LISTOWEL STANDARD.

FRIDAY, OCTOBER 15, 1880.

THE BIDDULPH TRAGEDY.

Disagreement of the Jury in the Case of James Carroll.

HIS LORDSHIP CHARGES AGAINST THE PRISONER.

Seven Jurymen for Acquittal, Four for Conviction, and One Undecided.

The trial of the prisoner James Carroll, accused of complicity in the murder of the Donnelly family, the formal charge against him being the murder of Judith Donnelly, did not close until half-past ten o'clock Saturday night, having occupied the attention of the Court for a full working week. The result of the trial has been a disagreement on the part of the jury and their consequent discharge without any verdict. The first part of Saturday morning was occupied by the testimony for the Crown in rebuttal of some statements of the witnesses for the defence. That having been concluded, the counsel entered upon their addresses, which closed about two o'clock, when His Lordship Justice Armour at once entered upon his charge to the jury. The summing up of the evidence by His Lordship was a wonderfully broad and clear statement of the case, but it bore very hardly against the prisoner.

THE JUDGE'S CHARGE.

Mr. Justice Armour, in delivering his charge to the jury pointed out that the first thing the jury had to determine was whether Judith Donnelly came to her death by human hands on the night of February 3rd, and having determined that, they had to consider by whose hands her murder was effected. The responsibilities in making an enquiry of this kind were of course great, but they had to be fulfilled honestly and impartially, but rigidly, sternly and manfully. If there was a reasonable doubt, then the doubt in a case of this kind should be given in favor of the accused. The doubt, however, should not be a doubt conjured up by what may have happened in other cases or by reports regarding the case produced before the evidence was given. In the same way the evidence given as to character in a case of this kind might become of no importance whatever, unless the other evidence were of such a class as to make it completely impossible to say whether the accused was guilty or not, and in such a case previous good character would give a clue as to whether the prisoner really could be guilty of such a crime or not. If the proof of guilt was convincing, then evidence as to character was of no consequence at all. The jury no doubt would agree that the Donnellys came to their deaths by violence, and by an outrage unparalled in this country for savage atrocity and brutal ferocity. The reflection that such a crime could be committed in this Christian and civilized country was sufficient to make one's blood freeze; but though horrified at the brutality of the crime, it would not be right for the jury to allow themselves to consider the evidence brought against the prisoners charged with the offence in any other than an impartial spirit. The deaths which were caused that night were as nothing to the vindication of public justice, which was now required in order to show that such deeds could not be permitted in this country. If this offence was the work of the vigilance committee, and it passed unpunished, who could tell what next offence would be committed? If this offence remained unnoticed what guarantee was there that others who had become obnoxious to the persons who formed this conspiracy against law and order, would not be exterminated? If the perpetrators of this deed went free, what satisfaction would the public have that in other parts of the country evil disposed people would not be deterred from secretly conspiring to take the lives of their fellowmen? In the case for the Crown the murder of John Donnelly was brought forward; but that murder was of very little importance in this case, except in so far as that it showed that the series of depredations was committed by the aid of men whose action was preconcerted. And even though the jury should be satisfied that the prisoner was present at John Donnelly's murder, they could not be justified in bringing in a verdict against him unless they were also assured that he was at the homestead. It seemed to be pretty clearly established that John Donnelly was murdered, and the question arose whether Wm. Donnelly saw the prisoner there. It was for the jury to judge whether Donnelly's evidence was true or not, and they were better able to judge of his veracity by his conduct in the box than by the evidence of men, some of whom came forward and said they would not believe him, while others came forward and said that they would. In support of Donnelly's statement that he saw Carroll when looking out of the window, there was the statement of his wife that she saw him looking out. On behalf of Carroll an *alibi* was sworn to. In regard to *alibis* it was to be noticed that persons proving them always spoke with the greatest of precision on the surrounding circumstances and in this case the rule had been followed. Were the jurymen prepared to say that those *alibis* were reliable. This led to a discussion of the vigilance committee and the purpose of its existence. It was said that there were a great many depredations in Biddulph and a pledge with reference to them was signed at the church door. This pledge, it was evident, meant nothing more than that the persons who signed it would assist the priest in the discovery of crime. Shortly after that a society regarding which the court could not learn much, was formed. One witness said it was to put down violence, another said it was to assist in bringing certain people to justice. One said it was not actually a secret society, while another said there was a man minding the door of the place in which it was held. All agreed, however, that a pledge was signed, and it would have been well if that pledge had been produced. It was only by acts of the organization that the purposes of its founders could be arrived at. It was, of course, perfectly legitimate to endeavor to find out crime and bring people to justice; but organizations such as this were clearly outside of the law. They were the frequent mothers of all sorts of offences. Such as organizations when formed to bring people to the law frequently when failing in that purpose took the law into their own hands. The particular depredations which called the society into existence had not been given, but the acts of the society subsequently showed its character. In several matters it had pursued the Donnellys. When it should have got them bound over to keep the peace in the case of Thompson's cow, the zeal its members showed in sitting up all night and descending upon the Donnellys in a large band in the morning showed its promptitude to act and its readiness to judge of a charge without first enquiring into it. Had these men for their attack on the Donnellys been indicted for riot instead of being charged with a trespass, the indictment would undoubtedly have been sustained. But, notwithstanding the society's search and its threatening proceedings, the cow was not lost at all. This showed the danger there was of such a society taking proceedings unwarrantably. There was a singular reticence on the part of the witnesses in regard to what was done at the meeting before the murder. Kain and Blake said the names of the Donnellys were not mentioned or talked of, and, indeed, all seemed to be oblivious regarding what was done on that occasion. But previous to this the society seemed to have come to the conclusion that it was not complete without a constable and a magistrate of its own. There could be no doubt of this: that had the Ontario Government known that Casey was a member of such a society as this, and that his appointment was asked for by the society, they would never have made him a magistrate, and he would make bold to say that had the chairman of the Quarter Sessions known that the prisoner was an active member of such a society he would not have permitted his appointment as a peace officer. It would seem that the society was formed for the purpose of putting down the Donnelly gang, as Michael Blake justly said, and the difficulty about such a society was that whatever depredation is committed its members are sure to assume that the persons against whom they are hostile are guilty parties. What did the prisoner himself say about it? He said it was got up to put down bad work, and as soon as Thompson's cow was missed he and the others went to Donnelly's, towards whom they were hostile, and made a demonstration against them, asking the old man how he would like a kick in his ribs. The jury had from such acts as these to judge whether the murder at the Donnelly homestead was the work of the society. If they were of opinion that it was, they could have very little difficulty in coming to a conclusion on the other parts of the case, and the connection of the prisoner with the crime. If the crime was committed, was it likely to have been committed by but one man? If it was committed by more than one man who were the most likely men to commit it? Was it likely that such a crime could not have been prearranged, and if prearranged were the men who committed it most likely to have met to discuss and decide upon it? Were the men who committed this offence in the dead hour of the night as likely to be strangers to the neighbourhood or persons who were quite familiar with it, and in addition to that hostile to the Donnelly family? Did not the whole reasoning show that the crime was deliberately planned, and if deliberately planned, where did the plotters meet immediately prior to its execution? If they met must they not have met in some house in the neighbourhood? and if so at whose house did they meet? Could any other conclusion be arrived at than that the offence was planned and carried out by the society? If so, then there was so much reason in favour of the prisoner. But there were the *alibis* to be considered. Five of the prisoners swore they were not present, while other witnesses swore, on the part of the prisoner, that he couldn't have been there. These witnesses were members of the society, and was it likely that men who would join hands to commit a crime of this kind would have the slightest hesitation in swearing *alibis* for all who were connected with them? These witnesses might not have been at the murder themselves, but would they not come to the assistance of those in whose wicked plans they had conspired? The conduct of the people of the neighbourhood immediately after the occurrence would enable the jury to judge whether the members of the society were cognizant of the crime. "Take Patrick Whalen's evidence," his Lordship continued; "this evidence astonished me beyond measure. I do not know what is the ordinary course pursued in case of a fire in this part of the country. But I do know that in other parts of the country when a neighbor's house is on fire the first one to see it alarms the community, and everyone living near rushes to assist in putting out the flames. But what did old Whalen do? The boy O'Conner came to tell him of the fire and asked that the boys be called up. But no, they call up the boys, and Whalen instead of going down to the fire, which was 105 yards distant, went to his son's house, 184 yards distant, where he found his son John, not going down to the fire, but standing in his shirt-tail looking at it. The old man would have us believe that all that took place was his telling his son that Donnelly's house was on fire, but you must remember that he was a member of the vigilance committee, and that according to his own story he went three or four miles to attend a meeting of the committee to talk about nothing." This same witness, his Lordship proceeded to observe, went down to the fire afterwards, and though the front part of the house was not on fire, he did not attempt to get the Donnellys, who might not yet have been dead, out. What did the jury gather from that? Did not the indifference of the members of the society after the affair was committed make it appear as if the society was privy to the offence, or did the jury think now that the crime was committed by some one not belonging to the country? Did Casey, who saw the fire in the morning, go to it? No, he said he thought it was only the school house on Donnelly's lot. But was not the house of Thompson, who was a fellow member of the society, close by the school house? It was a wonder he did not think it was Thompson's, and run to help to put it out. Was it really likely that he thought it was the school house? Then there was the conduct of the prisoner to be considered. He heard next day, according to the evidence brought forward, that there had been a fire at Donnelly's and four bodies had been found, and, although he was a constable, he took care not to go near the place. Thompson, at whose place he slept, knew the fire was at Donnelly's and he coolly harnessed his horse and went to Exeter, while Sullivan, on hearing of the conflagration, only said, "Bedad, if it's the Donnellys', then I'll go home." The conduct of Blake, who slept at Ryder's, and who swore to the *alibi* for Ryder, stating that he was awake nearly all night, and was certain that Ryder could not have been out, was equally open to question. When asked if he saw the fire, he replied that he did, and that he thought it was moonlight. Was it likely that he could have mistaken a fire which lighted up the whole country-side for moonlight? It was singular also that the fire was seen by so few people. The Ryders, although they lived so near it, did not see it, neither did they, when they heard of the fire and the death of the Donnellys, take any interest in the occurrence. What did that indicate? Did the jury believe that these people knew nothing whatever of what had taken place, or did they not rather know of it just as well as the people who were guilty? Had the jury, in view of the conduct of the members of the society, any doubt as to whether the society was guilty or not? If they had none, and if they came to the conclusion that the society was a moving spirit in the offence, what reliance could they put in *alibis* sworn to by its members? Men implicated in such a crime would have no hesitation in going into the box and making any statement whatever in order to get their fellow-offenders off. In connection with Mr. Ryder's *alibi* there was this singular circumstance. One of the Ryders said that a pistol found in the clothes barrel had lain there for two years; another said it was always kept in his bureau drawer, where it had remained at the time of the murder, and it was only got out when it was felt that it was dangerous to be without a revolver. Then there came up the *alibi* of Purtell. The boy swore he saw Purtell. If the story was concocted, why did he stop at Purtell, and why did he not go on and implicate other men? Mr. McGrath was brought to prove that Purtell did not go out that night, but it must be remembered that McGrath was a member of the society. It was for the jury to consider whether Purtell could get out of the house without the inmates hearing it. His Lordship could only say that he had frequent cases before him in which parties were charged, not only with coming out of houses, but with going into them without making the inmates aware of the fact; but supposing the boy was mistaken in Purtell and Ryder, was he mistaken in Carroll? In the first place he told the Whalens the morning after the crime that he saw Carroll, and the Walens were not called to contradict it. He also said he saw a lot of men with blackened faces and in women's clothes; but that statement was not inconsistent with his subsequent evidence that some of the men had not blackened faces and women's clothes. He was only in the first instance giving his observations in a condensed form. It was not likely that in the excitement of the moment, after the tragedy, he would have given the Whalens the events step-by-step. He simply ejaculated something about the crime in a condensed form in order to get them to send at once to the rescue. But it was to be remembered that at that time he mentioned Carroll's name, so that his statement regarding Carroll then was not inconsistent with his statement now. According to his mother, he told her that he saw Purtell and Ryder standing behind Carroll. He says now he saw Carroll alone and Purtell and Ryder together, but in speaking to his mother he might have said that he saw Carroll and afterwards Purtell and Ryder, and the old woman might take it to mean that the word "afterwards" meant the position of the floor. Other words he might have used, though he meant Carroll was standing before Purtell and Ryder. As to his statement to Fox and Stanley that he did not recognize any one in talking, the jury must remember that he had been cautioned not to tell the names of the men he had seen. It would have been better if he had declined to make any statement at all to his numerous questioners, but then he was but a boy. There was no evidence to show that anybody had tampered with the boy, and could the jury think he had invented the story? Could they think any one was capable of writing a history of what took place on that night and teaching it to the boy? To the detectives he made a statement, but he did make to them a statement differing from that given now—and why? Because he knew he was making his statement to officers of the law. Had he concocted a story he might have told them a different one to that which he told now, but that he did not tell them a different story was evident by the fact that the defence had not called the detectives and put in their testimony that such a different story had been related to them. It was therefore apparent that the only occasions upon which the boy told a tale differing from that in his evidence were when questioned by irresponsible parties prior to the arrest of the men with whose conduct his statement would deal. It would now be advisable to see what the law laid down in regard to the evidence of children. Leading jurists were of the opinion that the evidence of children was more likely to be correct than the evidence of grown people, because the memory and observations of a child were greater than those of grown persons, and because the brain was younger, and the impression made upon it was deeper and more lasting. The jury had no doubt noticed that old people always talked a great deal about what happened when they were children while they forgot rapidly what occurred in their older days. Most people would remember circumstances which occurred while they were children, and forget altogether the more important events happening when they were thirty or thirty-five. This was because in youth the passions were not strong, and the motives of malice, spite, and self interest were wanting. Men would come into the witness box, and by reason of malice towards their neighbors, swear to what was untrue. A lad such as O'Connor has no such motive as that. A lad such as he would not be likely to become a member of a vigilance committee. He would not attend the meetings at the Cedar Swamp schoolhouse, neither would prejudice be likely to bias his narrative. Another reason why the evidence of a child was more to be relied upon than that of a man was, that if a child was telling what was untrue, it was not wary enough to stand cross-examination. A man knows what a council is driving at, and gives such answer in his cross-examination as will, in his view, support the story he is telling. The boy has not the same acuteness. What motive could a boy have had in going to Whalen's and telling them that he saw Carroll? Spite, malice or self-interest could not have dictated to him a story thus to implicate the prisoner. Was it likely that the boy could have invented such a story as this? He said that Carroll came undisguised, and an endeavor was made to show that this was proof of his unreliability; but the old man had firearms in his room, and would it be reasonable to suppose that he and his son would have permitted these men to have entered the house at that time of night had they not come ostensibly on a peaceful mission? Was it likely that the old man and his son would have got up and dressed, of which there was confirmation by the buttons, knife, and watch found on their bodies, in obedience to the demand of disguised men? Was it probable that a stranger coming there not armed with a process of law could have got them up to dress? The men, according to the boy, called them up to be arrested, told them they had a warrant for them and handcuffed them. The boy certainly said he had heard of a warrant or handcuffs before, but if any one had been educating him to tell this story would he not have taught him to say he knew what warrants and handcuffs were? Thomas asked the warrants to be ready, and the prisoner replied:—"There is time enough for that." That is all the boy hears until the hammering was going on. Thomas was seen by him running out of the front door. No doubt there was a guard at every door. He was caught and brought in and beaten. The boy heard some one call for a spade. Was that an invention? The boy did not see the spade, but it was found near the body of Tom the next morning. Was it likely that the spade could have been in a potato bin eighteen inches from the floor as contended for by the defence, or would it not have been the ordinary course of the woman to go down stairs with a pail and bring up a few potatoes for dinner? Well, the spade was there, the blood was there and the tracks were there. It was said that had Carroll been there and had he seen the boy, as the boy alleged, O'Conner would have answered for it by his life. No doubt had the men remembered that the boy was there he would have been killed. But the boy did not say the prisoner did see him, but he said he thought he did. Though the boy escaped it cannot be said they did not know he was there; but this much can be said, that in nine cases out of ten where a horrible crime like that was committed some clue was left whereby the guilty was discovered. "Murder will out" is a common saying, and its meaning was that no one was so intelligent and so far seeing as when committing a crime so to cover his tracks that he could not be traced. Regarding the girl Bridget, the boy says she ran upstairs and he after her, but when he got to the stair door it was closed so tightly that he could not open it, and yet it was said there was no lock on the door. Might she not have stood holding the door closed behind her, and was it impossible for her, when the boy had run under the bed, to run to the kitchen where her body the next morning was found? But the theory of the girl being murdered in the kitchen was, it was said, inconsistent with the story of the trampling which he heard upstairs. For whom hid the men ask when they first entered the house? It was for John Donnelly, who was not there. No one knew except Feehely, who was looked upon with suspicion so far as society was concerned, that John was away from home, and was it improbable that the men should have gone upstairs to look for him? It was, however, for the jury to say, looking on the whole evidence from beginning to end, and bearing in mind the fact that the boy accused the prisoner the very first time he made a statement regarding the crime, whether his evidence was true or not. He would leave these questions with them to decide, and if they were satisfied that the prisoner was there they should have no hesitation in finding him guilty. They had a duty to perform to society, and they must not shirk it. Were a jury to shirk its duty in a case of this kind society would be in no better position than if there were no laws at all. His Lordship, who had spoken for over two hours, ordered the jury to be removed.

THE JURY DISAGREE.

The jury retired at 4.30 o'clock and returned into court at 10.30 p. m., and reported seven for acquittal, four for conviction, and one undecided. They were asked if there was any probability of their agreeing, or if there was any point upon which they desired any further information. The foreman replied "No." The Judge then said he had no wish to coerce them to a conclusion which they could not reconcile to their conscience, and would therefore discharge them. The jury were accordingly discharged. The court room was crowded all through the night.

FURTHER PROCEEDINGS.

Judge Armour, in the Middlesex Court of Assize on Monday, announced that as the time of the Court would not allow it, no further trials of the Biddulph prisoners would take place this session. Mr. MacMahon made application for bail, but His Lordship reserved his decision until after he has had an opportunity of consulting with his brother judges upon the subject. The prisoners have been remanded to gael to await this decision. If no bail is granted, a special commission may be issued to try them; but if neither is done they will remain in prison until the Spring Assizes, when they will be again brought up for trial.

HOW THE CASE STANDS.

In the case as it now stands the voluminous evidence, the keen cross-examinations, the learned arguments of Counsel, the able and exhaustive charge of the judge, and the great expense of last week amount to nothing. The prisoners are in no better, nor worse position in view of the disagreement of the jury than they were before the trial commenced, though the evidence elicited, and the analysis of that evidence by Mr. Justice Armour, must have affected the public mind. Carroll can, of course, be brought up and tried again on the charge of murdering Judith Donnelly, and as often as the jury disagree so often may the Crown bring it up. Should a jury at any time find him guilty his trial will at once end; but should a jury find him not guilty then he can still be detained and tried on the remaining five indictments against him. In the case of each one of these the rule is the same. A disagreement by the jury may only lead to another trial on the same indictment, while a verdict of not guilty may be followed by a further trial on another indictment. And so the trials can proceed until he has been found not guilty upon the full list of indictments, when he will be entitled to his freedom. It is the same with the other prisoners. They have six indictments against each one of them, and they can be tried individually or collectively upon the entire catalogue until they have been acquitted upon all. The contemplation of such a series of trials is perfectly appalling, even with the matter of expense left out of the question. The probability is, though there is no hint that such is the intention, that a verdict of not guilty on one indictment, against each man, will put an end for the present to the investigations. The idea that this is probable is founded on the fact that the evidence in each case against each man is the same.

PERTH FALL ASSIZES.

The Court of Assizes for the County of Perth opened on Monday last at half-past one o'clock p. m., before his Lordship Mr. Justice Cameron. The Grand Jury were sworn in as follows:—Mr. William Roberts, of Stratford, Foreman, and Messrs. David Brethour, James Dinsmore, James Dickson, Wm. Dunn, Thos. Edwards, Martin Feeney, Wm. Gall, Henry Heal, Robert Johnston, Robert Jones, sr., Francis Jacobs, Robert Keeler, Thomas Leggatt, Lorenzo Moses, Philip Meadows, Valentine Roffreitch, David Rankin, Chas. S. Rumsey, James Robinson, Henry F. Sharpe, Henry Wismer, John Welsh, James Weir.

THE JUDGE'S ADDRESS.

The Grand jury were addressed by His Lordship, of which the following is a brief *resume*:—He explained to them the number and nature of the indictments to come before them, and the law in reference thereto. He pointed out the difference between murder and manslaughter, involving the presence or absence of premeditation, &c., and the grounds upon which they could find a bill for either, or no bill, as the case may be. Their enquiries were not necessarily confined to the indictments laid before them. They might take a wider range and report upon any abuses of institutions or officials. There was one subject upon which he would like to have their opinion if they saw fit to give it, *to wit*, the abolition or re-organization of Grand Juries. Some advocated strongly a step in that direction, as a matter of economy was one which naturally always influenced the action of legislators very much. But upon the other hand, it was contended that there were compensating advantages which more than compensated for any mere pecuniary considerations involved. It was argued that the jury system was valuable as enabling the people themselves to participate in the administration of justice, thereby giving them a knowledge of and respect for the law. It is part of the constitution under which we live that a British subject could not be convicted of crime until twenty four of his subjects had pronounced against him. It required twelve Grand Jurors to say that he should be put upon trial at all, and twelve petit jurors to find him guilty. This provision had been made sacred for ages, and he would like to have their free and unbiased opinion as to whether or not it would be wise to abolish that safeguard now. There was no magic in numbers, but there might be less danger of injustice. Judges were fallible; magistrates were fallible, and two often incapable; there might be less danger of twenty-four men going astray than of one or two individuals.

The Grand Jury then withdrew.

CONGRATULATORY ADDRESS FROM THE BAR.

This being the first occasion of His Lordship's visit to Stratford, the members of the Bar of the County of Perth seized the opportunity upon the withdrawal of the Grand Jurors to present him with an address which was read by Mr. John Idington, Q. C., Co. Attorney, as follows:

To the Hon. Justice Cameron:

We, the members of the Bar of the County of Perth, take the occasion of your Lordship's first appearance on the Bench in this County, to congratulate your Lordship on your appointment to the judicial office.

Your Lordship has been known to all the members of the profession in this County from their earliest student days, and they have often been spurred to greater efforts by witnessing your Lordship's professional career.

We now feel that your Lordship's elevation to the Bench as not only highly satisfactory and gratifying to the profession in the front ranks of which you stood so long as an eloquent, able and courageous advocate, but also to the public, whose universal respect you always command by your integrity and unsullied career as a public man, however much some of them might differ from your judgement.

We hope you will long be spared to serve the public and adorn the Bench.

JOHN IDINGTON,
On behalf of the Bar of the County of Perth.

Stratford, Oct. 11, 1880.

His Lordship returned thanks to the gentlemen of the Bar in a few brief but appropriate remarks.

The following is the civil docket: Crandon v. Box; Hackett v. Weir—settled; Abell vs. McLaren; Witt vs. Ebell; Rae vs. Rae; Green vs. H. L. & S. Society; Gibbs vs. Cliff; McEvoy vs. Esson; Bank of Montreal vs. Durand; Idington vs. Frazer. The criminal Docket embraces six cases, only three of which are important: The Queen vs. Kealing—manslaughter; the Queen vs. Rumbold—forgery; the Queen vs. Tobin, indecent assault.

TRUE BILL.

The Grand Jury brought in a true bill against John Kealing, of Kinkora, for manslaughter, the victim being his own father. The trial was setdown for Thursday. John Idington, Q.C., for prosecution, and James Kehoe for defence.

THE EASTERN QUESTION.

Final Submission of the Sultan to the Demands of the Powers.—Dulcigno Surrendered.

London, Oct. 11.—Intelligence from Constantinople announces that the Sultan to-day yielded to the logic of the situation, and surrendered Dulcigno unconditionally. An official order was immediately telegraphed to Dulcigno, when the Montenegrins at once marched in and took possession. The news of the surrender was received here with great delight by the friends of the Administration, who regard it as a decided triumph of Mr. Gladstone's recent vigorous uncompromising policy. The result will be the breaking up of the naval demonstration and the return of the vessels of war as soon as the necessary preliminaries are arranged. The Liberals are all the more pleased at the Porte's action from the fact that the half-hearted way in which Germany and France looked upon England's proposals to force Turkey to carry out the Berlin Treaty left England almost alone to accept the responsibility for any positive war measures taken in the East, Russia being the sole power to which Mr. Gladstone could look for endorsement. The Conservatives pretend to believe that the surrender is in some way a piece of subtle trickery on the part of the Porte, but their opinion is by no means the prevailing one. At all events the danger of war is staved off for the present, whatever other complications may arise in the near future.

DONEGAL.

RECOVERY.—Johnnie Roe, who accidentally shot himself a couple of weeks ago, is slowly recovering from the effects of the wound.

LYNX SHOT.—Mr. J. Cranston was successful in bagging a good sized lynx while shooting one day last week.

REMOVED.—Mr. A. Buchanan has leased the hotel at Millbank Station known as Henderson's.

KICKED.—On Friday the 8th inst., Willie, eldest son of Mr. S. Vipond, was kicked by a horse with which he was working. He is getting better.

RUN OVER.—On the same day another son of Mr. Vipond fell from a load of turnips on which he was riding, and a wheel of the wagon passed over his body. Strange to say, the little fellow was not hurt in the least. What will kill a boy anyway?—COM.

GREY.

SERIOUSLY INJURED.—A serious accident happened Mrs. Duke, wife of Mr. David Duke, 4th concession, of this township a few days ago. While engaged in milking the cows, one of them was startled by a dog and turned upon Mrs. Duke, knocking her down and injuring her severely with its horns. Dr. Philp of Listowel, was sent for, and there is a fair prospect of her recovery.

Sir Richard Cartwright is to tell the electors of Centre Huron at Walton, on the 21st inst., what he knows about deficits, and he knows a good deal.

The Australian colony of Queensland is adopting the same policy as that so successfully inaugurated by the Canadian Ministry of inducing railroad construction by means of land grants instead of the old plan of borrowing money. During his recent visit to London, Mr. McIlwraith, the Queensland Premier, found English capitalists willing to construct railroads on those terms, and two syndicates bid against each other for the contract. The Premier was so impressed with the benefits of the arrangement that he determined to stop all Government railroad construction at the earliest opportunity, and arrange for their completion by private enterprise.

A case of considerable interest to newspaper subscribers came up at the recent Division Court held at Welland. The *Telegraph* sued a subscriber for arrears. The defendant claimed that he had paid the former publisher $1 in 1874, after which he did not subscribe. He afterwards moved his residence, and for over two years he had not had it. The Judge ruled that he was liable for the full amount, and gave judgement accordingly, the defendant having acknowledged being a subscriber by taking part of the papers out of the post-office. His Honour said the law was very distinct on this point.

Ready-made Clothing—Suits from $8.00 upwards, at Roy & McDonald's.

The law requires the use of the Imperial Measure. Every size onhand at J. H. SMITH'S

The cost of the Biddulph trial to the crown so far, has been about $5,000. The witness fees alone reached $2,300.

It Never Fails.—Dr. Fowler's Extract of Wild Strawberry is an unfailing remedy for all kinds of bowel complaints.

The Scott Act has been carried at Marquette by a majority of 417. Only about one-fifth of the electors voted.

Dr. Fowler's Extract of Wild Strawberry cures cramps of the stomach and bowels, dysentery, cholera morbus, and all summer complaints.

Head Centre Stephens, of Fenian notoriety, was discovered by a New York reporter on Wednesday in a destitute and starving condition.

Try Burdock Blood Bitters. the greatest system renovator, blood and liver syrup, acts on the bowels, liver and kidneys, and is a superb tonic.

An old gentleman named Fitzgerald claims to have raised 94 bushels of oats to the acre on his farm, which is situated near Emerson, Manitoba.

Great Triumph of the 19th century is the great medicine climax **Burdock Blood Bitters**, cures all diseases of the blood, liver and kidneys, nervous and general debility, and is the purest and best tonic in the world.

Six men lost their lives in a coal pit near Stellarton, N. S., on Tuesday by the water breaking into it. One of them was the foreman. Four bodies have been recovered.

A Long Time to Suffer.

Twenty-five years of endurance with Catarrh is a long period of annoyance and misery. Mrs. E. J. Flanders, of Manchester, N. H. after going through with it all, writes: "The Constitutional Catarrh Remedy has rescued me from intense suffering, and almost the grave." This medicine is for sale by all druggists.

Dr. Michiner's book and drug store is the place to procure Wall Papers—sole agent in town for English Wall Papers, which are over 3 inches wider than the American Wall Papers, being *a saving of one roll in every eight*. Not "at and below cost," but cheaper than any other dealer in the town or county. Call and you will be convinced that you can get better value for your money than elsewhere.—33.

GLASS, GLASS.—I have just received spring stock of window glass, all sizes, which will be offered at very low prices. Call and see

J. A. HACKING.—21.

St. Mary's Lodge, No. 36, I. O. O. F., one of the most prosperous lodges in Canada, has just completed a handsome block on Water street, St. Mary's, which besides furnishing them with a commodious lodgeroom gives the town a first-rate opera-house, which will comfortably seat 800 persons. Under the lodgeroom and hall are three stores. The structure cost $17,000.

On the Verge of the Grave.

Such was the Condition of Moses A. Walker, of Derry N. H., with congestion of the Lungs and Chronic Catarrh. Two bottles of the Constitutional Catarrh Remedy entirely restored him to health, and, to use his own words, "built up my whole system." The Remedy is for sale by all druggists.

PAINTS, OILS AND COLORS.—For the largest stock, best material and lowest prices, go to HACKING'S Drug Store.—21.

The committee of the Western Fair are about to despatch to Liverpool a collection of the fruits shown at that exhibition, the intention being to afford a practical illustration of the productiveness of Canadian soil, and the advantage the country has to offer to intending emigrants of the agricultural class.

Doctors Gave Him Up.

"Is it possible that Mr. Godfrey is up and at work, and cured by so simple a remedy?"

"I assure you it is true that he is entirely cured, and with nothing but Hop Bitters, and only ten days ago his doctors gave him up and said he must die!"

"Well-a-day! If that is so, I will go this minute and get some for my poor George. I know hops are good.

ANOTHER "LIVE" DRUGGIST.—Mr. Hacking wishes us to state that he has been supplying his customers during the past two years with King's Discovery and Golden Compound, and that he is selling the Electric Bitters at 40 cents per bottle. He asks us also to state that he has full lines of all the new remedies, at the lowest prices.—33.

PLOWING MATCH.—The Mornington Association will hold their annual plowing match on the 22nd inst. Sixty dollars will be distributed in prizes.

Have Courage.—You may suffer from scrofula or some foul humor, your liver may be congested, your lungs diseased, your kidneys deranged, your joints distorted with rheumatism, you may be almost a walking skeleton, yet despair not—**Burdock Blood Bitters** has cured others—it may cure you.

Bocklen's Arnica Slave.

The BEST SALVE in the world for cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetter, Chapped Hands, Chilblains, Corns and all kinds of Skin Eruptions. The Save is guaranteed to give perfect satisfaction in every case or money refunded. Price 25 cents per box. For sale by J. H. Michener.

Great excitement prevails in town by the finding of an oil well. The railway company were sinking an artesian well behind the engine-house; and the men engaged had not gone forty feet before they discovered gas or oil. A pipe was sunk, and instantly a large flow of oil issued, which was set fire to and kept burning for four days before being put out. Speculators are in town, and it is not known what will be done yet.—*Beeton Chronicle.*

The Greatest Popularity of Dr. Fowler's Extract of Wild Strawberry is where it has been the longest know. Time cannot detract from its merits. It is the old reliable remedy for all bowel complaints incident to the summer season.

Chicago Ahead.

All the world now looks up to Chicago as the greatest western metropolis of America, being far ahead of all competing cities; but none the less so, in its line, is Electric Bitters. From their real intrinsic value they have advanced to the front, and are now far ahead of all other remedies, positively curing where everything else fails. To try them is to be convinced. For sale by J. H. Michener at forty cents per bottle.

It would appear that the old man Brunet, who was found dead with his throat cut near Plantagenet a couple of days ago, was murdered for the sake of a paltry sum of fifty dollars which he had carried on his person for some time previous to the commission of the crime.

The Greatest Blessing.

A simple, pure, harmless remedy that cures every time and prevents disease by keeping the blood pure, stomach regular, kidneys and liver active, is the greatest blessing ever conferred upon man. Hop Bitters is that remedy, and its proprietors are being blessed by thousands who have been saved and cured by it. Will you try it. See other column.

Envied Beauty.

What is more handsome than a nice bright, clear complexion, showing the beauties of perfect health? All can enjoy these advantages by using Electric Bitters. Impure blood, and all diseases of the Stomach, Liver, Kidneys and Urinary Organs are speedily cured. For nervousness and all attendant ailments, they are a never failing remedy, and positively cure where all others fail. Try the Electric Bitters and be convinced of their wonderful merits. For sale by J. H. Michener at forty cents per bottle.

On Saturday night, at Pittsburg, Pa., one of the most terrible railway accidents ever recorded took place. The engine of one train plunged at full speed into the rear car of another, which was so overloaded with passengers that the signal lights on the rear end were hidden from view. Twenty-four persons were fatally crushed, scalded or burned, and many more are wounded.

A Wonderful Discovery.

For the speedy cure of Consumption and all diseases that lead to it, such as stubborn Cough neglected Colds, Bronchitis, Hay Fever, Asthma, pain in the side and chest, dry hacking cough tickling in the throat, Hoarseness, Sore Throat, and all chronic or lingering diseases of the throat and lungs, Dr. KING'S NEW DISCOVERY has no equal and has established for itself a world-wide reputation. Many leading physicians recommend and use it in their practice. The formula from which it is prepared is highly recommended by all medical journals. The clergy and the press have complimented it in the most glowing terms. Go to your druggist and get a trial bottle free of cost, or regular size for $1. For sale by J. H. Michener, Listowel.

SALE REGISTER.

Tuesday, Oct. 19—Sale for Samuel Moore, lot 15, 1st con. Wallace; farm stock and implements, T. E. Hay, Auctioneer.

Wednesday, Oct. 20—Sale for Mrs. Jane Stubbs, lot 17, 1st con. Wallace; farm stock and implements. T. E. Hay, Auctioneer.

Saturday, Oct. 23—Chancery sale of farm in Maryborough. See advertisement in another column.

Thursday, Oct. 28, sale for George Armstrong, lot 4, 1st con., Maryborough; farm stock and implements. Geo. Mellis, Auctioneer.

Wednesday, Nov. 10th, sale for Reuben Armstrong, lot 17, 1st con. Maryborough; valuable farm stock, implements, grain, etc. Geo. Mellis, Auctioneer.

COMMERCIAL INTELLIGENCE.

THE Listowel grain market is looking up this week, wheat having advanced several cents per bushel. As high as a dollar was paid on Saturday, and we understand that $1.01 was paid for an exceptional load in the early part of the present week. Yesterday (Thursday) from 95c. to 99c. were the ruling figures. The grain market so far has not been as active as anticipated, but now that wheat has risen to the neighborhood of a dollar it is likely to commence coming in much more rapidly.

LIVERPOOL GRAIN MARKET.

LIVERPOOL, Oct. 9.—A leading grain circular says: "The grain markets continue to advance, and there is a healthy demand for wheat. Growers' supplies are moderate, and many of the offerings are of an inferior quality. The weekly imports are also much reduced. The prospective receipts to the end of the year are on a rather limited scale, while continental buyers are competing in American markets for supplies which continued the chance of profitable operations in the only direction where the necessary supplies are obtainable. To-day's market was fully attended and firm. There was a good consumptive demand for wheat at an advance of 1d to 2d. Flour was in better demand and advanced 2d. Canadian peas were rather easier. Corn opened at 5s 3d, for mixed, and after a fair enquiry was quoted at 5s 1d, sellers."

CHEESE MARKET.

Little Falls, N. Y., Oct. 11.—The sales of factory cheese were 6,500 boxes at 12½ to 13, Six hundred and seventy-five boxes of farm dairy cheese was sold at 11½ to 12½.

Utica, Oct. 11.—Five thousan two hundred boxes of cheese were sold at 12½ to 12¾, the ruling price being 12½. One thousand two hundred boxes were placed on commission.

Ingersoll, Ont., Oct. 12.—Sixteen factories offered 15,100 boxes of cheese. One factory sold August make at 12½c and the balance of the season at 13c.

LISTOWEL MARKETS.
October 14, 1880.

Wheat, fall, per bush	0 98 to	1 00
Spring Wheat, "	0 90	1 00
Barley, "	0 50	0 58
Peas, "	0 56	0 58
Oats, "	0 2	0 25
Flour, per brrl.,	5 00	
Oatmeal, "	2 75	3 00
Commeal, "	1 75	2 00
Butter, per lb.,	0 17	0 18
Eggs, per dozen,	0 0	0 15
Potatoes, per bag,	0 35	0 40
Hay, per ton,	6 00	7 00
Wood, long,	1 50	1 75
Wood, short,	1 00	1 00
Hides, per cwt.,	8 00	9 00
Wool, per lb.,	0 00	0 00

TORONTO.
PRICES AT FARMERS' WAGONS
October 14, 1880.

Wheat, fall, per bush.,	1 00 to	1 03
Wheat, spring, "	1 00	1 10
Barley, "	0 57	0 72
Peas, "	0 66	0 67
Oats, "	0 32	0 34
Rye, "	0 85	0 87
Dressed hogs, per 100 lbs.,	6 50	7 50
Beef, hind " "	6 00	7 00
Mutton, by carcase "	0 00	00 00
Butter, per lb.,	0 22	0 25
Butter, large rolls,	0 00	0 00
Butter, tub, dairy,	0 19	0 20
Eggs, fresh, per dozen,	0 13	0 20