

was on the attorney's side. The fellow persisted, and as there was no other evidence, and the defendant swore positively that he had never received the money or affixed his mark to the note, my case was dismissed."

"Well," exclaimed Markham, "I am surprised that the people of the Province of Quebec are so much behind the age. The law you refer to was formerly in force in England, but was altered many years ago. It seems perfectly outrageous that any blaspheming scoundrel may be taken out of the penitentiary and admitted to give evidence, whilst a man of irreproachable life and character can be rejected because he is too honest to profess what he does not conscientiously believe. It is not the province of the law to uphold or discountenance any special views of religion, but simply to do all in its power to insure the truthfulness of the witnesses. It is preposterous that the law should persist in the theory that a witness is necessarily unworthy of belief because his religious views are not orthodox."

"I now come," said Fitzherbert, "to the last of my troubles. I was, as you may imagine, thoroughly disheartened by my repeated losses and was thinking of applying for a situation as my means had all melted away, and I had recently married, when a relation died, leaving me a legacy of \$5,000, which was promptly remitted to me. Shortly afterwards, and before we had been married three months, I grieve to say my wife died.

Having now no ties and no investments in the country, I determined to return to England and take my \$5,000 with me. I engaged my passage in the Parisian, which sailed last month. I had packed my trunks and was on the point of starting, when a bailiff stepped up to me and having ascertained my name, served a notice upon me by which I found that a man, of whose existence I had never heard, claimed one-half of my \$5,000 and of any other property which I might have acquired during my married life. I was informed by him that unless I gave security for payment of what should appear to be due to this man I should not be allowed to sail, and that he was armed with a writ of 'capias' to arrest me. I telegraphed to a lawyer in the city to come to me immediately, and on hearing my story he said I could not possibly leave without having the claim disposed of, and that any judge would maintain the 'capias.' The end of it was that the Parisian sailed without me, and my lawyer proceeded to investigate the claim.

"It appeared that the claimant was a very distant relative of my wife's. He lived in one of the Western States and had never been in Canada in his life. My wife had always told me she had no relations.