Guelph Evening Mercury

MONDAY EV'G, OCT. 26, 1874.

Illicit Distillery in Amaranth.

The following case was tried at the Toronto Assizes on Thursday last :—

THE QUEEN VS. HICKS AND EVANS.—Mr. R. M. Fleming appeared for the Crown : Mr. D. L. Scott, Orangeville, appeared for the defendant Evans alone. The defendant Hicks was not represented.

This was a prosecution by the Crown against the parties for illicit distilling. They charged that the parties made 50 gallons of spirits without license. There were other counts in the declaration, and these with their penalties were set out. Mr. Fleming opened the case for the Crown by relating the events that had taken place at the time of the entrance on the premises by the Inspector of Inland Revenue. He called evidence.

Charles Edward Romain, Inspector of Inland Revenue, was at the village of Waldemar, in the township of Amaranth, on the 6th of May, 1872, on information he had received ; went there with Mr. James Gow, the Collector of Inland Revenue ; they found a man and woman engaged, when they reached the spot, rolling a barrel of spirits into the Grand River ; he ordered them to desist, which they did, and he proceeded to take an inventory of the plant and apparatus on the premises. The man gave his name as W. J. Johnson. Mr. Romain described the situation as about four or five rods from a tavern kept by Hicks and Evans, and immediately on the banks of the river. The man who gave his name as "Johnson," subsequently admitted his proper name was Hicks, and that the woman spoken of was his wife. The informer said the parties were Robert Hicks and Alexander Evans, and were the proprietors of the tavern, an old ashery close by, and the distillery. Mr. Romain could identify Hicks, but he could not identify Evans, whom he had not seen ; but he believed the first information he had received was correct, as subsequent events all proved the correctness of what he had been told. Parties wishing go into distilling make application to the Collector of Inland Revenue. This application must be approved by the District Inspector, (the office filled by the witness.) There had been no such application in this case. The barrel of spirits he supposed was made there as the filterer was there. The spirit ranked in taste and quality with the ordinary "Swamp whiskey," as it was called. The duty was 63 cents per proof gallon at that time. The schedule he produced was made in triplicate. They had the materials for mashing, distilling, and rectifying, the latter as far as they could do so. They must have worked more than one day before they got there. He thought the capacity of the place would be equal to two barrels per week. There were no returns made from this distillery ; it would be the last thing they would do. It appeared about $100 worth of property, whiskey and plant was sold, and about $30 worth destroyed.

Mr. Scott said he appeared for Evans alone. Hicks was not represented. In answer to Mr. Scott, Mr. Romain proceeded to state that his information was that if he went to the place indicated he would find the work in full operation. He could not swear that he saw Evans, but Evans may have been there. A Mr. Dawson, Reeve of the Township of Luther, acted in their behalf, for Mr. Dawson jumped off the train on its approached to Waldemar, in collusion with the conductor of the train, and ran down to tell the parties that the Inspector was coming. Mr. Romain jumped off too, and ran a race with the Reeve, but the latter knew the short cuts better and got there in advance. When Mr. Romain got there he found the parties rolling the barrel as described, and others were on the spot. He covered them with his revolver telling them his authority, when he proceeded as described. He did not know anything of the parties more than what was given to him by the informer. The spirits were about 33 under proof, according to test made.

James Gow was Collector of Inland Revenue, and accompanied Mr. Romain on the excursion just described by him. Mr. Gow did not know any further about the offenders than what had been communicated by parties giving them information. They had found some mill offal in the loft of a stable attached to the hotel. The man who gave his name as "Johnson," but afterwards was found to be Hicks, appeared to be proprietor of the hotel.

This closed the case for the Crown.

Mr. Scott said he did not think there was any necessity to go into a defence, as it had not been stated in evidence that Evans was there, nor had he been associated with defendant, Hicks, in the act complained of.

Mr. Fleming contended that under the Act relating to Inland Revenue, sec. 158, general evidence might be given.

His Lordship decided that there was no evidence as against Evans.

His Lordship addressed the jury, and remarked that as far as Evans was concerned there was no evidence ; but in the case of Hicks they could scarcely doubt that he had committed the offence of distilling, charged in the first count. The second count charged him with rectifying, was also proved. The third count charged double license as penalty. The fourth count charged them with possession of apparatus ; this was proved also. The fifth count charged them with neglecting to make report with description of the apparatus was also held proved. And a further penalty for every day in which it shall be omitted to make these necessary returns. His Lordship directed that they should find the charges all proved as against Hicks. The penalties, he observed, appeared to be heavy, but it was the act of the Legislature in fixing these penalties.

The jury returned in 20 minutes with a verdict acquitting Evans, and a verdict for the Crown as regard Hicks, on all the counts, including the following penalties :—On the first count $200 ; second count $200 ; third count $500, and $63 (double duty ; fourth count $100 ; fifth count $500 ; sixth count $100, a total of $1,663.

BREAKFAST.—Epps's Cocoa.—GRATEFUL AND COMFORTING.—"By a thorough knowledge of the natural laws which govern the operations of digestion and nutrition, and by a careful application of the fine properties of well-selected cocoa, Mr. Epps has provided our breakfast tables with a delicately flavoured beverage which may save us many heavy doctors' bills."—*Civil Service Gazette.* Made simply with boiling water or milk. Each packet is labelled —"James Epps & Co.", Homœopathic Chemists, London." iy6-9m

NATURE'S DIADEM.—Is your hair falling out? Is your hair growing dry and lifeless? Is your hair less pliable and glossy than of yore? It wants a good healthful hair dressing to help exhausted nature to recover itself. Try Bearine and mark the change.

The Hoosac tunnel will not be completed until one year from next January.

See those Dress Goods for 25 cents
per yard at GEORGE JEFFREY'S.

The Rush for Bargains Still on the Increase

AT THE LION AT THE LION

We show this Week the Cheapest Lot of Goods ever before shown in Guelph

NOTE THE FOLLOWING PRICES :

500 pieces Fine Scoured Wincey at 10c, worth at least 15c.
379 bales Fine yd wide Factory Cotton 10c, worth 12c—this cotton is great value.
1000 pieces Dress Goods, in check and stripes, from 6c a yard—terrifically low.
10,000 pieces New Styles D.K. Prints, at 9c, worth 12c.
147 doz. Reversible Wool Shawls, lovely for winter wear, 11 York Shillings, worth $3.
150 pieces extra Heavy Fulled Cloth, only half a dollar, worth 75c a yard.
Ladies' Clouds, Nubias, Scarfs, beautiful and warm, at 12½c each, in endless variety

With pleasure we inform the Ladies of Guelph that we have secured the valuable services of Miss Manny as principal in our Mantle Department. The name of Miss Marney is sufficient guarantee that the orders entrusted to her care will give eminent satisfaction.

Remember the Store—THE GOLDEN LION—where the once wonderful John Hogg was, and where the now wonderful J. D. WILLIAMSON is. Although unprincipled men have been trying to impose on the people that the Lion has been moved up street, the Lion is still in the old spot, next door to Mr. John Horsman's, Lower Wyndham street.
Where the Lion is, there the Bargains are.

Golden Lion, Wyndham Street, Guelph. J. D. WILLIAMSON.

DYNAMITE

THE NEW AND POWERFUL MATERIAL
For Blasting Rocks, Boulders, etc.
IS NOW TO BE HAD AT
JOHN HORSMAN'S
GUELPH.

ONE CHARGE WILL SCATTER TO FRAGMENTS THE LARGEST BOULDER.
WILL BLAST A ROCK IN WATER QUITE AS WELL AS IF DRY.

Quarrymen should use it.
Farmers should use it.
The British House of Commons recommends it.

JOHN HORSMAN,
General Hardware Merchant,
GUELPH.

Encourage Home Manufacture

STOVES STOVES

STILL LOWER IN PRICE !

We still live in spite of those who have lost a greater portion of their legitimate trade, and are obliged to become tinkers.

Also : GREAT REDUCTION IN TINWARE

Give us a call before buying elsewhere, as we are determined not to be undersold. Our stock is the largest west of Hamilton and Toronto.

MILLS & GOODFELLOW.

MULTUM IN PARVO.

Call and see J. Hunter's
NEW STOCK
—OF—
WOOLS, FANCY GOODS, JEWELLERY, SMALL WARES, TOYS, WALL PAPERS, STATIONERY, SCHOOL BOOKS, HAIR GOODS, CHIGNONS, SWITCHES, BRAIDS, &c., &c.

Full lines in every Department.
All new and the BEST VALUE at the LOWEST PRICE.
J. HUNTER,
Wyndham street, Guelph.

Stamping, for Braiding and Embroidery, Kid Gloves and Slippers cleaned. Feathers cleaned and curled. Agent for Mme. Demorest's patterns.

POWELL'S
Boot and Shoe Store
Men's English and American style of
Gaiters and Shoes;
Ladies and Children'
GOAT, KID AND PRUNELLA
Which for style, finish and durability, will be found superior to any in Guelph.
Particular attention paid to
Custom Work and Repairing.
Remember the Noted Shoe Store,
G. S. POWELL,
West side Wyndham Street, Guelph.
Guelph, Mar. 20th, 1874. dw

JUST ARRIVED.
A splendid and choice assortment
OF
COAL SCUTTLES
AND
COAL VASES.
These are really select patterns, and well worthy the inspection of those about to purchase.
John M. Bond & Co.
Direct Hardware Importers,
Wyndham Street, Guelph.
Guelph, Oct. 15, 1874. do

RICE'S
BILLIARD HALL,
In the Queen's Hotel, Guelph, opposite the Market.
The room has just been refitted in splendid style, the tables reduced in size, and everything done to make it a first-class Billiard Hall.
Guelph, Nov. 3rd, 1873. d

M. P. DELOUCHE,
WIRE WORKER,
Pearl street, off King street. Every description of wire work made to order at the lowest terms. Any orders left at W. H. Marcon's seed store, Market Square, or at R. Murray's fruit depot, Wyndham street, will be thankfully received and promptly

FINNAN HADDIES,
YARMOUTH BLOATERS,
AND
SMOKED SALMON
HUGH WALKER.
Wyndham-st., Guelph.
Guelph, Sept. 30th, 1874 dw

CHOICE
FINNAN HADDIES
RECEIVED TO-DAY
J. E. McELDERRY
2 DAY'S BLOCK,
THE NOTED TEA HOUSE

Elephant Clothing Store
ALL READY FOR THE COLD WEATHER.
Just received, one of the Largest and Best stocks of Clothing ever shown in Guelph, and we are determined to sell it cheap.
Men's Overcoats from $6.50 up
Men's Suits selling from $8.00 up.
A Beautiful Stock of Boy's Clothing now on exhibition.
A beautiful lot of Furnishing Goods just received from England embracing all the latest novelties in
Neck Ties, Gloves, Handkerchiefs, Suspenders,
and everything else belonging to this Department to be sold low.
All styles in HATS and CAPS, the biggest stock in town.
Please call and you will be convinced of our cheapness.
WM. RUTHERFORD & Co.