

HALIFAX POLICE COURT.

STIPENDIARY MAGISTRATE MOTTON AND SOME FAMOUS CASES.

He Likes to Tell a Story—Lawyer always Question his Knowledge—His past Record Laid Bare—Speedy Trials are very Slow Ones in His Court.

HALIFAX, Nov. 16.—The police court of Halifax is a tribunal of justice where many "causes celebres" originate, and where a vast number of cases of mere local importance should be decided. He who occupies the bench is Robert Motton, Q. C.

His appointment, that of Stipendiary Magistrate for the city of Halifax, is vested in the provincial government. It is a very important matter that a thoroughly good man should occupy the position, but the present incumbent hardly fills the bill.

Indeed it is a notorious fact that he does not. Stipendiary Motton has been police magistrate for six years, and today he is less competent to perform his duties than when he was appointed. He is short, fat and hearty looking, with a pleasant countenance and shining bald head, and there is nothing Mr. Motton so enjoys as an opportunity to tell an anecdote no matter if he has told it before more than a score of times.

In all his history, lawyers always questioned Mr. Motton's knowledge of law, but before his present appointment he was invariably retained in criminal cases, and causes that were "off color," on account of his ability as a cross-examiner, and the excellent addresses he could make to a jury.

A business man he never was, hence his clientele was limited. Still everyone thought he would make an ideal police magistrate, for he had a great fund of human sympathy, and would judge lightly in respect to human frailty.

Later things have gone all wrong in his court, and many of the bar refuse to go near it for love or money. The case of Jarndyce vs. Jarndyce, they say, is nothing to the delays in the police court. Besides having civil jurisdiction in all actions of debt where the amount claimed does not exceed \$50, the police court is supposed to be a court for the "summary" disposal of causes, and the act under which it obtains jurisdiction is so headed. How the court fulfils its functions, or succeeds in not doing so, one or two instances will suffice to show.

The local legislature at its last session enacted heavy penalties against any one exposing deer or caribou for sale in the summer months, no matter where it was killed, and the council of the Nova Scotia game society wanted the act enforced. J. A. Leaman & Co., of this city, import venison largely from Newfoundland, and notwithstanding the act that firm exposed it for sale. The game society summoned them, and the case was tried before his honor, the Stipendiary, in July last.

The council of the game society is composed of twelve of the best citizens of Halifax. They engaged Harrington, Q. C., to prosecute. Leaman & Co.'s counsel admitted the sale of the prohibited venison, but said the sale was ultra vires, and that they were prepared to certify if the magistrate's judgment was adverse. Both parties wanted their rights determined.

From the day of the trial, five months ago, to the present, no judgment has been given. The game society intend having the matter brought to the notice of the government at an early day, and a madder body of men than the council it is hard to find.

In September the famous assault case of Fleming vs. Dunn was tried. Dunn is a policeman at the I. C. R. depot in Halifax, and Fleming is a cabbie. They got into a row and all the cabmen, being down on Dunn, backed Fleming. The government came to Dunn's assistance, and Borden, Q. C., took charge of the case instead of leaving it to any of his juniors. The cause was adjourned for judgment about six times in succession, and at last nobody interested went near the court.

When the last adjournment was made everybody knew that the only judgment that would be given would be: "This cause is further adjourned until this day week." It is expected nothing more will ever be heard of the matter.

Such is the way criminal cases are conducted under "summary convictions. The power of adjournment in preliminary inquiries is more flagrantly abused. Last spring a woman accused of shop-lifting was remanded for judgment for about two months. She was brought down from jail every week, vainly expecting that she would either be acquitted or committed for trial, but with the only result that she was sent back to jail, "the court wishing to consider." She was at last sent up and elected to be tried under the "speedy trials act." She proved her innocence at once.

The woman was poor, her husband was at sea, and she had no friends. But was she not entitled to a "speedy trial?"

The list of civil causes held over for judgment is appalling, and exceeds in number those in the supreme court of the United States. The bar now allege that the magistrate has forgotten the little law he once knew.

Not long ago, in a civil cause, one of the lawyers put in the examination of a witness taken under commission. While reading this evidence he was stopped and asked to read slower. To the horror and amazement of the bar present it was discovered that the magistrate was taking down the

evidence as read. The lawyer explained to him that what he was reading was already on the files of the court, and the original would be left there. The amazement increased when the magistrate said in chilling tones: "The court, Mr. Sedgwick, you will be good enough to understand, prefers to take its own record of the examination of witnesses. Read on."

The dignity of the court is a thing of the past. One mild-mannered young man had been fortunate enough to get a judgment and gave notice to his opponent to tax costs. The lawyer who lost did not want costs taxed, so that judgment would be entered up, and asked for delay. The magistrate properly said he would tax. The lawyer then said, "If you dare tax that bill of costs I will open up your past record." The only reply was, in a pleading voice, "You ought not to talk to me in that way."

The costs have not been taxed to this day. There is scarcely a judgment that is correct, and the violators of the liquor license act used to come down when they were caught; confess and pay up to save costs and the publicity of a trial. Now they fight even when they are caught red-handed. Under the act if a man is fined these times he loses his license. The magistrate had a case of this nature before him, and instead of convicting the man of an offense, solemnly adjudged and decreed that his license be forfeited, and imposed no penalty. Of course the higher court quashed the order on sight.

The question is, how long is this going to last? The government do not wish to take the initiative, as the appointment is during good conduct. Unless some complaint is formulated, the bar, with their usual cohesiveness, will not do anything. Many of them say, that if they complain, every one will think they want the position for themselves. The city council would willingly consent to an act retiring Stipendiary Motton with a pension of \$1,000, but it is a delicate matter to approach a man and tell him "his usefulness is gone," and he must make way for some person who will finish what comes before him.

THE CHURCH SCHOOL FOR GIRLS. An Institution That Has Met With Great Favor and Success.

This Institution is attracting wide spreading notice. Church of England organs, of all shades and turns of thought are praising its management and wishing it God-speed. The November number of the Canadian Mission News says, "if there is a charming place on earth it is the Church School for Girls at Windsor, Nova Scotia," and the genial editor who has recently visited "Edgehill," in a spirit of wholesome admiration tells his readers that "one goes away from the Institution feeling that he is better in every way for having seen it."

"Such schools for Girls are wise Institutions, which the Church ought to favor and support in every way."

The Canadian Churchman on the 9th of Nov. states that the Bishop (of Algoma) was taken over to the Church School for girls in Windsor, and expressed himself as very much surprised and pleased to find in the far east so perfectly equipped an Institution for the education of church girls, situated upon so charming a site. "The school buildings can fearlessly compete with any extant schools in the Dominion for comfort, conveniences, and beauty of scenery. Miss Machin whose successful private school in Quebec city won her a reputation second to none, is the painstaking and indefatigable Lady Principal."

The Church Guardian, of the 1st instant, reviews the recent annual reports of the trustees and directors, and says:—"This Church Institution furnishes a remarkable illustration of what may be done by churchmen and churchwomen in the brief period of three years." The Guardian points to one of the causes of the success of this school, which it is well to transcribe in the words of the notice.

"During the past academical year 81 pupils have attended the school, of whom 61 were boarders. The school opens this year with boarders 65 and a staff of 13 Governesses and Instructors. The Lady Principal, Miss Machin, was sent to England by the Trustees in July last, to select competent English Governesses for Pianoforte, Voice Culture, Drawing, Painting and Critical English Literature. This selection the Trustees say has been admirably made. A notable feature in the Church School is the Physical Training including deportment, manners, and the proper pronunciation of our expressive English tongue. It is a great advantage to have taught in our ladies' school not merely grammatical English, but English properly pronounced, without twang or undue inflexion. The chairman of the Board of Trustees is Bishop Courtney, whose linguistic facilities every one knows."

Handsome buildings and well appointed grounds are very desirable, but the one thing needful is well trained English governesses under an experienced and thoroughly just Lady Principal. This is what "Edgehill," according to all accounts, means to maintain. The large attendance of pupils enables the Trustees to do this.

The terms are lower, it is said, than any similar Institution in the Dominion, but it is the generous and increasing patronage extended to the School, which enables the Trustees to meet the large outlay involved, and each year secure a small but gratifying surplus. And so it will continue as long as the school does its work well and merits the support and praise it has won.



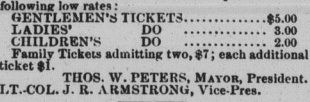
MILLINERY in the latest style. CHAS. K. CAMERON & CO., 77 King St.



VICTORIA SKATING RINK. SEASON 1893-94. The Directors beg to announce that the old Victoria Skating Rink will be reopened for the season to subscribers just as soon as the weather will permit of making ice. The building is now undergoing extensive repairs, and after being repaired and newly furnished throughout will present an inviting and attractive appearance. One of our leading local bands will furnish music on Tuesday and Thursday evenings, and Saturday afternoons. Carnivals, Hockey Matches, Skating Races, and Fancy Skating Competitions will be held during the season, and extra novelties and attractions have been arranged for, as the directors intend to spare neither trouble nor expense to retain the popularity of the old Victoria. Large sleighs will be provided every hand night to convey subscribers from the King Square to the rink FREE, starting every 5 minutes between 7.30 and 8.15 p.m.

Tickets for the season have been placed at the following low rates: GENTLEMEN'S TICKETS, \$5.00; LADIES' DO, 3.00; CHILDREN'S DO, 2.00; Family Tickets admitting two, \$7; each additional ticket \$1. THOS. W. PETERS, Mayor, President. LT.-COL. J. R. ARMSTRONG, Vice-Pres.

HONORARY DIRECTORS: Geo. K. McLeod, S. S. DeForest, Arthur W. Adams, Chas. F. Harrison, Edwin Peters, Fred C. Jones, W. S. Barker, Temple G. Bently, Gerard, C. W. Hope Grant, A. O. Skinner. FRANK L. PETERS, Secretary.



Boas, Muffs, Capes and small furs in great variety. FO LADIES' AND GENTS' WEAR. THORNE BROS., 93 KING ST.

A VOICE FROM HALIFAX. A Lady Cured by Hawker's Remedies When All Others Failed.

A Well-known Druggist Adds His Testimony to Hers.

Mrs. John S. Holsted, of Halifax, having received wonderful benefit from the use of the Hawker remedies, cheerfully gave the following testimonial for publication: HALIFAX, Oct. 21st, 1893. I have been greatly benefited by the use of Hawker's Nerve and Stomach Tonic and Hawker's Liver Pills. I can cheerfully recommend them as a superior medicine for nerve and stomach trouble. My case was a very severe one of long standing. I had tried doctors' medicines and some patent remedies with poor results before using Hawker's.

M. HOLSTED, 37 Brunswick St., Halifax.

H. W. Cameron the well-known dispensing chemist at 219 1/2 Brunswick St., Halifax, writes as follows: "I am pleased to state that Mrs. Holsted informed me of the remarkable results produced in her case by The Hawker Medicine Co.'s preparation. Voluntas learned treatises on causes, symptoms and cures could not add anything to the force with which these simple statements appeal to every sufferer from nerve or stomach trouble."

HAWKER'S NERVE AND STOMACH TONIC is a perfect blood and flesh builder, and nerve and brain invigorator, as well as a reliable aid to digestion. Price 50 Cents a bottle, 6 bottles \$2.50. For sale by all druggists and dealers. If you are weak and run down try this great health restorer.

The best place to buy Candy is at the 20th Century Kandy Kitchen, 12 Charlotte Street.

INSTRUCTION. MOUNT ALLISON ACADEMY COMMERCIAL COLLEGE, Sackville. General Elementary Education. Preparation for Matriculation. Complete Commercial Course. Next term begins Jan. 4th, 1894. Students are admitted any time. Write for Calendar to C. W. HARRISON, M. A., PRINCIPAL.

ST. JOHN ESTD 1867 Business and SHORTHAND INSTITUTE. COLLEGE. WE are filling up very rapidly and have now a much larger attendance than we have ever had at this time of the year. Now is a grand time to enter. No need of waiting till after New Year's. We have only one week's Christmas vacation, and that is made up to the student. New Calendar (1893-4) and samples of Penmanship mailed free to any address. Kerr's Bookkeeping, \$1, and our celebrated Business College Pen \$1 per gross, mailed on receipt of price. KEHR & FRINGLE, St. John, N. B.

MRS. R. P. PORTEOUS, (Frances Franklin) of London. Winner of Madame Sainton Dolby's Vocal Scholarship for Great Britain. Mrs. Porteous is prepared to receive pupils for lessons in the art of singing and advanced pupils for the pianoforte. Gracioso and ballad singing. Communications to PETERSEN'S MUSIC STORE, King Street, or HOTEL STANLEY, King Square.

ELOCUTION ON PRINCIPLES OF DELSARTE, TAUGHT BY MISS INA S. BROWN, Graduate Boston School of Oratory. The Morley Ladies' College, 84 Princess Street. Open for Concert Engagements. ST. JOHN CONSERVATORY OF MUSIC AND ELOCUTION. 158 Prince William St. Boarding and Day School. A thorough course given in Piano, Harmony, etc., Violin, Singing, Elocution, English, French and German, Organ, and Music. M. S. WHITMAN, Director.

TRUSTEE'S SALE Of Handsome Hotel Furniture, Piano, etc., by Auction. I AM instructed by C. A. Stockton, Esq., trustee estate F. A. Jones, Esq., to sell by auction at Hotel Dufferin, commencing TUESDAY, 14th inst., at 10 o'clock a.m. All the large Stoves, Furnace and Effects contained therein and comprising: One Upright Bourne Piano, one large Moose-Head, Handsome Mahogany Parlor Suite, Walnut, Mahogany and Ash Bedroom sets, Ebony cabinet, French Clock, Plate Glass Mantle Mirror, Pier Glass and Slab, Folding Beds, Mahogany, Walnut and Ash Wardrobes, Lace Curtains and Pole, Hair Mattresses, Wire Springs, Pillows, Blankets, Quilt, Sheets, etc., Extension Dining Tables, Dining Chairs, Walnut Sideboard, Card, Centre and other Tables, Glass, S. P. Ware, and Crockery in large variety, 1 large Fireproof Safe, Office furniture, Hotel Range and Kitchen Utensils. Nov 9 GEORGE W. GEROW, Auctioneer.

HARCOURT GROCERY, AND HOUSE FURNISHING EMPORIUM, Established 1890. Groceries in every line. Fruits, green and dried, Confectionery, twenty varieties, Biscuits from the best makers in Canada. SCHOOL BOOKS, STATIONERY, FANCY GOODS, PATENT MEDICINES.

THE LARGEST assortment of House furnishing goods in tin ware, glassware and sundries, ever offered by any establishment in Harcourt. These goods are being bought on the most favorable terms, and will be sold at prices that defy competition. The highest prices paid for poultry, eggs, and country produce. Mrs. S. J. LIVINGSTON. Appointments can be obtained on these premises a few hours after publication. SPECTACLES, EYE GLASSES, OPERA GLASSES, CLOCKS AND BRONZES, SILVER GOODS, JEWELLERY, WATCHES AND DIAMONDS, AT 43 KING ST., FERGUSON & PAGE.

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W. A. MACLAUGHLAN, Agent, 56 DOCK STREET, - ST. JOHN, N. B. EXCHANGE LIBRARY. To be continued as usual, CATALOGUE in press and will be issued in a few days. Bring any book in good condition along to EXCHANGE for 5 Cents. NOVELTY BAZAAR! CHRISTMAS is coming and near at hand, we wish to call the attention of the public to our large stock of English, German, American, and Canadian NOVELTIES.

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John Edgcombe & Sons, Fredericton. BARGAINS IN HORSES AND CARRIAGES. Messrs. Edgcombe & Sons, of Fredericton, announce that they have the following horses and carriages for sale. 3 Shetland ponies with carriages, harness, etc., complete; one St. Charles colt, 4 years old, bay, and good stock of 18 brand new carriages to be sold at 25 per cent less than usual prices, phaetons, Gladstones, Concordes, Piano boxes, Cornish top buggies. All different styles of open and closed carriages at 50 per cent less than usual prices.