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The Dead Scholar. He loved all sweet and simple things— The murmur of the honey bees, The silver shimmer of the trees; The swelling bud, the growing vines, The *Misereere* of the pines; The spots upon a swallow's wings, The song the golden robin sings; The laughter of a happy child, A hymn to Mary Untended; The peace a kindly action brings.

Where many a golden robin sings The gentle scholar lies, and we Think of the friend we can not see; And kneeling on the laid-down grass, We breathe an *Ave* as we pass. We feel that it is well with him, Whose faith in life was never dim. We know that he remembers yet— For one can never quite forget Who loves all sweet and simple things. Ave Maria.

MARCELLA GRACE.

By ROSA MULHOLLAND.

CHAPTER XXIII.

CORROBORATIVE EVIDENCE.

"Miss O'Kelly."— Counsel's voice trembled a little and he paused for a second. He was a father of daughters, and knew something of the story of this girl, whose heart, now laid bare to his arrows, he was bound to lacerate. "Miss O'Kelly, I shall be obliged to ask you a few questions as to your own personal history. Your real name is not O'Kelly, but was assumed in compliance with the desires of the deceased lady whose heiress you have become. Is this so?"

"It is so."

"What is your real name?"

"Marcella Grace."

"Up to the month of January last you had lived in rather poor circumstances?"

"Very poor."

"What occupation did your father follow, and where did he live?"

"He was a weaver of poplin. He lived in Weavers' square in the Liberties of Dublin."

Here a deep breath was drawn by many in court. Ladies looked at each other in amazement, but there was no time to speak before the next question arose.

"And you lived with him there?"

"I lived with him there."

"Now, on your oath, Marcella Grace, do you remember the night of the 10th of January last?"

"I remember it."

"About 11 o'clock at night, or nearer midnight, what were you doing in your home in Weavers' square?"

"Sewing."

"Your father having gone to bed, you were quite alone?"

"Quite alone."

"While you were sitting alone, sewing, you heard a knock at the door of your house, and you admitted a man who was flying from pursuit of the police?"

"I did so."

"And you hid him in a secret closet in your house according to previous arrangement?"

"There was no previous arrangement, because I had never seen him before that moment."

"But you hid him in the closet?"

"Yes."

"Now, on your oath, was that man whom you hid on the 10th of January last the prisoner at the bar?"

"Yes."

"A thrill like a wind passing over the records in a river went through the court, and then complete silence reigned as before."

"How long did he remain hidden in that closet?"

"Some three or four hours, as well as I can remember."

"And in the meantime the police searched the house and were unable to find him?"

"Yes."

"After they were gone you liberated that man whom you had sheltered from justice, and allowed him to go free?"

"I had sheltered him from pursuit, not from justice. And I allowed him to go free."

"And afterward you kept his secret, and continued to screen him, although you knew that murder had been done, and that justice was endeavoring to discover the guilty?"

"Yes."

"Again there was a sensation in the court and the counsel waited till it subsided."

"Miss Grace, did I understand you to say that till the moment when you opened your door to Mr. Kilmartin on that night in January, that you had never laid eyes on him?"

"I said so."

"You had no previous knowledge of him or his affairs?"

"None."

"Was not your father associated with the secret societies, and had not you yourself some knowledge of such people?"

"No; none. Nothing of the kind."

"Your father was in bed when you admitted Mr. Kilmartin. Was he, then, or ever after, aware of your having taken such an extraordinary step?"

"Neither then, nor ever after, till his death."

"He had no share in your successful attempt to deceive the police?"

"He had no share. He died in ignorance of it."

"Now tell me why you took such a strange responsibility on yourself. What induced you, a young girl in the house, late at night, to admit a stranger because he knocked at your door?"

"Because I saw in his face, and heard in his voice, that he was good."

"Then it was merely on the strength of your instinctive belief in his goodness that you protected him and kept his secret?"

"Merely."

"Now, tell me, what was the second occasion on which you met this Mr. Bryan Kilmartin?"

"It was in the street, on the 11th of January."

"Indeed! The day after the murder. What did he then say to you?"

"He did not speak to me, nor even see me. He was reading the bills on a newspaper office at Corkhill, as numbers of others were doing. And I just saw him, and passed him by."

"You read the notice of a reward offered, I presume. You were a very poor girl that day, Miss Grace. Did it not enter your mind that you might have easily earned a large sum of money?"

"I was very poor, but honest. I believe I read of the reward, but I gave it no thought."

"Now, what was the reason of this devoted adherence to the man, if, as you have said, he was a stranger whom you had never seen before?"

"I cannot tell you more than I have already said. I only thought that I had never seen another man who looked so good. And I have never seen one since."

Counsel here glanced over some papers and changed the current of his questioning.

"It was about this time that the late Mrs. O'Kelly discovered her relationship to you and claimed you as her niece?"

"It was just the time."

"What was the next occasion on which you met Mr. Bryan Kilmartin?"

"At St. Patrick's ball, where I went with Mrs. O'Kelly."

"On that occasion you danced with him?"

"I do not know how to dance."

"Well, you spent some time in his company. Did he warn you to secrecy, or make any excuse for his conduct on the night of his first strange introduction to you?"

"None."

"Did he make no allusion whatever to the affair?"

"He did not recognize me, and I was careful after the first that he should not do so."

"Now, on your oath, did he not, immediately on the death of Mrs. O'Kelly, get you into his own keeping, and place you under the guardianship of his mother in his home at Inisheeh?"

"No."

"Do you mean to say that you did not travel to Inisheeh one week after Mrs. O'Kelly's death, having no acquaintance with Mrs. Kilmartin at the time, and Mrs. O'Kelly having left no injunctions to account for your prompt action?"

"I do not mean to say so. Father Daly and not Mr. Kilmartin, brought me to Inisheeh."

"Without the knowledge of Kilmartin?"

"Entirely without his knowledge, and because Mrs. Kilmartin was a friend of his own, that is, a friend of Father Daly's."

Counsel again finding that he could make no further point in this direction, once more shifted the course of his attack.

"Miss Grace, I require you to tell me what was the first occasion on which reference was made by Mr. Kilmartin to the secret which you held concerning him, and to your possible evidence on this trial?"

"On the night of his arrest at Inisheeh."

"Do I understand you to say that during the six months in which you lived on friendly terms with, and a good deal in the society of Mr. Kilmartin, he never alluded to the circumstances of his first meeting with you?"

"He never did. He did not recognize me as the person he had so met."

"Not in all those months?"

"Not until I told him on the night of his arrest."

"And then he warned you to refuse to give evidence against him?"

"When, then, did he do so?"

"He never did so."

"Yet you denied the truth of much you have now admitted, and expressed your willingness to swear an untruth."

"Yes."

"Who induced you to alter your mind and to give evidence against Mr. Kilmartin?"

"Mr. Kilmartin."

This reply startled both the court and the counsel so greatly that the latter repeated his question again in a more distinct form.

"Mr. Kilmartin himself persuaded you to give evidence against him? Why do you suppose he did that?"

"Because, as I have said before, he is good. He would have nothing but the truth."

"Are you not good enough yourself to tell the truth?"

"I am not so good as he is."

"Now, Miss Grace, you have made some very strange confessions. Perhaps you will tell me what motive you had for refusing to tell the truth, and for entertaining the intention of perjuring yourself? What influence had been brought to bear upon you?"

Marcella flushed vividly, and then turned deadly pale, and her slight fingers locked themselves more tightly together. Counsel for the defence here interposed and urged that this question ought not to be pressed, but his opinion was overruled and the examination went on.

"From what point did the influence come which led you to deny your knowledge of the facts you have now admitted? If you are afraid or ashamed, take courage."

"I am not afraid or ashamed. The influence you speak of came only from the weakness of my own heart. Bryan Kilmartin is everything in this world

to me, and I have promised to be his wife."

The thrilling excitement which here swept through the court went deeper than anything of the kind which had preceded it. The answer so rudely pressed and forced from the witness was quite unexpected. But the sensation was quickly over. Curiosity to hear more soon restored general silence.

"So this man who knew himself to be under suspicion of murder, who was aware that he must soon stand where he now stands, occupied the interval in paying his addresses to a beautiful and wealthy young lady. On your oath, did he not try to induce you to fly from the country with him?"

"No."

Here it became evident that the witness's highly strung nervous tension was beginning to relax, and fearing a scene which might attract too much sympathy towards her, the counsel for the prosecution intimated that he had nothing further to ask her at that moment. A few questions in cross-examination from Bryan's counsel enabled her to make several clear points as to the selfishness of the prisoner's dealing with her, and her belief in his entire innocence of the charge against him. An opportunity was also given her to reiterate how Mike had warned her of danger to Mr. Kilmartin from the enemy of the Fenians. Until all was said and nothing more was required of her, her courage never gave way. At last she was permitted to stand down, and hid herself in a private room of the house until Bryan had been removed from the dock for that day.

In the meantime the examination of witnesses went on, the informers were recalled and re-examined, and it was quite towards the end of the proceedings of that day when Mr. Gerald Sullivan, Q. C., counsel for the prisoner, opened the case for the defence.

He began by sketching the career of Bryan Kilmartin from the moment when, as a rash ardent youth, he joined the Fenians, till now when he stood in the dock a victim to the plots of a debased branch of Fenianism whose vengeance he had provoked by fleeing from its ranks. He described the origin of the Fenian Brotherhood. The name was borrowed from the Fenian band who were the standing army of ancient mythical Ireland. By their very name they were declared soldiers, and, after their dream of romantic warfare had been rudely broken, many of them withdrew to peaceful aims, though still nominally Fenians. Many more passed their years as embittered, and disappointed, but still honorable men, in self-exile in various lands, while others, counsel was sorry to say, had formed themselves into criminal societies with a purpose that could not be justified by any law, human or divine. It was of the latter class that the prisoner had been so unfortunate as to provoke the anger. His only defence against this charge was the statement that he had been lured into the coils of enemies in order that a case might be made up against him to his ruin. Of this Mr. Kilmartin had little proof to give beyond his own word. He could bring forward witnesses to testify to his blameless life, to the great efforts he had made for the benefit of his people, to the chance of improving their condition. It was in such ways that his money had been spent, all the money he could spare out of the mere remnant of a fortune left him by those who had recklessly squandered it to no good purpose. It was true that in politics he was a warm Nationalist, but when would the world be brought to draw a fair line between the strong Nationalist in Irish politics and the wretch whose soul, if not his hand, was dyed with the guilt of the assassin? Till that line was drawn, blunders deadly and terrible would continue to be made.

Mr. Sullivan referred to the night of the 10th of January, stating that on the same morning Bryan Kilmartin had received a note requesting him to visit an old tenant of his, one who had been in his father's employment for years, and having left the country to take service in Dublin, had fallen into poverty, and was lying ill in a poor room in a certain street in the Liberties. It was characteristic of Mr. Kilmartin that he went at the hour appointed, an hour so late as to be calculated to arouse suspicion, only that the circumstance was plausibly accounted for. That letter Mr. Kilmartin had unfortunately thrown into the fire almost as soon as read, having first made an entry in his notebook of the name and address of the sufferer who had appealed to him, but it had undoubtedly been sent him to lure him to the scene of the murder, so that he might be pointed out to the police and arrested for the crime.

"At the appointed hour Mr. Kilmartin was approaching the street indicated to him when he heard a sudden outcry at some little distance; and a voice of one who came running to meet him, a voice he thought he recognized, said to him urgently that there was a plot to compromise his good name and he had better get out of the way for a few hours, as the police were almost upon him. To this he replied that he had done nothing wrong, and asked why he should fly. The answer was given, rapidly and pressingly. His enemies, he was told, were stronger than he, there was no time for explanations, but his only safety from ruin lay in a prudent retreat. In the same moment the person who had given the warning fled on, and Bryan Kilmartin stood face to face with what he felt only too likely to be the truth, seeing that he had again and again been

warned that a plot was being hatched against him. Without waiting to consider further he knocked at the nearest door and asked to be admitted and sheltered for a few hours, till the danger, whatever it might be—a danger which had to himself at that moment the vaguest outlines—should blow over. Mr. Kilmartin had since regretted his step, but it was naturally taken under the impulse to disappoint audacious trickery, and quietly to slip out of the evil hands that were almost laid on him, and escape without public brawl or disturbance.

While Bryan Kilmartin remained in that closet which had been described, and knew that the police were searching the house for him, he regretted having sought such sanctuary, but he was well aware that he could only make matters worse by giving himself up at such a moment. Now it had been sought to prove that the inmates of the house which admitted him were friends of his, leagued with him in crime, but after the evidence they had just listened to, no one present could doubt that, upon this occasion, the young lady whom they had heard and seen in the witness box, and the prisoner, met for the first time. On the romantic circumstances of their later acquaintance and the relations in which they now stood to one another he would not dwell. It was too delicate a subject for public handling, but he felt sure that the strong conviction in the mind of this innocent girl that the man to whom she had promised to devote her life was guiltless and good, could not but have a serious importance in the considerations of the jury. Also the startling circumstance that this young lady had been induced to give damaging evidence against Kilmartin by the persuasions of Kilmartin himself, must carry weight with it, an assurance of the integrity, not to say heroism, of the prisoner's character."

After much more in the same strain from the prisoner's counsel, that gentleman's eloquence was interrupted by the rising of the court.

The next morning after the conclusion of his speech, the witnesses for the defence were examined, prominent among whom was Father Daly, who testified to the affectionate relations always existing between the late Mr. Kilmartin and his son, also to the fact that Bryan had not been aware of his (Father Daly's) intention of bringing Miss O'Kelly to Inisheeh till after that intention had been carried out.

Mike, the mountain lad, Marcella's friend, gave evidence of the plot which, the defence asserted, had been laid by a murderer's secret society to ruin the prisoner by bringing this charge against him. But Mike was not a clever youth, except in the matter of vigilance prompted by his affections, and the bullying cross-examination to which he was subjected terrified him into some blunders. The most striking point he made was, when almost worried out of his wits, he burst into tears and exclaimed, "I'm tryin' to tell you God's truth, and ye will not let me." When the last of Kilmartin's witnesses had been examined and cross-examined, the counsel for the prosecution again took the matter into his hands.

With a few thundering sentences like heavy blows he split the case for the defence from crown to heel, tore off what he called the false rags of sentiment in which villainy had tried to hide itself, and placed the murderer Kilmartin before the jury in his genuine colors. He, counsel, believed that such a thin, miserable defence had never been set up before in any court of justice. He declared to his hearers that he was more disgusted at the sentimental side of the prisoner's conduct than at its grosser brutality. This man had sought to shelter himself behind the tenderness of a woman, a woman, who in spite of the regard with which the wretch had contrived to inspire her, had found herself obliged by truth to stand up and bear witness against him. He had trumped up a poor weak story, for which he had absolutely no support, of having been lured to the scene of the murder by the wiles of a secret society—that society of which he was in reality one of the most active members. Would any man in his senses believe such a fabrication? If he had been warned of plots against him, why had he not kept some evidence of the fact? Where was the note which had summoned him, an innocent man, to that fatal spot? Would not any sane person have been on his guard against invitations of the kind, or, at least, have preserved the documents which conveyed them? Counsel did not wish to dwell too much on the connection with this case of the charming lady whom they had seen so painfully placed in the witness-box, and who was fortunately young enough to outlive the trouble into which she had been drawn by unfortunate circumstances, but he would ask the jury to consider whether the whole of this episode in the case did not tell in the strongest manner against the honesty of the prisoner's character. Counsel did not wish to throw any doubt on the evidence of the Rev. Mr. Daly, but it was, to say the least, a strange coincidence which brought this girl who was in possession of Kilmartin's secret, hurriedly into Kilmartin's home, kept her there under the strict guardianship of the prisoner and his mother, and resulted in the engagement of her affections by this person with a trial for murder hanging over his head, an engagement to marry between the man in such a terrible position and a beautiful girl and an heiress. As for her witness against him by his own representations, well, it was not until the story had leaked out and it was practi-

cally impossible to withhold this evidence that the prisoner had (according to the account of his friends) put on such a heroic attitude. The fact remained that the young lady had several times refused to tell the truth, and had expressed her determination to deny all knowledge of that part of the prisoner's movements on the night of the 10th of January which could only be known to herself. The jury was open to the conviction that a change in the young lady's own feelings, a return to right judgment after she had been removed from the influence of the prisoner, rather than the reason put forward by her with a woman's loyalty, had procured for the prosecution that necessary link in the evidence which perfected the case against Kilmartin, as first set up by the confession of informers whose rehanded companion he had been. Counsel then proceeded to demolish the evidence of Mike of the Mountain, whom he described as a blundering, misguided lad who had been persuaded to give testimony of a plot which had never existed through his dog-like attachment to the accused. Finally, he dwelt on the steady, unflinching evidence of the informers who had every reason for telling the truth, having bought their own lives at its cost. In conclusion, counsel wound up with an elegant denunciatory peroration which left a stinging reverberation in the ears of the listeners as of the sound of blows well placed and well deserved, hit home with a courage and vigor that put mere sentiment to shame, and wrought everlasting service to the cause of truth.

After this Kilmartin's counsel made a final muster of their thin forces, and rallied for a last attempt to secure the sympathy of the jury for the prisoner. All the old points were returned to and dwelt upon, and a strong appeal was made against the terrible circumstantial evidence that unfortunately seemed to corroborate the lying story of perjured informers, wretches who are in this country too often encouraged to swear away an innocent man's life in order to escape with their own. For the moment a reaction in favor of the prisoner was felt all through the court, and when counsel for the defence set down there was a general feeling that the last words in the prisoner's favor had been moving in the extreme, and the verdict of the jury might yet probably go in his favor.

Then the judge got up, the thin-faced judge whose sharp features had been sharpening noticeably all through the case, and as he took off his spectacles, and blinked a cruel grey glance round the court, the hopes of those whose sympathies were with the prisoner got a sudden chill. At the first cold measured words that fell from his lips, the little warmth that had gathered round the defence was gradually frozen away, and his friends gave Kilmartin up as lost. The charge was, to use a common phrase, dead against the prisoner, and the fact that the other judge was seen to wipe his eyes surreptitiously seemed to add the last touch to the tragedy.

Several ladies lowered their heads and began to weep, but Marcella sat dry-eyed and erect. We will pass over the terrible interval between the conclusion of the charge from the bench and the return of the jury from their deliberations. The verdict was "Guilty."

For a moment Marcella's eyes still clung to Kilmartin's, and there was a dull sound unnoticed in the excitement of the crowd, and the girl's white face disappeared from its place in the dimly lighted corner where she had sheltered herself.

Father Daly and old Bridget had a sorry drive home that evening, holding a crushed, inanimate burden between them, thankful that at least she had not heard the death-sentence pronounced but trembling for the horrors of the hideous and inevitable tomorrow.

TO BE CONTINUED.

The Christ spirit is a spirit of resignation and cheerful submission to the higher and the wiser will. It is a hard lesson to learn, but heaven is ahead of us, and when we get there we shall be glad to have learned it.

The Month of the Rosary.

Pope Leo XIII. will be known in history as the Pope of the Holy Rosary. He added the invocation, "Queen of the Most Holy Rosary," to the Litany of Loretto, and ever since 1885 he has urged upon all the Catholic world the recitation of the beads during the month of October.

The Rosary is the universal form of prayer among Catholics, and is suited to all classes. The unlettered can say it with ease and the deepest thinker can find in its mysteries the most useful subject for meditation. Well would it be for all of us living in the world if we imitated the practices of the religious orders, and recited it daily throughout the year. At least during this month of October, you should recite it daily.

If your duties permit, come to the Mass on week days. If this be not possible, then say it at home. During the present month our glorious Pontiff, kneeling at Mary's shrine, leads the Rosary, and all his devoted children of every land join in the responses in every language spoken by man.

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Misereere

BY CLINTON SCOTT

Deep in a churchyard grave fresh grassness I hear the strokes that at an hour;

Dark yew trees stand in line And ivy girls the gray

And while the lark above is Outpouring clear his mid-

My eyes are bent upon the That from a time worn

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