

ALLEGED TRESPASS BY A LOCAL BOARD.

Mr. DIGBY SEYMOUR, Q.C., and Mr. YARBURGH-ANDERSON were for the Plaintiff; Mr. LOCKWOOD and Mr. KERSHAW were for the Defendants. The plaintiff, Mary Rushforth, widow, crockery and provision dealer, corner of Eastthorpe-lane and Bulfield-lane, Mirfield, sought to recover damages from the Mirfield Local Board for trespass and an injunction to restrain the defendants from repeating the trespass. The plaintiff erected a rail fence upon ground adjoining her house, and she was summoned by the Local Board before the magistrates for trespass, and was fined 5s. and costs. The Local Board then pulled down the railings, on the ground that they had been erected on a part of the public highway. In connection with this proceeding the action was brought. The defendants paid £5 into court, without admitting liability.—Mr. LOCKWOOD pleaded the decision of the magistrates as a bar to the present proceedings. In his opinion, Justices might decide whether certain land was public or private. He promised his Lordship to produce a case to that effect to-morrow (Wednesday).—The case was not concluded when the Court adjourned.