

THE HURON SIGNAL FRIDAY, APRIL 15, 1881

Mr. Bradlaugh has been re-elected for Northampton by a majority of 125.

Mr. Sarnia Observer is about to publish a story entitled "A Face Illuminated." Wonder if it will be a satirical allusion to a rival editor's nose!

Mr. Goldwin Smith in Bytander thinks "everything pretends that Mr. Blake will soon be tried not only as leader of a party, but as the head of a government."

The Scott Act has been defeated in Hamilton by a majority of 1156. It was a great mistake for the advocates of the Act to try a city like Hamilton at the present time.

Miss Sox is said to be one of the Globe's city reporters. If she does her duty faithfully she will be pretty well "damned" by some of those whom she may have to write up.

The report that Sir John Macdonald was afflicted with Bright's disease turns out to be untrue. The Premier has now almost fully recovered from his recent indisposition.

BRADLAUGH has again been elected for Northampton. His election is due to the persecution to which he has of late been subjected, as much as to any other cause. There will be no cavilling at the test oath this time on the part of the English infidel, but it is understood he will devote his every energy toward the abolishing of the said oath.

In anticipation of a large demand for SIGNALS this week, we printed an extra supply when our first side went to press; but since then orders for extra papers have been pouring upon us, and our edition is fully claimed before this side of the paper is printed. We have been forced to print, as a second edition, the four pages comprising the outside of this paper. Persons desiring copies of our "second edition" should secure them immediately.

It seems that Goderich, like many other towns and cities of Canada, is infested with a number of persons who engage in card-playing for money to a large extent. The vice has spread of late, and some stringent method will have to be resorted to to exterminate it. The matter has been brought to our attention by a letter from a gentleman who knows whereof he speaks and which we herewith insert, with the hope that it will act as a warning to all concerned.

NOTICE. The professional card-players of this town, are politely requested to engage a club room, for their nightly amusements, so as not to be an annoyance to others. Should it continue, their names will be published in full, for the enlightenment of the general public.

Huron Medical Association.

This association met at the Commercial Hotel, Clinton, on Tuesday, the 5th inst. There were present Drs. Graham and Holmes, Brussels; Campbell, Seafort; Taylor, Goderich; McDonald, Wingham; Sloan, Blyth; Stewart, Brucefield; and Williams and Worthington, Clinton; Sloan, President, in the chair. Dr. McDonald read a paper on stretching the sciatic nerve, with a case successfully treated. Dr. Stewart also described a case of the same kind successfully treated. The operation consists of cutting down upon the nerve, taking it up with the forceps, and lifting upon it two or three times to the extent of 30 or 40 lbs weight, and closing the wound and allowing it to heal. This is a new operation. Dr. Campbell showed a case of fibrous tumor with a rather interesting history. Dr. Graham showed a dilated stomach three times larger than it should be, and read an interesting account of the treatment of the case. These cases are rare. The President gave the history of a fatal case of placenta previa. The histories of several other similar cases were given by different members and the method of treatment. Dr. Graham also exhibited a specimen of impure blood under the microscope. Dr. Worthington showed a case of left lateral curvature of the spine treated by the plaster of Paris jacket and operation bars. These cases, which only a few years ago were incurable, sufferers therefrom dying a lingering and painful death, are now speedily and permanently curable, if properly treated. He also showed a case of necrosis of the thigh bone. The meeting was a very successful one, and many matters of interest were brought out. The next meeting is to be in Exeter in July next.

A Large Shipment of Reapers and Mowers.

It is a noticeable fact that the Toronto Reaper and Mower Co., have this season already shipped over one car load of their world renowned Reapers and Mowers to their agent, Mr. W. Downs, of Smith's Hill, the majority of which were distributed to purchasers on the fair day. This looks as if Mr. Downs intends a thriving business in these excellent machines, which have proved themselves worthy of the patronage of the Canadian farmers. The new mechanical gear, moving eleven cogs at each time, proved itself to be almost unwearable, and to all appearances would wear a life time. Do not fail to see the wonderful gear, as it is in itself a curiosity. The Toronto Reaper and Mower made a successful display of their machines in the fair grounds, as were represented by Mr. W. Downs, local agent of Smith's Hill, and Robt. Harmer, general agent for Central Ontario.

THE SPRING ASSIZES.

List of Cases—Proceedings at Court—The Outcome of the Trials.

Before the Honorable Mr. Justice Morrison. Monday, April 11th.

The Court opened by proclamation at 4 o'clock p.m., after which the following gentlemen were duly sworn in as the GRAND JURY: Joseph Evans, McKillop, foreman; William Coats, Clinton; Thomas Anderson, E. Wawanoosh; Lucius Carey, Goderich; John Colborne, Goderich; George Forrest, Sr., Stanley; Thomas Grievs, McKillop; Robt. L. Hunter, E. D. Ashfield; Horace Horton, Goderich; John Johnston, Hay; James Linklater, Morris; Duncan Livingstone, Morris; John Matheson, E. D. Ashfield; Donald McMurhie, Colborne; Thos. C. Naftal, Goderich; David Purvis, Goderich; Geo. Padfield, Howick; John Ryan, Stephen; David Richards, Osborne; John Salkeld, Goderich; Frederick Seagmiller, Goderich; Robert Scott, Hullett; Wm. Sprout, sr., Tuckersmith. After the appointing of Mr. Evans foreman, it was discovered that he was an enumerator, and being employed by Government was unable to attend to the duties of the position. He was therefore allowed to retire, and Mr. R. L. Hunter was appointed in his stead.

The following is a list of the civil cases brought forward: WITH JURY. Baird vs. Howick Mutual Insurance Co. Otto vs. Schwahn. Breckenridge vs. Cowan. Cowan vs. Breckenridge. McDougall vs. Powell. Fryfogel vs. Fleming. Leech vs. People's Cheese Co. Blashill vs. Wallace.

WITHOUT JURY. Elston vs. Manson. Exchange Bank vs. Hodgins et al. Exchange Bank vs. Oke. Second et al. vs. Walsh. Dominion Savings and Investment Society vs. Hodgins. Lynch et al. vs. Pattison.

ADDRESS TO THE GRAND JURY.

His Lordship, on rising to address the Grand Jury, said he was sorry to have to inform them that nine criminal cases would call for their attention. Unfortunately there were two of rape, which if proved against the prisoners charged, were liable to the penalty of death, but discretion was given the judge in such cases not to enforce that penalty, but to award other punishment to those found guilty. One of the cases which would come before them was, independent of rape, the atrocious crime of incest, but on that point he would trust them to their own judgment. With regard to the second case, it was alleged that the young woman interested was of infirm mind. In cases of this kind a great deal depended on the evidence of the witness. It was a crime which was not committed in the light of day, but was generally done in secret, with no witness of the act but the victim of the outrage. In the first instance the crime charged was a diabolical one, even if the girl was consenting party; for incest was a gross outrage in itself. In any case if the attempt had been made and failed, a crime had been committed. Rape was a peculiar crime and at times strange circumstances were connected with it. If the woman does not at once lodge information, but leaves it off for a time, doubts are liable to be thrown upon her testimony. If the woman is of mature years, and able to take care of herself, there may be a question as to her action, but if the victim is of tender years or not clothed in her right mind, there may be reasons for her conduct, such as fear, nervousness, or an ignorance of how to proceed in the matter. Mature years and judgment would induce an immediate information being given. Very frequently there was but one witness, a charge of rape, but an outcry and dishevelled apparel would be corroborative testimony. In the second case before you, if it was found that the woman was a consenting party, the case should not be allowed to go to the jury for the examination of such cases before the courts had a demoralizing tendency; but on the other hand if the case was positively sworn to, and the jury believed she was not a consenting party, even although the person laying the information was a prostitute, the testimony should not be thrown out, but the case should be sent for trial. Another case which would appear was one for forgery of a promissory note. Formerly this crime was considered a very serious one, but lately it had dropped in the scale of criminal charges. Then there was a case of perjury, a crime which was becoming more common than formerly. On this case it would be for the gentlemen of the jury to consider whether the crime had been maliciously committed, and if so, to send it for trial, but the mere fact of a man telling a lie in the witness box, if he did not knowingly do so, did not constitute perjury. It would require to prove perjury, at least two witnesses in addition to the prosecutor's oath, or instead of two additional witnesses, one witness and corroborative testimony equal to that of another witness. There were two cases of aggravated assault. If the party accused in either case was acting in self-defence, the offence could hardly be characterized as an assault. Two other cases of indecent assault would also come before them. The Legislature had taken action on this point, so as to distinguish it from assault with intent to commit rape. Then there was a case of fraud, and in this matter the law was very wide. If a man owes another money it did not constitute fraud unless the person who obtained it was proved to have been guilty of a fraudulent act in the getting of it. Generally speaking, grand juries had to depend on their common sense in determining questions of this kind. These constituted all the cases which would come before them. With regard to visiting the Gaol, it is not absolutely necessary that the Grand Jury should do so, as the Gaol is now employed inspectors whose duty it is to see that they were properly attended to.

THE CASES.

Second vs. Walsh—Action on covenant in lease. Verdict for plaintiff by consent, certificate for costs moved for and granted. Cameron, Holt and Cameron for plaintiff; Mr. M. Walsh for defendant. Court adjourned at 5 o'clock p.m. till 9 a.m. to-morrow.

FOURTH DAY.

Court opened at 9 a.m. pursuant to adjournment. Leech vs. People's Cheese Factory—This was an action brought by plaintiff for services as agent of said Company. Verdict for plaintiff by consent for \$300. Immediate execution applied for and granted. Messrs. Seager and Cameron for plaintiff; Garrow & Proudfoot for defendant. Breckenridge vs. Cowan—Action on waste committed to reality. Referred to a consent to Judge Tomes. Mr. H. W. C. Mayer for plaintiff; Malcomson and Wade for defendant. Cowan vs. Breckenridge—Action on waste to reality. Referred by consent to Judge Tomes. Malcomson and Wade for plaintiff; Breckenridge and Wade for defendant. Fryfogel vs. Fleming—Action on seduction. Verdict for plaintiff by consent for \$1600. Cameron, Holt and Cameron for plaintiff; Messrs. Cameron and Wade for defendant. Fryfogel vs. Fleming—This was an action for a breach of promise of marriage. The plaintiff, Mary Fryfogel, who lives with her father in Turnberry, is a charming brunette, and were it not for this action, no person would believe that it was necessary for her to invoke a court of justice, or engage the minions of the law in order to obtain damages for the loss of the loving embrace and protection of one of the "lords of creation," until "death did them part." Miss F., when in court on Wednesday, was very tastefully and becomingly dressed in black velvet, and wore a nicely trimmed hat that will go a long way to help her to posterity in the reputation of the "Gainsborough." To the most unobscuring it was noticeable that whilst in court during the trial she was a cynosure to the eye of every person who was not lost to every sense of beauty. A bachelor lawyer from an enterprising village in this county, who by the way, is engaged in no less than three important cases during the present assizes, on several occasions came near forgetting the interest of his clients in modestly gazing with a suppressed chuckle at the classic and refined features of the plaintiff. Whilst Mr. Garrow was, in his usual eloquent way, deprecating on the outrage that had been done to the delicate feelings and future hopes of his much injured client; a flame almost of fire seemed to flash from her lustrous and soft eyes, and her lips, which appeared "like lilies dipped in wine," were as motionless and as firmly set as those of Diana. When Mr. Cameron, in one of his greatest efforts, reminded the rejected lover that she was still in bloom, and womanhood, and in full possession of her every charm and attraction, her countenance did not betray her appreciation of his compliments. Nor did she, during the whole trial, lead any person to believe that she inherited any of the sympathies of "Niobe." The defendant is a "stalwart man of toil," who lives with his father adjoining plaintiff's residence, and did not during the trial look heavily as sweetly at Mary as he did in the tinny type which was produced in court. The jury concluded that \$250 should be the punishment to the defendant for having jilted the bright brunette. Unlike most cases of breach of promise, there was no charge of seduction in the matter, which perhaps, accounts for the lightness of the damages. Garrow & Proudfoot for plaintiff; Cameron, Holt & Cameron for defendant. The Grand Jury came into court with true bills in the following instances: William Rapson, for forgery, for false pretences, for uttering a forged note; Thomas Rolph for unlawfully wounding, "No bill" was returned against Robt. Thompson for unlawfully wounding. The Queen vs. William James Hall—The prisoner was charged with rape on Anne Maria Ewins, and the jury returned a verdict of "Not Guilty," and prisoner was discharged. Cameron, Holt & Cameron for defendant. The Queen vs. Matthias Thomas—Prisoner who was a farmer in Ashfield, was charged with committing rape on his daughter Alzona Thomas, particulars of which were given in The Signal a couple of weeks ago. The appearance of the victim, a mere child, in court, produced an effect even upon many who attended merely from prurient motives. A verdict of guilty was returned against the prisoner, and he was sentenced to ten years in the Provincial Penitentiary. The Queen vs. Wm. Rapson—The prisoner was arraigned for forgery and uttering, and pleaded guilty. He was sentenced to one month in the County Gaol from April 14, 1881. Court adjourned at 7.45 p.m. until 9 a.m. to-morrow.

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SECOND DAY.

Tuesday, April 12. Court opened at 9 a.m. pursuant to adjournment. The first case called was Baird vs. Howick Mutual Insurance Co.—This was an action on a policy of insurance. Plaintiff was insured in the Howick Mutual, and when his barn was destroyed by fire, the company took exception to the payment of the loss on the grounds (1) that the plaintiff when making his application had held back the fact that there was a mortgage on his property, and (2) that an over-estimate had been placed by him on the property insured. The case was tried at the last assizes, and a verdict was rendered for plaintiff for \$612.52. An application for a new trial was afterward made by Toronto by defendants, which was granted. Hence the re-opening of the case. Verdict for \$625. Cameron, Holt & Cameron for plaintiff, Malcomson and Wade for defendant.

THIRD DAY.

Wednesday April 13. McDougall vs. Powell—This was an action of seduction. The parties formerly resided in the township of Turnberry, and were neighbors, about five years ago McDougall moved to the County of Kent, and Powell went to visit them some twelve months since and seduced Isabella McDougall at her father's house. Verdict for plaintiff for \$600. Cameron, Holt & Cameron for plaintiff; Garrow & Proudfoot for defendant. Fryfogel vs. Fleming—This was an action for a breach of promise of marriage. The plaintiff, Mary Fryfogel, who lives with her father in Turnberry, is a charming brunette, and were it not for this action, no person would believe that it was necessary for her to invoke a court of justice, or engage the minions of the law in order to obtain damages for the loss of the loving embrace and protection of one of the "lords of creation," until "death did them part." Miss F., when in court on Wednesday, was very tastefully and becomingly dressed in black velvet, and wore a nicely trimmed hat that will go a long way to help her to posterity in the reputation of the "Gainsborough." To the most unobscuring it was noticeable that whilst in court during the trial she was a cynosure to the eye of every person who was not lost to every sense of beauty. A bachelor lawyer from an enterprising village in this county, who by the way, is engaged in no less than three important cases during the present assizes, on several occasions came near forgetting the interest of his clients in modestly gazing with a suppressed chuckle at the classic and refined features of the plaintiff. Whilst Mr. Garrow was, in his usual eloquent way, deprecating on the outrage that had been done to the delicate feelings and future hopes of his much injured client; a flame almost of fire seemed to flash from her lustrous and soft eyes, and her lips, which appeared "like lilies dipped in wine," were as motionless and as firmly set as those of Diana. When Mr. Cameron, in one of his greatest efforts, reminded the rejected lover that she was still in bloom, and womanhood, and in full possession of her every charm and attraction, her countenance did not betray her appreciation of his compliments. Nor did she, during the whole trial, lead any person to believe that she inherited any of the sympathies of "Niobe." The defendant is a "stalwart man of toil," who lives with his father adjoining plaintiff's residence, and did not during the trial look heavily as sweetly at Mary as he did in the tinny type which was produced in court. The jury concluded that \$250 should be the punishment to the defendant for having jilted the bright brunette. Unlike most cases of breach of promise, there was no charge of seduction in the matter, which perhaps, accounts for the lightness of the damages. Garrow & Proudfoot for plaintiff; Cameron, Holt & Cameron for defendant. The Grand Jury came into court with true bills in the following instances: William Rapson, for forgery, for false pretences, for uttering a forged note; Thomas Rolph for unlawfully wounding, "No bill" was returned against Robt. Thompson for unlawfully wounding. The Queen vs. William James Hall—The prisoner was charged with rape on Anne Maria Ewins, and the jury returned a verdict of "Not Guilty," and prisoner was discharged. Cameron, Holt & Cameron for defendant. The Queen vs. Matthias Thomas—Prisoner who was a farmer in Ashfield, was charged with committing rape on his daughter Alzona Thomas, particulars of which were given in The Signal a couple of weeks ago. The appearance of the victim, a mere child, in court, produced an effect even upon many who attended merely from prurient motives. A verdict of guilty was returned against the prisoner, and he was sentenced to ten years in the Provincial Penitentiary. The Queen vs. Wm. Rapson—The prisoner was arraigned for forgery and uttering, and pleaded guilty. He was sentenced to one month in the County Gaol from April 14, 1881. Court adjourned at 7.45 p.m. until 9 a.m. to-morrow.

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