NEW ADVERTISEMENTS.

On no occasion will the names of Old Advertisements be inserted here.

Sealed Tenders—A. M. Festing.
Great Fall in Coal Oil—Wm. Hearn.
Money to Loan—J. P. Macpherson.
Notice—Phœbe Hamilton.
New Dresses and Winceies—Grant & Henderson.
Stoves—Lamps—Oils—Esmonde Bros.
Fine Gold Jewellery—E. K. MacGillivray & Co.

The Ottawa Times

City and County Official Paper

OTTAWA, NOVEMBER 10, 1866.

For Arrival and Departure of Mails see 1st page.

DR. TUPPER in his speech at the banquet in honor of the Colonial Delegates recently given in London, adduced as one of the reasons why the Americans desired the annexation of Canada that they disliked to see the British or Free trade system, carried on in such close proximity to their Protectionist policy. It is difficult to say what force there may be in this consideration, but Dr. Tupper evidently attached a great deal of importance to it, and thereby incidentally paid a compliment to the wisdom of Mr. Galt's fiscal legislation of last Session. Even Free Traders condemned the slight approach towards their own principles on the ground that legislation upon the subject might jeopardise the prospects of Confederation with the people of the Maritime Provinces; but we think Dr. Tupper's view a much more logical one, in this particular, than Mr. Brown's. The Americans, with all their boasted devotion to liberty, are extremely intolerant of every system but their own. They did not like and they have long threatened to overthrow the political system, which for a time prevailed in Mexico; and which now appears to have fallen by their plotting and interference. They do not like, and they might very naturally be presumed to be desirous of overthrowing the commercial system, which to some extent prevails in British America, and which is no less at variance with their commercial system, than was the Imperial Government of Maximilian with their Republican. As a grievance of a practical kind, and liable to be the cause of daily irritation throughout the whole extent of our contiguous boundaries, a free trade policy in Canada may very readily be admitted to be more annoying to the Americans than the political rule of an Emperor on the further side of the Rio Grande; and it is quite possible, as Dr. Tupper urges, that with a people so eminently practical as the Americans, this consideration has entered more largely into their calculations for absorbing Canada, than we have heretofore supposed.

The influence of the Fenian element in the recent election in New York State is openly confessed by both parties. The *World* charges the defeat of Hoffman upon the Radical misrepresentations in the interior cities and towns where Irish voters are numerous, and says that but for the Fenian vote John T. Hoffman would have been elected by a tremendous majority. It professes to blame the Radical majority in Congress for not having repealed the neutrality laws, at the close of last session, and thereby given free scope to the Fenian invasion of June; but we hardly think the *World* is so devoid of principle as to advocate a measure of that kind, even if its own party controlled the Legislature.

Mr. Clapp, of Buffalo, at one time an ardent Know-Nothing, and latterly a blatant advocate of Fenianism, attributes his defeat to the failure of the Radicals to carry the Fenians with them. The confession he makes is a humiliating one, and is of course framed with due circumspection, but as an apology for a defeat it really displays a degree of candor which is remarkable. He says:

"But we fear that a large measure of the causes of our defeat must be traced to the lack of bold confidence in its own natural strength—the strength of its principles—which the Republican party has exhibited. There has been, perhaps, too much *seeking after adventitious helps—running after strange gods—courting votes not given upon the score of any sympathy with the Republican party in its right political character. We fear this there will be confessed a weakening and demoralizing influence from these experiments*, always hazardous in the case of any party whose natural strength is the strength of a principle."

In fact the "strange gods," though run after, would not be caught by Mr. Clapp's professed devotion, and for the want of their support, he lost his election. It may safely be calculated that after this time Mr. Clapp's paper, the Buffalo *Express*, will not continue its patronage of the Fenian nuisance; and now that the elections are over there will be a sudden falling off in the expression of American sympathy with Irish grievances generally.

One of the Tammany Hall orators on election night, who was spouting to keep the crowd in humor while awaiting election returns, thus delivered himself on a point in which we Canadians have not a little interest:

"Captain Rynders—If Tammany Hall does her duty the Irish will not desert her. (Applause.)

A voice—Let's take Canada.

Captain Rynders—Let's have a united country first and then we'll ask John Bull to settle up the accounts he owes us, and if he don't pay then we'll invade Canada. (Great cheering.) But we are a civilized people now and no matter what people tell you, we are not able to cope with foreign nations, and they know it. But let's have every State in the Union, and every man in it, ready to fight for his country. (Applause.)

The assurance of the gallant Captain is much more encouraging than we had any right to expect from such a quarter. In the first place to make "a united country" of the Republic will be an exceedingly difficult task; for it is now, for all the purposes of concerted national action, more equally and determinedly divided than ever it was at any former period of its history. Not at any time during the war did the Government present the spectacle of an open rupture between its Executive, and Legislative branches; it is now, however, of a verity "a house divided against itself" and liable to the consequences at any time. The elections of Tuesday last have not contributed in any degree to the closing up of this division, and the complexion of the Legislature will not be materially changed for two years to come; so that the time for "taking Canada" is not yet at hand.

And Capt. Rynders offers us another chance to escape. If John Bull will only be kind enough to pay that little *Alabama* account, it does not even appear from the tenor of the Captain's remarks that Canada would be invaded at all. The confession that the Americans "are not able to cope with foreign nations," looks very much like preparing the way for letting down the Fenian question, and we shall be heartily rejoiced if the result of the election should impress both parties equally with the impolicy of their encouraging the Fenians.

Per Montreal Line.

SPECIAL FROM TORONTO.

THE FENIAN TRIALS.

A Number of the Prisoners not Ready.

TRIAL of DANIEL DIAMOND.

The Jury Return a Verdict of "Not Guilty."

LETTER FROM MIKE MURPHY

Mike's Plan to Settle the Difficulty!

TORONTO, Nov. 9, 1866.

The court met at 10 o'clock, a.m. The same counsel for crown and defence as previous trials. Peter Curran *alias* Doyle and Henry Lavelle, were first placed in the dock. The former is a tall, stout man with light complexion, blue eyes, moustache and beard, and has the appearance of a labouring man. He seemed to be between forty and fifty years of age. Henry Lavelle is about the same age, with dark eyes and hair, and a most unassuming countenance. He was dressed in a shabby suit of black, and wore a white neck tie.

Mr. McKenzie said—I move, my lord, in these cases to quash the indictment on the same ground as in the O'Neil case, and on the further ground that the offence took place before the passing of acts 29 and 30 Vic., chap. 4.

The indictment having been read, the prisoners, by direction of their counsel, pleaded not guilty.

His Lordship—When are you likely to be ready with their trials?

Mr. McKenzie—I am afraid, my lord, not for some time. There are a number of witnesses we require whom we have not been able to procure. Better let the time be indefinite.

Hon. J. H. Cameron—It would be better if my learned friend could name some day, so that we might have our witnesses here. The crown has been put to considerable expense, and we are prepared to proceed in all the cases in which true bills have been found.

Mr. McKenzie—Before the day is over it is my intention to make a proposition to my learned friends whereby the remainder of these cases may be deferred until next assizes.

His Lordship—Well, if any arrangement can be arrived at, I am satisfied.

The prisoners were then removed.

John Gallagher, John Grace, Daniel Quinn, and John Moran were then placed in the dock. Grace, since his incarceration has received $1,650 as his proportion of the reward offered for the arrest of John Wilkes Booth, he being one of the troopers joined in the capture.

Mr. McKenzie—I also make the same motion in these cases.

The prisoners then severally pleaded not guilty.

Bernard Dunn was next arraigned. He is a tall, powerful looking man, between 40 and 50 years of age, and like the preceding prisoners pleaded not guilty. Mr. McKenzie made a similar motion in this case.

Patrick Donohue is a man apparently between 20 and 30 years of age, with dark eyes, moustache and hair, and appeared to be the most respectable looking of the lot. He was neatly dressed in a suit of black, and when placed in the dock stated that he was anxious to have his trial proceeded with as soon as possible. To the indictment he pleaded not guilty, and his trial by consent of counsel was fixed for the 30th inst. Mr. McKenzie also moved to quash the indictment in this case on the same ground as in the previous cases.

Frederick Fry, a Swiss, next appeared at the bar. He is a tall man, with most repulsive features. He stated that he had served in the British and United States armies.

Mr. McKenzie—In this case my Lord I think we will be ready about the middle of next week. I also in this case make the same motion as regards the indictment being bad in law.

William Baker was the next prisoner placed in the dock. The same plea was put in by counsel, and the defendant pleaded not guilty, and stated that he was not ready for trial. At this stage a lengthy discussion took place between the learned counsel on both sides. Mr. McKenzie for the prisoner desiring to postpone the trial of Hughes' case without having, as the crown alleged, any reasonable cause for doing so.

The Queen *vs.* McGrath—In this case, which was tried yesterday, and resulted in a verdict of not guilty, after the ending of which a new indictment was preferred against prisoner, Mr. McKenzie for the prisoner pleaded *autrefois acquit*.

Hon. J. H. Cameron desired a jury to be empannelled at once to try the issue.

Mr. McKenzie requested a delay until to-morrow morning.

Mr. Cameron—I will join issue upon that plea my Lord, but I must object to the postponement. The plea is a dilatory one, and there is no reason why the matter cannot be at once decided. Unless there is an affidavit put in I cannot consent.

Mr. McKenzie stated that he required time to consider the question, and after some discussion it was agreed that the issue in the McGrath case should be tried on Monday.

James Burk, James Spaulding and William Orr were then placed in the dock, and having been arraigned, pleaded not guilty, and stated that they were not ready for trial.

Mr. McKenzie, in these cases, made a similar motion to quash the indictment.

The Queen *vs.* Daniel Diamond. This prisoner was next placed in the dock. Some time was occupied in empannelling a jury, twenty jurors being challenged by the prisoner's counsel.

Mr. McNab, in opening the case for the Crown, observed that the indictment charged the prisoner as an American citizen, and was framed similar to the others that had been preferred. The prisoner was arrested on Saturday the 2nd of June, at a place called Frenchman's Creek, with a six barrelled revolver in his possession, and from the suspicious account he had given of himself, the crown had deemed it their duty to indict him. As there was a number of witnesses he would proceed to call the evidence.

Witnesses for the Prosecution.

John Metcalf sworn.—I was present at the fight at Ridgeway, and saw Ensign McEachern shot there. The prisoner made the following statement, which I took down at the time. He said he was an American citizen, and a native of Ireland. That he was a Roman Catholic, and worked as a puddler; that he usually resided in Philadelphia, and left there for Pittsburg; that he was in Buffalo six or seven weeks before the raid; that he came over into Canada on the 1st of June, and returned to Buffalo the same night, and had again crossed over on the Saturday when he was arrested.

Reuben Mosier sworn—On Saturday morning, by direction of Captain King, I arrested the prisoner about four miles from Fort Erie, on the banks of the Niagara river. I asked him if he had any arms; he replied not; I then searched him, when he told me he had a revolver, and put his hand in his pocket and drew it out. I took it from him. It was a six barrelled revolver, loaded but not capped.

Cross-examined by Mr. McKenzie—When I arrested him he said he was no Fenian.

Thomas Somersbury sworn—I belong to the land battery, and was present with several others when prisoner was arrested. As we were going down the river some one cried out, a Fenian; Captain King then ordered us to arrest him; he said he was no Fenian, but refused to state where he came from. There were some cartridges taken from him by one Higgins.

Nelson Higgins sworn, corroborated the evidence of the previous witness.

Elon Tupper sworn, but objected to by Mr. McKenzie on the ground that the witness' name was not on the back of the indictment. The Fenians arrived at Fort Erie on the 1st of June.

Mr. McKenzie here objected that so far there was no evidence that the prisoner was a Fenian, and the witness could not be asked what other persons did till it was proven that the prisoner was connected with Fenianism.

His Lordship over-ruled the objection.

Examination continued—They asked provisions for 1000 men, but there was not as many as that. They landed at the lower ferry, and from thence marched to the village; some of them stayed on the brow of the hill, and the remainder were on the front street, searching for provisions.

Cross-examined by Mr. Fleming—It is a customary thing in the United States to carry revolvers.

Joseph Newbiggin sworn—The Fenians, when they left our barn, went down the river road about four miles, then went down the town line between Barrie and Willoughby. Prisoner was arrested on Edwin Hersey's farm, about four miles below Fort Erie.

This closed the case for the crown.

The following witnesses were called for the defence:—

Witnesses for the Defence.

Joseph Corney sworn.—I reside in Buffalo, and am superintendent of the Buffalo Iron and Nail Company. The prisoner was in our employ for about a month before the raid as a puddler; he was a transient hand. On the 2nd of June I heard he was in Canada; when with us he bore a good character. I am an Englishman and have resided in the States since 1830. In times of excitement it is customary to carry revolvers. At the time of the raid a good many people went over to Canada out of curiosity.

Cross-examined.—I employ between two and three hundred hands. The factory is quite close to where the Fenians embarked.

Margaret McCormey sworn.—I reside at Black Rock. I know the prisoner; he boarded at my house, and was there on Friday the 1st of June; I remember the day by the boys making such a fuss looking at the company going beyant into Canada. My son called the prisoner up in the morning; I generally go to bed early, but the boys don't.

Cross-examined by Mr. McNab.—The Fenians were beyant the river when I got up. I saw nothing of the prisoner after Friday morning; he was a good character, and as good a boy as was ever in that house.

Kate McTague sworn—I keep a saloon at Black Rock, and know the prisoner. On Thursday night I saw the prisoner taking his beer in my shop. I also saw him on Friday night and Saturday morning. I remember the Fenians passing over into Canada in June last.

Mr. K. McKenzie then put in the affidavit of John Jenkins and others, of New York, as to prisoner's character.

This closed the case for the defence.

Mr. McKenzie addressed the jury in a long and eloquent speech on behalf of prisoner.

R. A. Harrison replied on behalf of the Crown in a temperate and eloquent speech.

The Grand Jury entered the court bringing in true bills against Patrick Conroy and John Conroy.

Not Guilty.

His Lordship then charged the jury. The jury retired at half-past four, and returned with a verdict of not guilty.

Letter from Mike Murphy.

The following letter was read to-day by one of the Crown officers, purporting to come from Michael Murphy.

BUFFALO, Nov. 7th, 1866.

SIR,—The Fenians, Irish like, I am almost ashamed as an Irishman to say, have adhered to their enemies. Now, I wish to propose a plan to end all this trouble for you in Canada. Get together all your Fenian prisoners, and take them to the American lines, and set them over, with a warning not to be caught again. That will end the matter at once. These people might have made you trouble if they had gone with the Union party. They have gone, as they always have, with their enemies, and now will have to get their help from them, and little can they get from them. All they want of them are their votes, and now they know they can have them in any event, so they will give them no aid to their schemes to invade your country, for they see they can only go there against the Republicans always, as they always have done. My countrymen, I am very sorry to say, profess to love liberty, but still go for the party which does not love it. They do not understand the meaning of the word, in fact they don't know what they want. If they did they know not how to realize it. There will be an end to Fenian troubles here and elsewhere, you will see. So let go your prisoners, and the only thing which will give the agitators anything to agitate about will be gone. All will conclude that it is best for Ireland to remain under the control of England, as they have not sense enough to control themselves.

(Signed,)

Yours respectfully,
MICHAEL MURPHY.

LOCAL NEWS.

MILITARY SERVICE.—We understand that the Rev. T. D. Phillipps has been appointed chaplain to the detachment of the 100th stationed here by the officer in command. As will be seen in another column, the military services will for the future be held in the Court House, which has been obligingly offered for the accommodation of H. M. troops.

OTTAWA FIELD BATTERY.—In obedience to orders from headquarters, the Ottawa Field Battery are to send their guns and all other material pertaining to the said Field Battery to Quebec, in exchange for which they will receive three nine pounders and one twenty-four pounder howitzer. New harness, stores, ammunition, and all other material required by this change will be issued immediately.

THE ADVANCE OF THE AGE.—That the age in which we live and have our being is one of progress, there can be no doubt, but our *fast* cousins across the line, are even a *leetle* in advance of progress; this we notice from the fact that Massachusetts, the old wooden nutmeg State, has, at the recent election, returned two American gentlemen of the "African persuasion," to seats in her Legislature. So we go.

THE WESTMINSTER REVIEW.—We have received the October number from Messrs. J. Durie & Son, the Ottawa agents. Contents:—The Irish Church; The Apostles; The English and their Origin; The Abbe Lamenai's en Dante; The Canadian Confederation and the Reciprocity Treaty; The Dog—His Intelligence; Our North Pacific Colonies; The Forest of Fontainbleau; and Contemporary Literature.

THE FECHT MONUMENT.—There is now on exhibition, at the establishment of Mr. Mills, Sparks street, an exceedingly chaste monument, manufactured by the order of the friends of the late Mr. Louis Fecht, to be placed over his remains in the cemetery. It will be on exhibition to-day, Saturday, and Monday at Mr. Mills', where subscribers to the fund and others may examine it. The carving, particularly the drapery and the harp, is very neat and the whole thing reflects great credit on Mr. Mills.

THE MINSTRELS.—Dupree and Benedict's minstrel troupe gave their last performance in this city last night, and were again greeted by an enthusiastic audience. The entertainment was applauded throughout, and not undeservedly, for they are, as a whole company, without exception, the best organized of any minstrel troupe that has ever visited Canada. They will perform in Montreal on Monday, Tuesday and Wednesday nights, and we advise our friends of the Metropolitan city, not to miss the opportunity of enjoying a rich and amusing entertainment.

—Learn the luxury of doing good. Rev. E. Evans, Delhi, Ohio, writes:—"I have used Mrs. S. A. Allen's World's Hair Restorer and Zylobalsamum. They have changed my hair to its natural color, and stopped its falling off." Could anything more be said in favor of any article? Sold by all druggists. Depot, 193 Greenwich Street, New York.

TARGET PRACTICE.

No. 3, or Gloucester Garrison Battery of Artillery, on Thursday last turned out in full force, for target practice, to compete for a Silver Medal, presented by Lieutenant Russell. The day was fine, and the hits made were a fair average. There were present forty men, and the officers, Captain Perry, Lieutenants Russell, and Clemow. The men looked clean, and presented to the eye what an old soldier would term "smart and well set up." Quite a number of citizens and ladies were on the ground, whose pleasant faces and gracious countenances, inspired the men to keen competition and orderly conduct.

There were six rounds fired at three hundred yards. Corporal A. Heron, scoring eighteen points, being the highest made, and thus carrying off the medal. The medal is of solid sterling silver, and was manufactured by Mr. E. K. MacGillivray, of the Sheffield House. On one side is a gun-carriage, with four artillery men in full uniform, ammunition, etc. On the reverse engraved within a wreath—"Presented by Lieutenant A. L. Russell, to No. 3 Battery, Provisional Artillery, Ottawa, 1866."

Subjoined is a list of those who made eight points and over:

Corpl. A. Heron, 18 points; B'dr. Baines, 16 do., 1st prize; Corpl. Hopkins, 15 do., 2nd do.; B'dr. Earle, 14 do., 3rd do.; Corpl. J. Heron, 14 do.; (the two last named having tied, they tossed up for choice of 3rd prize, Earle winning.) Battery Sergt.-Major Walker, 10 points; Gunners White, 9 do.; W. Heron, 10 do.; Martin, 9 do.; Stewart, 9 do.; Thomson, 9 do.; Rathwell, 9 do.; Oglivie, 8 do.; Ryan, 8 do.; Maguire 8 do.

THE FENIAN TRIALS.

Slavin Found Guilty.

On Wednesday morning William Slavin was placed in the dock. He is a small man, thin and pale, and wears a beard and moustache. He is very deaf and was allowed to leave the dock and sit near the witness-box, so that he might hear the proceedings.

Mr. Kenneth McKenzie and Mr. James Fleming defended the prisoner.

Mr. Metcalfe, private in the "Queen's Own," sworn, and examined by Mr. Harrison—Was at the battle of Ridgeway on the 2nd June. The Canadian volunteers, in uniform, were then attacked at Limeridge by a considerable force of Fenians. Saw a man shot down by my side, and others killed and wounded. The Governments of the United States and Great Britain were then at peace. I am employed now down at the old jail. Prisoner there made a statement to me without inducement or threat. I gave him a caution to say nothing that would be injurious to himself, as it would be used in evidence against him. He told me he was an American citizen, of New York, a gilder by trade, a Roman Catholic, and that he came from Henoge, near Rochester, to Buffalo, that he crossed over from Buffalo to Fort Erie on the 31st of May, between 6 and 7 p.m., that he was arrested on Saturday between the hours of 10 and 12 o'clock in a cider house, that he was asleep at the time of his arrest, and did not know what part of Canada he was in at the time—did not know Fort Erie—that a man named John Hughes crossed over with him, and a man he did not know paid their passage over. Did not say for what purpose he came over.

Jno. Stockdale, township of Bertie, sworn, and examined by Mr. McNab—Live below the Newbiggin farm. Saw prisoner on the 2nd of June alone in front of my house. It was about 4 a.m. He had what is known as a Fenian rifle—one with a bright barrel and bayonet. He gave it to me. Joseph Newbiggin and Mr. Miller took him prisoner, and asked where his arms were. He said he had none. They searched the premises; got it, and handed it to Dr. King. When I first got up in the morning I saw prisoner on the road. He came up to me and handed me a rifle, and said—Have you no place where I could lie down, as I am tired? I said yes, and took him to a cider house, with some straw in it, and he lay down. I shut the door and went back. Before that he said that he had been out all the night. I said, have you been with the Fenians? He replied, yes. He told me he had left them, and was, as I supposed, on his way back to Fort Erie. He said he had left them on the town line between Bertie and Willoughby, some three miles from Limeridge. He did not say he had been fighting with the Fenians. The Ridgway affair took place about seven that morning, some three or four hours after prisoner came to my place. Numbers of persons unarmed went to see what the Fenians were about. Muskets and cartridges were scattered about on the camp ground. I saw them that morning after leaving prisoner, when I proceeded there. He told me when he came that he was hard of hearing—had got deaf by being in the American Artillery. He said as he was deaf he would be afraid that not hearing the challenge, nor knowing the watchword, he would be shot by the Fenians, and therefore wished to stay at my place. He said he got away from the Fenians that morning. I understood him to have been all night with the Fenians and to have got away towards morning. I judge he must have left them in the fore part of the night.

To Mr. McNab.—He said he found the arms about two miles from the Newbiggin farm.

Witness was going away but was recalled by Mr. McNab, and then stated his reason for wishing to stay was, because he did not know the watchword for the British troops or the Fenians, and was afraid of being shot.

Wm. Miller sworn, and examined by Mr. McNab—Saw prisoner at Stockdale's farm on the morning of the 2nd of June. Saw a rifle there. He said he had no arms. Mr. Stockdale handed the rifle to Capt. King and said it was the prisoner's. I think prisoner could not have heard the remark. Cannot say the prisoner saw it handed. Heard prisoner say nothing about the gun.

Capt. Schofield, of the Welland Battery, sworn—Saw the prisoner on the 2nd June as he was marched out of the cider-house in charge of Capt. King's men. I saw a Fenian rifle belonging to him.

Mr. McKenzie contended that there was no evidence against the prisoner to sustain any of the counts in the indictment. He called for the defence,

John Hughes, a Fenian prisoner, sworn, examined by Mr. Fleming. I know the prisoner. I met him first in New York city. We went together from that place to Honeoye to look for work. On the 24th of May we left there and came to Rochester; could get no work there and went to Buffalo, arriving on Thursday, the 31st May. Slavin called upon a friend of his there, named James Dandridge, to get work. Dandridge worked in the shop of Teller & Cornish. Slavin could not get work, and Dandridge gave him $3 to help him along. Witness then detailed how he and Slavin had crossed to Fort Erie, having been promised work on the Erie and Ontario railroad, and that he had been engaged to work by the foreman.

James Dandridge, of Buffalo, testified to his acquaintance with prisoner. Said he had advised him to accept the offer of work on the railroad.

Mrs. Ann Smith sworn; examined by Mr McKenzie—I am a married woman and reside in Fort Erie village. My husband keeps a hotel there. I saw the prisoner and a man named Hughes on the evening of the 31st of May last. They came with a boy to my house to get board there. They said that Mr. McCloud, a boss on the railroad, had sent them. Mr. McCloud had often sent men to board at my house. They had several drinks during the evening, and they paid for them; and then they had several drinks and they didn't pay for them. One of them said to the other that they had only $3 and had better not pay any more just then. They remained in my house the whole evening, and went to bed about 10 o'clock. They got up about 8 next morning. We were roused by the Fenians coming. They came into my house, and ordered breakfast, which I got for them. They said they would arrest every one there, and they took possession of the house, and placed a guard over every door. Slavin and Hughes were "cutting up" in the bar, and said they were no Fenians, and that they wanted to get across the river. The Fenians told them to shut up; if they did not, they would run a bayonet through them. Either Slavin or Hughes said there would be no work on the railroad that day, and they had better cross to Buffalo, if they could. I thought Slavin and Hughes had been drinking on Friday morning, by the way they "cut up." They both had breakfast, and I waited upon them myself. The canteens and arms of the Fenians were lying all round on Friday and Saturday. The persons who came for me to bring me here, also looked for Mr. McCloud, but could not find him. Neither Slavin nor Hughes had arms. They did not seem to know any of the Fenians there.

His Lordship in charging the jury said he thought there was none to connect the prisoner with the third count, which charged an act of hostility, as he had left them before the engagement at Ridgway. He could not therefore be guilty of the third count, because he was arrested before that time; but the fact of an engagement having taken place has been received, as evidence to show the intent of those with whom he came. If it be true that he came for work, and not as the forerunner of them, then he thought he was not guilty on the first count, and it would be safer to acquit him on the first count also if they found it in this way. The difficulty was, however, in the second count; did he join these evil-disposed persons while in arms, and assume it to be true that he gave an honest account of himself, how much is really true; because in all cases where a man attempts to justify himself, a story is generally given, partly true and partly false. Then having considered fairly and dispassionately, did it appear that he joined himself with them? His Lordship then read the evidence, at the same time telling the jury that his remarks were only intended to assist their judgment, not to dictate. It was never any interest on the part of the court to convict a prisoner, nor clamour to the popular wish, because they are neither elected nor responsible to any party except for misconduct.

The jury, after a brief absence, brought in a verdict of Guilty on the 2nd count. Not Guilty on the 1st and 3rd counts.

The Sentence.

The prisoner was then removed from the dock and placed in the witness-box (he being deaf) to receive the sentence of the court. The crier commanded silence whilst the sentence of death was passed on the prisoner.

His Lordship then asked the prisoner (Wm. Slavin), whether he had anything to say why the sentence of the court should not be passed upon him for the felony of which he had been found guilty.

The prisoner, deeply affected, leaned over towards His Lordship, and in a tremulous voice and most sympathetic manner said that he was innocent of any crime in Canada, and had not come for the purpose of committing any offence.

His Lordship, also deeply affected, said he had a very painful duty to perform, and one which he would gladly avoid if he had the power to do so, but he had no discretion in such matters. He was very sorry to see such a respectable looking young man placed in such an awful position; and one who had received such a good character; but he had no doubt it was his sympathy for those whom he imagined were oppressed that had led him to come to this country. That the prisoner had been with the Fenians there was no doubt, and that he left them at an early hour in the morning, having doubtless repented, was equally clear. His Lordship then stated that he would lay his case before his Excellency, and he had no doubt he would commute his sentence he was about to pass on him; but if he did so, he would be confined in a place for many years of his life, and he hoped that if he should live to come out he would profit by his experience. He did not wish to hurt his feelings by referring further to his case. The sentence of the court, therefore, was that the prisoner be taken from hence to the place from whence he had come, and from thence on Thursday, the 13th day of December next, to the place of execution and hanged by the neck till his body should be dead, and might God have mercy on his soul.

The Prisoner

bowed respectfully to His Lordship upon receiving the sentence and then turned round and waved his hand towards his counsel, descended from the witness box and shook hands with his counsel, and was immediately removed by the sheriff.

Mr. McKenzie in this, as in other cases submitted a number of objections.

THE POST POISONING CASE.

Our readers will recollect the excitement created some time since, in London, C. W., regarding the arrest in the United States, of a Mrs. Phœbe Ann Weaver, for the poisoning of Mr. Samuel Howell Post, on the 27th of August last. The trial was brought to a close on Wednesday last, when the jury after an absence of twenty-five minutes returned a verdict of "not guilty," and the prisoner was accordingly discharged with the following admonishment from His Lordship the Judge:—

"Phœbe Weaver, the jury have found you not guilty. There was a great deal of evidence pointing to you as the murderess of Mr. Post, but you are now declared innocent of the crime, and in the eyes of the world must be regarded as innocent. Courts of law in this country will not convict a person upon mere circumstantial evidence, and you only on earth know whether you are or are not guilty. But there is a Higher Court before which this and all other cases must inevitably one day be tried, and when you appear before it, God forbid that this verdict should be reversed. You are now discharged."

The prisoner then left the court in company with her husband, who had attended throughout the proceedings. It is said that the expenses incurred in the prosecution of Mrs. Weaver will not be far short of $1000.

DIVINE SERVICES IN THE CITY CHURCHES ON SUNDAY.

Christ Church (Episcopal)—Sparks Street.
Rev J S LAUDER, Rev NESBIT, Curate.
Morning Service at 11 o'clock; Evening at 7.

Chapel of Ease—Sussex Street.
Rev J S LAUDER, Rev NESBIT, Curate.
Morning Service at 11; Evening at 7.
Military Service at 9 a.m, Rev Dr Adamson and Rev T C Phillipps.
School House, New Edinburgh, 4½ p.m. Assistant Rev T D Phillipps, M A.

St Alban's Parish—Daly Street—All Services Free.
Rev Dr JONES.
Court House, Daly Street. Hours of service 10:30 a.m, and 7 p.m. Sunday School 2:30. Holy Communion on First and Third Sundays of month at morning service. Daily Prayer at 5 p.m at the Chapel Room.
Military Service at the Court House 9 a.m, Rev T D Phillipps, M A, Chaplain.

Methodist Episcopal Church—Le Breton's Flats.
Rev E S HOWARD.
Services commence at 10½ a.m; and 6½ p.m. Sabbath School at 2 p.m.

Congregational Church—Albert Street.
Rev JOSEPH ELLIOTT.
Morning service commences at 11 o'clock, and evening services at 6½ o'clock. Sabbath School at 2 o'clock p.m.

Baptist Church—Queen Street.
Rev D MCPHAIL, Pastor.
Services at 11 o'clock, am, and 6½ p.m. Sabbath School at 9½ in the morning.

Free Church (Presbyterian)—Daly Street.
Rev. T. WANDSOPE.
Morning Service at 11 o'clock; Evening at 6½.
Rev. Mr. MOORE.
Services will be held in the Church, Banks Street, at 11 a.m., and 6½ p.m.

Kirk of Scotland—Wellington Street.
Rev. Dr. SPENCE.
Rev. Mr. MCLARDY, Assistant.
Morning Service at 11 o'clock; Evening at 6½.

Wesleyan Methodist Church—Metcalfe Street.
Rev. J. DOBSE, Minister.
Morning Service at 10½ o'clock: Evening at 6½. Sabbath School at 2 p.m.

Meth. Episc. Church—Cor. York and Dalhousie Sts.
Rev. S. G. STONE.
Morning Service at 10½ o'clock; Evening at 6½. Sabbath School at 2 p.m.

St. Andrew's Church, (Roman Catholic.)
Rev. Mr. MCGRATH, P. P.
Hours of service—Sundays and Holidays:—Morning, at 8 and 10 a.m. Evening, at 7 p.m.

Cathedral Notre Dame.
Rev. D. DANDURAND, Vicar-General.
Hours of service, 5, 6 and 10 a.m, and 7 p.m., from Easter until St. Michael's Day; 6, 8 and 10 a.m., and 6 p.m. from St. Michael's until Easter.

St. Joseph's Church.
Rev. J. F. SULLIVAN, P. P.
Hours of Service, Sundays and Holidays, Mass at 8 and 10 a.m., from Easter until the Feast of St Michael. Vespers at 7 p.m.; from St. Michael to Easter, 6 p.m.; week days, ½ p.m.

TELEGRAPHIC.

(Per Atlantic Cable and Montreal Line.)

The Cyprus Difficulty Settled.

CONSTANTINOPLE, Nov. 7.—The trouble between the Sultan's government and the United States, growing out of the conduct of the Turkish officials toward the United States Consul in the Island of Cyprus, has been settled.

The French Troops in Mexico.

PARIS, Nov. 7.—The ships ordered for the service of removing the French troops from Mexico are ready to sail. The *Moniteur* of to-day says that Maximilian will remain in Mexico.

Prussia Suspicious of Austria.

BERLIN, Nov. 7.—Prussia sees in the appointment of Baron Buest as Minister of foreign affairs of Austria, an attempt on the part of the Cabinet of Vienna to interfere in questions considered settled. If this view is correct, it will impel the Prussian government to complete more quickly and surely its national work in Germany.

Victor Emanuel Enters Venice.

VENICE, Nov. 7.—King Victor Emanuel, the ruler of United Italy, entered the city at 11 o'clock this morning. The Patriarch of Venice received His Majesty in the church of St. Mark, where a Te Deum was chanted in honor of the event. The reception given by the municipality and people was magnificent, and great joy was manifested everywhere. The crowd which turned out was so immense that the troops were unable to defile before the King for want of space.

London Markets.

LONDON, Nov. 9.—Bank rate reduced to 4 per cent.; Cotton has declined ⅛d; Consols 89½; 5-20's 68¾; Ill.C. 76; Erie 57.

Arrived Out.

LIVERPOOL, Nov. 9.—The S. S. *Arago*, from New York, arrived at Falmouth to-day, and proceeded for Havre.

QUEENSTOWN, NOV, Nov. 9.—The steamer *Scotia*, from New York, has arrived en route to Liverpool.

London Oil Market.

LONDON, Nov. 9.—The Petroleum market is heavy; sales of refined at 1s. 3d.

Mr. Gladstone Gone to Rome.

LONDON, Nov. 9.—The London *Herald* this morning says: Mr. Gladstone's mission to Rome is to reconcile the Pope to his fate.

Rumour Denied.

The rumor of the failure of the Russo-Prussian alliance is unfounded.

Gone Ashore.

The ship *Young Eagle*, Capt. Walker, from Calais, is aground at Dunkirk.

LATEST AMERICAN DESPATCHES.

By Montreal Line.

Wholesale Robbery on a Southern Railroad.

FRANKLIN, Ky., Nov. 8.—Further particulars of the outrage on the Louisville & Nashville Railroad, show that the cars were thrown off the track three and a half miles from this place by ten or twelve robbers. The engine rolled over twice in going down an embankment of thirty feet. Adams Express messenger narrowly escaped burning to death. After robbing the passengers of $2,500 and watches, the robbers left.

The Unfortunate Empress of Mexico.

NEW YORK, Nov. 9.—The *Herald's* Paris correspondence says Gen. Castleneau will arrange for the retirement of the French troops from Mexico *en masse*, and Napoleon thinks that a march by detachments would be inconvenient. It was considered that France would be relieved of two huge *incubi*, Rome and Mexico, about the same time. The Empress of Mexico, now called the Princess Carlotta, is said to be afflicted with a religious monomania, always the injuries done to the Church in Mexico, and that her case is hopeless of cure. It is said she attempted suicide by jumping from a window.

The "Bright" Movement in Ireland.

The *Herald's* Dublin correspondent says that the Bright banquet promises to be a grand national affair. He gives extracts from letters received by the Executive Committee from leading personages in reply to the invitations. The sentiments expressed by Cardinal Cullen and others, go to show that Mr. Bright is likely to effect such a re-union of all good and worthy Irishmen, as will secure the legitimate removal of existing grievances.

Maximilian's Chamberlain in Havanna.

The *Herald's* Havanna correspondence says Monsieur Ressignier, Maximilian's Chamberlain, arrived recently in Havanna on the *Manhattan*, from Mexico. His attention seems to be devoted to an inspection of untenanted houses in that city.

Gen. Manzano, the newly appointed Captain-General of Cuba, arrived at Havanna on Saturday.

Missouri Election Returns.

ST. LOUIS, Nov. 9.—Thirty-six counties in this State give over 11,000 Radical majority. The counties to be heard from gave Lincoln about 21,000 majority.

Gov. Fenton's Majority.

NEW YORK, Nov. 9.—The *Tribune* figures the increase of Fenton's majority at 14,306.

Arrived.

The steamer *England*, from Liverpool, on the 24th, has arrived.

—Corns, Bunions, Diseased Joints, Bad Nails, &c., skilfully treated without pain or deception, by Dr. Briggs, the celebrated chiropodist, who has a permanent office at 208 Broadway, New York city. Many of our citizens know the reputation of this successful operator in pedal surgery. Mr. Gouin, of the Russell House, was well acquainted with him in Portland, in 1858. Those who have not heard of his fame, are respectfully referred to Mr. Gouin.

SPECIAL NOTICES.

Mortimer's Remedy for Cholera Diarrhœa.

We certify that Mr. G. Mortimer's "Cholera Remedy" has speedily removed several attacks of Bowel Complaint and symptoms of Cholera, with which we were lately seized."

H. GERMAIN, Sussex Street.
D. MCGRATH, York Street.

For sale at 41, Sussex Street. 139-3m

Inflammatory Eruptions.—Few diseases of the skin, that are not marked by contagious symptoms, are so dangerous as Erysipelas. Its seat is in the derma or true skin, during its continuance the superficial veins are surcharged with an infectious lymph. Yet it yields with a readiness almost incredible to the depurative counter-irritating properties of Holloway's Sarsaparilla. All the external inflammations, such as salt rheum, nettle rash, ronsh, inflammatory blotch, humid tetter, shingles, lupus, prurigo, scale, ruption, etc., are completely cured with great rapidity by this fearless yet specific. The bowels should be kept open by the use of pills, for which purpose Bristol's Vegetable Pills are the best and safest medicine.

A CARD TO INVALIDS.

A clergyman, while residing in South America as a missionary, discovered a safe and simple remedy for the cure of nervous weakness, early decay, diseases of the urinary and seminal organs, and the whole train of disorders brought on by baneful and vicious habits. Great numbers have been cured by this