

# A STUBBORN JUROR.

It was out West. The jury had retired for consultation prior to bringing in the verdict of "guilty" which was expected of them. Retiring at all seemed little more than a farce, for, from beginning to end of the case, the evidence had gone so steadily against the defendant that, by the time the last witness had been called, there was no manner of doubt in the public mind that Robert Sullivan had deliberately, and in cold blood, murdered Jack Wilder, and it needed not the vigorous speech of the prosecuting attorney to convince anyone to that effect.

The evidence, being briefly summed up, ran as follows: Robert, or as he was more familiarly called Bob Sullivan, had, while in a state of intoxication, quarrelled with and lost his last cent to Jack Wilder, a professional sharper. Awakening the morning after his debauch to find himself beggared, he had sworn in the presence of several witnesses to get his money back or kill the man who had outwitted him. Accordingly, he set out to meet Wilder on his return from a neighboring town, and the next day the body of the latter was found in a lonely stretch of the road with a knife sticking in his heart.

Sullivan had been obliged to admit that he had met his enemy near this spot, and that they had a stormy interview, but maintained that they parted without blows, as Wilder promised him to restore his money. There was no little of circumstantial evidence wanting to confirm the appearance of Sullivan's guilt, and even the attorney for the defence was privately convinced of the falsity and absurdity of his client's plea of "not guilty."

The judge, a large, pompous man, having instructed the jury in his most severe and autocratic manner, busied himself with some papers, and did not deign a glance to the assemblage below. It was, as could readily be observed, a gathering of small tradespeople and farmers. Here and there the keen face of a lawyer or that of a stranger from the neighboring city stood out boldly from the sea of honest vacancy which surrounded it.

The prisoner sat with his face buried in his hands, which hands had lost their former tan, and were pale and trembling. Near him was his wife, hugging a sickly babe to her breast, and showing in her wild eyes, twitching mouth, and every line of her meagre, stooping figure, the deadly terror which held her in its grasp. A breathless silence was upon that audience in the shabby country court-room; even the baby had ceased its fretful wailing, and the buzz of a bluebottle fly, entangled in a spider's web in the window, was the only sound that broke the stillness.

Five minutes passed, ten, twenty, and still the jury had not come; a murmur of impatience began to be heard, and presently the judge beckoned the sheriff to him and, whispering a few words in his ear, saw him depart through the same door which had apparently swallowed up the jurors. The sheriff made his way through several gloomy passages into a large, light room, where the jury were assembled, and where he inquired of the foreman if they were not yet agreed.

"No, we ain't!" gruffly responded that functionary. "There's eleven of us for hangin', but Conway there won't hear of it. He wants to clear the feller out and out, an' says he'll stay with us till kingdom come before he'll budge an inch."

Giles Conway, the man whose obstinacy was causing such unnecessary delay, was seated rather apart from the rest, and wore the brown jeans and soft hat which marked him a farmer. Even had not the absence of any attempt at foppishness proclaimed his caste, there was something about him which insensibly connected itself in the observer's mind with the free winds and untrammelled sunshine of the country. He was much the same color from his head to his feet, for eyes, skin, hair and beard were alike brown, and only the deep lines on his firm, squarely-cut face showed that he was no longer young. Just at present he seemed in no wise disconcerted by the wrathful impatience of his associates, but pushing his felt hat farther back on his head, and settling himself more comfortably in his wooden chair, he said slowly:—

"No, friends, you won't ever get me to hand over a man to the gallows on such evidence as that, an' there ain't no special use of cussin' about it, for it won't do a blamed bit of good."

"Oh, but that's such darned foolishness!" broke in one of the group. "Here's all this evidence, that no man in his senses could doubt, a-going to prove that Bob Sullivan killed Jack Wilder, and here you sit like a bump on a log and won't listen to none of it."

"That's just it," replied Conway. "You all think that evidence I ke that order hang a man; but it you'd seen as much of the way that sort of thing works as I have, you'd think different. I ain't much of a talker, but maybe you wouldn't mind listenin' to a case of this kind I happen to know about, an' maybe by the time I'm done, an' you'll see why I don't want to hang a young feller I've known nearly all his life for somethin' that very likely he didn't do."

"You all know how, when I wasn't much over twenty, I went away an' put all the money I could rake and scrape into a ranch an' cattle. Well, the place next to mine was owned by a young feller we'll call him Jim Saunders, although that isn't his name—who'd come out like me to make his fortune. We took to each other from the first, an' pretty soon we were more like brothers than a good many of the real article I've seen since. After a while Jim told me he was goin' to get married, an' a few weeks later he brought home the prettiest little thing you'd see in a day's ride. She had lots of yellow hair that was always tumblin' down over her shoulders, an' big blue eyes, an' a voice like a wild bird; an' Jim—well, he thought there wasn't nobody like Milly in all the country."

"She seemed fond of him, too, at first, but it wasn't long before I could see that it was a case of misfit all round. There was lots of excuse for her; for, of course, it was a hard life, an' she loved finery an' pretty things, an' Jim didn't have the money to give 'em to her, though he worked early an' late, an' did his level best to make somethin' more than a livin'."

"Maybe it would have turned out all right in time if it hadn't been that one day Jim went to the nearest town to buy some farmin' implements, an' fell in there with a feller he used to know back home, an' nothin' would do but he must go home with Jim to see how he was fixed. Well, he come, an' it was a black day for

Jim when he set foot on his threshold, for from the minute he saw Milly he hadn't eyes for nothin' else, an' she being a woman was mightily set up to think a city man would set such store by her."

"He made himself so pleasant an' so much at home that they begged him to stay all night, an' 'long about twelve o'clock he was, or pretended to be, took awful sick. They attended to him till he got better, 'an wouldn't hear of his tryin' to go away next mornin'; so he stayed on, settin' on the big rockin' chair with a pillow behind him an' talkin' to Milly, while Jim was off at work. He didn't seem in no particular hurry about goin', but Jim never 'spiced for a minute that anything was wrong for he liked the feller first rate, and wouldn't no more have thought of doubtin' Milly than he would the Lord that made him."

"One evenin' he came in late, tired an' hungry, an' foun' that his wife—his wife that he loved—had left him and gone away with a man that he thought was his friend! He went wild for a while. It seemed to him like everything was black around him, an' there was great spots of blood before his eyes, an' he could hear voices that kept a laughin' at him an' callin' him a fool, an' the only thing he held fast to was that he must follow 'em to the world's end an' kill the man that had took away all he had. So he tracked 'em, now here, now there, but they always doubled on him, till at last, when his money was gone, he lost 'em altogether."

"Then he came to himself a little, an' sold his ranch, an' went back to his old home to wait—for he knewed somehow that one day, sooner or later, the Lord would give him his revenge. He worked while he waited, an' made money an' got well off, an' nobody knew nothin' 'bout his ever bein' married, so he had somethin' like peace."

"At last, twenty years afterward, when he was gettin' on in life, his time came. He was ridin' along, not thinkin' about anythin' in particular, when he happened to look up, an' there, comin' towards him round a bend in the road, an' ridin' on a big horse, was the man he'd waited for all these years. They knewed each other the minute their eyes met, and the fellow got white as chalk an' pulled his horse clean back as his haunches, tryin' to turn round an' make a run for it; but it wasn't no good, for Jim was off his horse in a minute and had him by the throat, an' in less time than it takes to tell it he had pulled him down cursin' an' cuttin' at him, to the ground. Then, holdin' him there, with his knee on his breast an' his knife at his throat, he says:—

"Where's Milly? Tell me, or I'll cut your fiendish heart out!"

"The fellow glared at him like a rat in a trap, an' seein' death in his eyes, an' knowin' 'twas no use to lie, says:—

"She's dead; she got sick when we got to New York, an' I left her, an' she died in a week."

"I order you like a snake, but I've always lived square, an' the Lord help me I'll die that way, so I'll give you an even chance. Get out your knife an' fight, an' remember that one of us has got to die right here."

"Then he let him up, an' they went at it. They was pretty evenly matched to look at 'em, but Jim thought of Milly dyin' all alone, an' fought like a tiger, an' pretty soon he left the man that had come between 'em stiff and stark, with a knife in his heart an' his white face a-glarin' up at the sky."

"Then comes in the part of the story that I want you all to take for a warnin' before you'll be so quick to find any man guilty on nothin' but circumstantial evidence. When the body was found nobody ever thought of 'spicionin' Jim, but everythin' pointed to another man as the one who had done the killin'. He'd sworn to kill the dead man; he was on the hunt for him when last seen, an' he couldn't prove no alibi. So they arrested him, an' the first Jim heard of it, he was summoned on the jury that was to try him. Jim hadn't never even thought of givin' himself up for a murder, for he knowed he'd fought an' killed his enemy fair an' square, an' he was glad he done it. He didn't see that it was any business of the law's to interfere between 'em, and he didn't like to drag in Milly's name before the judge an' jury an' all the people who wouldn't remember her, like he did, when she was young and innocent. Even when he was summoned he didn't have any notion but the prisoner would be cleared when they looked into things some, an' he made up his mind not to say nothin' if he could help it."

"But when he got there everything went so dead against the prisoner that if he hadn't knowed he'd done the killin' himself, he'd a-thought sure he was guilty. He got kind o' dazed at the jury, an' didn't seem to know nothin' 'till he foun' himself in a room with the rest of the jury, an' all eleven of 'em wantin' to hang the man that he knowed was innocent. Then he come to his senses and voted against 'em, an' when they asked him for his reasons he told 'em the story I've been tellin' you."

Giles Conway stopped and gazed steadily into the eyes of his audience, who had gathered around him till they hemmed him in on every side.

"An' what did they do with him?" asked the foreman at last.

"I don't know," he answered, slowly. "It ain't decided yet, for Jack Wilder was the man that run off with Milly, an' it was me that killed him."

## Ventilation of Sewers.

Some of the English towns and cities have introduced a device for ventilating sewers—a Bunsen gas burner operating to heat to a high temperature a series of cast iron cones over the surfaces of which the sewer gases have to pass their way out to the atmosphere, which by such contact are entirely destroyed. In order to obviate all danger of explosion caused by leakage, this new safety furnace consists of a series of cylindrical rings or segments, each mechanically fitted: an intermediate ring divides the combustion chamber from the vertical air passages formed between the inner and outer rings of the furnace: the heat of the furnace is conveyed to the outer ring by the means of thick webs that form tiers of air channels through which the uprising sewer air passes, and the burner is supplied with air taken from the outside of the "destructor column."

## "Progress" in Boston.

PROGRESS is for sale in Boston at the Kings Chapel News Stand, corner of School and Tremont streets.

## DEAR ME!

Lieut. King Tells of the First Time He Heard the Expression.

"Dear me!" has become popular in New York as a retort unexpected, I have discovered," said Lieut. Oscar King at the Lotos Club several nights ago, "and I remember the first time I ever heard the expression used in that way. Since I have been in New York I have heard Wall street men say 'Dear me' when they had lost heavily. They have said it so that it sounded like 'Dear ah me.' To appreciate the humor of this expression one should hear it sprung in that way on unexpected occasions. For instance, a man gets a knock-down blow, no matter of what kind, and he bows up serenely and says flippantly, 'Dear ah me!' It seems to have taken the place of the expression 'I'm bored still.'"

"It was in Cheyenne several years ago that I first heard this expression used in an unexpected way. I was stationed near there at the time and the cowboy bronco races were on. If you have ever seen any of these races, you know the motley kind of a crowd that gathers from them. Cowboys of all descriptions and various degrees of badness were there with their broncos and their guns. They were out for sport and they were loaded with dust. The most noticeable man in the crowd, however, was an Englishman mounted on a well-groomed thoroughbred. His horse was a high stepper and he looked very large by contrast with the short stirrups and that attracted attention. Moreover, he wore a pair of white 'bags' and patent leather boots, with a polish in which you could see your face. Such an outfit had never been seen in that part of the country. He eclipsed the cowboys as a show and they didn't like it. No one watched their races. Every one centered his attention on the gorgeous Englishman. That meant trouble for him."

"Bronco Pete, who was willing to admit that he was a bad man, always ready for a fight, followed the Englishman around, and just in front of the grand stand he rode past him with a rush, and fired his revolver close to the thoroughbred's ear. The horse did a skid dance, kicked up a cloud of dust, and then bolted. His rider was missing. When the dust settled there was the dapper Englishman stretched out on the ground. Would he shoot? Bronco Pete was waiting to get the drop on him if he made a demonstration in that direction. It was a critical moment from a Cheyenne point of view. The Englishman arose to his feet slowly, looked at his horse running wild, and then at his dusty boots. He pulled out his handkerchief and flocked the dust from his patent leathers. Then he looked at the grand stand and said: 'Dear ah me.' There was a whoop that nearly raised the roof, and since then 'Dear ah me' has become a standard expression in Cheyenne for the unexpected." [New York Sun.

## Not Easy to Realize.

The variety of ways in which a given number of articles may be placed is a source of wonder to those whose attention is called to such matters. An expert mathematician once set himself the nice little sum of calculating the number of different ways in which fifty-two cards of a pack can be distributed among four players, thirteen to each, taking every possible combination and permutation. It would be useless to present the answer here in a long row of figures, for no one can realize to himself what such a numerical array really conveys, nor would it be much better to play with the words billions and trillions, seeing that these are mere words and nothing more to most of us; but the following illustration is easily grasped:—

If the entire population of the earth, taken, say, at one thousand millions of persons, were to deal the cards incessantly, day and night, for one hundred millions of years, at the rate of a deal by each person a minute, they would not have exhausted the one hundred-thousandth part of the number of essentially different ways in which it is possible that the cards can be so distributed.

## Dentistry on the Congo.

In Ebanza it is considered a disgrace among the women to have white teeth. That is good "for the Whites or for dogs," but a female dandy must have coloured teeth in order to insert a bead of a different colour.

Among the Bangolais all the women get their front teeth filed to a sharp point, with a space of about one-fifth of an inch between each tooth and the next one. The men of this tribe do not practice this custom; they are notorious cannibals, and their pointed teeth are similar to those of carnivorous beasts.

In the Bakongo tribe he alone is accounted a man who has removed the two front teeth of the lower jaw. The Mahalas have all their teeth pulled out except the four upper ones, and they perforate their lips with a long tapering piece of crystal glass or the spinal bone of a fish.

## Sold.

Wilkins came into the club the other night with a premonition of approaching triumph in his face, but he concealed it as well as he could and walked up to the crowd in the window.

"Have you heard about Mr. Gladstone and his hand?" he asked indiscriminately, with a face of simulated concern.

"No," came the startled chorus.

"What's the matter?"

"Why," answered Wilkins, holding up the first and second fingers of his right hand, "he can't use these two fingers."

"What's the reason?" queried Dumbleby.

"Because they belong to me," said Wilkins.

## Could Not Fool Him.

An Irishman crossing the street one day chanced to find a sovereign. When spending it he was only allowed 19s 3d. in exchange, as it was a very thin one.

Some little time after he again saw a sovereign lying on the ground, but this time he turned away from it, exclaiming:—

"Stop there, ye dirty spalpeen, shure and I will have nothing to do with ye, for I lost ninepence by the last one I found."

## This is a Rat Story.

Cassell's Journal evidently believes this story from America. "Pay as you go," it says, "is the motto of that most curious of rodents, the trading rat, which is one of the most interesting animals met with in the Rocky Mountains. The miners of that region declare that, although these rats

enter houses, camps and mines for the express purpose of getting things that do not belong to them, they never take an article without leaving something in its place. They conduct a trade, and hence their name. They enter dwellings at night, and steal anything they can find, carrying away spoons, knives and forks, etc., but invariably leaving a chip or stone in the place of each article they take away.

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I trust sufferers will not be influenced to use any other medicine while they can procure yours which does such good work. I cannot speak strongly enough in favor of Paine's Celery Compound, and you may be assured I will always recommend it.

You are at liberty to publish this letter in your work.

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Third Annual

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UNDER MANAGEMENT OF

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A. S. MURRAY, JOHN A. CAMPBELL, Secretaries, Fredericton, August 5, 1893.

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## World's Fair at Chicago

AT \$12.80 EACH. Tourist Tickets good until NOV. 18th AT \$30.00 EACH—Tourist Tickets good 30 days from date sold both good to stop over at Detroit and East thereof.

## Industrial Fair at Toronto

AT \$20.50 EACH—SEPT. 9th to 14th and at \$16.50 EACH—SEPT. 15th and 16th only, good to return until SEPT. 21st.

## Provincial Exhibition at Fredericton

AT \$2.00 EACH—SEPT. 18 to 21 inclusive; good to return until SEPT. 23rd, and AT \$1.55 EACH on SEPT. 20th only, good to return SEPT. 21. For further particulars enquire of Canadian Pacific R'y Ticket Agents.

## YARMOUTH & ANNAPOLIS R.Y.

SUMMER ARRANGEMENT.

On and after Monday, June 26th, 1893, trains will run daily (Sunday excepted) as follows:

**LEAVE YARMOUTH**—Express daily at 8.10 a. m.; arrive at Annapolis at 11.55 a. m.; Passengers and Freight Monday, Wednesday and Friday at 1.45 p. m.; arrive at Annapolis at 7.00 p. m. Tuesday, Thursday and Saturday at 1.45 p. m. Arrive at Yarmouth at 4.32 p. m.

**LEAVE ANNAPOLIS**—Express daily at 1.05 p. m.; arrive at Yarmouth at 4.45 p. m.; Passengers and Freight Tuesday, Thursday and Saturday at 5.50 a. m.; arrive at Yarmouth at 11.05 a. m.

**LEAVE WEYMOUTH**—Passengers and Freight Monday, Wednesday and Friday at 5.13 a. m. Arrive at Yarmouth at 11.05 a. m.

**CONNECTIONS.** At Annapolis with trains of Windsor and Annapolis Railway. At Digby with City of Monticello for St. John daily (Sunday excepted). At Yarmouth with steamers of Yarmouth Steamship Co. for Boston every Tuesday, Wednesday, Friday, and Saturday evenings; and from Boston every Tuesday, Wednesday, Friday, and Saturday mornings. With Stage daily (Sunday excepted) to and from Barrington, Shelburne and Liverpool.

Through tickets may be obtained at 126 Hollis St., Halifax, and the principal Stations on the Windsor and Annapolis Railway. J. BRUNELL, General Superintendent, Yarmouth, N. S.

## Intercolonial Railway.

1893—SUMMER ARRANGEMENT—1893.

On and after Monday, the 26th June, 1893, the Trains of this Railway will run daily

--Sunday excepted--as follows:

## TRAINS WILL LEAVE ST. JOHN:

Express for Campbellton, Pugwash, Pictou and Halifax..... 7.00

Accommodation for Point du Chene..... 10.10

Express for Halifax..... 13.10

Express for Quebec, Montreal and Chicago..... 16.35

Express for Halifax..... 22.20

A Parlor Car runs each way on Express trains leaving St. John at 7.00 o'clock and Halifax at 6.45 o'clock.

Passengers from St. John for Quebec and Montreal take through Sleeping Cars at Moncton, at 19.50 o'clock.

## TRAINS WILL ARRIVE AT ST. JOHN:

Express from Halifax (Monday excepted)..... 6.00

Express from Chicago, Montreal, and Quebec, (Monday excepted)..... 8.30

Express from Moncton (daily)..... 8.50

Accommodation from Point du Chene..... 12.55

Express from Halifax, Pictou and Campbellton..... 18.30

Express from Halifax and Sydney..... 22.35

The trains of the Intercolonial Railway are heated by steam from the locomotive, and between Halifax and Montreal, via Lewis, are lighted by electricity.

All trains are run by Eastern Standard Time.

D. POTTINGER, General Manager, Railway Office, Moncton, N. B., 21st June, 1893.

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