

## LAW REPORT.

### SUPREME COURT.

#### BANCO JURY CAUSES.

(Before the Chief Justice, Sir Frederick Jordan, and juries.)

##### SMUGGLING ALLEGED.

Heimann v Commonwealth.

Joseph Heinrich Heimann claimed £50,000 from the Commonwealth of Australia, alleging that he was entitled to this sum because he had given information regarding the smuggling of diamonds into Australia, and that it had been agreed that he was entitled to receive one-quarter of the proceeds from fines. The Commonwealth Government contended that the claims had not arisen in New South Wales, and that nobody had been convicted as the result of any information given. On plaintiff's behalf, an adjournment was asked for, it being stated that plaintiff had been unable to obtain discovery as to certain documents.

The Commonwealth opposed the adjournment, and it was contended that plaintiff was proceeding in respect of an alleged breach of a contract made in London. The history of previous litigation in the case was reviewed, and, it was stated, on behalf of defendants, that when the contract was made, plaintiff, who was living in Belgium, had represented to an official at Australia House that he could establish that there had been a great deal of diamond smuggling between Belgium and Australia. Three persons had been named as having been engaged in the smuggling. Information which had been given had proved to be valueless, the Commonwealth alleged, and no smuggling had been disclosed. Heimann had claimed that money had been recovered as the result of convictions against smugglers.

An adjournment was granted, and the case was removed from the list with the right of restoration at two days' notice.

Mr. L. Malor (instructed by Mr. W. Lieberman) appeared for plaintiff; and Mr. S. Lamb, K.C., and Mr. G. J. O'Sullivan, represented the Commonwealth.

##### PAYMENT FOR SHEEP.

Alexander v Eckert and Another.

A verdict for the amount claimed, £100, was returned in this case, which was continued from yesterday. The claim related to payment for sheep, said to have been sold on the understanding that £100 would be paid ever, year off the purchase price.

Mr. Lytton Wright (instructed by Percy Williamson and Co.) appeared for the plaintiff, Alexander; Mr. Young (instructed by Whitehead and Ferranti, Sydney agents for Ryan and Ryan, Tamworth) represented defendants.

##### CLAIM AGAINST COUNCIL.

Pettiet v Municipal Council of Sydney.

Persia Louisa Pettiet sued the Municipal Council of Sydney for damages for injury arising out of a fall in Hyde Park. Plaintiff visited the park to see a procession during the visit of the Duke of Gloucester in November, 1934. She alleged that the council had been negligent and had failed to provide adequate protection for a hole in the ground into which she stepped. Defendants denied negligence.

The case is part heard.

Mr. Hardwick, K.C., and Mr. N. G. McWilliam (instructed by Clive Davies and Sharpe) appeared for plaintiff; Mr. L. J. Herron and Mr. P. Head (instructed by the City Solicitor) appeared for the defendant council.