquiring at the police-station as to the way the house was conducted. Mr. Blofeld here asked the learned Chairman whether he would consider the matter of the endorsement, and he would not address him on the point of the conviction. The CHAIRMAN assented to this course after he had heard Mr. Reeve in reply on the case. Mr. Reeve then said the Magistrates, after a long and deliberate consultation, came to the conclusion that the only way of dealing with this evil which was growing up in the village was to endorse the license with respect to the

any complaint. In answer to Mr. Reeve witness said he thought there was no occasion for enquiring at the police-station as to the way the house was conducted. Mr. Blofeld here asked the learned Chairman whether he would consider the matter of the endorsement, and he would not address him on the point of the conviction. The CHAIRMAN assented to this course after he had heard Mr. Reeve in reply on the case. Mr. Reeve then said the Magistrates, after a long and deliberate consultation, came to the conclusion that the only way of dealing with this evil which was growing up in the village was to endorse the license with respect to the character they had given defendant. Mr. Morgan had no possible chance of being acquainted with his character, and he hoped the Court will uphold the decision of the Magistrates and confirm it. The Court then retired to consult in private, and upon their return into Court the CHAIRMAN said the Magistrates had well considered the matter, and had determined to confirm the Magistrates' decision.

Norwich Mercury ***21 January 1882***

ACTION UNDER THE EMPLOYERS' LIABILITY ACT, 1880.

At the Wymondham County Court on Monday, before E. P. Price, Esq., Q.C., Judge, the following action was brought:—William Tallent, of Norwich, labourer, v. Henry Lovatt, Wolverhampton, railway contractor. This was an action brought under the Employers' Liability Act, 1880, to recover compensation for injuries sustained by plaintiff through the negligence of defendant's servant.

The following were the particulars of the plaintiff's claim:—On the 21st April, 1881, the plaintiff being a workman within the meaning of "The Employer's Liability Act, 1880," and employed by the defendant as a manual labourer, met with an accident whilst engaged in his ordinary duties as such labourer, and in the course of his said employment, to wit, he was thrown off a loaded truck, forming part of a ballast train on a certain railway at Hapton, in the County of Norfolk, and by reason thereof personal injury was caused to him, and his leg was so injured, that it had to be amputated, and in consequence he suffered great pain, was put to great expense, and was and will be prevented from obtaining his living as he used to do. The defendant is a contractor for making railways and other work, and the above-mentioned personal injury to the plaintiff was caused by reason of the negligence of one Johnson, the superintendent foreman, or ganger, in the service of the defendant. The said Johnson at the time of the accident had the charge and control of the said ballast train upon the said railway, and of the locomotive engine thereof, and as being such superintendent foreman, or ganger, was acting in the exercise of the said charge and control, and the plaintiff was under his orders and directions, and was bound to do, and did conform to them. The plaintiff claims £142. 2s. as compensation under the Employers' Liability Act, 1880. Mr. Blofeld (instructed by Mr. J. G. Atkinson, Norwich) was for plaintiff, and Mr. C. Cooper (instructed by Messrs. Neve and Rutter, of Wolverhampton) for defendant.

An unusual amount of interest attached to this action, inasmuch as it is the first of the kind which has been brought in this district under the Act of 1880, which may now be said to be in its probationary period, being an expiring Act, ceasing to exist with the end of the next session of Parliament, unless revived or re-enacted in an amended form.

Mr. Blofeld, in stating the facts of the case, said he was proceeding under the 1st section of the Act, and sub-sections 2, 3, and 5. Plaintiff was a navvy, and in the month of April last was employed in the construction of a line of railway from Wymondham to Forncett, and was a man in the prime of life, with a wife and seven children. Plaintiff had previously been in a better position of life, having been a farmer. Defendant was a large contractor for the construction of lines, and was contractor for the Forncett and Wymondham line, the works being under the charge of a manager, named Liddle. On the 21st of April, plaintiff was employed on that part of the line lying in the parish of Hapton, and was one of a gang under the superintendence of a person named Johnson. About three o'clock a ballast train came up from the direction of Wymondham, and the men, by the order of Johnson, jumped upon the trucks to empty them of their contents. Whilst the plaintiff was engaged upon a truck in removing the pin holding up the shutter, the engine, without any preliminary warning, backed, and the effect

of the jerk was to cause plaintiff to fall over the end of the waggon. His head struck the coupling irons, rendering him partly insensible. He fell to the ground with one leg across the line of metals, and the wheel of the next truck passed over it, crushing it in such a manner that it was afterwards necessary to amputate it. The engine, which had been backed by the order of Johnson, caused a very violent shock all along the train, and very many of the men who were standing up in the trucks were thrown down in the truck. Johnson came up after the accident, and said, "Why did you not do as I told you." To which Tallent replied, "I did not hear you." Mr. Blofeld contended that Johnson, the ganger, had been guilty of negligence in allowing the men to get on to the trucks, and he certainly ought to have warned them to hold fast before he gave his directions to the driver. He (Mr. Blofeld) had nothing to complain of in the conduct of the defendant after the accident. Mr. Lovatt seemed to have admitted from the first that this was a very serious matter, and probably would ruin the plaintiff for life. For some months, therefore, he continued to pay him the sum of 14s. per week. When, however, the line was complete, and an appeal was made to the defendant for further assistance to aid the plaintiff to earn a livelihood, he said "The books are now closed, and I shall have nothing whatever to do in the matter." There was, however, it was intimated, a balance of £6 belonging to a sick fund which defendant might have if he would sign an agreement to accept it in full discharge of all claims. A refusal was given, and hence that action.

Mr. Cooper submitted that the fourth section of the Act, which required that notice of injury shall be given within six weeks' of the injury, had not been complied with.

Mr. Blofeld said he had not known till that moment what the notice of the cause of the injury had been, because it was in the form of a letter sent to Mr. Lovatt, by the Vicar of Tharston, the Rev. C. Hooley, who wrote, on the 25th of April, to Mr. Lovatt, soliciting his kind consideration of the distressing case of the family of Tallent, who was stated to have met with a severe accident while working on the line between Forncett and Wymondham. The letter further stated that Tallent had been removed to the Hospital, where the injured leg was amputated, and that it would be a long time before he would be able to work again. Even then it would be difficult to obtain employment. The family at present lived in the parish and were unprovided for, and it was hoped that Mr. Lovatt would be able to do something for the unfortunate family. Consequent upon that, on the 3rd of May a letter was received by the Rev. C. Hooley, from the defendant, enclosing a report from his agent with the object of showing that the contractor was not liable for the accident, and that something was being done. The report was as follows:—

Forncett and Wymondham Junction Railway
Contractor's Office,
Wymondham, April 28th, 1881.

Dear Sir,—As to W. Tallent's accident, I have yours of the 27th instant, with a letter from Mr. Hooley, of Thurston, in reference to the above.

I saw Mrs. Tallent this morning, and promised to do as much as I possibly could for her. This is a very pitiful case, and I am very sorry about it.

Last Thursday afternoon, Tallent, who worked in Johnson's (Gloster) gang, jumped up on to the buffer of a ballast truck, which was one of a train attached to locomotive "Berkeley," then at rest. The locomotive driver blew the whistle to warn Tallent as well as the others off the truck, and Johnson told Tallent individually to come down, as the train was going to be moved along the

line a little further.

Tallent did not avail himself of the caution, and the result was the accident. The wheels of the truck passed over one of his legs a little below the knee, and amputation was afterwards found necessary. He is now lying in the Norfolk and Norwich Hospital, to which the workmen's sick fund subscribes.

I explained to Mrs. Tallent that you were not liable for compensation, but that I would give her something out of the sick fund. There is at present about £17 in hand, and I propose to allow her 14s. per week for a time. On hearing from you, I shall at once act. Meantime I shall give her something to go on with, unless the men themselves make a collection on Saturday, which I hardly think they will do, that being the wind-up of the contract as far as they are concerned.

Yours,

WILL. LIDDLE.

Henry Lovatt, Esq.

The following letter had been written to defendant by Mr. Gaze, solicitor, Norwich:

1, Bank Street, Norwich, 7th May, 1881.

Dear Sir,—Mrs. Tallent, of Tharston, has consulted me relative to certain injuries which Wm. Tallent, her husband, sustained whilst at work for you on the new line of railway from Wymondham to Forncett. As you possibly know the injuries he received were very serious, and necessitated having his leg amputated. This, of course, will prevent him from ever gaining a livelihood from the kind of work he was doing previous to the accident, and the only means of maintaining himself, his wife, and five young children, appears to be to set him up in some small business, and thus enable him to support himself and family. You are no doubt aware that by the provisions of an Act of Parliament passed last year, entitled "Employers Liability Act, 1880," Tallent may bring an action against you for compensation. This, however, is not his desire. He only wishes to find himself placed in a way to support his family. Now, taking all the facts into consideration, do you not think that some compensation might reasonably be made by you to the poor fellow. A sum of money laid out so as to set him up in a small way of business, as I have before mentioned, would meet the needs of the case. I may add that Tallent lies in a very critical state at the Norwich Hospital, and Mrs. Tallent may probably be left a widow. Please let me hear from you in reply by Wednesday next.

I am, dear Sir, yours truly,

WILLIAM GAZE.

H. Lovatt, Esq.

Mr. Blofeld contended that this correspondence constituted the notice of injury in the case.

Mr. Cooper contended that no notice of injury had been given either in the letter of Mr. Hooley, or in that of Mr. Gaze, because in neither were the cause, the place, or the date of injury mentioned, as required by the Act. He moreover contended that the report of the agent could not be pleaded as forming part of the notice. He fortified his contention by a judgment given by Mr. Russell, in the Manchester County Court.

Much time was occupied in arguing this point, and a large number of cases were submitted to His Honour, who eventually decided that notice of the injury had been given. The intention of the Legislature was evidently that an employer should have timely notice of the intention to bring an action, in order that he might investigate the facts at the time. The proviso at the end of Clause 7 was a most important clause, and gave the judge very wide powers in deciding what was a notice of injury, while it stated that the notice shall not be deemed to be invalid in consequence of any defect therein. He held that the letters which had passed between defendant and the persons acting on plaintiff's behalf, coupled with the report furnished to the defendant, was sufficient notice within the meaning of the Act, having reference to the qualifying proviso of section 7, and the County Court Order

39 B, rule 15, which required the same information to be given in the particulars of claim as Mr. Cooper contended was necessary to constitute the notice of injury. However, if the defendant desired to appeal, His Honour would, with the object of saving expenses, prepare a special case to be submitted after it had been approved by the counsel engaged in the case.

The following evidence was then taken:—

William Tallent, plaintiff, said on the 21st of April he was working on the railway then being made between Wymondham and Forncett. He belonged to Johnson's gang, and had been engaged on the line about a month before the accident. He made 57½ hours in a week, and was paid 4d. an hour. He, in addition, worked every Sunday during the month, for which he was paid "time and a-half." On the 21st of April, Johnson's gang, numbering about twelve men, was at Hapton. About three in the afternoon a train of ballast waggons came up from Wymondham. The gang was at work on the line when the train approached and the ganger told them to get out of the way, and likewise signalled them to do so. The whole of the ballast train passed witness, and then came to a dead stop. Then Johnson called out, "Now then, lads, jump in here, and unload this ballast." Witness and his mate, named Ratty, jumped into the same truck. Witness was in the act of drawing the pin to let the shutter down when the engine started, and he fell backwards over the end of the truck. He heard no warning that the engine was going to start, and he did not see what happened to the other men. In falling he struck his head on the coupling chains, and when on the ground his leg was lying across the line of metals, and was crushed by the wheels of the next truck. Johnson then came up and said, "Why did you not do as I told you?" Witness said he had not heard him.

Cross-examined—I did not know that the train had moved further than was wanted. I did not know where the ballast was wanted, and I got upon the truck when the other men did and in consequence of being told to do so. I had not thrown out any ballast when the jerk occurred. Can't say what interval of time there was between the stoppage and the movement. Heard no word of command from Johnson to hold fast; neither did I hear the whistle sound. I was in the act of drawing out the pin when the accident occurred.

His Honour—I suppose the operation caused some amount of noise.

Plaintiff—Of course there would be some noise with so many men engaged there. I can't say if I saw Johnson after I got upon the truck. I will not swear that there was not a double whistle before the train started again; but I will swear I did not hear it. I heard no one shout to warn me. I do not know what my mate was doing at the time of the accident, or what became of him.

Re-examined—The men were laughing and talking at the time, and the engine was making a noise.

John Howes, working with Johnson's gang, corroborated the evidence of plaintiff as to the approach of the ballast train, and to the men getting into the trucks to unload them when the train was at a standstill. Witness heard no call from Johnson after the men got upon the trucks, and neither did he hear a direction from Johnson to the driver. Witness was in the second truck from the engine when the engine backed and jerked the trucks. He heard no warning that the train was going to move. The men who were standing up in the trucks were thrown down upon the ballast by the

jerk. The whistle sounded after the engine had started, and after the accident had happened. Johnson was standing in front of the engine, and at a distance of eight or ten trucks off Tallent.

Cross-examined—I did not see Johnson walking along the trucks till after the accident. I was not standing in the truck at the time of the starting of the train, because I had only just got into the truck, and I had not had time to rise from my knees.

By His Honour—I felt a very violent jerk at the time of the starting of the engine, and I attribute the fact that I was not thrown from my position to my resting on the knees at the time, and to supporting myself with the shovel, which was then firmly plunged in the soil.

Mr. Cooper—Did Johnson say when the train approached and stopped, "Now, lads, jump up and unload the ballast!"—It was not his practice to give such directions, but we used to get into the trucks as soon as they stopped.

By Mr. Blofeld—Johnson used to encourage us to get into the trucks as soon as they stopped.

Ambrose Fox, heard the order to get into the waggon, but no warning that the train was going to start.

Mrs. Tallent, wife of plaintiff, said she had received 14s. per week from the contractor. She was not aware that her husband contributed a weekly sum to a sick subscription fund, from which this money came. After the line was finished, Mr. Lovatt offered £6 from the sick fund in full discharge of all claims for damage in respect of the accident.

Mr. Blofeld said he had many other witnesses, but, in reply to His Honour, he said they would only repeat what the first two witnesses had said.

Mr. Cooper said the 14s. was paid out of an accident fund to which plaintiff had contributed 2d. per week; and

Mr. Blofeld admitted that these payments constituted no admission of liability on the part of defendant.

Mr. Cooper said His Honour would have gathered from his cross-examination, that Johnson did caution the men before the train started. That Johnson was not a reckless man was shown by the fact that he cautioned them of the approach of the train. He should adduce evidence showing that the caution was most distinctly given.

His Honour said it would be necessary to show not merely that the warning was given, but that it actually reached the ears of the plaintiff.

Mr. Cooper said he should show that Batty, who was with the plaintiff in the same truck, did hear the order, and accordingly assumed a safe kneeling attitude, while Tallent laughed at it.

His Honour hoped that this would not be said.

Mr. Cooper then further described the nature of the evidence he should adduce, and remarked that while plaintiff would have a strong motive in trying to make out a case, Johnson, who was no longer in the service of Mr. Lovatt, could have no interest in misleading, Mr. Cooper said that Lovatt felt considerable compassion for the plaintiff, and was ready to assist him in every way he could. Had plaintiff tendered his services defendant would have employed him, as he had several men who had lost a limb in his service, as gatekeepers or something of the kind. This was a most important action to railway contractors and employers of labour generally, for if they were to be held liable for every act of carlessness or negligence on the part of those they employed, it would, in some cases, amount to ruin. He thought, however, that His Honour, when he had heard Johnson's evidence, would be of opinion that plaintiff was not entitled to ask for compensa-

tion from defendant, because whatever injury he sustained resulted from his own carelessness.

Wm. Johnson, foreman of the gang mentioned in the evidence, said he had been employed for a period of seven years by Lovatt. He engaged Tallent, and the men under him were subject to instant dismissal for disobedience to orders. The ballast train had to come down a sharp incline to the spot where the ballast was wanted, and consequently overshot its mark. The driver gave notice of the approach of the train by sounding his whistle. He shouted out to one man to get away from the train, and he called to Smith, the rope runner, who acted somewhat in the capacity of a guard to the train, to send the train back again. This was said in a loud voice. Witness also called out, "Hold on, lads, there is no ballast to be unloaded here." The engine had already made an ineffectual attempt to move the train to the place required, when witness called out, "Why don't you sit down, or kneel down, for you will be thrown off and have your necks broken." This was said in consequence of the careless positions in which some of the men were then upon the trucks, and witness was quite close to Tallent, who was standing up in the truck with his shovel in the ballast. A double whistle was given by the engine before the start was made.

His HONOUR said the witness had been guilty of negligence in allowing the train to start under the circumstances. The men did not know where the ballast was wanted, and when the train stopped Johnson called out, "Now, my lads, get up." His Honour thought that it was the ganger's duty to see that every person had come from his place of peril before he gave orders for the engine to start again. The sounding of the whistle or the calling out of Johnson was not enough.

Mr. Cooper said that no lives would have been imperilled had the men attended to the caution.

His HONOUR—What caution?

Mr. Cooper—To kneel down.

His HONOUR said it would not have taken three minutes for all the men to get to a place of safety just as was done with passengers before the train re-started. The question was whether there had been any contributory negligence on the part of the plaintiff. They found that he mounted the truck in obedience to Johnson's orders, and whilst engaged in unloading the truck, as were the other men, the train, without warning, by Johnson's orders, moved backwards. He, therefore, found that there had not been contributory negligence. As to the amount of damages, he found that the amount of compensation should not exceed such sum as might be found to be equivalent to the estimated earnings during three years preceding the injury of a person in the same grade. The sum claimed he thought not an extravagant compensation for the man's sufferings, the loss of his limb, and the fact that his means of earning a livelihood would hereafter be narrowed.

Judgment was given accordingly. Execution was stayed for twenty-eight days.

Thetford & Watton Times and People's Weekly Journal. *29 April 1882*

HAPTON.

CONCERT.—A concert was given in this village on the evening of the 12th instant, for the purpose of raising money to purchase an invalid chair, which is much needed in this parish. No other building large enough being available, a barn was kindly lent for the occasion by Mr. Alliban, and upwards of 200 people were accommodated with seats. A very attractive programme was drawn up, which we regret to say was curtailed in consequence of illness. The glees were rendered with much spirit by members of the village choir, kindly assisted by the principal vocalists, and by Mrs. Rattee, Mrs. Knapton, the Misses Phillipo, Rattee, High, and Horstead. Mrs. Chute sang very sweetly, and with much expression, and gained well-deserved applause. Mrs. Owens sang a very pretty song, which she kindly repeated in response to an encore. Mr. and Mrs. Page gained much favour in the duet, "Oh, that we two were Maying." Mrs. W. G. Wilson, whose kind assistance throughout was much appreciated, sang with Mrs. Chute the touching duet, "Truth in absence," which fairly brought down the house. Much of the success of the concert was due to the able accompanist, Miss Cooper, who also played with much taste a rondo from Mendelssohn. The Rev. P. P. Gwyn gave attractive solos, ably accompanied by Mrs. P. P. Gwyn; as did also Russell Steward, Esq., and more particularly by his very effective rendering of "In the gloaming." The one comic song was given by Mr. Lane, and caused much amusement and applause. In conclusion we must say a word in praise of those who so tastefully converted a barn into a concert room, and helped to gratify the eye as well as the ear. The following was the programme:—

PART I.—Instrumental duet, Miss Barton and G. W. Barton, Esq. Glee, 'Gipsy chorus' in 'Preciosa.' Vocal solo, 'The tar's farewell,' Dr. Owens. Vocal duet, 'Oh that we two were Maying,' T. E. Page, Esq., and Mrs. Page. Vocal solo, Mrs. E. R. Chute. Glee, 'Ever true.' Vocal duet, 'Truth in absence,' Mrs. W. G. Wilson and Mrs. E. R. Chute. Quartet, 'By Celia's arbor.' Vocal solo, 'Never again,' Rev. P. P. Gwyn. Solo and chorus, 'Trelawney,' T. E. Page, Esq. Quartet.

PART II.—Instrumental solo, Miss Cooper. Glee, 'The dawn of day.' Vocal solo. Quartet, 'Golden slumbers.' Vocal solo, 'She wore a wreath of roses,' Russell Steward, Esq. Vocal solo, Mrs. E. R. Chute. Vocal duet, 'O wert thou in the cauld blast,' Dr. and Mrs. Owens. Vocal solo, 'Speed on, my barque,' Rev. P. P. Gwyn. Solo and chorus, 'Old England yet,' Mr. F. Hornegold. Vocal duet, 'I know a bank.' Glee, 'Let the hills resound.'

Norfolk News *20 May 1882*

ASHWELTHORPE, HAPTON, and THARSTON.

Sale of Desirable Freehold COTTAGES, and several Enclosures of OLD PASTURE and ARABLE LAND.

SALTER & SIMPSON have received instructions from the Trustees of the Will of the late Mr. John Rix to Sell by Auction, at the Swan Inn, Long Stratton, on TUESDAY, MAY, 30TH, 1882, at Four for Five o'clock in the Afternoon, in Five Lots, as follow :—

Lot 1. In Ashwelthorpe. An Enclosure of PASTURE LAND, containing upwards of Half-an-acre, situate at the corner of the road leading from Ashwelthorpe to Wymondham, in the occupation of Mr. Henry Rix.

Copyhold of the Manor of Ashwelthorpe.

Lot 2. In Hapton. Four Freehold Clay-lump and Stone COTTAGES, with capital Gardens, Shed, Stable and Out-buildings, a Pump of good Water. and a piece of excellent Arable Land, containing about One Acre, abutting upon Cow Lane, in the occupation of Thomas Alliband and others; also a right of pasturage on Hapton Common.

Lot 3. Two Enclosures of Freehold PASTURE LAND, containing about Two Acres, situate in the parish of Hapton, adjoining property of H. Birkbeck, Esq., and Mr. J Green, in the occupation of Thomas Alliband.

Lot 4. In Tharston. A Freehold DOUBLE TENEMENT, situate in Tharston Street, with Carpenter's Shop and other Premises and good Gardens; also a capital Orchard adjoining.

Lot 5. Two Freehold Enclosures of Excellent PASTURE LAND, containing about 3a. 3r. 0p., adjoining Lot 4 and property of Mr. Pitchers, in the occupation of Miss Beckett.

Possession of each Lot may be had at Michaelmas next.

Particulars and conditions of Sale may be obtained of the Auctioneers, Attleborough; or of

Mr. E. S. BIGNOLD, Lady Lane, Norwich,
Vendor's Solicitor.

Norwich Mercury *27 May 1882*

defendants.

BALANCE OF A VALUATION; WATSON v. CLITHEROE.—This was an action for £4 4s. 6d., balance of a valuation which was arranged between the parties, Watson being the outgoing tenant of the property in question, and Clitheroe the incoming tenant. The defendant lives at Ashwellthorpe, and the plaintiff at Hapton. An agreement was put in signed by the defendant, stating that he would pay £15 on account of the valuation; but Mr. Chittock, who appeared for the defendant, contended that the plaintiff had not executed the works on the property as laid down in the lease, as he had not done the necessary ditching. This, of course, operated against the defendant who complained of the state of the ditches, and therefore objected to complete the payment of the valuation.—His HONOUR, however, held that the fact of the document having been drawn up agreeing to the valuation was not overridden by the terms of the lease, and judgment would be given for plaintiff.

Norfolk Chronicle *09 December 1882*

WANTED, by a steady Boy, nearly 15, a Situation as IN-DOOR SERVANT in a Gentleman's family.—Apply, Rev. J. Moore, Hapton Vicarage, Long Stratton.