

New Advertisements.

HOT AIR FURNACE. For sale, a new and improved wood furnace, as good as any ever made, having been substituted. This may be had on reasonable terms. A. L. Jones, Guelph, Sept. 8, 1874.

WANTED. By the 22nd of October, a good cook who can wash and iron, and a housemaid. Must have references. MRS. WATT.

WANTED to rent by the 1st or middle of November next, for six months, a comfortably furnished house with all conveniences, in good locality. Apply to the Mercury Office. Oct. 17.

FOR SALE. A splendid chance for a Market Garden. Brick house and five acres land, within five miles of Guelph. W. Robertson, Flour and Feed Store, Guelph.

Six Salesmen Wanted By JOHN HOGG.

20 Pant Makers Wanted BY JOHN HOGG.

THE PEOPLE'S STORE, GUELPH.

NEW CAB. The subscriber begs to notify the people of Guelph that he has just purchased a second-hand cab, and will be better prepared than ever to meet the wants of his customers. He will now have two cabs on the street, and hopes to see a considerable increase of the public patronage. JOHN EWING, Guelph, Oct. 12, 1874. 416 Paisley street.

FOR SALE, A LARGE NEW Roughcast HOUSE, and good lot on Woolwich street—a very desirable property, and will be sold at a very moderate price. HART & SWEERS, Guelph, Oct. 12, 1874.

OIL, OIL, OIL. Guelph Oil Works.

Just received at the warehouse of the above named establishment, a large quantity of white kerosene, of the best quality, which cannot be excelled. Orders promptly filled.

O. CLARK, Guelph Oil Works.

ROYAL HOTEL LIVERY STABLES.

The undersigned having purchased this Livery Stable to inform the people of Guelph and vicinity that he has a fine lot of first-class horses and rigs, comprising single and double harness, carriages, etc., which he will let by the hour or day on the most favorable terms.

CABS.—He has also on hire his splendid New Cab, and will promptly attend to all orders with which he is favored. He favors him whether to or from the stations, pleasure drives, &c. Orders left at the Royal Hotel, or at the Livery Stable will receive careful attention. JAMES EWING, 417-4th. Royal Hotel Livery Stables.

MONEY TO LOAN. The undersigned has over \$50,000 to lend on good farm security. TERMS MODERATE. Apply direct to FREDERICK BISCOE, Barrister, &c., Guelph, Oct. 10, 1874.

THE undersigned have entered into partnership in the practice of their profession. Wm. CLARKE, M. D., H. HASTIN, M. D.

Dr. Clarke will remain at the office every Wednesday and Saturday, and Dr. Hastin every Monday and Friday, for consultation. Office—Quebec St., Guelph. 09-74-dwy.

NELSON CRESCENT GROCERY W. A. SUDDABY

Begs to inform the inhabitants of Guelph and vicinity that he has leased the store lately occupied by R. S. King, directly opposite the Guelph Sewing Machine Factory, and intends keeping a General Stock of Groceries, Provisions, Fruits, Oysters, Fish, etc., and as the stock is entirely new and bought for cash, he will sell goods as cheap as can be bought elsewhere. He hopes by strict attention to business to merit a share of the public patronage, and invites the public generally to give him a call. Goods delivered to any part of the town. Guelph, Oct. 10, 1874. W. A. SUDDABY, 461.

ST. VINCENT DE PAUL SOCIETY. GUELPH CONFERENCE. LECTURE.

Mr. James Fahy will deliver a lecture in the Town Hall, Guelph, on Tuesday Evening, October 20th, in aid of the Charity Fund of this Society. Subject—"THE GOOD NATURED MAN." Lecture to commence at 8 o'clock. Tickets—25 cents; to be had at the Book-stores, and from members of the Conference. JOHN HARRIS, President. J. E. McElderry, Secretary. Guelph, Oct. 13, 1874.

BOOKBINDING. Blank Books.

Merchants and others requiring first-class Account Books would do well to call at Chapman's Bindery.

Ledgers, Journals, Day and Cash Books made to any size. Notes and Bill Heads, etc., ruled to order.

Get Your Magazines Bound. Magazines and Periodical Works, Music, and every description of Books neatly bound in plain and fancy styles. Charges moderate.

Call and See at Chapman's Bindery Over Mr. Hacking's Printing Office, ST. GEORGE'S SQUARE, Guelph, Oct. 17, 1874.

MONTHLY CATTLE FAIRS.

HARRISTON—Friday before the Guelph Fair. BAYTON—Saturday before Guelph. ELORA—The day before Guelph. DOUGLAS—Monday before Elora Fair. GUELPH—First Wednesday in each month. CLIFFORD—Thursday before the Guelph Fair. TEVOTDALE—Friday before the Guelph Fair. NEW HAMILTON—Tuesday in each month. BERLIN—First Thursday in each month. ELMIRA—Second Monday in each month. WATERLOO—Second Tuesday in each month. MOUNT FOREST—Third Wednesday in each month. HANOVER—Monday before Durham. DURHAM—Tuesday before Mount Forest. FERRIS—Thursday following Mount Forest. ORANGEVILLE—Second Thursday in January, March, May, July, September and November. MONO MILLS—Third Wednesday in January, April, July and October. EMIN—First Monday in January, April, July and October. MANSFIELD—First Tuesday in February, May, August and November. BRANTFORD—First Thursday in each month. LISTOWEL—First Friday in each month. HILLSBURG—Second Tuesday in January, March, May, July, September and November. MOOREFIELD—Monday before Guelph. HAMILTON—Crystal Palace Grounds, the day after Guelph.

Guelph Evening Mercury

SATURDAY EV'NG, OCT. 17, 1874. BY TELEGRAPH TO THE MERCURY

Election of a Lord Rector.

The British Flag on the Fiji Sail. Eight Hour Movement.

Ex-President Thiers Captured by Brigands.

LONDON, Oct. 17.—Glasgow University will elect a Lord Rector, Nov. 16. The Clive canvass is in progress. Conservative students support Диззелл for re-election. Liberals are divided, some going for Foster and others favoring Ralph Waldo Emerson.

LONDON, Oct. 16.—Advices from Melbourne state that the annexation of the Fiji Islands to the British Empire has been formally carried out. Sir Hercules George Robert Robinson, Governor of New South Wales, hoisted the British flag on the Fiji sail.

PARIS, Oct. 16.—There is a discredited report current here to-day to the effect that ex-President Thiers, who is in Italy, has been captured by brigands.

PHILADELPHIA, Oct. 16.—While some workmen were filling up a culvert to-day the banks fell in killing a boy and two labourers.

The Reading B.R. Co., have issued an order reducing labor in its shops to eight hours per day and five days in the week.

Town and County News

WESLEYAN CHURCH.—To-morrow (Sunday) evening, the Rev. I. B. Howard will preach a sermon designed expressly for the young ladies of the congregation.

WESLEYAN CHURCH.—Rev. Mr. Goodman, of Markham, will preach in the Primitive Methodist Church to-morrow—morning and evening—and the Rev. Mr. Middleton in the afternoon.

ATTRACTIVE WINDOWS.—The splendid show of New Furnishings and Fashionable Millinery exhibited to-day in the windows of the fashionable West End is such as is seldom ever seen in the Town of Guelph.

Mr. G. B. FRASER returned from Montreal on Friday night, after attending the great sale of dry goods belonging to Messrs. McIntyre, French & Co. He has bought largely, and will tell our readers all about the goods in a few days.

TEMPERANCE LECTURE IN GUELPH TOWNSHIP.—On Friday evening the Rev. Dr. Davidson, of Guelph, delivered a lecture on the subject of Temperance, in the School House, S. S. No. 6, (Forest's,) Guelph Township. There was a very good attendance present. Mr. Wilkie, of Guelph, acted as chairman, and in a few well chosen remarks introduced the reverend lecturer to the audience, who gave a very interesting and eloquent lecture, handling his subject in a masterly manner. Rev. Mr. Howie followed with an appropriate address. A recitation by Mr. Boines, of Guelph, entitled "The Victim," was well received. After the entertainment a large number of those present expressed a desire to have a Division of the Sons of Temperance established in their midst, and steps will be taken to organize as soon as possible. A cordial vote of thanks was tendered to Dr. Davidson for his interesting lecture, which he acknowledged in an appropriate manner.

POLICE COURT.

(Before the Police Magistrate.) Oct. 17.

Thos. Anderson who was arrested some days ago for stealing a silver spoon and gold brooch, was brought up this morning, and elected to be tried by the Police Magistrate. He confessed to the theft, said the spoon was the property of Ralph C. Nicholson, which he stole one day, when in the house asking for relief. He would not say to whom the brooch belonged. He was sentenced to be confined in the Central Prison, Toronto, for three months at hard labour.

Lepine's Trial. FORT GARRY, Oct. 16. Court sat till ten o'clock last night, chiefly hearing the evidence of William Chambers, an uninterested spectator who was present at the execution of Scott. The witness testified that he saw Lepine, then known as Adjutant General, in company with the firing party, upon the bankers' stand, a signal to shoot. After the volley was fired he saw one of Riel's men approach Scott's body, and fire, exclaiming, "Let us put him out of his misery." After the first volley was fired he heard Scott cry out "Oh, my God, I am shot." Scott fell forward on his face and died. Riel, O'Donohue and Lepine were present.

Alex. Murry testified that Scott was shamefully treated in prison by Riel, Lepine, and the guards. He identified Lepine as the officer in charge of the men who removed Scott from the prison to the place of execution.

This afternoon Duncan Nolen testified that he saw Lepine re-adjusting the handkerchief over Scott's face on the spot where he was executed.

WELLINGTON FALL ASSIZES.

Court House, Guelph, Oct. 15.

ROOD vs. Gow—continued. David Messenger—Lives near Victoria Bridge. Have observed that the water in the river is higher in the morning than at night.

To Mr. Guthrie—Have gone to the river about 200 yards from the bridge every morning to water the horses, and noticed in the morning the water was nearly always higher than in the evening. Sometimes in the evening it was as high as in the morning.

John West—Have known Hood's place for about eighteen years. Have seen potatoes planted a little below the house. The land was then dry. It is not fit for cultivation now, but would be good if dry and worth about \$150 an acre.

James Keogh, of Guelph Township, deposed—Mr. Gow asked me two weeks ago if I would go and see the place in dispute. I declined, because I had given my opinion before, but I told him if the water was running over the centre of the second bay or around it, with Mr. Hood's land, he was not. I then went up with Mr. Gow and examined the water at that point. It had raised so high that it was not running. It was a dead level. The water in this bay years ago used to be divided in the centre by a pile of stones or gravel. I examined it with Mr. Hood lately, and found this island covered by eighteen inches of water. Hood's land is now worth nothing, in my opinion. If the river were down, it would be worth \$80 a year.

To Mr. Guthrie—In the centre of the second bay was a large boulder, which was about four inches out of the water. When I found it 18 inches below the surface lately, I did not know the stone had been moved. My father took flag stones out of the river, and other persons also might have done so. It was when the second dam was made that the water covered the stones. The land, if properly cleared and fenced, would be worth \$80 an acre.

John Stephens sworn, said—Helped to lay the foundation of Dundas Bridge. The water was about six inches deep where the middle pier stands. There was a dry space between the land pier and the next one. Where the water was then six inches deep, I found it the other day three feet six inches. Where the dry spot was the water is now eighteen inches deep. There was a current above the bridge then, but there is none now.

To Mr. Kerr—The piers might force the water into a channel and make it deeper. Rains up north may have affected the river when I saw it last. I did not see how much water was running over the dam at that time. There was no debris left from the Dundas Bridge. Before the first dam was built there was a current; after that the water was still.

John Watt, millwright, corroborated Mr. Stephens' evidence in regard to the water at Dundas Bridge. Had been employed in find levels for the first dam, but got no instructions in regard to back water. Gow's dam would certainly back water.

To Mr. Kerr—From Dundas Bridge down as far as I levelled, there was a fall of between four and five feet. From my present memory I will not say that there were eighteen inches at the Bridge. That quantity would have been sufficient to get the water into the vacancy. There is not as much water in the raceway now as there was 36 years ago.

John Clark said—Worked in 1828 on the old Dundas Bridge. There was a foot and a half of water in the deepest part of the river at the bridge, but there was flood water that raised it up. It was lower when this wood was taken out. The dams built on the river made the water rise. The first one had not so much effect on the water as the later ones. [The evidence in regard to the second bay and the water at the Dundas Bridge was similar to that given by former witnesses.]

Evan Macdonald—Know both plaintiff and defendant. Live near Hood's. Have heard on the stone this morning and found it 43 inches deep. The water had fallen 4 inches since last night which would make it 11 1/2 inches deep altogether. I began to make observations of the river about two years ago. In 1873, when the water was out of the dam, the water had fallen more than a foot on my premises. The water has risen higher than usual since the dam was repaired in 1873. On Wednesday I was up above Victoria bridge and found the water 43 inches lower than this morning. The dam was not fully 43 inches on Wednesday.

About two years ago, when the water was higher than usual I went to see the dam. I found new planks put on the dam. The change in the river night and morning each day is pretty regular. On Sunday the water rises but does not fall till Monday. Hood's land is kept continually wet on account of there being no outlet for drains.

To Mr. Guthrie—Think the land could be drained if the river were in its natural course. I have taken flags out of the river and either parties may have done so also. The boulder near the spring, that I know of has not been moved. Mr. Gow's mill has been worked by tenants for about five years. The planks were put on the dam in order to make the mill work properly.

Henry Hatch land agent—saw Mr. Hood's property this morning. The land was quite wet. The premises if the land were dry, would rent for \$250; if the land without the house, if dry, would rent for \$5 per acre; at present, it is worth about \$150. The soil is rich and if dry would be worth from \$150 to \$175 per acre to buy. Have some land near that, very stony, and have been offered more than that.

To Mr. Guthrie—The land would be worth \$5 an acre without any improvements; for grazing for other purposes, if improved, it would be worth more than \$5 per acre. Was offered Hood's property by the Merchant's Bank at \$30 a lot, about one-fifth acre each. I valued this land for the Bank at \$80 an acre. It was without fences then.

This closed the case for the plaintiff. Mr. Guthrie here addressed the jury, to prepare the minds of the jury for the defendant's evidence. He remarked that the suit had been brought against

a useful manufacturer, and commented on the necessity of manufacturers to the growth of the country. Mr. Gow had commenced business when the country was in a poorer position than it is now, and had to battle against many difficulties. Parties in town had often resorted to complain on account of manufacturers, but these people considered that manufacturers were a public necessity, and therefore put up with any inconvenience. The questions for the jury to consider will be, Ist, Does Mr. Gow back water on Mr. Hood's land? 2nd, Is the defendant, by Mr. Hood's undisturbed sanction for so many years, actually acquired a legal right to have the dam in its present position? 3rd, If you find that Mr. Gow has been backing water on Mr. Hood's property, what damages will you decide on?

The evidence of the surveyors showed that not much dependence is to be placed upon their statements. Mr. Cooper and Mr. Grain had overlooked the fact that on the property in question there were uneven places while they had made it level. Mr. Hobson had lost his note, and therefore his evidence is not reliable. As a proof of the deficiency in his memory, he states that the present dam was in existence in 1862, which is not correct. Many witnesses have been called to compare the present state of the river with the past, but there are no cases in which men speak with the deepest sincerity and yet be mistaken. Mr. Gow testifies that the three dams had the same effect in raising the water, and he shall show you that this statement can be substantiated. Mr. Keogh speaks differently, however, as well as most of the other witnesses. It looks very much as if Mr. Hood in this case were trying to black-mail Mr. Gow. The idea of asking \$2,000 damages for alleged injury, when Mr. Macdonald, who lives just opposite, and whose land is just as low, has no intention of bringing a suit, although there is no man more keen for his own interests than Mr. Macdonald. Mr. Hood tells us that his land is absolutely not worth the taxes, while his own tenant pays him \$40 and has pastured seven cattle. The first dam was built in 1851, the second in 1859, and the present in 1863. We propose the proving that the two last dams did not back water any more than the first. The first dam carried the water into the race for driving machinery. The present one does the same, although all the machinery is out of operation; witnesses will prove that the first dam must have backed water as much as the following ones. The stone work on the second dam is just the same height as the third dam. The race work on the second dam is the same as the first dam. 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