# Guelph Tbening Mercury.

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GUELPH, ONT., CANADA, TUESDAY EVENING, SEPTEMBER 15, 1868.

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# At H. BERRY'S.

SPLENDID DATES At H. BERRY'S.

FINE

# **ORANGES & LEMONS**

At H. BERRY'S.

## THE MURDER OF MR. McGEE

## TRIAL OF WHELAN A. H. R. KENNEDY'S

SPEECHES OF COUNSEL AND JUDGE'S CHARGE.

trial to-day was stronger than ever. The

At H. BERRYS.

What is a control of the control year in the year in the control year i

that conversation had reference to Turner's evidence and not to his (prisoner's) own opinions. The learned Counsel in conclusion warned the jury that they would have to be careful in attaching any faith to a story of which so many reasons had been given as to prisoners whole connection with this affair. As far as he (the counsel) could, he had done what in him lay towards the prisoner's defence, and it would now lie with the jury to give their verdict according to the evidence.

Mr. O'Reilly, in his speech, in reply, said he was glad to find from his learned friend's lips that justice had been done in the case. There may be prejudice against the foul deed and against the crime, but not against the prisoner, other than as being cullive of the crime. God

against the foul deed and against the crime, but not against the prisoner, other than as being gullty of the crime. God forbid that the man who committed that flendish act should not see the just reward of his crime. The people of this country desire to see the murderer punished. The press and the public desire to see the murder laid bare; and if I have been instrumental in dragging it to light I shall go down to my grave satisfied and thankful I have tracked the felon who tilled McGee. He then briefly recapitulated the facts, tracing the prisoner's career, commencing at Quebea. He contended that all the facts bore strongly against the prisoner, that the thoughts of taking McGee's life were constantly in his mind. When McGee comes to Ottawa, so does Whelan, when he returns to Montreal so does Whelan, He had always a loaded pistol about him. When he lawes the House on the night of the murder does pistol about him. When he leaves th House on the night of the murder doe any one follow him. Lacroix may b House on the night of the murder does any one follow him. Lacroix may be as ignorant and simple as they say; he may be a boaster; but if the defence is correct—if Lacroix manufactured his story—instead of being ignorant he must be a man of unbounded ability. He then alluded to Whelan's confession in the gaol. Whelan in this conversation said there are three of us. He and Doyle are two—where is the third? We do not know, but the finger of Providence will reach him. He concluded by saying, I will not use a single figure of speech, but only repeat the words you have already taken on your lips—"You shall ready taken on your lips—"You shall well and truly try and a true deliverance make between our Sovereign Lady the Queen and the prisoner at the bar according the evidence, so help you God."

The close of his speech created a pro

The close of his specific varieties.

His Lordship then charged the Jury.

He said a few words in regard to the position and duty of an advocate. If a professional man permitted himself to use the would be such as the world with the class he would be such as the world with the said of the said would never be found in a case in which he would notgain by money or by credit. It is the duty of every lawyer to accept every retainer; and any man, whatever his station, has a right to insist that his case be taken up.

He then proceeded to read and comment on the evidence at great length, and summed up by saying; The real point and question for you to ask your minds is—looking to all these facts, do you believe the prisoner not guilty? If you cannot believe him guilty, if your minds cannot allow that he is guilty, if then pronounce for his acquittal; but turn it the other way, and I ask you do you honistly and seriously believe the prisoner to be stay and the seriously believe the prisoner to be

it the other way, and I ask you do you now setly and seriously believe the prisoner to be the assassin, and does the evidence lead your minds to that conclusion? It it does then it is your duty to pronounce him guilty. But if your mules oscillate—if you feel that it is stretching the facts and giving undue weight against the prisoner—that is what the law means by "reasonable doubt"—you are bound

Close of the Trial

## Whelan Sentenced to be Hung.

VERDICT, GUILTY!

The Execution to take Place on December 10th.

tch to the Guelph Mercury

man, but he blamed those who manufactured the evidence.

He spoke of Ireland and made some violent remarks, when he was stopped by the Judge, who desired him to adhere to his case. Prisoner had no more to say except protest his innocence.

His Lordship then addressed him, saying that after a fair trial he had been convicted by the Jury of the orime with which he was charged. Nothing remained for the Court but to pass sentence, from which he could hope for no reprieve. He trusted that while life remained the prisoner would employ it to make his peace with God.

The sentence is, "that you Patrick James Whelan be taken to the place from whence you came, and there detained till the 10th day of December next and that you be taken between the hour of 9 in the morning and 4 in the afternoon to the place of public execution, and there be hanged by the neck till your hody be dead, and may God have mercy on your soul."

Prisoner here showed some nervousness, but recovered himself, and was led

### Red River Settlement. The Appearance of the Country, its Climate, quality of the Soil, &c.

The following account of his late visit to the North-west territory has been kindly handed us for publication in the Mercury by Kenneth McKenzie, Esq., President of the South Wellington Agri-

Mercury by Kenneth McKenzie, Esq., President of the South Wellington Agricultural Society:—

Knowing that a great deal of interest is felt by my fellow Canadians regarding the North-west territory, I propose to give you a short account of the trip, together with my impressions formed during my stay there. I left Guelph by Great Western Rallway on the 5th May, and landed in St. Paul, Minnesota, two and a half days after. I remained in that State with some of my friends for two weeks, and during that time visited several noted farming districts. Among others I visited the famed Dalrymple Cottage Grove farms, where the proprietor raised 32,000 bushels of wheat the previous year. There is nothing particular to see about one farm more than another, only the Canadian cannot help noticing the large ploughed fields—if fields they can be called—for in a great many instances there are no fences to distinguish one from another. Few, or none I might almost say, think of building barns, but thrash their wheat in the field and team it into the granary, or send it as quick as possible to market. The traveller will see immense piles of straw in some fields; other farmers burn it whenever they thrash. Timber 1. scarce, and in general the fences are poor, although in some places you will see good fences, and a few good barns. Their dwelling houses are generally of a better class compared with the same kind of buildings groing up. They have the best horses there, take them as a whole, that I ever saw in any town or city. There are some heavier teams in Chicago and Milwaukee, but I like the St. Paul horses fully as well as any of them, being of I ever saw in any town or city. There are some heavier teams in Chicago and Milwaukee, but I like the St. Paul horses fully as well as any of them, being of good weight and clean boned. The cattle are not quite so good as the horses, but still pretty fair. Their stock is greatly injured on the prairies by allowing the bulls to run at large. Still I saw several fine working oxen. In sheep they are far behind, the most that I saw being poor, miserable looking animals. Their pigs are no better than their sheep.—Their hobby is to raise wheat. They sow wheat year after year on the same land—in some instances I was told from twelve to fifteen years without intermission. They raise considerable corn, oats and potatoes. The latter seem to do well, but a bug has done them considerable injury this year.

ined in it, and to the credit of the remains a Minnesota not one of their sex was within its walls. The inmates were all employed in cooper work, as they get a great quantity of timber down the St. Croxiver. I considered the rules of the prison very good, as every inducement is

river. I considered the rules of the prison very good, as every inducement is held out to the prisoners for good behaviour. If no mark is put against any one of them for a month, he is allowed two days off his servitude, and if confined for five years, and no bad conduct is recorded against him at the end of the fourth year he is released, and again allowed the fullest right of citizenship. There is an industrial farm attached to it a few miles

man, but he blamed those who manufactured the evidence.

He spoke of Ireland and made some violent remarks, when he was stopped by the Judge, who desired him to adhere to be seen to be seen the seen that the seen th

miles of Fort Garry. Quite a number of settlers who moved into this section were massacred by the Sioux Indians about six years ago.

As we met the different trails of carts on their way to St. Cloud, we heard doleful accounts of the destruction the grasshoppers had committed in the settlement, which we found were too truly verified, on our arrival at Fort Garry, for around the bastions of the Fort their marks were to be seen fully eighteen inches up the walls, and the inhabitants had to wheel them off as their dead bodies emitted a stench like rotten fish. The first of them we saw was about thirteen miles north of Pembina, on the division line between the United States and British territory, as we halted for dinner. After that they were meeting us in swarms all along the road. They seemed all to be going south, and after I arrived at the Settlement I observed that they never offered to fly but when a north wind came to drive them south. There were very few to be seen in the settlement by the 30th, but when I left they were quite thick on our way out till within 30 miles of Georgetown. So complete had been their ravages that not an ear of any kind of grain was to be seen in the whole Sottlement. I am, however, of the opinion that if the country was more widely and thickly settled the injury might not be felt so great, as many parts might escape their ravages. I have been informed by parties born in the country that this is the third can sweep they have made of the products of the soil in 46 years, the first being in 1832. But then their ravages were not so much ielt, buffalo and plenty of other game being at the doors of the settlers. Several of them did not sow or even plough their land hast fall, as the grasshoppers came in swarms in the grasshoppers came in swarms in the grasshoppers came in swarms in the results. Several of them did not sow or even plough their land hast fall, as the grasshoppers came in swarms in the grasshoppers came in swarms in the results. At present there is but a very small portion o the Settlement, they had no more dread of them for the present. At present there is but a very small portion of country set-tled—only about 50 miles in a continued ine along the banks of the Red River, which runs in a northerly direction; and there are 65 or 70 miles settled along the banks of the Assinabolne which runs east and west and falls into the Red River at The country being smooth which that is a normary utreason, and, there are 65 or 70 miles settled along the banks of the Assinaboine which runs east and west and falls into the Red River at Fort Garry. The country being smooth and level, there seems to be no obstruction to their over-running the whole area of cultivated land which is of small extent. I was more fully convinced of this on my return to Fort Abereronbie, a distance of about 270 miles south where a Mr. McCauley has a farm near to the Fort. On my arrival on the 12th August he was stacking the last of his wheat crop, and had besides a large field of oats, peas and potatoes, none of which were in the least touched by grasshoppers. And this distance is but trifling camparded with the vast extent of the great plains to the west and all around which might be settled. The Red River is a slow, sluggish stream, and is very crocked.—The banks on each side are high, and formed of rich alluvial soil and clay, which makes the water rather muddy.

The land around Fort Garry is generally rather low and bushy, being pretty well twoded near the river. The ground is very sticky in wet weather. I saw the first of those pests, the Canadian thistles, in the insmediate neighborhood of Fort Garry—the first I had seen since leaving Detroit. I don't, think they are indispensus to the prairie country, as after travelling a short distance west of the Assinaboin River runs more rapid than the Red River, but the first I had seen since leaving Detroit. I don't, think they are indispensus to the prairie country, as after travelling a short distance west of the Assinaboin River runs more rapid than the Red River, but the where it falls into the Red River, but the where it falls into the Red River gets on where it falls into the Red River gets where it falls into the Red River gets where it falls into the Red River gets and the summer of a sandy subsoil, warmer and of age earlier nuture than to the east, and it contents that the sear, and it to the sear, and it contents the summer of a sandy subsoil, warme

though of rather a dark colour, which is generally the case on rich soil. I could not tell the variety, for it seemed to be a mix-ture of all kinds. It was so with the wheat and other grain I saw on Mr. McCauley's farm, and indeed nearly all through Minne-sota they seem to pay no attention to pure

The Horticultural Show

Is proceeding to-day. The Hall will be open to the public in the evening, and the Battalion Band will be in attendance.

THE GUELPH POLICE COURT.

Before T.W.Saunders, Esq., Police Magistrate
TUESDAY, 15.—Catharine Ogilby, and
her promising daughter, Mary, were this
morning brought up for disorderly conduct. Fined \$3 each and costs, and in
default of payment 21 days in gaol.
Catharine Fitsgerald, for drunkenness,
was dismissed on promise of future good