

under the Nova Scotia Collection act was quashed for want of jurisdiction in the commissioner to issue the same. Mr. Roscoe, K. C., made a lengthy and ingenious argument on behalf of his clients to the effect that parliament intended by the amendment of 1888 to make a search warrant an original proceeding just like a search warrant for theft, and not merely a process in aid, and supported his contention by citing very many authorities, and asked the court to over-rule a considered judgment in the Queen and Hulbert of ten years ago in a similar case. At the conclusion of the argument the court intimated that the case had been a very carefully and elaborately argued one on both sides, and said that a decision would be given at a very early date.

#### MAY APPEAL TO PRIVY-COUNCIL.

It is Mr. Townsend's intention to sue the magistrates at once for some \$5,000 for trespass to his hotel, and the destruction of his property, under these bad warrants, and if he meets with an adverse decision in our courts in Nova Scotia he has decided to appeal direct to the privy council and settle the law on the question once for all. Influential dealers in the trade have announced their intention of standing behind him.

## Few and Simple

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ed and whether he will get his money back or not may be a question.

James Hutchinson tells a story which may have an important bearing on the facts connected with the crime. He says that Cavanagh had told him that he had presented a ten dollar bill to Harvie and asked him for change. The old man went down to the cellar to get the change. Next day he asked him to change a five dollar bill, and again Harvie went down to the cellar for the smaller money. Hutchinson's idea is that Cavanagh concluded that the old man kept all his money and a lot of it in the cellar and that it was worth looking for. So he took the first opportunity to make a search. Harvie came in when he was thus engaged. A fight followed and Harvie was murdered.

Everybody, however, believes that the killing took place on Friday night, as previously described, and that the murderer was Cavanagh, alias Stanley, and that it was not the result of a fight but of a cowardly blow in the back, followed by a succession of stabs. After Harvie had been killed, the head was sawed off, the prelimin-

ary step towards a complete dismemberment and concealment of the body.

#### THAT SPANISH COIN.

In connection with the Spanish coin which has been procured from the Fishers, who state they got it from Cavanagh, it is somewhat curious that coins of the very same character were discovered four years ago while excavating the foundation of the ruins of the old Bourinot house at Sydney, Cape Breton. A large number of these coins were found, and their circulation as souvenirs became quite general. It would be interesting to know whether this coin forms one of that collection or not.

#### WAS NOT A PASSENGER.

Cavanagh says he came to this country on the Allan line steamer Siberian on her last trip to Halifax. This was on December 20th. An examination of the passenger list of that date shows no such name as that of George Stanley, or either that of Cavanagh. The only male passenger's name on the list is that of John Ryan, a laborer, aged 33 years, and whose home was in Liverpool. It is perhaps strange that the description of this man Ryan resembles that of Cavanagh very strongly. It is not known where Ryan went after landing at Halifax, but it is now thought by some that Ryan and Cavanagh are one and the same person.

#### BACK FROM HAVANA.

The VanHornes Had Been Looking Over the Cuban Railroads.

NEW YORK, February 7.—Sir William VanHorne, his son, R. VanHorne, and J. Todd, all of whom are interested in Cuban railroads, arrived here to-day from Havana on the steamer Monterey.

#### ALONG THE WATERFRONT.

The steamer Briardene which was to have sailed to-day for Manchester, will not get away before Friday, she having to effect some repairs to her steering gear.

The steamer Caribbee, which arrived yesterday morning from the West Indies, is discharging her cargo of sugar at the Woodside refinery, Dartmouth.

The Pickford and Black line steamer Beta left Bermuda at one o'clock yesterday afternoon, and is due in Halifax Saturday night.

The steamer Caribbee sails to-day for St. John. She will come back here on Monday and load cargo for the West Indies.

The Pickford and Black line steamer Ocamo is due in Bermuda to-day from Halifax.

The Pickford and Black line