

PETRIE'S

Furniture Cream!

Producing with half the usual labor, a most

BRILLIANT POLISH

On all kinds of Cabinet & French Polished Furniture, Varished and Japanned articles of every description.

DIRECTIONS FOR USE:

Shake the bottle well, and apply a small quantity with a wooden cloth on the article to be polished; continue rubbing for a few minutes, then finish off with a clean soft rag, when a most beautiful polish will be produced.

PREPARED ONLY BY

A. B. PETRIE,

Chemist, Corbet's Block, Guelph.

Guelph, 3rd April. dw

1869. CARD. 1869

MRS. HUNTER

Has pleasure in informing the ladies of Guelph and vicinity that she has made arrangements to carry on the

DRESSMAKING

in connection with her business. Having secured the services of a thoroughly competent dressmaker, highly recommended by the first families of Toronto and Boston, ladies can depend on having dresses satisfactorily made in the latest and most fashionable styles.

STRAW MILLINERY.

Hats and Bonnets cleaned, turned, dyed and re-made in the latest fashion.

JUVENILE CLOTHING.

On hand and made to order. A large assortment of Goods suitable for the season on hand and arriving daily. Stamping for braiding and embroidery, new patterns.

MRS. HUNTER,

Berlin Wool, Fancy Goods Store, &c. Wyndham-st., Guelph, 7th April. dw

IMPERIAL

Fire Insurance Company OF LONDON.

(Established 1802.)

HEAD OFFICES—1 Old Broad Street, Pall Mall, London.

GENERAL AGENCY FOR CANADA—24 St. S. Crescent Street Montreal

Subscribed and Invested Capital and Reserve Fund

£1,065,000 STERLING

Funds invested in Canada—\$105,000

INSURANCE against loss by fire effected on the most favorable terms, and losses paid out with reference to the Board in London. No charge made for policies or endorsements.

REMOVING: Brokers, General Agents, 24 St. Sacrament Street. JOHN DOWSON, Inspector.

JOHN H. BOND, Agent, Guelph.

Guelph, 14th Nov. dw

ARCHIBALD McKEAND,

(Successor to John W. Merton),

Banking and Exchange OFFICE,

No. 9, JAMES STREET, HAMILTON.

BILLS OF EXCHANGE, uncurrent Money and

Specie bought and sold at best rates.

\$20 Bonds bought and sold at a slight advance on New York rates.

Agent for the National Steamship Company, weekly Line of Steamers between New York and Liverpool. Also for the London and New York Steamship Company, fortnightly Line between New York and London.

Tickets via the Michigan Central R. R. and the Michigan Southern and Northern Indiana R. R. for all points West and South, Royal Mail Line to Montreal and intermediate ports.

Agent for the Kershaw & Edwards' celebrated Fire and Burglar Proof Safes.

Guelph, Dec. 1. dawly

BEST AND MOST FASHIONABLE

HAIR CUTTING

DONE AT

MORGAN'S BARBER SHOP

St. George's Square, Guelph.

Guelph, 16th March. E. MORGAN dw

REMOVAL OF

GARLAND'S

Hat and Cap Store.

THE premises are removed to the splendid

Day's Block, late Petrie's Drug Store

And has now in stock an immense assortment of

Hats, Caps, Furs, &c.,

In all the latest and most fashionable styles and

colors, which will be sold very cheap.

Being a practical hatter, he thoroughly understands the wants of customers, and invites the

public to call and see his goods, as he can sell

them a better article at a cheaper price than they

can get elsewhere.

The highest price paid for raw Fur.

F. GARLAND.

Guelph, March 15, 1869. 3ml&w

MONEY TO LEND.

The undersigned are requested to obtain Farm

Securities for several thousand dollars, to be lent

at moderate interest.

LEMON & PETERSON,

Barriers, Solicitors, &c. Guelph Dec. 9th, 1868

Evening Mercury.

FRIDAY EV'G, APRIL 16, 1869.

Wellington Spring Assizes.

GUELPH, April 15.

The able counsel retained by the prisoner—Messrs. S. B. Freeman, of Hamilton, and J. P. McMillan, of Mount Forest—brought forward so much evidence favorable to the accused, that notwithstanding the Judge's charge, which on the whole was rather against the prisoner—the jury returned a verdict of "Not guilty."

In the Mount Forest manslaughter case, the jury came into Court at three o'clock and brought a verdict of "Not Guilty." McKelvie after a due attention from the Judge was discharged. ROYAL CANADIAN BANK vs. McLEROY.—This was an action to recover on a note which had been endorsed by the defendant, and which was discounted by the Royal Canadian Bank. The defendant held that the Bank having given an extension of time to the maker of the note he was freed from responsibility. It was heard without a jury. Mr. Martin for plaintiff; Mr. McKelvie for defendant. Verdict for plaintiff for part of the amount claimed.

LEWIS BECKINGHAM, colored, was indicted for stealing a package of American silver of the amount of \$10 from the store of Mr. A. Creighton, market square, Guelph, on the 13th of March last, and pleaded not guilty. Mr. Donald Guthrie appeared for the defence, and subjected the witnesses John Marshall, Alex. Creighton, and the boy Brown to a searching cross-examination. Two witnesses were called to prove the prisoner's good character. The evidence given was similar to that sworn to before the Police Magistrate, a day or two after the affair.

Mr. Duggan conducted the case on behalf of the Crown, and after the Judge had summed up the evidence, the jury retired, and soon after brought in a verdict of "Not guilty."

The Prest vs. Hoover Case.

GUELPH, April 16. The Court room was well filled this morning by parties anxious to hear the trial of William Hoover, colored cab driver, who some weeks ago gained a most unenviable notoriety by the bringing to light of the particulars of a case of the store of Mr. A. Creighton, market square, Guelph, on the 13th of March last, and pleaded not guilty. Mr. Donald Guthrie appeared for the defence, and subjected the witnesses John Marshall, Alex. Creighton, and the boy Brown to a searching cross-examination. Two witnesses were called to prove the prisoner's good character. The evidence given was similar to that sworn to before the Police Magistrate, a day or two after the affair.

On the 2nd of February last, Mr. Prest after being engaged writing in his books at home till nine o'clock, went out for a short walk. He went round by St. Andrew's Church past Ellis's Hotel, and down Upper Wyndham street—our leading thoroughfare. Hoover's house is on this street, a few doors below the Alma Block. On passing his house Mrs. Hoover (also colored) was standing at the door, and asked Mr. Prest to look at a pair of boots. He went into the house as requested, and there being no light down stairs, Mrs. Hoover asked him to go up stairs. He did so, and as soon as he got up thought that there was something suspicious in her asking him up there. He turned to go down, but was met by Hoover, who appeared to be much excited, and accused Prest of having improper intimacy with his wife. He pulled him down to the lower room, flung him about, took a horse whip and struck him with it, and abused him in various ways. Prest thoroughly frightened offered to do anything to pacify Hoover, and after some talk he gave him a note for \$150. A short time after, the matter being still only known to the parties interested, Prest paid Hoover \$100 and got the note. Hoover, however, thought he could make more out of Prest, and some short time after threatened to divulge the whole affair unless he got more money. Prest, under a false fear of allowing the affair to be made public, gave him a note for \$200, which at Hoover's request afterwards was exchanged for two notes of \$100. Prest being determined not to stand any more attempts of extorting money from him, and on the advice of his friends, brought the charge against prisoner before the Police Magistrate, and he was convicted to stand his trial for obtaining money by fraud and threats. The Grand Jury, however, finding we suppose, that the evidence was insufficient to warrant their bringing in a bill for that charge, brought one against him for assault, for which he was tried.

Mr. Duggan, Q. C., and Mr. Freeman, Q. C., conducted the prosecution; Mr. O'Reilly, Q. C., and Mr. Guthrie defended the prisoner. Mr. Duggan, in opening the case for the prosecution, said that the charge was for assault under somewhat peculiar circumstances, and of a most violent nature. The prisoner might have been indicted for a higher offence, but the Grand Jury on taking the case into their consideration had brought in a bill for the lesser offence. On this score, therefore, the prisoner had nothing to complain of. He then narrated the particulars of the case pretty much as we have given them above. It would be said to be attempted to make out that prisoner had come into the house and found Prest in it, and that he was negligent at him being there, and he would also be able to establish the fact that all the time Prest was in the house Hoover was in it also, and that by his own admission he had been watching for six weeks to entrap Prest. If the jury believed this on the evidence which would be adduced, then the offence was a more grievous one, not alone to Prest, but to the community. Further, if through the connivance of Hoover's wife, or the woman who lived with him, or though Prest's intentions were of an improper character, the offence was as great as Prest was quite innocent, which he believed he was. It might be asked why did Prest say nothing about it. He was a married man, a respectable citizen, with an excellent character, a member of the church, and being somewhat weak, he had succumbed to fear and kept it to himself. He took up the note, and as was natural he destroyed the paper which to look at it was humiliating. But Hoover was not

to let him go easily out of his grasp. He got him through threats to give another note for \$200, which, under the pretext of giving \$100 of it to his wife to get rid of her, Hoover got him to exchange for two notes of \$100 each. Prest then began to reflect, for as things were going he could not see the end of it, and he told his brother-in-law, and the result was that the next day the charge was laid against prisoner. The only way we could account for Prest keeping the matter secret so long was his extreme timidity. We all know what human nature is, how men will often keep back matters in relation to which they are entirely innocent, for nothing else but fear of having the slightest suspicion thrown on their character, and becoming common subjects for talk, would lead them to do it. On the other hand the jury would believe prisoner's story, that there had been no connivance between him and his wife, that he went into the house not knowing that anyone was there, and that in his passionate indignation he had assaulted Prest, then the circumstances justified the offence. But evidence would be adduced to show that Prest was not so much a victim, but that Hoover was the aggressor. The jury would come to the conclusion, that Hoover was in the house all the time, that the whole thing was premeditated, and that prisoner and his wife had concocted this plan to entrap their victim.

Francis Prest sworn.—After writing at my books in my house for about an hour on the night of the 2nd February at his pipe and went out for a walk about half past eight o'clock; went as far as Bruce's wagon shop, and then on to Wyndham street. When I came opposite Hoover's door Mrs. Hoover was standing at the door and said, "Good evening, Mr. Prest." I answered her; she then asked me to go in, as she wanted to show me a pair of boots; I went in; discovered that there was no light down stairs; she said the light was up stairs, and asked me to walk up; I made some objection at first, but she asked me again and I then went up; when I went to the top of the stairs she asked me if Mr. McNeil had been to my place about some prunella; that she had given him an order for a pair of boots; that he had said he had no prunella, but that he would get it at Prest's; at this time she asked me to take a seat; I refused to do so, and said I did not wish to sit down; she then asked me to take off my overcoat. Just at this time I fancied there was something wrong and turned to go down stairs; when I had turned round to go down met Hoover standing one or two steps below me; he "ripped" out, "You damned scoundrel! we have been watching you for the last six weeks, and now I have got you," he took hold of me and slung me across the room several times; after pulling me about for some time he said "where is my gun," and ran into another room; at that moment I made a run to get down stairs; he met me as he was coming out of the room; he brought out a horse whip with him and whipped me for some little time, then I asked him, "Hoover, can I do anything for you, can I do anything to make you reconciled to him several times." "I will settle for \$150, and not a d-d cent less," told him I would give it to him, but could not do so that night—would do so in the course of a few days; said I could not get the money without borrowing it; he said, "can't you give me some to-night?" told him I might give him ten dollars, but no more that night; then he said you must give me your note for the money; I remonstrated against this, and asked him if he would not take my word for that matter, and he said no, he would give to the note; swore at and threatened me if I didn't give the note; he drew up a chair to the table and told me to sit down and write the note; I then gave him my note for \$150, payable on demand; he tore a leaf out of a book and told me to write on it what the note was given for; this was on the same piece of paper as the note was written on; he then said to me to write on the paper as for being caught in the house with his wife; I remonstrated against this for some time, but at length wrote what he wanted; before this I forgot to say prisoner struck at me two or three times, and I warned off all the blows but one, which hit me on the left jaw and made me almost insensible; made an attempt to get out of the window. Put my foot on the edge of the bed, and tried to get out by the window, carrying the sack with me. He caught hold of me as I was making the spring and pulled me back on the floor. Saw that I was fast and acceded to his request to write out the note. After I gave him it he seemed quite reconciled and went down stairs with me. Told him to look out on the street and see if there was any person on the sidewalk. He looked and said there was none. Then we walked down to my store together, and I opened the shutters, went in, opened the safe, and gave him the ten dollars I promised; then Hoover went home. The note was written for \$150, payable on demand to Wm. Hoover, and signed P. Prest. A day or two after the note was given, and tried to get the paper out of his hands—offered \$20 for it; he got into a violent passion, and I was afraid of the matter coming out, and went away; this occurred in his lively stables; a few days after I went again, and tried by coaxing to make him give up the note—offered \$50 this time for it; my anxiety was to get it out of his possession; after brooding and fretting over the matter for about three weeks, I determined that if money would get the note out of his hands, I would have it; went and offered him one hundred dollars in cash for the note; he refused to do so at first, but at length consented, saying he did not want to be hard on me; after he consented to take it, I told him I would give him the money in the course of a few days; I wrote to a friend in Elora to borrow the money, and it came in a few days; on the day I offered the money Hoover came along, and I told him I had the cash, and said I would be down at his place about ten o'clock, and wanted him to come back; he said, "no, I haven't your money yet; I'll fetch you the note when I come from dinner;" tried to persuade him to go to the house and get the note at first, but he said he had no time, or something of that kind. Told him I would not pay the money unless I got that piece of paper—that

was my only object in paying the money; he seemed enraged at me because I would not give him the money and take his word, and I left him; same evening he sent me a letter by his son; the letter I destroyed for fear of its getting into the hands of my family; the letter was to the effect that as I had not taken his word he would not take mine, and that now I would have to pay him \$300 before he settled it. "You have robbed me," the letter read, "of the comforts of a happy home—you will have to suffer, not me, and if this money is not paid by 12 o'clock to-morrow I will see to it," or something like that. This letter put me in a great state of excitement, and after brooding over it a few days I concluded that if the matter of three hundred dollars would settle it I would do it; went to him, and proposed to him to give a note for \$200, payable seven months after date; this would have made it payable in October. He at length accepted the offer, and I gave him a note, then we parted good friends; he gave me up the first note, which I destroyed at once. A few days after, when going to my dinner, Hoover came up to me near the Bank of Montreal, and said, "Give me two notes for \$100 each," for I wanted to give one of them to my wife; I hesitated for a little, but at length consented to go down to his place after dinner; he pressed me to go at once, but I said I hadn't time then; went down to his office. The \$200 note was not negotiable; I found I would have to give him two negotiable notes for the former, and did so, making them payable to Wm. Hoover or order; he gave me up the \$200 note, because I gave him the two single ones; next day I heard that a respectable Wyndham street merchant had been lickered by Hoover to the tune of \$300; this terrified me; short time afterwards I went up to the post office and Mr. Taylor came to me, and inquired for me; he said after Mr. Taylor and asked if the story was true about Hoover and me; I told him at once it was correct; then he began to question me about it, and I said I had not told a living soul about it; he advised me to go home at once and tell my family, which I did; didn't leave the house that day, and in the afternoon a number of friends came in to see me, and by their advice took proceedings against Hoover that same day.

Cross-examined by Mr. Duggan.—The time that elapsed from my getting into the house till I run home was not more than two minutes; Mrs. Hoover asked me to look at a pair of boots; did not make any noise; tried to keep as quiet as I could, and to get Hoover pacified.

Cross-examined by Mr. O'Reilly.—Was so terrified when I saw Hoover that I could not tell whether he had his hat on, because I never heard him and was in his house. Never had any reason to know he was jealous. Swear positively I never heard that Mrs. Hoover asked me to sit down that night. Was not expected there that night. Think I was once in the house to pay Hoover for a horse and buggy. Was not at the house the same night. Did not call at the door after getting my tea, or at all before. Was not there at 7 o'clock. Was not past the door, nor rapped at it. Mrs. Hoover went up stairs before me. Found the light there. Did not go into the room as Mrs. Hoover came out, but the circumstance of him being on the stairs, and me not hearing him before. Was not in the habit of speaking or conversing with Mrs. Hoover. His wife came on or twice, when she talked to me about boots. I felt annoyed about it, because I did not want to talk to her. Has been in my shop several times. Sent her boots once. She and her son returned. Mr. Taylor was the first man who came to me and spoke about this matter. I told my brother-in-law first about it. The bed which I attempted to get over was in the sitting room at the top of the stairs. It is thickly built all round Hoover's house. Think it was about half-past eight o'clock when I went in. Went out for a walk as usual. Hoover's carriage at the door. Shook hands with Hoover when I parted with him. We went down to the store when he shook hands with me. He asked me to look at a pair of boots in the street, because I felt condemned for going into the house. Did not want any one to see me coming out of the house. Felt ashamed of being in the house. Believed it was a trap laid for me. Had I, which he wrote it twice; wrote it once for being caught in bed with Hoover's wife; Mrs. Riley's girl came over during the time and said some things to Hoover; he came there while Prest was in the house; mother's girl had gone home before Prest came at nine; next morning she asked mother how the stove and lamp-glass got broke; Prest could not help seeing Mrs. Riley. I stood at the door; have been in the Reformatory for cutting a young man at Coulson's; there was a bed in the sitting room at the time; Prest came in; there was a bed in the bed-room also; have carried money from Prest to my mother since this difficulty arose; he gave it me on the sidewalk; he said it was for my mother; can't remember the date; mother went to Hamilton after the difficulty; Prest sent the money after she returned; it was the first or second time that Prest was given some fire or alarm of fire over the Catholic hill; he gave me \$10; the roll was in fifty cent pieces; I did not ask him for it.

Cross-examined by Mr. Freeman.—When I went down to the barn went for father. Prest did not understand I was to come back immediately. Supposed Prest wanted a horse when he asked for it. I told him to wait there till I would tell father. Had to walk down to Miller's. Don't know how many feet are in a yard, or inches in a foot. Was not gone many minutes. Prest door was closed when I came back. The cab was driven right up to the door. I went into the house before father; I saw Mr. Riley go in; she opened the door; there was no light below. I took the light down and let Prest in; was no light when I came back. When I got to the head of the stairs mother came out of the bed-room; she was searching for her shoes; I did not feel sorry; had nothing to be sorry about. Did not know then Prest was in the bed-room. When she said Prest was in the bed-room, did not know where he was; when she said he was there, did not think he was there for any good purpose; thought it improper. Thought it was proper to take \$10 from Prest. Think mother had the note. When Prest came in, he said he had not seen Prest's father asked mother if she was to blame; she said she was not to blame. Mrs. Buckingham came in a little while after the row commenced. Father said he did not want Prest's money; he took it at last. The overcoat and other clothes were lying in the corner of the sitting-room; his suspenders were hanging at his heels. This is all true.

To Mr. O'Reilly.—Think Mrs. Riley made a remark to mother about her being scarce; remark to mother about her being scarce; remark to the Great Western station that night he went out with Mr. Prest, who told him to go down to the store and he would give him \$50 dollars.

To Mr. Hissen, sworn.—Was in Mrs. Hoover's employment; took my meals there and slept at mother's. Remembers the night of the row; took supper at Hoover's that night.

To the Judge: Don't you think by

jumping out of the window there would be no more there.

Witness—Certainly there would have been exposure there; I was so excited I did not know what I was doing very well.

Mr. O'Reilly: You had still some reason left, for you made the note not negotiable.

Witness—I had not lost all my reason. To Mr. O'Reilly: Did not pull Hoover along with me into the room to get the matter settled; had hold of him by both arms beseeching him to settle; gave Hoover \$10 the same night at the shop; just found third person when I turned to go down stairs; could not say whether he had his hat on; his face terrified me to that degree that I could not tell; never saw any person when I went in; if Hoover entered from the street he must have done it very early; would have heard the door open or shut; the stairs are right across from the front room; a person might possibly have entered by stealth; never had familiarities of any kind with Mrs. Hoover; can't say what induced me to go; went in very innocently, simply because she asked me to go; never gave Mrs. Hoover any money; never sent a \$10 roll by Alfred Hoover to Mrs. Hoover; swear I never gave Mrs. Hoover any money.

Alfred Hoover—Am son of prisoner; remember my father being arrested; remember night 2nd of February; live with my father; saw Prest there twice on the night of 2nd February; saw him about 9 o'clock; was down stairs; I had just got up from my supper; mother, myself and hired girl were there; Prest knocked at the door and mother went to it; father was not in at the time; Prest asked if Hoover was in; he did not come in; was standing facing the door; mother answered him; Prest could not help seeing me; he talked a few minutes and then went away; he came back after 9 o'clock the same night; father was in the habit of going to almost every train on both roads; he drove himself that day; Prest came in after 9 and came up stairs; he asked for my father, as he wanted a horse; think he said that up stairs; I went down to tell my father; left Prest in the house upstairs; the lamp was there; went to the barn and found Prest with the team; told him Prest was at the house and wanted a horse; he came right up to the house; I came with him; he tied the horses; I went in and went up stairs; father came after me; I got as far as the door; Mrs. Riley came in as we were tying the horses; found Prest in the bed room off the sitting room; did not see him when I came in; mother came out of the bed room as Mrs. Riley went into the sitting room; Mrs. Riley spoke to her and she did not answer; father, who had come up, asked what was the matter with her and she said Prest was in the room; father went into the bed room with a light, and Prest was crouched behind the bed; Prest was partly dressed; the most of his clothes were in the parlor; he had his over coat, under coat, hat and boots off; his suspenders were hanging to his pants; father asked him what he was doing there; asked him three or four times; he then jerked him out to the bed room, and then to the sitting room; the chimney fell off the lamp and broke; he asked him to bring him there; Prest said, "temptation." Prest then began to cry, and father stood and looked at him; father looked at him and then told him to dress himself and clear out; Prest said to his mother, and that he was afraid he would take him up in the morning, and make a "muss" about it; that he did not want to go till he had made a settlement about it. Prest took father into the bed room, and said that he wanted to talk to him; father was not violent; he just shook him; believe they broke the stove leg; did not strike him that I saw; were in the bed room for a few minutes; Prest offered him from \$50 up; that he would give him that and \$150 note; father said he did not want that; that he wanted him out of the house; Prest said if he gave him paper he would give his note; father gave him a book, and Prest took out a leaf and wrote the note; did not seem to be friends then; wrote the note twice; wrote it once for being caught in bed with Hoover's wife; Mrs. Riley's girl came over during the time and said some things to Hoover; he came there while Prest was in the house; mother's girl had gone home before Prest came at nine; next morning she asked mother how the stove and lamp-glass got broke; Prest could not help seeing Mrs. Riley. I stood at the door; have been in the Reformatory for cutting a young man at Coulson's; there was a bed in the sitting room at the time; Prest came in; there was a bed in the bed-room also; have carried money from Prest to my mother since this difficulty arose; he gave it me on the sidewalk; he said it was for my mother; can't remember the date; mother went to Hamilton after the difficulty; Prest sent the money after she returned; it was the first or second time that Prest was given some fire or alarm of fire over the Catholic hill; he gave me \$10; the roll was in fifty cent pieces; I did not ask him for it.

Cross-examined by Mr. Freeman.—Lived six months in Guelph; my husband is in the Penitentiary in Kingston; has been there six months; am keeping house here; my servant girl and baby lives with me; my business is hair-dressing; my business obliges me to have a servant; knew Mrs. Hoover when I lived in Galt; have been intimate with Mrs. Hoover since I came to Guelph; she came to see me when alone; sometimes she would sit with me, or I would sit with her, and would sometimes stay till 10 or 11 o'clock; after the row Mrs. Hoover came to my house after three days while I was absent; never went to Hoover's house; never mentioned this difficulty, because I did not think it was my business; have other female acquaintances in this town; when Hoover and I are together don't talk about people in a slanderous way; when Mrs. Hoover came out of the bed room her night gown looked like it torn; her clothes were off then; don't know whether she had her boots on; have seen her in bed as early as that before; did not ask her how she had her night dress torn; since she came never mentioned this matter; Mrs. H. appears to be a woman of good sound sense.

The case is in progress as we go to Prest—Mr. Freeman addressing the jury.

Another Effort.—It is reported that the Toronto, Grey and Bruce advocates will try and get a new by-law submitted to the ratepayers of Arthur, providing that the municipality shall make a bonus of \$17,500 to the Narrow Gauge—one half of which shall be paid on the construction of the road to Arthur village, and the other half upon its completion to Mount Forest.

Left there at half-past seven; took supper a little before eight. Mr. Prest came there after Hoover left; he knocked at the door; Mrs. Hoover went to the door. Alfred was in the room then; did not hear if Prest enquired for any one. Alfred was standing by the table, where he could see Prest; Prest after standing a minute went away; when I came back next morning saw the stove leg was broke, and the lamp chimney; I asked how the lamp chimney got broke, and she said Hoover did it. Did not hear about the difficulty till Hoover was taken up; have seen Prest there before; saw him once about 11 o'clock in the day; Mrs. Hoover was there. He asked for her, she came down stairs; he was standing at the foot of the stairs. This was between Christmas and February; he put his hand in his pocket and pulled out what looked like a roll of silver and gave it her; I was in the room cleaning the potatoes; am not working for Hoover now.

To Mr. Freeman: Thought there was nothing wrong in Prest giving her the money; had not seen her before. Did not hear what Mrs. Hoover and Prest talked about on the 2nd of February; they talked kind of low. Heard noises, but could not understand what they said; did not listen; they did not talk loud enough for me to hear; Prest then say "Good evening." Recollects the 2nd of February, because I was sick some days before and went back to Hoover's that day; heard nothing about the difficulty; everything went on smoothly, while I was there.

Robert Sodon.—Remembers being sent by Mrs. Hoover with a letter to Mr. Prest about eighteen months ago; did not know what it was about; I was told to wait for an answer; got a parcel of boots; laid them on the table, and went to the train; when I came back she said she had got one pair fitted; don't know what became of the rest.

Elizabeth Rely, sworn, said; know Hoover and wife; live right across the street from them; frequently went over to see her; remember when this difficulty occurred, between Hoover and Prest; was my custom to go over in the evening or her come to me; when I got to the door saw Hoover and Alfred driving up as I was nearing the house; went into the house and up stairs; met Mrs. Hoover coming towards the door; asked her what was the matter; why she looked so frightened and confused; Hoover and Alfred came in quickly after me; then Hoover came up immediately after; he asked the same question; she said 'go' in the bed-room, you'll see who is in there; or 'Prest is in there'; he took the lamp and went into the bed-room; and said, 'Prest what are you doing here in my bed room?' He asked this twice and received no answer; he then said he would pull him out, and the door closed as if he was taking some one out from behind it, and then the door opened again; they came out in such a flurry that the lamp chimney fell and was broke; Hoover asked Mrs. Hoover to light the lamp; she had hold of my hand; I told her to light it and she did it; Hoover asked him what Prest was doing in his bed-room; Prest was in his shirt sleeves; Prest was in and in his stocking feet; his trousers were unbuttoned; there was scuffling round the room and some talk, Prest saying it was temptation brought him there; saw no blows struck; Hoover jerked him round the room; the clothes lay at one corner of the sitting room; we retreated back to the side room on account of the roughness; my girl came up stairs during this time, and said a person wanted me, and I told her to wait a minute and she saw some of it; Prest begged Hoover not to expose it, and asked to be reconciled, and to let him talk with Hoover; Hoover said he did not want any talk, but told Prest to get on his clothes and get out of his house. Prest said he would wait until it was settled, for if it got out he would be a ruined man; Prest said if he would be reconciled he would give him \$150; Hoover said did he think he would sell his wife for money; Prest said he did not mean that; that it would ruin him in his standing; he took Hoover by the hand into the bedroom to talk to him; Prest said he would give him a note, and took down a book for him to write it; after he wrote the first one Hoover said that would not do, as Prest might get the next day and say he extorted money from him, and Prest then wrote another note with the statement added that he gave it for being caught in bed with his wife; which he wrote it Prest then wanted to shake hands with him and said that he would make it all right; that they would not be worse friends; Hoover said that did not satisfy him; that the peace of his family was destroyed; they then went down stairs and went out; I remained with Mrs. Hoover; Prest said if Hoover would go to the store he would give him some money then to my mind I thought this \$50 was to be part of the \$150; Mrs. Hoover stayed in my house that night; Hoover was very angry, and said she would not stay in his house any longer; I told her he was so very angry it would be better for her to stay with me that night; saw Prest and Mrs. Hoover talk half an hour one day in front of my house at 11 o'clock; they were a long time together; Mrs. Hoover's mother came with her when she came back; saw no blows in the scuffle up stairs, but a scuffle and shoving round; Prest seemed to cling to Hoover as though he did not want to go out till they got it settled.

Cross-examined by Mr. Freeman.—Lived six months in Guelph; my husband is in the Penitentiary in Kingston; has been there six months; am keeping house here; my servant girl and baby lives with me; my business is hair-dressing; my business obliges me to have a servant; knew Mrs. Hoover when I lived in Galt; have been intimate with Mrs. Hoover since I came to Guelph; she came to see me when alone; sometimes she would sit with me, or I would sit with her, and would sometimes stay till 10 or 11 o'clock; after the row Mrs. Hoover came to my house after three days while I was absent; never went to Hoover's house; never mentioned this difficulty, because I did not think it was my business; have other female acquaintances in this town; when Hoover and I are together don't talk about people in a slanderous way; when Mrs. Hoover came out of the bed room her night gown looked like it torn; her clothes were off then; don't know whether she had her boots on; have seen her in bed as early as that before; did not ask her how she had her night dress torn; since she came never mentioned this matter; Mrs. H. appears to be a woman of good sound sense.