

Guelph Evening Mercury

OFFICE:.....MACDONNELL STREET
THURSDAY EVEN'G, OCT. 29, 1868.

BOYS WANTED.

Wanted, several smart, active boys to sell the EVENING MERCURY. Several boys are now making from one to two dollars a week. Apply at once at this Office.

THE GORE BANK.

The Hamilton Times says that the Committee appointed to investigate the affairs of the Gore Bank have completed their labours, and believes that among other changes the following will be recommended:—

"That after the capital of the Bank shall have been reduced by the Legislature as proposed, from \$800,000 to \$500,000, and after all the bad debts have been written off, there will be an available balance of over \$500,000 to the credit side of the institution. In other words, the available assets will exceed the liabilities by more than \$500,000. The real property held by the Bank was, not heavy, and a very large proportion of it has already been realized. It is proposed also to change the name of the Bank to that of the "Bank of Hamilton," which we cannot but think a very prudent movement, for the "Gore" has long since ceased to be at all applicable; and as it is the intention of the Directors to make the institution more locally useful than it was formerly, the new name will be peculiarly appropriate. The number of officers connected with the Bank will be reduced, and this movement with others in the direction of a severe economy will greatly diminish expenses, while they will necessarily be a corresponding increase in the profits. We are satisfied that when a detailed statement of the assets and liabilities of the Bank, and of its real condition, together with the changes proposed to be made, are laid before the community, public confidence in the management of the Gore Bank will be completely revived, and the former prosperity of the institution be thoroughly re-established."

ATTEMPT TO BREAK JAIL.—On Tuesday evening last BROWN, imprisoned for theft of a carpet bag and money, and Mulligan awaiting trial for cattle stealing, made an attempt to gain their liberty.—Having been kept in the same ward they employed their spare time in cutting through two bars of one of the windows with a file and small saw, which had been by some means conveyed them. The blocks of wood between the cell doors were also cut, and about eight o'clock BROWN gained the ward, having made a light of soap skimmings, using a piece of rag for a week and a sardine can for a lamp. But by some means the grease took fire, and casting a sheet of light on the wall it attracted the attention of the turnkey's son, who at once gave warning to his father. BROWN had extinguished the lamp immediately after the blaze, but he relit the rag at the end, and then proceeded to help Mulligan out of his cell. But their proceedings were now watched by both the gaoler and turnkey, who interrupted their congratulations on the prospect of a speedy liberation. They made no resistance, though they yielded with bad grace to the untoward fate which snatched freedom from them, when it was almost within their grasp. They had a bundle of clothes made up for their journey. They were removed down stairs, and McKechnie occupy the same ward, in what is considered the strongest part of the gaol.

IMPROVEMENTS AT THE GOLDEN LION.—Several important improvements have lately been made in the internal arrangements of Mr. John Hogg's dry goods store, which gives much more room, and adds greatly to the convenience of carrying on the business. The whole of the basement has been turned into one large wholesale warehouse 107 feet long, with an entrance from the centre of the store. In this place is stored immense piles of blankets made specially for the proprietor, as also all descriptions of woollen and other staple goods. The main store has been enlarged to the same dimensions by taking down the partition at the back, thus giving the whole area of the building for the purposes of retail. At the back part of the store are constructed two new, costly and elegant spiral stairs, one of which leads to the ladies' department on the second storey, and the other to the ready-made clothing department, which is in another apartment on the same floor. One of the stairs leads on to the third storey, where are the cutting and clothing and mantle manufacturing departments; also a large carpet warehouse. The spiral stairs are the only ones of the kind in this place, and though light to the appearance are yet sufficiently strong for all the purposes required. They were designed and made by Mr. S. Boulton, and reflect the highest credit on his skill as an architect. Every part is firmly glued and bound together, and the whole structure though apparently very fragile is yet strong, and at the same time compact and elegant. The plastering about the stair cases and at the end of the store has been tastefully done by Mr. Wm. Day, and the fine effect is greatly enhanced by a splendid mammoth mirror, in which one can get a bird's eye view of the whole store. The improvements add very much to the accommodation and appearance of the store, and afford Mr. Hogg greatly increased facilities for carrying on his large business, now one of the largest and most complete dry goods establishments in Canada.

WELLINGTON FALL ASSIZES.

THURSDAY, Oct. 29.
The Assizes for the County of Wellington opened in the Court House, Guelph at noon to-day, his Lordship Hon. Justice Morrison presiding.

The Bar was represented by our town lawyers; Messrs. Harrison, Anderson, Boulton, Robinson and Kerr, of Toronto; McMillan, Mount Forest; Drew, Elora; Cross, Fergus; and Durand, of Galt.

The following gentlemen were sworn in as Grand Jurors:—
Alex. Thomson, Guelph, Foreman; C. Allan, Thomas Booth, James Cross, Martin Cassin, Francis W. Galbraith, John Grose, Samuel Hambly, Wm. Hunter, C. Keith, Thomas Marks, Archibald McMillan, Warden Shaw.

His Lordship then addressed the Grand Jurors on the duties which lay before them. He regretted that the calendar contained the names of ten persons who had been indicted for criminal offences. Of these some were not in custody. He was sorry to say that there were three cases of homicide, all committed within a short period. It was a large number for a county like this, but circumstances attending the commission of them were peculiar. Two of them were set down as manslaughter, the other as murder. [We may here say that Mawhinney's name appeared on the calendar, though of course as he is not caught he cannot be tried.] There were also two or three cases of larceny, one of cattle stealing, and one of killing cattle, [a pig.] With regard to the duties of the Grand Jury in the cases of homicide, as the law understood malice in the case of one person killing another with a weapon, unless it were proved to them that there was not, it would be their duty to find a bill for the higher crime. The weapon his lordship referred to was one that was likely to kill, or to be used for the purpose of taking life. But much depends on circumstances, and the use of such weapons in self defence cannot be construed as murder. In the two cases of manslaughter which would come before them their finding would also depend on the nature of the evidence produced to them. If a person converts into a weapon, a stick that he may be in the habit of using, and in a moment of passion, with malice, but in order to demonstrate his disapprobation of something that may have been spoken, strike a blow and death follow the crime is no more than manslaughter. In the other instance death had been produced by the pushing of the point of an umbrella against a mortal part. Here again the weapon would have to be considered before deciding the degree of the crime, and it was also necessary in this case that the person who used it should be identified. An umbrella is certainly not such a weapon as is used for the purpose of killing, and it was probably the object of the person who used it merely to create some diversion in favour of one of the parties engaged in the fight, without entertaining malice, or the stroke may have been intended for another. In all instances, however, where death follows from a blow, even though it be light, if there are signs of malice it is better as a matter of public policy and in the interests of justice to find for the higher crime. It was melancholy to find so very many cases of homicide, but these events will happen. In the case of forgery they must be satisfied that the person indicted had either forged the name of some one to a note or deed, or that he had uttered such a paper knowing it to be forged. In the larceny cases before they found a true bill they must satisfy themselves that the goods were stolen, and that the persons charged were the individuals who took them. Cattle stealing is a very serious offence, once a capital felony, but now punishable with imprisonment in the Penitentiary. With regard to the killing of cattle, there were two phases of the crime. They might be slaughtered with the intention of selling the carcass, or killed out of malice, and these offences were quite different. His Lordship then instructed the Grand Jury that it would be their duty to visit the gaol and make their report. He regretted that they had so much to do, the calendar being the largest of several counties where he had presided, but as soon as they got through their business he would have much pleasure in dismissing them to their homes.

The following cases were then disposed of:
DICKIE vs MITCHELL.—Undeclared action to recover the balance on two promissory notes. Verdict for plaintiff \$451.49. Mr. Kerr, of Toronto, for plaintiff.
THOMPSON vs PARK.—Undeclared action on a promissory note. Verdict for plaintiff, \$697.63. Mr. Bruce, of Hamilton, for plaintiff.
LEASON vs MCGUIRE.—Action of ejectment, undefended. Verdict for plaintiff.
FERGUSON vs ABBOTT.—An action similar to the above with a like result. Mr. Guthrie for plaintiff in both cases.
TAYLOR vs AUSTIN.—Also an undefended action of ejectment. Verdict for plaintiff. Lemon for plaintiff.

Business before the Court of Assize.
CRIMINAL.—The following criminal cases are on the calendar: H. Mulligan, cattle stealing; Richard Smith, larceny; A. McKechnie, manslaughter; Thos. McQuillan, larceny; Wm. McQuillan, larceny; Samuel Dunbar, manslaughter; Geo. McGregor, forgery; John Mawhinney, murder; John McCormick, killing cattle; Jas. McCormick, killing cattle.
CIVIL.—The following is the list of defended civil cases: Newman vs Archibald, Taylor vs Austin, Bond vs Wilkinson, Patterson vs Buckland, Noecker vs Overend, Thompson vs Chisholm, Brill vs Rutherford, Stewart vs Moffatt, Lowe vs Morice, Pennington vs Brownlee, Stewart vs Adams, Tindale vs Balmer, Thompson vs Park, McGregor vs Harris, McIntosh vs Anderson, Glyn vs Brown, Dorrough vs Clark, Kelly vs Kelly, Bell vs Grange, Stevenson vs Bruce.

THE WAYERLEY NOVELS.—We have to acknowledge the receipt of "Quentin Durward" from the publishing house of Appleton & Co., New York. This is the last issued number of the edition of the Waverley Novels which they are issuing so cheap as to bring them within reach of persons of the most moderate means. No person with any taste for good classical English employed to narrate interesting incidents will hesitate about purchasing. The whole series for \$6, to be had by addressing D. Appleton & Co., New York.

A new pumping engine, for the Water Department, Montreal, promises to be completed in time to avert another water famine this winter.

BY TELEGRAPH

PER ATLANTIC CABLE.

Despatches to the Evening Mercury

DUCHESS OF SUTHERLAND DEAD.

London, 28.—The Dowager Duchess of Sutherland is dead. The reports that Great Britain, France and Italy have renewed diplomatic relations with Spain, under the new revolutionary Government are confirmed. It is authoritatively announced that Prussia and Portugal have also recognized the new government, and that the papal Nuncio at Madrid, had put himself in communication with the Spanish Minister of Foreign Affairs.

ARCHBISHOP OF CANTERBURY IS DEAD.

The Right Rev. Charles T. Longley, D. D. Archbishop of Canterbury, died to-day aged 74.

THE FRENCH NATIONAL GUARD.

Paris, Oct. 28.—The Constitutionnel says the re-organization of the National Guard is rapidly progressing in the departments, where the measure is received with great favour by the people.

SPANISH MATTERS.

Madrid, Oct. 28.—The Progressista Clubs of this city have formed a union for political purposes. At a recent meeting of the United Clubs, Senor Oloasaga informed them that Queen Isabella would abdicate in favor of Don Carlos. The election of members of the Constituent Cortes will take place on the 29th of November. Senor Ayala, Colonial Minister, has issued a circular, announcing that the Colonies will be placed on the same electoral basis as the rest of Spain.

BRITISH INDIA.

London, Oct. 28.—Despatches from Bombay report that additional successes have been gained by the British troops in the North-Western Provinces.

American Despatches

A DUEL IN PROSPECT.

Memphis, Tenn., Oct. 28.—A letter is published from Gen. Fremont, in which he denounces Gen. Judson Kilpatrick in unmeasured terms and refers him to Gen. Cass and Duke of Louisville, who will receive any communication which Gen. Kilpatrick may deem proper to send. The letter refers to remarks made by Gen. Kilpatrick.

DEATH OF ANDREW TRACEY.

Mothelie, Va., Oct. 29.—Hon. Andrew Tracey, of Woodstock, a prominent member of the Bar, died yesterday.

THE ALABAMA CLAIMS.

Washington, Oct. 29.—The cable despatch purporting to give the basis of the proposed settlement of the Alabama claims with England is regarded in official circles here as mere speculation. The President has received no intimation of any such arrangement agreed to by Secretary Johnson, and while he does not positively state that the cable despatch may not be true in regard to a mixed commission to adjust the claims, he doubts its truth, for the reason that had anything of the kind occurred he would have been advised of it before it could have reached the ears of the news gatherers of England. He believes that Minister Johnson would have promptly informed Secretary Seward of any important progress in the negotiations, and that therefore it is not at all likely that he has agreed to the terms alluded to. Whether the President favors the idea of a mixed commission or not is a point on which His Excellency maintains a rigid reserve. Besides these reasons given for discrediting the cable despatch, are strengthened by private letters received here from Johnson, in which not a word is found about any such proposal.—The views expressed privately by Mr. Johnson before his departure from this country, would likewise seem to be inconsistent with the idea of his agreeing to a commission of any kind, for the settlement of our claims.

In a recent letter he shows some disappointment at the tardy manner in which the negotiations were being conducted, but nevertheless speaks hopefully of a successful issue.

A CONVICT'S TALE.

At the Middlesex session on Wednesday, George Bennet, 20, waiter, was convicted of stealing a horse and cart, a set of harness, and a quantity of linen, value \$261. He had been twice previously convicted of theft. The prisoner at some length pleaded for the merciful consideration of the court, on the ground that he had endeavored since his discharge from prison to earn an honest livelihood. He had been at two hotels where had given entire satisfaction, and at a third place some one gave information to his employer that he was a convict, and he was once discharged. He was thus foiled in his attempts to a living by honest means, and without a character what was he to do? He tried to get work, but all in vain, and he had no alternative but to go back to dishonour, although much against his inclination, and he struggled against it. He had been to the "Pyrometers' Aid Society, and begged of them to use their influence to send him out the country, and he was told that if he could pay \$3 10s, they would do so. Having no money at all, he went to a magistrate, told him the position in which he was placed, and entreated him for that amount from the poor-box to enable him to get out of the country, but the magistrate declined and said he could do nothing for him. Thus he was deprived of his last hope of pursuing an honest course in life, he was foiled at every step, and hence was placed in the position to which, unfortunately, he had been brought. Taking into consideration the many attempts he had made to regain his character, he hoped his lordship would show mercy in the sentence he was about to pass upon him. Mr. Sergeant Cox, having conferred with the magistrates on the bench, said this was a very serious offence, and one that could not be passed over without a heavy sentence. Giving full effect to the appeal that the prisoner had made to them, he must be imprisoned and kept to hard labour for 18 months. Thus it is when a character for honesty is once lost, it is next to impossible to regain it, in modern society, and self-expatriation is perhaps the only means left for the repentant criminal, whereby to carry out his resolutions of amendment.

MR. HOWE ON THE SITUATION.—Mr. Howe has written a letter in reply to one published in the Eastern Chronicle, reflecting on his course. Mr. Howe deals with the annexation tendencies of some of his followers in a very summary fashion. He tells his readers that three courses are open: 1st, make another appeal to the new parliament of Britain; 2nd, press for a union of the Maritime provinces, or 3rd, endeavor to make a new bargain with the Canadians. Mr. Howe does not say that he prefers the last; he is careful to express no preference; but it is evident from the tone of his letter that he has formed the conviction that it is better to accept confederation and make the best of it.

There is a report from Montreal that Mr. Brydges is to be entertained at a public dinner in that city, on his return from England.

Mrs. Chas. Freeman, of Hamilton, died on Wednesday last of lock-jaw, originating from a wound she received in her hand from a piece of rusty iron against which she fell some days ago.

It is stated that the Grand Trunk employees have been officially warned from dealing in grain or merchandise on pain of immediate dismissal.

New Advertisements.

NOTICE TO DEBTORS.

ALL parties indebted to the undersigned will please take notice to call and settle their accounts at once, and save further trouble.
JOHN TYSON, Broker,
Guelph, 29th Oct. 45
Bogot Street.

Wrapping Paper for Sale.

FOR SALE at the Evening Mercury Office, a large lot of old Newspapers, in good condition for wrapping paper. Apply at the office. Guelph, October 23.

House and Lot for Sale or to Let.

A GOOD NEW HOUSE in a good locality, within five minutes walk of Post Office, containing six rooms, pantry, cellar, &c., hard and soft water and half an acre garden. Enquire at the Paint Shop, Raymond's Sewing Machine Factory. Guelph, Oct. 27. do 6

TOWN HALL, GUELPH.

Friday Evening, October 30th.

ANNOUNCEMENT of the appearance of the acknowledged favorites

Fish & Thornton's Minstrels

AND BRASS BAND.
First-Class Artistes, beautiful Quartette, efficient Orchestra, splendid Brass Band.

Admission 25 Cents. Reserved Seats 35 Cents.

Tickets for sale at Cuthbert's Bookstore, Fish & Thornton, Proprietors, F. G. Butler, Agent, James Fish, leader of the Brass Band and Orchestra. Grand Serenade by the Band at half-past 7. October 29th. do 1

County Right for Sale.

TAKE NOTICE.

THE Subscriber having purchased the right of sale of Weer's Patent Lamp Burner, which does away with the use of Glasses with perfect safety, whereby the great saving of glasses for street and parlor lamps, and other places is effected, an active man can make \$4 a day by selling the Burner. All parties selling without my consent will be prosecuted.
JAS. O'NEIL, Anglo-American Hotel,
Guelph, October 24th. do 3w

CARD TO THE PUBLIC.

THE subscriber respectfully informs the public that on and after this date his business will be conducted strictly on the

CASH SYSTEM.

No credit will be given to any one. The undersigned hopes by carrying out the above system to be enabled to give his numerous customers Goods at a lower price than they can be bought for elsewhere. He begs to acknowledge past favors, and hopes by strict attention to business to merit a still greater share of their patronage.

T. J. DAY, Bookseller,

Opposite the Market.
Guelph, 13th October. do 1w

LAMPS,

LAMPS!

JUST OPENED OUT AT

PETRIE'S

DRUG STORE

Old Post Office Building, Wyndham-St.

A Large Assortment of COAL OIL LAMPS, all sizes and kinds, will be sold CHEAP.

No. 1 COAL OIL.

A supply of No. 1 COAL OIL KEPT CONSTANTLY ON HAND.

A. B. PETRIE, Druggist.

Guelph, September 25th. do 1w

Estate of the late Jas. Lindsay

ALL PARTIES having claims against the Estate of James Lindsay, late of the Town of Guelph, Hotel keeper, are requested to hand them in at once to the undersigned, Executors for adjustment, and all parties indebted to the estate are required to make immediate payment.
ARCH. MCCORRINDALE,
WILLIAM C. BAINE,
Executors.
Guelph, Oct. 27. do 2w
Advertiser to copy.

TOBACCOS

BUY YOUR TOBACCOS AT

WILKINSON'S

I HAVE now on hand a large assortment of the finest and best brands of Smoking and Chewing Tobaccos that are manufactured in the Dominion. Give them a trial.

PIPES, CIGARS, &c.

Brier Root and Fancy Pipes, Pipe Stems, Choice Cigars.

SILVER TAKEN at PAR.

GEO. WILKINSON.
Guelph, October 19. do 1w

New Advertisements.

\$30,000

OF

Watches, Clocks, Jewellery

Books, Stationery and Fancy Goods.

Are now spread before the people of Guelph and surrounding country

IN R. CUTHBERT'S

ESTABLISHMENT.

To effect a reduction of this immense stock, the undersigned will re-commence his attractive Evening Sales at once, commencing TO-NIGHT.

Guelph, 29th October. do R. CUTHBERT.

HALLOWEEN, HALLOWEEN

NUTS, NUTS

SPECIAL ARRIVAL FOR HALLOWEEN:

CHESTNUTS | BRAZIL NUTS
WALNUTS | COCOA NUTS
HAZELNUTS | ALMONDS

Raisins, Figs, Dates, Oranges, Lemons, Apples, Grapes, Prunes, and last but not least!

Splendid Fat Oysters!

Extra fed for the occasion.

HUGH WALKER,

October 29. do Fruit Depot, Wyndham Street, Guelph.

SILVER TAKEN AT PAR

PREMIUM ON PAPER MONEY.

BUSINESS LIVELY

AT THE

BRADFORD HOUSE

OPENING OF SHOW ROOMS.

New Pattern Bonnets,
New Pattern Hats.

Mantles and Jackets!

New Pattern Mantles.
New Pattern Jackets.

Another Lot of those Cheap Jackets, from \$1.00 to \$3.00—Less than Half-price.

THE GREAT RUSH FOR DRESS GOODS STILL CONTINUES. Real Irish Poppins, in all the New Colours. The only House in Guelph that keep the same Goods.

PHILIP BISH

Wyndham Street, Guelph, October 24. do 1w

THE GOLDEN LION

GUELPH.



SILVER TAKEN AT PAR.

NODISCOUNT. NODISCOUNT.

JOHN HOGG'S,

GOLDEN LION, GUELPH.

Guelph, October 24th, 1868. do