

POOR DOCUMENT

THE WEEKLY HERALD.

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FREDERICTON, N. B., SATURDAY, JANUARY 14, 1882.

\$1.00 A YEAR.

THE PROMINENCE OF A CITY CHURCH.

A SERMON BY THE
REV. A. J. MOWATT,
PREACHED IN ST. ANDREW'S CHURCH, ST. JOHN,
JANUARY 10th, 1882,
BEFORE THE PRESBYTERY OF ST. JOHN.

"A city that is set on an hill cannot be hid."—Matt. v. 14.

The theme I propose to discuss to you about for a little while to-night is something like this, the prominence, I feel like calling it the awful prominence, of a city church. Last Sabbath was the anniversary of my settlement two years ago in the city of Fredericton, and I was led to discourse on the theme there, and as the Presbytery was pleased to appoint me to speak on this occasion, perhaps it may not be out of place to press home upon your attention some of the points brought out. I hope it will not be thought vainly on my part to say, that I want to realize myself, as pastor of a city church, and I want the brethren here to realize the high and responsible position we occupy as city churches. To have a right appreciation of our place and work as city churches, it seems to me, must go far towards waking us up to assume our responsibilities in all their length and breadth, and do them; and in the doing of them, or rather, in the attempt to do them, we shall come up to be as churches what the Lord wants us to be, burning and shining lights in the land, a city set on a hill that cannot be hid.

And first, I have something to say about a church prominence that is not the prominence Christ commends in the text. It is something, an element, we must not overlook it altogether. It has a place, and it is all right in its own place. But, the trouble is, it is forever being pushed forward into a prominence that it has no right to. Let us clearly understand just what this prominence is. It is a mere outside world prominence, a high-tower prominence, a stone and lime prominence, a sham prominence perhaps. Very true, you cannot hide such churches. In that respect they are little cities set upon a hill. They rise sublimely at the corners of the principal streets, and they seem to say, "Let all eyes gaze up in wonder at us!" And then everybody says, "Come and see our grand church. Come and have your soul entranced with our glorious music. Come and hear our eloquent preacher." And when it is over they all say, "Isn't that fine, grand, thrilling, wonderful, sublime?" Thus, how true, "A city set on an hill cannot be hid."

I come to speak next of the only true church prominence. There is a true church prominence, and city churches should want to have it.

The prominence commended here is a characteristic of Christ's doctrine, the kingdom He came to set up. You cannot hide the truth, His truth, the kingdom of grace, any more than you can hide a city that is set on an hill. The truth is quiet, modest, retiring, unassuming. Truth is always that. It never has much to say about itself, never makes a parade of its own excellences. But there is this about the kingdom of grace and truth, it must be out, it cannot be hid.

Men thought—they have always thought—that they could hold the truth, believe in Christ, enjoy the blessedness of salvation, dwell in the light of God's favor, be citizens of the heavenly kingdom, and nobody but themselves be the wiser of it. But the truth that could thus be held and believed was not the truth. Christ's truth lives, grows, shines, in the hearts and lives of His people; and it soon makes itself seen and felt. His kingdom is like leaven hidden in the meal. It silently works away down in the dark of human hearts and human experiences, until the whole mass of society has been leavened by its sanctifying influences. It is like a city that is set on an hill that cannot be hid.

You do not need to force the kingdom of truth. You cannot force it. As well attempt to force the spring, to hurry up nature's slow processes of growth and development, as to force the truth and hurry forward the wondrous processes of God's grace. Give the truth a chance, and it will need no forcing of yours to get it along. It will do its work, slow perhaps, but sure, thorough, lasting—everlasting.

Sometimes Christian parents are so concerned about the conversion of their children. With the stern rod of correction, with tears and prayers, with faithful home training and Sabbath school teaching, with Church ordinances and means of grace, they try to compel them, whether they will or not, to be Christians, and with but indifferent success. Ah! that will not do. Do only what you can do—instruct, influence, pray, love, lead, train, be gentle, be patient, be earnest, be hopeful, live the truth yourself, and leave results with God. Do not fear for the truth. It will take hold and do its work in its own time and way. The God of truth will look after the truth.

And here is something for me. It is not mine to convert men, to save their souls, to renew their hearts, to Christianize them. That I cannot do. That no man can do. But I can do this. I can preach the word. I can tell the story of redeeming love. I can explain, illustrate, apply, the earnest mighty truth of God as I find it here. And if I do that—do it in faith, do it with a heart glowing with love and earnestness, then men will hear and fear, and turn unto the Lord. I cannot follow the word-arrows, barbed with

lime, pillars and cornices, are not much to be admired; but in a world such as ours, so material as ours, they have a mission, and a mission we cannot afford to ignore. Did not the Master himself use clay to open blind eyes sometimes? and the very stones in the temple cry out for him. His is a spiritual worship, a worship rising up to the sublimities of faith and hope and joy and the unseen glories; but it has its foundation in the dust, and while we are down among the dust, our worship cannot but have more or less of dust mingling with its holier incense.

I say, then, let the great cities have their great churches, and the great churches their great congregations, and as the Presbytery was pleased to appoint me to speak on this occasion, perhaps it may not be out of place to press home upon your attention some of the points brought out. I hope it will not be thought vainly on my part to say, that I want to realize myself, as pastor of a city church, and I want the brethren here to realize the high and responsible position we occupy as city churches. To have a right appreciation of our place and work as city churches, it seems to me, must go far towards waking us up to assume our responsibilities in all their length and breadth, and do them; and in the doing of them, or rather, in the attempt to do them, we shall come up to be as churches what the Lord wants us to be, burning and shining lights in the land, a city set on a hill that cannot be hid.

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the truth, as they fly hither and yonder; but I know this, for the God of truth has said it, and that is all I want to know, that not one word of His shall fall to the ground. Men may wince and write; they may rebel and resist; they may sell and scoff; but God's truth is working, growing, and in due time there shall be a harvest commensurate with the amount of truth and faith and work expended.

Now, the prominence that as a city church we should be ambitious to have, is the prominence that the truth gives. Any other prominence is evanescent, unsatisfactory, unworthy. Let us truth glow and flash here. Let us as a church be known simply for this—our faithful adherence to the doctrines of the cross, our earnest confidence in the power of the gospel to reach to and reclaim the people, and our determination to work out our mission and destiny in the line of our history; and we must succeed. But it will not do for us to rest satisfied with our orthodoxy, our evangelicalism, our scriptural church polity, our grand history, our antiquity, our importance as a great city church. We may have the truth here—have it in our Bibles, have it formulated in our Confessions, have it preached to us from Sabbath to Sabbath, have it handed down to us in a glorious line of succession such as no church can show; and yet, we may be slowly dying out as an effete something that has served its day and lived beyond its time. Christ's truth is not something you can lay away on the bible shelf, or pass down the generations as an heirloom or antique relic; something that is brought out only on grand state occasions and exhibited to wondering eyes, but something that is to be touched or handled by the people. No. The truth is to be lived in the hearts and lives of men, and, only in so far as you live it—not as I preach it—but only in so far as you believe it and live it, is it the truth to you.

Hence, let the earnest simple truth of the gospel ring here. Especially, let it dwell in our hearts and lives. In our lives, and as a church and people we cannot be hid. We do not need to have a grand church edifice, a magnificent pile of architecture, to give us prominence. All that has a place, and in its own place it is all right. But, after all, it is the truth that shines; it is the cross that draws. It is not the architecture, the music and painting, that men who have deep wants hunting within them, and lives so sublimely important to live, come to church to wonder at. They may come for a time or two just for that, but these empty hearts will soon cease to satisfy and interest. Men want the truth, the gospel, the cross, the living Christ of God. Let us give them the truth, and they will come to stay, and live and shine. Oh, let the wondrous cross, with its bright coronal of salvations, truths, ever stand forth here, and this city church's influence must be felt as widely as the city's influence goes. Out over your tumbling waves will stream a radiance that will gladden and bless, comfort and save, and true souls will draw here with a great drawing. It is the blissful prominence of holding forth to the world the truth of the gospel, of helping the people to be good and brave and true, and of fitting men for their high destiny in the world to come—that is the prominence we want.

And, to close, this prominence of a city church is an awful prominence—an awfully responsible prominence; and the larger the city, and the more important the city, the more awful the prominence. You are set here on this hill-top to shine afar for Jesus. You are here to be a centre of light and holy influence to all around; it is not for us to say how far around. You are here to be a church to wield a potent influence for good upon the home life of the people, their business, their prospects, their social character, their national interests, their progress and history, their eternal destiny. The truth is here, and having the truth, you have what is fitted to promote the city's welfare and the good of the nation, purify society, and bless and save the people. A living city church is a mighty agency for good. The very building may impress and awe some minds in some noods. Towering up towards heaven amid the city's din and turmoil, and amid men's grief and gladness, it may sometimes preach, with a majestic silent eloquence, a sublime pathos, that may stir the deepest thoughts and feelings. The atheistic Braugh is credited with giving utterance to this: "You cannot talk of ignoring St. Paul's cathedral, it is too high." And I would say here, in the words of another, "Let this church so present the claims of the gospel as to extort concessions like this, and make men say we cannot ignore the gospel. We cannot ignore its arguments. We cannot ignore the cathedral of christian doctrine. It is too high. Its solid walls, its stately towers, create attention and command the admiration of the world."

My brethren, we are but dull clay—how can we shine? But when the Lord of Glory lets His brightness flash in upon us, as the electric spark flashes on the dull calcium points, then will we shine with a light that will cheer and bless and save. Then will begin in us a glory not unlike His.

O Thou blessed Light of Heaven, shine through our poor words and works, and make our simple lives sublime with good to men, for Thou hast said, "Let your light so shine before men that others seeing your good works may glorify your Father who is in Heaven."—Amen.

We make the following extract from the *Maritime Farmer* of Thursday:—
"We have not the least doubt but that there are some business men in the city, and vicinity who, in confidential moments or at times when business is not booming as finely as they would like, speak in favor of annexation and say that, in their opinion, the Province would be more prosperous if it was a part of the great Republic."

After expressing his belief that few of those who talk this way would vote for a union with the United States, the *Farmer* says:—
"There is no good reason or sufficient cause for raising the question in our midst at this time."

A few remarks from the *Sun*, in thundering condemnation of this "insult to the business men of York," and an echo from the *Me-Too* of the *Capital* would be very timely. We assent most heartily to the second proposition of the *Farmer*, which we have quoted, and beg to return our thanks for condemning the course of its Tory contemporaries towards the *Herald*. Most certainly there was "no good reason or sufficient cause" for them to raise the question of annexation. The *Sun* and *Capital* did so, because the former saw no other way of meeting the point of the *Herald's* article in the first place, and, in the second, because it thought it saw a chance to injure Mr. Eider politically. The *Capital* simply followed the lead of the *Sun*, and in so doing got caught in a trap, which it could only escape from at the loss of what credit for veracity it possessed. It is a far more prudent course to do as the *Farmer* has done—admit the truth of what we stated and seek to avoid its force. And we may add that we agree with the last named journal that many of those who express their belief that the Province would be better off in the Republic, are so wedded to British connexion, that they would bear almost any amount of oppression before consenting to break the ties which bind us to the Empire.

A CHALLENGE "BURIED."
The *Capital* says that in naming its editor as a prominent annexationist, it was "supplied barked its challenge." To burke anything means to kill in a sudden, unexpected manner—to destroy by taking the advantage of an unguarded moment—so that our contemporary is about right; and we beg to assure its editor that it was because "his record in this community is well known," that the *Herald* said he had "been for many years manfully outspoken in his desire for annexation." But he will please observe that we charged him neither with dialogally nor with patriotism. "Dialogally" was the Tories of the last generation frightened the people. These words have their true meaning now; and a man who is at heart true to the best interests of his country is both loyal and patriotic, no matter how much his views may differ from those of the majority. When our friend would urge so forcibly, and so well the benefits New Brunswick would derive from political connection with the United States, he was both loyal and patriotic, because he was sincere, if mistaken, and none the less so because his views were unpopular. For the greater favor into which they have come since, he may give the credit in part to the Tory tariff, and in part, if he wishes, to his own influence. That there may be no misunderstanding of the *Herald's* position, we repeat the statement which we made at the outset of this discussion, "the union of Canada to the United States is not necessary for the working out of the future of the Dominion;" but how many or how few years of Tory misrule and Tory taxation will be needed to drive the people to it, as a refuge from oppression, we are not prepared to say.

The *London Spectator* settles the Panama Canal question in a sentence. After showing that, if the United States insisted on controlling the Canal, it would be a good cause for a declaration of war, it says a vindication of the right of Great Britain would simply be "the maintenance in time of peace of that which would necessarily cause an end in time of war," that is, the right to use the canal in case of war would be of no value in times of peace, and in the time of war it would not be recognised.

"ORIENT PEARLS AT RANDOM STRUNG."
The following "gems of purest ray serene" are from the last *Capital* and refer to the *Herald's* editor and friends.—
"Fools," "hirelings," "audacity," "totally devoid of truth," "false," "malicious," "mean," "contemptible," "presumption." To quote our contemporary's words its inventive powers must "have went" to their utmost limit to bring forth so much that is chaste and elegant.

Mr. LOGAN has introduced into the United States Senate a bill to provide for the employment of the internal revenue, some \$120,000,000 we believe, in the education of the children of the Republic. The amount of this revenue would more than pay the salaries of all the teachers now employed in the United States. The bill will probably not pass.

THE CAPITAL'S MARE'S NEST.
The *Capital's* article on "The Central Railway" last night was "too funny for anything." Before coming out as a comic sheet our friend ought to have given the public notice. The joke about the *Herald* being the organ of the New Brunswick Land and Lumber Company is especially good. The only improvement we could suggest would be a sketch of the *Capital's* editor when he discovered this mare's nest. But is not our friend getting things a little mixed. The *Herald* can't be Mr. Fickard's Annexation sheet and the above company's organ and a campaign sheet all at the same time. Because our contemporary can be a liberal one day and a Tory the next, it must not think the *Herald* can be three different things at once. But as there may be some people who will think our friend was serious in the article, the caption of which we quote, we will add that we have not the slightest reason to imagine that the N. B. Railway has any idea of building the Central Railway, and that the N. B. L. & L. Company have no connection whatever with the *Herald*. The paragraph which the *Capital* quotes in capital letters namely that the claims of "the rich and populous country around Grand Lake will before long force themselves upon the attention of the public in a manner which will make it impossible not to accede to them," was based upon our knowledge that the people of Queens were determined to have justice done. We shall discuss the merits of the proposed railway at another time.

THE RAILWAYS OF NEW BRUNSWICK.
The opening of the Grand Southern affords a fitting opportunity to consider the railways of New Brunswick. Very few countries of the same population can boast so many miles of iron road, every County in the Province and nearly every important agricultural district being intersected by railways. We have the Intercolonial entering the Province in Restigouche and passing down through Gloucester, Northumberland, Kent, Westmorland, Kings and St. John, and the Chatham Branch, the Kent Northern, the Albert Railway, and the St. Martin and Upham afford to those who do not live immediately in the vicinity of the road ample opportunity of reaching it. Then on the west of the St. John we have four trunk lines, the St. John and Maine, the Grand Southern, the New Brunswick and Canada, and the New Brunswick, with the branch lines by which St. Stephen, Fredericton, Houlton, Woodstock and Fort Fairfield, are reached. As soon as the gap between Edmundston and Riviere du Loup is filled, and we have reason to think it soon will be, the whole Province will be gridled by a net work of railways. Two very important sections alone remain without the convenience of railways and telegraphic connection. These are the Nashwaq and Miramichi Valleys, and the large, populous and wealthy district around Grand Lake and Gagetown. While we admire as much as any one can the energy which Mr. Greene displayed in pushing through the Grand Southern, we submit that the subsidizing of this road while the localities we have spoken of were unprovided for is indefensible. The claims of these sections, and especially of that last named, will before long force themselves upon the attention of the public in a manner which will make it impossible to refuse to accede to them.

Two contemporary journals ask us how the people of New Brunswick can get relief from the burdens of a protective tariff by annexation. We never said that they could! We never advised them to try anything of the sort. But at the same time we beg to direct their attention to the fact that the free trade party is growing in strength in the United States every day, and that the composition of the Ways and Means Committee of Congress is such that material changes in the tariff need not be a matter of surprise to any one.

A RECOMMENDATION TO MARRY.—Arthur W. Oliver married, he deserted his wife and children, he held himself out as a single man and induced a young, promising girl to become his wife. And yet the same jury who found that these things were true, recommended him, strange to say, to marry, notwithstanding the fact that he had instructed his counsel to cast dishonor upon his (Oliver's) wife. One is disposed to ask how guilty a man must be to incur the full abhorrence of these gentlemen. It is such absurd things as this which bring trial by jury into contempt.

If the readers of the *Capital* enjoy the discussion of personalities which do not concern them, the readers of the *Herald* do not. When a political discussion degenerates into a personal squabble, it is time for gentlemen to drop it. This consideration, however, need not prevent the editor of the *Capital* from continuing his low tirade.

SUNDAY SERVICES.
FREDERICTON.
CHRIST CHURCH CATHEDRAL.—The Bishop of Fredericton, Metropolitan of Canada, Rt. Rev. H. T. Kingston, D. D.; sub-dean, Rev. Finlay Alexander. Services on Sunday.—Celebration of the Holy Communion, 8 a.m.; Morning service, 11 a.m.; Evening service, 6.30 p.m.

CHRIST CHURCH (St. Ann's)—Rev. G. C. Roberts, rector. Morning service at 11 a.m., with the celebration of the Holy Communion at 11 a.m.; evening service 3.45 p.m. The sermon at both services will be by the rector. Sabbath school at 2.15 p.m., at the Madras School Room.

ST. DUNSTON'S CHURCH.—Rev. J. C. McDevitt, Parish Priest; Rev. C. Precillius, Curate. Sunday services—Low Mass at 9 a.m.; High Mass, at 11 a.m.; Vespers, at 3 p.m.; Sabbath school at 2 p.m. The Ladies' Sewing Circle meets in the vestry at 2.30 p.m. on Wednesday. The pastor conducts a Bible Class at 2 p.m. During the week there will be prayer meetings on Monday and Friday evenings at 7.30.

PRESBYTERIAL CHURCH.—Rev. A. J. Mowatt, pastor. Morning service at 11; Evening service at 6.30; sermon by the pastor at both services. Subject of the morning sermon, "The witness and their testimony." Evening subject, "Glimmerings in the dark." Sabbath school at 2.30 p.m. Prayer meeting on Wednesday at 7.30 p.m. The Ladies' Sewing Circle meets in the vestry at 2.30 p.m. on Wednesday.

BAPTIST CHURCH.—Rev. F. D. Crawley, pastor. Morning service at 11 a.m., sermon by the pastor. Evening service at 6.30, sermon by the pastor. Subject of the morning sermon "The witness and their testimony." Evening subject, "The value of Time." Sabbath school at 2.15 p.m. Week night social services on Monday and Friday evenings at 7.30. Prayer meeting every Sabbath evening at 8.30.

FREE BAPTIST CHURCH.—Rev. J. McLeod, pastor. Prayer meeting at 9.30. Morning service at 11 a.m. Evening service by the pastor. Sabbath school at 2 p.m. Prayer meeting will be held on Wednesday at 7.30.

METHODIST CHURCH.—Rev. W. W. Brewer, pastor. Services at 11 a.m. and 6.30 p.m. Week services every evening at 7 o'clock. The sermon at the morning service will be by the pastor, that of the evening service by the Rev. Mr. Evans.

LINCOLN.
The Rev. Mr. Wadman will preach in the Methodist church at 3 p.m.

GIBSON.
METHODIST CHURCH.—Rev. John S. Allan, pastor. Services at 11 a.m. Sabbath school at 1.45.

CHURCH NEWS.
CHIPMAN, Q. Co.—The members of the Baptist Church and congregation, Chipman, at the late residence of G. G. King, M. P., on the 26th ult. after spending a pleasant evening, presented the pastor, Rev. W. P. Anderson, with \$100 in cash and goods to the amount of about \$80.

Presbyterian minister, consulting pastor and people on the good feeling that exists between them, followed by remarks from G. G. King, M. P., and others when the meeting was brought to a close by an eloquent speech from E. C. Largin, Esq., Chairman of the meeting. Special meetings were held in connection with this church during the last week in December.

BAPTIST QUARTERLY MEETING.—The Carleton and Victoria Counties' Baptist Quarterly Meeting convened according to appointment with the Baptist Church at Jacktown on Friday last. Delegates were present from the following churches:—Jacktown, Florenceville, Bloomfield, Andover, Wakefield, Avondale, East Florenceville, South Richmond, Centreville, Rockland, Jacksonville and Woodstock.

Mr. W. L. Goodwin, B. Sc., of the University of London, has accepted a professorship of Chemistry at Sackville College.

There is a Chinese Sunday school at Boston with nearly one hundred pupils on the roll.

The construction of a Methodist Theological College will soon be begun at Montreal.

The Women's Missionary Society collected \$800,000 last year.

POOR DOCUMENT

AGENTS WANTED
in all parts of the Province to canvass for the WEEKLY HERALD. Liberal commission given. A few good men will be given regular employment on salary. Apply at the Herald Office, Queen Street, Fredericton.

WEEKLY HERALD.
CHARLES H. LUGRIN, EDITOR AND PROPRIETOR.
FREDERICTON, JANUARY 14, 1882.

AUTHORIZED AGENTS.—Mr. W. H. Risteen, Judson True and E. W. Scribner, are authorized to receive subscribers for the HERALD. Mr. Risteen will go up the line of the New Brunswick Railway, and canvass York, Carleton, Victoria and Madawaska Counties. Mr. True will visit every portion of Sunbury and Queens on the east side of the St. John and Mr. Scribner will go along the line of the St. John and Maine Railway. We want a good canvasser to go up the St. John river as far as Woodstock.

STRAINS FROM A TORY LYRE.

The following majestic strains were got off by the Sun yesterday:
"We pointed out on Saturday that the new organ of Burpee, Pickard & Co.—the Fredericton Herald—had come out flattered in favor of ANNEXATION. It was in such pains to parade its disloyalty that it actually boasted of being 'disloyal'—it prided itself on the fact that it was of an Annexation, 'disloyal' party. There probably never appeared in the press of Canada so full and humiliating a confession of disloyalty as the Herald gave to the public last week. It was even more emphatic than the St. John Globe has been of late. Indeed, we have no parallel to its statements in recent years. It stood almost alone in the disloyalty and audacity of its attitude. The Herald has striven to reach notoriety at a single bound and it has succeeded. It is not only notorious but infamous. It is infamous in its misrepresentation of the loyal people of York County. It is infamous in its slanders of the commercial men in the loyal Capital of the Province. It is infamous in that it is sowing seeds of disloyalty, which, if they take root, must produce rebellion in a contented, loyal, peaceful and prosperous section of the Province. It is infamous inasmuch as it would stir up strife and contention against the glorious old Flag under which the fathers of this country lived and died; as it would have the descendants of the loyalists condemn the memory of their fathers; as it would, without cause or reason of any kind, trail that flag in the dust and adopt an alien flag; as it would have the people of New Brunswick adopt the Stars and Stripes, and every Fourth of July celebrate the triumph of the Yankees over the British! If such conduct in this year, 1882, is not infamous, we would like to know the proper terms to apply to it."
Notice, if you please, the beautiful crescendo of this passage, beginning, as it does, with a simple, quiet, sunny falsehood, culminating in the grand double fortissimo squeal about the Fourth of July, and dying away in a soft allusion to the year 1882. Let us be thankful because, although Patti and Gerster or Campanini, or Salvini or Booth, or McCallough, do not come here, we have still the Sun, the sweet, silly Sun, which will squeal and roar and foam for all who will pay two cents for a copy. The allusion to 1882 is particularly soft and pleasing. It speaks a soft word on the part of the man who wrote it.

The Sun probably understands the character of its readers better than we do, nevertheless, we submit that it pays a poor tribute to their intelligence in publishing such rant, just as it disgraces its position as a New Brunswick journal by its basely false misrepresentations of its contemporaries. We are entirely indifferent whether the Sun praises or maligns us. The approval of the Herald's constantly increasing circle of readers is more than a compensation for anything the ingenuity of its billingsgate contemporary can devise. The charge of disloyalty we throw back in the teeth of the man who uttered it. It is as false as the indignation he feigns, and nothing can be more empty, hollow and transparent than that. But we are concerned at the spirit evinced in the Sun's attack. The Herald, in the legitimate discharge of its public duty, set itself to inquire into the cause for the openly expressed desire for annexation, which can be heard daily anywhere in this Province. It is met by a charge of disloyalty—by the lying slanders of a hired Government writer. The Sun recognizing the growing discontent with Tory rule—the fact patent to all men, that the load of taxation our people have to bear, the absolute barrenness of Confederation of benefits to them, are forcing hundreds away from the country and raising a storm of indignation among those who remain, which will soon grow too loud to be unheeded, has recourse to the policy of vituperation, abuse and charge of disloyalty, in the hope that it will frighten those whom its party opposes into silence. But it is mistaken. The people of New Brunswick know their rights and have the courage to demand them, and those silly vapourings about disloyalty will not deter them; but, all the same, we see the same spirit of tyranny and persecution in these utterances of the Sun, as drove the people of the American colonies a hundred years ago into rebellion, Toryism is Toryism, now as it was 1776.

—Prof. Hind, having knocked the bottom out of our fisheries, now has a shy at the North-West, which he says is 'not half so good as it is represented.'

A WORD OF WARNING.

A persistent effort is being made by a portion of the Government press of this Province, under the leadership of the Sun, to keep constantly before the mind of the people the fact that the Northwest is a country of wonderful possibilities. If they were emigration sheets, published for the purpose of inducing people to leave this country, they could scarcely pursue tactics better calculated to ensure success. When the Telegraph and the Herald spoke in favor of the Province, the St. John organ sound a terrible blast about land jobbery. When the Herald spoke of the disadvantages our people were at, in so far as the export of produce to the West Indies is concerned, the Sun sneered at the trade of the St. John Valley. Not very many months ago the Capital spoke out in favor of fair play for New Brunswick, by the adoption of measures to keep the exodus of the population, the Sun fairly howled with rage. Added to this we have the oppressive rate of taxes which the Tories have imposed, and the top evident fact that Confederation under the present regime means little for this Province. The natural consequence of all this is to unsettle the minds of the people and to create a widespread feeling of dissatisfaction, which we fear will result in an exodus of the population, the like of which we have never yet witnessed. Go into any section along the river and you will see unmistakable evidence that the Western fever is taking a strong grip. Men who are doing well here are full of the idea of going away, and very many of them will go next spring.

Yet granting all that has been said in favor of the West, and if he have not heard, it is a very great question if any large proportion of those who go away will better their condition. The accounts, with which the papers are filled, of those who have succeeded, do not give one per cent. of the experiences of the settlers in the West; and we have heard nothing of those who have failed, and of those who, if they have not failed, are at least no better off than they were at home, and suffer all the discomforts inseparable from a new and strange country. We have before us a letter from a friend in the Far West. He has done well in the years he has been there, but he says: "If men would work as hard here in New Brunswick as we have to here they would get along faster than we do." Another writes: "We are comfortable and doing well; but if you can get along where you are stay there. If you are in want of something to do, come here, but the same amount of work will make you more comfortable in New Brunswick." Those who think of emigrating had better give the matter the fullest consideration. They will not escape a vigorous winter by going west; but they may find colder weather and fuel much harder to be obtained. They may find land in plenty for the growth of wheat; but they will also find a railway monopolizing transportation and keeping the prices of grain low. They leave behind a settled state of society, neighbors whom they know, educational privileges which they have paid dearly to establish, and go west to associations which cannot be discerned beforehand, but may prove discordant and unsatisfactory. Government officials may write us wondrous strains of the great prairie country, which in some mysterious way sets all the known laws of climatology at defiance, according to these gentlemen; Government organs, seeking to justify an inexcusable administration of affairs, may laud and magnify the resources of this yet largely unknown land; but when we come to sober fact, and compare community with community, how much better off are they in the West than we are in the East, except that everything which the lavish hand of the Government can do for them is done, while our resources are left undeveloped and our trade languishes? There are millions of excellent land in New Brunswick yet untitled, millions of dollars worth of lumber yet in our forest, vast undeveloped wealth in our mines, and fisheries which are inexhaustible. Let us stand by the country in which we were born and in its behalf and our own demand fair play.

Is the President of the Sun Publishing Company, having hooped iron about his establishment, he had better put some around his editor to keep him from bursting. The way the great Tory luminary throws capital letters and exclamation marks at the Herald on Saturday speaks volumes for the typographical resources of the Sun establishment if not for the common sense of its editor. We should not like to see the great Tory Jupiter tomans getting up one of those fierce articles. They read like the rant of a seventh rate tragedian or the nonsense of some backwoods constable-lawyer, and knowing as we do the placid, calm and genial nature of the editor of the Sun, we deeply sympathize with him in his paroxysmal ravings. They must hurt him, and we should not care to witness his agony. He will relieve our surcharged soul by informing us if he feels better after his attack on Saturday.

And now when it is probable that this last spasm of political colic has left our amiable friend in a suitable frame of mind we will improve the opportunity to show him how to avoid a return of the malady. First and foremost let him always try and tell the truth about his

contemporaries, or if he must distort what they say, he should not attempt it unless he is sure to succeed in convincing people that those whom he vilifies are wrong, and not simply in displaying his own ignorance and impudence. Secondly let him remember that the calling of hard names simply show the character of the man who uses them and do not hurt those at whom they are directed.

The chief sin of the Herald, that is measuring it by the size of the type used in the Sun's quotation, consists in our giving as one of the reasons why many persons "look favorably upon a political connection with our more prosperous neighbors," the fact that the connection between Great Britain and Canada is of a character which cannot much longer continue without a change of some sort, and annexation to the United States is one of the first methods which suggest themselves in which the great question of what the future of Canada shall be, can most readily be solved." It takes capital letters and three 11 to do justice to this in the Sun's eyes. Now there is not a man in Canada from Sir John Macdonald, well we will go a long way and say, down to the scribe of the Sun who do not think that there must be a change and that very soon in the relations between Canada and the rest of the Empire. This change may come in three ways—Imperial Federation, which the Tories would hear because Mr. Blake favored it, Independence or Annexation and Sir John Macdonald, like our friends of whom we spoke, openly declared his preference to the latter. Now the Herald did not do this. It expressed its belief that annexation was by no means necessary for the working out of the future of Canada, and that the annexation sentiment which existed in this community arose from causes which might be removed. The Sun may save itself the trouble of distorting the Herald's utterances; for the very moment we are satisfied that such a political step will advance the best interests of the country we will advocate it. The Herald has its share of faults, but being afraid to express its opinions is not one of them.

UNNECESSARY TAXATION.

The total amount of unnecessary taxation imposed by the Tory Government during the six months ending December 31st, 1881, was \$4,845,000, or something like one dollar per head of each family of the Dominion. If this amount had been levied directly, that is, if a tax collector had gone to every man's house and demanded a dollar from each of the inmates, to the laboring man with his wife and half dozen children, and demanded eight dollars, and to the rich man with his wife and six children, and called for the same amount, and when asked why it was wanted, had replied, "It is not really wanted for the purposes of the Government, but all the necessities of Ottawa have sent me here to get this money in order that they may pay it to a few capitalists who want to make from 25 to 50 per cent. on their money; and I will be round again in six months for some more!" a cry would have gone up from the whole land, and the voice of public indignation would have driven the Government from power. And yet this statement is not short of the real facts; because the poor man's share of this unnecessary taxation is greater than the rich man's, and the money is not divided up among the capitalists; but, by reason of its collection, these men are enabled to make their customers pay in the increased price of goods the enormous dividends which they insist on having from their capital. So the people are doubly taxed; first by the Government, then by the rich capitalists and the burden of both taxes falls with the greatest weight upon the poorer classes. This is a simple statement of the working out of protection under Tory rule.

Of this unnecessary taxation the Province of New Brunswick contributed over \$300,000. And what are the benefits? Well, during a portion of the six months in which our Province was paying this large sum, we believe the Moncton Sugar Refinery was in operation. We will suppose the Refinery employs one hundred hands, at the rate of a dollar a day. This would mean the expenditure of about \$100,000 for wages during the time it was in operation, which is all the good this Province got from protection, and for the payment of this \$300,000, that we know of. There may have been some other industry, due to the Tory tariff, flourishing in New Brunswick during the last six months, but we do not know of any. We do not forget Mr. Park's Cotton factory, but it cannot be claimed that the enterprise owes its existence to the N. P.

We feel every sympathy for the Methodist church in New Brunswick on account of their heavy loss by the late fire in Sackville. Coming at a time when efforts were being made to handsomely endow the institution if will be all the more severely felt; but the courage and liberality of this powerful body will rise superior to misfortune and a better building will soon replace that which has been destroyed.

We challenge the Sun, the Capital or any other Tory journal to point to a line in the Herald in which we expressed ourselves to be in favor of annexation.

A CHALLENGE ACCEPTED.

Referring to the statement in Wednesday's Herald that:
"One frequently hears in Fredericton gentlemen of excellent business standing and of good reputation for a thoughtful consideration of public affairs express openly their views in favor of the annexation of New Brunswick to the United States. Those who do so are neither few in number nor influential, nor are they confined to one political party, and it is worth while to enquire into the reasons for their approval of so radical a change in the political condition of the country."

The Capital says:
"The charge of disloyalty which the Herald so boldly makes, we resent as called for on our fellow-citizens, and we challenge him to mention any influential native of this country, in Fredericton, who would lend his name to the support of his assertion."
We gladly accept the challenge and we will name a fellow-citizen who has for a number of years been manfully outspoken in his desire for annexation—a gentleman whom the Capital will admit to be "of excellent business standing and of good reputation," whom it will call to tell us about it—his firm belief that in the larger field which the great Union would give, his talents would be properly recognised; a gentleman who will not deny what we have said, for he has not himself boasted that he "has the courage of his own convictions"—this gentleman is our esteemed friend Capt. Henry A. Cropley, formerly of the Active Militia of Canada, and now Editor and Proprietor of the Fredericton Evening Capital. But stay, our friend has left himself a hole to crawl out of, for we believe he is not "a native of this country."

Notes and Notions.

—What's the matter with the Moncton Times? Can it not be intelligible when it tries to be severe?

—A pamphlet has been published in Germany setting forth the effects of protection. It consists of reports from Boards of Trade, and they are unanimous in the opinion that the result of protection has been a serious stagnation of trade.

—Every now and then some fellow starts a great engineering project. First it was to flood the desert of Sahara, then to dam up the straits of Bessie so as to make the coast of America warmer; and now some one suggests that the Mackenzie river should be dammed and its waters retained so as to overflow about half the Dominion of Canada. What good it is going to do the lunatic who suggests it has not yet told the public.

—A woman in Ohio, eighty years old, having got all her knitting and darning done, and seeing nothing else worth living for, told her friends she would die. They thought her to be joking, but the old lady was in earnest and drank an ounce of laudanum, which caused her death.

—Napoleon the Great hated the English, and no wonder for this is the best he could do with the language of perfide Albion:

"Count Las Casas—Since six weeks I learn the English, and I do not any progress. 6 weeks do forty and two day, if I might have ten more word for day, I could know it 2 thousands and 2 hundred. It is in the dictionary more of forty thousand, even if he could, must 20 but much often for know it or 120 week, which do more 2 years. After lady was ball agree that to study one tongue is a great labor, who must do it the young aged. Longwood this morning the seven March Thursday one thousand eight hundred sixteen after nativity Jesus Christ."

—If the new "industry" of body-stealing is not put a stop to, cremation will become popular.

—The population of Douglas County, Dakota, consists of the three County Commissioners, the County Clerk, the Clerk of the Court, Mr. C. F. Strong and his two hired men. This county has succeeded in floating \$200,000 bonds at par.

—The Capital's school master is abroad and their St. John correspondent is further off his base than ever. "Our St. John Letter," says a recent Capital, "has went astray in transmission." "Has went" is pretty good.

—\$50,000,000 altogether has been paid in by the Panama Canal stock holders.

—"Proteus" is a new verb for which we believe 1882 is responsible. It is a railroad word and means to make a bargain pro rata.

—Gov. Long, of Massachusetts, in his message to the Legislature favors prohibition, female suffrage and the abolition of capital punishment.

—Earl Derby, who comes out as a thorough liberal, can see no reason why England should not deal with rebellion in Ireland with as much determination and as much good fortune as the Northern States did with rebellion in the South.

miles long. A movement is on foot to unite all the parishes and towns, ordinarily known collectively as London, under one municipal government.

—A man can support a small family in Salt Lake city on \$400 a year, but if he is going to be much of a saint he will want about \$40,000.

—The following is suggested by a Montreal paper as a good definition of the form of Government in Canada, to be published in the school books:

"A limited responsible government, consisting of a Governor-General responsible to the Crown with an Executive Council responsible to the people's representatives; a Legislature composed of a senate appointed by the Governor-General-in-Council and a House of Commons elected by and responsible to the people, and a Syndicate (to govern the carriage of goods and passengers through, in and out of the country,) responsible to its own stock-holders."

—It is worth while to bear in mind that the bargain by which the C. P. Railway Co. are enabled to carry the trade of the West to United States cities was made by the Government and forced through Parliament by a free use of the party lash.

—The birds have begun to build their nests in England.

—His Grace the Archbishop of Canterbury probably knows a good deal about the Kingdom of Heaven; but when we read that he and his clergy are about to get up hand books on the Dominion of Canada, we must demur.

—The Catholic Clergy of Quebec have expressed their approval of what the Maritime Farmer, with a disregard of sex unpardonable, used to call Mr. Girouard's Deceased Wife's Sister Bill.

—A new weather prophet—Brayley's almanac. It foretold Saturday's snow storm.

—The St. John News gives editorial prominence to "an absurd rumor that has been sent across the Atlantic to the effect that a detachment of potato bugs was to be sent to England to aid in the establishment of the Irish Republic," and says:—"Such a detachment composed of Colorado beetles of the first order would, without doubt, make sad havoc for awhile in the English potato fields. But how long would the Irish potato fields in any case remain free from the voracious invader?" Is not the entertaining of such ridiculous nonsense, merely piling absurdity on absurdity for absurdity's sake alone?

—The Farmer, in an editorial on "The Citizen's Ball," says that the Historical Society is a new inducement to our citizens to make the event "noteworthy in the history of the Province," because the papers giving an account of the affair will be preserved by the Society, and the rich toils of the ladies being described concisely by the enraptured reporters, the descendants of some fair belles will read how their ancestors were "the cynosure of neighboring eyes." "Sweet are the uses of adversity," says the poet, and we cannot help remarking that novel are the uses of historical societies when they become fashion plates. But we never yet saw a reporter enraptured while writing a description of a lady's ball dress; we have seen him, hot, confused and bewildered, but never enraptured.

—Lonely Lord Lorne languished for Louise. In the dreary solitude of Rideau Hall Lorne longed for a wife and babies, and now in Exeter Hall he asks the people of England to send Canada women and children, which leads the very Free Press, of Ottawa to remark "send us the women and trust to Canadians for the children."

PERSONAL AND OTHER NEWS.

A writer in the Marshtown (Iowa) Times-Republican says that the song "John Brown's Body," first appeared in the Chicago Tribune in the summer of 1861. It was written by P. D. Winship, and the version now sung differs considerably from the original.

The number of patents issued during December in the Dominion was 150. The number issued for the year 1881 was 700, being 350 more than the year before.

The Rev. E. Price, colored delegate to the Methodist Ecumenical Conference, has made a great hit among the British brethren. He remains in England to raise \$100,000 for the college in Concord, N. C., and has more invitations to lecture than he can fill.

Sir Charles Gavan Duffy, M. P., recently married, in his sixty-eighth year, a bride of eighteen. The notice will recall to some the way in which he, years ago, ridiculed O'Connell for contemplating marriage at sixty-nine. This is the third time Sir Charles Duffy has gone to the altar. His first wife he married in Ireland, his second in Australia, and for the last few years he has been a widower.

The Atlantic Monthly says of certain reviewers of Walt Whitman: "Such critics justify themselves by the coarseness of view (and sometimes of expression) with which they meet the grossness they condemn."

Only a few years ago, says the Carolina Enterprise, there were less than half a dozen newspapers in the entire country, edited and published by colored men. To-day there are more than the number mentioned published by colored men in the North Carolina, and in the United States there are nearly or quite one hundred.

David McCulloch, for years editor of the Hamilton Spectator, has been appointed Collector of Customs at Hamilton, Ont.

Hanlan has cabled \$100 to the widow of Drevitt, his English trader.

The Governor General is expected to arrive in Ottawa on the 23rd inst.

Francis Michael Pascal, the French sculptor, is dead.

Hon. Edward Blake was born in the township of Adelaide, Middlesex, Ont., on Oct. 13th, 1833; Hon. Alex. Mackenzie was born in 1832; Sir Richard Cartwright in 1835; Hon. Wilfred Laurier in 1841; Sir Albert J. Smith in 1824; Hon. Isaac Burpee in 1825; Sir John A. Macdonald in 1815; Sir Charles Tupper in 1821; Sir Leonard Tilley in 1818; Sir Hector Langevin in 1829.

Prof. Macoun, of Belleville, has been appointed Dominion Naturalist.

Oscar Wilde, the aesthete, was announced to give his first lecture at Chickerling Hall, New York, on January 10th.

Mr. and Mrs. Chanfrau closed their two weeks' engagement, last week, in New York. They play in New York early in May, and then come direct to St. John.

AN EXAMPLE FOR JUDGE COX TO FOLLOW.—Prisoners on their trial or under examination in the Courts of Quebec are likely before long to understand that no Guitting is allowed here. The Police Court furnished an example lately which Judge Cox would do well to follow. The investigation was proceeding in the case of the three men arrested on a charge of burglarizing R. C. Presbyteries. One of the prisoners, March, undertook to contradict the witness under examination and called him a "liar." The Clerk of the Peace, Mr. Murray, warned him not to repeat the offense, but without avail. On the abusive language being repeated, Mr. Murray had the prisoner conveyed to the dock upstairs, and Judge Chauveau, being informed of the circumstances, sentenced March to solitary confinement for fifteen days and to a bread and water diet. The prisoner will now have ample leisure for reflecting sadly upon the inferiority of Canadian to American Courts of Justice.—Quebec Chronicle.

KIDNAPPED BY MASKED MEN.

MELVILLE, THE BIGAMIST TAKEN OUT OF BED IN FORT FAIRFIELD, ME., AND CARRIED ACROSS THE BORDER.

A man named Melville was arrested in Maine on the 3rd inst. on a charge of bigamy. He was taken before Justice Perry of Fort Fairfield, Me., for examination, but the court adjourning for a day he was secured in the Collins's House. The Sun of Monday gives the following later facts of a pretty lively event in this connection as related by a gentleman who was present.—"The people in Fort Fairfield thought that as the process-ut was a blueboner, her charge would not hold good; the popular reading of the law being that it was no offence against Maine statutes to have an extra wife across the border. The word got over to Andover that Mrs. Burns' charge would not hold good unless it was tried on British soil. Shortly after midnight a sleigh halted in front of Collins' Hotel and four masked men jumping out, rapped at the door. The proprietor and clerk were in bed, but the clerk came down to the door. As he swung it open the men walked solemnly in and asked, 'Where is Melville?' 'In bed,' was the reply. 'Give us the key of his room,' came from the leader in stern tones. The clerk refused to surrender the key, and warned the invaders that he would give the alarm. 'If you raise your voice you are a dead man,' was the prompt rejoinder, and one of the party was detailed to guard the trembling clerk with a seven-shooter only a few inches from his face. The masked raiders passed up stairs and through the hall to Melville's sleeping apartments. They showed a thorough acquaintance with the premises, and demanded instant admittance but Melville made no response. They then tried to force the door, but this proved to be no easy job, as the bigamist had placed his bed against the door. This barricade, however, failed to cause a retreat. With a simultaneous rush the two threw themselves on the door, which slowly slid back. An instant later and Melville was dragged out of bed, and ordered to dress. The poor old man uttered the most terrific yells and refused to budge an inch from the hotel. The conspirators forced Melville's legs into his pants, threw his suspenders over his shoulders, hauled on his socks and boots, and forcibly carried him down stairs, through the office and pitched him into the sleigh at the door. All this time his yells rang out with piercing distinctness, but no one came to his rescue. The hotel clerk and the proprietor seemed to be pretty well frightened, but may be they only acted a part. We all thought they took Melville distant. Some of the residents are much excited, but the mass don't care much. There were four men. They had their faces blackened so that their features could not be easily distinguished, and their hats were slouched down over their eyes. They spoke no more than was absolutely necessary to make the nature of their mission clear, and then in a disguised voice. The raid was well planned and capably executed, no matter what the result may be."

POOR DOCUMENT

WEEKLY HERALD.

CHARLES H. LUGRIN, Editor and Proprietor.
FREDERICTON, JANUARY 14, 1882.

The subscription price of this paper is \$1.00 a year in advance. See advertisement on the last page.

CHAS. H. LUGRIN,
Editor and Proprietor.

THE BIGAMY CASE.

COUNTY COURT.

The County Court opened on Tuesday morning at 10 o'clock, Judge Steadman presiding.

The Grand Jury list called was as follows: James Sutherland, Patrick Dever, Jackson Adams, William Mackay, E. F. Dunn, Peter McFarlane, Michael Ryan, Benjamin Close, James W. Clark, Wm. Hawthorne, Joseph Phillips, Thomas Howell, Robert Sutherland, Sr., Percy True, Moses White, David Barker, Andrew Anderson, Alexander Mackenzie, John Johnston, Henry E. Sypher, Aaron Smith, George Sewell, Charles E. Friel, George Long. All answered to their names, except Alexander Mackenzie and George Long. Benjamin Close was chosen Foreman.

The Judge then delivered his charge to the Jury. There was, he said, one case of a painful nature for their consideration; it was that of a charge of bigamy against one Arthur W. Oliver. His Honor excited the facts and said that if the evidence which would be brought before them should fairly establish these facts, then they should find a true bill. The same evidence that would answer for the proof of marriage in a civil case will not do in this case. In a civil case the fact of a man and woman living together for any length of time in a community as man and wife and being accepted as such by that community, would be sufficient proof of their being man and wife; but in this case it must be proved that there was a marriage contract entered into between Oliver and his first wife.

It is not for the jury to consider if it is a good and legal marriage contract, but if they entered into that contract, believing it to be a legal and a good one, and afterwards cohabited and lived together as man and wife, whether it was good or bad, is a question for the Court to consider. If it appears from the evidence which shall be laid before you that Oliver and his alleged first wife were married, believing it to be a good marriage, and lived together as man and wife in the belief that it was a good and legal marriage, then you should find a true bill. You want also to be satisfied that this man Oliver is the same man who is alleged to have married the first Mrs. Haws; his identity must be proved to your satisfaction.

Another case was one of assault and wounding, which appeared to have resulted from too much intoxicating liquor. Two young men, Virtue and Morgan, were charged with assaulting and wounding one Shinnick. Shinnick says, and he is corroborated by another young man, that they struck him, knocked him down, and beat him about the head and face, cutting him, or that one of more of them assaulted or beat him from the evidence, you must find a true bill.

Mr. Wetmore, Q. C., opened the case of Oliver, charged with bigamy, by swearing the Rev. A. J. Mowatt, a witness for the Crown, and the grand jury retired to their room.

G. F. Gregory, Esq., moved for judgment as in the case of *non est* in Alexander Torson vs. H. J. Blair. Granted.

A batch of interesting witnesses were then sworn in the bigamy case. Mrs. Leighton, Mrs. Damon and Miss Clark. They were accompanied by Mrs. Haws or Oliver, Oliver's first wife. The first Mrs. Oliver is a tall, stylish looking woman, dressed in black, with dark hair, fine dark eyes; the only relief to a dark complexioned, regular featured and handsome face, being a white tie knotted under the chin. In court she was self-possessed and lady like in her manner and deportment.

At ten minutes past 12 the jury returned into Court, and through their foreman, Mr. Close, presented a true bill against Arthur W. Oliver, on a charge of bigamy. His Honor here drew attention to a fact that he had overlooked in his charge in the assault case, that the doctor's evidence was to the effect that the wound in the head was not inflicted by a list, but by some sharp instrument. If it appeared to them that this was the case from the evidence, it constituted a felony, showing intent to cut or wound, and the prisoner was liable for a felony.

Court adjourned until 2 o'clock.

Oliver in Court.

The Court met again at 2 o'clock. The witness in the assault case of Shinnick against Virtue and Morgan were sworn and sent to the Grand Jury, and on motion of Mr. Wetmore the prisoner, Oliver, was brought into Court and arraigned on a charge of bigamy.

Oliver came into Court in charge of a constable. Every one, of course, turned round and looked at him, as he stood in the dock at the entrance to the dock, while the constable was unfastening the door. Miss Clark, the new witness to his first marriage, who sat immediately in front of the dock, partially rose in her seat the moment he came in to peep over the dock at him, but sat down again and smiled when she noticed that the attention of a great many was attracted to her. While he was standing outside the dock, nervously chewing a large quid of tobacco, which has been a pretty constant occupation of his while on trial, it was noticeable that his face was thinner and more drawn and sallow in appearance than before; while his eyes were wilder and a more marked feature of his face. He stepped into the dock and the door closed behind him. He flashed one glance down at the witnesses in front of the dock and received a stare from Miss Clark; then he glanced around the Court room.

"Arthur W. Oliver," broke in Mr. Wetmore, the Crown officer, from beside the Clerk's table, and Oliver stood up and looked toward Mr. Wetmore and His Honor; "harken to the Bill of Indictment preferred against you by the Grand Jury."

Mr. Wetmore then read the indictment, and said:

"Have you anything to say? Guilty or not guilty?"

"Not guilty," said the prisoner in a muffled tone, which evidently did not reach Mr. Wetmore, as a pause of several seconds followed, after which Oliver repeated in a loud and clear voice,

"Not guilty!"

Mr. Wetmore—"Are you ready for trial?"

"Yes, sir."

Mr. Wetmore—"When will you be ready?"

Prisoner—"Mr. Blair is away and I want time to procure counsel."

His Honor—"The prisoner can have until to-morrow morning."

The Prisoner—"Your Honor, I am in rather a bad position to get counsel; I have no money." (Oliver smiled unpleasantly and uncomfortably.)

His Honor—"Is there any gentleman here who will defend this prisoner, who has no money?"

His Honor looked around the Court quite pleasantly, but no one replied to the invitation, and Oliver, who remained standing all this time, showed for the first occasion signs of nervousness and apprehension since his arrest. The silence was at last broken by His Honor, who said—

"Arthur W. Oliver, you will have to put yourself in communication by some means with counsel before 10 o'clock to-morrow morning. The case must go on."

His Honor was here interrupted by Geo. F. Gregory, Esq., rising to his feet and stating that he would undertake the defence of the prisoner. To this His Honor agreed, and gave Mr. Gregory until this (Wednesday) morning at 10 o'clock, to prepare for trial. Oliver was remanded to jail.

THE DOCKET.

The following docket was made up—

Criminal Cases.

1. The Queen vs. Arthur W. Oliver—Bigamy—E. L. Wetmore, Q. C.

2. The Queen vs. Virtue and Morgan—Wounding with intent—E. L. Wetmore, Q. C.

Bastardy Doct.

1. The Queen on the information of the Overseers of the Almshouse of the Parish of Queensbury, vs. John Carson.

2. The name in the Parish of St. Mary's vs. Aaron Henry.

Civil Cases.

1. The Queen vs. Benj. Close—Attorney General.

2. The Queen vs. Newton Cozzett vs. J. S. W. Scott and J. S. Dingle—J. A. W. Van Wart.

3. The Queen vs. Deberry against James McCann—Fisher, Fisher & Russell.

The bastardy case of Queen, et. vs. John Carson was set down for trial at the March sitting of the Court. In the other bastardy case Aaron Blaney was arraigned and pleaded not guilty. The case was set down for trial on Friday next.

In the case of Morgan and Virtue, charged with assaulting and wounding one Shinnick with intent, the Grand Jury returned a true bill, and the prisoners, who had been out on bail, were remanded to jail pending the trial of the case which comes on after a conclusion has been reached in the bigamy trial.

Court adjourned.

SECOND DAY'S PROCEEDINGS—OLIVER ON TRIAL.

The Court opened at 10 o'clock this morning. The first case on the docket was resumed. The following jury was empanelled: John T. Christie, James Wisley, William A. Barker, Humphrey Lawrence, Geo. E. Coy, Thomas Peppers, John Kyle, John Moore, Wm. H. White, Justice Gill, John Edmunds, Charles Biden.

Some little difficulty was had in procuring a jury. A good many were challenged peremptorily by Mr. Gregory in behalf of the prisoner; but the result turned out to be the relations of the Barkers, and a few of them were disqualified for cause. All this occupied much time. For instance, Mr. William J. Edgecombe was called. Mr. Gregory and Mr. Wetmore tried him; then they had an argument as to who should have the last word. Then his Honor ruled in the matter, after which Mr. Wetmore read an authority to the effect that having called no witnesses, he was entitled to the reply. To this Mr. Gregory assented, and so and Mr. Wetmore addressed the triers. His Honor delivered a like charge to the triers; the two triers conferred for a moment, then retired to an anti-room for a further conference, and returned in a few moments, when the spokesman said they thought that Mr. Edgecombe was not disqualified. "Then," said Mr. Gregory, "I will challenge him peremptorily." That settled it, but over three-quarters of an hour were consumed.

Mr. Wetmore then read the indictment, and said that the prisoner, Arthur W. Oliver, was charged with a crime generally known as bigamy, and he was glad to know that, although we had a good many other crimes, offences against the laws of marriage were few. It was a serious crime, an offence against the law of God and society. It was a bad thing, especially when the victim is a woman. It ruined her social prospects, and Mr. Wetmore enlarged upon this and the necessity for stamping the crime out in this country. Oliver, he said, came here three years ago. He boarded at Jacob L. Barker's. Barker had a daughter, Lily Gertrude, mentioned in the indictment, who was teaching school at Stanley; and Oliver and she were married on the 22nd November. Mr. and Mrs. Barker had, it seems, some suspicions that all was not right, and made some inquiries. They found they were only too true, and that he had a wife and two children in Lynn, Mass.; his wife had formerly been a Rhoda Selina Haws, a widow. We will show that Haws died in Nova Scotia; that on November 24th, 1864, Oliver and Mrs. Haws was married; that Oliver lived with her some time, and then left her. "We will show the marriage law in Massachusetts, and that their bearing in this marriage makes it a legal one. If we can show these things and prove them we have a right to ask for a verdict."

Rev. W. D. Dimock, of Truro, N. S., a clergyman of the Baptist denomination, was sworn and said—"I have resided in Truro for about 35 years. I was acquainted with one Gustavus Haws. He is dead. He died in Truro, and in March he will have been dead 20 years. His second wife was with him, I saw him die, and performed his funeral obsequies. His wife was with him up to the time of his death. She is in Court. [Witness indicates her.] She remained a short time in Truro after his death and then went to her parents.

Cross-examined by Mr. Gregory—I was

acquainted with Miss Hamilton before her marriage; she was a daughter of Archibald Hamilton, of Brookfield, Cumberland County. I did not know where her husband lived before he married Miss Hamilton, except from her parents. Mr. and Mrs. Haws resided in Truro previous to Haws' death but a short time; he was an invalid. I am a Calvinistic Baptist. Mr. Haws was not a member of this church. His wife was not a member of my church; she was an attendant in my church. She only came occasionally to my church before her marriage, as it was some distance from her father's house. From the time she left Truro a single woman until she returned a married woman I cannot say what time exactly elapsed. I have no recollection of Gustavus Haws having any other name or initials. While in Truro they lived on Prince street. I have no recollection of what family they had. I distinctly remember Mrs. Haws.

MARY LEIGHTON

of Somerville, Mass., who gave testimony at the preliminary examination, was sworn and repeated her evidence which was in substance the same as that given by her at the examination.

Mr. Gregory objected to witness stating that she saw a marriage ceremony, and Mr. Wetmore asked her what was done at the solemnization of the marriage.

Witness said they joined hands at the direction of the minister, who repeated the words "whom God hath joined together let no man put asunder," and then pronounced them man and wife. This was what she remembered of the service. The way Oliver and Mrs. Haws came to be married at witness' house was because she was an assistant there; she was a cousin of witness'. Mrs. Haws was not in mourning then; she had been in mourning the year before. Mrs. Haws was in Lawrence a week before her marriage. After Oliver and his wife removed from Lawrence, witness did not see Oliver again until she saw him at the Police Court, F. T. on. She saw Mrs. Rhoda S. Oliver there; she left home to come down here.

Mr. Wetmore—"What did you understand this ceremony to be between these parties?"

Mr. Gregory—I object; it may or may not have been a legal marriage, and witness' impressions or opinions of it can in no way affect its legal status.

Mr. Wetmore—"Had you ever seen a marriage celebrated before in Massachusetts?"

Witness—Yes, sir.

Mr. Gregory—I object to that, too. The marriage will have to be strictly proven in this case.

His Honor said he was of that opinion. Court adjourned until two o'clock.

The Court opened at 2 o'clock. A little sensation was caused among those in Court by the entrance of Oliver's second wife, Mrs. Lily Gertrude Oliver, accompanied by Mrs. Thomas Barker. Mrs. Oliver No. 2 was very prettily and carefully dressed, and looked well, both as regards appearance and physical health. When Oliver entered the dock and the door was closed with a bang, she did not apparently notice it; nor did she notice the arrival of her husband, a fact just behind her of wife No. 1, Rhoda Selina Oliver; who came into Court with Mrs. Jacob Barker, and took up her seat in front of the dock.

Mr. Wetmore then continued his examination of Mrs. Leighton in regard to the marriage. Witness said—"When Dr. Packard asked them if they would take one another as man and wife they said 'Yes.' Before the marriage I heard him tell Rhoda Selina Haws that he preferred to have an Episcopal minister. I had resided in Massachusetts for 10 years before the marriage.

Mr. Wetmore—"During that time had you seen any persons married?"

Mr. Gregory—I object on the ground that it is no proof of the legality of the marriage.

Witness—Yes, sir.

Mr. Wetmore—"Was or was not this ceremony in accordance with the other ceremonies you witnessed? (Objected to.) Mr. Wetmore contended that it was a proper question, as showing that the ceremony was performed according to the customs of the country and a particular church, as she observed in other cases.

Mr. Gregory called the witness could not speak of such a matter, as it was for an expert in the rights of particular churches to decide.

His Honor overruled the objection.

Witness—"It was solemnized in the same manner that I had seen before in Episcopal churches.

Cross-examined by Mr. Gregory—My mother's name was Hamilton and she married a man of the same name. I believe Rhoda's mother name was Stevens, and belonged to Stewiacke. I was about ten years of age when I left Nova Scotia. Rhoda was younger than I was—about three or four years, I believe I saw her next in Boston, but I do not recollect when, it might be ten years after. I do not remember having seen Rhoda particularly before I saw her in Boston; I believe she was not married, and did not see her from that time until she was a widow. She told me that she had been married to Augustus Haws. I never heard anything else but Augustus; when I met her the second time, I think we were not introduced. I can not say how long the time was between when I saw her in Boston, and when I saw her a widow; it was many five years or not less than that. I was not married when I first saw her in Boston. When I first saw her in Boston I knew her. She came to my house with other people; there was a little company at my place. I saw her once in Littleton after I saw her in Boston, and in Nova Scotia while on a visit there. She was married then; her husband was not with her, he was in Lynn, Mass. I don't remember how long she was in Nova Scotia on that occasion; she was down on a visit to her folks, I saw her at her father's. I never

saw her husband. I saw her in Nova Scotia in August, 1860. I have nothing particular to fix this date in my mind. I only remained there a few days, was on a visit too. I think that Rhoda remained there at her father's until her husband came down. When I saw her at this party she was a widow. I did not know Oliver then; I only came to know him when he came there with her a year after. I was living at the same place. Her child was then in Salem. I first saw this child after she was married to Oliver. The child was about two years old when I saw it. She was living in Lawrence when I saw the child; she and Oliver had been married about two months then. Oliver and Rhoda Selina Haws were married in November 24th, 1864. I remember this because it was the year before the war closed. I remember the war because my first child was 11 years old the next March. Miss Clark, who is here, was a witness to the marriage. She was about 16 or 17 years of age then; she was living with Mrs. Johnston. When I saw Oliver I recognized him immediately. Mrs. Barker got me to come down. The Mrs. Barker is in court. This was a week before Christmas. She was to pay me for coming down. Mrs. Barker went to see Rhoda and I went with her. I have had some talk with Rhoda about Oliver; she said she was glad to get rid of him. (Mrs. Oliver No. 1 laughs, so does the prisoner, and every one else.) Rhoda said they had parted 3 or 4 years ago. She said nothing about their coming to an understanding before separating. She told me that he had been finding fault with her—finding fault with her account of unfaithfulness. She did not tell me anything at all about the complaints he made against her; she was annoyed and cross with her. She said she did not want to see him again. In regard to the second marriage here, she said she felt sorry for the family and for the girl, and she did not want him. I have not seen the second Mrs. Oliver that I know of. I remember distinctly when Rhoda and Oliver were together. Dr. Packard, I remember distinctly that he gave his name as Arthur W. Oliver; and I remembered as distinctly before the magistrate. I think Oliver came from Nova Scotia. At the marriage the minister put the ring on her finger, the minister held Rhoda's hand and Oliver put the ring on her finger. I do not remember that the minister had a white robe on. At that time Oliver had a low, retreating forehead, a dark skin, grayish-blue eyes. He was nearly six feet high, slightly round shoulders, and not what one would call a stout man. He was well dressed. He looked somewhat like he does now, with the difference that he looks older and is scarred up. I cannot see them across the court house. I saw them when here before. He is preserved very well. I saw the learned prosecutor up my way on Saturday last in Somerville.

Re-examined by Mr. Wetmore—I am not sure that Rhoda told me her husband's name was Augustus or Gustavus. She told me her husband was dead. Oliver married his wife on Thanksgiving day. Mrs. Barker promised to pay me \$5 and expenses for coming down. This \$5 was for hiring a woman to keep house for me. Mr. Oliver said to me, when she told me her husband found fault with her, that he struck her and kicked her, too, and that she got along better when he was away; and that he did not provide for her.

MISS SARAH L. CLARKE, of Lawrence, Mass., was sworn and said—Seventeen years ago last November I was residing in High street, Lawrence, with Mrs. Johnston. Mrs. Leighton, the last witness, resided in the same house I did. I have certainly seen the prisoner in the dock before. I knew him as Arthur W. Oliver. I saw him at Mrs. Leighton's in 1864, not long before she was married. I was present at a marriage ceremony between him and Mrs. Haws on November 24, 1864. Mrs. Haws is now in Court. [Indicates Mrs. Haws.] The marriage took place at Mrs. Leighton's and was performed by Dr. Packard.

I remember that part of the ceremony of the ring as the most impressive—"with all my earthly goods I do endow and with this ring I thee wed," and the ring was put on her finger. Oliver said this. I think there was an expression of assent on the part of the parties, but I would not care to state what it was. He said "I, Arthur W. Oliver, take you (mentioning her name) to be my wedded wife," &c. He repeated this rather loudly. Mrs. Haws, said something like the too—"I Rhoda Selina Haws do take thee, Arthur W. Oliver, to be my wedded husband," &c. After this Dr. Packard pronounced them man and wife.

Cross-examined by Mr. Gregory—I was sixteen years of age when this took place, and had seen the parties a short time before, about two weeks. I lived in the house and was asked to see the ceremony by Mrs. Leighton. I have been living ever since with Mrs. Johnston; she is my cousin. Dr. Packard was a tall, gray haired, reverent looking gentleman, with glasses, a gentleman full of respect. I could not say that his complexion was very light or dark; he was gray. Oliver's appearance was not very pleasing. I cannot attempt to describe him. I think he had a moustache; I would not like to say how tall he was. While he stayed in Lawrence, about two months, I saw him occasionally; I have not seen him since until I saw him here—in this prisoner's box. I recollect the time because it was Thanksgiving Day—quite a day with us—and it makes an impression on the youthful mind. I was 16 then; I remember the year because it was before the war closed, and I took quite an interest in it and events transpiring then. I know that it was the 24th of Nov., 1864, because the people have spoke of it. I could have told the year at any time, because we had just moved into that place. I am quite confident of this. I belong to no church; I attend the Universalist Church. I was not attending the church then. I am a singer in that church choir. I would sing in any other church choir that was more remunerative. I went occasionally to Dr. Packard's church. I remember distinctly that Oliver said he would take Rhoda for his wife; she also said she would take him for her husband. It was not put in the form of a question to which they assented, but they repeated it after the doctor. I know Dr. Packard very well. I saw your learned friend in Lawrence on Friday last.

Re-examined by Mr. Wetmore—I do not recollect that Mary Hamilton was present at the marriage.

MARY A. DAMON,

of Lynn, Mass., who was one of the witnesses at the preliminary examination, was sworn, and said: I recognize the prisoner. I first saw him at my residence, in Lynn, 22 Jackson street. In April, 1876, he hired a house from me. I afterwards saw him in this house. He had a wife and three children. He lived there for 5 months; I see his wife in court now. [Indicates Mrs. Rhoda S. Oliver.] He then moved into a house of his own in Old Chatham street. They moved into their home in September, and he left in April, two years after. Mrs. R. S. Oliver lives in Lynn still, with two children, a boy of 14 and a girl of 7. One died after Oliver went away. One is named Ernest; the other Helen Oliver; Blanche is deceased.

Cross-examined by Mr. Gregory—I have talked but very little with Mrs. Oliver about her husband. She did not tell me that he had found fault with her. She told me that she had not enough to eat, and that he had been unkind to her. Before this I came down at the instance of a Mrs. Hamm; Mrs. Oliver was with her. I did not see Mr. or Mrs. Barker until I had been in court. I have seen and talked with Mrs. Oliver No. 2; I saw your learned friend up my way on Friday last at my place.

The way Mrs. Hamm and I understood it, that it came down would see this girl's reputation, and all this trouble. Mrs. Hamm told me this. I do not know who told her. I thought nothing about this prosecution; I knew I would have to give my evidence. I did not discuss with Mrs. Oliver No. 2 my evidence. I did not tell Mrs. Oliver No. 2 that I felt for her, because I had myself married a man who was already married. I told her that I was charged with being married twice, but it was some of Oliver's getting up told her that I had been deceived in a man, but not that I had married him, or that my case was like hers at all. He had another wife, but I did not marry him or go through any form of marriage. I have never been married but once. I was married 28 years ago the first of last January.

The Rev. W. J. Mowatt, of St. Paul's Presbyterian church, Fredericton, was sworn and testified to having married Arthur W. Oliver and Lily Gertrude Barker on the 23rd day of November, 1861. They were married by license [license produced, identified by witness and offered in evidence by Mr. Wetmore who read it.] A Mrs. T. A. Barker and Mrs. Piche were present at this marriage. The same certificates were made out and one given to Oliver and one to his wife, and one given to the Clerk of the Peace.

Jacob L. Barker, the father of Lily Gertrude Oliver, was sworn—I am the prosecutor in this matter. Lily Gertrude Barker is my daughter; she is about 22 years of age.

Cross-examined by Mr. Gregory—Mrs. Piche was the wife of an American boarding at my place. Oliver also boarded at my place last fall; my daughter was at home, but not continuously; she was teaching school at Stanley, came home on Saturday, and went up on Sunday.

John B. Gieves, of the Waverly Hotel, Regent street, was sworn, and gave very much the same evidence that he did in the preliminary examination—that Oliver and Miss Barker came to his boarding house on the evening of the 23rd November last, where they lived with the exception of a day or two in St. John, as a man and wife, until the time of his arrest.

When Mr. Gieves' evidence was concluded, a halt ensued for some paper Mr. Wetmore had sent for, to be used in Rev. Mr. Dimock's examination. When that gentlemen stood aside for a moment, Mr. Wetmore called for Mrs. Thomas Barker, who had gone home. He sent a constable, who returned very shortly to say that Mrs. Barker would not come unless a conveyance was sent for her, as it was snowing. Mr. Wetmore said if he sent a conveyance for her she would find it a rough one, and she could be her head that he would bring her, but not continuously; she was teaching school at Stanley, came home on Saturday, and went up on Sunday.

Mr. Gregory held the names of the witnesses were signed "Mrs. T. A. Barker" and "Mrs. Piche," which were no names. Mr. Wetmore thought that it did not make much difference.

The certificate was read and Mr. Gregory's objection noted.

Mr. Wetmore then called for Mrs. Thomas A. Barker, but she had not had much effect. A constable, it was found, had gone for her, and the court waited, as Mr. Wetmore was desirous of having her on this evening. Then they gave her up after waiting ten minutes.

Mr. Wetmore said he would offer the General Statutes of Massachusetts, certified to by the Secretary of the Commonwealth and under its seal, under Chapter 46 Section 12, of the Consolidated Statutes; the Acts of 56, 19th Victoria, Chap. 41, Sec. 5, p. 112; and 21st Vic. Chap. 3, Sec. 4, Acts of 38, p. 14. These he read, and said they had a bearing on state or other papers produced in British Courts issued in foreign countries. The Statutes of Massachusetts submitted had a bearing on solemnization of his marriage.

Mr. Gregory asked for adjournment until to-morrow morning to consider the case, but Mrs. Thos. A. Barker happening along about this time, Mr. Wetmore put her on the stand. She was a witness to the marriage of Arthur W. Oliver and Lily Gertrude Barker, and gave much the same testimony as she did at the examination.

THE THIRD DAY'S PROCEEDINGS—THE CONCLUSION OF THE BIGAMY TRIAL.

The Bigamy Case was continued in the County Court, Judge Steadman presiding, on Thursday morning at 10 o'clock, when argument was resumed on the admission in evidence of the General Statutes of the Commonwealth of Massachusetts, submitted by Mr. Wetmore the evening before.

Mr. Gregory, in opening, contended that these Statutes of Massachusetts were not admissible in evidence, as the section under which they were submitted by Mr. Wetmore

only makes them admissible where the original of them could be received. This certified copy would be admissible were the original of it admissible, and he claimed that the original was not Mr. Gregory then went on to contend that the written law of a foreign country—such as these Statutes—must be proved by competent and skilled witnesses. He cited Taylor on evidence p. 1195 to 1198 in support of his proposition that the laws of a foreign country must be proved as facts, and by the testimony of experts or officials of such State or foreign country. For instance if a British Court of Justice wanted information upon a certain French law they should not go through the Code Napoleon for themselves, but ought to obtain a skilled official or expert to explain the law to them in its legal aspects. Such a witness may be allowed to refresh his mind on the subject while on the stand by reference to the Statutes, but the Statutes themselves are not legal evidence. He also cited Roscoe's Criminal Evidence, page 304, which sets out that in proving a marriage, the laws of a foreign country must be proved by an expert. After reading further from the authorities he said common sense and dealings between man and man, should make the state of affairs be contented for right and proper. Here the Statutes of Massachusetts of 1859 were admitted, fully certified; but if there was a witness here on the stand, he could have the opportunity of cross-examining the witness on doubtful points of wording and construction, which could not be done in the manner the prosecution wished to prove these written laws of the State of Massachusetts. Mr. Gregory then cited 22 Law Journals, Magistrate's Cases, p. 19, the case of the Queen against Dalton.

Mr. Wetmore said that the case made out by Mr. Gregory was ingenious, and his Honor said he thought that the Statutes submitted were admissible, but he would not give a decided opinion on the point raised by Mr. Gregory just now.

Mr. Wetmore claimed that the original document could be put in evidence here, and then went on and cited section 14 of the Consolidated Statutes compiled from the old Provincial Statutes of 1859, and concluded that they rendered the evidence offered by him admissible.

His Honor said he was of the same mind as set forth in the authority cited by Mr. Wetmore. He would admit the statutes, and would hear Mr. Gregory on reserving a case before they closed.

Mr. Wetmore then read the law of marriage as set out in these Statutes, page 528, of the Commonwealth of Massachusetts.

Mrs. Thomas A. Barker was then cross-examined by Mr. Gregory. She had been present at a conversation between Mrs. Damon and Lily G. Oliver.

Mr. Gregory—Did she tell Lily G. Oliver that she (Mrs. Damon) had married a man who was already married; that she had been fooled, badly fooled; and that she had lived with him and his sister, who had said nothing, and had never discovered the fact until the first wife came with a child in her arms and claimed him; and that then she left him; and in the sight of God she considered that she had only one husband?

Mr. Wetmore—I object. (To witness.) Don't answer till the Judge tells you.

His Honor—I cannot see that this has anything to do with this case, Mr. Gregory.

Mr. Gregory contended that he had a right, as this would be in contradiction of Mrs. Damon's testimony and would affect her credibility.

His Honor—I disallow the question. I do not think the question would affect the witness' credibility.

Mr. Wetmore—This closes the case for the Crown.

Mr. Gregory—I will call no witnesses.

Mr. Wetmore's Address.

Mr. Wetmore then summed up the case for the Crown. The evidence, he thought, was sufficient and abundantly clear. He spoke of the difficulties of proof met with in bigamy cases. The Crown has established that there was a legal, valid marriage between Oliver and Mrs. Haws in 1864. More proof was needed in this criminal case than was necessary for the proof of marriage in a civil suit, and witnesses had to be put on the stand to prove this marriage contract. The Crown had shown that both of the parties to this marriage were agreed to it. It has been shown that Mrs. Haws, in widow's weeds a year before she met Oliver, and the Rev. Mr. Dimock has testified that Gustavus Haws and Mrs. Haws lived in Truro as man and wife, and that Gustavus died there.

The Rev. Mr. Dimock identified Mrs. Oliver as Mrs. Haws. It has been shown that she was single, and before competent to marry Arthur W. Oliver in 1864, and that Mrs. Haws and Oliver's marriage was a legal one. Oliver himself sent for Dr. Packard to come to the house and marry them, and he could not afterwards challenge Mr. Wetmore recited the facts of the marriage ceremony given by the witnesses, and said the necessary for the proof of marriage in a civil suit, and witnesses had to be put on the stand to prove this marriage contract. The Crown had shown that both of the parties to this marriage were agreed to it. It has been shown that Mrs. Haws, in widow's weeds a year before she met Oliver, and the Rev. Mr. Dimock has testified that Gustavus Haws and Mrs. Haws lived in Truro as man and wife, and that Gustavus died there.

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POOR DOCUMENT

and that in 1876 Oliver went to Mrs. Damon and wanted to rent a house from her to live in. To Mrs. Damon he represents that this very lady here in court is his wife, and Mrs. Damon repeatedly saw them in Lynn in the house living as man and wife. They could have no doubt, he thought, but what they believed that they were lawfully married when the ceremony was performed by Rev. Dr. Packard, and when they appear in Lynn they have children, who bear the name of Oliver. The Statutes of Massachusetts relating to marriage lay down no form of marriage ceremony; they provide who shall marry—justices of the peace, and, in certain circumstances, and ministers of the gospel, and set out that a marriage ceremony performed by any one professing to be a minister is a valid one. He thought that they had proven satisfactorily that they were married according to the Statutes of Massachusetts, and had established the identity of the parties to this marriage. Then there was the second marriage. This is proven indisputably by Rev. Mr. Mowatt, who married them, and who identified both the parties; and by Mrs. Thos. Barker and by Rev. Mr. Mowatt and John Grievess who have established the identity of the parties to this second marriage, and by Mrs. Grievess also that they lived as husband and wife. Mr. J. L. Barker proves that Lily G. Barker was his daughter, and was a single woman until she married Oliver, and the misfortune is gentlemen, she is a single woman yet. They had proved that Mrs. Oliver No. 1 was alive; here she was in court; and her identity as the woman who married Oliver and with whom Oliver had lived, was shown. The identity of Oliver had been distinctly shown. The credibility of the witnesses was then touched upon, and their disinterestedness in coming down here from the United States. The fact that they came here, said the learned counsel, without being compelled to do so, that they were people who were willing to help in the preservation of law and justice in communities other than their own. There was nothing in the facts of their coming down here to give evidence, or in the evidence they gave, which showed that they were suborned or perjured witnesses. You have nothing at all to do with the question whether or not Miss Lily Gertrude Barker wants this trial to go on. You are not called together for the purpose of vindicating Miss Barker's character; you are here to look out for the vindication of the laws of this country, and the punishment of this prisoner in the dock for a violation of them by him. He did not wish to be understood as saying anything harsh about Miss Barker; on the contrary, he sincerely pitied her in her present unfortunate position. She has been wronged, and brutally deceived by this man, but she is not the only person. There are her parents, the happy home desolated, and the prospects of a once happy daughter that have been marred and ruined by this wretch who sits in the dock; and you, gentlemen, as the contractors of the law of this country, are called upon to stamp out this violation of the law. We have also proved that the marriage ceremony was celebrated according to a form of the country in which it took place, and the difference of the two witnesses in regard to the Christian name of Mr. Haws is a matter for your consideration.

Mr. Gregory's Address.
Mr. Gregory then rose to address the jury in behalf of the prisoner. He said that his learned friend had rightly stated the points to be proved in order to establish a bigamy, and rehearsed them; and he says that he has established the legality of the first marriage. He then drew the attention of the jury to the fact that it was a settled principle of the law that the case of the prosecution should be made out so that there is no reasonable doubt in the minds of the jury, and if such does exist, then the prisoner should have the benefit of the doubt. It appears, he said, that Oliver's first wife was married to a Mr. Haws before she married Oliver, and the prosecution claims that they have shown that this Mr. Haws died. They have shown by the Rev. Mr. Dimock that the reputed husband of Mrs. Haws died in Truro; but they do not show that they were married; they bring no witnesses who saw them married. Mrs. Haws, it appears left this husband Haws, and went down home to Nova Scotia, ostensibly on a visit. It was necessary to prove Haws' death before the fact that a valid marriage had been contracted between Mrs. Haws and the prisoner. Unless Augustus and Gustavus Haws were one and the same person, or that it is shown that he was known by both names, Mrs. Oliver here is still Mrs. Haws or Miss Hamilton. You, gentlemen, must weigh this evidence and criticize it. You must not be overcome by the impression of guilt which seems to have got abroad, or be influenced by any impressions you may have received from reading the papers. That is not according to your oath, and the liberty of this prisoner here is at stake. The Rev. Mr. Dimock had not shown that the man Miss Hamilton had married was dead; and that being the case, the fair presumption is that he is still alive; and therefore her marriage with Oliver in 1864 was not a good one. Mr. Gregory then sifted the evidence given in connection with this first marriage of Oliver, and said that while it would be sufficient proof of marriage in ordinary life, the evidence of these witnesses could not be accepted in a criminal case like this. The prosecution submits two witnesses of this marriage, and claims that their evidence is good. He (Mr. G.) held differently. One of these witnesses was a Universalist, and the other was an Orthodox Congregationalist, and what did they know about the Church of England marriage service? He reviewed what they had said in regard to the mode and form of the marriage, as given in court, and their descriptions of Dr. Packard's personal appearance were touched upon. They say, went on Mr. Gregory, that Dr. Packard was an Episcopalian. Now, Episcopal ministers never perform the marriage ceremony without putting on their robes or vestments, and the form of ceremony therein set down. They perform no ceremony without a surplice, and, he thought, never at a house, but always in church. The account of these two ladies did not mention this, nor give the salient points of the ceremony that would have struck them had an Episcopal minister married them, particularly in the case of Miss Clark,

who was young then, and said it was the first marriage she had ever seen. There is also a lack of testimony to show that Dr. Packard was a minister ordained according to the Statutes of the State. If Oliver practiced deception, it was upon the first woman, and there is no presumption that because Dr. Packard had been officiating in Grace Church, that he was a minister of the Episcopal Church. These witnesses could say nothing about this, as they did not belong to the Church; they could only give hearsay. There is no proof of Dr. Packard's residence in Lawrence, although there is that he officiated in Grace Church in that town; but there is a difference between where a man lives and where he officiates in a church. If any people ever acted or appeared as if they were not married, surely Mr. and Mrs. Oliver No. 1 did. Does it not look so when Mrs. Oliver here says that she does not want him, and does it not look so in the face of the fact that they separated so easily? True, some of the witnesses here tried to lay aspersions upon the prisoner Oliver, and say that he found fault with her, but there is nothing here to show but what he had cause to find fault with her. We cannot show that he had a case. The first child which was born to her was Mrs. Haws. The Rev. Mr. Dimock says nothing about having seen this child when she was in Nova Scotia in 1861, and a period elapsed of nearly two and a half years before the next child was born. The Rev. Mr. Dimock was with Haws when he died, and had attended the family as a minister, and yet he did not remember having seen the child. Mrs. Haws was left a widow, alone and in trouble, and from his position as a minister the Rev. Mr. Dimock must have felt a sympathy for her in her bereavement, and being attendant on the family as a minister, and having his attention and sympathy thus attracted, he was surely in a position to know if there was such a child. He makes no mention of it, and three and a half years after, when she marries Oliver, she is still separated from this child; and when it does turn up some time afterwards, with the name of Haws (and the name of Haws is easy to get), Mrs. Leighton says that it was about two years of age. He would call the attention of the jury to this circumstance; to the fact that she had left her first husband Haws, and had gone down on a visit to her people in Nova Scotia, an exhibition of indifference on her part; and to the appearance of this child bearing the name of Haws some time after Oliver's death. The question is, May not Haws and this woman have lived temporarily together and then separated merely as a matter of mutual convenience? And is it not natural, in view of their having separated that some one of them should think that he or she was the aggrieved party? Their actions while living together show as much one way as another, and perhaps more so. These were the general points he had to present and he would now turn his attention to some points raised by the learned counsel for the prosecution. The marriage here is to be strictly proved. If the first marriage is invalid, then Lily Gertrude Barker is Mrs. Oliver. He would not dispute the second marriage in Frederickton, but he would state as an exception to it that the law of this country requires a credible witness to this second marriage. The certificate here in court are "Mrs. Picheur" and Mrs. Thomas A. Barker. These were held to be not names. It has transpired since in court who this Mrs. Thos. A. Barker was, but there is nothing but presumption as to who Mrs. Picheur is. We are told that she is the wife of an American staying in this town; these facts may be of use to a detective or a person seeking to establish her identity, but do not show that she is a credible witness. If the marriage is not strictly proven you can say that the prisoner is guilty of bigamy. In proving it, it must be first proved that Mrs. Oliver's first husband, Haws, is dead, and it must be proved that she was legally married to Oliver in the State of Massachusetts in 1864. The laws of the State of Massachusetts for two are produced and put in evidence, but there is nothing put in to show the state of the law on matrimony in that State in 1864 and there may have been some amendments to the laws in the interim. The learned counsel for the prosecution has observed, and truly enough, that there is an offence against the public morals and an offence against the young lady; but the public is indifferent as to which of the two marriages is not binding, or if the last one is binding in the event of the first one having been bad. It appears that Mrs. Oliver No. 1 does not want Arthur W. Oliver and that Mrs. Oliver No. 2 does want him, and has formed an attachment for him. This is obvious in the last case. Mrs. Oliver No. 2 does not thank these people for coming down here and making all this trouble, as she has the natural sympathy of the law for a husband and does not believe that the first marriage was good. Any verdict that you may give will not restore Mrs. Oliver No. 2 to her former position or do Mrs. Oliver No. 1 any good. It is true that there is an offence against the law and the public morals, and so far as the effect upon public morals and the parents of Miss Barker is concerned, this unfortunate affair is very much to be deplored. But the question is, which of these two marriages is good? and if the balance of evidence appears in favor of this prisoner in the dock, the great loss to Mrs. Oliver No. 2, which the learned counsel for the prosecution has spoken of, will be averted. There will remain, of course, the feelings of the parents, Mr. and Mrs. Barker, against this man Oliver, which may be natural enough, and which perhaps have laid at the root and bottom of all this matter all along. In concluding Mr. Gregory asked the jury to consider the matter carefully, to not let any impressions they might have received weigh with them, but to examine the evidence bearing on the case critically and with care.

His Honor's Charge.
The Court met again at 2 o'clock, when Judge Steadman delivered his charge. He said:
Gentlemen of the Jury—
The prisoner, Arthur W. Oliver, stands before you charged with the crime of bigamy—that is, that on the 24th day of November,

1864, he married one Rhoda S. Haws in Lawrence, Mass., and that on the 23rd of November last he married in Frederickton one Lily Gertrude Barker, while his first wife was still living. It will be necessary for you to be satisfied that the first marriage was contracted according to the laws of the State of Massachusetts, and also as to his identity—that he is the man who married Rhoda S. Haws in 1864—and that he married Lily Gertrude Barker in Frederickton. His Honor said he thought that it was due to Mrs. Oliver No. 1 (who was present, having come down from the United States), on account of what had been said here, for him to say in regard to the child that had been mentioned, that it appears that this child is the lawful issue of her and Mr. Haws, and that the inferences to be drawn from the conduct of the prisoner were that she was a true wife and a pure woman. The evidence goes to show that Arthur W. Oliver married her and then left her, after having lived with her for nearly 14 years. He married the children with her, and he—a married man and a husband—would never have done this had he not felt sure that she was a good, pure woman. The inferences to be drawn from the prisoner's conduct are all in favor of Mrs. Oliver. For what cause Arthur W. Oliver left his first wife is a matter of no consequence here, you could not consider it even if there was a cause; and you must dismiss it from your minds entirely in considering the evidence. Whether or not he would care to live with him again, or whether or not Lily G. Barker cares to live with him, are matters of no consequence in this case. All this must be dismissed from your minds, and you must take the charge and judge of it by the evidence bearing on it. His Honor then commenced reading the evidence from his notes. The testimony of the Rev. Mr. Dimock, he said, was given to show that the first husband of Mrs. Arthur W. Oliver, Mr. Haws, was dead, and if there was anything in the point raised by the defence that she leaves shortly for New Haven, Conn., and that she has already procured her ticket for the trip.

A Bold Robbery.—Last night, shortly after eleven o'clock, some person deliberately entered the front door of the Brayley House, wrenched off the post office box and carried it away. Mr. Phillips, the proprietor, who was in the office and heard the noise, but thought it was caused by some one closing the door. The robbery would have been very successfully carried out if Mr. B. Coulthard had not left the house to post a letter in the box at half-past eleven. As he came out of his door he met a man who had a box under his arm, who seemed somewhat alarmed, and at once began to enquire for the residence of Mr. George Lugin, who lived in that neighborhood two years ago. Mr. Coulthard said he did not know the man, but that he had been up to some mischief, and on reaching the hotel and finding the box gone, knew he had encountered the thief. He gave the alarm at once and was joined by Messrs. McClelland, McCredie, Neales and Belyea, who set out at once. Messrs. McClelland, Belyea and Coulthard, encountered the guilty party on King street, near P. McGill's. He proved to be Charles Orr, a dealer in fish, and he had been given him by some one else, that he supposed he would be sent up for it, out that he would not "squeal." He was not detained by the police, who took him to the Police Office. Word was sent to Mr. McClelland, Postmaster, who went to the Police Magistrate's house and made a complaint, and a warrant was at once issued for Orr's arrest. Orr was arrested this morning and his examination proceeded with.

YORK COUNTY AGRICULTURAL SOCIETY.—The annual meeting of York County Agricultural Society was held Thursday afternoon at 3 o'clock in the Temperance Hall, York street, the president, John H. Reid, in the chair. It was resolved that the Executive Committee take such steps as may be necessary to establish a factory in this city, and that the same committee be empowered to make all arrangements for an importation of stock during the coming summer. It was also resolved that the Executive Committee be empowered to make all necessary arrangements for the holding of an Agricultural and Mechanical Exhibition in the Fall of 1882, and to provide suitable sports on the track. A resolution directing the President and Secretary to call on His Honor the Mayor, Governor and request him to become Patron of the Society, was also adopted. The following officers were elected—John H. Reid, President; John Pickard, M. P., Vice-President; John Richards, Secretary-Treasurer; Arthur Limerick, Boies Clements, and Joseph Phillips, Executive Committee; John Edgewood, William Wheeler, and William J. Edgcombe, Audit Committee. Adjourned sine die.

CHURCH FESTIVAL.—The annual festival of the congregation of the Free Baptist church, Rev. J. McLeod, pastor, will be held on Monday evening next, in the vestry of the church. All who wish to spend a pleasant and sociable evening should attend. We have no doubt Rev. Mr. McLeod will be cheered not only by seeing so many old true and tried friends about him, but also by receiving many substantial tokens of their friendship.

L. O. L. ELECTION.—Springfield Lodge, No. 41, has elected the following officers for the ensuing term—James H. McLean, W. M.; Thomas Prescott, D. M.; George Howard, Chaplain; Henry Prescott, Secretary; Alexander Love, D. S.; Charles Hervey, F. C.; Wesley Tucker, 2nd do.; Benjamin Howell, 3rd do.; Alexander McLaughlin, 4th do.; Whitfield Prescott, 5th do.

SHOES ACQUIRED.—A boy named Kitchen, son of George Kitchen, railway contractor, was kicked in the side by a horse, Thursday afternoon. Drs. Atherton and Curtis attended to his injuries. He is not expected to recover.

ACCIDENT.—Dr. Coburn's eight year old daughter had one of her thigh bones broken on Saturday last at Macataquack. The bone was set by Drs. Coburn and Coulthard.

Arthur W. Oliver and his first wife.

Mrs. Rhoda Selina Oliver, the first wife of Arthur W. Oliver, says she knows but little about Oliver's past history. He is a native of Lower Granville, Annapolis county, Nova Scotia, and will be forty-three years of age on the twenty-ninth day of May next. Oliver had only been a few months in Salem when she met him. He had a sister living there and Oliver and his first wife boarded with her for a short time after their marriage. Oliver also had a brother there and he is still there. Six children were the issue of the marriage of A. W. Oliver and Rhoda Selina Haws, four of whom are dead, one having died after Oliver deserted her. Rhoda Selina Oliver was born in Brookfield, Nova Scotia, about eight miles from Truro. Her maiden name was Hamilton, and she was a daughter of Archibald Hamilton of Brookfield. She left home when quite young, and went to Salem, and while in Salem she met Haws, to whom she was married on July 8th, 1861. They went to Truro, Nova Scotia, in September, where Haws died on the 18th of May, 1861. While resident in Truro they occupied Judson Walker's house. One William Barrill lived in the same house. Haws, when he was alive, was a shoemaker by trade, and worked with Mr. Keefer, more recently at the Truro Boot and Shoe Factory. Mrs. Haws then went to Brookfield, where she resided with her parents until October 1862, when she went again to the States. She met Oliver in 1863, and was married to him on the 24th day of November, 1864. Oliver, as mentioned above, has a brother living in Salem, Mass., and since his arrest for bigamy, and while his examination has been going on, he has written to this brother asking him to intercede with his wife, and to ask her if she would not "sign off." This is what Mrs. Rhoda Selina Haws says.

Lily Gertrude Oliver, his second wife, is still in the city, but there is a rumor current to this brother asking him to intercede with his wife, and to ask her if she would not "sign off." This is what Mrs. Rhoda Selina Haws says. Lily Gertrude Oliver, his second wife, is still in the city, but there is a rumor current to this brother asking him to intercede with his wife, and to ask her if she would not "sign off." This is what Mrs. Rhoda Selina Haws says.

WOODSTOCK WATER SUPPLY.
(Special to THE HERALD.)
WOODSTOCK, Jan. 13.
A mass meeting was held in the Town Hall last evening to discuss the question of water works. Mayor Jones occupied the chair and James Watts acted as Secretary. William M. Connel was a lengthy speaker in favor of the town being supplied with water by some efficient system. He quoted largely from George E. Fenner's pamphlet and instanced the water works of several towns, in estimating the expense of a supply for Woodstock, ample enough to afford the necessary protection against fire. The following officers were elected—John H. Lindsay, M. L. C., followed with a long speech, in which he opposed most vigorously and in unmeasured terms the introduction of water into the town. Branching off from this he paid a glowing tribute to that venerable and moribund institution, the Legislative Council, and then came down upon the banks with undiminished vigor. This brought James Forgan, manager of the Bank of Nova Scotia here, to his feet, who replied very effectively to the belligerent M. L. C. Mayor Jones, James Watts, Samuel Watts, and William Drysdale then addressed the meeting. Their speeches were favorable to the introduction of a good water supply. They thought that steps should be taken to procure all the information possible upon the subject before adopting any scheme, and that it would also be desirable to secure the legislation necessary to enable the wishes of the citizens to be carried out. These ideas were adopted by the meeting in the form of a resolution asking the Town Council to take the matter in hand.

The community, as a whole, are in favor of an efficient water supply, and will, no doubt, soon find the means of providing one.

The P. E. I. Bank.
(Special to THE HERALD.)
CHARLOTTETOWN, Jan. 13.
The meeting of the Bank of P. E. Island, held on Thursday, was not very satisfactory. Hon. John Longworth presided. The Directors submitted a report, which admitted a loss of \$300,000, and suggested the appointment of a committee to investigate the affairs of the Bank and formulate a scheme to meet the emergency. The liabilities of the Bank at the present time are—Capital, \$120,000; notes in circulation, \$254,000; due depositors, \$465,000; due other banks, \$213,000; surplus, \$48,000. Total, \$1,108,000. The total assets of the Bank are, according to the books, \$1,100,000, of which \$11,000 only is in cash.

TELEGRAPHIC.

To-Day's Despatches.

Robbery in St. John

(Special to THE HERALD.)
ST. JOHN, N. B., Jan. 14.
Last night thieves entered the hat and cap store of Messrs. Magee & Co., King street, by a back window, and stole \$100 worth of seal skin caps.

Triple Hanging.

(Special to THE HERALD.)
WESTWORTH, N. C., Jan. 14.
A triple execution of two men and one woman was witnessed here to day by an immense multitude. The malefactors were the murderers of Nash Carter, colored. Their names were Jo. Hay, Eldridge Scales and Matilda Carter—all colored. The latter was the wife of the murdered man.

Railroad Disaster.

(Special to THE HERALD.)
NEW YORK, Jan. 13.
The Chicago express train leaving Albany at 2.40 this afternoon, with many members of the Legislature on board, was run into by the Tarrytown special train, about one quarter of a mile east of Spuyten-Duyvil, at the junction with the Harlem main line. The two rear cars, Wagner's drawing-room cars of the Chicago express, telescoped and set on fire. It is reported that seven bodies were taken from the wreck. Senator Wagner, it is feared, is burned. Every available ambulance was sent to the scene of the accident from Bellevue, 29th Street and New York hospitals. It is reported that Mr. Spinyee, of the New York Times, is killed.

London, Jan. 13.

Boyd has commenced training for the race with Hanlan. He shows wonderful improvement in form.

The Sultan Aroused.

(Special to THE HERALD.)
CONSTANTINOPLE, Jan. 13.
A protracted meeting of the Calvinists has been held, and it is believed that the Sultan will address a protest to the powers in reference to the Anglo-French management of Egypt. The Sultan is jealous of his prerogative being interfered with.

A Cool Suggestion.

(Special to THE HERALD.)
MADRID, Jan. 13.
El Libertador publishes a letter from Francis of Bourbon, cousin to King Alfonso, suggesting that England should cede Gibraltar to the Pope if she declines to restore that city to Spain.

MARRIAGES.

At the residence of the bride, on the 6th inst., by the Rev. W. Harrison, Mr. John Cooper, of Tasquetown, to Miss Ellen A. McLean, of French Lake, Simsbury County.

DEATHS.

At the residence of her son, James McNulty, near St. Thomas' church, Staff Lake Settlement, parish of Canterbury, N. B., on the 26th ult., Mrs. Margaret, relict of the late John McNulty, a native of Donegal, Ireland, aged 72 years, leaving one son, three daughters, and a large circle of relatives and friends to mourn their loss.

THE COUNTY MARKET.

The principal feature of the Phoenix Square Market during the past week was hay and cowdung. The latter lowered somewhat in price this week.

The following were the prices ruling in the Country Market during the past week and on Saturday:

| | |
|------------------------|------------------|
| Beef, per lb. | \$0 04 to \$0 06 |
| Lamb, " | " 05 " 06 |
| Alton, per lb. | " 05 " 06 |
| Turkeys, per lb. | " 08 " 11 |
| Chickens, per pair. | " 30 " 40 |
| Geese, each. | " 40 " 45 |
| Partridges, per pair. | " 25 " 30 |
| Duck, per pair. | " 35 " 45 |
| Butter, roll, per lb. | " 17 " 19 |
| Butter, Irish, per lb. | " 11 " 18 |
| Lard, per lb. | " 12 " 14 |
| Eggs, per doz. | " 20 " 22 |
| Potatoes, per bushel. | " 1 15 " 20 |
| Carrots, per bushel. | " 0 75 " 80 |
| Onion, per bushel. | " 0 48 " 50 |
| Hay, per ton. | " 8 00 " 11 00 |
| Straw, per ton. | " 4 00 " 6 00 |
| Wheat, per bushel. | " 1 15 " 2 00 |
| Barley, per bushel. | " 0 60 " 0 68 |
| Hans, per lb. | " 10 " 11 |
| Shoulders, per lb. | " 10 " 11 |
| Socks, per pair. | " 30 " 35 |
| Hides, per lb. | " 0 07 " 0 08 |
| Sausages, per lb. | " 12 " 13 |
| Cheese, per lb. | " 10 " 12 |

NEW ADVERTISEMENTS.

Farm for Sale.
THE subscriber offers for sale a valuable Farm, which are under cultivation. There are two new buildings on the place. The land will be sold in block or in lots to suit purchasers.

For particulars enquire of HENRY GILL, GEORGE A. PERLEY, Second Railway Crossing, Gibsons, Jan. 14, 1882.

POOR DOCUMENT

THE GUTEAU CASE.

THE CASE OF THE DEFENCE IN THE GUTEAU TRIAL CLOSED—LAW POINTS OF THE PROSECUTION SUBMITTED—AN ADJOURNMENT TAKEN TILL SATURDAY.

WASHINGTON, D. C., Jan. 4, 1882.—The last syllable of testimony in the case of the United States against Guiteau has been given. Nothing now remains to be done save to sum it all up. This the lawyers and judge will do so speedily that it is believed the jury will be considering the case one week from today. The belief that their conclusion will be quickly reached, and that it will be favorable to the accused, grows stronger every hour. The evidence adduced by the prosecution is overwhelming, and no man who has listened to it can resist the conclusion that the assassin is, according to the standard of insanity established by it, sane and responsible. This standard of responsibility, the good old "right and wrong" test, is the basis of the prayers for instruction submitted today by the prosecution. Substantially, they ask the court to instruct the jury that, if the accused was capable on the 2nd of July of distinguishing between right and wrong he was sane and must be so regarded. The only hope of the defence seems to be in the adoption by the court in its instructions to the jury, in lieu of the instructions asked for by the prosecution, of a modern rule, to the effect that the right and wrong test is not inflexible, and that if, from all the evidence, there is a reasonable doubt as to the sanity of the prisoner, they must return a verdict of acquittal. It is believed that the court will adhere to the old rule. Should he do so there can be little doubt that the verdict will be guilty. There are some lawyers who think that Guiteau has one other chance. They believe that the criminal court of the district has no

JURISDICTION OVER A MURDERER whose victim does not die in the district, and they think Mr. Reed may be able to establish this doctrine as that of the law. Of course, if the point should be found to be well taken, Guiteau would have to be tried de novo in New Jersey; but it is not believed that it will be. Had Judge Cox believed that he had no jurisdiction over the case he would not, it is believed, have permitted it to be tried before him. It is known that some time before the trial began he approved of the conclusions reached by Assistant District Attorney Perry, to the effect that the district courts had no jurisdiction in such a case, but it is understood that, on a further examination of the authorities, he changed his mind. Dist. Atty. Corhill has consulted Judge Cox at every step in the case, before and during the trial, and is believed that the instructions asked for in the prayers of the defence, to whose preparations they will devote to-morrow and Friday, will be simply the two above indicated, the first instructing the jury that if they have a reasonable doubt of the sanity of the prisoner they must acquit, the second, absolutely directing an acquittal because the court has no jurisdiction over the case. The probability is that both prayers will be denied, and the prayer of the prosecution will be granted. Guiteau's life hangs by a thread, much slenderer than that by which he will doubtless soon be suspended, and it is fast unweaving. Every one but Guiteau realizes it. He seems to be entirely oblivious to the terrors of the situation. If he does realize them he is a better actor of indifference than of insanity. He seemed to-day incarnate impudence. In his own audacious crisp way he talked to 50,000,000 of people.

"ABOUT DIVINE PRESSURE" and divine inspiration, and advised the court at length, threatened to "slap" the mouth of his grand jury who were trying to silence him, called Mr. Scoville a con summate jackass, and went over and over again unwearily all the ground he had travelled so often. He reminded the jury that the American people did not want to see him hanged, that the government experts were paid, while his experts were not, but that he didn't care a snap for either, the only question being whether his free agency was destroyed on the 2nd of July, and assured them that he had perfect confidence in their honor, honesty and ability. Having formally announced that he had promised the marshal that he would not talk to-day and that he intended to keep his promise, he talked every five minutes from 10 to 1, when the court adjourned, just as he began a new sentence. The court room was as warm this morning as it has been cold for a week. The audience, a majority of which was composed of ladies, was larger than usual, and comprised more well-known society people. The well-dressed men and women, who filled all the available sitting and standing room, suffered with heat, and grew weary under the ceaseless outpour from the dock. They left the court room at one o'clock, very generally with a sick headache. The proceedings were very exciting, and the interest in the street was sustained throughout. "Guiteau's defence," said Mr. Davidge to-night very aptly, "is a thing of shreds and patches, filled with holes." After the prosecution had submitted its prayers for instructions, with mutual consent an adjournment until Saturday, to give the defence a chance to prepare its prayers, was had. The rest is very grateful to every one, save the jurors.

The following statement of law points was read by Mr. Davidge: First, the legal test of responsibility, where insanity is set up as a defence for the alleged crime, is whether the accused at the time of committing the act alleged, knew the difference between right and wrong in respect to such act; that is, if he knew what he was doing, and that what he was doing was contrary to the law of the land, HE IS RESPONSIBLE.

Guiteau—I didn't, because my free agency was destroyed.

Second, If the accused knew what he was doing, and that what he was doing was contrary to the law of the land, it constitutes no defence, even if it were true that, when he committed the act, he really believed he was thereby producing a public benefit or carrying out an inspiration of divine origin or approval. Such belief would not afford any excuse, nor would such excuse be afforded by the fact that, in the commission of the act, he was impelled by a depraved moral sense, whether innate or acquired, or by evil passion or indifference to moral obligation.

Guiteau—All of which is false.

Third, Insanity would, however, constitute a defence if, by reason of disease, the accused, at the time of committing the act charged, did not know what he was doing, or, if he did know it, that what he was doing was contrary to law.

Guiteau—I had no choice in the matter.

Fourth—The only evidence in the present case tending to show an irresistible impulse to commit the homicide is the claim of the accused that his free agency was destroyed by his alleged conviction that the death of the President was required for the

GOOD OF THE AMERICAN PEOPLE, and was divinely inspired, but such conviction, even if it really existed, could not afford any excuse, when the party knew what he was doing, and that it was contrary to law. No mere delusion or error of judgment, not even a fixed belief that what is prohibited by the law is commanded or approved by divine authority—Guiteau—God's law is higher than man's law.

—Can exempt the accused from responsibility for breaking the law. To have such an effect, the commission of the act charged must have been the result of an insane delusion, and of such force as to deprive the accused of the degree of reason necessary to distinguish between right and wrong in respect of the act, so that at the time of committing the act he either did not know what he was doing, or, if he did, that the act was wrong, or contrary to the law of the land.

The official reports of the trial, including to-day's proceedings, make 1775 printed pages, and, with the arguments, the full report of the trial will make a volume of about 2,000 pages. The cost to the government for this item alone will be about \$5,000.

PRAYERS OF COUNSEL FOR INSTRUCTIONS TO THE JURY.

WASHINGTON, D. C., Jan. 7.—The crowd at the court house assembled earlier than usual this morning, and grew larger until 10 o'clock, when the doors were opened, and the well-dressed men and women who had stood on the icy steps outside for hours, flocked in. The room was soon filled. The audience was better dressed than the average has been, but comprised fewer well-known people. Abundant space was left in front of the jury for counsel, and the sides were kept free between the counsel tables and the doors. Judge Cox and the assassin arrived almost simultaneously at 10.15. The counsel and the family of the prisoner were already in place. The counsel tables were covered with law books. Charley Reed went to him, seeing that he was more or less excited, and begged him to keep quiet through the day, warning him that he might be excluded if he did not. Guiteau told Reed very hotly that he was present as his own counsel and would talk if he thought best, but that, inasmuch as statements of facts would probably not be made to-day he would promise to keep quiet. He told Reed that he was thoroughly satisfied with him as counsel, that he approved the prayers that he had prepared, and wanted him to confer with him constantly. Judge Cox said that the jury need not remain through the legal argument unless they desired to do so. Judge Porter said they

MIGHT TAKE A RIDE.

Corkhill suggested a walk. Davidge said he would either ride or walk if he were at liberty. The jury said they cared for neither and would remain. Davidge opened the arguments for the prosecution, reading and then elaborating the prayers of the government, which ask the jury to instruct the jury that, if the difference between right and wrong, he was all that time sane and responsible. Davidge, with the prayers in his hand, in low but distinct tones and measured language, said that they consisted: First, of the above definition of sanity; second, of a declaration that, if the prisoner possessed the ability to so distinguish between right and wrong, no belief, no irresistible passion or impulse, no uncontrollable desire, no moral depravity would excuse his act; third, a declaration that the standard of insanity

must be that of the law; fourth, that no delusion, the ability to distinguish between right and wrong being present, would excuse the prisoner. Davidge spoke very simply, but very logically and ably.

Davidge thought the prayers of the defence bearing on the points contained in the prayers of the prosecution ought not to be entertained for a moment. He said that the law drew the line of responsibility for crime so low here that it had been illy denied until the judges of England, in 1843, at the request of the House of Lords, laid down the legal rule defining responsibility. This rule was the

GOOD OLD RIGHT AND WRONG TEST, the rule of common sense. The only possible test of sanity of the degree of intelligence which renders a man responsible for crime was the ability of the subject to distinguish between right and wrong.

Here Guiteau broke in, for the first time, to say: "I don't know the difference between right and wrong. I had no choice; if I had I wouldn't have done it." Commenting on the answers of the English judges to the House of Lords, Davidge said that a man might, under an alleged insane delirium, commit a crime for the public good or in obedience to the supposed command of God. He might be eccentric—he might be even partially insane—and yet if he possessed the power to distinguish between right and wrong he was responsible. Guiteau listened intently to the remarks of Davidge. Again and again, when the legal test of insanity was referred to, he interrupted to say, "I didn't know the difference between right and wrong." Having read the answers of the judges, and called attention to the conformity of the prosecution's prayers, Davidge threw the book containing the answers on the counsel table and said: "For 42 years that rule has obtained in England and America, having been affirmed and reaffirmed by the learned judges of the England could not and can, boast, and adhered to by our own courts without notable exceptions. A man may be eccentric and peculiar, and partially insane, but if he knows the difference between right and wrong, he is legally responsible for the commission of crime." Davidge read American cases, sustaining his status. He read, at great length, the case of Flanagan against the people, recently decided by the court of appeals of New York. In the course of his remarks, he made a terse statement, representing the main feature of the case. He said: "The defence first attempted to prove this man an imbecile. His own testimony

BROKE DOWN AT ONCE THAT THEORY and his whole defence." He dwelt upon the distinction to be drawn between moral insanity and insanity, the disease of the brain affecting the mind, claiming that the former had no place in the law. Having read a case or two, Davidge permitted Judge Porter to relieve him, and the latter read with great impressiveness, in his most tragical manner, Judge Davis' charge to the jury in the Coleman case, delivered during the period of this trial. Its application to the Guiteau case, remarked upon when it was delivered, was brought out by Judge Porter's careful reading. The jury listened with marked attention to Judge Porter, as in measured language and tragical tones, he reviewed the utterances on the legal question involved in this case from the American bench. Scoville protested against Porter's delivering speeches under the guise of reading authority. The charge of Judge Davis was not an authority, and he was tired of interjection by Porter of theatrical speeches in the consideration of legal questions involved. Judge Porter retorted, holding that he had had enough of the farcical interruptions of Scoville and his client, and that he proposed to stand them no longer. If the court did not rebuke Scoville, he would. The opinion rendered by Judge Davis, who had no superior on the American bench, was superior. It appeared but yesterday in the law organ of the Supreme Court of New York. It was authority, it was law, and counsel for prosecution had a right to read it. Scoville had no right to say, as he had done, that Davidge did not need to be relieved, and that he (Porter) had needlessly interjected a speech into the proceedings. Guiteau, who always grows violent under Porter's remarks, promptly rose and talked violently for five or ten minutes. He told the jury that the charge of Judge Davis had no effect upon the jury to whom it was addressed; that, having heard it, they promptly acquitted Mrs. Coleman. Davidge called attention to the fact that this was the man claimed to be insane, and in the first weeks of the trial, even imbecile. He thought the man on trial was not only sane but a lawyer with as keen perception and as

PLAIN APPREHENSION OF LEGAL POSTULATES as any man in the court room. Guiteau made then what was practically a "little speech," in which he said he never was and never had claimed to be insane. All that he claimed was that he had done the deed under a transitory mania under pressure from on high. He was not an imbecile, he was not a fool. The Lord never employed fools to do His work. Scoville was a fool when he sought to establish his imbecility. "I repudiate," he said, "this whole theory. He showed he's a fool. Take no stock in the idea

that I am insane; I am not, and never have been, save while I was under pressure. I am no more insane than you are, Mr. Davidge. I have as good a head as you have or as Mr. Porter has. The question is, Was my free agency destroyed? It was, and the Deity who destroyed it will protect me. He has fixed the laws. The Deity is down on you men of the prosecution. He'll stick to you all your life long in this world and the next."

Davidge read one American case after another, sustaining his position. One was that of a skipper who killed a sailor, and who advanced periodical mania as a defence when tried. Judge Shepley of Maine delivered the charge in this case, which was similar to that of Judge Davis. This charge demolished the irresistible impulse theory. "There's plenty of law on the other side of the issue," said Guiteau. "We'll call your attention to them after awhile. It's all one-sided this morning." All Davidge's cases, he said, were in Federal or New York Courts. The line of precedent from 1843 down in these courts and the courts of England was unbroken, establishing the doctrine that if a man

KNOWS THE DIFFERENCE between right and wrong he is responsible, though he be of little reason, eccentric or partially insane. Davidge referred to the Mormon case decided by the supreme court, wherein the defence that the Mormons practised polygamy in obedience to the inspired word of God, was pronounced no defence. "Yes," said Guiteau, "talk about the Mormons; they are breaking the law every day, and the Government is doing nothing about it." "Yes," said Davidge, impressively, "they are breaking the law every day, just as the law was broken in this case under alleged inspiration, which affords no defence to the criminal. There is no higher law known to the law. A man must obey the law. He cannot, having broken the law, claim exemption from punishment on the ground that he obeyed a 'higher law.' Davidge closed at 12.25 p. m. "Mormonism," said Guiteau after he sat down, "is an institution for private law. The removal of the President was a patriotic act for the good of the American people, and they approved it."

A YEAR OF PORTENTS.

"The year eighteen hundred and eighty one" of which but few hours more remain to be endured, has not realized the mundane grand climacteric which has given perpetual rest to all the rest of Mother Shipton's famous predictions. The world has not yet after all come to an end. Still the year has been one of strange and memorable happenings. It will stand forth in history by reason of the dark portents and events that it has given to the world. The past year has been marked in a peculiar degree by those favorite aids to chronology—comets. Old, familiar and predicted comets and comets absolutely new to the gaze of terrestrial mortals have visited our atmosphere. No less than six of these celestial wonders coincident with the perihelion of the planets have lent unequalled astronomical significance to the year 1881.

The appearance of these solemnizing portents has been attended with all the perturbations of human affairs that were reputed by the traditions of a less advanced age to follow in their trains. The Car of the Russias, who had escaped all previous plots for his destruction, at last met a violent and pitiable death. Stranger by far—an event never before paralleled—the rightful President of the most intelligent of republics fell by the hand of the assassin at a moment of unexampled national prosperity and peace.

The world, during the past year, indeed, has been comparatively free from war and desolating wars, and even from the larger order of famines and epidemics. The warlike operations of the South American republics and the manoeuvres of the European Powers in Africa, threatening as they are, have hardly as yet compelled a universal degree of attention. As much cannot be said of the social distresses and their resultant political disturbances that have convulsed unhappy Ireland. The capital of Austria is still smoking with the ruins of the most appalling and destructive theatre fire on record. The intervening seas have hardly yet subsided from the most impressive exhibition of their might ever encountered in the experience of modern navigation. The year has yielded the fruits, commercial and scientific, of Nordenskjöld's achievement of the Northeast passage, and whatever remains to be gleaned from the heroic efforts of the crew of the *Joanette*. The vast areas of our own country have contributed an unprecedented succession of astounding natural phenomena. Never before have the Upper Missouri River and its confluents known such floods as prevailed last spring, while the forest fires of the recent autumn have exceeded, in destructiveness to human life and comfort if not in extent, any former catastrophe of their kind. While drought of exceptional extent and severity has prevailed in the East many of the Western States have been undergoing almost a second Deluge. Finally the unseasonable mildness of temperature which has characterized the closing weeks of the year may be reckoned by the inhabitants of this latitude as not least among the memorable features of the year 1881.—N. Y. Telegram.

HAY SCALE.
A 3 TON HOW SCALE, newly run, in good order. For sale cheap. Apply at this Office. 1-4-81—1m

FOUND at Gibson a SAFE KEY, which the owner may have by proving property and paying expense. Inquire at the Printing Trade.

BOY WANTED. At THE HERALD Office a smart, intelligent boy of 16 years of age, to learn the Printing Trade.

TO RENT. BLACKSMITH and Carriage Shop in a good location. Rent moderate. Inquire at this Office. 12-28-81

Moccasins and Snowshoes. A LARGE AND VARIED ASSORTMENT. All Sizes, Qualities and Prices, at 1-4-81 LEMONT'S VARIETY STORE.

New Brunswick RAILWAY COMPANY. WINTER ARRANGEMENT.

COMMENCING TUESDAY, January 3rd, 1882. Trains carrying passengers will run as follows:

LEAVE GIBSON, 7.45 A. M., for Woodstock, Grand Falls, Edmundston, Presque Isle and intermediate stations.

LEAVE WOODSTOCK, 11.00 A. M., for Grand Falls, Edmundston, Presque Isle and intermediate stations.

LEAVE WOODSTOCK, 1.10 P. M., for Gibson and intermediate stations.

LEAVE PRESQUE ISLE, 6.30 A. M., for Gibson, Woodstock and intermediate stations.

LEAVE EDMUNDSTON, 10.30 A. M., for Grand Falls, Presque Isle, Woodstock, Gibson and intermediate stations.

Passengers for St. Leonard and Edmundston arrive at Grand Falls 5.00 P. M., where they remain until 6.30 A. M., next day, at which time trains leave for these points.

Passengers from St. Leonard, Edmundston and Grand Falls for points south of Woodstock, will remain at Woodstock until 1.10 A. M., next day, or will be taken, free of charge, to Fort Fairfield, where good hotel accommodation can be procured. Trains leave Fort Fairfield at 4.45 A. M.

Passengers for Bangor, Portland, Boston and points West, connect at Woodstock with the N. E. & C. Railway train, which leave Woodstock at 2 P. M., making connection at Vancouver with night trains for the West.

Passengers from the West by night train can also make connection with the 11.00 A. M. train from Woodstock to Presque Isle, Grand Falls, etc. Freight trains daily between all stations.

ALFRED SEELY, Asst. Superintendent.

Gibson, Jan. 4, 1882.

GREGORY & BLAIR, BARRISTERS AND ATTORNEYS AT LAW. NOTARIES PUBLIC, FREDERICTON. GEO. F. GREGORY. ANDREW G. BLAIR.

ORGANS, ORGANS. Just received direct from the Manufactory TWO SUPERIOR CABINET ORGANS, WILCOX & WHITE, MAKERS. Which will be sold cheap for cash or approved paper. JOHN RICHARDS & SON. 12-17-81

HOUSE COAL. Landing per Rail this week another cargo of SUPERIOR SOFT COAL, For sale cheap from cars or shed. JOHN RICHARDS & SON. 12-17-81

1881. CHRISTMAS. 1881. A merry Christmas and a happy New Year. To all my patrons far and near.

The subscriber respectfully invites the attention of his friends and the public generally to his large and well-selected stock of

BOOTS, SHOES, SLIPPERS Overboots, Moccasins, &c which have all been personally selected to supply the demands of this market.

He feels confident in saying that the stock of

BOOTS, SHOES, RUBBERS and OVERBOOTS to be found at

Lottimer's FASHIONABLE SHOE STORE is the largest in the city.

In fact his stock is such that he is able to meet the wants of the most fastidious.

Wholesale and Retail buyers will find an excellent stock to select from.

Give him a call and see for yourself.

POLITE TREATMENT, whether you purchase or not. Satisfaction Guaranteed, or Money Refunded. A. LOTTIMER, 2nd Door below Wilson's Alley Queen Street. 12-9-81

CUTLERY, Etc. Just received per Steamship "Caspian," via Halifax. ONE each Table Cutlery; 1 case Pocket Knives; 1 case Cow Ties and Halter Chains; 1 case Horse Bits and Chain Traces; 1 case Pad Locks, Trunk Locks, Tilt Locks, Drawer Locks and Cupboard Locks. For sale low by JAMES S. NEILL. dec5

A NOVELTY.

Lemont's Variety Store

We are now opening goods direct from Franco Germany, Austria, England and the United States. Our stock embraces the largest collection of goods we have ever shown.

BOHEMIAN VASES, Toilet Sets, Water Sets, Lustre Vases, Crystal Flower Stands, Card Receivers, Powder Sets, Ladies' Toilet Sets, Flower Tubes, Scented French and English China and Porcelain Individual Cups and Saucers, Tobacco Sets, Tea-sets, Sets, Fruit Dishes, Fancy Plates, Fragans, Flower Pots, etc., etc.

Fancy Goods in Great Variety, BRONZES OF Useful and Ornamental Articles.

Dolls, Dolls, Dolls, Dressed and a large display of KERSENE LAMPS. CHANDELIERS, LANTERNS of all kinds. ALL KINDS OF WHITE STONEWARE AND CHINA TABLEWARE, GLASSWARE. For table use, in great abundance. Two large showrooms, 90 feet long, fitted with

Furniture,

for Parlor, Sitting Room, Bedrooms, Dining Room and Kitchen.

MATRASSES AND LOOKING GLASSES. Tinware, Painted Toilet Sets, Bird Cages, Coal Scuttles, etc. Knives and Forks, Spoons, Sets Castors and Platesware, Boys and Girls' Shoes, Boys' Girts, Men's and Women's Moccasins and Snowshoes.

A number of MINK MUFFS, TIPPETS and BOAS—Very low prices.

5 NEW CABINET ORGANS, 2 NEW PIANOS.

All our goods will be sold at low prices, retaining quality of goods into consideration.

WHOLESALE AND RETAIL. Thanking our customers for the past, we ask a continuance of their custom.

1-4-81 LEMONT & SONS.

NOTICE OF REMOVAL.

THE subscriber hereby thanks the people of Fredericton and the surrounding country for the very liberal patronage they have given him during the sixteen years he has been in the

GROCERY BUSINESS in this City, and gives notice that he has removed his place of business to the large and commodious Store under the

BARKER HOUSE, where, with increased facilities for handling his goods, and by keeping his stock choice and well-selected, he hopes not only to merit a continuance of past favors, but to widen the circle of his customers.

He guarantees first class articles at the lowest possible prices.

G. T. WHELPLEY, Fredericton, Dec. 5, 1881.

COFFEE—JAVA and DANDELION; BROMA, CHOCOLATE, KAKAO, the new Canadian drink; EPPS' COCOA, &c. G. T. WHELPLEY, Under the Barker House.

A LARGE QUANTITY OF CANNED GOODS, Pickles and Sauces of all kinds, at G. T. WHELPLEY'S, Under the Barker House.

ALL ARTICLES GENERALLY found in a first class Grocery Store, at G. T. WHELPLEY'S, Under the Barker House. dec 5

TEAS—Congo, Souchoing, Young Hyson, Oolong, &c., at G. T. WHELPLEY'S, Under the Barker House.

FLOUR—Buda, Crown of Gold, White Pigeon, Gilt Edge, Adrienne and other brands, at G. T. WHELPLEY'S, Under the Barker House.

250 Barrels of Winter Nova Scotia and New Brunswick Apples, at G. T. WHELPLEY'S, Under the Barker House.

NEW BRUNSWICK FOUNDRY.

McFARLANE, THOMPSON & ANDERSON are now manufacturing and have for sale at their Foundry,

KING ST., FREDERICTON THEIR CELEBRATED

First Prize Hay Presses, ALSO

COOKING STOVES, in all sizes. **CYLINDER STOVES,** with Russia and Common Iron Tops, for wood burning.

WROUGHT IRON WOOD FURNACES MADE TO ORDER. dec5

POOR DOCUMENT

LOCAL NEWS.

WHAT IS WANTED.—St. John has a large whale on exhibition, and crowds of people inspect it daily. All they want now is Jonah, and they will have a first-class show.

MOOSE HUNTING.—Mr. Frank Hazen, of St. John, accompanied by two Indians, Gabe and Jean Paul, left Wednesday on a moose hunting trip on the plains at the head of Cain's River.

PERSONAL.—Chief Justice Allen has gone to Dorchester, Westmorland County, where he takes the Circuit of Mr. Justice Duff. A. G. Blair, Esq., of Gregory & Blair, is attending Court there.

THE POLICE COURT.—In the city Police Court Tuesday, Benj. Wheeler was fined \$50 for violation of the Canada Temperance Act in his place on Regent street, or fifty days' imprisonment in the county jail.

PROPOSED ENTERTAINMENT.—The ladies and gentlemen in connection with York Division, S. of T., intend giving another dramatic and literary entertainment on or about the 15th of February. The success which attended the first is well remembered by all.

The calmest and most undisturbed individual during all the turmoil over the printing contract was Alderman Hall. They stormed around and about him, but never a word spoke he, but went about attending to his business, in the same quiet, systematic way which has proved so successful in the past.

A CHILD, the son of James Chase, who resides near Shaw Brothers, Extract Works at Millville, was severely scalded on Saturday by the upsetting of a stove in his father's house. The poor little fellow was fearfully injured, the flesh in many cases coming off to the bone. His recovery is doubtful.

RETRIEVED.—Mr. J. Henry Phair's horse and sleigh were stolen for a "hark," ostensibly by some parties on election day and driven up the road in the direction of Springhill. Diligent search was made, but they could not be found. They turned up yesterday morning in Mr. Phair's back yard all right, with the sleigh bells muffled.

YORK DIVISION.—On Friday evening, 6th, D. G. W. P. Marsh installed the following officers of York Division—R. H. Macky, W. P. H. Pitts, W. A. A. G. Jarvis, R. S. S. P. Clark, A. R. Moore, F. S. J. E. Bradley, T. J. G. J. Bliss, Chaplain; R. Thorne, Com.; G. Adams, A. C.; H. Baxter, S. P. Nesbitt, O. S.; J. A. Blair, P. W. P.

S. O. OF E. T. SOCIETY HALL.—At the meeting of the Church of England Temperance Society, Tuesday evening, the members decided to accept the plans prepared by Mr. Mitchell for a two-story building to cost about \$4,000 independent of internal fittings and furnishings. On Tuesday evening next a meeting of the church parishioners is to be held in this connection.

THE C. T. A.—The preliminary meeting of citizens on Monday evening last, in connection with the Scott Act, was largely attended. The matter of securing a better and more thorough enforcement of the Scott Act was discussed at some length, and it was decided to hold a public meeting on or about February 1st. Committees were appointed to make the necessary arrangements.

ST. DUNSTON'S T. A. S.—The following were elected officers—President, Jas. Barry; 1st Vice-President, J. E. Perks; 2nd Vice-President, J. Berry; Recording Secretary, F. McGoldrick; Financial Secretary, P. Farrell; Treasurer, P. H. McGee; Librarian, J. Toomey; Sergeant-at-Arms, H. O'Brien.

SMASH UP ON THE N. B. R.—The trucks of a refrigerator car on the New Brunswick Railway gave way on Saturday, about a mile and a half this side of Barn Lake. The car, which was badly damaged, belonged to one of the eastern railways, and was loaded with meat for Gibson. Some of the passengers, thinking the smash-up worse than it really was, jumped from the car into the snow.

CURLING.—The second club medal match was played Tuesday in the rink on the Officers' Square. The medal was won by skip Hazen, who holds it for the second time. The playing by rinks was as follows:

C. L. Richards, L. C. McNutt, W. McInnes, M. J. McLachlin, E. H. Allen, E. D. Street.

BAD CUT.—A man named Michael Bolin had his left wrist badly cut while at work on the Miramichi Tuesday morning. The arteries and muscles were cut clean through, the gash extending to the bone. He was driven through to his home at the mouth of the Nashwaak, where Dr. Atherton attended to his hurt. The doctor fears that he will lose the use of his left hand altogether as a result of the cut.

CHILDREN'S PARTY AT GOVERNMENT HOUSE.—The children's party given by Mrs. Wilmut at Government House on Friday evening, 6th, last was a very pleasant affair, and the young people who were present enjoyed themselves immensely. The gathering numbered about 118. Tea was enjoyed, after which there was a Christmas tree with presents for all, dancing, magic lantern views and children's games.

ROWDYISM.—At the meeting of the City Council on the 2nd inst., when arrangements were making for the approaching civic elections, the Market Committee was appointed to see that order was preserved during the Mayoralty election. The scenes in the Phoenix Square Market while the votes were being counted was scandalous, and public decency demands that some steps be taken to keep better order at the Aldermanic elections.

THE ROYAL ARCADE.—Frederick Council, No. 165, of the Royal Arcanum, elected the following officers for the ensuing term, at a recent meeting—W. J. Crevdson, Regent; J. J. Weddall, V. Regent; George S. Clarke, Secretary; Henry Chastant, Treasurer; George H. Simmons, Collector; Dr. Coulthard, Secretary; Dr. Coburn, Chaplain; W. B. Coulthard, Guide; F. A. McCausland, Warden; Wm. Massie, Sentry. They will be installed on the 19th inst.

The residence of the Chief Justice narrowly escaped destruction by fire Wednesday morning. Cause—a defective stovepipe.

HONOR CIRCLE ELECTION.—The Maple Leaf Council, No. 25, Honor Circle, which meets on the first and third Thursdays in each month, installed the following officers for the ensuing term, on Thursday evening, 5th—Leader, J. J. Weddall; V. Leader, Wm. J. Edgcombe; Instructor, John Harvey; Secretary, Dr. Coulthard; Financials, George H. Simmons; Guide, J. H. Fleming; Warden, Martin Lemont; Sentinel, George W. Fenwick. Trustees—H. Chestnut, John Harvey, and David Hatt.

UNIVERSITY EXAMINATIONS.—In the recent examination for honors at the New Brunswick University, for January, 1883, in the Senior Class, Messrs. Taylor and McFarlane took first rank for Metaphysics; and in the Junior Class, Messrs. Bliss, Jack and Turnbull took first for English literature. In the Freshman Class, Messrs. Duff, Teed, Goodspeed, Lemont and Creelman took first in mathematics, and Messrs. Bailey and Kain (who were equal) first in English literature. In classics, in the Lower Medal competition, Seniors and Juniors, Messrs. Mesheghe, McIntosh and Brodie were in class one, and in the Freshman Class Messrs. Fritz, Creelman and McManus were in class one, and Mr. Cushing in class two.

CUSTOMS AND SAVINGS BANK RETURNS.—The following are the Customs returns for Port of Fredericton during the past six months:

| 1880—Value \$108,173 Duty \$33,302 54 | 1881— " 126,357 " 35,013 24 |
|---|-----------------------------|
| Increase 1881, \$18,184 | \$1,710 70 |
| For the week ending December 31st only \$400 was withdrawn from the Government Savings Bank here, against about \$11,000 deposited. The following is a statement for the past six months: | |
| Balance due depositors on 1st July 1881..... | \$228,672 24 |
| Deposited during 6 months ending Dec. 31, 1881..... | 92,650 27 |
| | \$321,322 50 |
| Withdrawn during same time, 53,812 84 | |
| Bal. due depositors Dec. 31, '81, \$267,509 66 | |

THE "CAPITAL" AND THAT PRINTING CONTRACT.

The Capital rose to explain its connection with "that printing contract," on Saturday, and threw the onus of the whole matter on the shoulders of Ald. Hall. The Capital acknowledges having tendered, and in explanation of why they did not get it, says "it was really owing to the misrepresentations of Ald. Hall (who solemnly assured them that the concern in question would do the accounts &c., in time, and that the little advertising sheet then published semi-occasionally by it would be immediately converted into a respectable weekly newspaper), that these gentlemen, not being 'up to ways which are dark and tricks that are vain,' yielded to Ald. Hall's importunities." "These gentlemen" are the other members of the Printing Committee, and as a result of Ald. Hall's misrepresentations," as the Capital calls them, they awarded "the contract for newspapers advertising and job work to a little concern which we have reason to believe is pecuniarily interested in. The other members of the committee are not so much to blame as is generally supposed, and the result of 'this jobbery' is that the 'official organ of the metropolis of this Province is now an insignificant little dodger; and the city job work is being farmed out in St. John."

We await the publishing of the *York Globe* with much interest, and see how editor will resent its being called "an insignificant little dodger," and in what manner he will receive the insinuation about the conversion of "the little advertising sheet, then publishing semi-occasionally," into a respectable weekly.

THE FIRE RECORD OF THE PAST YEAR.

The fire record of the city of Fredericton is a very slim one for the past year, and rather a matter of self-congratulation that it is such. The first fire was on the 20th day of April last, when the Skating Rink was burned down; the loss on the building was \$3,000; there was no insurance on it. The Canada Fire & Marine Insurance Company paid \$10,000. At the same time, George Anderson's house, immediately below, was destroyed; no insurance. Also, on the opposite side of the street, Wm. Massie's house; loss of \$400 paid by the Central Fire Insurance Company. On the 23rd day of June last there were two fires. Bernard McCaffrey's house on Queen street was damaged by fire to the extent of \$1,100, which was paid by the Sovereign Fire Insurance Company. At the same time, James Meachum's back premises, barn and shed, were totally destroyed; loss \$254.00, paid by the Canada Fire & Marine. On December 6th the locomotive house of the Fredericton Branch Railway was totally destroyed by fire, with a flat car, and an engine was badly damaged. The loss was fully insured in a Bangor office. On December 12th, slight damage was caused to the Baptist Church, York street, by fire. The loss was about \$30 and was paid by the Western and Sovereign Fire Insurance Companies. On December 20th the stock in George H. Davis' Drugstore on the corner of Queen and Regent streets, was damaged by fire to the extent of \$350.70, which was paid by the Canada Fire and Marine, Citizens, Hartford, and Western Fire Insurance Companies. There were a couple of other small blazes, which did not amount to much. A hole was burned in the roof of D. Thompson's house, King street, and T. G. Loggie had a fire experience to the extent of \$10 damage, which was paid by the Western and Xmas Insurance Companies.

THE MISSING BUREAU.—A young man living in Leadville shipped to his little brother in St. Louis, as a Christmas present, a choice donkey of the diminutive species known as the Mexican burro. The agent, in making out his manifest, concluded that "burro" meant "superior," and reported accordingly to his superior, "one bureau missing and one jackass over."

THE MAYOR'S ELECTION.

THE SCENE IN THE MARKET ON MONDAY LAST WHILE MESSRS. FISHER AND PHAIR ADDRESSED THE ELECTORS.

Messrs. G. Fred Fisher and J. Henry Phair, the candidates for the Mayoralty of the City of Fredericton, were nominated and addressed the electors at nine o'clock in the Phoenix Square Market. The market was filled with an election mob, such as seems inseparable from such events—people who come to see some fun, and if they are disappointed in the candidates making it try to make some amusement themselves. A respectable hearing was given by those in the immediate vicinity of the speakers, but a dozen steps or so away from them nothing could be heard, as those who could not hear did not care whether any one else heard or not, and kept moving about and talking a good deal louder than the speakers. But those who were unable to hear, perhaps, did not miss very much after all. They could give an idea of what was going by the manner in which Mr. Fisher "raised his wrist and shook his fist," and jumped up and down on the tall meat bench which he had pressed into service as a rostrum for the time being; and they were aware that Mr. Phair spoke because his lips moved, and as long as he said something it was all right. Mr. Phair was precise and logical in his speaking, but it was not audible a few steps away. Mr. Fisher was fervid, jolly and tremendous.

Mr. Fisher spoke first and, of course, showed why he should be elected. He read a statement of the financial condition of the city after the past year, (some one said it was a proof sheet), and then proceeded to show that he had not been in as good a financial position at any time during the past six years as it was in to-day. By this statement he showed that the assessment in 1880 was for \$32,150, while in 1881 it was but \$29,000—a saving of \$3,150, or a decrease of 9 cents on the dollar. The poll tax too had dropped, from \$7.61 in 1880 to \$7.10 in 1881. Every department, he said, was in funds with the exception of the fire department; and at the end of the fiscal year—October 31st the City Treasury was in funds to the amount of \$8,100 as against \$3,600 in 1880, and at the present time was \$4,000 as against \$1,200 in the year previous. This city indebtedness had been reduced by \$20,000, and all the departments provided for, and what was the cause of this? What was the reason? Fisher—Mayor Fisher—had brought it about was the tenor of his song, and the inference drawn was that if so much had been done in the past year they should put him in again, and see where and how they would stand at the end of this year. He deplored the great Printing Scandal, but he could not see any necessity that it should be dragged into the Mayor's election he had nothing to do with it.

Then Mr. Phair got up and showed why he should be elected. He "inspired the false canvasses, and said he favored water works, which he said was the side issue of the Aldermanic elections, but he deprecated and condemned the action of the Council of 1881 in this connection. He read the resolution of the Council, pledging the City to take 50 per cent. of the stock of any company which may be organized for the purpose of introducing water works. This he condemned in strong terms. It was rushing blindly into it; by this resolution the people did not know what amount the city was being put in for. It might be \$200,000 or \$100,000, or even more. He was a temperance man, but belonged to no organization, and believed in a man doing as he thought best in this connection; he had been a temperance man for his own good and benefit. (A shuffling of feet and a "hear! hear!") He handled the Printing Scandal without gloves, and said he did not see how the Council could face the people with it hanging over them. The city accounts should be in the hands of the people before the election, so that they could see how they stood and what had been done during the past year. Mr. Fisher had read a statement of the financial condition of the city which purported to be the thing, but what he wanted, and what the people wanted was the information from the right source.

When Mr. Phair finished there were cries of "Wheeler! Wheeler!" "Printing Scandal!" "Credible scuffling and shouting and noise among the people, above which rang out repeated calls of 'Cropley! Cropley!' That gentleman, who was standing in a conspicuous position under Mr. Phair's left elbow, took off his hat and spoke. His first words were lost in a chorus of voices, but he evidently declined to make his views on printing scandals, water works and other questions public, and referred his auditors to tomorrow's *Capital* for full particulars. (Laughter and shouts.) Mr. Fisher then pushed his way through the crowd and climbed on to the meat bench. He had an explanation to make. It was long, mean and contemptible, he said, to drag the matter like the Printing Scandal into the Mayor's election when it had nothing to do with it. He defended Mr. Crockett from the aspersions cast upon him, and said that he (Mr. Fisher) had been charged with helping Crockett by doing some of the printing. It said that a poster had been set up and printed for him (Crockett) in the Reporter office, and that \$2 had been charged for it and paid when the contract only allowed 50 cents. This he branded as a lie. The printing had been done in his office, but he did not know it; he did not have charge of the job office. Nothing was charged for it, and it was a handbill containing a by-law for the printing of which there was no mention in the contract with Crockett at all; it was printing outside of the contract altogether, and he gave Mr. Lipsett, of the *Farmer* office, as his authority for this. He called upon the City Treasurer to verify his statements that the city was in funds, which that official did. The meeting broke up at 10 minutes to 10 o'clock and the poll opened at 10.

The day passed off very quietly, without row or disturbance. The polls closed at 4 o'clock, and the Returning officer made the following announcement:—

| No. of Votes | No. of Votes |
|---------------------|--------------|
| G. Fred Fisher..... | 182 |
| J. Henry Phair..... | 182 |

The vote last year in the Mayoralty contest was as follows:—Mr. Fisher 350; Mr. Scott 183; Mr. Everett 92. This gives a total of 225 votes cast last year against 558 this; and a majority of 187 for Mr. Fisher over the next highest candidate as against a majority of 184 this year.

WOODSTOCK NEWS.

WOODSTOCK, JAN. 6.
SKATING RINK.—The recent cold snap has at last enabled Mr. James Carr to have the skating rink opened. Last evening the edifice was crowded with sight-seers and skaters. The ice was in excellent condition, the area was brilliantly lighted up and the inspiring music of the 67th Band, all tended to make the grand opening a decided success. Arrangements were made for an excursion to Houlton by train, but on account of some misunderstanding it was not as well patronized as was anticipated. A large number from Houlton, however, were present.

GIBSON HOUSE.—The removal from the old to the new Gibson House took place to-day. The furniture has been nearly all arranged, and everything is in apple-order. The house is large and well arranged and under the management of such capable landlords as the Messrs. Gibson cannot fail to become popular. A large part of the rooms are already engaged.

LOTTERY.—The great event of the week to a large number has been the drawing of prizes in Seaborn's lottery, which took place to-day. The drawing was commenced yesterday, but when nearly through it was found that one of the prizes had not been entered in the prize list. The result was that a new drawing was determined on, and those who got prize-numbers were generally very sore at this aspect of things. To-day everything passed off all right. The following are the principal prizes awarded so far as learned at this writing: Oyster salmon stock, value \$1,500, Thos. Dargan, of Woodstock; pair of matched horses, sleigh and robes, value \$375, Miss Faulkner of Canterbury; trotting mare, "Richmond Girl," value \$600, Robert Seaborn; gold watch, value \$15, Thomas Dargan, Bridgewater.

REVISIONS.—The Second Adventists are holding the Provincial Quarterly Meeting in their hall here now. The first meeting was opened last evening with a good audience present. Rev. Moses Corliss, of Milltown, is in attendance, besides the pastor of the church here, Rev. Mr. McLeellan.

L. O. O. F.—John Richards, Esq., Grand Master of the Order of Odd Fellows, is here to-night to install the officers of the lodge. He is accompanied by the following prominent Fredericton members of the Order:—Alderman G. H. Simmons, Chas. Sampson, James Fowler and William Robinson.

NEW SOCIETY.—New Hotel—Hugh Matheson, Esq., is talking up a St. Andrews Society for Woodstock. He thinks there is good material for an efficient organization, and that a Society will soon be instituted. Mr. Boyer, the proprietor of the Hartland House has purchased the Riverside Hotel here, which was recently occupied and managed by Geo. Goslin. He will open up for business in the spring.

TRADE STATISTICS.—The Customs returns for this port for the quarter ending Dec. 31st, are as follows:—

| Value of Imports | Value of Exports |
|-------------------|------------------|
| Oct.....\$2,581 | \$3,037 |
| Nov....." 1,509 | 1,388 45 |
| Dec.....1,144 | 4,084 |
| Total.....\$5,234 | \$12,100 |

WOODSTOCK, JAN. 9, 1883.
NEW POST OFFICE.—About the first of the month an office was opened for the despatch and delivery of mails, located at and known as South Knowlesville, Parish of Brighton. Mr. Jacob Spang has been appointed Postmaster, and he will prove a very efficient officer.

LECTURES.—The Episcopal Churches in Woodstock, Richmond and Jacksonville have for some years back had a lecture course in connection with each, but on account of the loss by fire of the Church and lecture room in Woodstock, the Guild here will not have a lecture course this season. The Guild of St. John's Church, Richmond, however, is to have a course of six lectures, and, no doubt, a similar course will be got up at Jacksonville.

JAIL BREAKING.—Quite a sensation was caused on Saturday when our police found that some of the jail birds had made their escape from duaneville. Since the fire an old building opposite the Post Office has been utilized as a lock-up. Here were shut up, for various misdeeds, John McGrath, Wm. Kirk, and John McMillan. Some time on Friday night they succeeded in working their way through the floor above them, and then through a wall 18 inches thick to freedom outside. On Saturday young Hanlon was captured, having taken refuge in his mother's residence. The poor lad was again placed behind the bars. The others have probably made their escape.

BALL.—A grand ball is to be given at the new Gibson House on Tuesday evening next.

A LETTER FROM ONE OF THE BOYS.
To the Editor of the Evening Herald:—

Sir—I noticed in the *Capital* a statement of the wealth of England. According to that England must be the richest nation in the world, yet a large portion of her subjects are the hardest worked, the poorest clothed and lonest of any civilized nation. What good is all this wealth—these foreign investments yielding £25,500,000 a year, when it does not improve the condition of the people? Surely the English people ought, if they are so rich for their own home, support their own subjects. Yet when many of them were in a state of starvation some of Ireland's best and noblest sons were forced to go to a foreign nation, not to buy corn, but to beg it. I believe, sir, that there are many in England to-day who would gladly remove the cause of poverty in Ireland—unjust rent for land which is a merciful Father created free for all—and if by political blunders in the past our island has been enabled to grind and oppress another might not this injustice be removed forever? Mr. Gladstone is doing his best to remove this dark blot on the civilization of the nineteenth century, and when we consider the prejudices which have been growing up for seven hundred years, and all the wealth and power of the land-owners, we must admit that he has done wonderfully well. If there had been no such thing as Ireland, the power of the landlords would have been broken long ago, for the system of land tenure in that island will not stand the test of investigation or comparison with the laws of Christianity. It is in direct contradiction of the gospel and

the example of Christ, and I challenge any man to contradict this. Let us for a moment see if Sir John England has treated his wife, Lady Ireland, during the last seven hundred years as a gentleman should. Sir John is rich and powerful, and stands in the same position as the father of a family. His word is law. He can divide property evenly and justly. Yet he condemns some members of the family to work from the cradle to the grave for the support of others—a few tyrant landlords—in useless extravagance; for the landlords are tyrants, because they compel others to do for them what they would not do for themselves. There are many tests for a gentleman, but the surest of all is how does he use his power? If he uses it so as to bully those not in a position to resist, he is a snob. Samuel Smiles gives this test and I think he is right, and tried it in Irish landlords are no more gentlemen than a greased grindstone is a Nova Scotia cheese. They may look alike from a distance, nothing more. This is what makes true man:

"A truthful heart, a loving mind,
Full of affection for his kind,
A spirit firm, erect and free
That never basely bends the knee—
That would not bear a feather's weight
Of slavery's chains for small or great.
In all good causes leads the van,
This is the soul that makes the man."

If Parnell is in prison his principles are not. He sought simple justice; had no axe to grind, and though England is well provided with ball and powder it cannot prevent people calling for justice; for God has written in man's heart a sense of justice which can never be erased. Christ said, "Every tree which bringeth not forth good fruit should be cut down and cast into the fire." The Irish land system is a bad tree because it brings forth bad fruit and it should be cut down.

I would like to say a word or two in reference to the Campbell, of Utah, for Delegate Cannon's seat. The latter is a Mormon apostle and it is expected that considerable of this case, which will probably last several days, will involve the whole subject of Mormonism.

ABNEY, Phillipine Islands, Dec. 5.
A great eruption of Magon volcano occurred on November 22nd.

CONDENSED FROM OUR EXCHANGES.

Fire at Mount Allison.

THE MALE ACADEMY DESTROYED.
SACKVILLE, N. B., JAN. 8.
The Mount Allison Male Academy, was destroyed by fire this morning. The fire was discovered breaking from a furnace used for cooking, in an ell, at three o'clock, and the alarm was given by one of the female domestics, who slept in a room over the kitchen. The inmates were at once aroused, but in the absence of any appliances to suppress the flames nothing could be done to save the building. In a few minutes they gained the main building and from thence ran along the halls inside and burst through the windows. After five o'clock the west end fell in and at six the east end. The spectacle was a grand one and lit up the landscape for miles.

Most of the furniture was saved. The students saved their clothes, excepting Masters Purdy, Sinclair and Tapley. The Commercial College, a building about 50 feet away, containing school rooms, cadet room and several dormitories, was in great danger, but the wind was favorable for saving it and, through the great exertion of some of the collegians and others, it was saved.

Prof. Smith, who resided in the east end, saved his furniture and library. The domestics escaped with only the clothes they had on.

The loss is from 25,000 to 30,000; insurance \$16,000 divided as follows: Royal, \$6,000; Liverpool & London & Globe, \$5,000; Commercial Union, \$2,000; Northern, \$3,000. A large number of students have already found lodging in the remaining buildings and others will board in the vicinity.

The faculty meet at 9 a. m. to-morrow and the executive at three to complete arrangements to continue the operations of the school, which will be readily accomplished as the class rooms are still intact. Provision will also be made for the accommodation of those who yet to arrive.

The old academy was burned down 16 years ago this month.

It is confidently expected that the work of rebuilding will be commenced at once.

A. D. McCully, A. B., a theological student, who rode on horseback down through the village to give the alarm and raise a crowd to save the neighboring houses, had his leg broken above the ankle by his horse falling with him. His shouts brought a man to his rescue, who assisted him into the Temperance Hotel, where the horse was set by Dr. Moore.

The Berlin papers cautiously discuss the Imperial rescript, which is regarded as fulfilling the threat of an impending conflict conveyed in recent articles in Berlin semi-official organs.

The French Senatorial elections were held yesterday. 64 Republicans and 16 Conservatives were elected. The Republicans gain 22 seats.

While a procession of 300 persons was proceeding to Pere la Chaise Cemetery yesterday, at Paris, some of them became demonstrative, and the police interfered. There were twenty or more persons wounded and twenty-three arrested.

The Quebec Government have accepted the proposition of Fathers Label and Lacasse to organize a Provincial lottery of one million dollars, with two annual drawings of five hundred thousand dollars each. The Government takes it under their patronage and receives 10 per cent. of the profits, which they will devote to the charitable institutions of the Province. The balance of profits will be devoted to colonization. Mr. Chapleau defends it on the ground of national and charitable objects promoted, and also on the ground that some fifty thousand dollars are annually sent out of the Province to purchase lottery tickets in the United States.

Parnell Wants His Liberty.

(Special to THE HERALD.)
NEW YORK, JAN. 5.
Friends of Parnell are endeavoring to secure his release before Parliament meets and it is said that the Government has the matter under consideration.

Yesterday's Telegrams.

WASHINGTON, JAN. 10.

Judge Porter began his argument shortly after ten o'clock. He was listened to with marked attention. Nothing like it has been seen or heard during the Guitierrez trial. As Judge Porter reviewed the conduct of the prisoner, and the conduct on the part of his counsel in this court, the prisoner winced and nervously twisted in his place, and for several minutes was unable to say anything that in any sense could approach an interruption. Gradually the prisoner regained his usual assurance and resumed the habit of interrupting with contradictions and denials.

For once, however, the insufferable impudence of the prisoner was completely overruled. Neither his noise nor his abuse could interrupt or silence the avalanche of condemnation that swept from the lips of the eloquent counsel. "The prisoner is mistaken, your Honor," said Judge Porter, "if he believes by his unseemly bawling he can prevent my voice from being heard by the jury. The puppet cannot be moved in such good time as when he sat with his counsel, and by his outbursts now he is fast tightening the hangman's noose about his neck."

The court adjourned till Thursday morning, when Mr. Davitts makes the opening argument to the jury for the prosecution. A lengthy debate occurred in the Senate, to-day, on a bill providing for a tariff commission of nine persons selected by the President and confirmed by the Senate. Mr. Bayard advocated the bill and Mr. Beck spoke in opposition, advocating a tariff for revenue only.

In the House a discussion was opened on the contest of Campbell, of Utah, for Delegate Cannon's seat. The latter is a Mormon apostle and it is expected that considerable of this case, which will probably last several days, will involve the whole subject of Mormonism.

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POOR DOCUMENT

POETRY.

CAREY OF CARSON.

BY CHAS. G. LELAND.

The night mist dim and darkling,
As o'er the roads we pass,
Lies in the morning sparkling
As dew drops on the grass.
Even so the deeds of darkness,
Which come like midnight dews,
Appear as sparkling items
Next morning in the news.

Away in Carson City,
Far in the Silver Land,
There lives one Justice Carey.
A man of head and hand;
And as upon this table
The Judge's smoking sat,
There roved in a rougher
Who wore a gallow's hat.

He looked upon the Justice,
But the Justice did not budge
Until the youngster warbled,
"Say—don't you know me, Judge?"
"I think," said Carey, meekly,
"Your face full well I know—
I sent you up for stealing
A horse a year ago."

"Aye, that is just the hairpin
I am, and that's my line;
And here is twenty dollars
I've brought to pay the fine."
"You owe no fine," said Carey;
"Your punishment is o'er."
"Not yet," replied the rover,
"I've come to have some more."

"Fast rate assault and batt'ry
I'm going to commit,
And you're the mournful victim
That I intend to hit.
And give you such a message
As never was, no how;
And so, to save the lawin',
I guess I'll settle now."

Up rose the Court in splendor;
"Young man, your start is fair;
And we will call it square;
Go in upon your chance—
Perhaps you may not miss;
I like to see young heroes
Ambitious like this."

The young one at the older
Went in with all his left,
And, like a flyin' boaster,
At once let out his left.
The court, in haste, ducked under
Its head uncomely spry,
Then lifted the intruder
With a puncher in the eye—
A regular right-hander:
And like a cannon ball
The young man, when percussioned,
Went over table wall.

In just about a second
The court, with all its vim,
Like squab vices over the meadow,
Went climbing over him.
Yes, as the pumpkin clammers
Above an Indian grave,
Or as the Mississippi
Lauders with its wave,
And whirly slope over
A town in happy spot,
Even so that man was clambered
All over by the Court.

And in about a minute
That party was so raw,
He would have seemed a stranger
Into his dearest squaw;
Till he was soft and tender,
This mangel once so tough,
And then, in sad surrender,
He moaned aloud, "Enough!"

He roared, and Justice Carey
Said to him ere he went,
"I do not think the fightin'
You did was worth a cent;
I charge for time two dollars,
As lawyers should, 'tis plain:
The balance of the twenty
I give you back again."

"I like to be obligin'
To folks with all my powers,
So when you next want fightin'
Don't come in office hours;
I only make my charges
For what's in legal time—
Drop in, my son, this evenin',
And I'll not charge a dime."

The young man took the merron,
As he had ta'en the scars;
Then took himself awayward
To the 'Olma City cars,
"Tis glorious when heroes
Go in to right their wrongs,
But if you're only halpin',
Oh, then beware of tongue!"

SELECT STORY.

Miss Peverill's Pride.

"I never heard of such impertinence," said Agnes Peverill, throwing down the letter which she held, and half crying in her vexation. "How dare he write such things to me? What business has he to love me? He never would have dared write like this if—papa were alive and we had not lost our money."

"You may thank yourself for this," said Grandma Peverill, looking over her spectacles with an air of concern. "You have anguished yourself considerably with Harold Helper, to my certain knowledge. When one dances, one must pay the piper."

"I don't understand you, grandma. I certainly never gave him a shadow of encouragement. I have guessed for some time that he—that he didn't dislike me, you know; but I never dreamed that he would dare say as much. Papa's clerk! Why, I've seen him sweeping out the office, and his fingers as inky as Caddy Jelly's."

"Men are audacious creatures," observed grandma; "but if you knew that he didn't exactly hate you, you oughtn't to have accepted him as an escort when you were learning to ride. When your papa brought him home to dine, you needn't have made yourself so attractive, need you? You might have had a headache in your own room, or an invitation out. You needn't have talked pretty nonsense with him by the hour, while your father and I took our after-dinner nap, need you?"

"One can't help flirting a little, you know, grandma."

"What, with one's father's clerk? And no doubt one can't help working him slippers and braiding watch chains either."

"Why, of course, one gives birthday

and Christmas gifts to all one's acquaintances, even to old Biddy, the pauper. One doesn't expect them to presume on that, however."

"And so you think that Mr. Helper is presuming when he offers you his heart's love and all his worldly prospects? Why so?"

"I think he is presuming, because the Peverills are not of his order, grandma. They came over in the *Mayflower*; they are descended from Lord Peverill; they have graduated at colleges, have enjoyed elegant accomplishments ever since the flood, and have never soiled their hands with the grime of labor; while Mr. Helper's ancestors were illiterate mechanics, who murdered the king's English. Why, his own father was a stone-cutter. I've heard papa say so."

"And supposing that yours had been a mechanic, what objection would you have urged?"

"Why, it's not a supposable case, grandma—papa's a Peverill a stone-cutter!"

"But supposing you were not a Peverill?"

"My imagination is not bold enough for such a flight. You see, I have all the prejudices of my class. I would choose unhappiness sooner than marry beneath me."

"Then I am to understand that you consider yourself superior to Harold Helper. It is some years since he figured as your father's ink-fingered clerk, no member. Since then he has written a book, he has invented a machine, he has lectured to scientists. Wherein does your superiority consist? What have you been doing in the mean time?"

"I have been rubbing papa's gouty toe, and accepting the attention of Miles Bond."

"You don't mean—"

"I mean that I shall probably marry Miles Bond some fine day, if nothing happens."

"Marry Miles Bond!" repeated grandma, as if she had said that she was going to marry the Khan of Tartary.

"You seem to be astonished, grandma."

"Yes—a little. He's a born aristocrat."

"Exactly—there's a pair of us. I shall be entitled to consideration in the *beau monde* as his wife, don't you see?"

"For it must be confessed that since Mr. Peverill's death and insolvency the *beau monde* had looked coldly upon his pretty daughter, in spite of the Peverill coat of arms and the luxuriance of the family."

"Then you do not care a fig for Mr. Helper?" asked grandma.

"It is necessary for me to deny the soft impeachment, which I have almost made up my mind to accept another?"

"When I was a girl—" began the old lady.

"You loved brocades and brocatelles as well as your granddaughter."

"But I did not sell myself for them. And so you are really engaged to Miles Bond, and there's no help for it?"

"Well, not really engaged; I won't give my word—at least not quite yet. You see, grandma, one hesitates to rivet the chain, as they say in novels. And then Miles says he will wait; he won't hurry me; he'll rather wait a century in sweet suspense, as he calls it, than to be refused at once. But I suppose it will all end one way."

"And what will you answer to Harold Helper?"

"Heaven only knows. It will not do to tell a man who offers one his heart that he ought to have known better."

"Nor that you will not marry him because his father was a stone-cutter?"

Mr. Helper accepted his refusal, however, with a good grace. He made no fuss about it; he merely assured her that her happiness would always be dearer to him than his own.

"That's the letter of a gentleman," said grandma, "if his father was forty times a stone-cutter."

"Pshaw!" said Miss Agnes, tearing it into fragments; but, curiously enough, gathered them together as soon as Mrs. Peverill's back was turned, as if they were sweet to her as scattered rose leaves. Perhaps she was thinking of the days when Mr. Helper was her father's clerk, and had taught her chess of winter evenings—days when she was not so worldly-minded, and more romantic, and didn't guess the worth of position and long descent. Perhaps she regretfully remembered the spring mornings when they pushed through the woods for wild flowers and ferns, when he made a quaint album for her of pressed sea-weeds—she had it hidden away somewhere now.

"It would never do," she said, half aloud, answering some unspoken thought. "I should always be hankering for family and money. One must give up something; it may as well be love as anything. Oh, if my father had only been a stone-cutter, too!"

Grandma Peverill met Mr. Helper in the street later. "I hope you don't mean to desert us," said she, "because that foolish chit of an Agnes doesn't know when her bread is well buttered. Remember, it's a woman's privilege to change her mind. If you neglect us, 'You shut your life from happier chance,' as the poet says. Nobody knows what may happen."

"But I hear that Miss Peverill has encouraged Mr. Bond," said Harold, helplessly.

"And you're going to stand aloof and

let that little Miles Bond walk over you? Now let me tell you that I mean to make you and Miles executors of my will; so I'd like to keep on friendly terms with you—don't you see?"

"Thank you; but ain't we friends, near or apart?"

"This said that absence conquers love," she laughed; "and haven't you heard of the virtues that reside in propinquity? If Agnes sees Miles every day, and you once in six weeks, which do you think she will be most likely to love best?"

"It is not likely that she will ever love me, whatever happens."

"Why should she never love you? Aren't you worth forty Miles Bonds?"

"Certainly not in Miss Peverill's regard."

"Prithes, what do you know of her regard, Sir Faintheart?"

"Very little, to be sure."

"He either fears his fate too much, Or his deserts are small, That dares not put it to the touch, To gain or lose it all!"

"Haven't I put my fate to the touch, Mrs. Peverill, and haven't I found that my deserts are miserably small?"

"Dear me! I see that you don't know that women blow twenty ways of a morning. Who knows but what she is crying her pretty eyes out this minute, and wishing with all her silly heart that she had it to do over again?"

"Miles knows," laughed Harold.

"Come and see who knows best. An old woman's advice isn't to be sneezed at. I refused my first lover myself, because I thought he'd come back and tease me into it, but he never did. Served me right, too."

And Harold did as he was told. He made himself intimate at the Peverills' as of old. He was there in season and out of season. He bore with the caprices of Agnes and the condescensions of his rival. He was often left to the tender mercies of Grandma Peverill while Agnes and Miles made the garden or the river echo with their songs. He came and went like a shadow. When Agnes chose to listen, he let loose his enthusiasm; when she gave him the cold shoulder, he accepted it without a murmur—as if one should be grateful for any gift of hers—and fell back upon the old lady's unflinching kindness. One day, however, even Grandma Peverill failed him. She waked suddenly from a dose, and asked, "Is it really love?" glancing after the two, peering each other with roars in the garden.

"It looks like it," gasped Harold.

"Time will prove—time, that unlocks all secrets and discloses all impostures. Miles is of the earth, earthy. He loves fine society and grandfathers and coats of arms. It is a crime in his eyes to be born without a silver spoon in one's mouth."

"But what is love made for, if it is not the same Through joy and through sorrow, Through glory and shame?"

Then she fell into a doze again. The shadows draped themselves about her; a star came out and leaned to look into the window; a late bird tilted on a spray near by, and made a sudden gust of music through the place; the murmur of laughing voices came faintly toward them on the breeze. But Harold listened alone, for Grandma Peverill was already far away.

A few weeks later Miles Bond and Mr. Helper were engaged looking over the private papers of the late Mrs. Peverill, as her executors. That modest portion of her fortune which her son's speculations had left intact she had bequeathed to Agnes. Presently Miles had raised his eyes from the paper he had been inspecting. "A rascally piece of business," he groaned, between his teeth. Should he quietly light his cigar with the paper, bury its contents in oblivion, and marry Agnes, and go on his way rejoicing? No; perish the thought! A Bond, of the Bonds of Bondholder, who could trace their lineage to the Conqueror! A thousand times no! He made a desperate resolve, and passed the sheet to Harold.

It was merely a letter from the late Mrs. Peverill, setting forth a certain family matter, which she had deemed it wise that they should know, not as executors, but as lovers.

"Of course, this will not affect your interests," said Harold, filing the paper away, quite at his ease.

"It might not," sneered Miles, "if I were not a Bond, with family credit to sustain."

"And yet," said the other, "Shakespeare tells us that 'Love is not love, which alters When it alteration finds.'"

"Shakespeare be hanged!" quoth the quondam lover.

The following week, when Mr. Helper dropped in to pay his respects to Agnes, he found her watering her bed of mignottes and pansies.

"Oh," she said, presently, and half shyly, "the oddest thing has happened! I must tell somebody! How dear grandma would laugh if she were here, and say it served me right! I received a *billet-doux*, though it was from Miles, and what do you think? He says in it—there, turn your eyes away, don't look at me so while I tell you—he begs me to release him from an engagement which, upon close examination of his heart—under the microscope, I suppose, he finds himself unable to fulfil! Now you must know that there never was an engagement

at all between us; he just teased my soul out of me to marry him, and I promised. Only think of it! A Peverill, a descendant of one Rupert Peverill, who figured in the Crusades, jilted by Miles Bond! It must be that grandma's jointure disappointed the poor youth. Motto: Never appoint as your executor the man whom you wish to marry your heir."

"You don't seem to take the affair much to heart," said Harold.

"Because my heart wasn't much concerned in it."

"What under heaven were you thinking of, then?"

"I was thinking whether or no you—you had changed your mind, sir; whether you would ever again dare—"

"I dare do all that doth become a lover," asserted Harold, inclining to the level of her lips. "Will you reconsider the question I asked you a year ago, darling?"

And Agnes reconsidered.

Mrs. Helper had been married a year and better, when it occurred to her, in an idle moment, to overhaul Grandma Peverill's papers, now that they were her own possessions; and when she heard Harold calling her she went slowly out to meet him, with one of them crushed in her soft hands.

"What have you there, darling," he asked.

"And you knew it all the while!" she answered, irresolutely. "You knew I was not a Peverill, descended from the Crusader; you knew I had been adopted from a foreign foundling asylum! And yet you loved me! And yet you married me, Agnes Nobody!"

"You are my wife, and I love you."

"Then I would rather be your wife than the daughter of a king," she said, smiling through her tears.

Mr. Helper had forgotten to burn the letter which Grandma Peverill had written to her executors, and so pride had a fall.

"Love is not love, which alters When it alteration finds," said Harold.

"And I may be the daughter of a collier, of a pauper, or worse," she sobbed. "You are my wife, and I love you."

"Then I would rather be your wife than the daughter of a king," she said, smiling through her tears.

Mr. Helper had forgotten to burn the letter which Grandma Peverill had written to her executors, and so pride had a fall.

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