

## FIGHT FOR FARM.

### ELDERLY LADY'S TENACIOUS STAND.

A series of summonses heard by Mr. C. A. Flattery, D.J., at Dromahair District Court on Tuesday week last hinged on an elderly lady's tenacious struggle to get back on a farm which belonged to her family for generations, and from which she had been evicted. She is Miss Bridget Robinson, Beagh, and she had a summons against John Phibbs White, Whitehall, Dromahair, a brother-in-law of the landlord, for assault. There was a cross-summons of a similar nature, whilst Mrs. Charlotte White prosecuted Michael Clancy, junr., Beagh, for trespass.

Mr. P. O'Flynn, solicitor, Manorhamilton, appeared for Miss Robinson and Clancy, and Mr. H. McCormick, Sligo, for the Whites.

Miss Robinson said there was a small farm in the place which belonged to her family for generations, and which she had for thirty years or more. She got a fair rent fixed, following which she had a row with the landlord's father, getting a decree against him which was never paid. Subsequently she was evicted, but she claimed to be reinstated and on advice went into possession. On the 26th July, about one o'clock in the morning, she heard a noise outside. She asked who was there, but getting no answer beyond "It is me," she went out and found John Phibbs White, a brother-in-law of the landlord, Mrs. Charlotte White, cutting the wire that was on the fence. He drew the wire cutter, and nearly hit her in the eyes with it. In retaliation she picked up a stone and fired it at him, but he caught her by the throat and started choking her, finally throwing her on the ground. He threatened to come back and blow her up. Before he went away White left a spade for the larceny of which he had issued a summons against her. A man named James Clancy subsequently showed her where the spade was, and she took it to the Guards' barracks.

#### Holding the Fort.

In reply to Mr. McCormick, the witness said she did not go back to the farm until eight or nine months ago.

Your whole attitude is that, having been evicted out of the farm, you will not allow anyone to use it?—I will not.

Mr. McCormick—You will hold the fort so long as there is a stone left.

Mr. Flattery—Why were you evicted?

Witness—It was for a year's rent.

Mr. McCormick—I suppose no matter what order is made you will keep anybody from using it?

Witness—I will keep them out as well as I can.

Mr. Flattery—Was she evicted. Was there any attempt to get her reinstated?

Mr. McCormick—No.

Mr. O'Flynn—She applied, as a matter of fact, to the Land Commission.

Mr. McCormick—She might come within some of the sections of the Evicted Tenants' Act.

Mr. Flattery—The Land Commission is a very sympathetic department, and would give her every facility to get back to her farm.

Mr. O'Flynn—The land belonged to Mr. Robert A. White, who only died recently. Her nephew, on her behalf, paid White money to reinstate her. I have receipts in my office for the money. Our grievance is that White did not return her as tenant, but another man.

Mr. Flattery—Why not adjourn the case to see if anything will happen in three months? I am trying to get at the sensible way of dealing with the case. If she has a good claim on the Land Commission why should she interfere with anyone with an interim right to the place?

Mr. O'Flynn—I suggest that we be left alone for six months, and if we do not get anything out of the Land Commission we will leave it.

Mr. Flattery—You want to give her sole occupation.

Mr. O'Flynn—My difficulty is that the holding is uneconomic, but they may give her additional land if she is in occupation. Let the case be adjourned without any undertaking on either side.

John Phibbs White said fifteen or sixteen years ago there was an eviction and Miss Robinson went to live in a small house about a mile away. The house on the particular acre of land in question was uninhabitable, being without windows and doors. This year witness let the meadow to a man named Haeslip, but if he was working on the land and Miss Robinson came on the scene he had to fly off it. On the morning of the 26th July, about five o'clock, witness went to the place to cut wire that has been erected as an obstruction. Miss Robinson was in the old house and she hit him on the shoulder with a stone weighing about three pounds, also striking him with an iron bar which cut his shoulder. He then rushed in and caught the bar, but did not ill-treat or hit the

plaintiff. He admitted being charged with shooting at Clancy, but having regard to what took place informations were refused against him, though he was bound to the peace.

Mr. Flattery—I think, Mr. O'Flynn, it would be the wisest thing for you to advise your client to give an undertaking not to interfere with anyone in occupation.

Mr. O'Flynn—I could not advise her to do that.

In reply to the District Justice, the witness, who said he was acting on the instructions of his sister-in-law, the owner of the land, expressed an objection to Miss Robinson being reinstated.

Mr. Flattery—After all she is an old lady, and it is only an acre of ground out of a big holding. Why should you have an objection to that decent old lady trying to get back to her own place—those homes that every Irishman and Irishwoman think more of than fifty per cent enlarged places somewhere else? Why should you bring the Land Commission, with all its pomps, into the question? She only wants to get back to this small holding.

Mr. O'Flynn—If the case is adjourned for one month I have no objection.

Mr. McCormick—I will agree without any terms. If there is any trouble in the meantime we will come back again.

The case was accordingly adjourned.

In the trespass case, Mr. O'Flynn said there was a question of title involved. "My case," he added, "is that we are entitled to a footpath there that we have been using for forty years."

Mr. Flattery said he would be guided not by previous decisions, but by what eventuated in the course of the evidence.

Having heard the evidence of John Phibbs White, the District Justice decided that a question of title was involved, and marked the case "no jurisdiction."

## MOTOR BOAT TRAGEDY.

### INQUEST ON MENTAL HOSPITAL ATTENDANT.

The opinion that death was due to suffocation by drowning was expressed by Dr. John Myers, medical officer at the Southend Victoria Hospital, at the inquest on Monday morning on Jack Harcastle, aged 29, an attendant at Brenwood Mental Hospital.

Harcastle was drowned when his rowing boat came into collision with a motor boat off the eastern esplanade, Southend, on Thursday.

Harcastle's fiancée, Ethel Peasland, told how they had both gone down to Southend for the day. They hired a boat, she said, in order to have some fishing. She could not swim, but Harcastle could.

They anchored the boat about a mile from the shore and had fished for about half-an-hour, when suddenly they saw a motor boat coming straight towards them.

"When he saw it coming," said Miss Peasland, "Jack said 'Where is this one coming?' I replied: 'I suppose it will go round us like the previous one did.' He shouted back 'It won't; it is coming straight for us.'"

"When it was about twenty yards from us we stood up and shouted. We tried to get to the oars, but didn't have time, and we were anchored. We were both flung into the water when the boat hit us, and we tried to get hold of the side, but could not."

Miss Peasland added: "A lifebelt was thrown to us, and I held on to it until someone jumped from the boat and dragged us both on board."

It was stated that Harcastles parents lived in Emmet Street, Bainton, Cheshire.

Wilfred Shirley Faulkner, of Osborne Road, Westcliff, the skipper of the Thistle, said that the first intimation he had of anything wrong was a crash.

"I was unable to see the boat," he said, "which was lying directly in my path, as I was steering in the face of the sun, which glistened on the water."

"If they had been rowing in the boat I should have seen the flash of the oars. The noise of the engine prevented me from hearing any shouts."

The Coroner, summing up, said: "I think this accident is one that ought not to have occurred. That a boat can be run down and capsized in broad daylight seems to me to be deplorable—almost incredible. I do not think that the skipper of the boat has been palpably negligent, but I consider some strong comment is necessary from the jury on the type and construction of a motor boat which renders this thing possible by obstructing the view."

The jury returned a verdict of death by drowning, and added: "We recommend that some strong action should be taken to ensure the provision of compulsory look-outs on such boats."