EVENING EDITION

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VOL. XXVII., NO. 290---WHOLE NO. 8742. THURSDAY EVENING, SEPTEMBER 25, 1890. PRICE--ONE CENT PER COPY.

STILL THE MYSTERY

Unravelling the Facts in the Birchall Trial.

Important Evidence as to Prisoner's Bank Account.

He Knew the Swamp, and Had Hunted in It.

Birchall's Conduct Before and After Arrest.

Points for the Defense Brought Out in the Third Day of the Trial.

The Wonderful Coolness of the Accused Maintained.

Wednesday's Proceedings (Continued).

WOODSTOCK, Sept. 24.—Besides hearing testimony as to the state of the weather during the four days the body is alleged to have lain in the swamp, Birchall's visit to Princeton to identify the body, evidence was heard as to Birchall's opening a bank account in Niagara Falls, N. Y., the prisoner's demeanor when arrested, Birchall's knowledge of the locality where the body was found and similar matters.

In the cross-examination of Dr. Welford, who went to view Benwell's body on Feb. 21, Mr. Blackstock learned that Pickthall's sister accompanied the doctor. Witness noticed the underdrawers that were on the body, and saw the black mark on the left leg, as if made by a charred stick; there was an abrasion pretty nearly on the shin bone, a little to the left; the black mark was distinctly outside the calf; he would think the body had been placed where it was found; had known rigor mortis to come on in an hour and a half and continue for six to eight hours, then there is relaxation.

Mr. Blackstock read from a work which the witness agreed was an authority that rigor mortis usually commences at the third or fourth hour after death, and is complete about the fifth or sixth hour, and showing that the largest number of cases were completed in the fourth hour. In answer to a question the witness stated that rigor mortis came on gradually. He thought Mr. Blackstock's suggestion that it commenced about the throat and chest and extended to the limbs was reasonable enough.

The manager of the Great Northwestern Telegraph Company at Buffalo, Mr. George E. Burnett, produced telegrams which were numbered and filed. Mr. Blackstock elicited the fact that before a message got to the transmitting operator it had to go through one or more hands.

Mr. John H. Baldwin, of Niagara Falls, told what he knew about the prisoner. Prisoner and wife boarded at his house; they arrived on Feb. 18, 1890. Witness received four letters from Birchall. He said: They came through the mail and requested me to do certain things regarding luggage and so on. The first two were from the jailer's office at Welland and dated March 8, 1890, and March 11, 1890. The third and fourth were dated County Jail, Woodstock, and sent on the 13th and 15th March, 1890, respectively. The letters were not read, but they were evidently the ones that have previously been published.

THE NIAGARA POSTMASTER.

Mr. W. W. Woodruff, postmaster at Niagara Falls, swore that he rented a postoffice box, No. 913, for six months, and the time expired on Aug. 19, 1890. He paid for it in advance. Witness, at the request of the court, here produced a letter stamp bearing the date of Feb. 20, and some impressions were taken from it. The figures 2 and 0 in it were seperate letters.

MESSAGES.

Mr. J. F. McCartney, manager of the C. P. R. telegraph office at Niagara Falls, produced a telegram which, he said, he received from Buffalo over the wire on Feb. 25, 1890. It was a reply to one sent, and the witness stated that he had received it by wire from Buffalo.

Q.—What did you do with it? A.—I placed it on the files and sent a copy by my messenger boy, to Birchall.

Q.—What was the second message? A.—It was sent to my office on Feb. 26, 3:40 p.m., to be transmitted.

BIRCHALL'S BANK ACCOUNT.

Mr. Fred J. Pearce, teller of the Bank of Niagara, at Niagara Falls, N. Y., related the transactions between himself and Birchall, dating from Feb. 24, 1890. He said: We had an account with J. R. Birchall, which was opened on Feb. 24, of this year. It was opened by the prisoner, and the amount of the deposit was $152. He came in, stood at the desk and asked me to put the amount on a slip.

Q.—In what currency was the money? A—There were eleven English sovereigns, $80 in Canadian and $20 in American money.

Q.—What was done then? A.—I took his signature and asked him his occupation. He either said he was dealing in or purchasing horses for the English Government, but I am not positive which. He said he would have some little business on that side.

Q.—Do you recognize this signature? (presenting a written letter.) A.—Yes. That is the prisoner's handwriting.

Q.—Well, does the bank account still exist? A.—No; not for some time.

Q.—You have some papers in your possession bearing on that business. A.—Yes, sir, I have. (Producing papers.) Some checks here also, which were all drawn by the prisoner, five checks and one deposit; also a copy of the account. There was another deposit slip, which I have not here. It was made on March 11 this year. It is a very customary thing to pay on order, that the check itself may be the receipt. The next day after he gave a check to Baldwin for his boarding account. The check did not reach the bank until later, but it was dated 25th February.

THE WEATHER.

Prof. Woolverton, who has charge of the observatory at the Woodstock College, produced the records of the weather, on the 17th, 18th, 19th, 20th and 21st of Februrary last: Feb. 18, 7 a.m.—Temperature 24 points. 7 p.m.—Temperature 29.5, sky wholly overcast, heavy fog. Feb. 18, 7 a.m.—Temperature 27.5, sky wholly overcast, raining. 7 p.m.—Temperature 33.9, sky overcast. Feb. 19, 7 a.m.—Temperature 12.1, no precipitation. 7 p.m.—Temperature 20 points, no precipitation. Minimum temperature for the day, 9.9, the lowest of the whole week; maximum, 23.7. Feb. 20, 7 p.m.—Temperature 25.5; sky wholly overcast. It is on this record that snow began to fall at 5 a.m. that day. 7 p.m.—Temperature 14.5; two inches of snow.

In answer to Mr. Osler, witness said on Wednesday, Feb. 19, there was thunder and lightning at 9:30, with rain and sleet.

Q.—You had a rain storm commencing Monday evening, ending Monday night or Tuesday morning at 12:30 a.m.? A.—Yes; at 11 o'clock the temperature was 30°, or 2° below freezing point.

Mr. Stamp, the watchman, was called to identify the records they had made in the blotter.

COUNSEL AT VARIANCE.

The first discussion at all like a tiff between counsel came at this point. The witness said that of the storm of Feb. 19 there was no record of precipitation. "What would that indicate?" asked Mr. Osler.

"I object," interrupted Mr. Blackstock.

The Judge—It may or may not be regular. The precipitation may have been of an infinitesimally small quantity.

Mr. Blackstock—I am sorry your Lordship has made that observation. This is a very critical point, and it is unfortunate that it should be given in that way.

The Judge—Not at all. The question was asked as to the reason it was not there.

Mr. Blackstock—If he had put it in that way I should not have objected.

Mr. Osler took the suggestion and asked: What is the reason that there is no record?

Witness explained that if there was a very small quantity it would not be recorded, and the instruments might not indicate it.

PELLY AND BENWELL.

Douglas R. Pelly was recalled, and at Mr. Osler's request handed into court his revolver, which he said was larger than Birchall's. He identified also Birchall's handwriting in the letter that had been in as a specimen. To Mr. Blackstock he stated that from the night of the 11th February, the alleged date of the murder, to the 28th, with the exception of the 18th, when Pelly went to St. Catharines and Buffalo, and one time, when Birchall was away about two or three hours, they were continuously in each other's company.

Charles Benwell was again called, and Mr. Osler proposed to prove by this witness the production of the articles of his brother's clothing. They were marked where the pieces were cut out of the clothing found on the body.

Mr. Blackstock objected, and his Lordship ruled it out.

To Mr. Blackstock—Mr. Benwell said the photo produced was a fairly good picture of his brother.

MR. HULL.

Mr. J. H. Hull, of Princeton told of meeting Birchall when he (Birchall) drove over from Paris to identify the body of Benwell; had two conversations with him. Witness asked Birchall what were the habits of Benwell; if he was likely to be drawn into a gambling crowd. Birchall said he was a jolly fellow, and Englishmen when they played generally played for money. Witness had a theory that the young man, if he was given to card-playing, might have got into a quarrel and been shot by people who placed him where he was found. Birchall had said that he and Benwell came to the Bridge together, and he had a letter from him that Benwell was going to stop at Woodstock and possibly Paris on the way down, and was going to look for a farm. Birchall said they came out to go farming together; that Benwell had left him at the Bridge. When asked, Birchall said it was not unlikely Benwell would go to a disreputabe house. In answer to witness' question Birchall said he had identified the body, and agreed it was a sad case.

Witness went on: I asked if in the letter from London Benwell had used any paper or envelopes having a mark or stamp that would help to locate him. "Well," he said, "he didn't just write to me from London, but he sent me his baggage tickets to get his baggage out of bond." I said I understood he had a letter with a signature like that on the cigar case. He said he had such a letter, which he would send up to the constable.

Cross-examined—Witness said with reference to this letter: I don't think I asked Birchall whether he had heard from Benwell. He said they had parted at the Bridge, and he had a letter from London about Benwell stopping at Woodstock and perhaps Paris. Asking him if Benwell had any hotel letter paper, he said Benwell didn't exactly write him. I had no other reason for what I suspected in regard to gambling than what I thought might have happened.

Q.—So far as you know the prisoner had no hesitation in identifying the body? A.—No; he told me he had identified it.

CAPT. COX

described a meeting he had with the prisoner in the American Hotel, at Paris, on the 1st of March. He went to see if he could offer any assistance to any friends the deceased might have. I asked him if he had a competitor Benwell and he said yes. I asked him where he had last seen him and he said it was on the Monday, on that day he had gone west.

Q.—Did he say where? A.—London or Woodstock or somewhere in the neighborhood. He was not certain where. He said he had gone to look up some business, but he seemed rather doubtful of the kind of business. He said there was an arrangement that they should go into the partnership together. I asked him when he heard from Benwell last. He said it was last week from London. I asked him what hotel Benwell was staying at in London, and he told me he did not know, he guessed he was staying with friends. I asked him if he thought Benwell had got into the hands of any gamblers or blacklegs, and he said no. I inquired if he was in the habit of drinking at all, and replied that he was not. I asked if Benwell had been shaved since he saw him and he said, "No; he was always clean shaved." I asked him what he was going to do about the body, and he said that Mr. Benwell had friends in New York and he said he would telegraph them to come over that night. He told me his baggage was down at their place at the Falls. I had previously asked him where he lived, and he told me at Niagara. I asked him also whether he thought Benwell had any money on him. His reply was, "Well, he might, but he could not say." I asked him if he had seen Detective Murray, and he replied that he had, and added that he would doubtless do all he could for him.

Mr. Blackstock's cross-examination of the captain was very brief. Witness admitted he made no memorandum of the conversation.

Q.—How did the Crown come to hear about you as a witness? A.—I communicated to the county Crown attorney with respect to the conversation and I told Detective Murray I saw him first.

Q.—Did he tell you who the friends that he had in London were? A.—No; I don't think so.

Q.—Did he mention any names? A.—No.

Q.—Will you swear that? A.—I will swear that he did not mention any names.

THE TELEGRAPH OPERATOR.

George H. Phemister, telegraph operator and associated press representative at Niagara Falls, deposed that he received a telegram from Birchall at 7:40 p.m., Feb. 17. He could not say who handed it in. It came in after the arrival of the G. T. R. train from the West, due at 7:10. Witness had an interview with prisoner on the Saturday prior to his arrest at the Baldwin House. He said he last saw Benwell on the G. T. R. on Monday, Feb. 17. He said he was not certain if Benwell had any money with him; he might have $30 or $100. Witness contined: He also said he had received a letter from him from London, with checks for the baggage. I asked him if they were paper checks, and he said they were. I asked when he got the letter. He said since Benwell left for London. The checks were to release his baggage. He said Benwell was a temperate fellow. He said he left on Monday afternoon, and that Benwell's friends were in New York, and he would communicate with them. In answer to Mr. Blackstock, witness said prisoner acknowledged that he had known Benwell and his people in England.

GEORGE HERSEE.

formerly residing on lot 24, in the 3rd concession of Blenheim township, was examined by the Deputy Attorney-General. He is an elderly man of intelligent appearance, but his pronunciation was peculiar, and some of the expressions he made up broke the solemnity that is characteristic of the trial and provoked once or twice a ripple of laughter. His farm, he said, was near Pine Pond. He knew an Englishman who went by the name of Somerset, who came out to his place for a bit of sport—to fish or hunt—in the spring of 1889. He told me he was the third son of Lord Somerset of England. He came out three times in one week.

Q.—Did he go alone? A.—No, sir.

Q.—How did he go? Did he drive or walk? A.—He drove in a two-horse carriage the first day. Next day he drove a carriage with four-in-hand.

Q.—Did he say what he was doing in the country? A.—No.

Mr. Blackstock objected to the question and it was not pressed.

The Deputy Attorney-General continued: Have you ever seen this Somerset that you then knew anywhere else? A.—Yes, I see him there in this box now. I identify him as the person I knew as Lord Somerset.

Q.—Did he say what he was doing in this country?

Mr. Blackstock again objected to the question, remarking that this could not possibly be evidence. There had been, he said, too much matter of this kind imported into the case.

His Worship—I do not agree with you at all. I think the evidence has been confined to only what is relevant to the case. The counsel for the Crown have, in my opinion, exercised a wise discretion in refraining from introducing anything that can be regarded as of an improper character. His Lordship ruled, as regards the particular point to which objection was now raised, that it need not be put.

Witness continued—Prisoner said he had been in the locality four years before. Pointing to the swamp, he said, "Is there not a lake over there?" I said there was—Mud Lake, it was called. He said, "Yes, I have been sporting through there before." There are quite a number of lakes in the locality, but none others on 2nd concession, Blenheim.

WANTED TO SELL HIS FARM.

Cross-examined by Mr. Blackstock—Birchall brought a large number of friends to my place on this occasion. I believe they were ladies; do not know whether they hunted in the swamp, but they may have.

Q.—Did you want to sell your farm? A.—Yes, I wanted to sell it.

Q.—Did you offer Birchall $100 if he could sell it for you to some of his English friends? A.—I don't deny that I did.

Q.—That is a fact that you wanted to sell your farm in that way? A.—Yes.

JOSEPH PIGOTT,

of lot 24, con. 3 Blenheim township, was the next witness. He said, in answer to Mr. Osler, that he had lived there about 24 years and knew Lord Somerset (the prisoner) when he was there in 1887. He saw him near Pine Pond a year ago last May. He was a mile and a half from the swamp. The fire in October, 1889, burned down an acre of timber and stopped the trail leading to the swamp, and the location of this path was not over ten or twelve feet from the place where the body was lying.

Q.—How did you know the place where the body was found? A.—I was shown it.

Cross-examined by Mr. Blackstock—Witness said there was no burning south of 50 feet from the road.

Mr. Blackstock—Then the pathway was not interfered with; there was no burning there on the trail. The burning according to your story, came within 50 feet of the road, and there was no burning further south.

JAMES ELLIS,

living near Pine Pond, said he knew the prisoner as Lord Somerset, and met him hunting eight or ten rods from the path to the swamp. There was another man with him. They were two rods from where Benwell's body was found.

Cross-examined—Give me an idea of what the date was you saw Birchall in the swamp? A.—It was either September or October.

Q.—Was it in September or October? A.—I should say it was the latter part of October, but I won't be certain.

Mr. Blackstock—It is a good thing you won't be, because Birchall was not in this country in October.

Witness further said he asked the man his name, and he said "Lord Somerset." Afterwards I saw the same man in town, but I did not speak to him.

THE PRISONER'S ARREST.

Thos. H. Young, chief of Ontario police, Niagara Falls, narrated at length the movements of Birchall while under surveillance previous to his arrest, and described the articles found in his possession when he went to his room and after dismissing his wife took the prisoner into custody while yet in bed on Sunday, March 1. I said to Birchall, "I have a warrant for you. Get ready to come with me." He jumped up at once, put on his clothes and I took him to the lockup I found in prisoner's possession a matchbox; receipts for one trunk and one box, dated New York, Feb. 14, 1890; one gold pen and a number of letters and papers; an open-faced watch with chain, a bank book showing a credit of $152 on the Niagara Bank; a small bunch of keys, ten in number; one gold penholder, inscribed, "Connie, Sept. 15, 1889"; one silver pen and pencil and a briar root pipe. I found all the prisoner's baggage and some of Birchall's in the room. I forced the boxes at the express because I had no keys to fit them.

Q.—Did the prisoner say anything to you about his movements on the 17th of February? A.—No, he would not tell me a word.

Mr. Blackstock cross-examined the witness and handled him rather severely in some instances, especially when he brought out that Detective Murray had worked hard to get Birchall to speak on his relationship to Benwell and his doings around Woodstock after prisoner had been cautioned to say nothing to criminate himself.

Customs Officer Flynn deposed to passing Birchall's and Benwell's baggage, and to the fact that during the week following Feb. 19 Birchall had looked after baggage addressed to "F. C. B." Benwell's initials, and said it was in his charge.

THE STAMPS.

D. R. Pelly was recalled and questioned as to a rubber stamp and pads found in prisoner's possession. At Liverpool witness (Pelly) stamped his linen with it. Birchall got two or three pads like those produced in New York.

To Mr. Blackstock the witness said what stamping Birchall did with this machine was done openly and above board. Considerable baggage was stamped on the way out. The stamp was adjustable to any name.

A WRITING EXPERT.

Connor O'Day, a professor of penmanship at the British-American Business College, Toronto, said he was considered an expert judge of writing. Certain writings in the hands of the Crown were then examined by the witness, and he deposed they were all written by the same man (supposed to be prisoner). An envelope postmarked Feb. 20 was said to be his. A telegram from Buffalo to Birchall, Niagara Falls, signed Stafford, in which it requested the prisoner to send on the baggage, was handed the witness, and, after scrutinizing it closely, he said it was Birchall's writing.

Q.—Was there any attempt to disguise the hand by the writer? A.—Yes; he evidently tried to disguise it, but the words "heavy," "ship" and "avenue" were undoubtedly his. The most striking peculiarity of his writing was his capital B, which can be traced through his correspondence.

Q.—Is this producing a letter of two pages with a short paragraph on the last one initial F.C.B.) the prisoner's writing? A.—Yes, all except the paragraph, which is decidedly different.

Another letter, to which a short note was subjoined, was declared by the witness to be Birchall's writing with the exception of the note. A telegram sent from Niagara Falls on Feb. 17, signed Busbell, mentioned in the evidence of Pelly and Phemister, was identified by the witness as the writing of the prisoner. To Mr. Blackstock witness said experts sometimes disagree. The witness admitted that he had not been subpoened, that Mr. Murray had requested him to give evidence at the trial. He was a professor in handwriting and had been repeatedly before the courts as an expert.

Q.—Now, do not the best experts sometimes disagree? A.—Oh, yes, they do sometimes.

Q.—Well, then, is it not a fact that experts' views are very often rejected by juries? A.—In some cases.

It was now 6 o'clock and the court adjourned until 9:30 to-morrow morning.

NOTES.

If greater speed is not made soon the court is likely to hold evening sessions.

The court room was more crowded than ever, and nearly 1,000 persons were outside waiting to catch a glimpse of the prisoner.

Birchall looked pale when he was driven off, but he smiled pleasantly to friends in the court. He is a most unexceptionary prisoner.

There was a touch of grim humor, remarks the Sentinel Review, in Pelly's description of poor Benwell at Liverpool going back to a shop to get a single eyeglass. An important part of a young man's equipment who was to be placed as a farmer on a Canadian farm! But this little incident illustrates as vividly as anything could the phenomenal ignorance of what is before them among these hapless young Englishmen who are got rid of by being sent out to learn farming in Canada. A single "aoy glaws" for a young man who would have to do his toilet on the back veranda of a Canadian farm house. Think of it!

A cablegram says the greatest interest is manifested throughout the whole of England in the Birchall trial. All the papers print extensive reports of the proceedings and scenes in the court room.

The women are in a greater state of mind than the men, and are resorting to all manner of means to get into the old town hall. Many of them have succeeded through being friends of the lawyers in the case. There was a big crowd of the fair sex to-day.

Thursday's Developments.

[Special to the ADVERTISER.]

WOODSTOCK, Ont., Sept. 25.—To get through Birchall's trial in a shorter time than it has threatened to occupy, the court met this morning at 9:30 o'clock—half an hour earlier than previously. The crowd that assembled on the arrival of the prisoner saw nothing new in his demeanor. In spite of the hundreds of eyes which he knows are watching him eagerly, Birchall disappoints them, and shows not a trace of self-consciousness. Two-thirds of the audience in court were ladies.

BIRCHALL'S BANK ACCOUNT AT WOODSTOCK.

of the Imperial Bank at Woodstock. He testified to the prisoner having opened an account at his bank in December, 1888, in the name of "F. A. Somerset," and pronounced the signatures on checks genuine.

In spite of Mr. Blackstock's objections letters were read by Mr. Osler, subject to the Judge's decision, after reading whether they should be excluded from evidence. They were dated in England, December, 1889, and were from the prisoner to Mr. Mellerish, to whom prisoner gave information regarding arrangements Benwell had made for going with him to Canada; also a letter to Col. Benwell, in which prisoner enlarged upon his imaginary position, experience and farm possessions in Ontario, offering to take his son as partner if this could be satisfactorily arranged. The Prisoner here perhaps showed face during the reading of the letters, which exposed his net of deceit and made notes hurriedly.

THE TRIP TO EASTWOOD.

Conductor Poole testified that to the best of his knowledge there were only two passengers on his train for Eastwood on Feb. 17. He noticed at the time that they were Englishmen. Their appearance answered to that of prisoner and Benwell. He could not swear to the prisoner being one of them, but at least there was a strong resemblance.

Mr. Blackstock dwelt on the inconsistencies between Poole's former and present testimony about the clothing, etc., of passengers, and showed that there had been ample provision for getting meals on the train and at Hamilton. It will be remembered that the doctors decided that young Benwell had been without food a long time previous to death.

SAW BIRCHALL GET OFF THE TRAIN AT EASTWOOD.

Miss Lockhart, of Woodstock, said she was traveling west from Paris past Woodstock on Feb. 17, and saw two passengers get off the train at Eastwood. She next saw one of the passengers at the jail and learned then who he was. He was the prisoner and he got off at Eastwood.

Cross-examined by Mr. Blackstock, she admitted that it was from evidence she read some time ago that the passengers were connected in her mind with the tragedy. Detective Murray came to her house on the 17th of March, and after hearing her statement told her it would be necessary for her to go to Princeton where she identified in the cemetery the exhumed body of Benwell.

Miss Elizabeth Choate, living near Ingersoll, was traveling home from Brantford on Feb. 17. Sat behind two men on the train. She scarcely saw their faces. The one who wore an Astrachan cap was she thought, rather thinner in the face than prisoner. Witness stayed a month near Ingersoll at her home with her sister and brother, who is a farmer there. She heard during March while visiting at Brantford of evidence which awakened her interest.

Press Dispatch.

THE BIRCHALL-MELLERISH CORRESPONDENCE.

Mr. Geler wanted to put in as evidence and have entered on the record certain letters to Mellerish, through whom the prisoner and Benwell were brought together. Mr. Blackstock objected on the ground that though the handwriting was proven the fact of mailing the letters or their receipt by Mellerish was not proven. This point was noted by the judge, who said that if he decided that the evidence should not be received, he would so instruct the jury. The letters state that prisoner had seen young Benwell and his father, Col. Benwell, and they had decided that the young man should come to Canada; they wanted him to go for three months and to pay for his bargain if he liked it after trial. The letters covered the skeleton of correspondence which took place from the time negotiations were entered upon, with a telegram sent ostensibly from the Stafford House, Buffalo, but really from the prisoner himself telling prisoner himself at Niagara Falls to ship the heavy baggage to Niagara Falls, N. Y. The effect of this was to show that the prisoner had carried on systematical deceit on Benwell and his father, and after the young man's disappearance, on young Pelly, who was with them and very anxious about Benwell's not appearing. During the reading of these telegrams Birchall's usually pale complexion was suffused with a light flush of red. He made notes occasionally during the reading of the letters.

Elizabeth Choate, living near Ingersoll, was traveling from Brantford home on Feb. 17. Sat behind two or three seats behind two men. One wore an Astrachan cap. She saw his face only for a moment as his cap fell: his face was rather thinner than the prisoner's. The other man (Benwell) she believed as far as she noticed from behind wore glasses. He read a paper. The man believed to be Birchall answered some remark of his companion of "Get accustomed to ——." She did not hear the rest. She remained in Ingersoll a month at her home with her sister. Witness has a brother who is living near Ingersoll. She is a newcomer on the scene of this case, not having testified before. During March she was told Miss Lockhart's evidence by a lady friend, and had her interest awakened. Detective Murray called upon her last Monday and questioned her, and doubtless it was through him she was summoned.

Alfred Hayward, an old miller living at Eastwood, saw on Feb. 17 two men passing by his home between 11 and 12 as though coming from the train along the road from south to north. The prisoner was one of them and was a little ahead of his companion. He wore a short coat. The man behind, he thought, was an Englishman by his caped coat. This young man picked up a little snow as he was passing and threw it at a cat on the side of the road.

On Mr. Hayward's previous examination he would not swear to the identity of the prisoner with one of these men, but merely stated that he went indoors and told his wife that two old country gentlemen were walking down to Mr. Pattison's.

Mr. Blackstock pointed to the gallery and asked witness if he could see a man there among the ladies. "Yes," witness said; "I can't tell who he is." "Yet," said Mr. Blackstock, "you profess to recognize in that gentleman who passed 120 yards distance the prisoner?"

This part of the case relating to the identification of the two men on the occasion referred to by witness, is still in progress and will probably occupy the greater part of the afternoon.

ADVERTISER CABLES.

The British Tores' Irish Policy "A Disgrace to the Country."

A Colossal Chemical Combine—Decisions of the Labor Congress at Sydney.

Colossal Chemical Combine.

LONDON, Sept. 25.—The prospectus the new Chemical Union has been issued showing a capital of £8,500,000. A few firms in the trade have not joined the union.

A Disgrace to the Country.

LONDON, Sept. 25.—Earl Spencer, in a speech at Wakefield last night, declared that the Government had failed throughout the session, and had simply been playing a game of nine-pins. The Irish policy was a disgrace to the country.

The Labor Congress.

SYDNEY, N. S. W., Sept. 25.—The Labor Congress finished its work yesterday and decided to make a final appeal to the employers for a conference with the men. The congress adhered to the decision to call out the shed men and other employes in the wool trade. It is considered doubtful, however, whether the men as a body will respond to the call.

Muzzling the Press.

CONSTANTINOPLE, Sept. 25.—The Turkish newspapers have been forbidden to comment upon the affairs of the Orthodox and Armenian churches.

HAVANNA, Cuba, Sept. 25.—Great excitement has been caused in the Cuban tobacco trade by the passage of the McKinley Bill. Heavy shipments are being made of tobacco stored in this city in order to avoid complications under the new law.

Reprisals Useless.

LONDON, Sept. 25.—The Standard's Vienna correspondent says: "Americans here say European reprisals for the McKinley Bill will have no effect upon the Americans. An active American Minister told me that the McKinley Bill must not be considered a final measure, but the commencement of a well-worked scheme, which the entire nation, with the exception of a small unimportant minority, is resolved to see realized and will not abandon until it is given a fair trial. The feelings and interests of Europe cannot be taken into consideration. Differences of opinion in the Senate or the House of Representatives refer rather to means than to principles."

Choked to Death While Eating.

BRANTFORD, Ont., Sept. 25.—David Telmie, from Linden, aged 75, choked to death yesterday in West Brantford while eating.

Steamers Arrived.

Sept. 24.	Reported at	From
Texas	Father Point	Bristol
Lake Winnepeg	Father Point	Liverpool
Majestic	New York	Liverpool
Wera	New York	Liverpool
Cuffe	New York	Hamburg
State of Georgia	New York	Liverpool
Caspian	Montreal	Glasgow
Nova Scotia	St. John's	Liverpool
Amaryntha	Glasgow	Liverpool
Sept. 25.		
Augusta Victoria	Southampton	New York
P. Calland	New York	Rotterdam

THE WESTERN FAIR.

(Continued from page 6.)

The Horse Show.

In taking a survey however hurried of the horse department of the Western Fair, one could not fail to be struck with the general improvement being made in the stock of the country. The evidence is unquestionable. It stands out alike in the nervy form and faultless limbs of the blood horse, in the stylish "get up" of the rangy carriage horse and in the massive, powerfully-knit and well-proportioned frame of the draught. The idea has been pretty thoroughly hammered in that the farmer, whether breeding few or many, must keep clearly before his mind's eye and aim to produce a superior type of horse, no matter what the class, if he expects good prices or satisfaction in handling. The selection of good mares for breeding purposes is most important and one safe, general rule is always to breed to a pure-bred sire. As to whether, in the production of a carriage horse, for example a trotting sire, a Cleveland bay or a hackney should be used, is a question that is hardly in order for consideration at this writing. The adoption of old country equipages and old country fashions has naturally brought the English hackney style of horse forward for attention. For a turnout of the sort in question a horse of considerable weight is required and particularly one of stylish action and fine general appearance. The demand for good saddle horses has been improved by the existence of such organizations as the London Hunt and the example which it sets in the community. In breeding horses of this type the advantage of an infusion of thoroughbred is, of course, recognized. What is described in the prize list as the agricultural class, excludes Clydes, Shires, Percherons or Suffolk Punches, but still may include horses bred up so closely that the remove may be more in name than reality. This, at times, occasions complaint on the part of those whose horses, though excellent, do not represent as many crosses of Clyde or Shire. Saddle horses and hunters have become a decided feature, the show of carriage horses and roadsters being immense. In the draught classes the new Montreal company sent forward a lot of showy Percherons, Clydes and Shires, of course, hold first place in the esteem of Ontario breeders, and the former especially have left a wonderful impress on the stock of the country. When it comes to rough, heavy work it is a question if the feet and legs of the French draught will stand the test as well. As in former years, Col. F. B. Leys superintended the horse department. Among the exhibitors were following:

Blood horses—Nelson Sage and J. D. O'Neil, London; Jas. Brady, Belmont; J. B. Martin, Forest; T. D. Hodgens, London.

Saddle and hunters—Jas. Prudham, Arva; Peter Bowery, Birr; John Fulcher, London; John A. Cuddy, Adelaide; John L. Severance, London; John S. McLean, Mayfair; Ben Marshall, New Sarum; W. T. Hare, Aylmer; R. W. Jackson, Arva.

Carriage—J. F. James, Strathroy; Fred. Row, Belmont; T. Cavin & Son, North Bruce; W. & J. Freel, Thamesford; Wm. Ardill, London; Egan Bros., Petrolea; J. Dewar and D. Cameron, Ivan; R. Hueston, London; David Carter, Ealing; G. Doe, Goderich; A. Hughes, Kerwood; A. A. Woodward, Strathroy; Jas. O'Neil, Birr; Wm. G. Stewart, Ealing; F. Curtin, Centralia; Geo. S. Grafton; G. H. Cook, Ingersoll; J. C. Dutrich, Galt; S. W. Carson, Strathroy; Hiram Kenny, Springford; John Brewster, Clanboye; A. Lamont & Son; North Bruce; John Routledge, Hyde Park; Adam Glen, Glanworth; R. W. Wilson, Delhi; Robt. Row, Avon; R. H. Harding, Thorndale; John Holborn, Belmont; R. D. Addison, Otterville; G. H. Cooke, Ingersoll; D. C. Bell, Kerwood; R. H. Smith, Ettrick; Dennis Flood, Arva; Geo. Baker, Simcoe; John Jackson, London; J. Conn, Alvinston; T. Douglas & Son, Strathroy; J. H. Patrick, Elderton; John Leslie, Thamesford; Seth Young, Crumlin; Excelsior Stock Farm (Ferguson Bros.), London; H. George & Son, Crampton; D. D. Brazil, Denfield; Chas. Guest, Ballymote; John Coote, London; A. & D. McPherson, Glen Morris; John Rundle Sparta; Angus Ferguson, Birr; Jas. A. Ross, London; Jas. Chambers, Aylmer; Jas. McCartney, Thamesford; R. H. Liddall, Denfield; T. Venning, Mossley; T. G. Davey, London; Geo. Beattie, London; W. Patrick; Birr; Ed. Sage, Ingersoll; F. Evans, London; J. Chambers, Ingersoll; E. F. Johnson, London; Dexter Day, Embro; A. Screaton & Co., F. B. Leys, Leys.

Roadsters—D. A. McEwan, Allan Craig; Alvin Parker, Aylmer; Haras Nationale Company, Montreal; J. E. Coughlin, London; Thos. Cassidy, Auburn; E. Forbes, Stratford; Thos. Revoit, Exeter; D. Young, Pottersburg; Ed. Hanlan, St. Marys; J. K. W. Branan, Alvinston; H. McClung, Falkirk; R. H. Liddall, Denfield; N. Sage, London; R. S. Smith, London West; Geo. Murdie, Seaforth; C. Goulding, Ilderton; Walton & Wakefield, Ridgetown; C. T. Rossy, Denfield; Cavin & Son, Herbert Baker, Lambeth; John Cathart, St. Marys; J. A. Mackenzie, Alvinston; Thos. Hey, Allan Craig; J. A. Dawson, Tempo; Wm. Amos, St. Marys; John A. Cuddy, Adelaide; Wm. McClurg, Falkirk; Jas. Bateman, Longwood; S. P. Thompson, Innerkip; Excelsior Stock Farm; Geo. Petrie, Ingersoll; F. Baisir, Ilderton; R. Ross, Avon; D. C. Bell, Birr; T. H. Tracy, London; E. M. Wilson; D. Stewart, Ivan; W. J. Craig, London; Combe, St. Thomas; R. E. Ardiel, Thorndale; E. Charlton, Ilderton; R. Higgs, Ilderton; W. Logan, Thorndale; Geo. Mills, Thamesford; Wm. Collins, Lambeth; Dr. Routledge, Lambeth; F. R. Thompson, Woodstock; A. Blair, Derwent; Jas. Henderson, Belton; H. Wonder, London; Flougherty & Brenner, London; G. H. Monger, Lobo.

Hackney horses—Jas. Beck, Thorndale; J. B. Martin, Forest.

Agricultural Horses—McCallum & McBane, Chas. Hampton, Forest; T. W. Wamboid, Berlin; John Riggs, London; T. W. Orme, Elginfield; W. Moore, Fernhill; John Hodgins, Clandeboye; Chas. Haskett, Denfield; Jacob Cline, Watford; John Pringle, Ayr; Jas. Donely, Elginfield; Prouse & Williamson, Ingersoll; S. McKenzie, Brucefield; Thos. McMichael, Seaforth; Thos. O Stewart, Dunlop; R. & Powell, Ballymote; A. Hughes, Kerwood; Adam Grieve, Avonton; W. & J. Freel, Thamesford; John Pringle, Ayr; W. Smibert, Bryanston; E. Fenwick, London; Jas. Henderson, Belton; H. G. Taylor, Aylmer; Coursey Bros., Lucan; E. & J. Gracey, Currie's Crossing; Geo. McLeod, Zorra; Jas. Quinn, Kintore; Wm. Moneck, Fernhill; Rob. Row, Avon; Wm. G. Thompson, Maple Grove; Hillier & Parker, Oxford Center; A. Hughes, Kerwood; Geo. W. McLeod, Bracemar; Carling Brewing and Malting Company.

Heavy Draught—Bain & Banting, Brinsley; James Henderson, Belton, W. & J. Freel, Thamesford; Joseph White, St. Marys; Excelsior Stock Farm; I. McKenzie, Brucefield; Willis Bros., Ilar; N. Norton, London; James Begg, St. Thomas; A. Hughes, Kerwood; A. B. Scott & Son, Vanneck; P. Curtain, Centralia; Hugh Thomson, St. Marys; Joseph White, St. Marys; C. E. Mason, Brucefield; Geo. Stearm, St. Marys; D. Atcheson, St. Marys.

Heavy draught (Canadian bred)—R. Robson, Birr; Thos. McMichael, Seaforth; W. A. Cunningham, Goderich; Geo. Taylor, Kippen; Adam Grieve, Prouse & Williamson, Robert Row, George Spearin, St. Marys; Hider & Parkins, Alf. B. Carr, Westfield; George Wood, Avonton; W. & J. Freel, D. Atcheson, George McLeod, Zorra; A. B. Carr, S. McKenzie, Wm. Cornish, Winchester; Coursey Bros., George Spearin, G. W. McLeod, George McLeod.

Norman Percherons—Haras Nationale Company, Montreal; D. C. Dorman, Byron; P. Whelihan, St. Marys.

Suffolk Punch—J. W. Salmon, Thorndale; Jas. Beck, Thorald.

Ponies—John A. Sharp, London; Excelsior Stock Farm; W. C. Coo, London; Wm. Connor, London; C. G. Cruickshanks, J. Dunfield, M. D., J. Smallman, London; W. Dunscith, St. Marys; E. A. Sage, Ingersoll.

The London West school closed to-day to give teachers and scholars an opportunity to feast their intellect at the great Fair.

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LONDON AND ENVIRONS.

—It is understood that the family of Mr. W. R. Meredith, M.P.P., will remove to Toronto within a few weeks.

—The Oneida Indian Band paraded the streets this morning with a number of natives following in fighting costume. The effect was unique.

—It is expected that the Attorney-General will be able to meet the aldermanic deputation regarding the sewage and the River Thames on Thursday next.

—The Board of Health in company with Dr. Bryce, the Government Inspector, will pay a visit to the river this afternoon, on business connected with the sewage question.

—The Service of Praise in the Dundas Street Methodist Church, to be held to-morrow (Friday) night, has several important changes. The new numbers are excellent.

—Wm. Bush, of the 9th concession, London township, appeared before Squire Peters this morning charged with assaulting his father, Henry Bush, D.D., a well-known religious writer. The parties promised to live in peace for the future, and the case was dismissed.

—The lantern parade last evening by the members of the Forest City Bicycle Club was a most magnificent spectacle. The