

LOCAL BRIEFS

Mr. Oliver Jones' condition remains about the same. —Moncton Transcript.

THERE will be plenty of useful articles for men and boys at the Kindergarten Hall, Dec. 7.

COME and try over-hoos and butter scotch as well as cigars and a cup of bovr l at the Kindergarten Hall, Dec. 7th

THE Rev. M. Campbell, w'l (D. V.) preach in the hall at Bradalbane on Sabbath the 12 h inst at 3 o'clock p. m.

THE Halifax Herald of Nov. 7th says: The Crescent leaves this morning at 9 o'clock for the West Indies.

THE Pictou Foot Ball teams went over to Truro on Saturday and suffered a severe defeat at the hands of the Truro boys, the game ending 14 to 0.

REV. MR. FRASER was greeted by a good audience last night and his address was listened to with rapt attention. Mr. Fraser has labored for twelve years in Trinidad.

John W. McManus was in the city en route to Perth, N. B., where this week he will complete his \$30,000 contract. Next week he leaves for P. E. I., where he expects to tender for a large contract to construct a section of railway. —Moncton Transcript.

THE Salvation Army has secured the telephone grand for their Thursday night. This is the largest graphophone made and will be its first meeting in the city. Admission to the musical meeting 5 cents and to the coffee and beans social following 10 cents. Come and bring your friends.

THE BOSTON BOAT.—The Halifax arrived in port about 10 a. m. Tuesday with the following passengers: Mrs. Bruce, Mrs. MacLennan, Mrs. Sampson, G. A. Murphy, Annie Doherty, Mary C. Margeson, Mary J. Driscoll, L. E. Matlow, A. Metegon, M. Hew-on, Mr. Geo. Hazard, Jas. Daig's, Jas. H. Madden, Mike Mutoh, Wm. Hume. The Halifax left on return this afternoon about 2 o'clock. Miss Mary Wickham was the only outward passenger.

COLONEL MOORE has furnished the GUARDIAN with the following:

TO BE FORWARDED.
To.....
2nd Battalion Royal Canadian Regt.,
Field Force,
South Africa.

Letters addressed as above will be forwarded to England, and thence to Africa and will be forwarded—Postage 2 cents per half ounce.

ST. DUNSTONS and the A. C. A. C. are both practising hard for the match which takes place next Monday on the C. A. A. grounds. The Saints have several of their old players back this year, several of whom played on the old Abegweits in their playing days and under the able captaincy of Mr. Jas. Donahoe, they are confident of winning the laurels from the Maritime champions. Everybody should see this game as it will be one of the best ever played here.

PRINCE EDWARD ISLAND is the smallest of all the provinces, but it is more than twice as thickly populated as any other province, the population being 54-5 persons to the square mile. Nova Scotia comes next in density of population, with 22.0 persons. The following is the order in which the provinces stand, according to density of population as ascertained by the census of 1891:

P. E. Island.....	54.5
Nova Scotia.....	22.0
New Brunswick.....	11.4
Ontario.....	10.0
Quebec.....	6.5
Manitoba.....	2.4
British Columbia.....	0.3
Provincial districts.....	0.2
Canada.....	1.5

If the whole of Canada were as thickly populated as Prince Edward Island its total population would be over 215,000,000.—Colchester Sun.

Supreme Court.

The Michaelmas Term of the Supreme Court opened yesterday, the Chief Justice and Mr. Justice Fitzgerald on the bench.

The Prothonotary read the Commission under the Great Seal of Prince Edward Island appointing Donald A. McKinnon, Attorney-General of Prince Edward Island.

Mr. Harry R. McKeeze, an attorney of this court, was, on motion of Mr. Stewart, Q. C., called to the bar.

Mr. Aubin E. Arsenault was, on motion of Mr. Hazard, Q. C., called to the bar.

The Queen vs. James A. McIntyre.—Mr. A. Peters, Q. C., on behalf of Joseph Wise and James B. McIntyre, (bail for the appearance of James A. McIntyre to stand his trial Trinity Term last and w.o. made default) moved that the amount for which they were liable be remitted or reduced. Court refused the motion.

Mr. Peter made a like application on behalf of Allen McEachern, one of the bails for Francis Murphy who was sent up for forgery, but it was refused.

Susanna Ferguson, appellant and Jessie Hogg, respondent.

This was an appeal from a conviction made by H. James Palmer, Esquire, Stipendiary Magistrate for Queens County, by which the appellant was convicted of assaulting a 12-year-old child named Mary Bird and fined \$2.00 and \$9.00 costs, upon the complaint of Mrs. Jessie Hogg, the Respondent. The child is an orphan and was brought from England, is known as one of the Middlemore orphans, and was adopted by the appellant some three years ago. On the first of July last she was heard screaming by some neighbors who went over to appellant's house and found the appellant sprinkling some water on the child. These neighbors complained to Mrs. Hogg, who claims to be the agent in this Province of the English Orphanage. She immediately laid an information before the Magistrate and had Mrs. Ferguson summoned and ultimately convicted for an assault on the child. From this conviction an appeal was taken to the Supreme Court and heard yesterday, with the result that the appeal was allowed and the conviction quashed with costs to be paid by Mrs. Hogg. The evidence before the Court showed that a spider had got on the child and that the appellant had sprinkled water on it. The child had screamed when the spider got on her and she had continued doing so when being sprinkled with the water. There was also evidence to show that the child was given to screaming for very slight causes. Neighbors were examined and they testified that the child was well treated and cared for and sent to both day and Sunday Schools. The child herself was produced and stated that

she was well treated in every way, and that the cause of her screaming on the day named was because of the spider. A number of legal questions were raised on the trial but not passed on by the Court, the judges having decided on the merits that no cause of complaint was made out. The Chief Justice in delivering judgment stated that a parent, or one who stood in the place of one had the right to chastise a child under his care, and while the Courts would always watch that no child was improperly treated, especially waifs, similar to the one before the Court, it would also see that no parent would be improperly interfered with in the proper training of a child. In the present case there was no evidence whatever to justify the conviction which would be reversed with costs. As far as he himself was concerned he had been prepared to allow the appeal at once he had heard the evidence of the prosecution and without calling on the defence.

Mr. Justice Fitzgerald concurred with the Chief Justice in allowing the appeal. He did not wish to have the case stopped when the motion to dismiss had been made but wanted to hear all the evidence and probe the matter to the bottom. After hearing this evidence, he was satisfied that there was nothing to justify the conviction, which must be quashed with costs.

Mr. Attorney General McKinnon asked the Court to refuse costs, but the Court held that there were no circumstances to take the case out of the ordinary rule that the successful party should have her costs.

The appeal was then allowed, the judgment of the Magistrate reversed and the prosecutor Mrs. Hogg, ordered to pay the costs of the proceedings. Stewart, Q. C., for the Appellant; Attorney-General McKinnon, for the Respondent.

The Court meets this morning to hear a motion for a new trial in Allen vs. Steam Nav. Co., tried last July.

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