James Barnes Cordle, ticket collector at Tunbyidge Wells station, deposed that on the 16th he was on duty on the arrival of the train from London, and saw defendant in a third-class carriage. He asked him to pay the difference from third to second class, 1*s.* 10*d.*, and told him it was only a third class train from London. Defendant refused, and was allowed to go on because the train should not be detained. He saw defendant in a similar train on the 4th April, and gave him notice that it was not a third class train from Tunbridge Wells.

Cross-examined.—I cautioned him on the 4th April, as well as Mr. Hughes, the station master. He then refused to pay, and referred to a case which he said had been previously decided. I did not show him the time-table.

Re-examined.—The time-tables were publicly posted on the platform.

Alfred Penfold, assistant ticket collector at the Tunbridge Wells station, was about to be called, when.

Philbrick said he would save the time of the Court by admitting that he travelled by the train and had a third class ticket.

Mr. Hughes, station-master at Tunbridge Wells, produced a time-table, and stated that the train in question was only a first and second class train from Tunbridge Wells.

Philbrick, for the defence, submitted that his client was perfectly justified in travelling by the train in question, notwithstanding the caution which he received. He apprehended that by the contract, Mr. Harwood was entitled to return by the class for which his ticket was issued at any time he thought proper. If his Honour decided against him the public would never be safe in travelling unless they made themselves acquainted with all the time-tables that were issued, and that if they did that they would not want anything else to do.

His Honour ruled that the time-tables were part of the contract, and that defendant was bound by them.

Philbrick said his contract was to take a third class ticket and ride by a third class carriage, and he submitted that defendant had a right to ride by the train in question.

His Honour said certainly not, if the time-table stated that it was not third class from that particular station. A complaint was made to him and excess fare was demanded, and he had previously travelled in the same way and been forewarned that he was wrong.

Verdict for the plaintiffs

When the judge was about to retire, at the close of the business,

Defendant came forward, and addressing His Honour, said he should be much obliged if he would grant him a case for a Superior Court.

His Honour said he could not do it when the claim was only 1*s.* 10*d.*

Defendant then went on to say His Honour had previously decided contrary to his decision that day, and that it was the previous decisions which induced him to defend the case. The decision was given in this locality, and was dead against the one given that day.

His Honour.—No such thing, sir; and you are an impertinent fellow to stand up there and say so.

Defendant.—I have a letter from a party at Rye where you tried the case before. If you will not eat your own words you must abide by it. [Defendant here produced a letter, which he said was from Mr. Vidler, of Rye.]

His Honour.—Do you suppose that I am to be bound by that?

Defendant.—Excuse me for being plain, I consider I have a right to be so. You said, "If you have a third-class ticket and see a third-class carriage, get into it." Those are your own words.

His Honour.—Who says that I said that? It is not true.

Defendant.—I can prove it is true.

His Honour.—It is very impertinent of you to stand there and say so. If you do not sit down I will commit you for insult, and send you to Lewes; that is the way I shall treat you. I say it is not true. Every case must stand upon its own merits. I do not know what Mr. Vidler's case was, but in your case I am perfectly satisfied.—*Law Times.*

UNITED STATES REPORT.

SUPERIOR COURT OF PENNSYLVANIA.

JOHN CAMPBELL ET AL. v. THE COMMONWEALTH.

A disturbance or interruption of a meeting of school directors assembled in discharge of their public duties is indictable at common law, although not punished by any act of Assembly.

Certiorari to Court of Quarter Sessions of Westmoreland County.

Laird & Hunter for complainants.

A. A Stewart contra

The opinion of the Court was delivered at Pittsburgh, Nov. 16, 1868, by

READ, J.—The second count of the indictment charges that the defendant did wilfully and maliciously disturb and interrupt a certain meeting of the School Directors of St. Clair township, in said county—they, the said school directors—being then and there lawfully assembled for the purpose of discharging their duty as school directors for the said township of St. Clair, and the question is whether the offence so charged is a misdemeanor at common law.

"The only remaining breach of public order and tranquility," says Mr. Bishop in his Commentaries on the Criminal Law, Vol. 1, p. 982, "to be here pointed out, is the disturbance of public meetings. When people rightfully assemble for worship, or assemble in their town meetings and the like, and probably in all cases, where they came together in an orderly way for a lawful object; those who unlawfully interrupt them are indictable at the common law. It has been said that in England the statutes which were there passed were necessary to protect dissenters, on account of an assembly by them not being lawful, while it is equally admitted that in this country, where all forms of worship are favored, they are not required"

In *Respublica* v. *Teischer*, 1 Dall. 338, Chief Justice McKeen says: "But it seems to be agreed that whatever amounts to a public wrong may e made the subject of an indictment."