

Mr. O. L. Hershiser to Editor York of the "American Bee Journal," that such has been secured and that the bees have been entirely exonerated:

MY DEAR MR. YORK,—I enclose you newspaper clippings concerning the now famous case of Utter vs. Utter, and will request that remaining papers containing accounts of the case be forwarded to you by the publishers. In the meantime, let me tell you so you will have no dismal apprehensions concerning the result of the litigation, that the bees were entirely exonerated of the charge of mischief as complained of. The case occupied over two days, the jury being nearly all drawn on Monday afternoon, and the jury's verdict brought in about dusk on Wednesday evening.

For a case involving such insignificant damages, I've seen nothing that has created so much interest to lawyers and sensation to the people, in many a day, as did this case. It seemed to be the only subject of conversation for the people in the hotels, railway stations and stores, and by groups of people on the streets. Besides local witnesses, the plaintiff had Mr. Banes—a fruit-grower of New Hampshire; and the defence, besides local witnesses, had several fruit-growers and apiarists from New Jersey, A. I. and E. R. Root from Ohio, Frank Benton from Washington, Mr. Marks from this State, and your humble servant as counsel and witness.

I understand the jury's first ballot was 10 votes to 2 blanks for no cause of action, which was immediately made unanimous for no cause of action. They were out scarcely five minutes. Was not that a complete victory?

Too much credit can not be given to just judge for his fair and im-

partial attitude and rulings on every disputed point, and for the great learning and ability of Messrs. Bacon & Merritt. And while passing, I desire that you know that that learned and astute counsel were opposed to us in the persons of Messrs. F. V. Sanford and M. N. Kaine, both of whom are scholarly and gentlemanly members of the legal fraternity; and while they brought to bear all their scholarly attainments and legal acumen in this very bitterly contested case, I think that all on the opposite side will agree that they were treated in a gentlemanly and dignified manner.

Of course you will observe that the scene of this fight was in the village of Amity, which, to say the least, was very ironical; that, metaphorically speaking, one brother sought to kill, or "do up" the other, and that this fratricide might be accomplished according to ancient usage, as recorded in Holy Writ, "Kaine" was brought in to assist one of the brothers in his fell purpose. However, the plaintiff would not be disposed of in this summary manner, and knowing of a firm of distinguished legal gentlemen, who, be it said, "Merritt" their "Bacon," he enlisted them in his behalf. These lawyers were "Bent on" (Benton) going to the "Root" of the matter, and, accordingly, sent for certain gentlemen from Washington and Ohio to assist them in getting down to first principles. The Utter absurdity of the plaintiff's claims were made apparent to all observers, after the gentleman from Chapinville had made "Marks" of his witnesses, by proving to the jury that in their claims that bees puncture peaches they were simply "talking thru their hats." And now that it has been judicially settled, that the claims of the plaintiff were too Utterly Utter, I think we are justified in believing