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CYPRUS

AN INDEPENDENT NEWSPAPER.

No. 193. MONDAY MAY 1st, 1882. PRICE THREE PENCE.

"CYPRUS."

TO CORRESPONDENTS.

The Editor of *Cyprus* will always gladly receive news of local events for insertion in the journal; and a feature in the new conduct of the paper will be a desire to render it an organ for the expression of public opinion. To this end letters on subjects connected with the interests of the Island will always commanl attention, and when free from personal allusion, will have publication. The Editor cannot, however, hold himself responsible for the opinions expressed, and will not undertake the return of rejected manuscripts.

TO SUBSCRIBERS.

The charge for subscriptions is 3s. 9d. for 3 month 7s. 6d. for 6 months; and 15s. for 12 months, postage paid throughout the Island. For all countries included in the International Postal Treaty, it is 4s. for 3s months; 8s. for 6 months; and 16s. for 12 month

TO ADVERTISERS.

The scale of charges for advertisements is low, and may be had on application at the office.

Subscriptions and Advertisements are in all cases payable in advance.

"Cyprus" can be purchased in Nicosia, at the Stores of Mr. Constantinides, and also of Mr. Michel Christofides; in Limassol at the office of Mr. Efthyvoulos; and in Larnaca at the Office of the Newspaper.

All letters or communications to be addressed to the Editor of "Cyprus".

PRINTING.

Printing orders of every kind, and in English, Greek and Turkish characters, executed with promptitude an economy at the office of this journal.

LATEST NEWS

The Minister of the Imperial Household at St. Petersburg has issued a private circular announcing that the coronation of the Emperor Alexander III. will take place in Moscow in August next, and that all the dignitaries of the Empire are to attend the ceremony. The festivities will last a fortnight, and cost 10,000,000 roubles.

An Imperial order of the day has been promulgated at St. Petersburg declaring the practice of delivering speeches in public by officers of the army to be contrary to the spirit of discipline.

The insurrection in the Crivoscian district appears not yet to have been quelled. According to advices which have reached Cettinje from Slavonic sources, the Austrian troops on Monday morning advanced with the object of driving the insurgents from their positions at Schtecigi, Bukovitza, and Vrsnik over the Montenegrin frontier. After some obstinate fighting, the enemy are reported to have assumed the offensive and driven a detachment of Austrian troops out of Grandovina, forcing them to take refuge in the church and school-house in the Dragali plain, whence they were ultimately compelled to retire. The Austrians, it is stated, fled to Dvoritschlo and Zorijelo, their retreat being covered by the artillery, which opened fire on the position held by the insurgents.

The wife of the late Czar, the Princess Dolgorouki, arrived at Berlin on the 18th inst. She met with no official reception at the railway station from the Russian Embassy.

General Garibaldi and his family have arrived at Caprera from Palermo.

The Queen and the Princess Beatrice arrived at Windsor Castle from Mentone in good health about seven o'clock on the evening of the 14th inst., having crossed in the morning from Cherbourg in the *Victoria and Albert*, and travelled by special train from Portsmouth. The *Lancet* says that her Majesty has derived marked advantage from her visit to Mentone. Princess Beatrice has also been benefited by the change. The Queen is expected to reside at Windsor Castle till the middle of next month, when the Court will remove to Balmoral.

Her Majesty's steam corvette *Bacchante*, with the Princes Albert Victor and George of Wales on board, arrived at Haifa from Jafa on the 14th inst., and sails for Beyrout on Saturday. Princes Albert Victor and George are expected to arrive at Athens on May 9. They will remain about a fortnight as guests of the King.

EGYPT.

A court-martial is now sitting at Cairo on the prisoners arrested on the charge of being concerned in the plot against Ourabi Pacha. Executions are expected to follow, Ourabi urging that a severe example should be made, because, as he alleges, the prisoners are favourable to Ismail Pacha.

An Alexandria telegram says the following is an authentic account of the plot against Ourabi Pacha: — "Seditious meetings were held of Circassian officers of the army, who were displeased at promotion being given to Egytian officers only, while the Soudan service was imposed exclusively on Circassians. This discontent was specially directed against Ourabi Pasha, who, when dining at Chubra, was warned that four Circassian officers armed with revolvers awaited him on the road to Cairo, either to kill him or to obtain a promise of promotion for themselves and their comrades. Ourabi remained at Chubra, and the police captured the officers, and many other arrests were made." Insubordination is stated to be increasing in the army, discontent prevails among the civilians, and the situation is considered critical. The Paris correspondent of the "Standard" states that the belief gains ground there that at no distant date "Ourabi Pasha intends lo instal himself as Viceroy of Egypt, holding his tenure from the Sultan, being responsible to him alone, and ignoring the Western Powers, their interference, the Control, treaty rights, and so on."

The native press still continues its attacks on the European officials, and calls for their expulsion from the service. Several of them have been summarily dismissed without reason assigned. A return has been published which shows that there are 1,325 foreigners in the Government service, their salaries being reckoned at £ 373, 704 a year. The Italians number 338, French 320, English 295, Austrians 106, Greeks 103, and the remainder is made up of other nationalities.

THE REPLANTING OF THE ISLAND OF CYPRUS.

BY

MONS. P. G. MADON.

(Continued from our last.)

1. *Replanting from the climatic point of view.*—The action of forests on climate is so universally recognised now-a-days, that it is difficult to speak of it without descending to common place.

It is important, however, to examine how this action is exercised, and I will do so in a few words although unfortunately I have not exact calculations by me which have been arrived at by the experiences gathered within the last fifteen years.

A close correlation has long been observed to exist between the humidity of a climate and the existence of forests.

In regions where forests are rare, and in those where they are altogether wanting, it rarely or never rains; where, on the contary, forests are abundant, the rains are frequent.

These relations obtain in all degrees of latitude; but without speaking of the forests of *Picea excelsa* and of fir (*sapin*) of the north and centre of Europe, saturated with the humidity of almost daily rains, we shall find numerous examples of latitudes near those of Cyprus.

In Egypt where there are no forests rain is very infrequent; it is the same at Tripoli, and in the Sahara,—at Tougourt and Ouargla whole years poss without a drop of rain falling. In the Algerian Tell cultivated district, on the coast, on the contary, where forests occupy sufficiently large area (10 per cent. of the surface without counting coverts) the annual rainfall is very large, though confined to certain districts. Similar results are observable in the same latitude in South America, as has been demonstrated by Darwin, who sums up by saying that the limit of the forests there coincides with that of the moist winds. From 38° right down to the southern extremity of the continent, all the western side, which is very humid, is covered with impenetrable forests; whilst on the other side of the Andes, Patagonia which is very dry, has but an insignificant vegetation. Again the western side from 4. to 32o is a veritable desert, where rain never falls, and where trees are unknown, whilst the eastern slope is covered with forests and enjoys a humid climate. It would be easy to multiply examples, but no regions could offer such striking instances of the rule than those already quoted.

It remains to enquire whether a climate owes its humidity to the presence of forests, or whether forests spring up because of this humidity; that is to say, whether it is really owing to forests that an increase of rainfall comes about. In support of this the observations and experience that have been collected can be brought to bear.

A curious example is afforded us by Madeira, the Canaries, and St. Helena.

The annual rainfall there is actually 0m. 757, whilst 350 years ago, Columbus remarked that whereas formerly the rainfall was the same at Madeira, the Canaries and the Azores, as at Jamaica, that since the trees which covered the soil had been cut down, rain had become much more rare. (Cosmos 11, 660.)

In Jamaica the same result has been produced since that epoch, for if 1m. 25 of rain falls, the annual rainfall for the neighbouring islands is double. At St. Helena the change of climate has been so radical that thirteen kinds of terrestrial molluscs have become extinct, owing to the dryness resulting from the disappearance of the forests.

So also at Madeira, one seeks in vain for existing members of thirteen species, which are represented by numerous remains in the gravel beds of very recent deposit (Darwin, Woodward).

M. Renan in his report on his mission to Phœnicia, attributes the great depopulation of Syria and its present sterility to the destruction of the forests:—"Vegetable soil at that time covered the summits that are now arid; but the trees once dead or cut down were never replaced by others."

In Egypt, since the plantations have been made by Mehemet Ali, rains have resulted at different intervals in regions where they were hitherto unknown.

In the environs of Ravenna, in Italy, a forest of pines of great extent having been destroyed, the sirocco began to make itself felt, and continued to blow to the great injury of animal and vegetable life, until the forests having been replanted had renewed itself sufficiently to restore the climate to its former condition. Since the forests has been re-established, the sirocco has disappeared, (Ansted Geography.)

In the Mitidja, and in the environs of Algiers, a great clearance of brushwood has been effected since the conquest; the soil, thickly covered with dead wood but unproductive, has been gradually got under cultivation, and more than 30,000 hectares (a hectare equals roughly 2½ acres) have been already cleared. In consequence, the rainfall at Algiers from 1838 to 1876 has been constantly decreasing, as the following table shows:—

1st period	1838-49	... ... 0m. 800	average per year.
2nd „	1850-62	... ... 0m. 770	„ „
3rd „	1863-76	... ... 0m. 639	„ „

From 1838 to 1855 (seventeen years) the annual rainfall exceeded 0m. 800 ten times; from 1855 to 1876 (twenty-two years) it reached that figure only twice. (*Observatory in Algiers.*)

In France the department of Ardèche which now-a-days does not possess a single wood of any consequence, has experienced during the last thirty years a climatic disturbance. Late frosts before unknown in this district, have had a most injurious effect. (Trotun.)

In Germany, since the great clearings of the last fifty years have been accomplished, the mean level of the Oder has fallen 17 inches, of the Rhine 24, of the Vistual 26, of the Danube (at Orsova) 55. At the same time that there has been observed too a falling-off in the yield of all springs. (Communication of the Counsellor Wex to the Geograph. Soc. of Vienna.)

All the inhabitants of Oued-El-Kebir, near Blida (Algeria), complain of the increased temperature caused by the clearing that has gone on the slopes of La Vallée during the last twenty years.—(D. Macés.)

I myself, in Kabylia, between Algieers and Bougie, could not go into the regions of Beaighobis, between the 1st March and 15th April (where there are about 30,000 acres of fine unbroken forest, at an altitude of from 1,600 to 3,200 feet), because of the almost daily rains which rendered the roads impassable, giving passage only to torrents, and causing all continuous work to be abandoned. I cannot estime the annual rainfall on this plateau at less than 48 inches at least, more than falls in the neighbouring plains, and the rains alone for March certainly reach 13 inches, that is to say, the amount that falls in Cyprus in the twelve months in favourable years.

It would be easy to find a much greater number of similar instances in point. The limits of this enquiry do not permit of their being multiplied; but does not the history of the island itself afford an excellent demonstration? It is said that its population formerly reached 2,000,000, which would seem to be exaggerated; but let as suppose that it did not exceed 1,000,000, which is probably under the truth. This calculation represents about 111 inhabitants for a square kilomètres whilst the population is at present for the same surface 93 in England, 68 in France, and Belgium alone exceeds it, 158. But then the island possessed colonies. It is evident that the development of commerce and industry is not alone sufficient to explain so large a population in so backward a period, at a time when agriculture held the first place, and when close-packed populations were less frequent than at the present day. Besides, there is no evidence of any need for importing objects of the first necessity; whilst reliable authorities have established that the isle furnished renowned agricultural products to the neighbouring countries. Cyprus thus supported with ease 1,000,000 inhabitans, whilst at present it can with difficulty supply the wants of a population four times less. A very considerable change must therefore have been produced in the climate and irrigation of the country, and this change can only be attributed to the destruction of the forests which formerly covered a great portion of the island.

After these examples of the general influence of forests on the climate, I will say a few words on the scientific observations and experiences which have been collected on this subject. In order to make the matter quite clear, it would be necessary to make very detailed and very complete observations over a region, that at one time had been wooded, and afterwards denuded of forests, or vice versâ. This has never been done with sufficient exactness.

But very precise observations have been made for fifteen years in very adjacent stations, situated the one in forests, the other in fields; and it is evident that if one observes a difference under these conditions, it will be but the index of a difference in the same sense, but much stronger, between the same country completely bare or completely covered with forest.

Very precise and complete observations have been made since 1866 by the Forest School of Nancy, and since 1868 by that of Aschaffenburg, in Bavaria. They had reference, not only to the temperature of the air and soil, but to the amount of rain retained by the foliage of the trees, the amount of humidity in the air, the exact amount of ozone, &c. These observations have given the same results in France and Bavaria, and I regret that I have by me only a small part of the figures obtained, which are very interesting and instructive.

As a general result it has been found that the mean annual temperature of the air of forests is below that of neighbouring open spaces, especially in summer, but also in winter. The annual mean diffenence ought to be at least double if one compares the forests, not with the fields which border on them, but with an entirely bare region. And if it be said that a difference of 2o Fahr. in the mean temperature is not much, I would remark that it corresponds to a difference of latitude of 2½o, and it has been proved that a diminution of 4o C. or 7o Fahr. in the mean temperature of central Europe, would suffice to bury all Switzerland and the whole region of the Alps under glaciers.

These experiences have equally shown that the wooded state of a country augments the quantity of water which falls in it, above all in mountainous districts, and that it distributes the fall better over the different seasons; but I have not the exact figures for these localities.

The observations carried on by M. Fentral since 1863 in the forests of the north of France have given the same results. At an equal altitude, the relative humidity is constantly greater in the forests than outside the range. Thus, the experiments made in 1878 in a forest of deciduous trees gave a mean humidity of 71·6 at top of the range, and of 68·6 300 mètres, outside. In a forest of pine this observer obtained 67·1 above, to 60·4 outside. In the inferior, even, of the forest, that is to say, under the foliage, the difference is still more marked, the mean giving 69·5 for 56 outside at the same height above the soil. If already we find so much difference between the forest and an open space distant only 1,000 feet, what must be the difference between a wooded region and one that is bare? The quantity of rain observed has been from 0m 932 : 3 ft. ⅔ in., on the wooded range for 0m. 901 : 2 ft. 11¼ ins. at 1,000 ft. outside, and 0m. 848 : 2 ft. 9⅓ in. on the pine range for 0m. 932 : 2 ft. 7⅓ in outside. As it is evident, besides, that the rain does not fall exactly where the cloud is formed, the neighbouring fields have largely profited in these observations by the beneficial action of the forests, and the differences obtained are but the indication of the way in which the range acts. It should be observed also that these variations do not occur in the averages only, but that they present themselves in the same way in all observations in detail with an astonishing regularity, which renders the results incontestable. Besipes, these experiments have been made on level ground, and the difference has been more marked on mountain ranges.

(To be continued.)

CYPRUS.

Larnaca, 1st May, 1882.

Now that the question of a constitutional form of government for Cyprus has, we hope, been definitely settled by the Home Government, there is another matter of equal importance—that of judicial reform—requiring solution. We like to think that Government, has a desire in this regard, as in respect of the constitution, to satisfy the wishes of Cypriot people. To this end two subjects present themselves for consideration: the one is the legislation to be enforced on the Island; and the other the personnel of the new judicial organization. As to the first point we can only repeat, what we have before said, that the system of laws to be introduced must be in accord with the views and ideas of justice held by the inhabitants; and we hope that the fault committed in England's great Eastern dependency will not be repeated here. In India, when the Supreme Court of Justice (Sudder dewanny adawlut) was first instituted, it gave judgments according to the English law and procedure, with the result that terrible disorder ensued—especially when it was attempted to follow the English practice in cases of contempt of court. Experience has sufficiently proved the serious error of attempting to impose upon a country laws entirely foreign to the ideas and usages of its people. The law which forms the basis of the legislation of eastern populations is the Roman; on it have been founded the codes of neighbouring countries; and even the Turkish code, so particularly esteemed by some prodjudiced persons here, is adapted on the principles of the same legal system. As far, however, as the Turkisk code is concerned, it is generally recognized that in many respects it is incomplete and obscure. It was for those two reasons that when Egypt had to re-organize its judicial system, the Ottoman code was altogether rejected, and a new legislation framed which has been found to work excellently well. In Cyprus, the imperfection of the Turkish codes is very much felt, and there are constantly occurring cases to which no article can be found to apply. With such a state of things existing, a society may be said to be disorganized, for an English administration cannot forget that a primary principle of law and equity is that where there is a right or a wrong, there shall be a remedy.

What we have said is, we think, sufficient to demonstrate the necessity of introducing in Cyprus a complete system of laws, and if the Government does not hasten a solution of this question of judicial reform, it will be the duty of the new Legislative council, as soon as it is convened, to thoroughly enter upon the subject in accord with the administration. The Island has awaited reform in this direction a long time, but it will willingly wait still longer if in the end a satisfactory result is arrived at.

In regard to the matter of the *personnel*, it is much to be desired that the new judges be acquainted with the language of the country. Any person wishing to satisfy himself on the point has only to be present at a sitting of our local courts as they now exist. The confusion which prevails renders a good administration of justice almost impossible, and if in the future the people are not to have a dislike for but to respect and esteem the law, it must be put within their easy reach, which cannot be the case if the judges are unacquainted with their language. This will be a far greater boon than the introduction of the exotic system of circuit-going and, what is required is that the election of local magistrates for the hearing of minor cases be allowed. The circuit system is altogether unknown out of English possessions, and when a country like France sees no reason for its adoption, we see no necessity for it here where there rarely occur cases of importance such as to justify circuits.

We recognize that all the questions connected with the subject of judicial reform present difficulties. The Cypriots, however expect that after lengthy and careful consideration of the matter by the Government, it will accede to their wishes and requirements and find a satisfactory solution to a question to which they attach vital importance.

Local Notes.

From the beginning of this week the locusts have commenced to fly, and the traps being no longer of service have been removed until next year. Experience has proved that 6000 traps were not sufficient for the destruction, and we regret to say that some of the *nazirs* have performed their duty in an insufficient and unsatisfactory manner. Among these there have been mentioned to us the names of Mr. Franceschi and Haggi Costantino, of Famagusta. Notwithstanding, an immense quantity of the insects have been destroyed this year and in some districts they has been entirely extirpated. We observe from the report of His Excellency to the Colonial Secretary the importance which the Government of Cyprus attach to this matter, and we have no doubt that the experience gained in the present campaign will be used with advantage in the next.

In regard to the great number of locusts which still exist the general feeling is that their ravages willbe limited this season, and that at the outside but 10 to 15 per cent. of the crops will suffer. The insects will fly till the middle of June, but will begin to deposit their eggs in a fortnight. It has been suggested that the authorities ought to offer the peasants say à piastre an oke to collect in the fields the locusts during the mornings and nights of the next fortnight. It is believed that by the adoption of this means a great destruction would ensue as the peasants are greatly interested in the question, and they use a special and efficacious mode of collection.

H. M. S. "Decoy" Capt. Bollero arrived here on the afternoon of May 3rd. from Port-Said and leaves almost immediately.

The Junior Club, to which we have previously referred, was opened on Thursday last. A gathering of about 20 members took place on Monday evening to celebrate the opening. A substantial dinner was provided by the proprietor (Mr. Sparrow) to which ample justice was done. After dinner the usual toasts were proposed and heartily responded to. The Club supplies a long-felt want and will we trust be supported as it deserves.

Décidément nous avons mauvaise chance; pour la première fois que nous avons voulu parler de cette feuille *sui-generis* qui porte le nom de Néon Kition, le Néon Kition s'est fâché. Et vous devez comprendre ce que c'est que la colère du Néon Kition ennuyé par ses préparatifs de *déménagement*. Aussi comme il nous a traité ! quelles épigrammes et quel esprit ! pour en trouver de pareil, sinon pas autant, il faudrait se décider aussi à *déménager* à pousser une petite excursion jusqu' aux rivages où le *dolce far niente*, si cher au Néon Kition, a trouvé son perfectionnement et là parmi la basse classe napolitaine vous ne manquerez pas de rencontrer *certains personnages* en tout semblables au Néon Kition; au physique et au moral vous ne sauriez vous tromper: c' est le même type, le même langage et les mêmes instincts.

TEMIZ OR APPEAL COURT.

Sitting at Nicosia; civil jurisdiction.

Before Mr. Justice Bovill, judicial Commissioner.

Bell's Asia Minor Co —V. Kinaan.

This case came before the court on Saturday last on appeal from two judgments of the Commercial Court, Larnaka—Mr. N. Rossos was advocate for the Company and Mr. Diran represented Mr. Kinaan. The following *mémoire* of the appellant sets forth the details of the case and the points of law to be decided:

"By a bill of lading delivered to Mr. Hemeda at Alexandria through Bell's Asia Minor Co. and endorsed in the name of Mr. Kinaan of Larnaca, this last had to receive 66 sacs of sugar marked TIV. These sacs arrived on the 11th Dec. 1880 by the Mail Steamer "Elpitha." The Captain disembarked them on the same day, but after the lighter had left the ship's side, and while it was directing its course to the shore a sudden tempest arose, and the lighter was driven to the coast near the Quarantine at Larnaca. The Company's agents informed Mr. Kinaan immediately by their letter of the same date (11 Dec. 1880) to the effect to withdraw his goods stated to lay near the old Quarantine.

Mr. Kinaan refused to receive this portion of the goods consisting of 46 sacs, and he pretended that he had the right to make the abandonment of them to the company. The agents then by a judicial act of the 12th Dec. 1880 again summoned him to receive these 46 sacs, and in case of refusal he was bound by the same act to appear before the Tribunal of Commerce, to hear its injunctions that he was bound to receive them. It was also stated in this summons that the sacs remained at the risk of Mr. Kinaan in conformity otherwise with the bill of lading.

Before the Tribunal the pretension of Mr. Kinaan for abandoning the 46 sacs was dismissed by a judgment of the date of 2d. April 1881, by which it was enjoined that Mr. Kinaan ought to receive the 46 sacs "*tale quale*."

Now by this judgment the Tribunal acknowledged that the refusal of Mr. Kinaan to receive the 46 sacs was unfounded. As a consequence Mr. Kinaan ought to undergo all the results that happened since and on account of his refusal; much more so that he received two summons for withdrawing these goods, i. e. by the letter of the 11th and the act of 12 Dec.(1880.)

Kinaan never consented to receive these sacs; and while they were on premises in the old Quarantine, 22 of these sacs were stolen by a zaptieh who was the guardian. The culprit was arrested and sentenced to 3 months' imprisonment.

Mr. Kinaan continued to refuse to take even the sacs not stolen, and insisted in rendering the Company responsible even of the result of the stealing, and he has claimed through the Tribunal the payment of the supposed value i. e. Pr. 12,115.

On this claim has been delivered the preliminary judgment of the 8th June which is one of the judgments now appealed against. By this judgment the case was transmitted to the Idare Medjliss of Larnaca, before the Tribunal rendered a conclusive judgement. The Idare Medjliss formulated a decision and by a judgment of the 29th July 1881 of the Tribunal of Commerce finally condemned the Company to pay to Kinaan the sum of £ 34.3.42 c. p. as the amount of the 22 sacs that were stolen with costs.

By act of the 31st August 1881 the Company filed an appeal against the preliminary judgment of the 8th June, and the judgment of the 29th July.

Now the question to be decided is this: Is the Company responsible for the robbery of the 22 sacs, or is the damage resulting from the robbery to rest with the proprietor of the goods?

This question must be resolved by means of the facts of the case, and of the principles of law on the responsibility following a robbery or the loss of a thing due to be delivered.

We may at one say that the principle of law is that a thing is lost to the damage of the proprietor. "Res perit domino." Nevertheless in the contracts a party other than the proprietor consigning can be rendered responsible for the loss or the robbery owing to a neglect or fault committed by him or his agents.

Here we have to deal with a contract established by the bill of lading, by a contract of transport by sea, or in other terms of a hire of labour: *location-conduction operis.* It is certain that by the rules of the contract the parties are mutually responsible not only for their "*dolus*" but also for their faults.

The contracting parties, however, are free to modify their respective positions by convention or stipulations.

Let us now take into consideration the deed of contract which regulates the rights and obligations of the parties. In the deed, which is the bill of lading, we remark the following clauses: "Shipped by ... and are to be delivered in the like good order and condition *at the Port* of ... the act of ... *thieves* excepted ... The goods to be discharged from the ship ... into Hulk, temporary depôt, Lazaretto ... at the shipper or consignee's *risk* and *expense, after the goods leave the ship's deck.* From these clauses it is evident that the Company is bound to deliver in the like good order and condition the goods 1st. at the port; 2nd. that the company is guarded against the case of thieves; 3rd. that the unloading can be effected into Hulk, temporary depôt, Lazaretto; 4th. and master porterage to be done by the agent of the owner of the vessel at the shipper or consignee's risk and expense after the goods leave the ship's deck.

We have noted these passages to prove that the obligation neatly defined and expressed of the Company is to *deliver* the goods at the Port of.—And the bill of lading adds immediately: at the manner described at foot hereof.

By another formal convention the Company in order to facilitate the unloading for the great number of shippers stipulates that the Master porterage is to be done by the Agent of the owners of the vessel, but at the risk and expense of the shipper or consignee.

From these formal conventions it is evident that the special obligation of the Company is to transport and deliver the goods; that it does not mean to be in charge of them after the goods leave the ship's deck; and that if the Company consents to unload them in order to facilitate the operations, it expressly stipulates that the unloading is done at the risk of the proprietor.

In consequence of these ideas the judgment of the Tribunal of Commerce of the 2nd April 1881 rejected the pretensions of Mr. Kinaan for making an abandonment of the 46 sacs, and ordered that Mr. Kinaan should take delivery of them as they were, "tale quale."

Up to this judgment although Mr. Kinaan was informed that his goods were at the quarantine, and he was summoned to take delivery of them there, he never raised the pretension to have them delivered at any other place than the quarantine, and the Tribunal which know where the goods were left ordered that Mr. Kinaan should take delivery of them "tale quale."

From the several clauses quoted from the bill of lading it is clear that the Company is free to land the goods at any place on the shore, and there is no special place pointed out by which the same is bound to land the goods compulsorily to the exception of any other spot.

Moreover owing to superior force (force majeure) the company had no choice but to land the goods anywhere else than at the spot where it was compelled to do so. As to the Agents they accept to make the Master Porterage but at the expense and risk of the consignee. In consequence they are the "mandatories" of the shipper or consignee, and since the mandants were informed of the unloading of the goods the mandatories ceased to be responsible, for it is a principle of the Law that where the mandant is present on the spot to take care of his own interests he cannot render the mandatory responsible for fault or negligence.

This actual case, however, will not admit of any fault or negligence: 1stly, owing to the terms of the contract; 2dly, because both the consignee and the Tribunal were informed of the place of the goods; 3dly, because the consignee was summoned to receive the goods and was bound to receive, as the Tribunal admitted it by the judgment which rejected his pretention to abandon the goods; 4thly, because of his silence as to any claim to cause the goods being transported to any other spot; 5thly, because he was himself on the spot and had the power to act; and lastly because the goods were in the Quarantine, which served as the Stores of the Commissariat Department, and the robbery was committed by a policeman who was a warder in the establishment, which the company could not claim to watch better than it was supposed to be. Owing to these reasons Mr. Kinaan cannot take advantage of a fortuitous case which he had the power to prevent by receiving the goods timely. This fortuitous result which only happened owing to the delay of Mr. Kinaan in receiving his goods as he was bound to do cannot affect the company to its prejudice, for the company was only bound to transport, unload and deliver the goods.

The system, then, which the Tribunal of Commerce adopted by trying to discharge itself and cause another court (that of Idare) to intervene, will not be valid before the Tomiz Court which, we are confident, will admit the context of our act of appeal.

We simply make a mention of the last pretension of our adversary that this case will not admit of appeal; for what gives right to appeal is not the sum which formed the object of the condemnation, but the sum which formed the subject of the demand, and in this actual case the sum demanded by Mr. Kinaan was that of P. I. 12,115, which exceeds the sum of £ 50, i.e. that which gives right to appeal."

At the commencement of the hearing the question arose as to whether the decision of the Commercial Court was appeallable against. This was answered in the affirmative by the Court, according to art 36 of the Appendix to the Commercial Code. As to the responsibility of the Company, the Court decided that the delivery of the goods, as required by law, had been effected, and consequently the two judgments appealed against quashed, and the company discharged with costs against the respondent.

LETTER TO THE EDITOR.

Sir,

I think the following paragraphs from a science primer by Professor Jevons on Logic will be found both amusing and instructive to a contemporary of yours. Section 183 applies most peculiarly to a case recently brought before the public in which by way of proof it was stated that "the absence of any evidence or arguments to the contrary" confirmed the views of one single newspaper. It might as well be stated that the news of a newspaper, however unfounded, were confirmed by the absence of the same in other contemporaries. That human intellect should in certain cases be so weak as to deviate and stray so much from downright common sense is much to be pitied; so, it is with a feeling of pity the following paragraphs are quoted, in the hope of remedy from illogical reasoning. In the absence of more elaborate books on Logic, Professor Jevons's handy volume is strongly to be recommended.

"183.—A common kind of fallacy with orators and those who have to make the best of a bad case, is proving the wrong conclusion, and leaving people to imagine, in a confused sort of way, that the case is established. This was the device of the Irishman, who was charged with theft on the evidence of three witnesses who had seen him do it; he proposed to call thirty witnesses who had not seen him do it. Equally logical was the defence of the man who was called a materialist and who replied "I am not a materialist; I am a barber."

"The officious friend who gives advice is likely to be reminded of the proverb about preaching and practising. But even a drunkard may probably denounce the evils of tippling, and there is no direct connection between the logical strength of an argument and the characters of those who use it.—One very dangerous kind of fallacy, not much noticed in books on logic, but of somewhat the same kind as the last named, is the fallacy of supposing that the failure of an argument tends to prove the opposite conclusion. Old Mr. Weller, as we all know, had the highest opinion of an "alibi;" but lawyers say that nothing turns a jury so much against a prisoner as the breakdown of an attempt to prove an alibi. William Sykes being charged with burglary at Bow at one o'clock in the morning, brings witnesses to prove that he was in Whitechapel that time; but in cross-examination it turns out that, at the best, he is proved to have been at Whitechapel at midnight, so that he might have been at Bow by one o'clock. The jury are apt to assume that therefore he was not at Whitechapel at one'clock but at Bow. Yet, unless deduced from something in the character of the witnesses, or the obvious bad faith of the attempt, there is no logical force in the inference whatever."

"184.—No number of failures in attempting to prove a proposition really disprove it. There is a general law of mechanics known under the name of the parallelogram of forces, which is undoubtedly true. A great many ingenious philosophers have puzzled their brains, and written books to prove it true, but none, of them succeeded except by assuming some other almost exactly similar proposition to be true, which is begging the question."

I am, Sir, etc.

Ratio.

SHIPPING INTELLIGENCE.

VESSELS INWARDS DURING THE WEEK.

IN LARNACA.

April,
- „ 23rd 'Zarife' 66 tons, Otteman from Beyrout; Hides and skins.
- „ 24th 'Massada' 65 tons Ottoman from Damietta. General cargo.
- „ 24th 'Domenico' 182 tons Ital. Brig from Alexandria. Ballast.
- „ 25th 'Aios Nicolas' 32 tons Greek. from Papho. General cargo.
- „ 25th S. S. 'Urano' 1319 tons Austrian from Beyrout. Mails and General cargo.
- „ 25th 'Atia Rahman' 53 tons Ottoman from Limassol. Rice and beans.
- „ 25th S. S. 'Vesta' 1316 Austrian from Limassol. Cattle and General cargo.
- „ 28th S. S. 'Elpitha' 462 tons British from Limassol. Mails and General cargo.
- „ 28th 'Guda Verdi' 78 tons Ottoman from Damietta General cargo.

Sailings.

April.
- „ 24th 'Zarife Scanderon' 139 tons Ottoman for Alexandria. Bricks.
- „ 24th S. S. 'Elpitha' for Limassol. Mai etc.
- „ 25th S. S. 'Urano' for Constantinople,
- „ 25th S. S. 'Vesta' for Beyrout. Mails and General cargo.
- „ 25th 'Abdi' 85 tons Ottoman for Famagusta. Ballast.
- „ 25th 'Ghul Bahri' 44 Ottoman for Selefkia ballast.
- „ 27th 'Zarifi' for Kylindria Ballast.
- „ 28th 'Masenda' for Kylindria Ballast.
- „ 29th 'Aios Nicolas' for Mersine. General cargo.

May,
- „ 1st S. S. 'Elpitha' for Limassol. Mails and General cargo.

Passengers arrived by the S. S. 'Elpitha': Mr. Snellgrove, Mr. G. Pierides, and 13 deck passengers.

NOTICE TO BUILDERS AND CONTRACTORS.

WAR DEPARTMENT CONTRACT.

Tenders from competent persons are required for the construction of a 50,000 gallon underground tank and receiver at Polemedia Camp.

Persons desirous of tendering for the above works can see the drawings and obtain copies of the specification, Bill of quantities, and form of tender, on application at the Royal Engineer Office Limassol between the hours of 10 o'c a. m. and 4 o'c p. m. from Monday 8th May until Saturday 14th May 1882.

Tenders to be addressed under cover to the Commanding Royal Engineer, Limassol, marked on left hand corner "Tender for Tank," and to be delivered not later than 12 noon on Monday the 22nd day of May 1882.

The Commanding Royal Engineer does not bind himself to accept the lowest or any tender.

John R. M. Chard.
Capt and Bt Major R. E.
for Commdg. Ry. Engineer

C. R. E's. Office, Limassol
1st May 1882.

NOTICE.

Messrs. H. Dimitriou brothers Chr. and Co. beg to announce that on and after 12)24 April, they will establish a regular Diligence service between Larnaca and Nicosia.

Tickets at the ordinary rate: 3)6.

DEPARTURES.

From Larnaca daily 6. 30 a. m.
,, Nicosia ,, 2. p. m.

Special conveyances will be supplied for any part of the Island at moderate charges.

Tickets may be obtained in Larnaka at the office No. 30. Amiet street; and in Nicosia at the store of Messrs. H. H. Dimitriou brothers.

Larnaca 11)23 April 1882.

ADVERTISEMENTS.

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LIMASSOL.
DEPOT OF
GENERAL ENGLISH GROCERY
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Draught Bass' Ale & Guinness' Stout
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Charges extremely moderate. Guides horses and mules supplied for the conveyance of travellers.

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THE LEVANT HERALD is published daily on a single broadsheet, of which the two external pages are devoted to advertisements, and the inner pages, one English and one French, to general news. The daily edition of the *Levant Herald* has the character of a general newspaper, and is intended for readers in the East.

THE LEVANT HERALD weekly budget consists of sixteen to twenty-four pages. It is published every Wednesday in winter and every Tuesday in summer. It contains only Eastern matter selected from the columns of the daily issue, and is a Levant newspaper specially designed for readers not residing in the Levant.

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