

CUSTODY OF A MINOR.

An important question was this morning tried before His Honor Mr. Justice Paynelme, in chambers, and decided by him. Mr. De-nard Starks, who came out from Ireland to seek out the two young sons of his deceased sister, Bridget Ellen Starks, wife of the John Smith. One of these children, a boy of about four years of age, was in the charge of a distant relative. The other, a girl, aged about ten years, he found in the Protestant Orphan Asylum, and, giving her up, contending she was a Protestant, and was taken by her mother (who, they alleged, was also a Protestant), placed in their charge.

The case was argued to-day for proof and hearing. The learned J.C., in opening the case, said this client was not a religious question, which, he considered, affected in no way. The issue was simply whether the tutor and nearest relative of the child—her legal and natural guardian—should be permitted to remove her from the jurisdiction of the court, or whether she should be committed to the custody of the State.

whether she should remain in a public charitable institution. At the defendant, however, had pretended the children's parents were Protestants, he would call the religious evidence on that question. Mr. Doherty then produced the Baptist certificate above referred to, and examined the aunt, cousin and grand aunt of the minor, who established the fact that both parents were born, lived and died Catholics. Mr. McCord, for defendant, examined several ladies connected with the asylum and other Protestant institutions, and established that the mother had been at different times an inmate of these institutions.

In argument Mr. Doherty, Q.C., stated briefly that he regretted the introduction of the religious question into the case. It was beside the issue. His client was the tutor and nearest relative of the minor, and as such, it was both his right and duty to care for and take charge of the child. The authorities of the asylum were doubtless in good faith, but the law clearly laid down that the tutor should have the child.

Mr. McCord replying, dwelt entirely on the religious question, and claimed the asylum had a right to keep the child, as its mother had placed it in a Protestant asylum, and desired it to be a Protestant, as he contended. He also claimed the appointment of Mr. Starrs, as tutor, was irregular.

In rendering judgment, His Honor said that into the religious question he could not enter. By law, the Court or Judge had no right to

decide in what religion the child should be educated. What was to be decided was who was lawfully entitled to the charge of the child. The motives of defendant were doubtless of the best, but there could be no doubt that the petitioner as natural and legal guardian of the child was entitled to her custody. The order would go to hand her over, and must be executed in court. The minor was accordingly delivered to her new guardian.

to her new husband, and after a few paternal tears caused by the strangeness of the situation, she regained her cheerfulness, and after kissing good-bye to the ladies of the Lusitania, departed smiling with her uncle.

THE NATIONAL LOTTERY.

To the Editor of THE POST :

SIR,—I chanced I only yesterday to read your article of the list of this month on the National

"Membre du Clergé" who wrote to the *Estandards* about the Lottery, and that I did it because I was not a very pious man, and I was not having too largely to do with the "National Lottery," and, at the same time, refused to "contribute to one which was givenly me."

As to the questions put to the Lottery Bureau through the columns of the *Estandards*, although I am not *de facto* the author of them, I would not refuse to take this responsibility, because they are the very expression of my mind, and of the mind of three-fourths of the clergy, and each of the Lottery Bureaus. I would not prove that the questions of the *Membre du Clergé* were out of place or that the public

As to the motive which, according to your reporter, prompted them, let me tell you that the one attributed to me is most insulting to a priest. Let the reporter in question know that there was never any letter, nor any parish, or to my charge, and that he is in a position to see an egregious fraud.

With your usual kindness, you will please to publish this letter in your next issue, and I shall forget the injury done me by your reporter.

I remain Mr. Editor,
Your humble servant,
J. C. CAISSÉ, Ptre.

St. Stephen, Sept. 7, 1890.

COMMERCIAL UNION.—The Hon. L. A. Senegal was in New York on Monday, and was interviewed by the *Mail and Express* on the subject of Commercial Union. He is reported as having said: "I hope that it will be consummated. If the United States offers us a treaty such as has been recently talked of, we will accept it by all means. Although I am a Conservative, I am more of a business man than politician, and my opinion is that no matter what England thinks about the matter, the Canadians will consult their own interests and ratify the treaty. If I did not think a commercial union would be of advantage to us I would not advocate it. I have been in business

twenty five years, and I ought to know pretty much what I am talking about. The Frenchmen of Montreal are not disloyal to the Queen, but they are loyal to the true interests of their country. Will the Conservatives oppose the union? If they do it will do no good, for the people of Canada will declare for it."

the 19th instant; at the hearing of the bill of particulars in the Vercheres contested election case, and the 27th for the hearing of the case on its merits. . . . By a decision of the Hon. Judge Papeineau in the Hochelaga contested election case, the petitioners, Messrs. Narcisse St. Denis, is compelled to file, at mid-Villeuveuve's request, before the 19th instant, a detailed statement of the facts which he intends to prove during his *enquete* against Mr. Villeuveuve; also to file a detailed statement containing the names of persons whom he thinks have acted as representatives for Mr.

FARMERS COMPLAIN.—Farmers along the North Shore railway line complain that the sparks from the engines have frequently set fire to sheds, etc., and fields of stubble. One farmer in particular narrowly escaped being burned out on Monday. Sparks set fire to a field of stubble and extended to his dwelling.

Fortunately the fire was discovered in due time and extinguished before much damage was done to the premises. The farmers intend to notify the company and ascertain if anything can be done to assure their safety from being burned out.