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FLOTSAM AND JETSAM.

MUSICAL ANNOYANCES.—The large number of persons who, without being particularly sensitive or particularly nervous, suffer extreme annoyance from the popular performances of brass bands, barrel organs, steam trumpets, etc., will be much interested in a case which came recently before Mr. Justice Kekewich. The plaintiff was Mr. S. Winter, living at Brentwood, Essex, who claimed from the court an injunction to restrain the defendants from using a yard at the back of some model lodging houses for shows, which included steam circuses and organs, swings, rifle-shooting galleries, and all the noisy accompaniments of country fairs, prominent among which was a steam organ with twenty-seven trumpets. Evidence was given respecting the nuisance caused by the performances, and, without calling for a reply, Mr. Justice Kekewich delivered judgment in favour of the plaintiff, granting the injunction prayed for, and declaring the two defendants—Mr. Baker (the occupier of the yard), and Mr. Davies (the *entrepreneur* of the shows)—liable to pay the costs of the action. Setting aside the rifle-shooting, and the swings, as not necessarily nuisances if properly conducted, the learned judge said that the noise of the organ was rightly objected to, inasmuch as it was worked from six to ten every evening, except Saturday, when the time was still further extended. This loud and continuous playing necessarily interfered with the comfort of the neighbours, who were not over sensitive or fastidious, but wished merely to live like ordinary English people.

The organ playing was a distinct nuisance, entitling the neighbours to complain. With regard to the noise of the assembled crowd who came to be amused with swings and roundabouts, it was almost inevitable that they would shout; there was, as laid down by the learned judge, nothing improper in their so doing, but it could not be permitted to interfere with other persons' comfort. The nuisance was proved, and the plaintiff was entitled to the injunction he asked for against the proprietor of the shows. Then came the question as to the liability of the proprietor of the yard in which the show was held. A man, said Mr. Jus-