

*The Legal News.*

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*LORD COLERIDGE'S VISIT.*

The Chief Justice, it is understood, has left in the hands of the N. Y. State Bar Association the arrangement of his appointments and acceptances. The Committee of arrangements have already accepted on his behalf the invitation of the Governor of Massachusetts for the 4th and 5th of September, and from Boston the party go directly either to Fredericton or Quebec, that being a point left to be decided by Lord Coleridge's old friend the Lord Bishop of Fredericton. From Quebec they expect to go to Montreal, Ottawa, and Toronto, where the bench and bar have tendered a banquet. The party are expected to reach Toronto somewhere between the 11th and 15th of September. The party accompanying his Lordship to America, consist of his son, as his secretary, with Sir James Hannen and Charles Russell, M. P. for Dundalk, Ireland. They are expected to arrive by White Star S. S. Celtic about 23rd August.

*NUISANCE.*

The members of the "Salvation Army" have come into conflict with the police in London, Ont., and thus far have fared worse than they did in England (5 L. N. 265). A youth named Ward, a drummer in the Army, was brought before the Police Magistrate, charged with beating a drum on the public street and making an unusual noise, to the disturbance of the people. Several witnesses testified to the drumming, after which counsel addressed the Magistrate. Mr. Macdonald, for the defendant, admitted the beating of the drum; he claimed that it could not be brought under the scope of the by-law, as nearly every band that went through the city had drums and were making a noise, and this beating of drums could not be tortured into a breach of the by-law. Mr. R. M. Meredith for the city, maintained that the noise was an unusual one, and quoted from the statutes to show that the city had authority to prevent this noise as a nuisance. He asked that the army should be required to give sureties not to repeat the offence. His Worship expressed the opin-

ion that the case came within the by-law and that it was an unusual noise. The beating of a drum in a military procession was not unusual, but the beating of drums was an unusual noise to call people to church. He did not propose to impose a heavy fine, and would, therefore, make it in this instance \$5 or one week in gaol, hoping the noise would be stopped in future. It clearly came within the meaning of the by-law. He had a great respect for these people in many ways, but he thought this was unusual.

The trial terminated as follows:

Capt. SHIRLEY—"My brother can't pay it; it is for Jesus, and we can't pay."

Chief WILLIAMS—"Oh, that is all right. The fine will be collected by execution after four days, and in default he will go to gaol for a week."

Capt. SHIRLEY—"Thank the Lord." (To the prisoner) "Jim, don't you pay it, if you have to rot in gaol."

At a subsequent date similar proceedings were taken against other members of the Army, and "Capt." Shirley was fined \$5 or one day in gaol, and Addie Ann Parson \$10 or one week in gaol, for playing flutes, drums and trumpets on the streets contrary to the by-law prohibiting unusual noises.

*ESCHEAT.*

The Judicial Committee of the Privy Council have given judgment in the *Mercer* case in favour of the Province of Ontario, thus settling the important principle that it is the Provincial and not the Dominion Government which succeeds to the estates of persons dying intestate and without heirs. The case arose out of the death in 1871 of the late Andrew Mercer, who died intestate and without heirs, and left a large amount of real estate. The property was taken possession of by the late Attorney-General Macdonald on behalf of the Province, but every facility was, during an interval of several years, afforded to claimants in Canada and England to make good their allegations of relationship to the deceased. Amongst them was one who claimed to be his son, but who was unable to establish his legitimacy to the satisfaction of the Courts.

In the absence of heirs-at-law the real property left by Mr. Mercer at his death escheated to the Crown, and in 1878 application was made by the Attorney-General of Ontario, representing the Crown, to the Court of Chancery, for an