and contractor. He was busy out of doors all day long, and was wont at night, at home, to write his letters, make up his estimates, take out his quantities, and make intricate calculations requiring close mental application. He had no trouble with his work until the days of General Booth's revival; then the Army came to a building near by and with their "melodious din" so disturbed him that he made a number of serious mistakes. So to do right he had to wait until they ceased, and as the valiant soldiers were at it vigorously from 6 p.m. to 10 p.m or 11 p.m., with cornet, flute, harp, sackbut, psaltery, dulcimer, and all kinds of music—no, no, we mean with their cornets, tambourines, fifes, accordeons, and drums, shouts of "Amen!" and hallelujah choruses and stamping—if he waited until they left he had to sit up into the wee sma' hours, and thus lost much of his natural rest. The outside rabble by their conduct and their language added to the babel, or bedlam, sounds. The court enjoined this sort of thing, with one shilling damages (28 Alb. L.J. 322). How can one expect musical experts in a country where there are such judges!

On this side of the Atlantic we do better. Bella Nunn (as valiant a leader of armies as was the most illustrious member of her family) was convicted for beating a drum on a public street in London, Ont., contrary to a by-law of that city; but she was discharged by Rose, J., on appeal. The judge held that under 47 Vict. (O.), c. 32, s. 13, s-s. 12, the by-law was *ultra vires* in seeking to prohibit the beating of drums simply without evidence of the noise being unusual, or calculated to disturb the inhabitants. The evidence was of playing a drum, and his lordship asked, anxiously, "Am I judicially to know that beating a drum and playing a drum are the same?" (*Reg.* v. *Nunn*, 10 Ont. P.R. 395.)

The Supreme Court of Michigan held that an ordinance of the city of Grand Rapids, which provided that "no person or persons, association or organization, shall march, parade, ride, or drive, in or upon or through the public streets of the city, with musical instruments, banners, flags, torches, flambeaux, or while singing or shouting, without having first obtained the consent of the mayor or common council of the city," was unreasonable and invalid; and members of the Salvation Army who were arrested for having paraded contrary to the ordinance were discharged. The learned judge made the following remarks: "It has been customary from time immemorial, in all free countries, and in most civilized countries, for people who are assembled for common purposes to parade together, by day or reasonable hours at night, with banners and other paraphernalia, and with music of various kinds . . . These processions are a natural product and exponent of common aims, and valuable factors in furthering them." (*Frazee's* case, 35 Alb. L.J. 6.) In cultivated Boston, however, the cornet player in a Salvation Army was held to be an "itinerant musician" and so bound to take out a license before he blew, although he claimed that his playing was done as a matter of religious worship only, using for man's sins "antidotes of medicated music." (*Com.* v. *Plaisted*, 39 Alb. L.J. 237.)

The North Carolinian judge in the great case of *The State* v. *Linkhaw* (69 N.C. 214) would not stop the well-intentioned but laughter-stirring efforts of a worthy church member to worship God in a service of song. The judges in that