

This article contains searchable text which was automatically generated and may contain errors. Join the community and correct any errors you spot to help us improve Papers Past.

Switch to [View correctable text](#) to explore this feature.

---

## TE KUITI MAGISTRATE'S COURT. THURSDAY, MAY 23, 1912.

---

Before Mr F. O'E. Loughnan, S.M.

A large number of technical breaches of the Licensing Act were dealt with fines of 1s and costs being inflicted.

A case against E. B. Dufaur and Co., in which the defendants were charged with having described whisky as spirits was dismissed. Mr Finlay appeared for the defence.

A number of farmers were proceeded against for having exposed infected sheep for sale. Fines of 7s and costs were inflicted in each instance. Mr Huddleston prosecuted on behalf of the department.

T. Elliott, for supplying a native with liquor was fined 20s and costs.

### ALLEGED ASSAULT.

William James was charged with assaulting George Wells on May 5th. Mr Hine appeared for defendant.

Complainant stated that on May 5th he was inspecting a new house he was having built alongside one occupied by defendant. The defendant was with him and complainant made reference to the loss of firewood. Consequent on the suggestion that defendant's wife had taken the wood an altercation took place, and the assault was committed.

In reply to Mr Hine complainant denied that he had been the aggressor.

## TE KUITI MAGISTRATE'S COURT.

**King Country Chronicle, Volume VI,  
Issue 468, 25 May 1912, Page 5**

### Using This Item

Waitomo Investments is the copyright owner for the King Country Chronicle. You can reproduce in-copyright material from this newspaper for non-commercial use under a [Creative Commons BY-NC-SA 3.0 New Zealand licence](#). This newspaper is not available for commercial use without the consent of Waitomo Investments. For advice on reproduction of out-of-copyright material from this newspaper, please refer to the [Copyright guide](#).

denied that he had been the aggressor.

Defendant in evidence stated Wells was the aggressor and defendant retaliated by striking one blow.

Defendant's evidence was corroborated by Mrs Dowd, who saw the occurrence from defendant's kitchen.

His Worship said he had to give weight to the corroboration of defendant's evidence. Still he thought the retaliation had been too severe as complainant had only one hand. He would dismiss the case without costs.

Judgment in the following cases went by default:—Matthew v. Rountree £4 and costs 38s 6d; Puna v. Tukuhou, £5 7s 6d, and costs 18s; Smith v. Hoban, £5 and costs 5s; Holloway v Coburn, £15 5s 7d and costs £2 18s 6d; Clapham and v. Taitoka, £3 2s 3d and costs £2 14s 6d; Irvine v. Raraka, £3 4s 7d and costs 28s 6d; Morgan v. Paul, £6 13s and costs 26s.

Judgment Summonses.—Green and Colebrook v. Motu Heta, £8 9s 4d; order made for immediate payment or in default eight days' imprisonment. Dooley and Co. v. Carnell, £3 16s; order made for immediate payment or in default three days' imprisonment, order to be suspended as long as defendant pay 10s a month.

Robertson v. Hine —Claim for loss of time in attending court to file a defence in an action which had been discontinued. Mr Sharples on behalf of Mr Hine explained that an action had been commenced against plaintiff by defendant for the recovery of an account. Subsequently it was discovered the account had been paid and the action was discontinued. It was a mistake and notice of discontinuance had been served directly the error was discovered. He pointed out that plaintiff could not legally sustain

that plaintiff could not legally sustain his claim.

Plaintiff wished to know if he had pulled defendant's nose would it have been sufficient to say it had been a mistake. He had attended at the courthouse on two occasions to give notice of defence and thought he should have a remedy.

His Worship quoted the law on the subject to show there was no power to grant expenses in such cases. Judgment was given for defendant.

### DAIRY FACTORY CASES.

In the case Pío Pío Dairy Company v. Gleadow, Mr Finlay appeared for the plaintiff company and Mr Sharples for the defence. The claim was for £18 13s for short supply of milk to the factory.

Defendant, who was a guarantor to the factory, admitted the short supply, but disputed the amount.

After hearing argument his Worship gave judgment for the plaintiff company for £18 13s and costs.

Pío Pío Dairy Company v. Tarrant—Claim £25 for failing to supply to the factory. Mr Finlay appeared for the company and Mr Hine for the defence.

After hearing legal argument, his Worship gave judgment for the company for £25 and costs.

### DISPUTED HORSE DEAL.

Koneke v. Kearns—Claim £20. Mr Finlay appeared for plaintiff and Mr Fitzherbert for the defendant.

The plaintiff's story, as told through an interpreter (Mr K. Newton), was to the effect that he agreed to buy two horses from defendant. He paid £5 on account, and took the horses to his place. Some time afterwards defendant came and said the deal was off.

and he had sold the horses to another Maori named Niwha for £25. Defendant then took the horses.

Cross-examined by Mr Fitzherbert, plaintiff said he had never worked with defendant. The money which he had paid to defendant as a deposit had been received by working for Mr Riddle and Mr Black. When defendant came to get the horses plaintiff offered him the balance of the purchase money but defendant drove off the horses.

Plaintiff's testimony was supported by the evidence of two witnesses.

The defendant denied having received the £5 deposit and put a different complexion on plaintiff's story.

His Worship said he had to give weight to the corroborated evidence of plaintiff. Judgment would be for plaintiff for £10 and costs.