

DEWSBURY.

SWIFT v. LISTER.—This was an action brought by the late Mr. James Swift, of Mirfield, manufacturer, against Mr. Joseph Lister, of the same place, cotton spinner, to recover the sum of £300, for damages alleged to have been sustained by the plaintiff, in consequence of the defendant having altered his gas meter, so as to render the action of the register imperfect, and thus prevent the plaintiff from ascertaining the true quantity of gas consumed by the defendant. The cause was set down for trial at the late Liverpool Summer Assizes. Mr. Pickering, Q.C., and Mr. Cleasby, instructed by Messrs. Shaw and Tennant, of Leeds, were counsel for the plaintiff, and Mr. Attorney-General Blies, Mr. Temple, Q.C., and Mr. Mellish, instructed by Messrs. Ferns and Rooke, of Leeds, were counsel for the defendant. Mr. Pickering, in opening the case to the jury, stated that the plaintiff had entered into a written agreement with the defendant, in the month of December, 1855, to supply the defendant with such quantity of gas as he might require, not exceeding 200 lights, at 5s. per 1,000 cubic feet, that the plaintiff continued to supply the gas until the lighting-up season of 1857, when it was alleged that the defendant, in order to obtain a greater supply of gas, and prevent the plaintiff from ascertaining the true quantity so supplied, made such an alteration in his meter as to prevent the plaintiff from so doing, thereby injuring plaintiff to a very serious amount, and for which he claimed £300 damages. At the close of Mr. Pickering's address to the jury, Mr. Baron Martin, strongly insisted on the case being referred—an offer which had been made by defendant's attorneys to plaintiff's attorneys, previous to the action being brought. Mr. A. King, of Liverpool, gas engineer, was eventually agreed upon as the arbitrator, and after sitting several days, when Mr. Shaw appeared for the plaintiff, and Mr. Ferns for the defendant, he made his award, directing that a verdict should be entered for the defendant on all the issues.