

TELEGRAPH NEWS

Spain. Dispatch to the Morning News.

WHELAN TO BE HANGED!

Decision against Whelan—Four Judges in favor, six against—Appeal to Privy Council refused—Court unanimous in refusal.

MONTREAL, Jan. 22. Beyond Hall was crowded, and almost in tears as he listened to the result of the Whelan case today.

The judges took seat and prisoner was brought in. He sat with his head bowed, and seemed to realize the fact that his life hung on the words of learned judges.

Christie, her Robinson, Egan and Anderson, and appeared for the Crown. Cameron for prisoner. Chief Justice Dugas gave judgment, commencing by saying over ground of appeal which was familiar to our readers.

The Lordship said the first question was disapproval of prisoner's testimony challenge of jurisdiction. Spoke by Court right or wrong? After considering pros and cons of point, quitted from numerous authorities.

His Lordship decided that the Court was right in its decision. Prisoner by his own act, in challenging as he had done, had brought results upon himself.

His Lordship said the case had excited a great deal of interest outside, and many persons wondered why so much time was lost when there was no question of the prisoner's guilt.

That was not a question for Court. A jury had decided that, and Court only had to give its opinion on point raised at first.

He confessed he had been in prison, who objected to the judgment; but after looking more closely into the case, he had come to the conclusion that judgment should be sustained.

He then stated that he had been requested to say that his learned brothers, Mowatt and J. Wilson, coincided with him in all points; he understood that there was a decision in the Court on the question, and referred to a case in England in which judges were similarly divided.

It was not uncommon for judges to differ in points of law. Chief Justice Richards merely confirmed his decision in the lower Court, namely, that judgment should be sustained, and in proof of lawness of trial, stated that, had he been on the jury, he could not, with such evidence before him, return anything but a verdict of guilty.

Justice Hagarty commenced by referring to the fact that during his experience in the Courts of Canada a similar case to the present one had never come up.

It was one of utmost interest to the public and prisoner. His Lordship then proceeded to view the points advanced in appeals, going over them at length, and referring to the numerous cases and came to the conclusion that the appeal should be sustained and the prisoner allowed a new trial.

The judges stood divided as follows: For new trial, four—Hagarty, Morrison, Sprague and Vankoughnet. Against, six—Wilson, Richards, Mowatt, A. Wilson, J. Wilson and Gwynne.

Wilson applied for leave to appeal to England. A lengthy argument followed and the Court adjourned till three o'clock.

At that hour the Chief Justice announced that the Court was unanimous in refusing to allow appeal to Privy Council.

What was ordered to be taken back to Ottawa for execution on the 11th of February, and the result gives intense satisfaction here.

A meeting of citizens yesterday decided to invite Sir John Young and Lady to banquet hall, and other festivities. Influential committee appointed.

Merchant's hotel, at River Du L'up, was destroyed by fire this morning. Three of Marchand's children and Mr. Wallace, Civil Engineer, perished in the flames.

In Quebec Parliament to day a number of petitions were presented from French Canadians in the United States, asking to be brought back to Canada and allowed privileges of emigrants.

MONTREAL, Jan. 22. Whelan arrived at Ottawa heavily ironed by special train to day.

Notwithstanding refusal to allow appeal to England, Cameron is going to make another effort on behalf of the Governor Allen.

Col. Emmatt, one of most respected citizens died last night.

An officer of the 6th Rifles, last night attempted to elope with the daughter of a leading citizen; her father caught them as the train was about starting for Quebec.

Ontario Legislature was prorogued today. Owing to insufficiency of water supply the Royal and other Insurance Companies are closing their offices at Ottawa.

Great distress still prevails at R. d. River.

LONDON, Jan. 22. Leopold Edmond, Prince Royal of Belgium, died last evening. He was 10 years old.

The Conference has selected M. Walewski to convey the Protocol to Athens. He has been instructed to wait five days for the answer of the Grecian Government.

Considerable alterations are to be made in the lines and rig of the yacht "Cambria," to fit her for an ocean race with American yachts. Her hollow bows are to be filled out, her masts lengthened, and keel strengthened, which is deemed will make her better able to resist sea, and to compete with American boats.

New York, Jan. 22. Gold steady. Money unchanged.

Laid advice report Japan is filled with civil disturbances, and the ex-Tycoon has been recalled to Yedo to assist the Mikado in administering affairs.

The Princess in the North of the Empire are incessantly fighting.

The Mikado has issued an edict ordering the despatch of all inmates of a dwelling in which a conflagration originates, accidental or otherwise.

London, Jan. 22. The abolition of the Greek government to the protocol adopted by the Conference of Paris is now considered certain.

The jurists of Berlin have held a meeting and adopted an address to General Grant, President elect of the United States, asking him to propose to Congress the passage of a bill establishing an international copyright law between the United States and Germany.

Havana, Jan. 22. The government is in receipt of dispatches to the effect that the insurgents recently attempted to burn the city of Manzanilla, but they were handsomely repulsed by the garrison aided by the men of war at anchor in the harbor.

New York, Jan. 23. Gold 136.

London, Jan. 24. A despatch received in Paris purporting to come from a reliable source, says the Greek Government has rejected the declaration of the Conference of Paris.

It is announced on official authority, that the Provisional Government of Spain believing that it truthfully interprets the feeling of the nation cannot accept any proposition for the cession of the Island of Cuba.

Havana, Jan. 23. During a performance of minstrels at the Villa Nueva Theatre last evening there were seditions cries of viva ceredes, and many of the audience commenced singing the revolutionary hymn.

A formidable riot ensued and the Spanish armed volunteers and police fired upon the people who returned the fire.

Many were wounded on both sides.

LATER.—In the affair at the theatre last night four persons were killed and many more wounded.

No business was done to day owing to the trouble of last night, but the excitement is now quieting and no further disturbances are apprehended.

New York 25th. Gold 136 1/2.

LONDON, Jan. 25. The Viceroy of Egypt has offered the Sultan an army of 50,000 men and a fleet in the event of war.

Violent debates took place in the Italian Parliament last week on the mill tax, the collection of which has lately caused so much riotous agitation.

The action of the Government was severely denounced by the opposition.

Lord Mayo arrived at Bombay on the 29th December, and was received with the honour due to his position as Viceroy of India.

Lord Napier of Magdala has also arrived, and resumed the command of the Indian army.

Ritualism Disallowed.

The highest law court in England has decided against Ritualism, and the main point made in the decision is one that would seem impossible to controvert.

It is this, by the Act of Uniformity (temp. Eliz.), the supreme law of the Church of England, "prohibits any rite, ceremony, order, or form, which is not mentioned in the Prayer book, and declares void all prior usages and ordinances."

This will be seen, utterly does away with the ritualistic plea that things not prohibited are permissible. The London Times rejoices at the decision, on the ground of its making the Book of Prayer the sole standard of form; whereas, on the other ground the whole body of Anglican divinity would be available to justify any number of peculiar practices it might suit individual clergyman to hunt out and apply.

Where English law prevails this highly important decision must settle the question of robes, lights, incense, genuflection, and so on, as well as with us, where it is only a matter of information, can hardly fail of a powerful effect.

NEW ORLEANS, January 13.—The stern wheel steambot Glide, hence for the Red River, ran aground and exploded her boiler about fifty this city. She burned to the water's edge, and is a total loss. Five or six persons were killed instantly or have died since, and twenty five injured, several fatally.

The steamer J. G. Blackford and Thomas Powell reached the scene in about twenty minutes and rescued the survivors, who were brought to this city by the Governor Allen.

The Governor Allen also brought the officers and crew of the stern-wheel steamer Idaho, which sank in the Ouachita River on Sunday last. The Idaho and cargo are a total loss, but no lives were lost. The loss on the Glide is \$25,000.

THE FASHIONS IN MONTREAL.—The "Evening Star," a new and rarely daily paper, published in Montreal, price one cent—gives the following fashion intelligence:

There has been but little alteration in the fashions of late. Bright colors still prevail, garnet being the favorite for both Bonnets and Dress Trimmings. The prevailing style in Dresses is Russian and Sash. Folds and Pliances are much in vogue.

Bonnets still continue small in size; in material velvet and satin meet with most favor; shapes are varied. Fur Hoods are little worn at present.

For Ball dresses the light materials are chosen; Illusion, Tulle, etc., with good skirt and Pannier looked up with Flowers or Rosettes and very elegant.

The Hair is still dressed high on the head, the Chignon will soon be worn smaller. The following is a very pretty skating costume, short skirt, short jacket, and small hat, trimmed with fur, grebe being the favorite trimming.

Velvet, green, and garnet cloths are very much in vogue at present.

On the Miramichi Mr. England is building a vessel of 150 tons; Mr. Murdoch has two ships on the stocks, one 1,000 and the other of 700 tons; and Mr. Hutchison has a small vessel well under way. Upon these vessels about 200 men find employment.

The leader of the war party in Athens is young Queen Olga, who, by her beauty and winning ways, has acquired great popularity and constantly avails herself of her influence to stimulate the hatred of the Greeks against the Turks.

The Standard.

SAINT ANDREWS, JAN. 27, 1869.

EMIGRATION.—It is expected that the Government will introduce at the forthcoming session of the Legislature, among other necessary measures, a well devised scheme for encouraging emigration to this Province, and the settlement of the public lands, something in the same manner as the Government of Ontario has enacted, viz.—giving 103 acres lots free of charge to emigrants who desire to settle in that Province. The system is reported to have worked so successfully, that nearly three hundred applications have been made in our day for farming lands. The principle of giving lands free to emigrants has worked admirably in that Province; and it is probable would do the same in New Brunswick, at all events it would be advisable to adopt some such method to encourage immigration to our shores.

TO CORRESPONDENTS.—We have frequently notified correspondents that letters intended for publication, should be received on Tuesday to insure insertion on Wednesday. "Enquirer's" letter on Election returns, was only received this morning, when our paper was full. The lines entitled "Tarnip Hall," are very doggerel; and are rejected.

The most important telegraphic news from Canada, is the decision of the Court with reference to the Whelan case, has considered murder of the gated man, D. D. McGee. That the prisoner's counsel, Mr. Cameron, carried all his legal arguments and splendid forensic powers to clear Whelan is admitted; never did counsel labor harder or more faithfully for his client, but the facts were against him—the evidence was against him—the jury were against him—decision of a majority of the Judges for a new trial was averse to him—and lastly, the Court was unanimous against his appeal to the Privy Council in England.

The unfortunate Prisoner himself admitted that he had a fair trial; but that he did not fire the fatal shot, adding that he knew who committed the deed; if this be true, would it not be just to himself to name the murderer. The sentence has passed, that Patrick James Whelan shall expiate his guilt by being hung on the 11th February next, but many will not believe it, until the fatal day has passed.

MURDER BY A LUNATIC.—A telegram from St. Stephen on Monday morning, states that a young man named McLean, lately confined in the Asylum, returned to his home at Milltown, on Monday, where his mother and sister resided. On entering the house, he seized a small axe, and ran at his sister, and striking her on the side of the head buried the weapon in her brain, killing her instantly.

He then drove a large knife into his heart and bowels, killing himself. His mother ran out of the house calling for assistance. The young woman was to have been married in a few days.

We have omitted to notice the spirited and well contested debates which have taken place recently in the Evening paper, reporter was not in attendance owing to ill health. We understand that D. B. White, Esq. is to read an original paper on "the causes of education in the human race," to-morrow evening; after which the debate on "Capital vs. Labor," will take place.

We are pleased to learn from St. George, that the new Rector of that Parish, Rev. R. E. Smith, is much esteemed by his Parishioners, and indeed by all denominations. His many friends in this place, where he spent so many years, will be gratified to hear of his popularity.

The Internal Revenue Department of St. John has collected during the past year the handsome sum of \$41,353.16, to assist in maintaining the Ottawa Government. This is independent of the operations of Mr. Griffin, the Collector on the North Shore, who reports directly to Ottawa. How much has been collected at St. Andrews?

DEMORSET'S YOUNG AMERICA.—This sprightly little Magazine has entered prosperously upon the third year of its existence, and become an indispensable visitor in all those households where it is known. There are many other juvenile periodicals, some older,

some younger than this popular favorite, but there are none for the children like "Young America," so we must, perforce, believe it to be the best, and congratulate the publisher on the great success of his little under taking \$1.50 Yearly. Published at 838 Broadway, New York.

WOODSTOCK BRANCH RAILWAY.—The annual Meeting of this Company was held at Woodstock, on the 19th inst., when the former Directors were re-elected. The following figures show the cost of the Road, Receipts, Debts &c, as furnished by the Secretary—

Table with 2 columns: Description, Amount. Rows include Balance, Estimated amt. debts against Co., To meet which they have road Bonds, Total balance, Estimated amount required to pay off liabilities, and To complete construction.

It will be for the good of the country when the time shall come that the evils of our political system—the distribution of Federal patronage—will be taken out of the arena of party politics. Then we shall see no such excited and personal political canvass within a party organization, as has recently taken place at Augustus—Houlton Times.

The United States is by no means the only Country afflicted with such political evils; but the Board of examiners for the Civil Service, which is being organized, will, to a great extent put an end to placing men in office who are not qualified, because they are political partisans or whippers in at elections.

The young ladies of Milltown (says the St. Croix Courier), are organizing a series of Literary entertainments in aid of the Public Library at Milltown. If successful in this effort, to the young ladies of Milltown will be long the credit of establishing the only series of literary entertainments on the river."

The ladies might, if they so will, it have the name of their enterprising and charming village changed to some more euphonious title. Its importance, wealth, and commercial standing entitle it to a change of name.

THOSE CUBAN EXACTORS.—It has been ascertained that the British Government had not satisfied the Cuban authorities that no discrimination against Spain was made in Canada. They knew that in Great Britain this was the case, but, strange to say, they did not officially or otherwise know that the same was true in Canada. The matter will soon be set right.

The neglect of the British Government, rather than the disposition of the Colonies to exact dues to which they were not entitled, has put our correspondent, Mr. Panmore—though he did get a slight advantage—to no little expense. [Journal.]

ITEMS.

An Englishman laughs at the American estimate of English preachers which puts Spurgeon, Newman Hall and Puncheon first among them, and says that Puncheon is a mere claimer, Newman Hall is scarcely known beyond his own congregation, and Spurgeon is the favorite of the coarse and sensational; while the really great preachers of London are Melville, Cumming, Samuel Martyn, Binney, the Bishop of London, the Archbishop of York and Dr. John Henry Newman.

The Paris "Charivari" gives the following caricatures on European politics:—A huge snake, wearing a Prussian helmet, with its belly frightfully distended, is lying dormant, "Charivari." "The joke is disgusting now, there is no fear of its moving." Under the title of "Christmas Gift" it represents the figure of Europe received numerous presents of guns, cannon, ammunition, &c.

North Germany has twenty cities with a population of upwards of fifty thousand each. Seven of them exceed one hundred thousand. Berlin is of course the largest with 700,000, the next being Hamburg with 218,000.

The Citizen's Ottawa despatch states it is believed the negotiations between Mr. Howe and the Government will lead to a satisfactory arrangement.

The Nova Scotia Legislature stands prorogued to the 22nd of February. The "Citizen" says it is probable the Local House will not meet till the meeting of the Parliament of Canada.

The Agents of the Inman Line are about to place a first class steamer on the route between Halifax and Boston.

DONATION.—The Rev. Mr. Parker, Wesleyan minister of Petheolico, on Wednesday last, received a handsome pecuniary donation from his hearers, accompanied by many expressions of good will.

DEATH FROM CHLOROFORM.—Mrs. Dyer, the wife of Oliver Dyer, author of the "Wicked Man," died in New York on Sunday week very suddenly, from an overdose of chloroform taken to relieve an acute attack of neuralgia.

A Kentucky philanthropist has invented a process for making whiskey, gin and other spirituous liquors, prematurely old, as it were. This is just what whiskey has been doing for the human race for a long time, and now it is likely to get the same treatment in return.

Mr. Wm. H. Swift while hunting for game recently, in the San Leandro Mountains within fifty miles of San Francisco, lost his way and wandered through the canons all

night. Next day he was found by a herdsman where he had sunk to the ground overcome with fatigue. He was removed to a farm house and resuscitated, and on the same day started for his home in San Francisco, but again lost his way and perished.

Ship News.

PORT OF ST. ANDREWS. ARRIVED. Jan. 20. Schr. Daisy, Sheehan, Eastport, Express goods. CLEARED. Jan. 20. Schr. Julia Clench, Maloney, Boston, 350,000 fresh Herring, C. F. Clench. Daisy, Sheehan, Eastport, Express goods. DISASTERS.

Bright Union, Murehic, of St. Andrews, from St. George, N. B. to Falmouth, Jan., was abandoned at sea N. Lat 38 30 W. Lon. 51.30, on the 23rd Dec. under last lumber laden, became water logged; crew taken into Port St. John's, Newfoundland, by Bright Angola, Crane, from Demerara to Newfoundland.

Intelligence has reached Belle Verre that the brig Clyde, Siskier, master, owned by Messrs. J. Reid & Co., of St. John, and loaded with coal in Belle Verre in November last by Mr. J. I. Black, of Sackville, has been abandoned at sea, near the Banks of Newfoundland. The crew were two days on the wreck, without fire or food; they were taken off and landed at a port in Newfoundland. Further particulars not yet received. We understand that both vessel and cargo were covered by insurance.

Charlotte General Sessions.

April 17, 1868. ORDERED.—That the Clerk of the Peace give notice, that it is the intention of this Court not to grant Licenses for the sale of Ardent Spirits, after April next.

Extract from the Minutes. GEO. S. GRIMMER, St. Andrews Jan. 15, 1869. Clerk of the Peace, Court 3 m.

Piano Tuning.

Mr. J. LOCHARY, Jr., will visit St. Andrews for the purpose of tuning pianos, during the present month, should a sufficient number offer. Orders may be left at the Standard Office, Jan. 13th, 1869.

Public Notice.

IN pursuance of a proviso or Power of Sale contained in a certain Indenture of Mortgage, dated the 11th January 1867, and made between William H. Watson and Esther H. his wife, then of Saint Andrews, in the County of Charlotte, of the one part, and the County of the same place of the other part.

PUBLIC NOTICE is hereby given, to the creditors of the said William H. Watson and all others interested, that for default in the payment of the moneys secured by the said Mortgage, there will for the purpose of satisfying the said moneys, be sold at Public Auction, on Monday, the Fifteenth day of February next.

ALL that certain Lot or parcel of Land situate lying and being in the Town Plat of Saint Andrews, known as Lot Number Four, in Block Letter N. in Paris Division of the Town Plat, together with all buildings and improvements thereon, and as by the said Mortgage conveyed to Benjamin R. Stevenson, Esq., or the undersigned. Dated this Eleventh day of January, 1869. HANNAH AMES.

1869. ALBION HOUSE 1869.

Public attention is directed to our cheap Factory Cottons and Flannels, a few of which still remain on hand.

Table with 2 columns: Description, Price. Rows include Fine smooth stilling Cotton, Fine yard wide do do, Extra do do do, Heavy sheeting 36 inch, Fine white sheeting, Superior do, Plaid Flannel Union 24, Check do 25, Plaid Flannel 30, Plaid do 25, Red Flannel 30 per yd., Red d. twill 35, Blue do 25, Blue do 30, White do 25 to 45 cents.

The balance of our Furz will be sold at cost—come early to secure bargains. Mens Arctic Gaiters, Womens Rubbers 60 cts. Mens Winter Caps, a variety of good styles from 50 cents to 1.00 each.

Mens Union Drawers 50 cents per pair, Mens finer shirts 50 cents each. Closets for Ladies and Children very cheap. Very excellent Boots for Boys, tap soles, upper Spanish hite, water proof.

Arctic Ointment, Worm Lozenges, Catarrh Souffle, Hair Restorer, Perfumery, Scaps &c.

You will save money by calling at the Albion House, where business is done on the one price system. Commercial Bank Bills still taken at the fact.

JOHN S. MAGEE.

Notice.

ALL Persons having any demands against the Estate of Ellen Davis, late of the Town of Saint Andrews, deceased, are requested to present the same duly attested, within three months from this date, and all those indebted and estate are requested to make immediate payment to

THOMAS POWERS, Executors of the Estate of PATRICK BRITT, St. Andrews, Dec. 30, 1868. 3m

California Flour, Oil, &c.

JUST RECEIVED. 100 BAGS California Flour, a Superior article for family use. Also choice Extra.

20 Bbls. Hoophead choice Extra. 25 " Aurora. 500 Gallons Photogenic Oil in 5 & 10 Gallon Cases, An extra article.

C. R. O. HATHWAY

NOTICE.

ALL Persons having any demands against the Estate of Duncan Stewart, deceased, are requested to present the same duly attested, within three months from this date, and all those indebted and estate are requested to make immediate payment to

St. Andrews, Jan. 2, 1869. N. B.—Any demands against the Office of the Clerk of the Court.

LICENSE.

RETAIL Licenses mentioned persons. Michael Shannon, Charles McLean, James Neil, Michael Charney, Robert Stewart, Mark H. Patten, Martin Horn, James G. Hall, John B. Wade, Philip Green, A. B. Spruce, George C. Eaton, Henry Owen, C. Dyer, Alexander McKelroy, Robert Kelly, Hugh Gray, John W. Staples, J. B. McDougall, John Murphy, Isaac Mc. Iroy, J. R. Knowles, Martin Murphy, J. J. Meredith, Wm. Johnston, Edwin Hatch, Ellen Davis, Angus Kennedy, Michael Clark, R. T. Frazzington, Wm. Morrison, Mrs. Gilliland, John McFarrell, John Sheridan, James McCreaty, James Hogg, Samuel Elliott, John Lyott, Chas. McGeer, Jr., James Lyott, Sr.

St. Andrews, Dec. 3. HOUSE OF THE following Wm. Johnston, Esq., 1867. "That no Bill received by the House from the opening of the year, and that the Clerk of the Peace is to open the books of the Peace in April, and cause the Royal Gazette, a County where New Year Jan. 6. CHAS.

ST. CROIX.

NEAR WATSON. THE Subscriber has commenced a new and well selected Religious Books, and the newest and every thing for school boys. Also, and the lowest prices. Orders from St. Andrews, and promptly attended. Nov. 11.

Intercol.

THE Commission INTERCOL. Notice that the of the Line at one Sections No. 1 from a junction near Riviere du E about 20 miles in Section No. 2, 3 and lies between Rivier to near the section No. 4, and lies between Nova Scotia. Plans and contract of the Commission (1861-1862), St. J. 11th January, 1864. "To the Cost of the Line," will be up to 40 cts.

N. B.—Tender their sections of re sufficiently at Ottawa, Dec.