

Guelph Evening Mercury

VOL. VI. NO. 94 GUELPH, ONT., CANADA, TUESDAY EVENING, NOVEMBER 26, 1872. PRICE ONE PENNY

Business Cards.

OLIVER, MACDONALD & OSBER,
Barristers and Attorneys-at-Law, Solicitors, Notaries Public, Office—Corner of Wyndham and Quebec Streets, up stairs, Guelph, Ont. (dw)

D. BROOK,
OFFICE AND RESIDENCE
Directly opposite Chalmers' Church, QUEBEC STREET. (dw)

FREDERICK BISCOE, Barrister and Attorney-at-Law, Solicitor in Chancery, Conveyancer, &c., Guelph. Office, corner of Wyndham and Quebec Streets. (dw)

AUSTIN C. CHADWICK, Barrister at Law, Solicitor in Chancery, &c., Market Place, Guelph. Office entrance—opposite to the Queen's Hotel. (dw)

STEPHEN BOUT, Architect, Contractor and Builder, Planning Mill, and every kind of Joiner's Work prepared for the trade and the public. The Factory is on Queen Street. (dw)

CHAMBER & HATHERLY, Contractors, Well Sinks and General Builders. Excavations of all kinds undertaken by the day or job. (dw)

WILLIAM J. PATERSON,
Official Assignee for the County of Wellington.
Office—Opposite Town Hall, Guelph. (dw)

THORP'S HOTEL, Guelph, remodelled and newly furnished. Good accommodation for commercial travellers. Free omnibuses to and from all trains. First-class Livery in connection. May 14 dwt J. A. THORP, Proprietor

LEMON & PETERSON,
Barristers and Attorneys at Law, Solicitors in Chancery, Conveyancers and Notaries Public.
Office, over the Bank of Commerce, Guelph. (dw)

A. LEMON, H. W. PETERSON,
CHAS. LEMON, County Crown Attorney

GUTHRIE, WATT & CUTTEN,
Barristers, Attorneys-at-Law,
Solicitors in Chancery,
GUELPH, ONTARIO. (dw)

GUTHRIE, WATT & CUTTEN,
Guelph, March 1, 1871 (dw)

J. M. MARRIOTT,
Veterinary Surgeon,
M. R. C. V. S., L. S. P., V. M. A., &c.
Having lately arrived in Guelph from England, and taken up his residence here, in tents continuing the practice of his profession. Office left at the MERCURY Office, or at 12 E. Lincoln Street, opposite Howard's new foundry, will be promptly attended to.
Having had great experience in all diseases of Horses and Cattle, all cases placed under his treatment will receive the greatest attention. Charges moderate. Guelph, Oct. 19, 1872. dwt

DR. ROBERT CAMPBELL,
Licentiate of Dental Surgery.
Established 1864.
Office next door to the "Advertiser" Office, Wyndham-st., Guelph.
Residence opposite Mr. Bonin's Factory.
Quack Street. Teeth extracted without pain. Root-canal, Tuck, McQuinn, Keating, Cowan and McGee, Guelph; V. E. Graham, Dentist, Stratford.

W. M. FOSTER, L. D. S.,
SURGEON DENTIST, GUELPH.
Office over E. Harvey & Co's Drug Store, Corner of Wyndham and Macdonell-sts., Guelph.
LSP Nitrous Oxide (Laughing Gas) administered for the extraction of teeth without pain, which is perfectly safe and reliable.
References kindly permitted to Drs. Herod, Clarke, Tuck, McQuinn, Keating, Cowan and McGee, Guelph; V. E. Graham, Dentist, Stratford. (dw)

JOHN SPIERS,
Veterinary Surgeon
(Member of the Ontario Veterinary College.)
Hirsch's Union Hotel,
GUELPH. (dwt)

GUIGAN'S PUBLIC CAB.
Subscribers beg to inform the people of Guelph that he has purchased a handsome and commodious horse, which will be at the Railway Stations on the arrival of all trains.
Particular attention paid to the repairing and varnishing of all carriages.
As it is his duty to see to the comfort of all passengers he hopes to receive a liberal patronage.
Wanted—quantity of Seasoned Butternut and Cherry.
Wanted—A pair of well-matched black horses. Apply to MICHAEL DUGAN, Guelph, June 15, 1872. (dw)

NEW MUSIC STORE,
Quebec St., Guelph.
F. C. Whiting, Importer of all kinds of Musical Instruments, Fittings, Strings, English Music, Y. Novello's Music, Instruction Books, &c., wholesale and retail.
Melodions, Flutes, Concertinas, Accordions, &c., tuned and repaired. Tuning done for the Trade. Agents for Northdown & Co's Pianos and Organs. Also, Agent for Virtue & Yorston, publishers. s753m

New Advertisements.

COOK WANTED. By the middle of December, the 1st of January next. Apply to Mrs. Lemon, Guelph. (dw)

BOARDER WANTED. Wanted, a gentleman to board in a private family. Enquire at this office. (dw)

CORN FOR SALE. For sale, 10,000 bushels of corn. Apply to A. R. DAVIES, 210-Dawson Street, On the Market. (dw)

WANTED. by the 14th of December, a good general servant. Must be well recommended. Apply to John A. Wood. (dw)

LOST. Between the Railroad and the Exchange Bridge, a small Bundle of Keys. The finder will please oblige by leaving them at this office. (dw)

TO LET. The large room over the MERCURY OFFICE, formerly used as a Temperance Hall. Suitable for an office, or for any light manufacturing purpose. Enquire at the Mercury Office. (dw)

SEWING MACHINES FOR SALE. For sale, the Watson, Lockman and Rink and Sewing Machines. All first class and cheap for cash. Enquire at the Mercury Office. (dw)

GUELPH MECHANICS' INSTITUTE.
All persons having books belonging to the Guelph Mechanics' Institute will oblige by returning them before the 4th of December, so as to enable the Committee to have a catalogue prepared. (dw)

HOUSE TO RENT. A comfortable dwelling house, on Queen Street, directly opposite the residence of Col. High, containing 6 rooms, stone cellar, hard and soft water. Apply to J. H. MINNICK, 210-Dawson Street. (dw)

HOUSE TO LET. Containing six rooms, wood shed, well and cistern. The house is situated near the Great Western Station. For particulars, apply to F. Frost, 21 E. Lincoln St. (dw)

BUILDING LOTS FOR SALE.—Two Lots of 66 feet frontage, each on Wellington Street, by 106 feet deep, being a portion of the open space between the Cuyler Rink and Mr. Barclay's property, is for sale. They are very convenient to the centre of the town, and will be sold cheap. For terms, &c., apply to the undersigned, Town Hall Buildings, Guelph. (dw)

PICTURE FRAMING.
The subscriber begs to inform his old customers and the public that he is prepared to do all kinds of Picture Framing at his shop in the building attached to the Old English Church, on the corner of Lincoln and Queen Streets. Parties are invited to examine quality of work, and ascertain prices before going elsewhere. (dw)

WANTED. A Manager of Branch Depot and Apportioner of Subscribers by the North British Cattle Food Company; the person appointed must be well known, and have small amount of capital to advance on consignment. This is a good appointment for the right man, as the Company's Food has stood the test of two seasons in Canada and the United States, and is now recognized as the best and most economical food in the world. Address, with full particulars, The North British Cattle Food Company, Head Canadian Depot, 32 St. Francois-Xavier Street, Montreal. (dw)

STORE AND DWELLING FOR SALE OR TO RENT. The subscriber offers for sale on reasonable terms, or will rent for a period, the store and dwelling at Bristol, Township of Erin, at present occupied by Mr. Mackelcan, Postmaster there. The store is situated in a good locality, on the gravel road between Guelph and Erie. This is an excellent opening for a party with a limited capital, as a good business can be carried on, and arrangements may be made to continue the Post Office in connection with the store. For particulars apply to JAMES MASSIE, Guelph, Nov. 24, 1872. (dw)

INSOLVENT ACT OF 1869.
In the matter of EDWARD T. A. PENNY, an Insolvent.
NOTICE TO DEBTORS.
All parties indebted to the estate of the above named Insolvent are requested to pay the same to the undersigned immediately, and save costs.
EDWIN NEWTON, Assignee.
Guelph, Nov. 15, 1872. (106d)

Pay Your Taxes.
The Collector will be at the Town Hall from 12 to 1 o'clock each day.
From the 1st to the 14th of December,
For receiving taxes, by which time all taxes must be paid, otherwise expenses will be incurred.
GEORGE SMITH, Collector.
Guelph, Nov. 26, 1872.

BROWN VELVETEENS
The undersigned recognizing the felt want of a butcher's shop in Upper Wyndham Street, which will be open at all hours during the business of the day, has started a branch establishment in that shop next to Bradley's Grocery Store and opposite the new Baptist Church, where he dispenses a fair share of public patronage. Prices: Hind quarters 60 to 80 per 100 lbs.; front do 45 to 57 per do; roasts and steaks 9 cts to 12 1/2 cts per lb.
Lamb in quarters 6 to 10 cts. per lb. Hours from 8 a.m. to 7 p.m. on Saturdays from 8 a.m. to 10 p.m. GILBERT AMOS, Butcher, No. 3, Guelph, Nov. 18, 1872. Market Stall, G & W 1m

VICK'S Floral Guide for 1873.
The GUIDE is now published Quarterly, 25 cents per copy for the year, four numbers, which is not half the cost. Those who afterwards send money to the amount of ONE DOLLAR or more for seeds may also order 25 cents worth extra—the price paid for the GUIDE.
The JANUARY NUMBER is beautiful, giving plans for making Rural Homes, Designs for Dining Table Decorations, Window Gardens, &c., and containing a mass of information invaluable to the lovers of flowers. One hundred and fifty pages on fine tinted paper, some Five Hundred Engravings and a superb Colored Plate and Chromo Cover.
The first edition of Two Hundred Thousand just printed in English and German, and ready to send out.
JAMES VICK, Rochester, N.Y. Nov. 22, 1872. (dw)

Guelph Evening Mercury

TUESDAY EVENING, NOV. 26, 1872

Town and County News.

Mr. JOHN ANDERSON has received the "Family Herald" for November, crammed full of most interesting reading matter.

Mr. Burgess, head master of Fergus High School, has been appointed to the head mastership of Kincardine United High and Public Schools.

OPENING OF THE W. G. & B. R. TO SCOTLAND.—The President and Directors of this road, and Mr. W. K. Muir went up on a special train to-day to Southampton, to inspect the road previous to opening it to that place—the terminus of the road.

THE LECTURE TO-NIGHT.—The Rev. Mr. Russell lectures to-night in the Good Templars Hall on Prohibition. We understand that Mr. Russell is one of the ablest writers and speakers on temperance in the United States. During the late election contest for the Presidency in the United States, he was the nominee for Vice-President by the National Prohibition Party, and to his labors much of its strength is attributable. A very able lecture may therefore be expected to-night.

LYRIC GEMS OF SCOTLAND.—Mr. T. J. Day has sent us a copy of this, the largest and best selection of the lyrical gems of Scotland we have yet seen. It is beautifully printed and bound. It contains every song—words and music—worth publishing, and also a copious glossary, and the whole work of over 500 pages—is sold by Mr. Day, or sent to any post office in the country, for \$1.25. It is certainly a marvel of cheapness, and will most assuredly have a large sale.

BIRD'S EYE VIEW OF GUELPH.—Mr. W. Burgess, Photographer, showed us this morning's photographic bird's eye view of Guelph, on a larger scale than the one mentioned yesterday, and which brings out with more marked distinctness the various streets and buildings. It is intended for framing, and when finished will make a pleasing addition to the photographic picture of any household. Mr. Burgess has executed the picture in the order of Mr. John Anderson, Market Square, from whom copies may be had.

SUPPOSED ATTEMPTED INCENDIARISM.—In reference to a paragraph in Monday's Herald regarding this matter, we find, in conversation with Mr. Burgess on the subject, that he is not inclined to regard it as an attempt at wilful incendiarism, but rather on the fact that the front door on Wyndham street being always open, and a pair of spectacles &c., being left behind, that some homeless unfortunate had taken refuge there for the night. The danger from fire, however, even if such was the case, is not to be undervalued, and whilst, if this supposition of Mr. Burgess is correct, the criminality of the affair is greatly diminished, it cannot again be too strongly urged upon the grocers, that they not be for the night, that they not be for the night, that they not be for the night.

GORER BY A BULL.—We regret to learn that James Muttie, son of Mr. Wm. Muttie, Ermacon, was seriously injured by a bull on Saturday. The animal had some how got loose and the young man went to put him into his stall. After he had got hold of him the brute jerked his head and broke the stick which Mr. Muttie had hold of, and which was attached to the ring in his nose. Having no means of defence the animal then attacked him, tossed him two or three times over his head, and tried to gore him when he was lying on the ground. He did not seem for his brother who seeing the danger, ran at and struck the infuriated brute he might have been killed. As it is he is seriously injured about the legs and groin, and Dr. Herod, who is attending him, and who was immediately sent for after the occurrence, is afraid that inflammation has set in, which may make it more dangerous.

Shooting Match.
A match came off on Monday at Sleeman's Brewery, for a purse between Messrs. Holliday and J. West on one side, and Messrs. A. Black and Cherry on the other; the score stood as follows:—
Holliday—1 1 1 0 1 1 1 1—8
West—0 0 1 0 1 1 0 1—5
Black—1 1 1 0 0 1 0 1 0—5
Cherry—0 1 0 1 0 0 1 1 0—4

Afterwards a scrub match came off between Messrs. John Hower and J. Fuhr and Messrs. Deady and D. Hefferman, with the following result:—
Hower—0 0 0 1 0 0 1—1
Fuhr—0 0 0 0 0 1 0 1—1
Deady—1 0 0 0 0 1 1—3
Hefferman—0 1 0 0 0 0 1—1

The Lyric Gems of Scotland, first and second series, now in one volume, containing seven hundred and eleven original and selected Scotch songs, with appendix of notes, historical and descriptive of the various songs, bound in cloth, gilt edges, sides and back, for one dollar; by mail, post paid, to any post-office in the Dominion, for \$1.25. Address Dr. Day's Bookstore.

CHILD DROWNED IN GALT.—A little girl aged about six years, daughter of Mr. Andrew Brown, of Galt, fell into a cistern of water, on Sunday, and was drowned before she was discovered. At the coroner's inquest held on Monday, a verdict of death by accidental drowning was returned.

Local and Other Items.

On Saturday afternoon the gunboat *Rebecca* arrived at Hamilton, where she will remain all winter.

Mr. JOHN A. BACON, postman, Hamilton, has received from Manitoba, a sample of spring wheat weighing 63 lbs. to the bushel.

A SCOW was blown against a bar in Toronto harbor on Monday morning, and sunk. The men on board had to climb the mast, and were soon rescued.

Mr. McLEOD of Kintail, County of Bruce, this year grew an immense beet, measuring eighteen inches in length, and the same in circumference.

The gross earnings of the London and Port Stanley Railway last year were some \$60,000. This year it is likely the earnings will be nearly double that amount, or \$120,000.

THE VOTING on the bonus by-laws for the Norfolk and Port Dover and Lake Huron railways took place on Monday, when the former was carried by a majority of 80, and the latter by a majority of 94.

Mr. HOLLOWAY, the patent pill potentia, is about to build in England at a cost of nearly \$100,000 an insane asylum; presumptive to show his gratitude to the class from whom most of his fortune was derived.

THE STRATFORD HERALD presses upon its readers the necessity of constructing a branch railroad from that town, to tap the Wellington, Grey & Bruce Road, and thus prevent the trade of the place from going to Listowel.

A despatch to the Hamilton Spectator says that the track layers are within three and a quarter miles of Listowel, and they will reach that village this week; also that the road is ready for the iron thirteen miles beyond Listowel.

IT IS STATED that Goderich Township will be required to vote upon a by-law granting a bonus of \$10,000 to assist in the construction of the London, Huron & Bruce Railway. We also hear that Turnberry is expected to grant a similar bonus.

THE ALLAN steamer *Plynesian* arrived at Londonderry on the 23rd November. She left Quebec at noon on the 25th October, thus making the passage in 7 days, 18 hours and 55 minutes to Derry, and 8 days 7 hours to Liverpool. This is the fastest trip on record.

THE SEVEN-KEEPERS of Clinton have unanimously agreed to keep their barrooms closed between the hours of seven o'clock on Saturday night and six o'clock on Monday morning, and purpose giving their countenance and aid in enforcing the penalties of the law against any person violating the same.

EMIGRATION from Italy to the United States has increased to such an extent that the attention of the Government has been called to it. Lanza, the President of the Council, and Minister of the Interior, has written to the prefects of Italian Provinces, inquiring into the cause of so many persons leaving their homes.

THE EXTREMELY high wind on Monday morning blew down the chimney stack of the Queen's Hotel, Toronto, and the falling bricks carried down the scaffolding at the eastern wing, which is being added to the building. Four men who were at work were swept down, two of whom received severe bruises.

SAD ACCIDENT.—A sad accident occurred in Bluevale, County of Haron, on Thursday evening last. A little boy about two years old, son of Mr. Thomas Redmond, blacksmith, while playing in the house, overturned a lamp full of burning fluid, which was burning on the table near him. The lamp was broken, and the fluid taking fire, soon enveloped the boy in the flames. The boy's mother, who was in the house at the time, naturally made every endeavor to save him, but her efforts, and those of Mr. Redmond, who was working in the furnace, only succeeded in quenching the flames when it was too late to save the boy's life. He was burned so severely that he only lingered until 12 o'clock.

SINGULAR FATALITY AMONG CHILDREN.—A few days since the children of Patrick Cunningham, a respectable workman of Bloomfield, New Jersey, four in number, were taken suddenly ill, and began vomiting violently. On Thursday the eldest, a boy of nine years, died, on Friday another, Saturday morning another, and at last on the occasion the fourth was gasping his last. Two skilful physicians are unable to determine what the cause of death is, though they have been in attendance from the first, and have seen all the phases of the strange disease. Many supposed the children had been poisoned, but this theory was soon discarded. The bodies presented a very dark appearance, and were covered with blotches soon after death. The disease, whatever it is, is thought to be contagious, and preventatives are taken to keep outsiders away. Some of the matrons assert that spotted fever is the fatal disease, but the doctors say not.—N. Y. Herald.

CHANGES IN THE G. W. R.—The Hamilton papers are officially informed that the following are the changes intended to be made in the staff of the Great Western, on the retirement of Mr. William Wallace: The extraordinary increase in the Company's business necessitating the division of the Superintendent of the line, the office of Assistant Superintendent will not be continued as heretofore. Mr. M. D. Woodford, as Assistant General Superintendent, will have his head office at Windsor, and take charge of the traffic department from London, inclusive. West. Mr. Joseph Taylor as General Superintendent's Chief Assistant, will have similar powers on the whole of the remaining of the main line east of London, and the W. G. & B., Brantford and Toronto branches. He will continue to occupy his present office. Mr. Webster will have charge of the trainmen on the eastern division.

THIS MORNING'S DESPATCHES

The Khedive Expedition.

The Situation in France.

Stormy Weather in England.

Draft of Grant's Message.

Greeley Reported Insane.

Nitro-Glycerine Explosion.

Ship Wrecked at Sea.

London, Nov. 26.—The Khedive Expedition consists of 5,000 men, and is commanded by Purdy Bey. It goes to Zanzibar in transport, with ostensible intention of joining Dr. Livingstone and of co-operating with him if agreeable, otherwise to act independently in solving the problem of the sources of the Nile, under Egyptian colours. It is, however, doubtful whether the expedition is intended to join Dr. Livingstone, or meet Sir Samuel Baker or open up new lines of operations in Abyssinia.

London, Nov. 25.—Special despatches from Paris to the London evening papers, report that the situation is gloomy; the majority in the National Assembly it is stated has determined to adhere to the position it has taken, and a compromise of the differences between the Executive and Legislative Departments of the Government is regarded as improbable.

The weather to-day is very tempestuous, the telegraph lines have been prostrated in many places, and much damage to shipping on the coast is reported.

New York, Nov. 26.—Arrived the *Baltic* from Liverpool.

A Washington special to the *Herald* says that the President to-day will read the Cabinet a complete draft of his message. He has yielded this year as he did last year to the advice of experienced politicians. He has changed his tenor so far as it relates to the South. He gives that section a passing mention, praises its wisdom in the enforcement of laws, and alludes to the disappearance of lawlessness in the South, as well as good behaviour at the polls in the November election, and hopes for a continuance of this condition of affairs. Although he has no special recommendation to make in behalf of the South, yet he desires that Congress shall do whatever it deems wise in the interest of the late Rebel States. He states his previously expressed sentiment that he has no policy to enforce against the wishes of the people. The country is felicitated in accomplishment of the Treaty of Washington. Cuba is lightly passed over. Mexico does not receive a large share of attention, our relations with different foreign nations are disposed of in the usual brief paragraphs. The coming Vienna Exposition is commended; the Philadelphia Centennial is also spoken of; our credit, home and abroad; efficiency of the management of foreign and home policy; prosperity of the nation, make up substance of the balance of the message.

Boston, Nov. 25.—The Cunard steamship *Batavia*, which arrived here to-day from Liverpool, reports that on November 10th, in latitude 40 deg. 16 min., longitude 41 deg. 27 min., she fell in with the wreck of the barque *Charles Ward*, of Newcastle, England, from Quebec, bound to Sunderland, dismantled and water-logged, the vessel having encountered a hurricane on the 18th. All the after part of the vessel had been washed away by the sea, and the survivors of the crew were found clinging to the rigging, where they had been exposed to the wind and waves for thirty-six hours, during which time eleven of the crew were washed overboard and drowned. The survivors, including the master, Capt. F. Bell, the first and second mates, and six of the crew were safely transferred to the steamer and brought to this port.

New York, Nov. 25.—A morning paper publishes to-day the report—current in newspaper circles for nearly a week—that Horace Greeley is insane, and says, he is now an inmate of an Asylum at White Plains. The same paper makes public an interview with the managing editor of the *Tribune*, in which that gentleman is made to say that Mr. Greeley has been under medical treatment for some time, and that he was always eccentric in manner and very likely might be considered by some stark mad, but he is simply nervous.

Cincinnati, Nov. 25.—S. B. Keyes & Co., brokers of this city, suspended to-day in consequence of indirect losses in a corner of the North-west losses.

New York, Nov. 25.—Near Yonkers to-day an explosion of nitro-glycerine took place, blowing two young men to atoms and injuring fatally two others. Some young men in a spirit of playfulness threw stones at the cans in which it was stored when the explosion followed.

Chicago, Nov. 26.—A banquet was given here last night at the Tremont House to the Hon. E. B. Washburn, U. S. Minister to France, by a number of his personal friends in this city.

A young lady of Danbury, Conn., who is receiving the addresses of one of the sprucest of clerks, was somewhat taken aback, Sunday night, when he suddenly fell down on his knees, and drawing a paper from his pocket, blushing red of face, declared that he loved her.

A West Virginia journal announces that Silas Cooper, living near Lincoln Court House, one hundred and six years old, is a candidate for marriage, desiring a handsome, intelligent and industrious girl of sixteen, to take the place left vacant by Lucy Martin, his first wife, who died last March, aged one hundred and ten.

Board of School Trustees.

The Board of School Trustees met on Monday night. Present, Mr. Peterson, chairman, Messrs. Newton, Raymond, Stevenson, Harvey, Inglis, Knowles, Dr. Keating and Dr. McGuire.

The Secretary read a communication from Miss Rhemmie, stating that the piano in the Senior Girls School is not in a fit state for practicing, and that a good piano might be rented for \$40 per annum.

Also a communication from Mr. Cullen stating that he had refused to admit two pupils—John and Thomas Mitchell—as they belonged to another ward.

Mr. Stevenson presented the report of the School management Committee, recommending that \$50 be granted for prizes at the Christmas Examination to the Public Schools, including the High School.

With reference to the communication of Mr. Cullen, respecting the admission of pupils from other ward schools, the committee deferred consideration of the same till they would have a full meeting.

The report was adopted.

Moved by Mr. Stevenson, seconded by Mr. Inglis, That Mr. Newton, Dr. Keating and Mr. Lafferty be a committee to act in conjunction with the Inspector in selecting prize books, and make a fair apportionment of the same among the different schools. Carried.

The Board then adjourned.

Chancery Court.

Before Chancellor Sprague.

GALT AND GUELPH RAILWAY CO. vs GREAT WESTERN RAILWAY CO.

The defendants have for many years been working the plaintiff's road under an agreement according to which they were to render accounts to the plaintiffs half yearly of all receipts and expenditures on behalf of the road. The G. W. R. had entered into the agreement with the G. & G. Company before the road was fully completed, and had taken it out their own hands, finished it, and worked it ever since, and had rendered accounts to the G. & G. Company, but these accounts the plaintiffs now contend had been kept upon a separate system, and the G. W. R. Co. had treated the G. & G. Co. as a part of their general system, and based the accounts upon an average of the receipts and expenditure of that system. This the plaintiffs now asserted, and proposed to show, worked unfavourably towards them, and they claimed that under the agreement they were entitled to have an account of the actual (not the average) receipts and disbursements of the road.

There was some question also raised as to whether the accounts had not been so settled in 1866, in a suit brought by the G. W. R. against the G. & G., that the plaintiffs now should not be allowed to go behind that settlement.

We shall endeavor to give our readers a synopsis of the evidence by which the plaintiffs propose to support their contention. Mr. T. Moore, Q.C., and Mr. Guthrie for plaintiffs; Hon. E. Blake, Q.C., and Mr. E. Millis Irving for defendants.

Mr. Chas. Davidson, Secretary to the G. & G. Railway was the first witness examined, but his evidence was principally of a formal character.

Mr. Joseph Price, Treasurer of the G. W. R., testified that the accounts between the two railways had always been kept on the same principle since the commencement up to 1868, when some change occurred, the charge made was part actual and a part according to mileage; the actual means, maintenance of way, salaries, &c., everything in fact was actual except in the cost and repairs of locomotives; kept a separate account of maintenance of road; the charge made between Galt & Guelph was the actual distance run by the locomotive; the G. & G. was charged 10 cents per mile of the actual distance run for repairs and maintenance of engine, and six-tenths of a cent for cars; presume that this principle of charge was made when the rolling stock was new; books do not show the particular cost of repairs upon the engine and cars of the G. & G. R.; a final state was charged for these repairs without reference to the actual cost; fuel was charged according to distance, not according to weight of train; one third of salary of station masters was charged by the G. W. R. against G. & G. R.; the cost of the three railroads with the salaries of the various officers are charged to the plaintiffs; the charge for management was a lump sum of \$2,400 per year; receipts from passengers were charged pro rata per mile; there is a tariff for the G. & G. R.; did not credit the local traffic with the actual receipts for the local traffic; took the mileage travelled by the entire Western system; then took the total mileage travelled by the G. & G. R.; then took as the third proportion the entire mileage altogether of the entire system to arrive at the rate allowed to the G. & G. R. for passenger and freight traffic as their proportion; no credit was ever given to the G. & G. R. for heavy loads; 2,400 was charged the plaintiffs as what was calculated to cost for a separate organization; \$100,000 being the cost of the management of the G. W. R.; does not think that the expenditure for general charges is increased by the G. & G. R. Branch, but witness afterwards somewhat qualified this sentence by saying that he did think that the Hamilton office expenses were increased by the G. & G. R. connection. (The witness on this point seemed to give very unwilling evidence in favour of the plaintiffs.)

Cross examined by Mr. Blake. The cost of rails charged was merely the cost of renewals, and there was a large amount of these during the time of connection between the railways; the cost of working the Great Western Railway up to 1866 was 15 cents per mile, exclusive of machine shop, interest, capital and insurance, which would bring it up to 14 cents per mile; the cost of car per mile was eight thirty-fifths of a cent; the plaintiffs have been charged only six-tenths of a cent; no charge is made to the plaintiffs for interest on original cars and locomotives; the equipment of the plaintiffs has been made entirely free of charge; prior to 1868 the charge made by one company to another was for the use of interchanged cars was 2 cents, since then it is 1 cent per mile; the plaintiffs are great gainers by the rate they are charged; if a car is destroyed it is replaced by the company; the equipment of the plaintiffs has been made entirely free of charge; prior to 1868 the charge made by one company to another was for the use of interchanged cars was 2 cents, since then it is 1 cent per mile; 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