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ELEVENTH YEAR. THURSDAY MORNING, MARCH 6, 1890. ONE CENT.

DEVIL-MAY-CARE

But His Face Is Blanched and Tired.

MOUNTAIN PEAKS OF EVIDENCE.

Accusing Facts Piled up Against Burchell—The Letters and Documents Found in His Trunks—Benwell's Keys and Papers in the Prisoner's Possession—The Pocket Scissors—The "Missing" Letter That Was Never Written—The Swamp of Death—Burchell Remanded for a Week—Mrs. Burchell Pleads Not Guilty.

ALTHOUGH the principal scene of action in the great Benwell murder mystery has been going on at an important point on their frontier for a number of days, it is only now that the American journals are discovering that it is one of the most remarkable criminal cases ever presented to modern newspaper readers. Yesterday some of the New York papers devoted three columns to it and they were asking for more. Much additional and sensational evidence was forthcoming at Magistrate Hill's investigation yesterday, which has now been adjourned until next Wednesday. Coroner McLay's inquest will be reopened at Princeton to-morrow, but it is not expected that there will be any clash between his investigation and that of Magistrate Hill's.

COOL AS AN ICICLE.

A Pen-Picture of Burchell Damaging Admissions and Denials.

NIAGARA FALLS, Ont., March 5.—Police Magistrate Hill resumed the Burchell examination at 10 o'clock this morning. People began to gather around the Court House an hour earlier, and when the doors were opened three times as many as the room would hold were surging about the building and rushed wildly for the entrance. Those that could not get in were satisfied to stand outside in the cold and to listen to the meagre news that their friends brought out from time to time during the progress of the examination.

The prisoner was conducted to the prisoner's chair by Officer McMicking, every eye in the room scanning him from head to foot. He did not outwardly show any signs of the trepidation that one would expect in one under the awful charge resting upon him. He was apparently the most collected and coolest individual connected with the whole affair and at times a smile would flash across his now blanched and tired face as some odd or laughable remark would fall from the young Englishman's lips as he told how the prisoner duped him in telling of the far-off green fields to which he was taking him.

Burchell is an exquisite personage, with pointed patent-leather shoes and well-kept finger nails. If the instep and the hands are the true insignia of blue blood then Burchell's blood must be of the bluest. His finger nails are the index to his carefully-cultivated personal appearance. They are carefully kept, brilliant as sea shells and the half-moons display themselves to perfection. It is little farming that they have seen, for the flesh upon them apparently is soft as a girl's. Burchell stands about 5 feet 9½ inches in his stockings. Silk stockings they are, too, and he is supple, clean cut and well built. His hair is dark as the raven's wing and cut in the latest mode. His forehead is broad and low, and his lip is covered with a light mustache of the same hue as his hair. The nose is as delicate as a cameo and from above it gleam a pair of steel-blue eyes which flash out furtive glances, but reveal no workings of the mind behind. It is a handsome face, but impenetrable.

He was dressed in a fashionable suit of English tweed, from one pocket of which the corner of an embroidered handkerchief suggested that Mr. Burchell liked not only royal purple, but fine linen as well.

Pelley Resumes His Story.

The first witness called this morning was young Pelley. He was cross-examined, verifying his statement made yesterday and adding some new facts. He said: "The prisoner told me he had been out on several occasions for the last six or eight years, and mentioned to me on board the steamer a place called Pine Pond near his place of business and said that it was a delightful place for a picnic and we would drive out four-in-hand when summer came around. Burchell also mentioned a place called Drumbo. He said it was looked upon as the most awful place in America and related a conversation that he had heard between a drunken man on a train and the conductor. The conductor having asked the man where he was going, the man said 'to hell,' and the conductor replied: 'Well, I will put you off at Drumbo.'

"Burchell said he came into possession of the farm at Niagara Falls by the man he had been working for dying, and he bought it at his death. He told me his father had been a clergyman in England but was dead, and left himself and brother, who, he said, was in Manitoba, very well off. He said his brother had been in company with him, but not liking the horse business sold his interest to him and went to Manitoba. He told me within the last few days that Benwell took his revolver from him. Mrs. Birchell told me that Mr. Burchell's mother lived in England and traveled about. Burchell told me that he had never been up to Princeton but he knew Paris was the nearest station to where the murder was committed.

"While in the Metropolitan Hotel in New York I heard Mrs. Burchell ask the prisoner if he saw Mr. Pickthall come down stairs. He said 'No, you must be mistaken.' She said, 'No, I am not.' I on one occasion asked him where his stock of horses were. He said they were safely housed in Toronto and told me he had ridden a horse in a race only open to Canadian full breds and won. Mrs. Burchell told me that Mr. Burchell told her that Benwell when identified by him was dressed in different clothing than what he went away in. She also told me the place around Pine Pond was infested with tramps, and no doubt they had stripped him and replaced the ones he was found in, and that a lady living there had saved her life more than once with a gun she had constantly in her house."

Found in Burchell's Trunk.

The next witness was Detective Murray. He submitted the result of his search of the prisoner's person and baggage and produced the keys belonging to Benwell's baggage and the bonded invoice of the two pieces of baggage which were supposed to have been in the possession of Benwell at the time of the murder. Also a certificate showing that the prisoner was married to his present wife by registrar. Also these letters from his victims:

22 PORCHESTER GARDENS, BAYSWATER W.,
Jan. 3, 1890.

Dear Mr. Burchell: I received your letter forwarded to Cheltenham last night. We return to-morrow, to which please send your reply and kindly let me know when you want to take the tickets and I will send you a check immediately for the amount. I must say I should like to know as soon as possible, if not the exact date of departures, as near as possible, that I may know what time I have at my disposal. Your last meeting you said you would probably see between the 18th and 25th insts. It appears we cannot go by Inman line between those dates unless by the City of Richmond, which you seemed to think an undesirable boat. Now the only other Inman vessels sailing this month are those on the 16th. I conclude is out of the question, and the City of Berlin on the 29th inst. With kind regards to Mrs. Burchell, Yours sincerely,

To J. R. Burchell, Esq. F. C. BENWELL.

From the Victim's Father.

20 PORCHESTER GARDENS,
BAYSWATER W., Dec. 10, 1889.

Dear Sir: On consideration I have decided not to write to Mr. Mellerish as I don't think it necessary, especially as my son will have the opportunity of judging for himself when he goes out to your place. I will be glad to have the earliest intimation when you have quite fixed the exact date of departure. Yours truly,

To J. R. Burchell, Esq. F. W. BENWELL.

ISEULTDENE, CHELTENHAM,
Feb. 3, 1890, 5.30 p.m.

Dear Mr. Burchell: Your telegram has just came and as my son is out I write to say that as we do not know what arrangements you are making for meeting him en route to Liverpool it is advisable you should know where to find him in case you miss each other, and therefore if this should happen and he has to start to-morrow he will go to the Grand Hotel, Lime-street. We hope, however, that your letter now on its way to us will contain full instructions. I may add that my son has sent directions by this evening's post to the Midland Railway goods superintendent in Liverpool to put his heavy baggage on board the Britannic to-morrow. Yours truly in haste,

J. W. BENWELL.

WALDEN PLACE, SAFFRON, WALDEN,
Jan. 16, 1890.

MY DEAR BURCHELL: I enclose agreement signed and also a check for £170. I was away for a night, which will explain why I have not written before and also why I did not answer your wire till so late, as I only got it on my arrival home this afternoon. I must post at once as it is late.

Yours very sincerely,
DOUGLASS R. PELLEY.

Burchell's Agreement with Pelley.

Memo of agreement made this 14th day of January, 1890, between D. R. Pelley of Walden-place, Saffron, Walden, on the one part, and J. R. Burchell of Niagara Falls, Ont., Canada, on the other part, to the effect that the said D. R. Pelley agrees to reside with the said J. R. Burchell and to assist him to the best of his ability in the discharge of the said J. R. Burchell's business for the space of one year from the date of this agreement. Also the said D. R. Pelley agrees to pay the sum of £170, to be invested by the said J. R. Burchell in his business, such sum to be returned together with interest at the rate of 5 per centum per annum in the event of the said D. R. Pelley not electing to stay longer than one year; the considerations received by the said D. R. Pelley being board and lodging, household necessaries and extras, use of horses, carriages, traveling expenses in Canada and the United States and 22½ per cent. of the payment in the business of the said J. R. Burchell arising from all or any sales whenever held. D. R. PELLEY.

Jan. 14, 1890.

Why the Arrest Was Made.

The detective also produced three other letters from the dead man to Burchell referring to their intended trip to America.

Detective Murray also testified that Burchell on Saturday last at Paris, when shown the photograph of the dead man, said he did not recognize his clothing in the photograph taken after death, although Pelley knew the clothes and said Buey were made of odd material and were easily recognized.

Chief of Police Young testified that last Saturday Mr. Flynn, H.M.C., informed him that two pieces of baggage were held in bond with the address "F. C. Benwell," the name on the cigar case found on the body of the man murdered at Princeton, and when asked if any one had called for the baggage, he said yes, a party of Englishmen stopping at Baldwin's. Mr. Bampfield also said the party had been stopping there and that a number of telegrams had passed between the party and New York. He asked Bampfield if these parties were in town and urged caution. He wired Detective Murray to come to Niagara Falls at once. He found that the parties had left town.

"I went to Buffalo and took Flynn with me. Flynn went to the Stafford House and found Burchell and wife, Benwell and Pelley had registered there on Sunday, Feb. 16. I went to police headquarters and returned to the Stafford House with two American detectives to make quiry. I found two of the party had left on the Monday morning following and only one came back. I ascertained that the absent one was Benwell. We returned to Niagara Falls on the strength of a telegram that my party was there."

Then the officer went over the case till the arrest of Burchell Sunday morning. He took the arrest quite coolly and asked no questions.

The Keys, the Receipt, the Scissors.

"I searched him at the lockup. I found a blank check on the Niagara Bank, also a receipt from Wells, Fargo & Co., dated New York, Feb. 14, '90, given to F. C. Benwell for one trunk and one box marked 'F. C. Benwell,' personal effects to be forwarded to Clifton,' a gold pen and holder, 95 cents in silver, open-faced watch with curb chain, bank book on Niagara Falls Bank, N.Y., good for $152, bunch of small keys, 10 in number, pen holder marked "Conny," N.Y., 1860.

"I then went back to Baldwin's house and searched Mrs. Burchell and the room. I took possession of all the baggage. On Monday evening Detective Murray arrived. I handed the case over to him with a report of what had been done."

"When I searched Mrs. Burchell I found a pair of slippers with no heels, making tracks like a moccasin, a dark leather purse, a small pair of folding scissors. I placed Mr. Burchell under arrest at the boarding-house. Burchell admitted leaving Buffalo and going as far as Niagara Falls with Benwell and did not wish to make any statement. Detective Murray asked him if he was within a radius of 10 miles of Woodstock, Eastwood or Princeton on Monday and he declined to say. When we took the keys and bonded receipt from the prisoner he seemed very much concerned about it. He did not say how he had come by the keys or receipt. Mr. Murray asked the prisoner where he had left Benwell on the 17th. He said he had placed himself in the hands of a lawyer. He declined to say whether he was anywhere near Drumbo, Paris, Princeton or Woodstock." Chief Young said he saw a marriage certificate between Burchell and Miss Florence Stevenson at Croyden about two years ago.

The prisoner declined to ask Mr. Young anything.

Adjourned Until Monday.

Mr. Murray stated he had a number of witnesses to call at a later date, such as evidence from Woodstock, as to the finding of the body, etc. He asked for a postponement for eight days.

Police Magistrate Hill remanded the prisoner to the county jail for eight days, "the case to be further heard in this room at 11 a.m. Wednesday, March 12."

MRS. BENWELL ARRAIGNED.

No Evidence Connecting Her with the Crime—Sympathy from the Crowd.

NIAGARA FALLS, Ont., March 5.—A fair-haired little creature, her blue eyes red from recent tears, with an air of refinement from the top of her pretty head to the sole of her dainty feet, and the soft voice and charming manner of speech characteristic of the English well-bred woman.

Such was the impression made upon the spectators when at 4½ Mrs. Burchell was brought into the court room and answered the Magistrate's preliminary questions. She said:

My name is Florence Burchell, I was born in London, Eng. I was married on Nov. 19, 1888, in Croyden, 12 miles from London. The marriage certificate is signed Reginald Burchell. I am an Episcopalian.

The magistrate read the charge:

That you did, on or about the 17th of February at Niagara Falls aid and abet one J. R. Burchell to murder and kill Benwell, that you received and did comfort said Burchell contrary to the statutes.

The prisoner pleaded not guilty.

The magistrate stated that the prisoner could not be convicted of the latter part of the charge of "receiving and comforting," as she was bound to do so as the lawful wife of the prisoner Burchell, and suggested that the evidence be confined to proving that she did before the fact aid and abet the prisoner Burchell to kill Benwell.

Detective Murray was sworn and went over the evidence he gave against Burchell about the finding of the body of Benwell, tracing the identification of the body by the cigar case, meeting Mr. and Mrs. Burchell at Paris last Saturday and the conversation between himself and the prisoner. That Burchell told him that on Monday morning, Feb. 17, himself, wife and Benwell went down to visit the falls and stayed there till the afternoon. Mr. Benwell had told him he was going on to London to see a friend and would write to him, and that he and his wife had returned to Buffalo on Wednesday. He said he received a letter from Mr. Benwell from London with a ticket and checks of his baggage for him to send them on to London or wherever he directed. He said the letter was dated on the 18th and he received it on the 19th.

Where Is the Letter?

"I asked if he had the letter and after pausing he said: 'No, I think I left it at home.' Speaking to Mrs. Burchell: 'I wonder what I did with the letter. However I can get the letter it wanted.' I showed a photograph of the dead man to Burchell. He looked at it and said: 'Yes, I think that is his picture, but I do not think he ever used such clothes. I never saw him in such clothes; he had on blue clothes when he left.' All this was in the presence of Mrs. Burchell.

"Mrs. Burchell said she did not remember Benwell having clothes like that on. She also said he always dressed well. 'Did he have any jewelry,' I asked. 'Oh, yes,' he said, 'he had a very fine gold watch and chain, rather inclined to be jolly and brag of his money.' Burchell said to Mrs. Burchell: 'Din'nt he like a glass of wine, dear?' She said: 'Oh, yes.' All this was in the presence of Mrs. Burchell."

The witness then detailed the arrest of Mrs. Burchell. She took the arrest coolly.

Mr. Pelley was sworn but could give no further evidence of Mrs. Burchell's connection with this matter than he had already given in the case respecting Mr. Burchell. "I remember Mrs. Burchell saying on the steamer, 'I could not have Benwell always living in the same house with us, could I?' and I said 'No.' We had frequent conversations about Benwell—Mrs. Burchell, Mr. Burchell and I—we all rather disliked Benwell. Mrs. Burchell was in Buffalo with me on the 17th all day and in the afternoon when we did not hear by telegram from Burchell seemed quite worried at him being away. We agreed we would wait until evening and concluded if we did not hear that evening we would make our way to Niagara Falls."

Knew Little of Burchell's "Business."

"I sometimes talked to her about the farm and the arrangements we were to make. She said she found it very tiresome living in the country. Since Mrs. Burchell's arrest she asked me if I and the public thought there was any truth in the matter. I said 'No.' I was awfully sorry he should have deceived me in the matter of the farm, etc. I asked her if she knew a party named Peacock. She said no, that Mr. Burchell had always conducted his business himself. Mrs. Burchell told me they had only been here once to look at farm and they had no farm at all. Mrs. Burchell said once she knew very little of Burchell's business. I do not know that Mrs. Burchell knew anything of Mr. Burchell's movements on the 17th, nor do I see how she could know any more of Benwell's movements on that day than I did. When Mr. and Mrs. Burchell were up to Paris I said to Baldwin, 'The woman's all right but I mistrusted the man.'"

The Police Magistrate said to Detective Murray he must show that the woman knew that the crime was to be committed and also in addition that she also counseled and advised and aided, or commanded it to be committed. If the clothes shown by the photograph were the one's Benwell wore when he left Buffalo on the morning of the 17th they were the ones he had worn almost constantly since he left England.

Remanded for a Day.

Mr. Hellmuth, barrister of London, appeared in court in behalf of Mrs. Burchell. The Police Magistrate informed Mr. Hellmuth what had already been done. Mr. Murray had no further evidence to offer at present and asked for a remand of a week. Mr. Hellmuth could see no evidence connecting Mrs. Burchell with the crime. He asked that if remanded Mrs. Burchell be allowed to remain at Mr. Baldwin's house, of course under police surveillance. The Magistrate said so far there was practically no evidence connecting Mrs. Burchell with the murder. Mr. Hellmuth claimed that in that case the arrest should not have been made yet. Detective Murray opposed a remand to the boarding house and claimed the prisoner should be sent to jail. The Magistrate said he would accept bail if offered, and decided to have the prisoner brought up to-morrow morning for a further remand. He allowed her to return to Baldwin's to-night.

The decision was loudly applauded by the crowd present. The conviction is steadily gaining ground that she was innocent of all connection with the murder.

Why Proceedings Were Started at the Fa lls

Clause 86 of the Dominion Act relating to procedure in criminal cases reads:

Whenever a person appears or is brought before a justice in the territorial division wherein such justice has jurisdiction, charged with an offence alleged to have been committed within any territorial division in Canada wherein such justice has no jurisdiction, such justice shall examine such witnesses and receive such evidence in proof of the charge as may be produced before him within his jurisdiction, and if in his opinion such testimony and evidence be sufficient proof of the charge made against the accused the justice shall thereupon commit him to the common jail for the territorial division where the offence is alleged to have been committed.

By clause 92 of the same act Burchell and his wife as accessory must be at the coroner's inquest proceedings once they are apprehended. The inquest was adjourned until Friday at Princeton.

A magistrate and a coroner have concurrent jurisdiction in a case like this, but as a general thing the proceedings in the magistrate's court follow the coroner's verdict.

THE BRITANNIC'S DUDE.

Joseph Youngheart Tells About the Trip Over—Benwell Not a Popular Passenger.

Mr. Joseph Youngheart, of the firm of M. Vineberg & Co., wholesale hatters and furriers, Montreal, arrived in New York on the steamship Britannic on Feb. 14. The World's Young Man was in conversation with him yesterday, when he casually stated these facts. Of course more information was immediately sought. Mr. Youngheart continued:

"Last week as I was passing The World office in company with my brother, I noticed the picture of a murdered man in the window and stopped to examine it. I immediately said: 'Ned, I believe that is a dude Englishman, Benwell, who came across on the boat with me.'"

"Why did you not make known your suspicions?" asked The World.

"Well, I was not positive, and besides this is our busy season and I thought it might be valuable time thrown away, as I was not certain that I could identify the man. A few days later when the victim was recognized I found my suspicions were well grounded and am now sorry I did not visit Princeton."

"When did you notice Benwell first on board the Britannic?"

"Five or six days out I became acquainted with him, and with a party we had a game of nap."

"What sort of a fellow was he?"

"He was a poor companion. I did not care much for him. He wore an eyeglass and very stylishly cut clothes, so the passengers christened him 'the Dude.' Yes, Benwell was quite noticeable on account of his dress. I had a conversation with the murdered man the day before our arrival in port," proceeded the Montreal traveler. "It was in the barber's shop below when we were waiting for our turn. After telling him I was a Canadian and going home to Montreal I asked him his destination, when he replied that he was going to Niagara Falls. I enquired his business and he gave an evasive answer. I guess that, he being such a swell, he would not admit that he was going farming. Benwell also told me that he had been in Australia and thought he would try his luck in America. We both got operated on. Benwell had no mustache and had a clean shave. Benwell was rather unpopular on board, presumably on account of his dudish dress, and was guyed by many. I remember the name Pelley on the passenger list but I did not see either him or Mr. and Mrs. Burchell and cannot now place them from the description given."

WAS BURCHELL AT EASTWOOD?

More Evidence to Show That He Was—What Capt. Cox of Paris Saw.

The Woodstock papers print additional evidence to show that Burchell was seen in that vicinity before Benwell was murdered. The Sentinel-Review of last evening says among other things:

Alfred Hayward and son of Eastwood were in town this morning. Mr. Hayward corroborates the statement in The Sentinel-Review, that Somerset and another man were seen there on Monday, Feb. 17. He and his wife saw the two men, whom he had previously known by sight in Woodstock, and thinks there is no doubt of their identity. His niece saw one of them return in the afternoon. J. H. Hayward, postmaster of the village, also saw this man. The station agent saw Mr. Hayward's niece speak to the man when he came back, who was supposed to be Dudley. Mr. Hayward further informs us that a German from down in the direction of Heinheim met these two men that same day on the second concession. They were then coming from the locality in which the murdered man was found. They asked him (the German) the way to Gobles. He told them that if they wanted to take the train the nearest station was Eastwood. His description of the two men coincides with that given by the Haywards of the two parties supposed to be Somerset and Dudley. In this connection it should be remembered that Benwell arrived at Niagara Falls on this day, Monday, Feb. 17. Were, then, Dudley and his friends in Eastwood previous to the murder, or is there a mistake as to the day on which these two men were seen at Eastwood? Mr. Hayward's son mentions as a curious fact that in returning the man in question reached the station by a back street, not through the yard which he crossed on going from the 11 o'clock train. They believe it was Somerset, not his friend, who returned in the afternoon alone.

During the excitement created by the arrest of Somerset and the revelations connected with his name people have been losing sight of Caldwell and Baker, who were at first suspected of the crime. The Sentinel-Review is informed that former lived in Woodstock, that they drank frequently and much together. If the theory that Somerset murdered Benwell is correct, had Baker anything to do with the disposal of the murdered man's body? His acquaintance with Somerset and his undoubted knowledge of the locality make this an interesting question. It is difficult to get people here who know Baker to believe that he would himself commit the crime; but a drunken man might be induced to dispose of the body of a man whose death he had not the sagacity to plan or the courage to bring about. It remains for the detectives to throw a good deal more light upon the movements of Baker and Caldwell as well as on those of Somerset.

Capt. Cox of Paris, who was in town to-day, informs us that he saw Somerset, whom he previously knew, on his way from Princeton after identifying the body. Cox asked him at what hour Benwell stayed in London. Somerset replied that he did not stop at an hotel but with friends.

Is Caldwell in Jail?

[From The Woodstock Standard, March 4.]

There arrived in town on the 3.39 train yesterday afternoon a constable and a detective, who had in charge a young man answering Caldwell's description. They left the train on the north side and endeavored to avoid the crowd as much as possible. Several parties saw the trio and watched them closely until they disappeared around the corner of Dundas and Graham-streets going in the direction of the jail. The prisoner was described as a man short in stature, clean shaven, red face, and weighing about 140 lbs. It may be added this description answers Caldwell of Sarnia very closely.

A reporter of The Standard called at the jail about 11 o'clock to-day and met Turnkey Forbes. He said to his knowledge there was no new prisoner at the jail. He showed the newspaper man the register but there was no arrival registered yesterday. Mr. Forbes said he was absent from the jail for a short time yesterday and he could not say who were locked up during that time, but he thought if there was a stranger in the cells he would have heard of it this morning.

All the same the prisoner who arrived from the west on the 3.39 train was taken to the jail and in all probability he is none other than Caldwell, wanted as suspected accomplice in the Benwell murder.

Fred Millman states that he saw Somerset in Woodstock on Wednesday, Feb. 19, the day the murder is supposed to have been committed. He met him near Woodroofe's corner and is positive the man was Somerset. His dress was as usual, decidedly English, with short pants and red stockings. Mr. Millman fixes the day as that upon which the curlers left for Toronto.

"The Swamp of Death."

Since the discovery of Benwell's body the swamp has been christened "The Swamp of Death." This is the third corpse found in the morass in the past five years. The first body was discovered four years ago, the man having lain there for months. His identity was never discovered. Another corpse was found about eighteen months since; who the man was is to this day a mystery.

The musical treat of the season will be the Foresters' Concert at the Pavilion, to-night. Seats on sale at Nordheimer's.

The Senator Is a Kicker.

COLUMBUS, O., March 5.—Senator Brown of Hamilton County has prepared his resignation as Senator. The refusal of certain members to act with him in securing a modification of the Owen Sunday closing law has led to his action. His resignation will greatly embarrass the Democratic majority in the passage of the Congressional Redistribution Bill.

Labor Legislation Promised.

OTTAWA, March 5.—Sir John Macdonald attended the banquet of the Liberal-Conservative Workingmen's Association this evening, and in a speech said the Labor Commissioner's report was now being carefully considered by the Government and there would certainly be some labor legislation this session.

The Foresters' Concert at the Pavilion to-night will be the success of the season. Reserved seats 50c. at Nordheimer's.

Aid From Scotland.

Mr. Walter S. Lee has received a letter from David Cowan of Bell. Cowan & Co., Edinburgh, expressive of grief at the destruction of Toronto University and enclosing $100.

A Pilot Crushed to Death.

NEW YORK, March 5.—A yawl containing several pilots was caught between a tugboat and a bark outside of Sandy Hook to-day. Pilot Collins was crushed to death and pilot Scott was severely injured.

Don't miss the Foresters' Concert at the Pavilion to-night; a host of attractions will be presented. Reserved seats at Nordheimer's.

A Brazilian Boycott.

RIO JANEIRO, March 5.—Leagues have been formed in this city and at Bahia, Para, Santos, and Pernambuco to boycott British in favor of American goods.

A Chicago Crash.

CHICAGO, March 5.—Donnelly & Sons, printers of the Chicago City Directory, failed to-day. Liabilities $100,000, assets about half that amount.

Advances made on merchandise warehoused with Mitchell, Miller & Co., 45 Front-street east.

The Public Are Invited.

While the weather remains cold Dineen, on the corner of King and Yonge-streets, offers several choice made-up fur garments at a price that will pay any lady or gentleman to buy. The stock consists of seal mantles, short seal jackets, beaver capes, muffs and storm collars, fur-lined circulars, gents' fur coats, robes, collars, cuffs, etc. These furs are all made by Dineen's firm and are of the very best quality. The public are invited to call and examine.

A galaxy of stars: Mrs. Luther, Mrs. Mackelcan, Miss Jessie Alexander, Mr. Charles E. Stevens, at the Foresters' Concert to-night.

Nothing But Pleasure—To Travel by the Erie Railway Flyer.

When going to New York be sure and leave on the Erie Railway flyer which leaves Toronto at 2.50 p.m., arriving in New York 8.20 a.m. They run on this train a magnificent parlor car and the only line running through pullmans out of Canada to New York. Secure pullman berths from G.T.R. agents. ed

Clearing sale of furniture, upholstered goods, mixed and woven wire mattrasses. Buy now at your own price at The People's Furniture Warerooms, 161 Yonge-street.

MR. RYKERT SAYS HE'S READY

SIR RICHARD'S CHARGES TO BE DISCUSSED ON TUESDAY.

Mr. Charlton's Sabbath Observance Bill—Church-Going Permitted But Nothing Else—Another Attack On the Franchise Act—Wounded In the House of His Friends.

OTTAWA, March 5.—The member for Lincoln was on the rack again to-day, Sir Richard Cartwright moving that a day be fixed for the discussion of the very grave charges he intended to prefer against Mr. Rykert. Next Wednesday was the day suggested, but as Mr. Laurier strenuously objected to a private members' day being taken Sir John Macdonald at last consented to give up next Tuesday—a Government day—for the purpose. Sir Richard announced that he would put his motion on the order paper on Friday at the latest, so that the member chiefly concerned might be fully prepared. Mr. Rykert has quite recovered his wonted cheerfulness and with his face beaming with smiles chipped in, "Bring it along, you can't be any too soon, I'm ready for you."

Mr. Charlton read to the House from a ponderous mass of closely-written foolscap what proved to be his Sabbath Observance Bill. It prohibits almost everything except church-going on Sunday, and even the newspapers are not exempt, Mr. Charlton specifically mentioning in his speech a couple of British Columbia papers which issue Sunday morning and give their staff a clear Sabbath by having no Monday issue. He wishes to stop these two Sunday papers as setting a bad example. His bill and accompanying speech were heard in respectful silence, but it is safe to say that when the second reading is moved we will hear that all the provisions to which it is expedient to give effect are already part of the law of the land.

The Standing of Q.Cs.

Mr. Amyot went fishing for information respecting the views of the Government as to the standing of their Q.Cs. His question suggested that the Dominion Government might only intend to give their appointees rank in Dominion courts and not in those of the provinces. Sir John Thompson's reply was only an iteration of the words of the commission and evoked a laugh at Mr. Amyot's expense.

"It is the intention of the Government," said the Minister of Justice, "to continue the form of commission heretofore issued and to confer on appointees the precedence to which by law they are entitled by virtue of their appointment as Queen's Counsel."

Undaunted by the ill-success of his own previous effort at legislation and of his colleague's attacks upon the famous Franchise Act, Mr. Charlton moved this resolution:

That in the opinion of this House, in all cases where an election is held in any riding in Canada for the return of a member to the House of Commons, if the voters' list for such riding prepared under the Dominion Franchise Law has not been prepared, revised and published twelve months of the time of holding such election, that then and in such case the said election shall be held upon the last provincial voters' list, provided the same is a more recent list than the latest Dominion voters' list.

He spoke at some length in support of his proposition, and on the Government side Dr. Sproule stood up for the much abused act, and next, the old enemy, Dr. Wilson of Elgin, roundly abused it.

Declared Lost.

The Premier came to the rescue, declaring that while he could understand the repeal resolution moved the other day by Dr. Wilson, this resolution of Mr. Charlton's was "quite past comprehension," "most ludicrous" and "absurd in the extreme." He asked the House to remember that these attacks upon the Dominion Act were always made by Ontario members, who seemed to have a fancy for their Provincial franchise.

Two other ministers were heard from, Sir John Thompson and Mr. Colby, who showed what an anomalous condition of affairs would be created by the adoption of such a motion as Mr. Charlton's.

Mr. Paterson of Brant was the next to speak on Mr. Charlton's side, as he as seconder of the resolution objected to its being classed as "absurd and ridiculous." He said that the Premier's opinion did not appear to be shared by the Minister of Justice, who had argued seriously against it, and though he had a keen sense of the ridiculous did not seem to perceive any absurdity in the resolution.

"I apologise," hastily interrupted Sir John Thompson, and thereupon his fellow members made up for his thoughtless omission to laugh at the resolution when he had risen to argue it.

An unkind cut was administered by Mr. Smith of Ontario, who, though a good Conservative, has time and again voted against the Franchise Act. The Opposition looked pleased when he rose to speak on this occasion but their mirth was of brief duration, for Mr. Smith said he merely rose to remark that, though not an admirer of the act, he could not support such a mongrel scheme as that now proposed by Mr. Charlton.

Even the defence of a formal vote was not paid to the resolution, which was declared "lost on a division," the yeas and nays not being demanded and the members not being called in.

Wild Western Eloquence.

With a motion for a commission of enquiry, Nicholas Flood Davin then rose to set the formidable machinery of Parliament in motion against his former friend but present foe, Commissioner Herchimer of the North-west Mounted Police. The member paraded the most powerful language at his command to convince the House that the commissioner was the sole blot upon a force which in spite of him was at last the equal of the finest body in the world, and he had only got fairly worked up when the 6 o'clock recess put an end to his oration, which will be resumed the next time his motion is reached.

After recess four private bills were passed: Respecting the St. Catharines & Niagara Central Railway Company and incorporating the Inter-provincial Bridge Company, the Shore Line Railway Company and the Moncton & Prince Edward Island Railway & Ferry Company.

Four were read a second time: To incorporate the Montreal Bridge Company, to repeal George J. Smith's patent, respecting the Provincial Provident Institution of St. Thomas and respecting the Toronto Board of Trade, which last has passed the Senate.

The public bills and orders were next called but not one of the 21 on the paper could be proceeded with.

The "Dickey Bird Bill" was first called, but when Mr. Brown surveyed the House and noticed that only a small fraction of the members were present he did not care to take the chance of defeat and would not move the House into committee. The bill therefore stood.

So did all the rest, for while one or two members were ready to go on the ministers interested were not present and the motions stood. At the request of Sir Hector Langevin, who was leading the House, Mr. Lister's resolution respecting Brenner's furs was last on the list. Mr. Laurier thought they might as well go on with this. He had been informed that Bremner had taken no action against General Middleton or any! oneelse. Sir John Thompson said General Middleton's solicitors had received notification that suit was to be entered, but to-day they were notified that the suit would not be proceeded with. He objected to the resolution being taken up just now and said there was no hurry as the Premier had promised that another opportunity would be given.

Nothin to Do but Adjourn.

As the order paper was now exhausted and there were only three ministers and very few members present Sir Hector Langevin moved the adjournment of the House.

Mr. Laurier said he would not object to this particular motion, but he did object to the ministers being out of their places and business thus being brought to a stands ill. He blamed the Government for delaying the Budget speech so long.

Sir Hector Langevin said it was certainly unfortunate that the ministers were not present, but three of them were confined to their rooms by illness and Sir John Macdonald, who was ill last night, was again this evening unable to be here.

Hon. Peter Mitchell then enquired concerning the reported proclamation by President Harrison warning sealers from Behring Sea unless they had a permit from the United States Treasury.

Sir John Thompson replied that this was only the annual proclamation made in accordance with the statute. It had no special significance in connection with the negotiations now going on.

Mr. Mulock suggested that the two-rowed barley being imported by the Government for seed should be distributed free in place of being sold at $4 per 2-bushel bag as was intended at present.

Sir Hector said he would communicate the suggestion to Hon. John Carling.

The House adjourned at 9 o'clock.

TO AVOID SCANDAL.

Why Mrs. Weeks Left Charlottetown—"A Friend's" Evidence.

CHARLOTTETOWN, P.E.I., March 5.—In the poisoning case to-day David McKay of the Charlottetown Woolen Mills, who described himself as "a friend of the Sutherlands," testified that he hired the team and provided Mrs. Weeks with a fur jacket and $200 to enable her to leave the Island so as to avoid scandal." Sutherland was in Mrs. Weeks' house the morning of her departure. Mrs. Weeks told witness that Sutherland had had a private conversation with her and that she had consequently decided to leave the Island.

W. F. Carter testified that he had had conversations with the prisoner subsequent to her return from St. John. She was anxious to know what people were saying about the affair and how Sutherland was acting. She said, "she would defy him to go back on her," and intimated she would like five minutes' conversation with him to settle the matter. She was very sorry, she said, for leaving the Island and didn't realize what she was doing until she was half across the strait of Northumberland.

MARTIN OF MANITOBA.

Ontario Liberal Leaders Attacked in the Separate School Debate.

WINNIPEG, March 5.—Attorney-General Martin's speech in the Legislature last night regarding the abolition of separate schools was the sole topic of conversation throughout Manitoba to-day and it is evident to all that considerable feeling is going to be stirred up over the bill. Martin's speech is generally supposed to have been the effort of his life. His attack on Mills and Blake has caused considerable surprise among the Liberals. He in emphatic terms declared that the Liberal leaders had abandoned the Liberal party and Liberal principles in their efforts to capture the votes of the French. He expressed the opinion that when these leaders had occasion to go back to their constituents they would have considerable difficulty in explaining their actions. Replying to the statement that the Catholic citizens of Manitoba would refuse to pay taxes unless their schools were maintained, he intimated that if they did so refuse the Government would take prompt measures to force them to pay.

The debate on the separate school bill occupied the whole of to-night's session. The second reading was carried, 26 to 10.

A Fellow of Infinite Jest.

NEW YORK, March 5.—A fund of over $25,000 has been raised for the benefit of the wife and four children of the late Philip H. Welch. The fund was started by Mr. Welch's newspaper associates, but contributions have also been made by many of the most prominent men throughout the country.

Mr. Schmidt in Trouble Again.

Mr. Schmidt, the gentleman from the west who gave us his very decided opinions about Merchants' Day some weeks ago, was waited on by the same traveler the other day for his spring order. Mr. Schmidt was in a bad way, he couldn't buy a dollar's worth of spring goods.

"What is der goot of buying goods at a tollar on the hundred sents. Look ofer der road—Mr. Shones just paid fifty sents on der tollar and gets sicks and nine months at dat. See der red flag outside. Dat flag makes me mad. Like a bull, aint it. Everything in my shtore costs a hundred sents on der tollar. Dat piece of goots costs me 16 sents a yard. Shones gets it for eight sents. Look at Mr. Schneider. His wife pup der stock back at forty-five sents on der tollar. I can't do eny pisiness at present. Der wholesale men has put Shones and Schneider in a bosition to ruin me. Der beeple won't bay me a tollar for vhat dey gan puy for feefty sents. I'm ruined, aint it—mine got! A man has got to be dishonest in dis goontry or starve. Dis compromising pisiness, mine frent, is a problum on dishonesty and fraud. Shones fails and brings down Schneider and der two bankrupt shtocks brings down me. Dats der way, aint it?"

"Well," said the traveler, "I can sympathise with you, Mr. Schmidt, but how can we avoid these things? It's a very difficult problem to solve."

"Der proper way is for der wholesale people to accept *no compromise*. When a man fails to pay a hundred sents in a reasonable time—take der stock out of der way, put it in a big auction house in der city, clean it up, break it up into lots, redistribute it by auction amongst solvent men all ofer der goontry. As it is now efery man dat fails and gets der stock pack brings down his neighbors, dat's my ideas, ain't it? Why don't der Board of Trade form a joint stock company or get a syndicate to go into dis shtock pusiness, dere's money in it—dat's der ideas, ain't it? If dis compromising pusiness was done away with—der brothers and wifes and brothers-in-law would have to come to der rescue before der failure—dat's the way to solve der problem, ain't it?

T. S.

Be sure to hear Mrs. Gertrude Luther at the Foresters' Concert in the Pavilion to-night.

A Seasonable Rhyme.

The sweet spring time is drawing near,
La grippe its work has done;
There's cold still in the atmosphere,
But in the head there's none.

Wild geese their flight