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LITERATURE.

WHEN THEY GATHERED IN THE HAY.

"Your cousin Helen is coming next week," Robert Brail's mother said when he came in from his work and sat down to read for a few minutes. "There's the letter on the window sill if you'd like to read it. He took up the letter and read it through slowly. One passage he read over twice before he laid it down.

"I never spent a pleasanter summer in my life than the one I spent with you. And if Robert is the same dear old fellow that he was then, I shall enjoy this one quite as much for you know Robert and I were the best of friends, and I have seen no one since that I liked half so well."

He sat there in the door, with the letter in his hands, and he looked away across the meadow where the grass was crinkling in the wind like a sea of emerald, and thought about that summer gone by, and the summer evenings. In that vanished one he had dreamed such a sweet and beautiful dream, and his memory had never left him. But he had hidden it in his own heart, and no one had ever guessed what it was. Now she was coming back, and the old dream must be lived over again, or crushed down and kept out of sight, if so be that his will was powerful enough to do that. But he doubted his own strength. There had been times, in the dead summer, when it seemed as if his heart must speak out and be heard. But his pride had kept him silent. Here was a farmer's daughter, and here was a rich man's son, and city-bred and bred, and he argued that he had no right to say anything of love to her, because their stations in life were so far apart. If she had been a farmer's daughter, or the child of poor parents, or had been a rich man's son, with culture and education equal to her own, then!

The next week brought Helen Hunt. Robert drove down to the depot after her. She was standing on the platform with her face turned another way, when he drove up. It did not need the sight of her face to tell him that she was there. He would have known that tall and graceful figure anywhere.

"I am glad to see you back," he said, coming up beside her. His voice was not quite steady. He had tried to make himself cool and self-controlled, but the presence of the woman he loved unmanned him a little.

"Robert!" she cried, turning quickly at the sound of his voice, with a glad, eager light flashing into her beautiful eyes. How they thrilled him! She held out her hand, and there was no mistaking the genuineness of her welcome. It spoke of love and made itself felt in her face.

"I have been looking forward to this for a month," she said. "I was so happy here that I have been longing to come back ever since I went away. I hope this summer will be as pleasant as that one was."

"I hope it will, for your sake," he said, and his face had a grave, pained look, in which her keen eyes detected at once.

"What is the matter with you, Robert?" she said, putting her hand on his arm. "You look as if something troubled you. My coming has nothing to do with it, has it?"

"How should it have?" he said, with a little forced laugh. "I haven't felt quite so well for a few days that's all. But I'll come around right by-and-by. Don't say anything to mother about it—she doesn't know, and there's no use in her worrying over me. She couldn't help me, is she, now?"

"Is it serious, Robert? Her eyes were grave now as they rested questioning on his face.

"Don't ask me to tell you anything more about it," he said, turning abruptly away. "Men have lived through it before now, and I shall," he added, with a smile that was not in his eyes.

"Don't bother your head about me, Helen; but enjoy yourself as best you can."

It was a pleasant ride home, in spite of the thoughts that would keep coming into Robert Brail's mind. She was by his side and he loved her.

The old summer seemed to come back again, with its light which never was on land or sea, to Robert. The dream of his heart was just as sweet as it had been in the vanished days. She had not changed at all since then, but was the same winning woman who had won his heart away, and would keep it forever.

The days passed like charmed ones, with rows upon the river, and long, delightful walks at sunset time; with songs in the brief delicious evenings, and quiet talks about books and the men and women who wrote them. Robert was not her inferior in the culture which comes from reading good books; because he was a farmer was no reason why he should be ignorant and uncultured. He had studied, and formed wide acquaintance with earnest, thoughtful men—through the books they had written—and in this way he had educated himself to a higher level than most of the young men of his class.

One day Helen came out from the city. Robert had heard that she was a lover of Helen's and he was sure of it when he saw the man's face at their meeting. But Helen showed no such sudden gladness as ought to express itself in the

face of the woman when she meets the man she loves, and Robert felt satisfied that she did not care for Alayne as he did for her, and the thought brought a sense of exultation to him.

Alayne did not stay long. When he went away he carried a face which had a look of defeat in it. He had striven to win the woman he loved, and he had failed.

"Brail, you are sorry for me, you pity me," he said. "I thank you for it. You understand what there is to pity me for. You can well afford to pity me, since you have won what I have lost. I wish you all the happiness I had hoped for myself."

"I don't understand you," Robert said, with a strange thrill at his heart. "I have won nothing you would have pined for."

"Do you call Helen Hunt's love nothing?" Alayne cried. "I would give the world for it, if I had it to give."

"You are mistaken," Robert answered. "I—"

But Alayne interrupted him. "I am not blind," he said. "She loves you, and you will find it out soon when the day comes for you to tell her what you must, some day."

"She loved him! There was a world of rapture in the thought. But—and the haunting spectre which comes to sit by your heart and mine came into his heart then—their ways in life were so wide apart they could not be bridged over. He could never ask this woman to stoop to his lowly life. And yet he could not lift himself to hers. And yet she loved him! He could not for one moment forget that. And to know it was so sweet; so unutterably sad."

Robert was at work in the meadow one afternoon. The loaded wagon was driven away to the barn, and he sat down to rest until his return. As he sat there, Helen came down the lane. She saw him, and came across the meadow and sat beside him, under the old apple-tree.

"What they talked about they never could tell. He remembered, in a vague way, that they saw a darkening sky, but that was all, until the fierce fury of the sudden shower broke upon them. A flash of lightning, a crash, as if heaven and earth were being rent in twain—and he was by her side, with her head upon his knee, and he was crying out to her in an incoherent way telling her that he loved her."

"Oh, my darling he cried out, in the wild outburst of long pent-up passion, 'I love you! I love you! I love you! I love you!'"

"Are you sure about that, Robert?" she said, struggling up into a sitting posture, with the color coming back into her cheeks. "I was stunned for a moment, nothing more."

"I thought you must be dead, you were so pale," he said. "If I had known—"

"Well, what?" she said slowly, when he paused.

"I would not have said what I did," he answered slowly. "Forgive me, Helen. At such times we say things we should not in sober moments."

"Robert," she cried, suddenly, "you said you loved me. If it is true, why should you not tell me so? What keeps you apart?"

His face was pale with the pain at his heart. The time had come when he must speak.

"I'll tell you what keeps us apart," he answered. "You belong to a sphere of life so much above mine that love cannot bridge over the distance between us."

"Robert," she cried, her whole face aglow, "is that the reason why you have kept silent? Because I lived in a world you know but little about, you imagine it would be wrong for you to ask me to follow my heart! Poor, foolish Robert! Love is more to me than all the world beside, and your life is the happiest I ever knew. I should make no sacrifice in taking it in place of the old one. I—"

But she stopped in mid-air, as if she had been smitten by a bolt of lightning. "My darling!" he cried, and caught her to his breast. "Are you sure you care enough for me to give up all you would have to willingly? Think of the change, Helen."

"I have thought," she answered. "I gave it up gladly. I tried it of long ago. I want you!"

There was a sudden breaking of the clouds, and the sun came forth in new radiance. The world was transfigured with rare and wonderful glory. Robert thought, as he bent and kissed the face upturned to his, that all of love and trust, and peace, and all that he had hoped for, was there, and he said to himself: "I shall be content."

"Robert, my king!"

Seven years ago a lot of little shad were placed in the Chesapeake river. Nothing was seen of them for a long while, and most people had forgotten the experiment, when two years ago two or three strays showed the first that had ever been known in that region, were caught. Last year between thirty and forty were taken, and this spring they have been caught in immense quantities in Arkansas, in the vicinity of Hot Springs.

"Sure," said Patrick, rubbing his head with delight at the prospect of a present from his employer; "I always meant to do my duty." "I believe you," replied the employer, "and therefore shall make you a present of all that you have stolen from me during the past year." "I thank your honor," replied Pat, "and may all your friends and acquaintances treat you as liberally."

The Islanda Shain.

A Visit to the Scene of the Disaster.

At the top of the ascent, beyond the Bashe, which the Dragon Guards crowned in dashing style, we saw on our left front, rising above the surrounding country, the steep, isolated and almost inaccessible hill, or rather crest of Islanda, the contour of its rugged rock strangely resembling a side view of a couchant lion. On the lower neck of the high ground on its right were clearly visible up against the sky the abandoned wagons of the destroyed column. No Zulus were seen. Flanking parties covered the hill on either side the track, along which the head of the column passed at a trot with small detachments of Natal Carabineers in front of the Dragon Guards. Now we were down in the last dip, had crossed the rocky bed of the little stream, and were cantering up the slope that stretched up to the crest on which were the wagons. Already tokens of the combat and bootless fight were apparent. The line of retreat toward Fugitive's Drift, along which through a clink in the Zulu environment, our unfortunate comrades who thus far survived tried to escape, lay ahead, a rocky slope to our right front, with a precipitous ravine at its base. In this ravine dead men lay thick—mere bones, with toughened, discolored skin, like leather, covering them and clinging tight to them, the flesh all wasted away. Some were almost wholly decomposed, heaps of clammy yellow bones. I forbear to describe the faces, their blackened features and beards blanched by rain and sun. Every man had been dismembered. Some were scalped and others subjected to yet ghastlier mutilation. The clothing had lasted better than the poor bodies it covered, and helped to keep the bodies together. All the way up the slope I traced by the ghastly tokens of dead men the faint line of flight. Most of the men hereabout were infantry of the Twentieth-fourth. It was a long string with knots in it, the string formed of single corpses the knots of clusters of dead, where, as it seemed, little groups might have gathered. No make of hopeless gallant stand and die. I came on a gully with a gun limber jammed on its edge, and the horses, their hides scored with assegai stabs, hanging in their harness down the steep face of the ravine. A little further on was a broken and battered ambulance wagon, with its team of mules mauling in their harness, and around lay the corpses of soldiers, poor helpless wretches, dragged out of the intercepted vehicles and done to death without a chance for life.

THE HEROES OF DEATH.

Still following the trail of bodies through long rank grass and among stores, I approached the crest. Here the slaughtered ones lay very thick, so that the stony became a broad belt. Many hereabouts were the uniforms of the Natal police. On the bare ground, on the crest itself, among the wagons, the dead were less thick, but on the slope beyond, on which from the crest we looked down, the scene was the saddest, and more full of weird desolation than any I had yet gazed upon. There was none of the stark, blood-curdling horror of a recent battle-field: no pool of wet red blood; no raw, gaping wounds; no torn flesh that seems yet quivering. No sign of all that makes the scene of yesterday's battle so rampantly ghastly shocked the senses. A strange, dead calm reigned in this solitude of nature; grain had grown luxuriantly round the wagons, sprouting from the seed that dropped from the loads, falling in soil fertilized by the life-blood of gallant men. So long in most places had grown the grass, that it mercifully shrouded the dead whom four long months to-morrow we have left unburied. As one strayed almost about one stumbled in the grass among skeletons that rattled to the touch. Here lay a corpse with a bayonet jammed into the mouth up to the socket, transfixed the heart and mouth and groin into the ground. There lay a form that seemed coiled curled in calm sleep, turned almost on its face, but seven assegai stabs had pierced the back. Most, however, lay flat on the back, with the arms stretched out and the hands clenched. I noticed one dead man under a wagon, with head on a saddle for a pillow and a tarpaulin drawn over him, as if he had gone to sleep and died so.

DURNFORD'S FINAL RESTING PLACE.

In a patch of long grass, near the right flank of the camp, near Durnford's body, the long meatus still clinging to the withered skin of the face. Captain Senechere recognized him at once, and identified him yet further by rings on the finger and a knife with the name on it in the pocket, which rings were brought away. Durnford had died hard—a central figure of a knot of brave men who had fought it out around their chief to the bitter end. A stalwart Zulu, covered by his shield, lay at the Colonel's feet. Around him, almost in a ring, lay about a dozen dead men, half being Natal Carabineers, riddled by assegai stabs. These gallant fellows were easily identified by their comrades who accompanied the column. For Lieutenant Durnford was hardly at all decayed. Clearly they had rallied round Durnford in a last despairing attempt to cover the flank of the camp, and stood fast from choice, when

they might have essayed to fly for their horses. Close beside the dead at the picket line a gully traverses the ground in front of the camp. About four hundred paces beyond this was the ground of the battle before the troops broke from their formation, and on both sides this gully the dead lie very thick. In one place nearly fifty of the Twentieth-fourth lie almost touching, as if they had fallen in rallying square. The line of straggling rank back to camp is clearly marked by the skeletons along the front. Durnford's body was wrapped in a tarpaulin and buried under a heap of stones. The Natal Carabineers buried their dead comrades roughly. The gunners did the same by theirs. Efforts were made at least to conceal all the bodies of the men who had not belonged to the Twentieth-fourth Regiment. These were left untouched except orders from General Newdigate. General Marshall had nourished a natural and seemingly wise idea to interment to all our dead who so long have lain bleaching at Islanda, but appears that the Twentieth-fourth wish to perform this office themselves, thinking it right that both battalions should be represented, and that the ceremony should be postponed till the end of the campaign. In vain Marshall offered to convey a burial party of the regiment with tools from Durnford's Drift in wagons. One has sympathy with the claim of the regiment to bury its own dead, but why postpone the interment till only a few loose bones can be gathered? As the matter stands by the medical faculty for the moment, thinking it right that both battalions should be represented, and that the ceremony should be postponed till the end of the campaign. In vain Marshall offered to convey a burial party of the regiment with tools from Durnford's Drift in wagons. 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Chignecto Post.

Sackville, N. B., July 17, 1879.

The I. O. R.

In our last issue we presented some uncomfortable facts for the Halifax Recorder to controvert, if it could. As it could not do so, it has adopted the only course open, to a sheet that will not confess it is wrong, that of denying in general terms our statements, without offering a title of evidence to support its assertions.

The Recorder says:—
It (the Post) undertakes to show that our statement that under the regime of Mr. Brydges the annual deficit of the I. O. R. was materially diminished, is not true but entirely false. How does the Post attempt to demonstrate the falsity of our statement? By simply giving a table of the receipts for the years 1870-71-72-73 and 74, which shows a steady increase. Is this the way to establish the falsity of our utterances? Why does not the Post or the Herald go to the public accounts for 1873-74-75-76-77 and 78, and show that the deficit was larger during the last three years than during the first three? This would be something like a proof. But unfortunately a reference to the Public Accounts would have revealed nothing of the kind.

The public accounts show that Mr. Brydges has not reduced the annual deficit; that instead of making \$850,000 of receipts pay working expenses as he proposed in his celebrated report, his expenditures have enormously exceeded that sum.

CORRUPT TORY MANAGEMENT.
The following figures exhibit the result of the management up to the time of the consolidation on the 9th Nov. 1872. In New Brunswick:

| Earnings. | Ordinary | Surplus |
|-----------|-----------|-----------|
| 1870 | \$195,557 | \$129,638 |
| 1871 | 251,452 | 170,853 |
| 1872 | 294,089 | 225,816 |
| 1873 | 188,948 | 173,708 |

| In Nova Scotia:— | | |
|------------------|---------|---------|
| 1870 | 275,457 | 271,038 |
| 1871 | 314,257 | 246,286 |
| 1872 | 324,337 | 316,709 |
| 1873 | 182,191 | 124,676 |

Mr. Whitney explains the increased cost of operating the Railway was caused by increased wages paid firemen and cleaners, the increased cost of coal and wood, the former from 14 to 17 cts per bushel, and an enormous increase in the cost of repairs to engines owing to the severe winter.

| Consolidated Railway from Nov. 11, 1872, to— | | |
|--|---------|-----------|
| June 30. | 433,906 | 704,288 |
| 1873 | 893,490 | 1,025,880 |

| ECONOMICAL GRIT MANAGEMENT. | | |
|-----------------------------|-----------|-----------|
| 1875 | \$61,898 | 1,085,011 |
| 1876 | 248,461 | 1,025,774 |
| 1877 | 1,154,455 | 1,661,673 |
| 1878 | 1,378,946 | 1,611,273 |
| Surplus under Tories..... | 837,492 | |
| Deficit do do..... | 837,492 | |

Net deficit under Tories..... 2,387,492
Net deficit under O'R..... 81,255,029
These figures are taken from the reports of the various years. "Extraordinary expenses," &c., might be added, which would increase the expenses under Conservative rule considerably, and swell those under O'R rule enormously, as Mr. Brydges had a habit of hiding away under "capital" expenditures those legitimately belonging to "current expenditure," such as new cars, new stations, sidings, &c.

Does the Recorder now dare in the face of these statements to again assert that Mr. Brydges reduced the annual deficit. If so, we do not understand the meaning of figures.

Westmorland Circuit Court.

DORCHESTER, July 15, 1879.—At an early hour to-day visitors began to pour into the Shiretown, and the holiday aspect usually induced by Circuit Court soon became prevalent. His Honor Justice Fisher arrived in the morning train and opened court formally at 11 a. m., but as the jury men were not all present he adjourned till 2 p. m.

Attorney-General Fraser arrived in the noon train to look after the Crown cases.

Court was re-opened at 2 p. m., a large number of spectators present and fourteen barristers around the bar.

The following Grand Jury were sworn in:—David Chapman, foreman, Philip Palmer, Elijah Ayer, Thomas Anderson, Alfred Taylor, Alexander Black, W. Albert Black, William Bissett, David McLeane, Daniel O'Brien, Dennis A. Duffy, Martin Lowrie, James D. Weldon, Peter Schurman, John Calder, John Bell, John L. Triton, and Albert W. Wilnot. His Honor addressed them briefly to the following effect:

GENTLEMEN OF THE GRAND JURY.—I will not detain you at any great length. I opened Court this morning, but for the convenience of the Jurors I postponed until the present. There are three prisoners confined here in the goal awaiting the action of the Court. George Smith charged with having fired a gun, thereby maliciously shooting Isaac Atkinson with shot. The evidence against him is purely circumstantial. It seems Atkinson was returning to his home at a late hour in the evening, and was shot in the back; the attacking party remaining unseen. The evidence, although circumstantial, is very clear, as the wadding found on the scene of the shooting has been identified with that which was in a gun in the possession of the prisoner. I think that you can only decide, gentlemen, that the matter requires further investigation.

Polite Downing is here, also charged with shooting at a man—Lewis Ayard. I think you will agree with me, that this gun business is becoming too common, and is a most serious matter. Although this attack took place in the day and the crime does not partake of the heinousness of the first, yet if any man, even in defence of his own property, is allowed to make as free use of a gun as is alleged to have been done in this instance, then no man's life is safe.

We know come to Annie Parker, charged by the Osbornes family with perjury. In reference to this case, gentlemen, I must tell you that after conferring with the Attorney-General, and the crown prosecutors of the former trials of the Osbornes, I have concluded that there is nothing in this case to justify making a crown prosecution of it. The case will therefore not be submitted to you. I cannot conclude gentlemen without referring to the handsome Court House you have here. I only wonder that you should have gone to such expense to erect a wooden building when stone so abounds. A building in stone of this pattern would only be in accordance with the evidence of wealth and prosperity which I see around me in your country. I do not wish to criticize, gentlemen, but these ideas occurred to me, and I speak them out. The weather here I find delightful, the air in the hottest weather, when tempered with this Bay of Fundy breeze is charming, and I appreciate it the more accustomed as I am to the climate of the Upper St. John River. From the prosperity I see here among you, I infer that the effect of the hard times is passing away. As I have heretofore remarked, these hard times are blessings in disguise, as the effect is to turn men from speculation to the true source of wealth—the cultivation of the soil. Work the soil and prosperity must come. Your fertile country gives you excellent opportunities; improve them.

The Grand Jury after being out about two hours, returned their bill against Smith and Downing. Smith in reply to the question, "Guilty or Not Guilty," hesitated, and said, "Not—not guilty." The prisoner will not be ready for trial before Thursday. Hon. D. L. Hanington appears in defence of Smith. Hon. C. A. Landry will defend Downing. Civil business will occupy the court to-morrow. Appended are the dockets:

REMANENTS.
O'Donnell and Anna Downer, his wife, vs. Michael Hollahan—Borden & Atkinson.

Thomas Brooks vs. John L. Harris and Christopher P. Harris—Smith & Steves.

William Wells et. ux. vs. William B. Chappell—Dickson & Trueman.

William Hamilton vs. Thomas Simpson and Mathew Casey—W. J. Gilbert.

Christopher Milner vs. C. J. Brydges—W. C. Milner.

Thomas Armstrong vs. Blair Botsford, W. J. Gilbert.

John Doe, ex. dem. Walter Fowler vs. John E. Cahill—the Queen & Wells.

Ruth Woodman vs. the Town Council of Moncton—R. B. Smith.

Christopher Milner vs. C. W. Weldon—W. C. Milner.

John Doe, ex. dem. Hugh Davidson vs. John Jones—R. B. Smith.

Robert Thompson vs. Patrick Grey and Alexander Wheaton—R. B. Smith.

Marion Carter vs. F. A. Landry—W. J. Gilbert.

Doe, ex. dem. Oliver Breen and Sylvain Breen vs. Frederick LeBlanc and Joseph LeBlanc—J. L. Black.

Doe, ex. dem. Rector and Church Warden of Moncton vs. Thomas Ryan—Jack. John Rich and Samuel Rich vs. Gilbert Steves, Joseph Bishop and William Smith—Hickman & Emmerson.

Christopher Milner vs. Hon. Alexander McKenzie—W. C. Milner.

William Hodge vs. Charles J. Duchesne—R. B. Smith.

Charles S. Sumner vs. Winthrop R. McMan and Silas McMan—Emmerson & Read.

John B. Cormier vs. Ottawa Agri'l. Ins. Co.—W. J. Gilbert.

Thomas Barnes vs. Rufus Outhouse and E. Chandler Estabrook—H. R. Emmerson.

Alexander Tait vs. Thomas Fulton—W. J. Gilbert.

Doe, ex. dem. Wm. B. Harshman vs. H. LeBlanc—W. J. Gilbert.

Doe, ex. dem. Cogwell vs. Welsh—C. Milner.

NEW DOCKET.
John McNaught and Rodolphe Worrall vs. Donatille Lariviere—W. J. Gilbert.

Edward J. Smith vs. Boudreau and Boudreau—A. J. Smith.

Charles E. Knapp vs. Daniel Sullivan—C. E. Knapp.

Parker vs. Parker—Holstead & Dickson.

Francis Gaylor vs. Ovid Chapman et. al.—Landry.

William Wilson vs. William Crowson—Emmerson & Read.

John B. Cormier vs. Ottawa Agri'l. Ins. Co.—W. J. Gilbert.

The O'Sullivan Case.

MR. EDITOR, DEAR SIR:—The short editorial in your last issue concerning the O'Sullivan-Weldon matter does me the honor to call me O'Sullivan. For this you are not in any way to blame as your information, no doubt, was taken from other papers.

The charge against Mr. Weldon was embezzlement, a charge not very well understood in this part of the Dominion, but thoroughly understood and often brought against individuals in Great Britain. It is an offence, created by statute and may be defined to be fraudulently secreting the personal property with which a person has been entrusted. In other words, when property comes into a person's hands by the consent of the owner, and the person entrusted with it, uses it in such a way as to deprive the owner of what has been done with it from the person entitled to it, and that for the purpose of divesting the owner of it and by circuitous and covert means appropriating it to his own use, it is embezzlement.

We will in justice to Mr. O'Sullivan give a brief history of his case. In 1877 Mr. J. F. O'Sullivan died at Moncton, leaving property to the amount of upwards of ten thousand dollars. Administration was first granted to Daniel Cronan, which was afterwards revoked, and administration granted to Mr. D. O'Sullivan, who offered as sureties, Mr. Brown and Mr. Hartly of Ontario, who were refused on account of being non-residents of New Brunswick.

To procure proper sureties an agreement was made between Mr. O'Sullivan of the one part, and Hartly and Weldon of the other, which is substantially as follows:—Upon the said Hartly and Weldon procuring sureties to sign O'Sullivan's Administration Bond, and Administration being granted to him he was to have all the personal property of estate converted into money and deposited in the Bank of British North America to the credit of Weldon and Hartly, and afterwards the said Hartly and Weldon were to draw the money and invest it in good securities to the best advantage, authorize O'Sullivan to receive the interest, and on the final distribution of the estate to be paid to him.

As soon as the Administration was perfected O'Sullivan handed all the securities and property of the estate to Hartly. The estate consisted of monies in Saving Banks, an Ohio State bond of \$1000, a London State bond of \$1000, and £400 Sterling, York and Midland Railway Stock.

O'Sullivan executed a power of Attorney, and Hartly and Weldon at once proceeded to New York. Hartly arriving the first. All the money was drawn from the Saving Banks and the State Bonds were converted into money. O'Sullivan proceeded to England, and there found some of his sisters yet alive, and some nephews and nieces. He had been absent from England twenty years, and his deceased brother before his death had declared that all the family were dead, and as he had corresponded with England and Denis had not, Denis supposed he had been correctly informed.

Mr. O'Sullivan on his return from England proceeded to settle up the estate and in due time his accounts were passed and an order for distribution made, showing the distribution share of each next of kin to be \$1135.11. After distribution which was decreed in July 1878, he demanded the proceeds of estate and was met by a demand from Mr. Weldon to execute a power of Attorney to Mr. Palmer, by which he, Palmer, could convert the midland Railway stock into money. As he had no power to do so, he refused, and also, the control of this Railway Stock; as the Script, without which it is of no use to him, was in the hands of Hartly and Weldon, he refused to execute a power of Attorney until he had his own share of estate secured, or paid to him. He then employed A. J. Hickman to find out where the property of the estate was and at his death employed other counsel. Mr. Weldon and Mr. Hartly have been refusing to rectify and have given no response.

Mr. Weldon even refused to answer the letter of Mr. O'Sullivan's Attorney, or to give any information about the estate, and a part of Mr. Weldon's contention at the examination was, that O'Sullivan had not been able to find a cent of the property in his hands.

At the examination, Mr. Hartly was summoned as a witness and did not attend. A warrant was taken out to apprehend and bring him up as a witness, which the Sheriff of Frontenac Co. refused to execute, and as O'Sullivan was unable to procure funds to send a Constable from Westmorland Hartly's testimony was not procured and O'Sullivan remains in ignorance as to where the funds of the estate now are.

In further justification of him we will say, he has always been willing and has repeatedly offered, that, upon receiving his share of the estate as a witness, which the Sheriff of other heirs will be paid, to authorize the sale of the English Railway stock, and all that he has ever asked is, that the estate should be paid over to the distributees in accordance with the decree of the Probate Court.

Yesterday, O'Sullivan was arrested at the suit of Mr. Weldon, on a capias issued by S. R. Thompson, Queen's Counsel, for \$5000 supposed damages suffered by Mr. Weldon by being arrested at Moncton. The order to hold to bail was made by Justice Duff. Unless Mr. O'Sullivan can procure bail to the Sheriff and afterwards special bail for this amount he must remain in Dorchester goal until after the action commenced by this capias is determined.

ed, and as Mr. O'Sullivan feels perfectly justified in what he did and as the whole of the action turns slowly, he may remain in durance vile for some years.

We have been as accurate as possible in our statements, as we have no desire to prejudice Mr. Weldon or Mr. O'Sullivan. Let the facts speak for themselves and let those who read judge between them.

There is another phase in this case which extends beyond individuals, and that is Mr. O'Sullivan's incarceration and the way in which it was procured.

We do know the contents of Mr. Weldon's affidavit, on which Justice Duff's order to hold O'Sullivan to bail for \$5000 was made, or what reason Mr. Thompson may have given in addition, when he procured the order. The detention of Mr. Weldon on his arrest at Moncton, could not have been thirty minutes, as he continued his journey by the same train, and all his subsequent attendances before the Justice were voluntary. The incarceration of his feelings could not have been great, and we should think that even if Mr. Weldon's affidavit disclosed a very strong case, that in order to hold to bail for one twentieth that amount was excessive, and if the affidavit really did disclose the facts as they exist we are at a loss to know how an order for bail could be made at all.

What is Mr. O'Sullivan's case to-day, may be anyone's to-morrow, who has reason to suspect that anyone has been guilty of a criminal offence and prefers a charge before a proper tribunal. The charge may be removed in some way unknown to the law to some other tribunal, and by procuring such testimony may be procured may be refused and the charge dismissed for want of evidence, and the person who preferred it in on an ex parte application, and on an ex parte affidavit, arrested for a sum so enormous that no man of ordinary circumstances could find bail and have to await in one of the cells of a common goal, surrounded by murderers, thieves, and prostitutes, the slow and uncertain movements of the law. A judge may err, but surely when an error like this is made, the error is a tremendous one, and then the thoughts of it must almost stop our breath.

We do not say that the professional friendship, the political connections of the parties, or any other than to them what seems the most urgent necessity and satisfactory reasons led to this order to hold to bail for \$5000. We merely say that we find in a free country in which the laws are supposed to be equally and impartially administered, a man just verging on three score and ten, a gentleman in manners and a scholar in education, incarcerated in a filthy cell and surrounded by felons, who in a few days or a few months almost will again breathe the fresh air of Heaven, who must either submit to relinquishing the little property he possesses to the person who has caused his incarceration, or remain shut out from the light, save as it finds its uncertain way through his prison bars, spending his days in the narrow limits of his cell and his nights on iron bedstead and pallets of straw, with nothing but prison fare to support his declining strength. Do we live in a christian country, or are we by some unaccountable freak of time sent back to the days of "an eye for an eye, a tooth for a tooth," or to the still darker days of the Star Chamber.

Dorchester, July 14, 1879.

[We admit the above communication in correction of what appeared last week, but we decline to insert anything further concerning the merits of it, while it is still *sub judice*. We must however comment on the extraordinarily large amount of bail demanded—a sum beyond precedent under similar circumstances in the courts of this or any other country. In giving the power to hold to bail, the law does not intend it should be exercised in a vindictive manner to harass or oppress the subject, but to be used solely to secure his appearance when wanted and a sum sufficient to secure that end is usually deemed sufficient. In this case Mr. Weldon appears to have called the pudding too well. No doubt the Court on application will reduce the amount.—Ed.]

Trade and Crops.
Mr. Mechi, the eminent agriculturist who is regarded as the highest authority on the subject, announces the complete failure of the crops in England. An almost unprecedentedly severe winter has been followed by cold, wet weather, from the effects of which, Mr. Mechi says, "it is now too late for the crops on ill-farmed and undrained lands to recover." Latest advices by mail report the partial failure of the wheat crop in many districts in Southern Russia. Austria has been afflicted with heavy rain storms, and rust has struck in France will require \$100,000,000 worth of imported grain.

In Montreal flour has advanced from 40 to 60 cents per barrel and wheat from 10 to 10 cents. The Canadian crop promises to be an abundant one, so that with high prices, our farmers will be peculiarly favored. It must be remembered, however, that a considerable quantity of grain has been held over in America this year, so that the amount to go forward will be very great, and freight rates will, no doubt, be high. As the prices are fixed in Europe, the extra freight charges will have to be deducted from the ruling price here, and will come out of the producer's pocket or the dealer's if he be unwise. However, if the bartering weather be favorable, the success of the fall trade will be assured.

INLAND REVENUE.—Mr. Thomas Hanford removed from here on Tuesday, to St. John, the weights and balances belonging to the department and heretofore used in this district.

New Advertisements.

TO OUR FRIENDS AND CUSTOMERS.

WE HAVE IN STOCK and are now receiving large amount of Goods, of first quality, viz.:

Staple and Fancy Dry Goods.

Groceries, Builders' Material, Shell Hardware, Cutlery, Iron, Steel, Agricultural Implements, Flour, Meal, Paints, Oils, Varnish, &c.

In short, all description of Goods for all classes of persons, which we will sell from this date at exceedingly

Low Prices for Cash

Or payment by produce. Indefinite and long credits will be curtailed for a time.

J. L. Black.

100 Barrels Flour.

"Bangup," "White Rose," &c.

Remember—Cheap for Cash.

J. L. Black.

DRY GOODS!

5 Cases and Bales,

Containing a General Assorted Stock.

100 Bundles WHITE WARP;
25 Bundles BLUE WARP;
1 Case GENTS' HATS;
1 Bale CARRIAGE DUST WRAPS;
Carpets—Assorted Stock.

Now is the time to buy low.

J. L. Black.

Sugar, Molasses, &c.

4 CRACKS Best Quality SUGAR;
5 casks Barbadoes Molasses;
15 casks Choice Tea;
8 kegs Baking Soda;
5 kegs Rice;
3 barrels Dry Apples.

FOR SALE LOW.

J. L. Black.

Agricultural Implements.

15 DOZEN HAND RAKES, Cheap;
5 dozen Scythes;
15 dozen Forks, 2 and 3 Prong;
5 dozen Hoes.

FOR SALE AT LOWEST PRICES.

J. L. Black.

Tobacco and Tea.

JUST RECEIVED:
80 CADDIES BLACK HAWK TOBACCO;
5 CADDIES Little Sergeant Tobacco;
8 Boxes Challenge Tobacco;
10 Half-chests Extra Tea;
10 Caddies Superior Tea, for family use;
Dry Apples, Raisins, &c.

For Sale Low.

J. L. Black.

GLASS, NAILS, &c.

JUST RECEIVED:
100 BOXES GLASS—all sizes—
from 7 to 10 lbs;
75 kegs Nails, assorted sizes;
10 boxes Clinch Nails;
1 cask Putty;
Locks, Hinges, Screws;
Copper Rivets;
Carriage Malleable Irons;
Paints, Oils, Turpentine, &c.

And all Builders' Material at very low prices.

J. L. Black.

SUMMER STOCK!

WE ARE NOW OPENING OUR USUAL STOCK

Seasonable Goods,

In Staple and Fancy Lines,

And now offer our customers a full and well assorted Stock to select from. Prices very low for prompt payment.

J. L. Black.

Colored Dress Silks,

Which we will sell at greatly Reduced Prices.

Black Dress Silk

Very Cheap.

J. L. Black.

DRESS SILK!

We beg to call attention to a Lot of

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