HUMORS OF MATRIMONY.

The Most Extraordinary Case Ever Tried in the English Divorce Courts.

AN ENGLISH NOBLEMAN INVOLVED

Peculiar Matrimonial Complications—A Remarkable Story.

This was perhaps the most extraordinary case ever tried in the Divorce Court. It was a suit by the Earl of Euston, eldest son of the Duke of Grafton, for a declaration of nullity of marriage ,on the ground that when he married the respondent she had a husband alive. To this her answer was that the man with whom she had gone through a ceremony of marriage before she married Lord Euston was a married man with a wife alive when that ceremony was performed, and that, therefore, she was not legally married to him, and was free to marry when she became the wife of Lord Euston.

Mr. Russell, in stating the case for the petitioner, said that his client was the Hon. James Henry Fitzroy, commonly called the Earl of Euston. He was the eldest son of the Duke of Grafton. In 1870 his father was Lord Charles Fitzroy, brother of the then Duke of Grafton, and the petitioner was the Hon. James Henry Fitzroy. In that year the petitioner made the acquaintance of the respondent, a courtesan, whose maiden name was Walsh, but who at that time was known as "Kate Cooke," she having adopted the latter surname from a man with whom she had lived, and who was connected with a circus. Having formed relations with her and visited her for some months, the petitioner went through a ceremony of marriage with her at a parish church in Worcester on the 29th of May, 1871, the witnesses of the marriage being an official of the church and a solicitor named Froggett. In the marriage certificate she described herself as Kate Walsh Smith, widow. The petitioner was entitled on his own account to £10,000 at the time the ceremony was gone through, and that sum he settled on the respondent. Froggett was trustee of the settlement, and he subsequently made away with the trust money. The petitioner and the respondent lived together off and on up to 1875, when the petitioner's married life, which had throughout been an unhappy one, had become intolerable, and he resolved to separate from the respondent. There was no issue of the marriage, and having left her, he had had from that time no communication with her up to the present. On the separation she resumed her former life, and she was now and had been for some years living with a betting man. The petitioner, who had lost caste among his friends, went to Australia after the separation and obtained Government employment there, the duties of which he discharged in a manner every way creditable to himself. Circumstances having arisen which put on the alert those who were acting for him, inquiries pursued under great difficulties led to the discovery that when the respondent went through the ceremony of marriage with the petitioner she had living a husband, who was in court to-day. It was found that on the 6th of July, 1863, she was married at St. Mungo's Catholic Church, Glasgow, to that man, whose name was "George Manby Smith." He was a commercial traveller, and on the marriage certificate he was described as a "bachelor," she being described as "Kate Walsh, spinster." The respondent, having been sued in a County Court, seemed to have sworn that her husband, "George Manby Smith," had sailed in the London for Australia and gone down in that ship, and, singular to say, on inquiry it was found that a person with the initials "G. M. Smith" had sailed and gone down in that ship. It would be conclusively proved, however, that he was not the "G. M. Smith" who had married the respondent, but a "Mr. George Maslin Smith." More remarkable still, it has been discovered that the George Manby Smith who had married the respondent had also taken ship for Australia. From letters and photographs in the possession of his mother he had been traced to New Zealand and brought home. On his return he went to the house in which the respondent was living and there identified her, but she suggested that he was not the Smith to whom she had been married, but a brother or some other relative of that person. Whether she would persevere in that suggestion he did not know, but at all events she put forward this issue—that whether or not he was the George Manby Smith with whom she went through a ceremony of marriage in 1863, the person with whom she went through that ceremony had then a wife living, and that, therefore, it was a nullity.

Lord Euston, examined by Mr. Murphy, Q.C., said he was the petitioner in this case, and he had made the acquaintance of "Kate Cooke" in 1870. He lived with her before going through the ceremony of marriage in 1871. He was then 22, and she said, he thought, that she was 24. He settled £10,000 on her. Differences arose between them, and he went to Australia in 1875. He filled a Government appointment there, and returned to this country in 1881.

Cross-examined by Mr. Inderwick—He had known the respondent six months before the marriage. She was living in Montpelier Square. He learnt from her that she had been previously married. She never informed him that she had reason to believe the man she was married to had been married before, but she said that she believed he had gone down in the London. Froggett, the solicitor, made away with the money which witness had settled on her. He believed Froggett instituted some inquiries after the marriage about Kate Cooke's former marriage, but not before. He saw a certificate of the first marriage of Smith; the date of the certificate was the 26th day of June, 1862. Witness was married at Worcester. Froggett was present. He believed that Froggett went to Birmingham and made inquiries about the previous marriage of the respondent, but Froggett did not tell him that Smith's wife was living in 1863 when he married the respondent. He learnt that his father had spoken of indicting Kate Cooke for bigamy, and spoke to Froggett about it. To his knowledge no letter came to his wife from "Mary Anne Smith," representing herself to be George Manby Smith's wife. He believed that George Manby Smith was in court. The other day he gave the address at which he believed Smith was living. It was at Watford. He got that address from his solicitor.

Re-examined by Mr. Russell—His wife was described in his marriage certificate as a "widow." He fancied it was after his marriage he got from Froggett the certificate of Smith's first marriage. He had only seen Smith once n his life until to-day. That was when he and Smith went to the respondent's house that Smith might identify her.

George Manby Smith, examined by Mr. Russell, said he arrived from New Zealand in January, 1883. A gentleman who came to him in New Zealand brought him a letter and a photograph, and told him his expenses to this country would be paid. In 1863 he was travelling in Glasgow for a Birmingham house. He then met Kate Cooke, who was in court. She told him she had been living with a man named Cooke, who was connected with a circus, and that he had been unkind to her. Witness married her on the 6th of July, 1863, at St. Mungo's Catholic Church. His father's name was John Ashwin Smith, and his mother's maiden name was Lippett. He and Kate Cooke separated in five months. During that period they did not live happily. Before going to Australia and New Zealand in November, 1864, he last saw Kate Cooke in September of that year. In either 1870 or 1871 he wrote to his mother from Auckland in the name of "George Johnson." When he came home his mother was living at Watford. Recently he went to the house in which the respondent was living and identified her, that being the first occasion on which he saw her since 1864. He was married to a person named Mary Ann Smith, whose father's name was Johnson, on the 26th of June, 1862. Before he married Kate Cooke he was informed that his previous wife was dead. This was from a friend of his first wife in Birmingham. This was three months before his second marriage. He did not remember the name of that friend. She was a female friend of his first wife. He separated from his first wife eight months after their marriage, and never saw her after. He had not the slightest doubt that the woman sitting before him in court was the Kate Cooke whom he married in 1863.

Cross-examined—When he went to identify his wife he looked at her only for a minute, and not a word was spoken; he at once identified her; he did not know that his address had been applied for by the respondent; he did not marry a woman named Johnson; Mary Anne Smith had sons; his father and mother and himself lived at one time at Mary Anne Smith's house in Birmingham; she had a little property, which by deed was settled on herself; he never got nor tried to get any of that property; he returned from Glasgow to Birmingham in 1864; he did not go to the place his wife had lived in; he did not go because he had heard in 1863 that she was dead; her friend had told him of it in a house at Birmingham; he did not remember the name of the street; he did not go to see his deceased wife's sons; he had seen enough of them, and he had no interest in her property.

Mr. Inderwick here informed the court that the respondent, having now had an opportunity of seeing the witness who had just given evidence, she admitted that he was the George Manby Smith with whom she went through the ceremony of marriage in July, 1863.

Sarah Jane Smith said she was married to George Maslin Smith in June, 1861. He left home for Plymouth on January, 1st, 1866, and sailed in the London for Australia and was lost. She, as his widow, obtained in this court administration to his estate.

Mary Ann Smith, examined by Mr. Russell, said she was 83 years old. She was married to George Ashwin Smith in 1827 She had six children, one of whom was George Manby. He went to Australia in 1864. He wrote to her from Auckland in the name of George Johnson. She now identified as her son the George Manby Smith who had just given evidence.

This was the case for the petitioner. For the respondent, William Henry Johnson was examined by Mr. Montagu Williams. He said he had had a sister whose maiden name was "Mary Anne Johnson." She was married to a man named William Smith, and they had four children. William Smith died in January, 1853. After that his sister came to him at Holloway, having three children with her. In 1861 she returned to Birmingham and lived there. He went down in the autumn of 1862 and found that she had in her house George Manby Smith, who had been examined to-day. Witness knew that this man had at that time married his sister. In November, 1866, he received a communication that his sister, Mrs. George Manby Smith, was dangerously ill at Edgbaston, near Birmingham. She died on June 9th, 1867. Witness was present at the death, and with his sister Phillis went and registered the death, the certificate of which was now in court.

Phillis Johnson, sister of the last witness, corroborated the testimony of her brother.

The President—It is now admitted that the George Manby Smith, whom we have seen in the box, is the person who was lawfully married to Mary Anne Smith, widow, on June 26th, 1862. It is further proved that he went through the ceremony of marriage with the respondent on July 6th, 1863, he not being then in a position to contract a lawful marriage, because of his wife Mary Anne Smith being alive. Kate Walsh was then free to marry, but she was not lawfully married to George Manby Smith, because he had a wife alive.

The jury at once found that George Manby Smith was lawfully married to Mary Anne Smith on June 26th, 1862; that Kate Walsh was not lawfully married to the said George Manby Smith on July 6th, 1863; that the said George Manby Smith was alive on May 29th, 1871, and that the petitioner and the respondent were lawfully married on May 29th, 1871.

The President said this was a finding for the respondent, and he dismissed the petition with costs.—*London Times.*

"Don't," said Tawmus, "don't throw that away." "It's only an old tailor's bill.' "Yes, but it's paid."—*Boston Post.*

"Yes," said the tramp, mournfully, my father cut me off with a shilling, and it was a good deal of money, too, although I didn't think so at the time."

THE BIRMINGHAM DYNAMITERS.

They Intended to Blow Up Ward Politicians—Explosives Found in a Tavern.

A last Saturday's London cablegram says: The proprietor of the Ship tavern, in the vicinity of the Strand, seized the effects of an absconding lodger for non-payment of rent. Among them was a box containing twelve pounds of dynamite cartridges and gun cotton. The lodger is well known and the police are pursuing him. The cartridges were such as are used in toy pistols. The police attach little importance to the discovery.

Daly, Egan and Macdonnell were arraigned at Birmingham to-day on the charge of treason-felony. Daly was defiant, Macdonnell dejected. Daly asked why he was brought to Birmingham to be tried again after his committal on Thursday to await the Chester assizes. The prosecution replied that after the charge was prepared against him at Liverpool enough evidence had been brought to light to justify his removal to Birmingham on greater charges.

Detectives surrounded the prisoners in court and there were others outside. The prisoners seemed to feel their position keenly, especially Egan. When the detectives described how they had tracked Egan and Daly since October the two exchanged significant glances.

It appeared from the evidence that prior to the recent meetings in Birmingham Town Hall, which were addressed by the Marquis of Salisbury and Mr. Joseph Chamberlain, letters were received by the authorities containing threats that dynamite bombs would be thrown under the speaker's platform. Special precautions were taken to guard against this. Daly was arrested shortly before the Birmingham election campaign of Lord Randolph Churchill and Col. Burnaby. It is believed the bombs found in his possession were intended to be exploded among campaign gatherings. The prisoners were remanded for a week.

Ventilation.

It is true that a cold draught is dangerous. Dr. Angus Smith, the great English authority on air, says: "It slays like a sword." But impure air is no better; and if one causes pneumonia, the other creates consumption. Bringing air through the furnace flues is all very well, provided it is taken from a pure source of supply. But if, as in most cases, the cold air box of the furnace ends over a damp, dirty area adjoining one of our unswept and filthy streets, the supply is far from wholesome. Dr. Loomis and other specialists long since pointed out the bad effects of New York dust upon the human lungs, yet the dusty air from our streets is sucked into ten thousand furnace cold-air boxes, and is the chief lung food of our population. Because this air has been warmed it does not follow that it is wholesome. It is perfectly easy to prevent a draft by raising the sash a few inches and placing a narrow board in the space below, so that the cold air will enter between the upper and lower sash and be deflected toward the ceiling without causing any annoyance to persons in the room. There are a number of patented devices for the same purpose, but the arrangement here described can be adopted by any one at the cost of a few cents. The chief difficulty about ventilating most dwelling houses is that there are not sufficient means of carrying off the foul and heated air. If provision is supplied for doing this, then plenty of fresh air will leak in through the window casings and cracks, as most of our houses are not tightly built. Great benefit may be obtained from open fire places, which to the æsthetes, are coming largely into use. All fire-boards should be abolished. The art of ventilation has been called one of the lost arts, if indeed it ever was an entirely developed art. In our modern houses and flats, with their masses of upholstering and decoration to obstruct the sunlight and prevent free circulation of air, and with the many sources of impurity, such as cooking, washing and plumbing appliances, and still more the gaslights and steam heating apparatus, the necessity for attention to ventilation becomes daily apparent. The almost universal prevalence of catarrh, and the worn out, wearied look of Americans which Herbert Spencer noted, may be justly charged to the bad ventilation of our houses, and it is time our people should take hold of the matter promptly.

Stories of the Little Folks.

HE COULD TELL.

Mr. Longwords addresses the Sunday school:

"It gives me great pleasure—ahem—to be with you to-day, children, and I am glad to speak a few simple words to you. Now can any of these bright little boys and girls tell me what is the ostensible object of Sunday school instruction?"

Dead silence.

"I will repeat my question. What is the ostensible object of Sunday school instruction?"

Little boy up in front—"Yes, sir!"

A PAT DEFINITION.

Teacher—"Mary, spell and define atom."

"Atom, a-t-o-m, atom; means to go and fight."

"How is that, Mary?"

"Why, it's what they say to dogs, you know—'at 'em.'"

ANOTHER GOOD ONE.

"In the sentence 'The deer tried to flee' scholars may define flee."

Several hands wave wildly.

"Well, Willie, what is it?"

"Pleath, Mith W. it'th a thmall muthquito."

SHE WILL DOUBTLESS DIE YOUNG.

Little Rachie Weeks, of Gray, only 7 years old, read the New Testament through and finished it in three days before her 7th birthday, and had never attended school a day.—*Portland, Me., Press.*

The Philadelphia *Medical Bulletin* announces that an Ohio physician is preparing a medical lexicon in forty-two languages. It appears likely to be needed if the name-makers pursue their present course. Yet an eminent physician told his hearers, in a recent lecture, that a characteristic of a good medical essay was its freedom from unnecessary technical terms. It is the fledgling who favors the long words.

THE DYNAMITE OUTRAGE.

Contents of One of the Cartridges Found Under the Ontario Parliament House.

MORE POWERFUL EXPLOSIVE THAN DYNAMITE.

Mr. E. B. Shuttleworth, analytical chemist, has just completed and handed to the Attorney-General the report of his analysis of one of the cartridges found under the Parliament buildings, and reports to Premier Mowat as follows:

SIR,—In obedience to your instructions, I have examined the cartridge handed to me by Detective Newhall, and beg to submit the following report: The cartridge was marked in printed characters "Ætna No. 2, manufactured by the Ætna Powder Company, Chicago, Ill.; 40 per cent." It also bore in ink the initials "J. N.," and some markings in pencil that were illegible. The cartridge was wrapped in stout brown paper, coated with paraffin, and the inside was lightly packed with a yellowish-brown compound, through which projected at the upper end two copper detonating tubes. The gross weight of the whole was seven ounces and three hundred and seventy-eight grains. Having picked out the detonators, I removed the entire contents of the cartridge, which weighed seven ounces and a hundred and twenty-eight grains (about 7¼.08) which on proximate analysis I found to be of the following percentage composition:

Nitro-glycerine	38.50
Saltpetre and other matters soluble in water	44.25
Vegetable fibre	17.25
	100.00

This shows the compound to be analogous to that known as "dualin," differing only from dynamite in containing certain nitrates, as saltpetre, and having for its basis an absorbent powder, as sawdust, instead of infusorial earth. It is considered to be more powerful than dynamite. I tested one of the detonators, and it exploded with great force, blowing a large hole through the stout wire netting on which it rested, being itself torn into such small fragments that only one small shred of the upper casing could be found. Taking the relative explosive strength of gunpowder and nitro-glycerine as being 1 to 10, the cartridge would equal about 1¾ pounds of gunpowder, but from the rapidity of explosion of nitro-glycerine, and the fact that it does not require to be confined, the effect produced would be much greater than that resulting from this amount of gunpowder. I have the honor to be, sir, your obedient servant, E. B. SHUTTLEWORTH.

How the Arabs Fight.

The Arabs, says a correspondent of the London *Daily News*, are perhaps the most savagely ferocious foes with whom British troops have ever come in contact. I have spoken of their courage, but it is the courage of tigers, and the mood in which they have engaged in these battles is the mood of wild beasts mad with fury and thirsting for blood. Their battles are battles in which quarter is neither asked for nor given on either side. Both at El Teb and at Tamanieb boys of 12 and 14 years old rushed on, armed with spear and club, like their elders. The cubs instinctively showed fight as soon as their teeth and claws grew. On the morning after the battle a wounded Arab was found near the zereba by Col. Slade, who brought him in. I saw him when the doctors were attending him. He received with brutish half-indifference, half-satisfaction, the kind treatment to which he was without delay subjected. He glared in a curiously absent manner at the group of persons who, standing around him, admired his lithe form, tall stature, and fine eyes and features. A piece of bread was given him. He gnawed half of it and carelessly handed the other half of it away. Had our captive suddenly recovered his freedom and the use of his limbs the very first thing he would have done would be to bound at the bundle of spears which a soldier had collected from the field, seize one, and thurst and stab right and left amongst his benefactors until he himself should be shot or cut down like a rabid dog. At least 10 men were killed on Thursday in different parts of the field by wounded Arabs or Arabs who pretended to be dead.

No Need to Drown.

"I always dread the return of the season when sea bathing is indulged in" said a gentleman. "My family have had several narrow escapes and still they have a perfect mania for the water."

"Why, there is no need to be afraid," answered his friend, "if you but retain your presence of mind. When you find yourself in deep water you will sink at first, but if you do not struggle you will come quickly to the surface again. On reaching it immediately draw a full breath and throw your head back. This will have the effect of placing you in a recumbent position on the surface of the water. Now, this is the most critical moment for those who do not know what to do next. Extend your arms at once on a level with your shoulders, with the palms of your hands downward, and begin gently paddling in the water with the movement of the wrist only. Extend your legs quietly and slowly in a line with your body. If you raise your arms, your head or your legs above the surface of the water you will sink, but if you have the presence of mind not to do so and not to struggle about, you will never sink, so long as you keep paddling gently without exertion. So you may float on until you are picked up, or until you are numbed by the cold."—*New York Sun.*

Some Early Crops.

A few hot-house peaches are on sale in New York; price, 75 cents each.

The early Irish potato crop in Florida is being rapidly harvested; the yield is very good.

Confectioner Parkin, of Kingston, has received from the West Indies four pineapple plants with the fruit on.

Blackberries are plentiful in Jacksonville, Fla. They bring 5 to 6 cents per quart at wholesale, and retail at from 9 to 12½ cents per quart.

Pineapple cutting will begin on the Florida keys about May 1st. The season lasts for six months. They all go to northern markets.

The Laugh in School.

Hold on for a moment, teacher!
  You had better ignore the rule,
Than punish that little urchin
  Who has just laughed out in school.
Had he done it out of malice,
  It would be a different thing,
But he could no more help it
  Than a lark can help to sing.

I know by his clouted jacket,
  And his shoes tied with a cord,
That a laugh is the only luxury
  Of childhood he can afford;
And he hasn't much time left him
  For even that trivial joy,
For he'll have to earn his living
  While he is yet a boy.

You ask why I defend him;
  Well, the fact is, yesternight
I found a dog-eared primer
  That I used when but a mite;
And, in imagination
  As I turned its pages o'er,
I saw some wonderful pictures
  That I never found before.

I saw a certain urchin
  (Called Clarence by the boys)
Go toddling into the school room
  Making his share of noise;
And I saw him during school time
  Play pranks upon the sly
With the rosy little Agnes
  Till she laughed as she would die.

And I think we all are better
  When we grow up to be men,
If we have something to make us
  Look backward now and then;
And therefore I insisted
  You had better ignore the rule
Than punish that little fellow
  Who has just laughed out in school.

—*Philadelphia Times.*

THE MAY QUEEN.

If you're waking, call me early—
  Call me early, husband dear,
For at half-past eight, as sure as fate,
  The furniture car'll be here.
I have got the carpets nicely cleaned,
  And the crockery stowed away—
I can hardly wait for the joyous date
  When I'm to be Queen of the May.

I never have moved before, husband—
  And I never may move again;
But around I'll stand, with a broom in my hand,
  And boss those mover-men;
And they'll have to follow my every whim,
  Or else not get their pay;
And they daren't be cross to their female boss
  When I am Queen of the May.

You may get your meals down-town, husband,
  And sleep down-town at night—
To the thrifty wife, when moving is rife,
  A husband's an irksome sight.
Be sure to call me early,
  On this great, eventful day,
When I reign supreme over man and team,
  As the mover's Queen of the May.

A Pretty Tall Yarn.

An extraordinary story is told in English court circles, and has been retailed by the Spiritualists, as to the reasons which induced the Queen at the last moment to alter the arrangements for Prince Leopold's funeral. It is said that a short time before his death, dancing with an intimate friend, a lady of Danish birth, of great personal beauty, and the wife of an English peer, he was rallied by her upon his unwonted abstraction. His answer was that his sister Alice had come to him in the night, warned him of an approaching calamity, and told him not to trouble, for all would soon be well. The Royal Duke, like his mother, the Queen, seems to have accepted supernatural visitations as real, and he told the lady he would prefer, if anything happened to him, to have a military funeral. Her ladyship, the recipient of these confidences, wrote a letter to a high court official, telling him the story, and he laid her communication before Her Majesty. At once the Queen ordered her dead son's desires, expressed in life, to be fulfilled. Hence that change at the last moment which led to so much perplexity and inconvenience.

He was Willing to Pay $50.

"What is the charge against this man?" asked an Arkansas judge as the prisoner was placed before him.

"Killing an editor, your honor."

"H'm, was the editor a resident of the State?"

"Yes, your honor."

"What have you to say, prisoner, concerning this very serious charge? Are you guilty or not guilty?"

"Guilty, your honor; I murdered him in cold blood."

"Well," said the judge, "there is nothing left for me to do but sentence you. The crime of murder in this State is becoming much too common. You are charged with killing an Arkansas editor, to which charge you pleaded guilty.

"Yes, your honor, I do; and I don't care if it costs me $50.

"Prisoner," responded the judge solemnly, "you are fined $200, and stand committed until the amount is paid."

The prisoner then swooned away.

Hot Weather.

Concerning the heat in South Australia six weeks ago, the Port Augusta *Dispatch* has the following paragraph: "Last Sunday will be long remembered as a day of special suffering in Port Augusta, and farther north the heat seems to have been even more intense. We are informed that at Yarra, near Mount Arden Station, native larks and magpies in flocks sought shelter and water in farmers' houses, numbers of them expiring after the thirst had been quenched. In one case a touching episode occurred. A little girl, with pannikin and teaspoon in hand, was seen surrounded by little feathered sufferers, whose wants she administered to, gently caressing those who survived, weeping over the defunct, and burying their bodies with tender care. Mr. Hodshod, of Port Augusta, lost two valuable dogs on the same day and in the same locality, through heat alone."

Divorce for Imprisonment.

William McKay, so says the record, was, in September, 1876, sentenced at Simcoe, Ont., to be hung for murder on the 2nd of November of that year. His sentence was commuted to imprisonment for fifteen years, and Mary McKay has just obtained a decree of divorce from him in the Wayne Circuit Court, Detroit, under the provision of the Michigan statute which entitles the bereft husband or wife to such relief when the partner of his or her bosom is imprisoned for a term of three years or more.

Jailer Corbett, of Kingston, has instituted another suit against the County Council to recover back salary, which will be carried to a higher court in order to procure a settlement of the question of the power to reduce a jailer's salary by a County Council

Inspector O'Reilly has advised the removal of the St. Thomas rioters to the Woodstock jail.