

# Law courts

Autor(en): **[s.n.]**

Objektyp: **Article**

Zeitschrift: **The Swiss observer : the journal of the Federation of Swiss Societies in the UK**

Band (Jahr): - **(1930)**

Heft 461

PDF erstellt am: **21.09.2024**

Persistenter Link: <https://doi.org/10.5169/seals-694496>

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labour; pottery making is an art, not a trade," he added proudly. "You cannot learn it in six weeks, no, nor even in six years. It must be born in you. We are all born artists here. Frida has a very delicate hand; she can do the best class of work. My other daughter, Emma, has a heavier hand, but she can work faster. She has already 400 francs put aside for her.

"Unemployment?" He laughed when I mentioned this so Britishly common, dreadful word to him. "No; we don't know unemployment here; we have never known it; we shall never know it. I work ten hours a day, as I am getting a little older now, but my son works 14 hours a day on an average, and we cannot produce fast enough." "Do you go in for modern designs?" "Very little," he said. "The public do not ask for modern designs; they stick to the old traditions and quaint patterns of years ago. One of my most successful pieces is a large dish on which is written the time-honoured phrase: 'When you use this plate remember that you, like the plate, are fashioned of clay.'"

But, "all work and no play" has never been the motto of the Swiss, else they would not be the happy and, on the whole, healthy community they are, and some of their games are as old as they are strange to those who do not know them. One of the most skillful games is "Hornussen" and the *Morning Post*, of August 9, says:

#### Hornussen and Schwingen.

Although Switzerland is the recognised playing field of so many sports of an international character, the Swiss people have preserved and still practise some popular games that have been played by the people in this country for many centuries past. One of the most interesting is the so-called "Hornussen."

As in cricket, Hornussen is played by "batmen" against a "field." But only one batsman can have an innings at a time. His bat, if one may term it so, might claim to be the historic forerunner of the golf-club. It is a long and thin ash-stick and must be flexible; almost a switch, in fact.

If it is too short or too stiff, the batsman cannot get the right swing on to it, and therefore, fails to give the right flight-curve to the ball.

The fielders are provided with a kind of bat, but of altogether different shape. The fielder's bat has a blade about a foot square with a very short handle, something like a butter-patter. The ball is small and made of wood.

The game begins by placing the ball on a small mound of earth, much the same as in golf, at the top of the field, that is, with the playing-field sloping away from the batsman. Such meadows are, of course, very common in almost any part of Switzerland.

A skilful player can get a beautiful swing with his long pliable stick and strikes the ball with such force as to make it fly with great speed over the heads of the fielders. If the ball flies too low the game is spoilt and the batsman loses points. If it is struck too high it expends its force too readily and makes the fielders' task comparatively easy—like a soft catch in cricket.

The fielders are placed in the lower part of the meadow, generally farther away from the batsman than in cricket. Their game is to arrest the flight of the ball by flinging their "batlets" high into the air across the course of the ball.

This calls for very great skill; extremely nice judgment is required in timing the fling of the batlet so that its blade will cross the ball's line of passage just at the very second when the ball is at any given point.

This part of the game is always the most difficult to learn, but many of the Swiss peasants show an almost uncanny skill in stopping the ball. The game is a very ancient one, and to-day is usually played in out-of-the-way retreats where tourists seldom have the chance of seeing it.

"Schwingen" is another game very popular with the peasants and Sennen (the small dairy-farmers and cowherds of the Alpine districts), particularly in the Canton of Berne and Central Switzerland. Some splendid schwingen matches can be seen at the annual Alpine fête at Basle, attended by thousands of peasants and enlivened by the Alpine horn-blowers and yodlers.

Schwingen is really a peculiar form of wrestling. The combatants wear short linen breeches tightly rolled up as far as possible. Each seizes the other by his rolled-up shorts and tries to "spill" him.

Definite rules must be observed. The opponent must be thrown backwards over one's shoulder, and is declared defeated only when his two shoulders have touched the ground.

No Senn is regarded as a true man unless he can schwingen. Its popularity extends into the upper circles, and many of the Swiss notables have been famous schwingers.

Madame de Staël has left on record her impressions of the schwingen match that she witnessed at Unspunnen, near Interlaken.

#### The Passing of the St. Bernard Dogs.

*Belfast Telegraph*, August 7:—

Tourists returning from the land of the friendly St. Bernard dog report that his life-saving days are numbered (says a writer in the *New York Times*.) Science with its thermos bottle, they say, is triumphing over the shaggy hero who, for generations, has valiantly carried his little keg of stimulating liquid to despairing wayfarers storm-bound in the Alps. Recently three travellers, lost during a Swiss snowstorm, were rescued by a monk from the St. Bernard monastery and were revived with hot coffee poured from a thermos bottle carried in the rescuer's knapsack. Vegetable capsules and concentrated meats completed the resuscitation of these three adventuring Alpinists.

Despite scientific achievements threatening his romantic career, however, the St. Bernard is still cherished by dog lovers for his benign and gentle manner and his dependability in time of crisis. Dog authorities assert that a St. Bernard cannot be stamped. And St. Bernard puppies continue to frisk clumsily and to yap boisterously around the hospice at St. Bernard Pass, where patient monks continue to train the dogs to search out travellers lost in Alpine snowdrifts.

There are those who say the Swiss breed is not what it once was; nevertheless, it has its heroes. Times have changed since St. Bernard, the patron saint of the mountain climbers, founded the monastery that bears his name high on a Swiss mountain peak near the present village of Martigny.

To-day electricity and better roads have brought the famous cloister closer to a different world that clings up the steep mountainside in shrieking motors; and telephone now connects the sides of the pass, where travel is treacherous when early snows begin to fall and when late snows form avalanches.

Close to the gray, time-weathered hospice or monastery stands a bronze statue of Bernard de Menthon, the intrepid founder. And not far away there is a statue of another hero of the pass—a bronze of Barry, the beloved St. Bernard dog who died in line of duty. Every child in the Swiss Alps knows the story of old Barry, who saved forty persons during his long career, but who died in making his forty-first rescue through no fault of his own.

After about two years of preliminary training for the puppies, the kennel master at the monastery takes them out, with an experienced dog as a leader. Over steep slopes and across icy crags the leader goes with the plucky puppies. Deep in the snow they flounder, right themselves and stagger on. Later the young dogs join regular searching parties and are instructed when to bark and how to behave when they find a bundle in the snow.

If a rescued man is able to walk, a dog guides him to the monastery. If he is too weak to make the trip the St. Bernard drags him as far as possible and then leads rescuers to him or barks until a waiting monk arrives. Through the twilight of short winter days and through stormy nights, monks watch for distress signals and scout for exhausted travellers.

The original St. Bernard of the Alps, it is said, was probably the Swiss sheepdog bred with a mastiff in order to obtain greater strength.

For centuries the monks specialised in the breeding of these dogs and eventually got a strain which was one of the finest, if not the finest in the world. But tragedy came to the monastery kennels. First a bad epidemic of distemper wiped out a large number of the best dogs, later an avalanche demolished part of the kennels and killed the dogs. In order to replenish the kennels the monks then brought dogs from the Pyrenees and bred them with the bloodhound. The result was not the rugged breed for which the monastery had long been notable. According to dog fanciers its kennels do not to-day produce the fine strain of former years. In fact England is now said to have the finest St. Bernards in the world. This is due to a strain brought to that country from Switzerland in the seventeenth century. Careful breeding has strengthened and improved the strain.

#### New Alpine Railways.

Switzerland caters for those among us whose advancing years make it impossible for them to do any climbing, and new mountain railways are proposed, as witness the following from *The Times*, August 5:

The Government of the Grisons has been asked to grant a concession for the building of a mountain railway to the top of the Piz Bernina (13,299 ft.), the highest peak in the Engadine. The request comes from the Bernina Railway Company, which is running the electric line from Saint Moritz (5,830 ft.) to Pontresina, the Bernina Pass (7,400 ft.), and Poschiavo (3,315 ft.) in the Valtellina.

The scheme now submitted to the Cantonal

Government provides for the construction of an electric cogwheel railway starting from Morteratsch (6,230 ft.), on the Bernina line, up the flank of the Piz Chialchaval to a height of 7,900 ft., just above the Bova glacier. From that place a tunnel 5,600 yards long, passing under the Piz Bova, the Piz Morteratsch, the Bianco Ridge, and the Piz Bianco, would bring up the line to a spot about 100 ft. below the summit of Piz Bernina, where a hotel similar to that on the Jungfrauoch would be erected. The line would be altogether 9½ miles long; the journey would take 1 hr. 20 min.

The Commune of Pontresina has given its approval to the scheme, which is likely to be approved by the Commune of Samaden, and the two Communes would contribute part of the £150,000 needed to complete the line.

And also from the *Railway Gazette*, July 25:

Italy and Switzerland are likely to come to an accord in reference to the Aoste-Martigny project. The results of such an agreement would be to provide direct and rapid communication from the ports of Genoa, Milan, Savona and Turin with Lausanne and Central and Western Europe up to the Channel.

The plans for the tunnelling of Mont Velan between Valpelline and Orsières, which was proposed by the expert engineer Marcanati in 1898, show a double-line tunnel ending on the triangular plan of Valpelline at the neck of the Allomont Valley. The length would be from 24-25 km., and according to the declaration of the President of the Geological Institute of Rome, the nature and formation of the rock is very favourable, and would not present any serious difficulties.

The new line Lausanne-Martigny-(Velan) Aoste-Santhea Tortona, Genoa, and that of Turin-Chieri-Alba Savone-Vado, would have a length of 350 km. (the line Marseilles-Lausanne is 519 km.). It will thus be seen that the line could be passed over by express in about 5 hours, as against 15 to 16 hours of the Milan-Simplon at the present time. Prof. Dominico Regis' scheme is for a tunnel 27 km. long.

But we shall have to wait another few years before doing these journeys!

#### LAW COURTS.

In the King's Bench Division, Mr. Justice Roche gave his reserved judgment in the claim by the Allgemeine Versicherungs-Gesellschaft Helvetia against the Administrator of German Property for a declaration that they were entitled to proceeds of the sale by order of the Prize Court of a valuable parcel of diamonds and precious stones, which were seized during the war as enemy property under the Reprisals Order, 1915.

His Lordship, giving judgment, said the case for the defendant was based on this: (1) that the goods and the proceeds were stamped by the order of February, 1918, with the character of enemy property, (2) that the abandonment relied upon as changing ownership was an assignment of chose in action which by virtue of Section 6 of the Trading with the Enemy Amendment Act conferred no title to the goods upon the plaintiffs, and (3) that the proceeds of the sale of the property were vested in the defendant.

The first proposition was not contested by the plaintiffs, but submissions on their behalf as to (2) and (3) were these: that (a) the abandonment was not an assignment, (b) that neither the goods nor the proceeds were chose in action, and (c) that Section 6 had no application to goods detained under the Reprisals Order because the Crown were not persons liable to pay or discharge such chose in action.

To the first question whether or not the abandonment was an assignment or effected an assignment, in his Lordship's opinion the answer was in the affirmative.

With regard to the last and main proposition, he was of opinion that in the circumstances of the case, the proceeds of the sale of the property were not affected by Section 6, but were held by the Crown subject to the terms of the Prize Order itself and of the rules of international law administered by the Prize Court.

His Lordship gave judgment for the plaintiffs accordingly.

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