

him to give his version of the circumstances. The counsel would intervene, but for the present is waved aside. Confused, maybe, by the sudden blaze of publicity, or pricked after all by an uneasy conscience, "Tom" miserably flounders. He starts from a very distant and hazy beginning, and tries the Judge's patience severely by the manner in which he wheels round and round inconvenient questions and never once grapples with them. The Judge rebukes him for his manifest shuffling, and metaphorically hands him across the table to his fidgeting lawyer. Now indeed the narrative wears the semblance of order. But, alas for "Tom's" cause! what has gone before casts an air of unreality over the exhibition. An ironical gleam—transient, but observed by many spectators—on the Judge's countenance proves that he is a sharer in the current notion that this scene has been rehearsed more than once in a private office.

"Tom's" wife is called. She has but one stereotyped answer to almost every inquiry. She says, "Yes, y'r Honour; sure, sir," with a pertinacity that causes repeated titters in Court. She is her husband's echo to an extent which might alarm city advocates of woman's rights.

At this point, and although the case is going clearly

in his favour, the plaintiff's self-restraint gives way. He breaks into a shrill, quavering torrent of abuse and excitedly shakes his stick—in dangerous proximity to the Judge's head—at his daughter-in-law. Remonstrance avails nothing to stop the outflow of unequivocal Anglo-Saxon, and the old man has to be coerced by a threat of expulsion.

No further witnesses are available, and the Judge—having ineffectually suggested arbitration with a view to a reconciliation—listens patiently to a long legal harangue, and then decides against the advocate and for the plaintiff. "I consider that 'Tom' has used his parent very badly," he says, "and has had but one aim from first to last, the obtaining by hook or by crook of his father's savings. Defendant will pay in a month, or be committed for twenty-eight days."

Thus is redress afforded in the case of a family quarrel, of flagrant unfilial injustice.

Enough has been written to reveal how large a part in the social economy of country life the County Court plays, how entitled to admiration and gratitude are its officials, how delicate and difficult are their tasks. Here, if anywhere (even in these days of new Law Courts), is the home of cheap and speedy p or man's justice.



#### THE PROMOTION OF A PRIVATE BILL.

SOME idea of the extent and importance of private Bill legislation may be gathered from the recent returns of the Board of Trade, made in pursuance of an Order of Parliament, by which it appears that no less than £5,418,454 12s. 4½d. have been expended by the existing railway, tramway, canal, gas, water, dock, navigation, pier, and port companies, or authorities, in the United Kingdom, in promoting and opposing private Bills during the ten years from 1872 to 1882 inclusive. Startling as these figures may appear, being an average of £541,845 per annum, they by no means represent the total expenditure on private Bill legislation, inasmuch as they not only omit a considerable number of existing companies which failed to render accounts, but they take no cognisance whatever of the vast sums disbursed for similar purposes by promoters of companies which do not reach incorporation, and by municipalities, other public bodies, and land owners. Nearly 300 petitions for private Bills have been deposited for the present session of Parliament, which will certainly involve a large opposition. Dealing only with the figures presented in the official returns, the amount expended by railway companies would have sufficed to pay for an addition of nearly 200 miles of line at £20,000 per mile; that for tramways,

177 miles at £4,000 per mile; that for gas, to have lighted 17 towns at £20,000 per town; and that for water, to have supplied 19 towns also at £20,000 for each, not counting how ports, and docks, and piers might have been improved or multiplied with the residue of the expenditure. The figures are eloquent enough in their simplicity. Those for railways, for example, might furnish an effective argument to advocates of State ownership of railways, whereby, of course, inter-company contests would cease. Cogent reasons are, however, not wanting for still leaving railways to the care of private enterprise, though State interference in their management is yearly extending, and the public demand yet more of it. Indeed, so alarmed have directors and shareholders become that they have recently organised a powerful association for the protection of their interests.

The object of, and necessity for, a private Bill is usually to obtain compulsory power over other men's property for the public good, and the profit of the promoters and persons who may provide the capital requisite for carrying out the undertaking. The title is consequently slightly paradoxical, but it serves to distinguish the measure from a Bill of the Government. As railway Bills predominate, it will be convenient to take a railway Bill as an illustration. The locality to be traversed by the line having been selected, the engineers survey and map out the route, showing upon the plan, drawn to a scale of not less than four inches to the mile, all the buildings,

fences, &c., within a limit of two hundred yards, or less, and also take the levels, in order to show on the section where the line will be in cutting, on embankment, or on the surface. In October or November notice is thrice given in successive weeks, by advertisements in newspapers published in the counties affected, and once in the *London, Edinburgh, or Dublin Gazette*, of the intended application to Parliament in the ensuing session for authority to make the railway, and describing the points of commencement and termination, with the names of the parishes through which it passes. The notice also mentions that copies of the plan, section, and book of reference will be deposited for inspection with the Clerks of the Peace and parish clerks, as well as at certain public offices, by November 30th. When the engineers have finished their work, a copy of their rough plan is handed to the solicitors, who send out men called "referencers" to ascertain the names of all the owners, lessees, and occupiers of the property within the limits of deviation. By December 15th, each of these must be served with a separate notice, containing a description of the particular lands or buildings in which he is interested, and a copy of the Standing Orders of Parliament, so far as they relate to the presentation of petitions. When it is proposed to abstract water from any stream for any canal, reservoir, or water-work, notice has to be given to all owners of mills, manufactories, and works using such stream, for a distance of twenty miles below the point of abstraction, unless within that area the stream unites with a navigable river; then as far as the junction only. In the case of a proposed burial-ground, cemetery, gas-works, sewage, or residual products works, all the residents within three hundred yards receive notice. For a tramway, every owner, lessee, and occupier of premises where the footway is for a length of thirty feet within nine feet six inches of the line is entitled to notice as a "frontager." With all the foregoing notices is enclosed a form of assent, dissent, or neutrality in respect of the project, for signature and return by the recipient, and a list of their answers is filed in the Parliamentary offices. Where power is sought to take fifteen or more houses of the labouring classes, a statement of their number, description, and situation has to be lodged by December 31st. Eight weeks' notice must be given them before disturbance, and the promoters must insert clauses in the Bill to procure accommodation for the persons displaced. The petition for, and the Bill, with the Parliamentary Agents' declaration as to its class and intended scope, are deposited by December 21st at certain Parliamentary and Government offices, and by the 31st an estimate of the expense of constructing the works, and in the case of municipalities, for instance, a declaration as to the funds out of which it is proposed to pay for them. In January, a deposit equal to five (and in certain cases four) per cent. of the estimated cost of the works has to be made, in cash or Consols, with the High Court of Justice, Chancery Division, to remain there until either the completion

of the works, or of a section of them, when a proportionate amount is released, or until the rejection or withdrawal of the Bill. In the event of the works being authorised and not carried out, the deposit may be forfeited, or applied towards compensating any landowner or person aggrieved or injured by the default of the company.

As may be imagined, this lion in the path deters some promoters from proceeding unless they think they can succeed, whilst others are more willing than able to provide the amount, and thus an appreciable quantity of weeding-out is accomplished at this financial stage. Existing companies which are fortunate enough to be paying a dividend on their share capital escape the deposit, for which is substituted a daily penalty in the event of their failing to carry out the authorised works. In January also the memorials complaining of non-compliance with the Standing Orders of Parliament are deposited. The Examiners commence their duties on January 18th, and take sworn proof as to compliance, and also hear objections from opponents, after which they certify or report to the House thereon. The respective Chairmen of Committees of both Houses meet and settle in which House the Bill is to commence, and also report on those which are opposed. The Chairman and three other persons form a Court of Referees, to decide on the *locus standi* of petitioners, and eleven members form a Select Committee to decide as to dispensing with Standing Orders. The names of at least two members of Parliament are obtained as the introducers of the Bill, which are endorsed upon it, but involve no responsibility for the conduct of the measure through the House. If the Bill be unopposed, one of the introducers will be on the Committee of it. Motion is made, and leave given, to prepare and bring it in, and one print is bound in a parchment cover to insure a certain amount of immortality. The Bill is read a first time, and petitions against it must be lodged within ten (or in the Lords, seven) days afterwards. The second reading follows in less than a week, provided the Bill be in order, and the latter is then referred to the Select Committee for "trial on its merits"; or if it be unopposed, then to the Unopposed Committee. Occasionally private Bills are opposed on second reading, and rejected. This is considered to be a little hard by promoters, as it resembles hanging before trial, and depends on the advocate rather than on the evidence.

Assuming it has escaped this ordeal, and been grouped by the General Committee for investigation, it will come before a tribunal of four or five members of the House, who will hear the evidence *pro* and *con.*, as elicited in examination, cross-examination, and re-examination by counsel, who address the tribunal for or against the measure, as though it were an action at law. The proceedings are stenographed day by day, and printed for distribution next morning, so that the evidence and speeches of the previous day are available for reference in Committee. The hearing sometimes lasts several days or weeks,

and the cost of counsel, solicitors, witnesses, stenographers, printing, and so on, is very heavy indeed.

Every member of Committee signs a declaration that his constituents and himself have no local or personal interest in the Bill, and not to vote till he has heard the evidence.

If the Committee decide to pass the Bill, they will report that the preamble has been proved, the converse being that it is rejected. After the preamble is declared proved, opponents often struggle tenaciously to minimise the force of the measure by getting inserted stringent clauses for the protection of their interests.

Soon after the receipt of the favourable report of the Committee, the Bill is read a third time in the first House and passed. Its title is then changed from a "Bill" to an "Act," and it is sent up to the Lords, where it passes through similar stages, being a second time "tried for its life" on its merits, without the necessity, as in the Law Courts, of showing any cause for a new trial. The evidence as well as the arguments are repeated, and if the Act pass that Committee also, and the Chairman of Committees, it will be sent back to the Commons for the amendments to be approved, and on its return be ready for third reading.

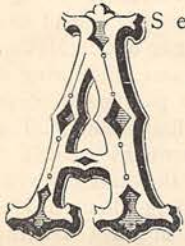
The Bill, if promoted by an existing company, must be submitted to and approved by the shareholders at a

"Wharnclyffe meeting." Occasionally promoters are obliged to withdraw it at the last moment, owing to the exigencies of finance, because, once the Act passes, the five (or four) per cent. deposit is impounded, which is a contingency the lenders are not disposed to allow at all times, unless backed by adequate security from the promoters.

As our particular promoters are of course equal to any emergency of this nature, the Bill is allowed to pass third reading and receive the Royal assent, whereby it is made part and parcel of the law of the land. The cost of opposed Bills of course varies considerably, especially if they are several days in Committee. The House fees also vary with the circumstances. Those for an unopposed railway Bill with a capital of about £500,000 are in the Commons, about £200, payable for the most part at the following stages: on presenting petition for the Bill, £15; first, second, and third readings, and report of Committee, £45 each; and in the Lords, £155, payable chiefly, on first reading, £5 5s.; second reading, £135; and third reading, £10 to £15. With a number of minor fees in both Houses, the total fees may be taken at £350. The united cost for, say, a twenty-mile line, including surveys, referencing, printing, fees, parliamentary agents, and so on, being out-of-pocket expenses, is about £1,500.

E. C. WICKES.

## OUR GARDEN IN APRIL.



Each month of the year comes round with its interesting and busy routine of garden work, we are very naturally led to give a prominent place to some one particular flower which is usually supposed to be in its perfection in the month of which we are treating. And this it is often a little difficult to do at a time of the year—the first spring

month with any pretensions to warmth—in which so many delightful flowers are necessarily claiming our attention at once. There is one greenhouse flower, however, which from its gay variety of colours seems to have just now a particular claim upon us, and about which we may therefore have a few words to say.

The azalea about the middle of April is advancing rapidly, and is, or very shortly will be, in all its perfection. A few hints then as to its routine cultivation. Always premising that a protracted winter and a cold spring naturally tend to check the proper advance of all our flowers, we shall notice first, then, that by the month of March the buds on our azaleas in the greenhouse are beginning to swell for bloom, and the great endeavour you have to make is to contrive, if possible, that your whole plant is in bloom *uniformly*. By this we mean that all the buds ought to open as nearly as possible about the

same time. And, unfortunately, you will very often notice a fine azalea full of buds, but with, perhaps, three or four of them only in full flower, while the rest bid fair to remain closed for some days longer; a large number of the buds continuing to bloom in this disorderly and irregular way.

One remedy for this, or we should rather say, the best method for guarding against this mishap, is to see that your plant as you go on rearing it has a uniformity of *growth*. No one long shoot or branch should be always allowed to grow ahead at the expense of the others. But more particularly at this time, when our buds are all making a very decided push, take care that wherever your plant is having a stronger light on one side, or part of it, than on the other, you turn and move it daily about.

Do not let one part of your plant have the lion's share of the sunshine, and the rest hardly any at all. The writer can recall, some few years ago, wishing to keep one noble azalea back for a particularly floral and festive occasion, and being afraid that the whole plant would be in bloom and past its best before the great day arrived, it was for a few days turned with its back to the sun and the light, and only allowed the last twenty-four hours to have the proper benefit of either. This had the desired effect, and the azalea in question was the theme of general admiration.