

LEGAL REPORT.

Action Against Members of a Stone-cutters' Union.

ST. LAMBERT'S HILL CASE.

Claim for Damages From Delay in Expropriation.

G.T.R. Boating-Club's Claim for Damages on Account of Verduin Dyke.

Law Courts.

COURT OF QUEEN'S BENCH (In Appeal.)

Before—Hons. Lacoste, C.J., and Bosse, Blanchet, Wurtelle, Oulmet, J.J.

Murray (Plff. Appellant) and Town of Westmont. (Def. Respondent). Geoff. for the plaintiff, appeared from the judgment in the Superior Court (Hon. Mr. Justice Tait), in an action brought against the defendant to have a certain by-law No. 10, providing for the widening of part of Greene Avenue, to wit—that part lying between St. Catherine Street and the Côte St. Antoine Road, declared ultra vires of the powers and jurisdiction of the defendant corporation, and to have the same declared irregular, null and void. The judgment appealed from dismissed plaintiffs action with costs. Dupon Q.C. for respondent. Reserved.

Glenglo Ship Company (Def. Appellants) and Pilkington, et al. (Plffs. Respondents). Glenglo Ship Company Co. (Def. Appellants) and Ferguson, et al. (Plffs. Respondents). These two actions are by consent united for the purpose of proof and argument. The Court of the defendant, appeared from the judgment in the court below, in an action brought for the destruction of large panes of plate-glass, accepted for carriage, by the defendants, under certain limiting conditions as to their liability. The judgment appealed from maintained a certain security before judgments as being well founded and condemned the defendants to pay to the plaintiff the sum of \$1,930.12 with interest from July 10, 1893, and costs of actions. MacLennan and MacMaster, Q.C., for the respondents. Reserved.

Gauthier, et al. (Def. Appellants) and Perrault (Plff. Respondent). A. Geoff. for the defendants, appeared from the judgment of the Court of Review, reversing the judgment in the action in the Court of first instance. The action was brought by the plaintiff, a stone-cutter by trade, against the defendants, who, it is alleged, are members of a stone-cutters' union, and, as such, conspired to prevent the importation into the city of building stone dressed in the country, and to this end forbade members of the union to work for any employer, who made use of such country dressed stone. The plaintiff refused to obey the rule, and in consequence became, as he alleges, an object of persecution by defendants, who combined to prevent him from doing his trade, and when he did obtain work with building firm, his fellow workmen, some 20 in number, obeying defendants, and the rules of the union left work, and plaintiff had then to give up his employment. The Court of First Instance dismissed plaintiffs action with costs. The Court of Review, however, condemned defendants to pay to the plaintiff the sum of \$137.50 with interest from January 28, 1893, and costs in both courts. Robidoux, Q.C. and Lanctot for the respondent. In progress.

SUPERIOR COURT.

Court of Review.

Before—Loranger, Archibald and Delorme, J.J.

Hamilton vs. Jones. Lafontaine for the plaintiff, appeared from the judgment of Delorme J., in an action upon a note signed by a party who claims to have been acting as an agent, although no principal is mentioned in the note. Scotte and Burroughs for the defendant. Reserved.

Connolly vs. Forget. Lemieux for the defendant, appeared from the judgment of Tassereau J., in an action brought by the plaintiff claiming proprietary rights over a switch in the rear of the defendant's quarry with the main line of the Canadian Pacific Railway Co. Morgan for the plaintiff. Reserved.

Cusson vs. Mayer. Emard, Q.C., for the defendant, appeared from the judgment of Pagnuelo J., in an action on account. Demers for the plaintiff. Reserved.

ENQUETE AND MERITS.

First Division.

Before—Cimon J.

Bag vs. Baxter. The plaintiff sued the defendant for the recovery of \$210.40, being interest due on a deed of sale from her to the defendant. The defendant pleaded that the plaintiff had not demanded the amount before the claim was placed in her attorney's hands, and deposited the amount in court. The tender of defendant was maintained and the plaintiff was condemned to pay costs. McCormick, Q.C., for the plaintiff; Honan for defendant.

Bag vs. Baxter. The plaintiff sued the defendant for the sum of \$288.50, being ordinary and special assessments which the defendant undertook to pay to the Corporation of the City of Montreal, in the exoneration of the plaintiff, under and by virtue of a certain deed of sale. Judgment for the plaintiff for the amount demanded, with costs. McCormick, Q.C., for the plaintiff; Honan for the defendant.

Groulx vs. Grand Trunk Railway Company. An action for damages by reason of the loss of seven hogs at the Jacques Cartier station during the heat of summer, as alleged, through the negligence of the defendants in not promptly delivering the consignment. Beaudin, Q.C., for the plaintiff; Beckett for the defendants. Adjudged.

Lefebvre vs. Canadian Rubber Company. An action for damages to the amount of \$975 for injuries alleged to have been suffered by the plaintiff through the negligence of the defendants. Lafontaine for the plaintiff; McCormick, Q.C., for the defendants. In progress.

Second Division.

Before—Curran J.

Gauthier et al. vs. City of Montreal. An action brought to recover the sum of \$22,000 alleged to have been suffered by the plaintiff by the depreciation of their property, and also including a claim for three years' rent on said property, the said damages being alleged to be the consequence of the defendants' failure to carry out a certain expropriation scheme, by which St. Lawrence Street would be continued to the river. Plaintiffs further ask the Court to order the said expropriation

scheme to be proceeded with by the defendants. St. Jean, Q.C., for the plaintiff; Ethier, Q.C., for the defendants. In progress.

Third Division (Summary).

Before—Tait A.C.J.

McIntyre vs. Macdonnell. Defendant made default. Reserved. Madors & Co. for plaintiff; McGibbon & Co. for defendant.

Banque du Peuple vs. Racette. Struck from the roll. Geoff. for the plaintiff; Desmarais & Co. for the defendant.

Smart Mfg. Co. vs. M. Craig. Continued until December 4. McCormick & Co. for plaintiff; Demers & Co. for defendant.

PRACTICE COURT.

Before—Mathieu J.

Grand Trunk Boating Club vs. Ville de Verdun. An action was taken by plaintiff against the sum of \$4,000 damages for the erection of a dyke on property leased to them by the defendant corporation. An application was this day made by the plaintiff to be allowed to change their notice of action by the reduction of damages claimed to the sum of \$2,400. The motion was taken en délibéré on the question of the amount of costs to be paid by plaintiffs in order to be allowed to modify their claim as asked. Desmarais for the plaintiffs; Rielle for the defendants.

Darling vs. Banque du Peuple. Broseau, Q.C., and Desmarais for the defendants, asked that this action be stayed until the Minister of Justice should have given his decision regarding the issue of a writ scire facies herein. Rielle for plaintiff; contra. Reserved.

SUPERIOR COURT.

Judgments.

Hon. Justice Doherty.

Paquette vs. Lapierre et al. Judgment for goods sold and delivered for \$143.53, with interest from July 28, and costs. Tassereau for the plaintiff; Gaudet for the defendant.

Barsalon vs. Baxter. Judgment dismissing action in guarantee; sans recours, with costs.

Kerr vs. Ostrofsky. Judgment in ejectment for \$233.07, with interest on the sum of \$107.80 from October 28, with costs.

Roy vs. Toupin. Judgment dismissing the two actions and quashing capias and seizure before judgment. Lefrançois for the petitioner; Primeau for the plaintiff.

PICTURE ON A HILL.

The Long Man of Wilmington, England Measures 240 Feet.

About midway between Derwick and Polegate stations, at a point where the side of the hill is very precipitous, those who know exactly the spot where to look will be able to see from the railway carriage windows a sort of rude imitation of the human form outlined in white. The figure, which is between 200 and 300 feet in height, holds a long staff in each hand. This is "The Long Man of Wilmington," once the center of profound veneration and worship, but now merely an object of interest to the curious.

In order to obtain an adequate idea of this great hillside figure, dominating the surrounding country and appearing to watch as guardian over the little village below, it is desirable to approach it afoot, tramping along the winding lanes, as the pilgrims of old must have tramped when they came hither on the occasion of some great religious festival. Seen from afar, the figure does not appear to be of remarkable shape, but gradually, as one approaches the hill, it assumes an imposing and definite shape. The figure, about 240 feet in height, was merely shaped in the turf so as to allow the chair to appear through. In the course of time these depressions in the surface became almost imperceptible, and to such an extent was the figure neglected that at last it was only possible to make out the form at a distance when the slight hollows were marked by drifted snow or when the rays of the rising or setting sun threw them into a deep shadow. The Court of Review, however, condemned defendants to pay to the plaintiff the sum of \$137.50 with interest from January 28, 1893, and costs in both courts. Robidoux, Q.C. and Lanctot for the respondent. In progress.

There are in different parts of the country other examples of extremely rude and early hillside figures, and, although to be of the fact of their great antiquity renders it unlikely that historical or documentary evidence will be forthcoming as to their design or precise purpose, it is very satisfactory to find that an explanation has been found which will at once account for many of their peculiarities.

The theory is that these are sacrificial figures. We learn from the writings of Caesar that the Gauls (and the Britons were doubtless included) had figures of vast size, the limbs of which, formed of straw, were filled with living men. The figure was ultimately fired, and the miserable victims perished in the flames.

There is a local saying in Sussex, probably of great antiquity, in which the Long Man is mentioned in reference to the weather. It runs:

When Pile hill and Long Man has a cap,
We at A'ron gets a drap.

Frozen Mutton.

The reason why Argentine mutton generally is of inferior quality to that of New Zealand has a threefold explanation. In the first place, New Zealand possesses today a mutton producing breed superior to that grown in the Plate. In the second, the New Zealand farmer feeds his stock during the winter time with extra forage, while in the Argentine the sheep are allowed to graze upon the same bare pampas during the dead season. The result of this is that the New Zealand producer an even, well grown carcass, while there is sent home from the Plate one upon which a heavy covering of fat has been put during the spring months of the butcher. He remits them in small droves to the freezing establishments and takes every care that they shall arrive in perfect order. The Argentine breeder, on the other hand, makes a contract with the representative of the freezer to sell a given number, and the latter binds himself to remove them within a certain date. — New York Ledger.

Chase and Sanborn's Coffee



The quality of the Coffee we sell under our trade mark is our best advertisement.

This Seal is our trade mark, and guarantees perfection of quality, strength and flavor.

BOSTON. MONTREAL. CHICAGO.

Quiet Amusement in Philadelphia.

An up town man gets lots of quiet amusement out of a rank counterfeit quarter dollar which he carries about other change in his pocket. When he gets on a trolley car and the conductor comes for his fare, he pulls out what ever small change he has about him and fingers among it as if he were going to offer the old counterfeit piece, which, of course, he never does. About that time the alert conductor almost invariably says, "That quarter is no good." "Well, suppose it isn't," says the man. "I haven't offered it to you, have I?" And selecting a piece of good money he gives it to the conductor. Mr. Conductor takes a sidelong look at the man, and with an expression on his face almost as plain as words could speak prides himself that that fellow didn't work his counterfeit quarter on him. — Philadelphia Record.

Black Satin Costs the Vogue.

"Black satin is a material in vogue for coats," writes Isabel A. Mallon in The Ladies' Home Journal, "and upon the coats made of it lace, ribbon and all rich decorations run riot. The design most in vogue for satin has a close fitting bodice with an attached skirt, this skirt being formed of the trimming. A typical black satin coat is fitted to the figure, but has in the center of the back and just in front a few soft folds. It is cut so that it extends two inches below the hips, where it arches slightly, and it is then finished with a frill of black lace that reaches almost to the knees. Wide, drooping revers of the satin are overlaid with cut jet, while at the neck is a folded collar of the satin, with a large flaring bow in the back. A similar bow, but somewhat larger, is at the back at the waist line, and from it come two long satin ends that are drawn over the hips to the front and are loosely knotted so that they fall far down over the lace. With a jet bonnet as its adjunct such a coat may be worn with a simple skirt, which must, however, be black, and the effect of a very rich and elaborate costume will result."

The English Governor.

Sir Walter Besant is again endeavoring to arouse the British public to a sense of the "downright cruelty and wickedness" of paying a governess only \$125 a year and then sending her away to keep herself for a two months' holiday. "I do not believe," he says, "that those who do it realize the meaning of it. The evil is done by want of thought in this as in so many instances. If it is done in full knowledge of what it means, then the perpetrator is one of the lowest and basest of his kind. To give a woman \$25 a year, to expect her to dress like a lady—always to wear decent gloves, for instance—and to turn her out to keep herself for eight weeks is nothing short of barbarity. Eight weeks at 25 shillings a week is £10. There is left the sum of £15 for dress and every other expense, and for the future no prospect at all. Poor governess!"

India's Woman Barrister.

Miss Cornelia Sobraj, who took the degree of B. C. L. at Oxford about three years ago, is rapidly attaining success as a barrister in India, not only in the native but in British courts. At first she only practiced in the former, but lately she was intrusted with the defense in a murder case tried at Poona, in a British court. As usual in such trials, where all the witnesses are natives, much false evidence was offered. Miss Sobraj, who had faith in her client's innocence, conducted the case with great ability and secured a verdict of acquittal after the jury had deliberated 50 minutes. The London Telegraph says, "The lady barrister has received many congratulations on the result of her forensic ability."

The Sway of the Sash.

How fascinating are the belts and sashes which form such important items in the fashions of the moment! Close fitting, deep folded belts made of satin or silk are worn with toilets of silk, fine mohair and grass lawn. The newest ribbon belts are finished off with a flat piping on each side of white silk or satin, but if the belt is black or dark in color the piping may be in a light, contrasting shade. Loosely draped sashes look best on youthful figures, and folded belts crossed in front are most becoming to slender shapes. Even plain dresses may be converted into smart, stylish toilets if the belt or sash and the collar and bows are chosen to correspond and in good taste. — Philadelphia Times.

Early Women Postmasters.

The common impression is that women first entered our postal service some 80 years ago. The earliest postmasters of Salem, Mass., and Portsmouth, N. H., were women. In 1700 Portsmouth was the end of the great mail route, and important also as handling a large part of the English mail coming and going. In those days postmasters were required to write official news letters, to accommodate travelers, and to render other services. Mrs. Harvey did her postal work well and besides kept the Three Truns, the leading hotel in New Hampshire. — O. W. Ernest in Woman's Journal.

Only Express the Brush.

The express of Austria has the finest head of hair of any royal lady in Europe, and yet it is never washed. Every day it is brushed through, while a lotion, of which the recipe is jealously kept, is employed. Seven brushes are used, one after the other, so that perfect cleanliness may be insured, and the operation takes two hours and four ladies in waiting.

NOTICE IS HEREBY GIVEN THAT

the testamentary executor of the late Amable Cyprien Prevost, in his lifetime of Montreal, trader, and the same in their capacity of Dones and Institutes of Mrs. Josette Victoire Bernard, widow of Amable Cyprien Prevost, of Montreal, and the children of the late Amable Cyprien Prevost, substitutes in the said substitutions, of the City of Quebec, at its next session, to obtain the powers to proceed to the final partition of the property comprised in said substitution, or to declare that the provisional division of the estate of the said late Amable Cyprien Prevost, with powers in both cases to sell, alienate, borrow, hypothecate and mortgage the immovable and moveable property to be divided in order to come more equitably to such partition.

ARMAND PREVOST, Curator to the Substitution, Amable C. Prevost.

SHIPPING.

From	Steamships	Portland	From
Liverpool	State of Alaska	23 Nov	23 Nov
12 Nov	Mongolian	3 Dec	5 Dec
26 Nov	Nomadian	17 Dec	19 Dec
10 Dec	Laurentian	31 Dec	2 Jan.

The Saloons and Staterooms are in the central part, where least motion is felt. Electricity is used for lighting the ships throughout, the lights being under the command of the passengers at any hour of the night. Smoking Rooms and Smoking Room on the promenade deck.

The Saloons and Staterooms are heated

and served, and every requisite for the voyage.....	\$24.50
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Glasgow, Londonderry and New York
 Service (from New Pier, foot of W. 21st Street, New York.)

From Glasgow	Steamships.	From New York
6 Nov.....	State of Nebraska	25 Nov
13 Nov.....	Pomerania	9 Dec
20 Nov.....	Siberian	9 Dec
27 Nov.....	Norwegian	16 Dec

The Saloons are forward, Staterooms near the centre of the ships' Promenade deck, the entire width of the vessel, and two-thirds of the length. Electric lights throughout, and electric bells in every stateroom. No catwalks carried.

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A Steamer.....	10 Oct.	14 Oct.	12 Nov.
SS. Sicilia.....	17 Oct.	21 Oct.	12 Nov.

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