THE DEACON'S TRIAL.

S. M. H. G., in Catholic World for September A clear, cold Novemember day was drawing to a close, and giving promise, through a peculiarly brilliant sunset, of warmer weather on the

The country roads were seamed with deep grooves worn by the heavy wheels of numerous stone-wagons bearing great gray slabs from a cele-

brated quarry.

The noise of one of these burdened vehicles almost drowned the voices of two men who had stopped on the highway to exchange salutations.

One of them bestrode a fine colt, that he held in check with a quiet exhibition of good horsemanship; the other was an elderly man seated in a narrow buggy, hung upon high springs. The leathered top was flung half way back, and the large, ruddy face of the driver was thrust beyond the cavern-ous enclosure, in order to catch the words of his neighbor. "I do not sup-pose," said the horseman, "that the deacon's trial will come off before the middle of the month; Squire Pierson's

"No, I ain't heard no date fixed; thought maybe there might be some body down to the office to night that would be likely to know. I declare for it, it's hard on the deacon to be fetched up afore folks at his age along o' that blamed cow. I never see her, but Wells and Walters both say she's a first-rate milker and they're suppoenaed to testify that she wa'n't no kicker when deacon had her."

"Yes, I feel sorry for him, very sorry; but it was a poor trade for Mrs Baldwin. I don't quite understand it. The cow—Deb, they call her—was warranted to be all right, and Mrs. Baldwin says she went straight over and told the deacon about it; but he was short with her, and she made up her mind that he knew something of the trick before. Going to get our Indian summer yet, I guess; that will help us out on our husking. Good-

Mr. Whitridge sat quite still for a moment after his companion had left him, and then, swinging the reins across the back of his pony-built horse, jogged slowly forward. Half a mile further on he halted before a big, square frame structure, whose front was liberally belettered — the most decoration being the an nouncement in large type, that Samuel Tibbetts, proprietor, was also "Postmaster of the U. S."

There was a motley group gathered about the red-hot stove within, and as Mr. Whitridge entered some of the men nodded familiarly. But a topic of great interest was on hand. Several voices were discernable in the dispute, and more than one of them rang out

in angry tones.
Ordinarily the distribution of the mail absorbed the whole attention of the persons present, and no greater altercation arose than might arise over the authorship of a letter allotted to the box of a rich spinster; but to-night this curiosity of the bystanders had received a counter-blow. In a moment of comparative sobriety and order in the discussion, a tail, thin man with a sallow face and a piping voice strode across the store, and, while peering into the square glass compartment sup posed to contain his correspondence with great earnestness "Cheatin' a woman is a low-down, lowlived trick; and I don't care who does it, I'm for havin' him hung." This bold sentiment provoked a smile, and it was a second or two before any champion of the abused deacon gath-

d courage to attack the speaker. Nobody denies the meanness of cheatin' man or woman — 'specially a woman — but what I say is, that it don't stand to reason a man like the deacon is goin' to risk his reputation-leavin' out his soul - for a few

'He didn't count on Mrs. Baldwin sueing him," said another. "You know just as well as I do that Deacon Wilder's as close as the bark on an apple-tree, and such folks takes a good many chances. For my part, I was always suspicious of the true convertin of several of our church pillars. of 'em are hollow - you can stand by

Mr. Whitridge, whose mind inclined toward the innocence of the accused. was not a man of independent thought He was rather weakening now in his defence, and as the door opened to admit Deacon Wilder he shrank back from the light emitted by the glowing stove, and crept into the gloom of the store, whose darkness was inten sified by the dingy oil lamp on the

Deacon Wilder came irresolutely into He was a small man, thick, iron-gray hair and full beard His head was bowed, not by years but habit, as if a continual consciousnes of physical inferiority had humbled

One or two of his defenders rose and shook hands with him, and he saw fit to lengthen his grave face and speak in a funereal voice; but no one alluded directly to his misfortune.

Meantime the postmaster and his wife, whom he had called from the dwelling in the rear of the store to assist in distributing the mail, had finished their task, and now announced it to the assembly by vigorously thrus ing aside the "show-winder shut them off from the view of the pub

to receive his weekly paper, and was well on his way to the door, congratulating himself that he had not been recognized by the deacon, when a woman's hand was thrust outside the square opening, and, as she waved it

wildly, she cried: "Mr. Whitridge, if you're a-goin' by the North road, wisht you'd take this postal card to Miss Jones. It come yesterday, but none of 'em an't been in; and as it says her mother's comin' to-morrer, I reckon likely she'll want to make some extras

He turned slowly around and grudg ingly received the card, which he de-posited in his pocket and through the stress of the uncomfortable circumstances connected with it, utterly for got to deliver !

Some of the men lingered to do a little "trading," and among these, when the deacon had circumspectly departed, the subject of his "counsel" was approached.
"Mrs Baldwin 'll beat him sure as

you live, whoever he gets; for she's goin to have that young chap from the city, Peaseley. They do says he's a buster. He's been to college and to law school, and now he's just carryin' everything before him.

This information rather abashed the other side, who knew that Deacon Wilder had already put his case into the hands of the old town stand-by, John Snell. They contented themselves with that comfortable assumption of the triumph of the "right" which lends a bold front to many an unpopular cause.

The little company next decided that it would be far better for all concerned to delay the trial until Squire Pierson's health would permit him to "sit," rather than let the case fall "sit," under strange jurisdiction. The cost was canvassed, some present declaring that the losing party would have to fork over to Peaseley that not less than fifteen dollars and car fare, while Snell was always reason able in his charges, and possibly his service could be secured for five.

"Who's supponaed?" asked the thin man. "I an't heard much about the particulars afore to-night.

"Wells and Walters is on for the acon. They'll both swear Deb was deacon. all right when he had her.

"She's that slim-tailed, vallerish brown cow he bought at the vandoo over to Lysander, an't she? I bid on her myself, but I soon see the deacon meant to have her, so I drew in my horns. "Lucky you didn't get her; the suit

might 'a' been on your hands. "No, I don't never law much.

mostly costs more'n it comes to, I cal'-The thin man, who had a semi-judi-

cial cast of mind, now came forward again, both arms laden with packages and added: "There's one question that pesters me. I'd like to have some of you tell me why, if Deb was all right and a good milker, the deacon ever come to sell her to Mrs. Baldwin. He an't made of the stuff that don't hold on to the good things of this world when once he gets 'em. Now, there was a reason somewhere for the sellin'. Butter's high; Deb come in in September, and will give her full stint up to Christmas, fallin' off then, perhaps, till fresh feed along in the spring. Them as had owned her told to the vandoo that she don't dry up but a little while afore calving. Them things works in

my mind."
A dead silence ensued, and it seemed a clear case against the deacon until one of his defenders, unable to turn the tide of argument, resorted to strat

egy.
"Haw, haw!" he laughed, as he shook his shaggy head, "you ought to have been a lawyer; you've got some of their big points. You can hint and look mysterious, and wink away a good man's reputation without even waiting for the trial to come up. Deacon Wilarcumstantia evidence away, now I tell ve, when he omes to be put on the stand." then arose and walked off, leaving hi hearers as thoroughly convinced of the rascality of lawyers in general, and the innocence of the accused, as if the verdict of the Supreme Court had been published in all its length and breadth.

Mrs. Baldwin, too, had her sympa-thizers. She was an exceptionally tidy housekeeper, and in the early after noon sat down to complete a garment upon her sewing-machine. Scarcely, upon her sewing-machine. Scarcely, however, had she filled the bobbin and oiled the driving-wheel, when the click of the gate-latch aroused her curiosity and she looked up in time to see the minister's wife hurrying toward the She smoothed her tightlyhouse. drawn hair, tied the strings of her white apron a little more precisely, and opened the door

'I do declare, Mrs. Brown, this is kind.

The visitor, who was a plump little body, with a pale face beaming with smiles, and curling hair fast growing gray, did not at once reply, but put into the hand of her hostess a large can of Bartlett pears.

"There's just a sample of what our tree did last year, or rather of what the tree and me did together. an't done up pound for pound, so the

Mrs. Baldwin duly admired the gift and complimented the well-known skill of the giver; then she sighed.

"It does me good to have you come. for I didn't rightly know just how you and dominie would take this lawsuit betwixt me and the deacon, but I couldn't do elsewise than sue him in justice to myself, for of all the kickin' creatures Deb's the very worst.

'Now don't tell me a word of it, said the cheery new-comer. Elisha this morning that I couldn't stan' it another day without comin over, and just speakin' out plain and sayin' that I can't possibly understand how such a thing came round between

"Not a word, not a breath!" pro- laughed. ested Mrs. Brown.

"All I have got to say is that I believe in you both, and nobody can make me think that either of you started out to do wrong. There's a misunderstandin' Now, Elisha, he mourn over the trial comin' on ; for, says he, 'it's a positive disgrace to the church;' but I tell him, Would you have bad feelin's goin' along year after year, breedin' unChristian thoughts in secret, when through a public suit the real truth may be brought forward. and we shall all see that Deacon Wilder is the same good man we always believed him to be, and Mrs. Baldwin has only made a very common mistake in pre-judgin' him. That's what I told him when I was pourin' tea, and he quite chirked up. So now, it's all over between us two, and we can visit to our hearts' content.

Mrs. Baldwin was surprised into acquiescence, and they chatted away over mite societies and grab-bags, the prevalence of measles and the mission ary box, until the advent of other callers warned the little peace-maker that she might not be able to hold her own in face of the enemy's reinforce ment, and therefore it would be wise

to beat a hasty retreat.

Mrs. Sylvester and Martha Janes, her step-daughter, had no such scruples as the minister's wife. They entered boldly upon the subject close at heart, and as the plaintiff proceeded to state her wrongs, with an ardor increased by recent forced suppression, they re-peatedly expressed their conviction Wilder was a wolf in sheep's clothing.
"Nobody'll ever make me believe he

could have milked Deb twice a day for two months and more, and not found out that she was up to tricks. No more do I think, as I told mother com ing over - no, it was whilst we were frying the ham for dinner - that he von't shy out of it all when he's up be fore the justice.'

"I don't see how he's goin' to gi round the actual facts," said Mrs. Syl vester in a deep bass voice. is justice in these United States; tan't as if it was in Germany. Elmiry Goodsell was tellin' me, last time I se her, about some of their doin's over there, and it beats all! Harnessin's woman up with a cow to drag fodder benighted parts. New York State's good enough for the Sylvesters, and the Janeses, too, I reckon, where woman's word o' mouth can stand law

"You are quite right; but I worry myself awful, sometimes, thinking of the trial. How am I going to get up on top of the witness box and tell how mean one of the pillars of our church has been, and to a sister in Christ, too? It's a nightmare to me."
"Well, now I wouldn't allow myself

to fret over it. Janes says you have got a high-up lawyer, one that can pull This point of view was entirely new

to Mrs. Baldwin. The absolute truth of the statement she expected to make in public was to her sufficient warrant for what she was about to do. was nothing else. Deb kicked; and she had told the deacon about it, and he had refused to make it right, notwithstanding the fact that he had warranted the cow to be a first-class animal. The idea of her lawyer pulling her through "savored of cor-She absolutely blazed with indignation. "Do you think I'm goin' to lie over a little thing like Deb, or put the deacon to shame just to favor a spleen against him? Why. what are we coming too? I'd rather be hitched to a cart with kickin' Deb than to hurt a hair of anybody's head, let alone bein' pull through." Her visitors were less sensitive beings, and marvelled much at any reluctance to the deacon in whatever way

it might be accomplished. To them a verdict was like a written character endorsed by the powers that be, and therefore able to sustain one through They felt uncomfortable in Mrs. Baldwin's presence after her outburst, they departed, leaving her a wiser but far less contented woman.

She had entered upon the lawsuit from a firm conviction that she had been imposed upon—"cheated," as she plainly worded it—but now there crept into her mind a suspicion that there might be those, other than the fierce partisans of the defendant, who thought it possible for her to be misand this was still worsethose who deemed her action instigated

While she was yet thinking about the matter a paper was served upon her, stating that the trial would come off on the "tenth day of December." "Well, I s'pose there's no stoppin' it now unless I give folks a chance to think I'm a thief more 'an ever. And reckon the best way is, as Mrs. Brown says, to let the lawyers get at the truth, and then the public will know it." She sighed again and returned to the oiling of her sewing machine, perhaps dimly wishing that the wheels of life could be kept running

smoothly with as little trouble. The tenth day of December brought the first snow-storm of the season. the early morning Mrs. Whitridge had examined all the signs through whose consultation she had established a certain local reputation as weather prophet, and she announced to her husband at breakfast-time that if he intended going to the deacon's trial ne had better fix up things at the barn in winter shape.

"I hadn't thought of this bein' more'n a squall," he replied.

the ground before the deacon's free."
That an't tellin' we'll be snowed "Yes; me and Mr. Smothers."
"That an't tellin' we'll be snowed "Yes; me and Mr. Smothers rents a portion of "Mr. Smothers" "I say, two foot o' snow will be on

"When once a man gets into the hands of the lawyers there's no knowin' when they'll let up on him. But I reckon you'll see me back before midnight. I'm goin' to get Hiram to do my share of the chores, so as not to bother you.'

This arrangement seemed satisfactory, and Mr. Whitridge started off soon after 9 o'clock with a clear con-

"justice office" was in a small building detached from the Pierson homestead, but standing very close to from under the shadow of its progeni-tor. And yet the little structure had a certain independence its own. Its architectural propor-tions were not at all in harmony with the parental edifice, for it had a flat tin roof bordered with an enormous weight of cornice and a "stoop" that dwarfed the suggestive little entrance to the large gabled building. This stoop was, on this auspicious occasion, tenanted at an early hour by men from the far and near farms, grouped under the head of "neighbors." They chiefly were dressed in the garments reserved for Sundays and holidays,

The door stood open and the squire vithin was making welcome those who had summoned courage to approach "His Honor."

which gave something of a festive look

"Cold day for the deacon," suggested the man who had volunteered to "fix the fire." "I hope not, sir," answered the justice, quite forgetting, in his perception of the double meaning of the phrase, that any suspicion might attach to his reply. Then, sudmight attach to his reply. Then, sud-denly remembering his relation to the event, he stammered: "Leastwise for neither him nor Mrs. Baldwin, nor none of us, since you're fireman.' Having thus restored his injured dignity, he peered among the people outside and exclaimed:

"I declare for it, the dominie and Mrs. Brown's a-comin'! Fetch two rush-bottomed chairs-the wooden ones sits hard — and kinder help me to straighten out. I had no idee ladies would be here; but this is a case-Howd'y do, dominie? Goin' to see Mrs. Baldwin through, Mrs. Brown? Well I guess it's comin' out right all round. Here's a couple of seats en-As for me, I don't want to travel in gaged for you - reserved seats, as I might say."
His embarrassment was great, and

he sought to relieve it by jocular as possible. The minister mis-interpreted his humor.

"Ah! it is true, then, the story I heard last night — that the parties in the case have come to an agreement that is well.'

"No, no, no! Suit's called in ten minutes. Here comes the plaintiff and her council now.

When Mrs. Baldwin entered Mrs. Brown whispered to her husband and he politely offered the lady his chair, his wife urging it upon her with the suggestion: "You will feel more like home having a woman next you.

Mrs. Baldwin smiled a very forced smile, and bethought herself to introduce her lawyer to the minister.

"I am glad to know you, Mr. Peaseley," said the latter gravely. "But I regret that it should be under the present circumstances.

The other, who was quite young, well-dressed, and with abundant selfpossession, made answer pleasantly: "We lawyers do not regard our duties so seriously. Indeed, I feel that we are virtually peace-makers, for oftentimes our clients are simply blind to certain facts that are brought out in the trial, and even if one party has the ts to pay they are better friends even after.

He moved away and arranged his effects upon a small table near the judge's desk.

Within a moment his example was followed by John Snell, an ungainly man, whose slow motions were unequal to the impatience of the throng that now swept in a disorderly way into the little building.

No one paid any attention to the formal opening of the case, so absorbed was the general attention upon the appearance of the respondent. He seemed to have aged in the past month, and his gray head drooped lower than ever upon his breast. He did not even notice the friendly effort of Mrs. Brown who conscientiously endeavored to dis tribute her sympathies without fear or

favor. When, however, Mr. Peaseley had finished his short statement and the name of Mrs. Mehitable Susan Bald win was called, every eye was fixed upon the plaintiff. She was a sturdy upon the plaintiff. voman, but now it almost seemed as i she would faint, so white and tremulous did she instantly become. voice of the justice recalled her :

"Step right for ard, Mrs. Baldwin don't be afeared ; you're among friends and goin' to speak the truth.

Certainly nothing could have in-spired her with more daring than this conceived sally. firmly forward, dropped her shawl on the bench beside her, and began:

"I don't know as there's any call to say beforehand, squire, that I'll tell the truth. I ain't givin' to lvin'.

Her counsel interrupted: "One moment, if you please. Mrs. Baldwin, after you are sworn, you will kindly say nothing but in reply to my ques tions.

The oath was administered and the ordinary formula requiring personal identification.

'You are an unmarried woman?" "No, sir; I'm a widow.

"You are at present, then, un-married, and managing the farm and

your farm. Has he anything to do with the dairy?"
"No, sir; I han't got but two cows besides Deb, and I do my own milkin' and churnin'."
"When did you buy the cow, Deb,

from Deacon Wilder? "On the second day of November last, and I wish to gracious I had a-done as I wanted and milked her right class his over."

right afore his eyes. "Slowly, if you please. Did Deacon Wilder tell you she did not kick."

"I never said he did." Visible excitement now amid the spectators.
"What did he tell you?"

"He said she was a first-class aninal, gentle an' kind, and he showed me the nornin's milk with cream on it an' the butter she made the week afore; an' told him it was about milkin' time, an I'd try her if he'd fetch a pail, an—"
"Slowly, madam. What did the

deacon say then?" "Why, he said that it wa'n't worth while, since I had my good clo's on."
"Then he did not seem willing to

have you milk her?"
"No, sir, he didn't. I can't say that it wa'n't just goodness on his part for my clo's, but it looked kinder strange to me when I got home and talked it over with Smothers." It evidently looked strange to the

assembly also, for they whispered and nedded without regard to the deacon's proximity.
"When you agreed to take Deb

there was nothing more said about her habits? "Not a word. I had asked all the

questions I wanted to; and I will say for the deacon that he did not stretch it a bit about her butter-makin'. She' a first.class animal there.

"How did you discover that sh kicked? "Land alive! I reckon it didn't take

me long to know. Why I was jam up agin the fence, and the milk pourin all over me out of the pail, ups

Everybody save the accused began to laugh. Even good Mrs. Brown shook behind her handkerchief. The justice had leaned back agains his tall chair with his eyes shut, as he

had once seen a distinguished judge in the Supreme Court do ; but at this point Mr. Peaseley called his attention by saying with severity: "I must remind Your Honor that there is too much levity His honor looked wildly around, and,

reaching for his pen, stammered: -I'd a seen that point if there hadn't been so much noise.

Only a few of those present under stood why it was a moment or two before the case was resumed. Then the justice nodded as if to announce that the objection was noted, and Mr. Peaseley went on. "Did you ever attempt to milk Deb again?

"Of course I did. Smothers can' do it; he's got his own chores to 'tend "Tan't pleasant," she added, submissively; "but it's got to be done and if a widder woman keeps cows sho "but it's got to be done, must milk 'em.'

"Did Deb ever kick again ? "Of course she did. I wouldn't have but she kep' it up. So I reckoned it was a way she had."
"But—but "—the young city law-

yer was a little bewildered herebut how could you manage to milk her if she knocked you over every time?" This seemed like improbabiltime?" ity, and he was nonplussed. the audience, who laughed loudly at his discomfiture. Even the witness was scarcely able to restrain her merri

ment. "Why, I tied her down. I guess you never see a kickin' cow : but if you how to fix Deb. I strap her hind legs too."
"That will do," said her interroga

tor sharply.

And now the figure of the deacon was seen edging through the crowd. He held up his hand and spoke with decision: "I don't know but it's agin the law, squire; but if you and these gentlemen can fix it so as it'll stan', I wisht you would. I want to tell my

story right here and now, an' leave it to you to lay the penalty." "Hold on, deacon!" cried John Snell. "Your turn's comin'; first let them get through with their wit-

"I don't keer for no witnesse When you hear my statement you won't, I've hated to talk about my folks; but that what's laid on my mind is all gone now. I guess I can tell it straight.

There was something so pathetic in the whole bearing of the speaker tha the young lawyer, was touched. He leaned over the table, and a whispered discussion took place between court and counsel. Then Mr. Snell arose and announced, in a wandering way that it had been agreed between the parties to refer the case directly to the court without argument or further examination of witnesses. The sole evidence to be presented would be a verbal statement from the respondent.

The interest of the spectators was quadrupled. Mrs. Baldwin forgot to it down, and, in fact, remained standing throughout the recital.
"I had Deb," said the deacon,

slowly stroking his rough beard, "just nine weeks afore the plaintiff bought Deb's a good cow; a lettle narvous, three-quarters jersey, gives six marts to a milkin', and rich at that. I hated to sell her, but - (here there was a slight movement in the throng) now I didn't cal'late to tell this, nor to bring Elizabeth Snyder's name into court at all. I thought maybe I could manage to answer the questions so as to satisfy the justice without that. didn't know nothin' about Deb's kickin', but night afore last I was up CONTINUED ON THIRD PAGE.

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