

HIS HONOR, giving judgment upon the objections of law, said, three objections had been raised, first, that there was no legal proof of the age of the child. He had intimated yesterday that he was inclined to let the evidence, such as it was, go to the jury. It had been argued that what the mother or father told any one was merely secondary and hearsay evidence. After further consideration he was still of opinion that it should go to jury, though the evidence was certainly very unsatisfactory on this point. As to the second point raised, that the guardianship had not been proved, His Honor thought the evidence had established a sufficient guardianship to bring it under the statute. The third point was that there was no evidence of any facts constituting in law a taking of the child out of the possession of her guardian. Mr. Hollis, as secretary of the Society for the Protection of Women and Children, had brought the child from the house of Mr. Higgins in Côte St. Paul to Montreal. Here he might remark that this Society had no more rights than an individual, and no matter how philanthropic and benevolent its object might be, it had to carry out that object by the means which the law furnished. So that it would be no excuse or justification for Mr. Hollis' act that he acted as Secretary of this Society. But what the evidence showed was that the child had of her own accord left Mrs. Duffy's house and had been found in the hayloft or barn of Mr. Morrison, a neighbour, in a starving condition, protesting that she would not return to Mrs. Duffy. It would have been simply inhuman for Mr. Morrison to turn the child out. He did what was right and benevolent, gave the child some food. The child was taken to Mr. Higgins' house, and he had done no more than a benevolent man ought to have done. She had remained more than twenty-four hours in Morrison's barn and more than twenty-four hours in Mr. Higgins' before Mr. Hollis saw her at all. As to the evidence of ill-treatment, it had been excluded as having nothing to do with the case. On the day following the taking of the child to town, Mr. Hollis had shown his absolute good faith by taking the child before the Police Magistrate. On the whole, His Honor was of opinion that there was no

evidence to give the jury of any taking out of the possession, and therefore on the third point raised would direct the jury to acquit the accused.

Owing to the absence of one of the jurors a new jury was sworn in, and under the direction of the Court returned a verdict of "not guilty," and Mr. Hollis was discharged.

Mr. Davidson produced a letter from the child's mother urging that she should be returned to England, as she was now well able to take care of her.

The CHIEF JUSTICE said that he had no jurisdiction to make any order in the case, but that he would hear what the child herself had to say.

The child came forward and said she was between sixteen and seventeen years old now, and that she wanted to go to her mother in England.

The CHIEF JUSTICE said that all he could do was to advise the child to return home to her mother with her uncle, Mr. Foster, and the case thus terminated.

*C. P. Davidson, Q. C., and E. Guerin* for the prosecution.

*R. C. Smith* for the defence.

#### LONDON LETTER.

The uncertainty which has pervaded political circles during the last few weeks has partly communicated itself to the halls of justice, where for many days it was absolute mystery to whom the Queen would entrust her conscience, or who would fill the vacant posts of Attorney and Solicitor General. It was by many, indeed, supposed that the capacious form of Sir William Brett, Master of the Rolls, would occupy the wooolsack and marble chair, and his great legal abilities would certainly have been some pledge of his efficiency in that high station, but the elevation of Sir Hardinge Giffard to the post of Chancellor has, on the whole, given satisfaction to the profession and to the public. His appointment, indeed, marks a kind of deviation; for Lord Halsbury, unlike his predecessors, Lord Selbourne, Lord Cairns and Lord Hatherley, has chiefly practised the common law, and his squat figure and genial manners are still very vividly remembered at the old Bailey. As an advocate he had few equals; never was