

MASTER AND SERVANT.

OSWESTRY PATERNITY CASE.

At Oswestry Borough Police Court, on Friday, before the Mayor (Mr. R. S. Parry), Messrs E. Bremner Smith, R. E. Hughes, and W. H. Pinner, Frances Rachel Roberts, of Salop Road, Oswestry, made application for a paternity order against Thomas Henry Hornsby, stonemason, of Holbeck Road, Oswestry. A similar application was made to the Court on May 25, but it was then dismissed owing to the lack of corroborative evidence. Additional evidence was now called for the complainant.—Mr. W. Roberts Jones appeared for complainant and Mr. E. Wynn Edwards for defendant.

Complainant said she gave birth to a female child on March 12, 1917, defendant being the father. She entered defendant's service in September, 1914, and intimate relations took place the following Christmas, and on several occasions subsequently. In March, 1916, defendant had a conversation with her and told her that if anything happened he would stand by her. Later, he asked her, if she was in trouble, to lay the blame on a soldier. She declined to do this. She did not know a soldier named Cresswell and had never been out with a soldier. Witness described an incident which took place in June last year in Mrs. Hornsby's absence. She informed Mrs. Hornsby of it and she did not believe it. Later, Mrs. Hornsby brought her some stuff to take but she refused to take it because she heard defendant tell her to give it to witness; but she took something Mrs. Hornsby gave her previously. Witness gave Mrs. Hornsby notice to leave after the June conversation but she refused to take it. When the month's notice expired Mrs. Hornsby asked her to stay on until she could get a girl. Witness left at the end of August. Defendant had given her numerous presents, including two pair of earrings, a pair of gloves, and a watch. Last October, when she was in Shrewsbury, she received a letter from Mr. and Mrs. Hornsby inviting her to accompany them on a visit to Birmingham. She went, travelling with them from Shrewsbury, and in Birmingham defendant asked her about her condition. She informed him of the facts, and on the return journey defendant again undertook to pay all expenses. Mrs. Hornsby was in the corridor when this

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Mr. Roberts Jones next called the defendant, who said he had never committed acts of familiarity with complainant or any other girl. He denied all complainant's allegations, but admitted having told P.S. Pearce on one occasion that he might be accused of complainant's condition. His wife asked complainant to go with them to Birmingham because they knew her soldier brother had been wounded and was in hospital there. Lucy Owen succeeded complainant as domestic at their house, and he admitted having written her several letters from Hereford.

The letters, which were read in court, were, in several cases, couched in affectionate terms.

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Mrs. M. N. Minshall, who attended on subpoena, said she had known Mrs. Hornsby by many years. She was in defendant's house one day last summer and heard defendant admit, in the hearing of others, that he had been guilty of acts of familiarity with complainant. Witness spoke to Mrs. Hornsby about this and advised her to get rid of the girl.

Mr. R. L. Davies, Holbecho Road, who also attended on subpoena, said his house was opposite that of defendant's, and he described certain acts of familiarity which he had seen taking place between defendant and complainant from his own room in the opposite bedroom on two occasions in November, 1914.—Cross-examined: He did not mention to Mr. or Mrs. Hornsby what he saw.

This concluded the evidence for the complainant.

For the defence, Mr. Wynn Edwards called the Rev. Eben. Evans, vicar of Holy Trinity, Oswestry, who produced the register of baptism.

C.S.M. Edward Roberts, of the N.C.O.'s School of Instruction, said he knew both complainant and defendant. He remembered seeing complainant at defendant's house when she admitted to him that she had been with an officer. One evening in June last year he saw complainant and defendant in Holbecho Road. Defendant was agitated and said there had been an officer in his house that day, and asked witness what he had better do. The girl admitted this was true and said the officer's name was Cresswell. He inquired next day at camp, and could find no one of that name in the Cheshire Regt. He had never seen complainant walking out with a soldier but had seen her speak to plenty in the street.

Thos. Grimes, Chapel House, Park Avenue, deposed that he once saw complainant walking with an officer in the Welsh Walls. This was in the middle of summer last year and in daylight.

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Florence Owen, 29, Upper Brook St., said she had never seen complainant in any soldier's company. She had had a conversation with her respecting Lieut. Cresswell. She said in a joking way that she had been out with him and that something had taken place.

Celia Adelaide Davies, step-daughter of defendant, said she remembered Mrs. Minshall being in their house when complainant and witness were present. The statement written on paper and said to have been made by defendant was not made by him that she remembered.

Mary Ann Hornsby, wife of defendant, said complainant had never complained to witness of her husband's conduct towards complainant. She knew her husband had made presents to complainant. The first time she heard that her husband was accused was when a letter came for him to the yard at the time he was in Hereford. Witness repeated the denials she made at the previous hearing of having offered or advised the girl to take anything in the way of drugs.

This concluded the evidence, and the Mayor said the Bench were unanimously of opinion that the case had been made out and they made an order for payment of 5s. per week from the date of birth until the child attained the age of 16, allowed the expenses of birth, the Court and witnesses' fees, and an advocate's fee of five guineas.