

BREACH OF PROMISE OF MARRIAGE.

How a Young Man's Affections got "Mixed up."

AN AMUSING SUIT.

The hearing of the case *Everton vs. Clews* was commenced on Tuesday in the Queen's Bench Division, London, before Mr. Justice Watkin Williams. The action was brought for breach of promise of marriage, the plaintiff alleging that she had always been ready and willing to marry the defendant until he refused to do so and married another lady, while the defendant alleged that the plaintiff had agreed to a mutual rescinding of the contract. Mr. Salter, in opening the case, explained that the plaintiff, Miss Lucy Everton, was about 24 years of age, and lived with her mother, who was a widow, residing in Ladbrooke Road, Notting Hill; and defendant, Mr. Arthur Leonard Clews, was connected by marriage with the plaintiff, and carried on business as a brewer's agent, residing chiefly in Wales. The parties met about March, 1877, in consequence of the marriage of the plaintiff's brother with the defendant's cousin, Miss Edith Renshaw. The defendant, with the permission of the plaintiff's father and mother, paid frequent visits to the house, and an engagement was subsequently entered into. Correspondence and presents were interchanged, and the marriage was fixed to take place in October, 1877. The plaintiff was asked by the defendant to go to Derby to approve of the house chosen for their residence, and other preparations for the marriage were made, but to the great annoyance and distress of the plaintiff the defendant, for no sufficient reason, postponed the date of the marriage. In the meantime the plaintiff's brother had died, and the defendant's cousin returned from abroad. The plaintiff suspected the defendant of paying attentions to his cousin, but when she accused him of doing so he told her there was nothing in it. The defendant was expected to pass Christmas at the plaintiff's house, but wrote an absurd note to say he could not come. The plaintiff accordingly wrote on the 29th December to defendant: "Miss Everton presents her compliments to Mr. A. L. Clews, and wishes to relieve him from his engagement." At a subsequent interview, however, there were mutual explanations, and the engagement was renewed. That condition of things continued until February, when the plaintiff again found that the defendant was paying attentions to his cousin, and although the marriage was fixed to take place in April or May, it never came off. The defendant told the plaintiff that his "affections had got mixed up," a condition of things which, perhaps, the defendant would explain (laughter) and on the 12th of February wrote to the plaintiff saying: "I despair of ever being happy again. I seem somehow or other years ago to have missed the way which would have led me to true happiness, and concluding the letter with, 'Believe me ever yours, Arthur.'" At a subsequent interview the defendant, on being pressed by the plaintiff, acknowledged that he was not ready to carry out their engagement. The plaintiff then refused any longer to continue her relations with the defendant, and about a year ago the defendant married his cousin Edith.

The plaintiff was called in support of her case, and corroborated the opening statement of her learned counsel. She stated further that after she received the letter of the defendant in February, 1878, she asked him if he intended to marry her in the spring, and said, "If you do not I will not consent to be engaged to you any longer, as your conduct is making me so ill." He left the room, but she followed him, as she was determined to have an answer, when he said he could not marry her in the spring, on which she refused to be any longer engaged to him, and returned his letters and the engaged ring. Since then he had married Edith, who was her brother's widow. On two occasions she (Edith) had taken the defendant's arm and walked away with him, leaving witness to take care of herself. One occasion was at Southampton, when she returned from Africa, where her husband was lying ill, and the other was at Derby, when she went to look at a house. In her cross-examination she said that when the defendant met his cousin Edith, at Southampton, he kissed her. Witness understood that they had been brought up together when children. Mrs. Emily Favell, a married sister of the plaintiff, and her mother, Mrs. Everton, having proved the existence of the engagement, the case for the plaintiff closed. Mr. Mellor then opened the case for the defence, contending that the match had been broken off owing to the ill-temper and the unfounded jealousy of the plaintiff, who insisted on being married at a time when the defendant had suffered a heavy pecuniary loss through a speculation in timber. The parties had not met since April, 1878, and a period of two years had elapsed before this action was brought. The learned counsel having expressed his intention of calling the defendant and his wife—the lady mentioned as Edith—the further hearing of the case was adjourned. The further hearing of the case was resumed on Wednesday. Mr. Arthur Leonard Clews, the defendant, was called and stated that prior to his engagement with the plaintiff there was an attachment between his cousin Edith, his present wife, and himself, but there was no regular engagement between them. He had not paid Edith any particular attention after the death of her husband, the plaintiff's brother. The plaintiff broke off the engagement in February, 1878, and he had heard nothing more from her or her family about the matter until he received a letter from her solicitor in this action two years afterwards. His present salary was £220. In his cross-examination by Mr. Salter, the defendant said that he first conceived a love for his present wife, Edith, in 1870, when he was about 15, and that feeling continued till 1874. There was no engagement between them, nor did he ever think of marrying her for a year after his engagement with the plaintiff was broken off. He had kissed Edith in the plaintiff's presence on her return from Africa as he would kiss a sister, but he had never kissed her during his engagement with the plaintiff when no one else was present. After he returned the plaintiff's letters, he found three others of hers, and had burned two of them, but

he had kept back the letter written at Christmas releasing him from his engagement, because it did so, and he put it back in the drawer as a sort of reminder in case anything should turn up in the future. (Laughter.)

Mrs. Edith Clews, the defendant's wife, proved that during his engagement to the plaintiff he had never paid witness any particular attention.

Mrs. Clews and Miss Catherine Clews stated the attention the plaintiff had paid them at Derby. She got out of temper at the suggestion of the former that the marriage should be postponed.

His lordship, in summing up, commented on the length of time which had elapsed before the plaintiff had brought the action. The jury, without leaving the box, found a verdict for the defendant.—*Glasgow Herald.*

Latest from Great Britain.

Ladies will be glad to hear that "fluttered frog" is the name of the last new color. It is rather lighter than "frightened toad" or "angry mouse."

A ball was to be given by Baron Ferdinand Rothschild on Friday last to present Mlle. Perugia, the fiancée of Baron Leopold, to London society.

A roulette table of the most approved type has been started at Oxford, with two wealthy undergraduates as croupiers, and both graduates and undergraduates frequent the establishment.

The marriage of the Hon. Arnold Koppel, eldest son of Lord Bury, with Miss Gertrude Egerton, eldest daughter of the Hon. W. Egerton, M. P., and Lady Mary Egerton, is to take place during the second week in January.

A rumor prevails in Dublin society that a certain Conservative nobleman in the south of Ireland is organizing a league, the object of which is to keep all Irish peers from attending Lord Cowper's court during the coming season.

The Queen of England has conferred the honor of knighthood on Mr. Walter Hughes, an Australian celebrity. He did better than "strike oil"; he discovered the Walleroo and Moonta copper mines, and became the richest man in South Australia.

Nearly three thousand head of game was killed during the recent battues at Eastwell. In one famous cover in the park, near the lake, 250 pheasants fell in twenty minutes. The shooting of both the Duke of Edinburgh and Prince Christian was remarkably good.

A dainty little English lady distinguished herself in the chiffon line at Sandown by wearing a bonnet and muff both entirely composed of pink and dark red chrysanthemums. The effect was pretty and festive, though not exactly warm or comfort suggesting.

A decision was given last week by the Scotch Court of Session in an action "raised" by Miss Tod, a minor, possessing a fortune of £50,000, against her trustees. It was decided that the young lady is not only entitled to an adequate allowance, but that she may herself choose how she is to finish her education and where she is to reside.

A correspondent writes to the London Truth to deny that the idea of the heroine (in "Erdymion") cutting off her long hair to wind round her husband's neck in his coffin is original. It is to be found, he says, in an Italian poem called "L'Abbandonata," in which a beggar maiden cuts off her hair on the death of her mother, "per fare la croce in Campo Santo."

Sir James Langrishe (Kilkenny), is to be debarred from hunting with his own country's hounds or their neighbors, the Curraghmore, unless he accepts the obligatory sacrifice of "Griffith," which his grateful tenants are willing to tender in return for the occupation of his farms. Sir James' grandfather was the famous Sir Hercules Langrishe, who made a name for himself in the Irish House of Commons.

"Disraeli the younger" was first introduced to Lord Melbourne in 1830, just after his return from his eastern tour. It was at a small dinner, and Lord Melbourne, with characteristic good nature, began to talk of the countries just visited by the author of "Vivian Grey," and the "Young Duke," to which, with considerate civility, Mr. Disraeli replied with a sort of sneering assumption of superiority, "Your lordship appears to have derived all your notions of Oriental countries from the 'Arabian Nights' Entertainments.'" "And a devilish good place to get them from, too," rejoined Lord Melbourne, laughing and rubbing his hands.

From the Far Northwest.

Weather open, with no sleighing. The river closed this year on the 14th of November.

The Battleford (N. W. T.) Herald of 29th Nov., received to-day, says:

Fish at Pigeon Lake are worth \$3 per hundred cash this year.

Hay is scarce in the vicinity of Edmonton, but it is likely that the extraordinary crop of straw will make up for any deficiency. Beef is 8 to 10 cents per lb.

The telegraph resumed operations on the night of Saturday, 20th November, after an unbroken silence dating back to the 9th of September. The trouble was at the Narrows.

Jim Votier, who recently brought in a flock of 120 sheep, has disposed of them all in Edmonton at \$10 to \$12 per head. He says he will bring in a band of turkeys next year.

Quite a number of settlers have made their way across the mountains this year from British Columbia. Among the number is a woman and six small children. It is needless to remark that they had a tough time.

On the night of the 1st instant nine members of the police force stationed at Fort Walsh deserted, taking with them Government horses and other property. Being quickly pursued, eight were recaptured and will be brought back to Fort Walsh, where they will be tried.

About three weeks ago Papastayo came to the Indian agent at Edmonton, and demanded food. The agent refused to give him any, but supplied him with powder and shot on condition that he should go hunting. In eight days he came back with over two hundred ducks, besides supporting his numerous family on ducks in the meantime.

HOW RABBITS MULTIPLY.

A Fabulous Increase in a Few Years.

Pennant estimated that in four years the produce of a single pair of rabbits would be 1,274,840, but he figured on his rabbits breeding seven times a year and having eight young at each litter, whereas in favorable years five litters are all that can be expected. Though it is true that the first two litters generally become reproductive before the year expires, the figures recently given in an English magazine and cited in Parliament, indicating multiplication at the rate of 2,000 a year, were absurd, the best authorities agreeing that all that can really be calculated on in ordinary years as the produce of one pair of rabbits—taking into account the percentage of mortality and the restricted breeding powers of the very young rabbits—is forty-eight; so that at the end of one year there would be fifty rabbits; at the end of the second, 1,000 or 1,100, which during the third season would "increase and multiply" to a total of 29,000. This figure, however, would in reality be kept down by severe weather, accidents, disease and "poor bunny's" almost uncounted foes. Nevertheless, the natural increase is sufficiently alarming for have not the wheat crops in a large section of Australia been absolutely ruined by the ravages of rabbits sprung from the loins of a few pairs turned out in a fatal hour by a patriotic immigrant? "Eight years ago," says the Melbourne Argus, "fourteen rabbits were turned out in Mr. Austin's estate at Barwon Park. The number of their progeny shot last year on this estate was 14,253, and in spite of this destruction and what goes on outside of the estate, they have swarmed over the neighboring country, and have been found at considerable distances around." The increase of the hare is much slower, for a female hare produces only about fourteen young in four litters annually, and, as a rule, the hare is not reproductive till it is fully a year old. The reader, even if he declines to accept Pennant's figures, will be inclined to believe the statement of Arthur Young—that the whole human race could live on rabbits if all other food failed.

KILLED WITH A PENKNIFE.

A Young Child Pierced to the Heart by a Toy her Brother had Received as a Christmas Present.

The St. Thomas Times says: "There is something terribly incongruous about an accident on Christmas day. The occasion is one of amusement and festivity, and when a disaster occurs, the public is struck by a horror and bewilderment far greater than would be caused by a parallel event in the ordinary ways of life. Especially is the sympathy stirred when the victim is a child, like in the case it is now our painful duty to record. Mr. Jas. Davidson, blacksmith, resides on the hill west of Union. There was a Christmas tree in the village on Friday evening, at which young Johnnie Davidson was made the happy recipient of a small penknife. On the afternoon of Christmas day he had occasion to use the knife in order to puncture a skate strap, and on getting through with it, placed it on the ground beside him with the blade open. His little sister Jessie, not quite 3 years of age, was attracted by the pretty toy, and, picking it up, ran into the house. A very few minutes afterwards Mrs. Davidson heard a piercing shriek emanate from the parlor, and on running thither found the little girl lying on the floor dead. It appeared Jessie had seated herself on the lounge, and in endeavoring to shut the knife had pressed it against her side. The blade, having a keen edge, had pierced through her clothes, and no further resistance being offered, had entered her body, and, running alongside the rib, pierced the heart, causing instantaneous death. The family were naturally plunged into the wildest grief by the terrible calamity."

DR. TALMAGE'S BRETHREN.

Still Awaiting his Reply Concerning the New Accusations Against him.

There was a special meeting of the Brooklyn Presbytery in the lecture-room of the Rev. Dr. Cuyler's church, Lafayette avenue, Brooklyn, yesterday afternoon, but as it was called for another special purpose the charges against Dr. Talmage were not taken up. The committee appointed by a conference of Presbyteries to call upon Dr. Talmage to learn what he had to say about the evidence furnished by Dr. Van Dyke have yet received no answer. The opponents of Dr. Talmage believe that they received all the answer that they are going to get when the Rev. Dr. Spear, who was called upon in the Tabernacle on Sunday last to pronounce the benediction, said: "My friends, He who was born on this day, hundreds of years ago, the purest man that ever lived, when reviled by His enemies answered them not a word, thereby setting an example which a Christian may often with the largest dignity follow."

This answer, however, does not suit the Presbyteries who are planning for Dr. Talmage's trial on a charge of perjury, and they say that in view of the fact that Dr. Talmage pronounced twenty-two of the brethren who accused him before of falsehood and deceit to be "morally rotten," the analogy is not felicitous. The presbytery as at present constituted, with the accession of Messrs. Halsey and Foote to the anti-Talmage side, possesses, it is believed, a majority against Dr. Talmage.

Census Statistics.

The following statement shows the population of certain states and territories according to the census of 1880. This statement is still subject to possible corrections: Alabama, 1,261,241; Arkansas, 802,564; Connecticut, 622,683; Delaware, 146,654; Florida, 266,566; Georgia, 1,537,878; Iowa, 1,624,463; Kansas, 995,335; Kentucky, 1,648,599; Louisiana, 940,263; Maine, 648,945; Massachusetts, 1,783,086; Missouri, 2,169,091; Nebraska, 452,432; Nevada, 62,265; New Hampshire, 347,782; New Jersey, 1,130,892; New York, 5,082,844; North Carolina, 1,400,000; Oregon, 174,737; Rhode Island, 276,528; South Carolina, 995,706; Tennessee, 1,542,463; Vermont, 332,286; Virginia, 1,512,203; West Virginia, 618,193; Wisconsin, 1,315,386; District of Columbia, 177,638; Idaho, 32,611; Montana, 39,157; Utah, 143,907; Washington, 75,120; Wyoming, 20,788.

Michael and William Burke and John Hamberry have been arrested at Clonbur, charged with complicity in the murder of Lord Mountmorris.

THE TRAVERSERS.

The Attorney-General's Address at the State Trials.

THE TRADE OF AN AGITATOR.

"Sedition and Treason the Basis of the Land League."

RIOT AT WESTPORT.

DUBLIN, Dec. 29.—Several traversers, including Mr. Parnell, were not present at the trial to-day. The Attorney-General continued his address, explaining the law bearing upon the constitution of any association of a political order. The law officer of the Crown, in his address, referred to the number of occupations of most of the traversers, and said that doubtless they found their agitation more profitable than their former occupation. He warmly denounced the agitation as an intolerable conspiracy. The intention of the Government, he said, in instituting the proceedings was to protect the rich and poor alike from the frightful tyranny that respected neither life nor property, and the people had been told not to accept O'Connell's dictum that no reform was worth a drop of blood, and a few days after they were thus advised, Mr. Ferrick, the bailiff, was shot at Ballinrobe. The remarks of the law officer caused considerable feeling in court, especially when he quoted the reported words of Nally, one of the traversers, that "Ferrick's murder was worth one hundred speeches." He further stigmatized the proceedings of the Land Leaguers as a capital plan for reducing society to original chaos and bringing about communism. He particularly pointed to Messrs. Brennan, Boyton, Gordon, O'Sullivan and Nally as agitating with a view to pecuniary profit. He quoted Nally's violent speech, which immediately preceded Mr. Ferrick's murder, and then proceeded to deal with the violent speeches attributed to Mr. Dillon and Mr. Parnell, both of whom had said the people had a remedy for their grievances in their own hands. The former, he said, advised them to put no faith in the British Parliament, but to drill. He cited various further passages of speeches by these two members of Parliament as exasperating the people into spoliation and murder. He quoted, amidst general laughter, from the speech of Mr. Biggar, who said "he did not recommend shooting landlords, because the wrong man had been sometimes shot." After quoting Mr. Harris' recommendation to the peasantry to emulate the example of the French in 1793, he said: "In a word the Land League is founded upon the basis of sedition and treason. Mr. Parnell, who was given to expressing his opinions moderately, had himself declared that either the landlords or the people must go, and it would be for the people themselves to decide which."

DUBLIN, Dec. 31.—The military commandant here is making arrangements for the organization of flying columns to scour the country as during the Fenian rising. It is intended to start nine columns, two from Dublin, two from Curragh, one from Athlone, one from Cork, one from Fermoy, one from Limerick and one from Belfast.

A later despatch from London, Eng., says the weather has been extraordinary. The damage by floods is the heaviest ever felt. Early this morning there was a great fall of snow in the Windsor district. Snow covered the castle towers and the town some depth. For miles the country along the Thames valley was for sometime white with snow, which, however, is rapidly thawing. The snow blockade in Scotland continues, notwithstanding the exertions of large squads of men. A train is buried in the snow near Calthness, and railway traffic cannot be resumed for some days. Owing to the heavy sea the mail steamer was unable to sail yesterday between Orkney and the mainland. Snow is again falling to-day in the Highland districts, but a thaw prevails on the coast. The almost incessant rain of the last few days has caused serious floods and widespread destruction in various parts of England. In the higher portions of the town of Dorset three houses and two shops, under which the culvert passed, were totally carried away, the occupants narrowly escaping with their lives. Last evening the force of the water was so great that paving stones were washed up and the road rendered impassable. The locality flooded is to a large extent meadow. The banks of the Don are submerged, as are those of the River Rother. There are also high floods. Several houses in the low lying parts of Sheffield are partially inundated. The town of Dronfield has suffered very severely in the same way. At various Derbyshire mines work had to be suspended, owing to the rush of water. The tributaries of the Cye above Cullompton have submerged the surrounding country. The flat country around Taunton is under water, as is Worcester and Avon, in places quite a mile broad. Thousands of acres are under water, and the brooks have assumed the proportions of swollen rivers. In various parts of Warwickshire there have been tremendous inundations, and thousands of acres are submerged. The footpaths are impassable, and many turnpike roads are under water for long distances in some parts of the country. The meadows near Eye have the appearance of one vast expanse of water. The course of the stream is completely hidden by floods. Between Rugby and Stafford the meadows present the appearance of an inland sea, while in the neighborhood of Whitacre and Kingsbury scarcely anything is to be seen but water. There was heavy rain over the north of England yesterday. All the rivers are swollen, and high floods are reported. In the Kirkby-Stephen district there was a heavy snowstorm. Trains from Darlington on the Tees Valley railway can scarcely pass the snow drifts. In South Leicestershire the turnpike roads are under water from two to four feet. Melting snow on the Welsh hills has caused the Noye to overflow its banks. In Worcestershire the Stour rose rapidly, and yesterday a large expanse of country was under water. The Upper Thames is in a high state of flood above tidal wave point, and at various places between Staines and Reading it has overflowed its banks. In Scotland there were intense frost and several falls of snow yesterday, but at night there were indications of a complete thaw.

TELEGRAPHIC SUMMARY.

Canadian.

THURSDAY, Dec. 30

At the Kingston police court Ann Marlow, charged with stealing prayer books from the St. Mary's cathedral, was committed for trial.

A court of the Canadian order of Foresters was instituted at London on Tuesday night by the high secretary, George Lindley, of Brantford, assisted by D. Stewart, of Bluevale.

Annie Dunely, a servant employed by J. A. Champion, Belleville, was found dead in bed yesterday morning. She died during the night from an apoplectic fit. Her age was 27 years.

Willie Wade, a mere lad, who left his home in Toronto and has been aimlessly wandering about the country, was taken in charge by the Kingston police and sent back to his home.

A man named Richard Wilson, hailing from Toronto, called at the London police office yesterday and requested a term of imprisonment in order to sober off. He said he had stayed out all Tuesday night in the cold and was almost frozen to death as well as hungry.

Leodore Davis, one of Elgin's oldest pioneers, and the occupant of the first frame dwelling on Talbot street, died at his residence in Aymer, on the 28th inst. The deceased was highly esteemed by his many friends and acquaintances for his integrity and honesty.

On Thursday night last Mr. Poupore, M. P. for Pontiac county, was crossing Alumette Lake from Pembroke on the ice, when a large section of ice suddenly gave way, precipitating the horses and sleigh and occupants into the water. Mr. Poupore, in endeavoring to save his horses, came very nearly being carried under the ice.

In a case against Gustave Chelot, for keeping a disorderly house in Montreal, it comes out from the detectives that such men as the accused had standing orders to forward the photographs of young girls to Chicago, and if they were accepted by the keepers of the vile dens the girl's expenses were paid to Chicago and the purveyor received \$10 for his trouble.

Mr. J. E. Stearns, merchant, of Port Rowan, while in his stable yesterday was by some means knocked down in the stall with his head under the fore feet of the horse, which jumped around in a frantic state, knocking out some of his teeth and mangling his face terribly. When found he was insensible and remained so for three hours. He is still in a very precarious condition.

Two boys, aged respectively 5 and 7 years, sons of Mr. George Newell, carriage maker, of Aymer, were yesterday afternoon playing with a revolver, when the eldest boy shot his brother. The shot took effect below the right eye. A physician was called, but up to the present has failed to extract the bullet. It is feared that the shot will prove fatal. The pistol had been lying around for a long time, and was not supposed to be loaded.

European.

THURSDAY, Dec. 30.

The remains of George Elliot were buried in Highgate cemetery, London, yesterday in the midst of a pouring rain.

Prince Christophe Ulrich, son of the heir presumptive to the Crown of Wurtemberg, died on Tuesday.

The French iron-clad frigate Richelieu took fire at Toulon on Tuesday night and finally sank. Several men were injured.

The Yorkshire Miners' Association, on behalf of 20,000 miners, have resolved to give notice to the masters with a view to obtaining a 10 per cent. advance in wages. The official returns show that the foot and mouth disease is seriously spreading amongst the cattle in all the large counties of England. Seven thousand cases of disease are reported in Norfolk, and 2,400 in London.

Count Von Montgelas, counsellor of the Austrian Embassy at Constantinople, has been summarily dismissed from the diplomatic service without a pension, for communicating diplomatic intelligence in private letters.

The menacing attitude of Greece is causing the Porte to take precautions. Two ironclads have sailed for the Archipelago, and the fortifications of the Dardanelles are being strengthened.

A Madrid correspondent telegraphs that Gen. Blanco has been authorized by the Council of Ministers to abandon all the prosecutions pending before the Cuban tribunals for crimes committed in the insurrection of the autonomists.

The report of the committee on the loss of the British training ship *Atalanta* is published, and the committee consider it a very stable ship, except at the large angles of the keel; that alterations in her rig only tended to increase her safety. The committee speak favorably of her officers and crew, and point out the fact that at the time exceptional storms proved fatal to a number of merchant vessels.

A despatch from Durban reports that Major Clarke's 25 men surrendered to the Boers at Potchefstroom after 48 hours' fighting. A large force of insurgents are advancing on Utrecht. The Boers have taken Derby. At Utrecht all persons refusing to join the insurgents have been shot. The English traders' stores have been looted at Potchefstroom. Only 120 British troops hold the camp. Their position is extremely critical.

FRIDAY, Dec. 31.

The British steamer *Garnet* was wrecked in the North Sea during the gale of the 12th inst., and all hands, numbering seventeen, perished.

A German correspondent reports that the German Government are sending for samples of improved American fire-arms. The rumor is connected with a design for armaments.

A Madrid correspondent telegraphs that Spain has contracted in England for new war vessels and is building in the arsenal of the Peninsula several gunboats and fast sloops for service in the waters of Cuba and Manila, at a cost of nearly \$2,000,000.

The dykes between Nieuwkuik and Vlymen, in the province of North Brabant, Holland, are broken and eighteen villages have been flooded. The damage by the inundation is immense. A committee for the relief of the sufferers has been formed.