not the order was responsible.

ter Archer, Mr. Magee held that the

order did have the right to release

elease from her vows. He claimed

Mary Archer had been a gainer in

Mr. Magee closed his address at 12

clock noon, having occupied a few

After the eloquent peroration by Mr.

Magee, the counsel for the plaintiff

the most painful in the history of this

country. It would have been expected

Heart would have shown greater char-

Mr. Betts went into the various in-

idents of disorder, discrediting the

charge that Miss Archer was guilty of

ommitting the deeds, He emphasized

of the ideas of the sisters who had

that the plaintiff's laughing, of which

Mr. Betts, in resuming his address,

answered the points of law brought

out by the counsel for the defense, ar-

guing that the society were responsi-

His learned friend had claimed that

he plaintiff was now able to go out in

he world and earn money. But, Mr. Betts asked, how long could she do his, now that her vitality was sapped?

With all her sufferings, the plaintiff and strong enough religion to be kind

o the order and to wish to go back to

isylum was set by whoever set the first

NOT A PARTY Mr. Betts would not like to believe

that the mother superior was a party

to the plot; his idea was that she was

There had been many mistakes be tween the mother-general and the authorities here. "You can get doctors

to swear to almost anything," said

Mr. Betts, in reference to the doctors' certificates. It had been shown that

the Government looked upon putting

sane people into asylums as a crying evil. Dr. Waugh had admitted he had

neard of certain things going on at the

convent, and they therefore must have influenced him. Neither doctor here

was an expert, and neither had given

Bourque, of the asylum, had even said

that he had not seen the woman in-

sane, and the jury were asked if an

nsane woman could have given evi-

The message of the bishop to send

Miss Archer away was a grave act of

indiscretion, but for acts of indiscre-

If the plaintiff was temporarily in-

ane that was no reason for her re-

ease from the society. The order of

dismissal made by the mother-general

in Paris, was made on the judgment

of the bishop, whereas the constitution provided that orders must be made on

he mother-general's own judgment.

Hence the release was illegal and void.

Mr. Betts gave constitutional reasons

to show insanity was not a grave or

ed the release was not worth the paper

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Disease.

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ment by the knife or piaster and which

were almost sure to result in failure,

roots out the disease from the system

tion there must be responsibility.

any considerable examination.

dence as she did.

wits' end to know what to do

rally give vent to their feelings.

ounsel for the plaintiff.

intil 2 o'clock.

a society such as the Sacred

nothing to do with her.

way.

heir mind.

minutes over two hours.

# NEARING CLOSE OF CASE ARCHER VS. SACRED HEART

on Each Side.

Plea for Clients.

Benefit of Statute of Limitations Was Raised.

The jury in he case of Archer vs. Sacred Heart Society is now in con- a veil and saying the devil had cut it. sideration of the case that has occu- Witness stated that she had found pied the attention of the court at the matches under plaintiff's bed, and on fall assizes and the public generally the back door. for the past week. The evidence was concluded at 10 o'clock this morning, of the storeroom, was the sister who "Take that woman away." He would and the counsel for the defense, Mr. got up early like the plaintiff. Her not say what time that was. James Magee, K.C., began his two quently. On the 5th of May witness followed in his summary of the case afternoon and found Miss Archer in for the plaintiff, altogether addressing the jury for upwards of two heurs. witness had found things upset. paper went to press. His Lordship Chancellor Boyd, was about to make his charge, after which the jury win, it is expected, be several hours in com-

ing to a conclusion. Witness, who slept in the same room as the plaintiff, stated that on one occasion she had seen the plaintiff leave the sisters' room and go to the dormiup the back stairs. The witness had immediately gone up the front stairs and looked through the toilet window. She saw the plaintiff go towards witness' bed, but nothing further was done, as footsteps had disturbed the plaintiff. To Mr. Cronyn, witness admitted that she watched yet never detected Miss Archer doing the

she had seen the plaintiff upset books me. O, it's a shame.' in a closet, and was startled by the Sister Powe, told of seeing matche appearance of the witness. She testified to the fact of other sis- der was issued forbidding them.

Asylum. One was still a member of house in Detroit, was the next wit-Sister Margaret McIntyre testified Omaha house when Sister Archer took to having heard plaintiff say she hated her vows and emphatically denied that ter Bridget Fortune remembered the taken the vows, she, Sister Archer, wa plaintiff going on more than one oc-casion to the toilet room in the night. be provided for for life. Cross-examat the convent since 1876, was the sis- been constitutionally permissible for

ior and plaintiff to Montreal. kept to her story about the plaintiff look" telling her and the mother superior thought were light blue. The plaintiff's tion whatsoever with them. I deny is about matches that could be found in eyes are gray. the beds. The matches were not look-

ed for for a month. Do you mean to say that after knowmatches in the bed for a month after your return?" asked Mr. Betts.

"I do," said the witness. "Wasn't that a strange thing to do?" "I do not know that it was,"

## SUSPECTED THE PLAINTIFF.

upon Mary Archer.

came, but she told the chancellor she in which the plainitff asked to be sehad not the slightest ill-feeling on that cluded, he corroborated the mother

ccount. superior's evidence as to the conversister Mary Fitzgerald testified to be-sation that took place. Witness iden-

Addresses of Learned Counsel ing in the convent 33 years. Her testimony went to show that Mary Archer attention to the rule of evidence that often thought of a personal demon, had been agreed upon, but did no judging from statements that plaintiff ject to hearing Father Aylward. Mr. Magee Makes an Eloquent from the table, looking at a cut in the Betts explained that no offense was cloth, and smiling, snowing that the meant. plaintiff must have known the cut was there. Cross-examined, witness admitted knowing where the key of the garret was and going there occa-Point That Defense Did Not Claim sionally. Sister Doyle was custodian of the key and Sister O'Shea knew where it was. Witness had watched to never detected Mary Archer.

The next witness was a sister of almost 20 years' standing, Sister Cather-ine Crowley. One of several things she recalled was the plaintiff's showing her

Sister Mary O'Shea, who had charge hours' address to the jury. Mr. Betts had come back from benediction in the Archer was insane?" the kitchen, laughing, and everything He had scarcely concluded when the The tea was kept in the attic until and had been examined by Dr. Waugh after the fire when it was put in the pantry, and the next morning witness found smoke coming out of the ten box. Miss Archer was the only one who had been down before her. Witness denied knowing where the key of the garret was kept. She swore, too that the fire in the tea box continued from the time it was discovered until she got back from going to tell the mother superior, yet the box was only

scorched. Madame Mary Walsh described meeting with Sister Archer on the night of June 7. The latter had a match in her hand and asked witness to accompany her to Mother Van Antwerp, saying on the way, "The devil Sister O. Penault gave evidence that is in this house. It's all being put or

in the possession of plaintiff after or-

ters having gone to Longue Pointe Madame Anna Onahan, of the sister ught of coming to Canada. Sis- she told Sister Archer that having ing. Sister Bridget Hogan, who had been ined witness admitted it would hav ter who had accompanied the super- her to make that promise.

Madame Anne Grady's evidence wa Sister Hogan, in cross-examination, simply that plaintiff had "a peculiar in her eyes, which witness eyes are gray.

## CALLED NAMES.

In the examination of Sister Carthe convent you did not make a move to find if it were true that there were matches in the bed for a ware were matches at the matches at the matches in the bed for a ware were matches at the matches at mother superior. Speaking of plain-tiff's life in the Maryville house, witness had heard plaintiff call the sisters there "merry villains." Wit-Witness always noticed a wild look in the ex-sister's eyes. Witness had seen searched every bed in the convent on her in places in the convent that sur-When the fire of July 10 occurred, witness supposed it was caused by matches in the hod of Sister Politicand matches in the bed of Sister Reilly, and sisters, "Sister." She knew that a while she did not know that anyone great many suspected the plaintiff. else thought so, her suspicions rested Rev. Father Aylward went into the witness box at 6:20 o'clock last even-To Mr. McKillop, witness said she ing. Witness' duties included visiting suspected Mary Archer because of the the Sacred Heart Convent, where he hysterical character of the plaintiff. The had been father confessor. Speaking witness was head cook before plaint if of the time the paper was drawn up

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of cost to you. I alone will assume the expense.

been in the court room. The chan-cellr asked why he did not mention years were void. it before, and Mr. Betts said he did not know he was to be a witness, and Father Aylward said he did not know he was, either. Mr. Betts merely drew for the plaintiff. If the jury thought had been agreed upon, but did not obhad made. Witness remembered on latter stated to the court that he did one occasion the plaintiff raising a plate not want to be insulted, whereupon Mr.

NO EX-COMMUNICATION. Father Aylward had told the mother uperior she was free to put a watch on the room of the ex-sister when the latter objected to the paper which the mother, considering no good, tore up. see who caused the mischief, but had Nothing had been mentioned in his presence about ex-communication. Witness further said he had never ordered plaintiff to confess, but what had been said in confessional he would refuse to divulge.

To Mr. Betts, the witness said that in 1901 he was confessor to the religious at the convent and, as a priest was subject to the orders of the bishop. He remembered taking the message to the mother the purport of which was

"Do you remember telling his lordship that the doctors had said Miss 'No. but I remember telling him doctor had examined her. I told him there had been trouble in the convent that Miss Archer had been suspecte

who considered her insane.' Witness thought it must have been after that that the bishop had sent his message. In reference to the date of the paper signed by Miss Archer about which there was a question whether it should have been "June 8." she having gone to the asylum on the 11th, witness could not say. Witness knew from the superior that Miss Archer was generally suspected

having caused all the confusion. Asked as to whether he had refused plaintifthe privilege of going to communion every day, he made the general response that no matter who would have asked him in confession or otherwise to be allowed to have communion the same day as that person went to con witness would have refused

permission. The mother superior, recalled, testified that Miss Archer made no such request as to have an independent, a

Jesuit confessor.

This closed the defense. As the plaintiff had a couple of witnesses that would take an hour or more, an adjournment was made until the morn-

### PLAINTIFF RECALLED

When the court resumed this morn ing Mr. Betts recalled the plaintiff Miss Mary Archer. She denied tha the sisters were not allowed to go any-where in the convent while not or duty. Asked as to whether she caused the disturbances, the plaintiff said "I swear positively I had no connec Witness did not know who were the guilty ones, but since hearing the evidence she thought the crimes lay with

those having the keys.

In reference to the story of matches in the beds which the mother superior claimed plaintiff had told her, the witness said it was untrue. Moreover the witness had been told by Dr. Prieure of the asylum, that the mother had Shortly after coming here witness received a general friendly letter from the sisters of the Maryville house. The defense asked the witness no

#### questions. ADDRESSES BEGUN.

Mr. Magee began his address to the jury at ten minutes to 10. First he drew attention to the life of the com munity of the convent, which was regular and exceeding!y simple. Th plaintiff had come to this peaceful community as a inal test, and it soon became a little nell upon earth. The jury had seen something of wild eyes this morning. Plaintiff told the sister of visions; once only did she express sorrow at the mischief, but always He claimed the mother superior had always shown absolute justice, as evidenced by her not allowing general gossip when the plaintiff was suspected. The plaintiff bad claimed there was an ill-feeling on account of her being an American, and on account of her cookery. This was too far-fetched and the sisters had all

denied any ill-feeling. Taking up the evidence of the sisters of the Sacred Heart Convent, Mr. Magee held that the evidence was almost positive that the cutting of the window was done by Mary Archer. while in the instances of putting the books in disorder and knocking over brushes, plaintiff was seen. In other cases of disorder as well as the fires the circumstantial evidence all printed to Mary Archer as the guilty party.
Who would believe that the mother superior was party to such a plot as the plaintiff claimed? For seven years that plaintiff had been unable in the

#### United States to obtain her final vows. PLAINTIFF WAS EXTRAVAGANT.

The plaintiff had been extravagan in words, had hated coming to Can ada, and was continually dodging about the building. Numerous wit-nesses had sworn to having seen the plaintiff in parts of the building where she should not be. The counsel appealed to the jury to make a personal application of the circumstances and ask themselves how long would they have kept Mary Archer? She had been guilty of willful conduct, refusing to obey her mother superior on more than one occasion.

serious reason for dismissal. Counsel read from the writings and The release signed in Montreal was a plot and trap of Dr. Bourque and Lawyer Lamothe, Mr. Betts said, and sayings of the plaintiff to show that she was insane, and he claimed that the impression made upon an ensound she signed it on the advice of the Jesuit priest, and all the circumstances showmind by the book, the Cure of Ars, was not all right. Would they feel safe, for their lives of their property, for one minute with a weman like Mary Archer around? The plaintiff, he claimed, was antruthful, pointing out discrepancies in her evidence. Referring to the paper signed Sister Archer, asking to be "locked up for at least eight days," Mr. Magee cleared up the matter of the date of the signing, which was June 8. He traced the events as they occurred. On the ninth there were the three fires, and then Mary Archer agreed to go into should have all. seclusion, the agreement of the eighth not being carried out. On the tention Dr. Waugh had been called in. No doctor in London had had more ex-perience with insanity, and he had sworn positively that Mary Archer was Dr. McCallum, head of the London Asylum, had been coaching his learned friend, yet the counsel for the plaintiff had not dared to put Dr. McCallum or any other doctor in the box to prove that Mary Archer was sane. It was natural that they should has at last overtaken cancer and placed it on the list of curable diseases.

The old painful methods of treatnot tell the plaintiff, who was insane, where she was going. Mr. Magee jus-tified the actions of the authorities have been superseded by our Constituduring and after plaintiff's incarcera-tional Treatment, which completely tion in the Longue Pointe Asylum, and characterized the offering of \$300 to and leaves not a vestige or trace be-the plaintiff as an act of generosity hind to again cause trouble. Full parand charity. When she signed that release she had in her mind that she would sue afterwards and he claimed stamps.

There are nearly 270 different religions bound by that release.

A STOTT & JURY, Bowmanville, stamps in the United Kingdom.

## ing his or her father's house and suing

Mr. Betts at this stage called attention to the fact that the witness had been in the court room. The chanbeen in the court room wath enterbeen in the court room. The chanbeen in the court room. The chanbeen in the court room wath enterbeen in the court room. ed lath night by thome unknown theoundrel who thole every eth in the As to the claim for damages for being put in an asylum, he held there ethtablithment and thucceeded in makwas no disgrace to the plaintiff, but ing hith ethcape undetected.

"It hath been impothible, of courthe, the asylum had been the best place to procure a new thupply of etheth in time for thith ithue, and we are thuth damages should be paid, it must be compelled to go to preth in a thituation remembered the mother superior and moth embarrathing and dithtrething, but we thee no other courthe to purthue than to make the betht thtagger Mr. Magee pointed out the position we can to get along without the mithof Mount Hope Institute, which had ing letter, and we therefore print In reference to the third claim that Newth on time regardleth of the loth he order had no right to dismiss Sis-

thuthtained. "The motive of the mitherable mithcreant ith unknown to uth, but, doubtmembers who had not taken the final leth, wath revenge for thome thuppoth-

The constitution provided that ed inthult. "It thall never be thaid that the petty thpite of the thmall-thouled vil-lain hath dithabled the Newth, and if for grave and serious reason" any ister could be dismissed and for the good of the order, the counsel for the thith meet the eye of the detethtable lefense claimed that the seven years' rathcal we beg to athure him he un-derethtimateth the rethourceth of a infitness, the three months' action in he convent here, and the unsoundness firth-clath newthpaper when he thinkth he can cripple it hopelethly by breakof her mind were grave and serious casons why Mary Archer should no ing into the alphabet. We take occaonger be a member of the order. If thion to thay to him, furthermore, that she had remained in the order she before next Thurthday we will have would have had to live in poverty and three timeth ath many etheth ath he celibacy. She could now acquire thtole."—Richardson, Tex., Echo. money and marry if she wished by the

## Oysters Starved to Death.

"Why does an oyster sleep and live on its left side?" asked a man who is interested in oyster culture. "Well, I suppose we will have to put the question to Nature, and Nature has her own way of answering questions. I have been around in the oyster waters of the Chesapeake in the oyster waters of the Chesapeake Bay and Choptank River for many years, raised the objection that the benefit of the statute of limitations had not been claimed by the defense.

\*\*UUKES OF MR. BETTS\*\*

Mr. Betts began his address at 12 o'clock. The case, he said, was one of the most painful in the history of this. upon its right side, and weighted so that it cannot turn over. It simply dwindles away and dies by degrees. Put upon its right side the oyster cannot live. Of course, there is an explanation of this peculiarity. The right-hand part of the oyster shell is the top and movable part. ity, and he at once pointed out what would have been a fur treatment of the plaintiff. He agreed with his learned friend that religious projudices but a small amount of physical energy but a small en should not have weight. It was not a case of the outside world against the Roman Catholic; as high dignitaries as had appeared in court had approved of the suit, instancing the Archbishop of Milwaukee. Mr. Betts was satisfied but a small amount of physical energy to open and raise the right-hand section of the shell when the oyster wants to feed. Reverse the position and put the oyster on the right side, and we find an extremely difficult problem from the oyster's standboint. In order to open the of Milwaukes. Mr. Betts was satisfied ter's standpoint. In order to open the that the jury would treat the case just for the oyster to raise not only the weight anadian and not an American citizen. of the left section of the shell, but its as fairly as if the plaintiff were a Anadian and not an American citizen. Of the left section of the shell, but its own weight as well. If we reverse the can one of continual persecution. The cen one of continual persecution. The its right-hand side and wedge it so it convent had been a little hell upon can't turn over, we simply smother and earth—for the plaintiff, when it was starve it to death. Of course, I am just onsidered that she was shunned by the same other explanations of the left. be some other explanations of the left-handed life of the oyster, but from my Il her sisters, who had watched her. tment would have driven any of these timorous sisters out of explanation given is a reasonable one.

Stanstead Junction, P.Q., 12th Aug., 1903. MESSRS. C. C. RICHARDS & CO.: Gentlemen,—I fell from the bridge leadwhat he termed the triviality of most ing from a platform to a loaded car while assisting my men in unloading a load of grain. The bridge went down as well as the load, on my back, and I struck on the ends of the sleepers, causing a serigiven testimony; pointed out discrep-incies in the evidence and claimed the defense made so much, was but the way hysterical persons would naturally give vent to their feelings. third day went to Montreal on busines and got about well by the use of a cane. Every point brought out by the counel for the defense was met by the In ten days was nearly well. I can sin-cerely recommend it as the best liniment Mr. Betts had spoken an hour and that I know of in use. Yours sincerely, C. H. GORDON. vas about half-way through his address when an adjournment was made

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### t. He asked them did they ever hear of any such unfair, one-sided affairs of any such unfair, one-sided affairs as the locking-up of Miss Archer to see the locking-up of Miss Archer to see the locking-up of Miss Archer to see f she was guilty. The explanation was patent to him, that the fire which occurred while the plaintiff was in the GIRLS' SCHOOL

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it was written upon.

Mr. Bettrs claimed that \$10,000 damages for each of putting in the asylum BUSINESS and of the wrongful dismissal, was not too much. Consequently, the counsel for the plaintigff kept to his claim of miversity \$5,800 for remuneration, characterizing the defense put up of the statute of limitations as one under which dishonest debtors hid. It was one that they had no right to benefit by, for if Miss Archer was entitled to anything, she

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# tified the paper, but denied that there was simulated that the paper on the paper than as prolifer to that of a son or daughter leav-12 Market Lane, upstairs. Sample Room 3 DOORS OFF DUNDAS.

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