

AILEY MOORE

WALK OF THE TIMES SHOWING HOW VICTIMS, MURDER AND BOMB LIKIE PARTNERS ARE MANAGED AND JUSTICE ADMINISTERED IN IRELAND TOGETHER WITH MANY STIRRING INCIDENTS IN OTHER LANDS

BY RICHARD B. O'BRIEN, D. D., DEAN OF NEWCASTLE WEST CHAPTER XV SHOWING HOW SHAUN A DHERK ONCE MORE CONSULTS FOR THE PEACE OF THE COUNTRY

The reader will have remarked that Shaun a Dherk was not called by the counsel for the prosecution, and that the respectable Mr. Jim Forde also was absent from the array of witnesses. How Shaun a Dherk convinced the learned gentleman for the Crown that his testimony was of no value, or how those gentlemen themselves came to the conclusion that he should not be sworn, it is not necessary for us to chronicle; but Mr. Jim Forde's absence upon the occasion is explained by a very natural desire to shun a very inconvenient complication.

Some time before the close of the "case" for the prosecution, there was a bustling and a whispering immediately outside the dock. Mr. Jim Forde had ears to hear, and curiosity to inquire; and, although he was the next witness to be examined, he felt himself impelled and driven to take a look in the direction of the little excitement, and then to demand what was the matter. Jim always boasted that things "were foretold him," and he had an impression, somehow or other, that he was concerned in the movement which attracted his attention; and, therefore, he moved a few steps backward, so as to view the scene more closely.

Mr. Jim Forde did view a scene, which, as it appeared, by no means pleasant—for the worthy "missionary" turned quite pale. And yet the affair was, to an ordinary observer, commonplace enough. It was only a soldier—without his side-arms—just as soldiers come on funeral—a well-looking though not young man—and Mr. O'Connell, the showman, who had his hand familiarly on the shoulders of the soldier, while he looked earnestly and joyfully, or triumphantly into his face.

Mr. Forde, as we have remarked, became quite pale when he saw the simple incident, but he did not lose his presence of mind. On the contrary, he immediately went to a policeman, and whispered a word or two into his ear. He then very quietly opened himself a passage, a few yards from Mr. O'Connell, and though he got many kicks on the shins, and was, in fact, black and blue from these "accidental" encounters with the brogues of his neighbors, he got safely across the street to a public house. This is all that has been heard of Mr. Jim Forde from that day; and how Mr. Fyrie became acquainted with the fact of his retirement in sufficient time to avoid the inconvenience of betraying his flight by calling him, we have not been able to discover. The case for the prosecution then wanted that "respectable labouring man who would swear that he had seen Mr. Gerald Moore, the prisoner, fire the fatal shot."

A short interval only elapsed when Mr. Bonnell rose to address the jury for the defence. Mr. Bonnell was a fine specimen of a pleader—physically as well as morally; he seemed made for his profession. For a moment he looked towards the dock, and his eye rested on the noble face of Gerald; he then looked around the court and jury, and finally directed his regards to the bench. It was the appeal of an assured advocate to the reason of his hearers, in favor of the fine young fellow, who had already made a deep impression.

We cannot pretend to follow the able "counsel for the prisoner," but we will say that his speech made his road to the bench. It was "extremely splendid,"—one made for himself and the prisoner both. All such speeches are, and may they always be equally successful for both objects. As we must have judges, may their lordships always have brains.

Mr. Bonnell commenced by a frightful description of "Superstition." He explained its villainy in the purchase of bad consciences; its debasing influence in making hypocrisy a merchandise, he showed how the buyer was dishonored by trading in lies, and the seller damned by denying the authority of the Almighty; he detailed the starving families that lay at the foot of the cross to die, and the demons that gathered round them in their agony, to offer them the devil, and a ladle of soup; he asked how a country could progress, where strife and demoralization were thus engendered, and he called for the denunciation of "superstition" by every man who loved truth and Ireland—no matter what his creed. Boldly he then declared that this was simply a case of "superstition"—the soup being seasoned by disappointed ambition, called by a singular gentleman, who appeared in the case, "disappointed affection."

It was a conspiracy, he said, and a conspiracy he would prove it. The justice of heaven had permitted the heart of wickedness to spread its snares, only that impiety should be taken. In the toll. "And now, gentlemen," he concluded, "we shall commence where the counsel for the prosecution concluded. There is a large and respectable array of my learned brothers on the side of justice; we shall endeavor to explain

the phenomenon of a gentleman charged with rent which he does not owe, and impoverished by injustice, for which law affords no remedy, able to defend himself from the knowingly false imputation of the crime of murder."

Mr. Bonnell commanded the crier to call "Mr. Boyce," and that gentleman answered "Here!"

"Come on the table," said Mr. Bonnell.

"Yes," answered Mr. Boyce. Now, we must inform the reader that old Father Mick was just beside Mr. Bonnell; and it was quite a study to see that dear old gentleman during the learned counsel's speech. He looked pale—pale and much thinner than usual—the good old clergyman and his fine white hair was not so nicely kept as it is used to be when Ailey Moore minded the oratory and the altar. He looked careworn and sad; but his face often brightened during the address, and the old soul was in his full eyes. He went frequently, poor man, when the counsellor depicted the poverty and trials of his parish; and, in fact, his face was quite a transcript for the time of every thing Mr. Bonnell said.

But Father Mick looked sorely puzzled when he heard the name "Mr. Boyce" called by the proper officer. He fidgetted, and looked out into the court, and took out his handkerchief, and took off his spectacles—and finally he laid his hand on the good Mr. Bonnell's shoulder. Mr. Bonnell stooped towards him and smiled very kindly and reverentially, and motioned him to sit down; but Father Mick seemingly continued to plead. Mr. Bonnell then looked grave—and then pained—and then impatient; and Father Mick's eyes filled; and finally, Mr. Bonnell began to plead in his turn, and poor Father Mick appeared conquered at last. But he looked troubled, and sat down, covering his face with his hands.

Mr. Boyce, having been duly sworn declared that he was an auctioneer; that he belonged to the city of— He was sitting in his office of an evening one month since, when a venerable-looking old gentleman presented himself, who appeared both fatigued and excited. He begged the old gentleman to sit down, but his visitor declined; he had to travel a good distance, he said, and he added that he did not feel at all weary. The old gentleman seemed much affected when he opened his business; he said that all he had economized during his life was his "little books," but an imperative necessity demanded a sacrifice of them; he came, he said, to sell them. The witness then went on to detail how he found it necessary to go all the way to the old gentleman's house to examine the library. He travelled with him for that purpose over sixty miles; he found many rare books which would not bring a third of their value, and some large works that, unless by private sale, would be flung away.

"Well," said the counsel "what did the old man say when you told him the loss he should undergo?" "He looked at the books, and said it was a pity—they had been his comfort, he said."

"What was the sacrifice to amount to?" "A full two-thirds of the value." "And he was satisfied?" "He said they should be sold."

"Why—did he say?" "Because he should defend his neighbor's child from scandal."

"Who was his neighbor's child—did he say?" "Yes—Mr. Gerald Moore. The old gentleman said he had nursed Mr. Moore upon his knee—that he had taught him his little Christian doctrine—that Mr. Moore had knelt beside him, and prayed to God at the same altar with him, and was as a son to him. 'Oh, yes!' the old gentleman said," continued the witness, "'Oh, yes! I sell them all, sir,' he said, 'every one.'"

"Who was this good old gentleman?" demanded the counsel. The auctioneer looked over towards the dear old Father Mick, and the eyes of the court were turned upon his silvery locks, and Gerald Moore's eyes were brimful of tears—"Tears have a quality of manhood in them,"

When shed— as Gerald shed them, when the auctioneer answered: "It is the gentleman beside you, Father Quinlivan, Mr. Moore's parish priest."

"And the money?" "The money I handed to the agent for the defence."

"Thank you."

A gentleman of property swore that Skerin had apprised him of his intention to cancel the bond, as old Mr. Moore was only a security, and had himself suffered considerably by the party who used the money; at all events, he, the witness, was positive that Skerin had no intention whatever of enforcing any claim upon the prisoner's father. Mr. Moore, the younger, was a model of integrity and honor. He swore that he did not believe it possible that Mr. Moore could have been guilty of the foul crime imputed to him.

"That very important element, the 'feeling of the court,' had been working very busily from the moment Father Mick's love and devotion had been exposed; it was growing all through the evidence of the three servants, and became intense when the last witness spoke of the intentions of the murdered man; but when he emphatically swore that he did not believe it possible that Gerald Moore could be guilty," the court burst all bonds of restraint and gave a hearty cheer. The Lord of Kinmacarra did not look angry; he looked very stupid, and hung his head. The judge attempted to look angry; but no one believed his lordship's countenance or his lordship's threat, for every one saw that he looked happy, in spite of his efforts to appear severe.

Mrs. Colman, the "pale woman," was next called. She had been watching the unhappy Boran the night of the murder. He had done her daughter deep wrong, and she had reason to believe that he would pass in that direction on the evening so often mentioned. With her was a little boy of ten or eleven years, named Eddy Browne. They saw a man coming towards a "haggard" in which they were standing. They concealed themselves from the men, for she was very much afraid. These men most distinctly laid a plan to murder Skerin. The boy told her—

"That's no evidence!" cried the Crown.

"Well, do not mind, ma'am, what the boy said," interposed Mr. Bonnell; "just mention what you saw." "I saw no more," answered the "pale woman." They went away swearing; and I became so much alarmed, that I went to the house of the boy's mother, without waiting for James Boran.

Mr. Bonnell, amid an interest for which he could not account, but which was really of an extraordinary character, called "Eddy Browne!" and Eddy, who for some time had been clinging in as close to the dock as was possible, apparently indifferent to judge, jury and auditors, and seeking an occasional look at the prisoner, answered, "Here!" in a voice so sudden, firm, and decisive, that he attracted every eye within the building.

"Come on the table," said the crier. Eddy bounded from where he was, and seemingly lighted on the table "bolt-upright." He held his cap in his left hand, and laid his right on the back of the chair in which the witnesses sat while they gave their evidence.

"Examine him on the nature of an oath," said the judge, "but stay," his lordship added "Well, my little boy," the judge continued, "what do you do when you swear?" "I kiss the book," answered Eddy.

"And if you swear falsely?" "Do a great sin!" "And where does he go who swears falsely?"

"After he's dead?" demanded the boy.

"Why, yes," answered the judge. "Sometimes to hell—sometimes to heaven," said Eddy.

The judge looked at Mr. Bonnell, and shook his head.

"Why do you say," asked Mr. Bonnell, "that a false swearer sometimes goes to heaven and sometimes to hell?"

"Quite fair," remarked the Solicitor-General.

"Kase sometimes he repents," answered Eddy, stealing a look round at Gerald, "an' sometimes he don't."

The judge looked surprised—perhaps puzzled, and the court laughed up to the echo.

"Can you read?" asked the judge.

"Yes, an' write," answered Eddy; "an' cypher," he added, in a lower voice.

"And you know your catechism?" "Yes."

"Who taught you all these things?" Eddy turned round, and, without speaking a word, he looked so rivetedly and fondly at the prisoner, that the women of the court would all have embraced him, if they could. "Poor fellow!" was distinctly heard on all sides.

Mr. Bonnell then desired Eddy to say all he knew; for Mr. Bonnell had a specimen of Eddy Browne, and he felt quite confident as to his capacity.

"I know," said Eddy, "that the 'suppers' thron' down Gran's house kase I wouldn't go to the school; an' they're all bad; an' they hate Father Mick and Mr. Gerald; an' Father Mick cried when he hadn't anything to give the Hynde, an' they cowed an' hungry; an' whin they hadn't a coffin—"

"What does all this mean?" roared the Solicitor-General.

"It means that Her Majesty's Solicitor-General is in very bad company," answered Mr. Bonnell.

"An' I know," continued Eddy, "that the two 'suppers,' the Fordes, killed Skerin."

There was an awful sensation ran through the court.

"They wur in the 'haggart,' an' I saw 'em, an' they said they'd kill Skerin, so they did, an' they said 'Beauty' would give 'em money."

"Who is 'Beauty'?" demanded the judge.

"Snapper?" precipitately answered Eddy. "An' I wint wud Shaun a Dherk," continued the boy.

"Who is Shaun a Dherk?" "He is the man, my lord," answered Mr. Bonnell, "of whom the other side—"

"Oh, yes! I see in my notes—John Murtough. Go on."

"Shaun is good, sir," said Eddy, looking at the judge, "an' he helps Gran an' he's good to the poor, an' I wint wud him to the say-side, to the 'half-houses, kase he wanted to help—"

"But about the murder?" said Mr. Bonnell, who wished to avoid any interruption.

"Ah! yes! I was goin' to that. I wint wud him to Jim Forde's, to the supper house. An' Jim was teaching his childer to curse the Protestants, an' he said Snapper dar'n't turn 'im out wud him he's in, bekase, he said, Snapper was in his power, an' that he was lookin' at Skerin killed, an' the ould supper done it, he said, an' they wur paid for it all. An' thin I wint away wud Shaun a Dherk. Shaun is good, sir; an' he said, 'Eddy, avic, we must do justice.'"

A deep groan filled the court, and deepened the deep feeling with which the details had been listened to. Eddy was quite collected, however, and always, when he could, he turned round towards the prisoner, and looked at him so fondly—poor Eddy did. Alas! what hearts for loving have the children of the poor!—and what an unregarded treasure is their love!

The cross examination was interesting, but did not affect the direct testimony. Eddy admitted his love for Gerald, adding, however, "and for Miss Ailey;" he would die for the prisoner, and "for Gran," he said, and for Shaun a Dherk; but the idea of "swearing" falsely for them, simply astounded poor Eddy. He looked at the "Crown" with both his eyes opened wide—"Sware fur 'em!" he said; "sware fur 'em!" and then little Eddy laughed. "I nuvur told a lie," said Eddy, "bekase Gran tould me God was lookin' at me, an' bekase Father Mick an' Miss Ailey, and Mr. Gerald don't like any wan thit tells a lie."

And Eddy descended.

Great as had been the excitement at various parts of the trial, nothing that had occurred produced such a sensation as the name next called by the prisoner's counsel. Emphatically and significantly he cried, "John Murtough, commonly called Shaun a Dherk!" There was a pause, during which every eye was directed towards the door and towards the table. Those at a distance from the table expected to see him in the vicinity of the bench, where he had been seen during Forde's evidence, which was the only evidence he had wanted to hear; those around the table and bench looked towards the door, to watch his entry. After a few seconds a policeman appeared making way, and then all heads turned to one direction, and then came the old beggarman from the south. He was even more stooped than usual, and was debilitated and slow. The low muttering of curiosity, speaking its impressions and pleasures, the exclamations of surprise, the impertinent and universal stare, and the occasional half-spoken curse, made no impression on Shaun a Dherk. Cool as if he were on the mountains, swaying from side to side as a man of years and decaying vigor, but with a clear, calm eye, that spoke a kingly soul in the beggar's rags, he came forward and mounted the table.

The judge, jury, and counsel felt that he was an important witness.

Mr. Joyce Snapper shrunk behind his counsel.

Mr. Forde, sen, was collared by a policeman just as he was leaving the court. The old man received imperative orders that no crown witness should leave the court," he said.

Shaun a Dherk knew all the parties in this transaction, he said, and knew them well. Admitted that he had a good deal of intercourse with Mr. Joyce Snapper—"helped him to keep the peace of the country," had been sent by him on errands to treat with the tenantry about making him (Snapper) presents. A present meant fifty, a hundred, or perhaps two hundred pounds. No man could obtain anything unless he had paid well. Had spoken to Snapper about the ruin of the Moores, and had apparently helped him, "knew something of a bond or the bond spoken of that day. He believed the murderer of Skerin had taken it off his (Skerin's) person, and given it to the man who had employed him.

"This," cried the Crown, "is intolerable. Here is a witness asked questions which have no relation whatever with the case, and speaking of his opinion and belief, and lawyers listening."

"Pardon, sir," answered Shaun a Dherk, fixing his terrible eye upon the Crown solicitor. "I won't give you opinions. I am come for justice betune God an' man. I stud behind the elder Forde when he fired the shot—as near as I'm ti you, I seed 'im take a large paper from the body, an' I afterwards saw the bond wud Mr. Snapper."

"It's a lie!" roared Snapper.

"Swear the justice," said Shaun a Dherk.

Mr. Joyce Snapper was sworn.

"On your oath, Mr. Snapper," asked the Solicitor-General, did you show this man the bond in question or had you the bond at any time in your possession?"

"On my oath, no!" "Gentlemen," said Shaun a Dherk, solemnly and slowly producing a roll of parchment, "Gentlemen," he said afterwards that this something was

"here is the bond; I took it off Mr. Snapper's table the night uv the attack, bekase he tould me he was goin' to use it agin the Moores; an' there's a man in this court that saw him showin' it to me—John M'Conn."

Mr. M'Conn most satisfactorily confirmed Shaun a Dherk's assertion, although he was only looking through and listening at the keyhole; he had left Mr. Snapper's servants to go out and make "charms," in order that he might show them Dublin "an' a sight o' places," and curiosity brought him up to listen to "the master and Shaun a Dherk."

The impression in the court was by this time awful.

"Why did you not bring this information to the coroner's inquest?" "Because it would give Mr. Justice Snapper and Mr. Forde time to escape, and because I wasn't prepared as I am now."

"Why allow the man Forde to swear against the prisoner?" "In order to put 'im at rest, to keep 'im from flyin' an' his friend from plannin' agin' justice; and bekase I wanted to bring the curses o' the poor altogether upon 'im when he couldn't go out o' the way, as he could at the coroner's inquest. Many days an' night I labored to bring this blessed hour about. I'm the wip of justice."

"I give up the case!" cried the Crown.

"There is a soldier here who has been brought from England, and who heard the plot for the ruin of the Moores concocted by this pious brotherhood," said Mr. Bonnell.

"At his entrance James Forde ran," observed the Crown.

"Awful!" said the judge.

"God is just, I tould you, avic!" said Father Mick, flinging his hands over the dock upon the head of Gerald.

TO BE CONTINUED

THE BLUE EYES OF NORA

Do you know Cononagh Village, far away in the heart of romantic West Cork?

The village in itself is pretty much after the style and pattern of many another Irish village; just a handful of two storied dwellings, including, needless to say, a few public houses—a creamery, a mill, and two or three small shops.

But if the village of Cononagh cannot boast of any particular beauty on its own account, its natural surroundings are, beyond any manner of doubt, however, remarkably beautiful, varied and romantic even in that magical corner of rugged Carbery in which almost every spot contains a charm all its own.

Cononagh village, indeed, is placed in a setting of rare loveliness, for on one side you have a murmuring wood clustering along the hills and vales to the westward, and on the other a bewildering combination of heather-clad hills, wild, rugged mountain glens, and the silver thread of the Roury River winding along between its fern and flower-gemmed banks, through the shadowy woodland and the pleasant green pastureland of the valley.

On a certain bracing evening in September Nora Carmody was standing in her little shop at the Rosecranny end of the village—her mother, younger sister and brothers being engaged at their tea, in the light of the turf fire in the kitchen beyond the shopcounter—when a "teaman" (to use the phrase of that locality) drove down the road and drew up before the Widow Carmody's house.

The "teaman" alighted, came over to the door and smilingly lifted his cap; and, as he did so, Nora saw before her, in the purple gray shadows of the falling twilight, as handsome and winning-looking a young man as she had ever before, in all her five-and-twenty years, beheld.

I wish to stay here for the night and to put up my pony and trap and luggage, if it is quite convenient," said the young man, with a sudden wistfulness in his clear, dark gray eyes. "I am very tired and also very hungry. I've driven a long distance, and the pony is done up. But for all these reasons I wouldn't trouble you—but what can I do?"

Nora Carmody's blue eyes gazed for a moment or two in unconscious admiration into the stranger's face; and he, on his part, gazed with very conscious admiration into hers.

As he told her, at a later period, it was her eyes which at first attracted him so irresistibly—eyes so "darkly, deeply, beautifully blue," that few men indeed could withstand their half-shy, half-coquettish appeal.

Apart from her jewel-like eyes, Nora Carmody was a sweet-looking girl, with a refinement, delicacy and sensitiveness in her face that at once revealed her true character, as faithfully as the rose's perfume reveals the rose itself.

The young "teaman" was tall, broad-shouldered, splendidly built. He had a strong, square-jawed face; but his dark eyes were as tender as a woman's, and his low voice had a ring like music in its tones.

And scarce thinking of what she was saying—speaking, indeed straight from the impulse of her heart just then—Nora said quickly, in reply to his words:

"Oh, I'm sure we can make room for you. I'm sure it will be all right. Wait a moment. I will ask mother—and one of my brothers will help you about with the pony and trap."

Such were the seemingly simple circumstances of Nora Carmody's first meeting with James Magrath; but nothing could persuade the girl afterwards that this something was

not prearranged by destiny—nothing could convince her that if she had been in Canada that afternoon, instead of in Cononagh, she and James Magrath would not have crossed each other's path.

James Magrath stayed for the night at Mrs. Carmody's, and before he went to bed he had wonderfully ingratiated himself with the family household circle and had charmed them all with his ringing tenor voice.

"You sing beautifully," Nora told him; and she added impetuously as was her usual way—"I hope you will come around here again."

James Magrath did come again in the following month and this time he and Nora had a long, confidential talk together.

During this long talk—carried on over the turf and bogwood fire, long after Mrs. Carmody and the others had gone to bed—James Magrath gave blue-eyed Nora full account of himself and of his strange family history.

He was, it appeared, a native of North Tipperary. Half a year before he had had a quarrel with his father—a wealthy farmer residing near Borisoleigh—and on the following day he had left his home and inheritance behind him and started forth to earn his own living as best he could.

Through the influence of a cousin of his, in his business in the City of Cork, he had, some weeks afterwards obtained this job at which he was engaged at present.

"Why did you quarrel with your father?" asked Nora.

"Well, I hardly like to touch on the matter, as it is a very painful subject," was his reply. "However," he went on quickly, as a sudden flush of color swept over his face, "I feel that I could tell you my heart's secrets. In spite of me, you seem to draw everything from me. I quarrelled with my father, Nora, because I took on my own shoulders the theft of a sum of money—which was in reality removed from our house by an unfortunate cousin of mine—whose wife and child were literally starving, and whom my father had refused to help."

"With my own eyes I saw this cousin remove the notes from my father's big mahogany desk, which he first of all smashed open with a poker. Afterwards when my father missed the money and circumstances seemed to point to me as being the thief, I screened my cousin, as I've already told you and taking the blame on myself was driven from my home as an outcast!"

"But that was a terrible thing for you to do, James—oh, why did you do it?" Nora cried in her excitement addressing him by his Christian name for the first time.

"I did it because I pitied poor Joe—my cousin, I mean—and pitied his wretched wife and child. I said to myself, that as I had no wife and child, it did not matter so much what became of me. But now I've altered my opinion," he went on, and his earnest dark eyes were fastened most passionately on Nora's excited face. "Now at last I feel and know how wrong I was, to have done this thing—to have willfully cast aside my birthright and stained my name with a disgraceful slur!"

"But surely it is not too late—Nora began, excitedly, but the words faltered timidly on her lips.

"I must think it over," he said, his voice hoarse with emotion. "It seems a cruel thing to betray Joe and ruin his wife and child; but there are other things just as cruel—I never looked on it this way before. Now everything is altered—everything! I must strike out some plan to clear myself at last!"

Not for two months later did James Magrath again drive up to the Widow Carmody's door; and the moment Nora looked into his face she saw he had come to some definite decision as to the arrangements of his immediate future and fearfully she waited the moment when she should find herself alone with James.

At last they again sat by the turf fire together, Nora by the exercise of all her natural tact and intelligence having managed to pack off the others to bed.

"Nora, my courage failed me at the last moment," such was James Magrath's whispered confession. "The news reached me last month that my cousin Joe was dangerously ill; so although I had a long letter written to my father, in which I had told him everything, I could not then bring myself to post it—and it lies there in my pocket addressed and sealed ever since."

"Nora, there is nothing for it but one thing only." He suddenly caught hold of her hands in his and drew her passionately into his arms. "I love you, Nora; I have loved you from the first instant I saw you. Those true, sweet, tender blue eyes of yours won me, on that September evening, and have held me ever since."

"I cannot ask you to share my present precarious living, dearest; such a proposal would be cowardly and unjust towards you. So I've decided to pitch up this job, and to seek my fortune in New York early in the spring. And when I can afford to offer you a little home out there, Nora, will you promise to come out to me and share it with me?"

In a trembling whisper Nora gave the desired promise.

"Let this be our own secret, Nora darling, until we see our way more clearly ahead," James Magrath whispered eagerly; and to this request

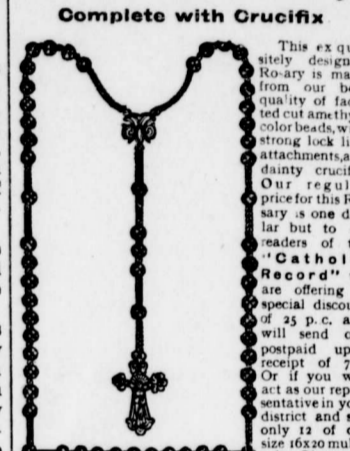
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