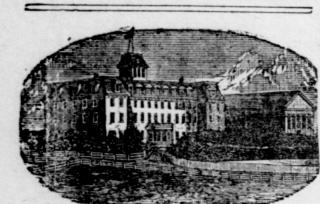
General Business.



MT. ALLISON LADIES' ACADEMY,

Sackville, N. B.

REV. D. KENNEDY, D. D., Principal.

ONE of the BEST EQUIPPED SEMINARIES in the Dominion embracing Courses of Study from the primary to the degree of B. A. Departments of Music and Fine Arrs under direction of Specialists. For particulars send for catalogue. First Term opens 21st August. 7.R.25

NOTICE.

PUBLIC NOTICE is hereby given that the following Notice and Petition signed by over one fourth of Electors qualified and competent to vote at the Election of a Member for the House of Commons in the County of Northumberland, praying that the Second Part of the Canada Temperance Act of 1878 should be in force and take effect in the County of Northumberland, and that the vote of all the Electors of the said County may be taken for and against the adoption of the said Petition, will be deposited in the office of JohnShirroff, Esquire, Sheriff of the County of Northumberland, on Thursday 31st day of July, inst., for public examination by any arties for ten days preceding its being Lid before the Secretary of State as required by law.

PETITION.

To the Honorable the Secretary of State for Canada. Sir,-We the undersigned Electors of the County of Northumberland request you to take notice that we propose presenting the following petition to His Excellency the Governor General, namely : To His Excellency the Governor General of

Canada in Council. The petition of the Electors of the member of the House of Commons in said

Respectfully showeth, that your petitioners are desirous that the second part of the "Canada Temperance Act, 1878' should be in force and take effect in the said County.

Whereupon your petitioners humbly pray that your Excellency will be pleased by an Order in Council under the Ninety Sixth Section of the said Act, to declare that the Second Part of the said Act shall be in force and take effect in the said

And your petitioners will ever pray &c. And that we desire that the votes of all the electors of the said County be taken for and against the adoption of the Chatham, July 11th, 1878.

IMPORTANT SALE OF-Real Estate.

THE Subscriber offers for sale the following valu-That desirable business stand on the North side of Water street, Chatham, opposite the store of R Bain, Esq., with the two storey building thereon. Also, a Lot of Land containing about Five Acres situate in Chatham, on the East side of the Chapel Road, and lying between fields owned by G. C. Gragan and M. Dwyer, respectively, the same now being sown with oats and laid down with Timothy and Clover Seed.

Also, that desirable building lot in Chatham

near the residence of Dr. Pallen, bounded on the East by Queen street, on the West by King street and in front or South, by Howard street. Also all that Land situate in Chatham, lying tween St. John and Cunard streets, and fronting on Church street, with buildings thereon. Also, that Lot of Land in Chatham on the North side of Upper Water street known as the Coulson property, with the buildings thereon and

Also, the 'farm'in Chatham, fronting on the Miramichi River, lying between the Lands of Messrs. Fenton and Wells, respectively, being Twenty Rods in width and extending to the rear of Also, that field on the North side of Napan Rive in Chatham, aforesaid, formerly owned by John McEllveeney. deceased, containing about eight

Also, a Lot of Land in Chatham on the East side of the Chapel Road, lying between the field of M Dwyer and the Chatham Branch Railway track. Also, that Lot of Land in Glenelg, known as the McCully Meadows, containing about

350 Acres

about 60 of which are under Grass, the remainder having a quanity of valuable lumber and Cedar Also, all that Lot of Land on the North side of Black River in Glenelg parish, lying between lands owned by J. McRae and D. McGraw, known as lot No. 11, and containing about

200 Acres,

part of which is under cultivation, having been sown with Oats and laid down with Timothy and Clover seed, this season. For further particulars apply to A. H. JOHNSON. J. D. McCULLY. Chatham, N. B. July 15th, 1879.

Tobacco! Tobacco!!

T HAVE just received a large Stock of

W. C. McDONALD'S TOBACCO,

which I will sell in Bond or Duty paid, CHEAPER THAN CANBE IMPORTED.

Call and see Samples and prices.

ISAAC HARRIS, Water St., Chatham.

nen do as well as than the amount stated above. No one can fail to make money fast. Any one can do the work. You can make from 50cts. to \$2 an hour by devoting your evenings and spare time to the business. It costs nothing to try the business. Nothing like it for money making ever offered before. Business pleasent and strictly honorable. Reader, if you want to know all about the best paying business before the public, send us your address and we will send you full particulars and private terms free; samples worth \$5 also free; you can then make up your mind for yourself. Address GEORGE STINSON & CO., Portland, Maine.

LIST OF

Wholesale and Tavern Licences.

GRANTED BY

The Northumberland County Council, at July Sittings, 1879. Parish Licenses. Term. Tav. W sale. NELSON-

Matthew Carrol, 6 mos. " Joseph Hays, NEWCASTLE-James Doyle, Charles J. Maltby. 6 Jane Wheeler, Stephen V. Mitchell. 6 James B. Russell. Alex. Stewart. Vernon Graham,

Dennis M'Evoy, Joseph Hays, CHATHAM-Michael Hickey, Michael Brennan. John Meehan, William Mills, John Donalds. George Traer, John Currie, James Clowrie, John M'Gowan, James M'Carthy, Daniel Desmond, Roger Flannagan,

John Johnston.

John Johnston,

SAM'L THOMSON

Miramichi Advance

CHATHAM. - - . SEPTEMPER 18, 1879.

The Circuit Court.

The proceedings of the Circuit Court vere terminated yesterday. The trial of Joseph Maher, for murder is fully reported in our columns. The facts furnished are an additional warning against abuse in the use of intoxicating liquors. Maher was a man naturally fitted to occupy a much better position in the community than he did, even before the commission of the crime, but for his intemperance. It is to be hoped that his grave offence against society, and its punishment will not be and persons and matters outside of their without its due effect upon others who parishes than they do of the interests may be cursed with an appetite they ought to represent; or persons asfor strong drink.

tonness-the effect of an impulse of quite as far in the direction of leniency. The wanton and unprovoked stabto receive the extreme punishment proto be said—that when a jury in such a case returns a verdict of manslaughter, there is option, as to the sentence, with the judge. Few judges, no matter how wanton and inexcusable the act of of the law.

The civil case against the Northwest Boom Company was decided with credit to the Jury. It is encouraging to find that there is a strong sentiment of justice prevailing which does not as-County of Northumberland qualified and | sume that there are no contracts in busicompetent to vote at the election of a ness save those which are written. When men seek, by technicalities what they think is law, to escape from the requirements of justice towards others who have dealt in good faith with them because they relied upon their integrity, all honorable men wil approve of our juries refusing to assist

The sudden arrest of proceedings in the case of false imprisonment, on the exceedingly weak objections raised by Counsel for the defence, caused no little surprise to nearly all who heard the arguments on the points advanced and Mr. Weldon's demurrer. It seems to be a pity that the peculiar circumstances of the case should have led up to so seemingly absurd a postponement of the trial of the matter on its merits. His Honor, appeared to think it neces sary to pronounce the case a trivial one without having had an opportunity of hearing the evidence in it .timent and the popular high regard in which we believe the Bench is justly held for its impartiality and freedom from prejudice, by seeming to assume that the matter was a political one in such a degree as to render it trivial, and in going so far as to say it was "a case not particularly requiring the care of in affording the son an opportunity of the country."

If one citizen lay but a finger upon the person of another in anger, the party so touched may secure the punishment of the offender by summary process in our police or magistrates' courts. Even an offensive epithet applied by one citizen to another is punishable by the same process before the same tribunals. The offence of false imprisonment, has, however, been deemed one of such importance as to cause men competent and empowered to legislate on both the making and administration of the law, to classify it among the subjects coming within the jurisdiction of the highest courts of the country. In the particular case under notice His Honor, unless he allowed himself to listen privately to the stories of interested parties, could not have had any means of knowing whether the action was brought on have been at higher rates." trivial grounds or not. He could not know the gravity of the offence. Officially (and he should speak in no other

way, when on the Bench) he had no right to prejudge and attempt to weaken the plaintiff's case by asserting that it was one "not particularly requiring the care of the country." The effect of speaking them, would be to encourage the kind of lawlessness of which the defendants were alleged to have been guilty. His words would imply that the seizure of a respectable citizen upon the street by two or more other citizens, and the thrusting of him into jail, despatch received from Afghanistan and his detention there without the reiterates the complaints concerning the slightest warrant of law, are trivial matters, "not particularly requirtunate for common mortals, who do not deem a preference for a certain set of political opinions a crime, that those who framed the laws by which the rights of the subject and the sacredness of his such indignities in the "trivial"

So far as His Honor's decision on the objections raised by the defence goes, while it is undoubtedly open to criticism, it cannot be assailed on the ground of impropriety. He is entitled to the credit of having acted according to his honest convictions, with the light he possessed, clouded though it may have been by the unmistakeable bias he displayed in using the words which, we deem it our duty to claim he should have left ansaid while on the Bench.

light which Judge Wetmore does.

The plaintiff, very properly, expressed the intention of applying for a reversal of His Honor's ruling in the matter, and we have no doubt that the Supreme Court at Fredericton will view situation. the specious objections of the defence to the Sheriff's panel as "trivial," and Golos considers the present time favornot worthy of being sustained.

The Municipal Elections.

The Municipal Elections are to take place in the several Counties of the Province on Tuesday, 28th October. There left bank of the Attrek, which would is not a great deal of excitement manifested in the matter in Northumberland, Merv." so far, but we presume it is not because the people are not alive to their in- tunity as a good one for Russia to deal terests. In some of the Counties there | England a deadly blow in Central Asia. 6 "up. store" is a furore over the approaching event Russia has completed the survey of and although there may be an unseem- the route for the proposed railway in ly anxiety in some quarters in this Central Asia.

self-nominated candidates find out in time. It is hoped that a careful and judicious selection of Councillors will be made in our several parishes. The Northumberland Council can be improved for County purposes by the election of men who are not too much mixed up with Ottawa and Fredericton politics, To the Attorney. General-The treat-

for the people can well understand that councillors with an eye single to Muni- jury cipal interests-who will at no time sacrifice them to other entanglementsare the safest and most effective Municipal representatives. If any of the Parishes should find would-be representatives of the class who know more of places The evidence goes to show that the | when there, be simply voting-machines killing of Connick was an act of wan- to give effect to the designs of others -such aspirants ought to be dis destructiveness, induced, no doubt, by couraged. The duties of Municipal

intemperance. The finding of the jury | election day are simple. All the elecis, on the whole, not any more severe tors of the different parishes who can do than was expected. The sentence goes | so without serious loss or inconvenience. should attend at the place of election for the purpose of hearing or making bing of an unoffending man to death nominations and of voting for and seems like murder, and as such ought against candidates. Many electors remain away from the place of nomination vided by law. There is this, however, and polling and then blame everybody but themselves because persons who do not please them are returned. To avoid this let all interested exercise the privilege of the time, for the Municipal elections are the most important, localthe criminal may be, can feel entirely ly, of any that it is the people's privilege justified in giving him the full penalty | to participate in, and they should faithfully discharge the duty which they owe to themselves and their fellow citizens,

Respecting the parish of Chatham, we

understand that John Fotheringham. Esq., has determined to retire from the representation which he has so credit- | C ably shared with Mr. Lawler since the County became a municipality. have no doubt that the Ratepayers would have been glad had Mr. Fotheringham been able to continue, but he has served them well and his efficient services in the past will cause them to bear him in kindly remembrance for the future. It is also understood that Mr. Lawler intended to have retired this year, but there is a feeling among the ratepayers that both members should not retire together, but one remain, in order that he might assist the new member and the parish with the benefit of his experience. It is, therefore, believed that Mr. Lawler will reconsider his intention and allow himself to be again elected. Of course, there are various opinions in reference to who the person to succeed Mr. Fotheringham should be, but public opinion seems to be very largely in favor of A. H. Johnson, Esq., who will, no He gave a further shock to correct sen- doubt, be called upon to associate himself with Mr. Lawler in the representation of Chatham. Mr. Johnson is a young man of excellent position and those who remember how ably and independently his father, the late Hon. John M. Johnson, represented the County will, no doubt, be glad to join

them in a representative capacity. Deals in Liverpool.

showing how well he also can serve

Messrs. Farnworth & Jardine's circular of 2nd inst., contains the follow-

"The import of Spruce deals, though ess than during the like month last year, has still been too large, and much in excess of the demand, the consumption showing a marked falling off as there have been fewer cargoes pressing on the market, and the late auction sales show a slight improvement in price; the future course of the market will altogether depend upon the quantity coming forward for the reis a better demand, and the late sales

FISH-FREEZING:—A correspondent gives a new interest to the Beet Root culture question in connection with fish-

Afghanistan.

It appears that Great Britain is only His Honor's words, and of his manner in at the beginning of her difficulties in connection with Afghanistan. The despatches relating to the fresh troubles there are not at all reassuring. The following indicates the gravity of the situation :-

London, Sept. 15.—Every special transportation difficulties.

A telegram from the Viceroy shows ing the care of the country." It is for- | that Shutargarden Pass was only completely occupied on Thursday evening. As the necessity for the occupying of this point was urged, and, as the British troops were stationed only twenty-miles distant, it is inferred that the Indian person are protected, did not look upon | Government, at the close of the last campaign, must have disbanded and disorganized the transport service. Camels have become practically extinct in Kuram Valley because of the great

mortality among them. The additional regiments which General Roberts telegraphed for from Ali Kneyl are to strengthen his line communications, as the tribes, though not of sick among the European troops on

St. Petersburg, Sept. 15.—The able for Russia to consolidate her strength in Bokhara and says: "We I made a search. would admit England's right to occupy Cabul and Candahar provided Herat was transferred to Persia and Russia received the strip of territory on the serve as a basis for her advance on

have little chance of election—as all the re-opening of the Afghanistan war, the case for the prosecution was continued: and the uncertainty regarding foreign MARY CARROL. politics, has checked reviving trade.

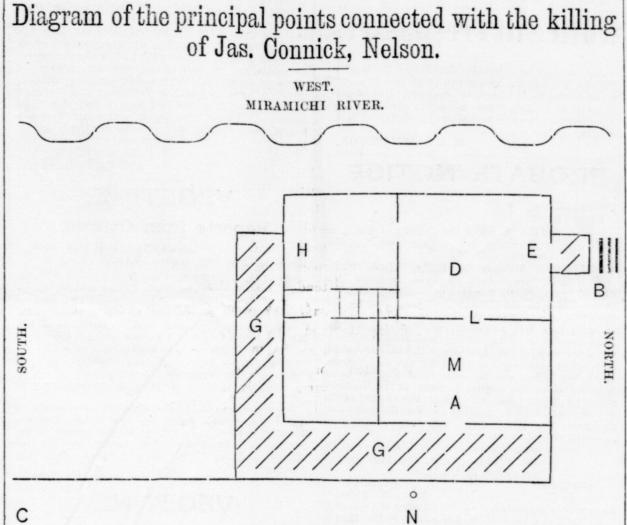
(Continued from first page.) NORTHUMBERLAND CIRCUIT

ment was the modern scientific treat-MURTHA CARPOLL

sworn-I remember the 25th March last. My brother keeps a licensed Inn. Saw into the house. Joseph Maher at our house on the 25th at | Cross examined by Mr, Wilkinson.-

He came with a horse and sleigh. James that day. All the parties in the house came first into the house. He got the tub seemed friendly that night. Connick

of Mathew Carroll; remember the night of the Country since the prisoner. They remained the 25th of March; know the prisoner. They remained the Country since When I saw him first he was at Mathew's Mahers shook hands with him, and said door. Connick came in by the back door platform, James Maher was with him. It they would treat Connick, which they and told James that Joseph was waiting was about 7 o'clock in the evening. His horse and sleigh were there, fastened to the shop door. Joseph then gave a lecture. It is for him. I could not tell that either poor description. He stated that the prisoner on being told that Wm. Connick he had as much sympathy with the prisoner. the telegraph post. After 9 o'clock the James Woods then came in ; prisoner talk- night. James said that Connick was piring to go to the Council who would, same night, I saw them again, from my ed about a quarter of an hour; prisoner ask- drowsy,



EAST.

NELSON HIGHWAY.

The above diagram illustrates the principal points referred to in the testimony. It will assist the reader to a clearer understanding of the evidence. A—Bar-room street door.

B-Spot where Connick lay when he asked Mary Carroll to admit him as h

C-Spot where the stabbing is believed to have been done. D. Kitchen.

E-Kitchen door and platform with steps. F-About the position of window from which the witness, Murtagh Carroll. heard the Prisoner's voice at point C.

G. G.—Verandah. H-Window in room off kitchen. L-Door between Bar-room and Kitchen.

M—Bar-room.

N—Telegraph pole.

own window on the opposite side the street. ed to treat the crowd again. I told him sized man. He went towards the horse's the light with me to the kitchen.

name. I did not hear his reply. I heard that Joseph was calling him outside to go railroad here. I dropped the blinds and James that Joe was waiting for him to go excited tone. He has a strong, loud voice. self. They remained there until my My sister Mary called me next, and I went brother, Mathew, came in. They were over. I found Connick, Jas. Woods, my talking. James and Joseph had two compared with last year; stocks are ac- brother, Mathew and my sister Mary. drinks by this time, Connick only one. cumulating, and unless shipments are John Handley came in between that time Connick drank alone. They had each had

[Nothing of importance was elicited.] mainder of the season. Pine deals con- the 25th March; was at Mathew Carroll's going, as James was dropping asleep. tinue neglected and without any im- about 8 o'clock. I had been in the woods Joseph went over and laid his hand or provement in value. For Birch there for the winter and came out that day. James' shoulder and said "we will be rollcould not. I told him where it used to go saw Handley at the house that night.

coat and walked towards me.

SATURDAY'S PROCEEDINGS. the names of the Jurymen having been where Connick was. He was lying there. it impossible he could be cut in the way death, it was an intervening cause, from

The night was over cast. Joseph was then | would not give any more liquor, that he sitting in the sleigh. James was standing had enough. He handed me a one dollar behind the sleigh with his back toward bill. I went to the kitchen to see who The horse's head was up-river. I came in and returned to the bar. James lid not look out again till I heard some Woods asked me who came in. I told him loud talking to the horse by Joseph Maher. Elizabeth Woods. James Woods said he He was calling the horse by name saying, would go and have a talk with her. 'Whoa! Lord Nelson." He was at the Prisoner said "We'll have a drink before horse's head. The horse had moved up we go" I asked Joseph if he would go if he the road about 40 ft. James was in the got a drink: He said "we'll have a social sleigh. I heard Joseph say that there drink and then go." They had a drink all was something very wrong with the horse, round, the Mahers Woods, and Connick. and James said he thought things were They were all that were there. James working very free. Then I saw James Woods went to the kitchen followed by go up alongside the horse examining the James Maher. I told James Maher to go gear. About this time I saw a man come with Joseph. James went into the kitchen. out of Mathew Carroll's shop door. He Connick went to the door and said to went up to where Joseph was at the prisoner he wanted to speak to him, and horse's head. I did not know it was Mr. they both went out of the shop door. John Handley. He appeared a medium went to the door and locked it, and took

head. Joseph Maher asked the man his When I got in the kitchen I told James Joseph Maher say that only for his lectur- home. James did not start till Connick ing and enlightenment, there would be no came in by the kitchen door and told went to bed. Between 9 and 10 o'clock, home. James got up, but did not start till I heard some loud noise. I recog- Joe came into the kitchen. The persons nized the voice of Joseph Maher, but I did present were James and Joe Maher, Con- Have not seen James Maher since that Maher had taken off his coat saying "there not recognize any words. He spoke in an nick, Woods, Elizabeth Woods and my- time. greatly reduced there will be little and the arrival of the Doctor. I saw Con- two drinks, but Woods. They were there chance of prices improving. Latterly nick during his illness. He died on the 10 or12 minutes before Matthew came in. This was in the kitchen. They were there Cross examined by Mr. Wilkinson .- in all two hours and a half. When my

brother came in he took a lamp and went out. He was absent 5 or 6 minutes. When he came back James Maher was sworn- am a resident of Nelson; know seemingly drowsy as if he was going to the prisoner; remember the evening of sleep, and I told Joseph he had better be I went in at the bar room door. There ing home in half an hour." James stood was James and Joseph Maher, Mathew up and Joseph asked my brother to let Carrol and Connick. The Mahers were them have a drink before they went. My about taking a drink. After they had a brother said "No, Joe, you have got drink they left, as Mathew Carroll was enough," and went into the room off the Carroll went to the door with them and had been taking something, but nothing to returned. I said to Connick that he and hurt. Joseph and James followed my I would have a drink. We had one. I brother into the room. My brother took The small "skelp" he gave would not hurt ice it might be either expressed or imwent out at the same door. I went a lamp and he and the two Mahers went any one. People say James has left the up the road apiece I lived above into the bar-room. Connick followed them | country. I have not seen him since the Mr. Flett's mill. I met Joseph and James out into the bar. After a little while, I 25th March. Joseph Maher lives on the Maher with a horse and pung. They were heard the bar door open on to the street. about the upper end of the house. I said and I went to see if they were gone. "good night." Joseph Maher said "good There was no person in the bar only Connight, what's your name." He said "would nick and Handley. My brother just came you please to tell us the road on to the ice." in at the shop door, after seeing the I said I had only just come home and Mahers out. This was the first time on, at Kain's or Flett's wharf. He said turned into the kitchen again leaving my "will you shew us if you are going that way." brother, Connick and Handley in the bar. James sat in the sleigh and I sat behind. Connick came right out leaving my

Joseph talking to his horse and fixing the brother and Handley in the bar. They reins. William Connick came out at the remained in the bar about 10 minutes. side door of the house and spoke a word My brother brought out the lamp into the or two to James Maher, who was sitting kitchen. I heard the door open and close, in the sleigh. Joseph reined his horse and my brother came into the kitchen. across the road and upset the sleigh and Connick and James Woods and myself and my brother were in the kitchen. I said to Joseph, "we ought to get away Elizabeth Woods went out after my if you are going to-night, and you should brother was out with the light. Connic not be kicking up shines." He let go the asked my brother for tobacco to fill his horse, stood back and said there was some. pipe. I told him he had better go home. thing else to be done. He pulled off his when he could fill his pipe there. He started to go and my brother went out Connick went towards him, close enough with him. They went out at the kitchen for Maher to strike him, Connick turned door. My brother came in and locked round to me and he said, "John I am the kitchen door immediately, and put

hurt." I looked after Connick who walk- out the light as the Mahers were still ed away from Joseph Maher, down the about. James Woods was still in the road towards Mathew Carroll's house. I went into the room off the As I turned round James Maher was kitchen at the window to see if I could making a blow at me, and I defended hear anything on the street. I heard myself and I struck him. James caught William Connick call me at the kitchen me round the knees and tried to pull me door. He called "Mary, let me in!" three down. Joseph was on the road and I times. He then called "Mary Carroll, let thought would strike me. I caught him me in, I'm'dying!" I recognized Joseph by the shirt breast. He caught hold of Maher's loud voice saying on the street, me, and I felt my clothes tear. I got "come on Connick." Connick was about hostile, show great excitement. The clear of the two men. I got out on the the door at this time asking to get in. I force which is to advance on Cabul will road and they went towards their sleigh. heard Joseph Maher say this after I heard I don't know in which direction I went. Connick. The room I was in was on the consist of 2500 Europeans and 3000 I remember seeing some one at the lower up-side of the kitchen, on the river end of natives. The attention of the commis- end of Mathew Carroll's house, but do the house. From the window of the room siarat will be almost exclusively devot- not remember who. They (the Mahers) off the kitchen I could see up the road ed to supplying this force. The other clothes till about five or six minutes and sleigh. Joseph Maher, when he columns will be held in reserve for the after when I came to the house of Mr. spoke, must have been on the road handy present. There is a large proportion Martin Doyle, where I had borrowed the to the house. I came out into the kitchen coat. I saw my clothes were cut [coat and said to my brother I would let Conproduced and shown with two cuts on nick in, and my brother said not. I went the frontier, except those regiments left arm near shoulder, and two on right to the kitchen window, and saw Connick which are in a particularly healthy arm near wrist.] Two shirts I had on leaning on the banister at the lower step were also cut in a similar manner. There of the door. I told my brother to open is also a similar cut on the arm of the out- the door, as Billy, was drooping over the side shirt. I found my hand was cut on banister, I thought he was hurt. My the back over the fingers also my left arm, brother opened the door. Connick was (arm shown) I did not know I was cut till then lying on the snow at the lower step of the door. The snow was filled up to James Maher had hold of me by the legs the understep leaving four steps. I fol at the time I got the cuts. He could not lowed my brother out and saw Connick have done it. Joseph Maher struck at me lying on the snow. Just then Handley and caused the tears. I saw no weapon in came round from the direction of the bar result from their verdict. The case of and to give a verdict on such a basis would After the examination at Doyle's, I came | Connick but he did not seem to have the to Mathew Carroll's, and there found Con- use of bis feet. I told them to carry him nick wounded. I heard no quarrelling in. I went to the corner of the house between Connick and Joseph Maher. and looked up the street. I saw a bulk crime of homicide could be brought home patient and dying of that decease, had no-When Connick was hurt James was on apparently on the street but I could not to the prisoner. He contended that those thing to do with the present case. The The Vedomasti suggests the oppor- the down river side about 15 or 18 feet. distinguish persons. It was up the road. Cross examined by the Hon. Mr. Adams | The bulk was moving, I imagined it was [Nothing new was elicited to affect the the Mahers starting away. I heard a in question had only indulged in a return the bowel, justifiably, and he told

to feed the horse and went out; he came seemed to enjoy Joseph Maher's lecturing. in again and went to the stove to warm Joseph Maher has frequently been at our HIS HONOR, MR. JUSTICE WETMORE, PRE- his feet. Prisoner came into the shop, house. He spoke about "the foolish farand asked for James and then went into mers" and "fattening pigs." This continued Falling on a knife might produce the in- the kitchen. No other persons were in at for a quarter of an hour. He seemed to that time. They remained in the kitchen have had more liquor than was good for some time. They then went into the bar. him. He was talking so loud that I had done feeding and he would go home. not that I thought he was drunk. I think Joseph told me to come out and let them | Connick was in the habit of drinking. have a drink before they would go. I The third time the Mahers went into the Sworn-I reside in Nelson; am a brother went with them and they both drank-It bar he followed them in. Connick called

about 8.30 p. m. Joseph and James Maher, William Connick, and Mary Carroll were in the house. Joseph and James Maher, William Connick and myself had a drink. I drank water. The others drank spirits. We remained in the bar from 20 to 30 minutes. Joseph Maher was talking. I went to the kitchen and James Maher followed me. Joe and Connick remained in the bar. Connick came round immediately after in at the kitchen door. Connick came in saying to James talking to me. Mary said "go on, James, and don't fetch in Joseph". Joseph then came in, and remained there, took off his hat and laid it on the table. He commenced lecturing again. He said to Connick, witness, and James, that for \$50 he would give three lectures a week. Mathew Carroll came in and went out with a lamp, returning in a few minutes. James was going to sleep." He said "Rouse up man," and "Mat, give us a drink and we Mathew got a light and went into the bar. Joseph wanted me to go, I refused. I do not know if he asked Connick. I told Connick not to lose his drink on that account. He said "no," for he felt sick, and got up and went out into the bar. They remained about a quarter of an hour. Connick returned to the kitchen. I did not see Handley in the bar, the door was closed. Billy Connick was drooping in the chair in the kitchen, when Mathew Carroll said "you had better go away Matthew took him by the arm and let him out by the kitchen door. Mathew came back in about a minute and shut the Mathew went out with the lamp. Mary went into the room off the kitchen and said the Mahers were not gone. As she to the kitchen door and said "Mary Carroll let me in, I'm dying!' three times. Mathew opened the door and went out. I him to rouse up, he said "let me alone I am dying." Mathew was gone past out on the road, up as far as the shop door. Connick in. I assisted. We then examined and found a cut in his pants, we opened them and saw the wound. When was outside I saw Handley come to the the road and turned upwards again. I said nothing to him. Mathew then got the horse and he and I went for the

doctor. Handley was there when we Cross examined by W. Wilkinson, Esq., Q C .. - Saw Handley come down the road from the West. Connick's house is to the East below Carroll's. I have never seen James Maher since the preliminary

examination. I do not know if Connick had a knife. ALICE RICHARDSON. sworn-Know Wm. Connick. He was my son-in-law. After he received the injury in March last, I was present with him till he died. He died the second day after, about 4 o'clock in the afternoon.

JOHN CONNICK. sworn-I resided in March last in Derby. Know the prisoner. I saw him in the Bark Factory yard on the 26th of March, in the Parish of Derby. It is eight miles from Newcastle. Joseph Maher came in that evening with a load of bark. I heard that Connick had been hurt. I told Joseph Maher Connick was dead. He said it was all a lie. He said he was talking to Dennis Carroll about an hour previous, and Carroll said he was all right. He said "the small skelp he gave him. would not hurt any man." I went right wrong treatment by Dr. Bishop, there away then. He did not say whether it was with his hand or a knife.

said Dennis Carroll came up from Nelson. I was acquanted with William Connick. I am no relation of his. To Mr. Wilkinson I went up to Joseph | was the wound received by Connick from Maher, and said "Connick is dead." He some sharp instrument and that subsequent ing to Dennis Carroll from Nelson about an hour before. He said he was all right. Semiwagan Ridge with his brother and

his mother. This closed the case on the part of the Wm. Wilkinson Esq., Q. C. made an application to be allowed to put in the proceedings before the Coroner, and to shew the conclusion which was then arrived at: also stating that no warrant had been

issued for the arrest of Joseph Maher at that Inquest. The Attorney General said this was an unheard-of proceeding.

proceedings on the part of the Crown the defence had a right to know what they were and their result.

would not work both ways, and by the same rule the proceedings could be produced if unfavorable to the prisoner. He They had an arduous duty to perform, in would rule against it.

2 o'clock to allow the counsel for the de-AFTERNOON.

fence time to consult. The Court assembled at 2 o'clock. WILLIAM WILKINSON ESQ., Q. C. then addressed the jury on behalf of the thought that there had been unpardonable prisoner. He said this being the first negligence in this case. The medical man time in his experience that he had been | who attended Connick, visited him several called to act in such a case, the jury | times and saw he was in a dangerous state would sympathise with him, in the very and it was his solemn duty to inform a great responsibility he felt. He could Magistrate, so that the dying man's deindeed, have wished the prisoner's case position might be taken and afterwards had fallen into abler hands, but he used. A most unpardonable fault had would do his best. He then adverted to been, therefore, committed in this omisthe gravity of the charge in the indict- sion, and he trusted if any thing of the ment, which charged the prisoner with kind occurred again, in this County more the United States and Canadas. killing and murdering with malice afore- care would be taken. The question was, thought. In the absence of malice the first, if William Connick, at the time spo. crime would simply be one of manslaughter. ken of was stabbed, and died of the injury. He then spoke of the necessity of the jury If this were denied, it might be said he divesting their minds of all outside im- was never killed at all. If there were pressions, and of remembering that every reasonable doubts the prisoner was entitlman was innocent in the eye of the law ed to them, but not to fancy doubts, raisuntil he was proved to be guilty. He ed to quiet a troubled conscience. When spoke of the grave consequences to the a man fairly stated a fact the jury were prisoner and his aged mother, which must not justified in ignoring it without cause, room door. My brother went to shake the Crown rested on the testimony of be wrong. A case cited by the defence several witnesses, and he would ask the of a wounded man being put into a bed in jury to examine it to see how far the an hospital lately occupied by an erisypelas assembled at Carroll's house on the night medical man had enlarged the wound to and prevent Dyspepsia, Bilious Colic, Cramps and witness's direct testimony.] voice from the bulk which I thought was drunken frolic, and that the existence of us that the modern scientific treatment and electric appliances ever concocted. James Maher's saying "get into the sleigh any malice was entirely disproved. As was adopted. The deceased received the His Honor took his seat at 9 a. m. and the bulk moving away, and returned to John Handley's evidence, he believed best of care, and if inflammation caused his

called James Woods to help my brother sober. The prisoner appeared to have no the contrary. There was no possibility of to carry him in. Woods was at the door motive for the crime. It was possible doubt, but that the man died from the as I called. Connick was then carried the injury might have been inflicted by | wound. The next question was, Did the

sworn.-I reside back of Nelson. I remember the night of the 25th March last. to the house through the bar room, it was must have the benefit.

THE HON. ATTORNEY GENERAL next addressed the Court and after some preliminary remarks, said he would refer to some of the theories seemingly advanced at different times by the Counsel for the prisoner. One of these was that Connick's death was caused by James Maher; another was that Handley was the person, and lastly home." He said it was time enough. that Connick was injured accidentally by a knife in his own possession, but as sensible men they had to refer to the evidoor and put out the light. Elizabeth | dence to determine whether the prisoner Woods was in the kitchen that evening was the guilty person. It might be held and went out. She went out when that the parties mentioned in the evidence as having met at Carroll's on the evening of the 25th March were not positively came out of the room Billy Connick came drunk; it was clear they remained 21 hours together and separated good friends. but this did not affect the case. His followed Mathew. I saw Connick lying at learned friend had said they were not to the foot of the steps on the snow. I told | believe Handley's evidence, but there was nothing to shake it, and he believed it was the correct rule to accept evidence until He came back. Mary said to him to fetch | it was shown to be unworthy of credit He then spoke of the circumstances which occurred on the road near Carroll's house. which were corroborated by the evidence corner of the platform. He came down of Murtha Carroll. He spoke of the facts shown by the evidence relating to the wounding of Connick, by the prisoner, and prisoner's subsequent scuffle with Handley, after which the latter discovered his clothes were cut, and he was also slightly wounded in the hand and arm, contending that it was impossible to escape the conclusion that Joseph Maher had inflicted these cuts. Whether there was a motive or not, the prisoner must take the consequence of his illegal acts. Then, Mary Carroll heard Joseph Maher use the words come on Connick," which he thought His Honor would admit was strong eviwas something more to be done." He then spoke of the conversation at the bark factory between the prisoner and John Connick and the statement of the prisoner "that the small skelp he gave him would not hurt any man," urging that the inference was unmistakable. On the whole he had never heard witnesses agree better. In regard to what the Counsel for the defence had said concerning death from secondary causes, such as the suppositious

was a medical man in Court during the medical evidence, and there was not the slightest foundation for such an assertion. The doctor had said the cause of death exposure of the bowel would aggravate the symptoms. As to the question of malplied, and the prisoner must take the consequence of the act, for which there was | many dollars of expense. no justification. As to drunkenness affecting the case, the Mahers were not in

such a state as to render this admissible. The Attorney-General concluded by saying that the Jury should endeavor to do their duty impartially between the Crown. and society, giving the prisoner the benefit of any reasonable doubt, but not of fanciful doubts. As for himself he could not see where any doubt could exist. As to the knife there was no necessity for its being seen. He felt they would faith-Mr. Wilkinson said that these being fully and conscientiously do their duty.

HIS HONOR, THE JUDGE, His Honor then proceeded to charge the Jury, commenting on the vital importance His Honor said it was a poor rule that their verdict, whether of innocence or guilt, must be to the prisoner, and that he would be entitled to any reasonable doubt. which, as the Attorney General had observ. It being 12.30, the Court adjourned till ed, mere feelings of sympathy, however natural, could not be admitted. It was no doubt, a dreadfully trying ordeal for the prisoner's aged mother, but the prisoner had to stand his trial by criminal law, and must take the consequences. He

Connick, accidentally, with his own knife, prisoner inflict the wound? Malice was 7 p. m. His brother James was with him. I had not seen the Mahers driving about but on this point the evidence only shew- necessary to constitute the crime of mured he asked for some tobacco to fill his der, but the law implied malice, and if pipe. The question was whether he had they believed the prisoner did inflict the this knife and had fallen upon it before he wound, was there anything to imply a lack reached the Mahers or been wounded of malice? If parties to a quarrel used by it in the upsetting of the sleigh. It dangerous weapons during a quarrel was remarkable that during the two days and killing was done, the law adjudgthat Connick lived, he never intimated ed it only manslaughter, but man-The prisoner, Joseph, thought the horse thought he had better get away. It was that he had been wounded by any person. slaughter supposed a fight on equal The evidence showed that it was Joseph terms. They might examine the evidence Maher who was the one anxious to get | with a view to manslaughter if they could home, and it was reported that James remove the sting of malice. There was, the unfortunate occurrence. As to the would all be present, at which this case evidence of John Connick, it was of a would be tried again and Connick himprisoner on being told that Wm. Connick he had as much sympathy with the prisonwas dead, declared that the "skelp" he, er as they had, but he had his duty Maher, gave him, would not hurt any to perform and they had theirs. He man. He would ask if this was a confes- then drew a distinction between a sion of crime? and the report of such man getting drunk on purpose, to com-I was then at Carroll's house. I went in- statements moreover was liable to error. mit a crime, and getting drunk without The learned counsel then touched upon any object, saying that in this case there different points of the evidence at some | was no evidence of drunkenness, though length, quoting various authorities and the parties might have had three or four contending that it was necessary that the drinks, but on this point they must evidence should not only point to the satisfy themselves. The different theorprisoner, but that the theory deduced ies as to the crime had been presented to from it, should be shewn to be more pro- them by the defence with great ability; bable than any other theory. He then but to his mind the fact presented itself referred to the legal view of intoxication | that the deceased had been stabbed apparin reference to crime, and to the medical ently without any motives of revenge or Maher, "Joe wants you." James was evidence of Dr. Bishop, as unsatisfactory, gain. The parties were good friends inquoting cases of wounded persons dying side the house, but they went out. from secondary causes, such as unskilful It is said a knife was not seen. What treatment and unfavourable conditions, could be the motive of the Mahers the evidence showing that Connick died quarrelling with Handley? James held from inflammation, which might have been him by the legs while Joseph attacked caused in replacing the intestines. In him. If so, who could have inflicted the conclusion he contended that there was cuts but Joseph? The man Handley had then falling asleep on a chair. Mary Car- no motive for the commission of the crime evidently a most providential escape. roll said "Joseph go away home, James is on the part of the prisoner, and that there James being in the position stated, was no knife seen, that the evidence Joseph must have had the knife. will go home." Mathew said "No," but generally was such as to create doubt, of Handley says that when Connick was Joseph asked him a second time. Mathew which, he was sure His Honor would within reach of Joseph, he heard went into the room off the kitchen. agree with him, in saying, the prisoner him say he was hurt. James Maher, at that time, was too distant. Mary Carroll, too, heard the expression "Come

> could find no extenuation, he charged them to pronounce a true verdict. The jury now retired to their room in charge of a constable and court took a recess, it being half past five o'clock. At 6.40 they came to ask the Court if killing could be murder where there was no

on Connick "-she believed from Joseph.

Handley was afterwards attacked without

provocation. [His Honor here read the

evidence.] Then, they had the evidence

of John Connick as to a conversation with

the prisoner at Derby, and Joseph,s

declaration, "that the skelp he gave him

would not hurt any man." Perhaps he

gave him sugar plums. This must go

with the other evidence to show that

Joseph did it. If, however, they could

conscientiously seek out circumstances

which would reduce the crime to man-

slaughter they might do so. But if they

His Honor again explained to the Jury, as he had already done in his charge, that malice could be implied by the act.

The Jury then retired and came into Court at 10 o'clock with a verdict of manalaughter against the prisoner who was (Continued on 3rd page.)

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