N. H. Down's
VEGETABLE BALSAMIC
ELIXIR

Is a sure Cure for Coughs, Colds, Whooping Cough and all Lung Diseases, when taken in season.

People die of a cough or cold simply because they neglect to use a remedy when the healthy use of this one for a short time would have cured them at once.

Fifteen years of sensible use prove it to be the best, most sure enough remedy for all lung diseases. Price 25 cts. and 50 cts., and $1.00 per bottle.

For sale everywhere.

Dr. Baxter's Mandrake
BITTERS

Will cure Jaundice, Dyspepsia, Fever Complaints, Indigestion, and all diseases arising from Biliousness. Price 25 cents per bottle.

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HENRY & JOHNSON'S
ARNICA AND OIL
LINIMENT
FOR MAN AND BEAST.

The most perfect liniment ever compounded. Price 25 cts. and 50 cts.

For Sale Everywhere.

'Arriving.'

New Labrador Herrings

Large and Fat,

For Sale at Golden Lion Grocery.

'Molasses.' 'Molasses.'

Puncheons Pure Barbadoes Molasses.

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Barrels Golden Syrup.

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STILTON CHEESE, Small, for Family Use.

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Dawes' and LaBatt's Ales.

200 dozens Dawes' Ale.

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In Splendid Order.

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Golden Lion Block.

Oct. 11.

FOR SALE.

A SMALL Steam Engine; one and a half horse power, nearly new. Will be sold cheap. Apply to R. Montgomery, Steam Dye.

April 14, 1880.

The lease and good will of that old established stand, the

Bay of Quinte House.

Satisfactory reasons given for selling. The furniture may be bought at a fair valuation. Possession at any time. Apply on the premises.

Kingston, Oct. 11, 1880.

TO LET.

THE SHOP and dwelling vacated by Mr. Mahood, on Princess Street, being refitted, will in a few days be ready for occupation. The last tenant, fourteen years since, entered the premises with little capital, has now left with a handsome fortune. The locality is the best within the city. Apply to

Oct. 4. R. M. ROSE.

NO. 3, Barnstaple Terrace, Clergy street. Immediate possession. Apply to Smythe & Dickson, Ontario street.

NO. 3, Vaughn Terrace, lately occupied by Mr. Geo. Laing, removed from the city. Apply at the Whig Office.

THE Store on Princess street, lately occupied by Mr. G. Laing, Dry Goods Merchant. Apply to R. DORAN & CO.

THE Shop and premises in the Masonic Building lately occupied by Jas. Donoghue. Apply to Macdonell & Kirkle, Clarence st.

THE INN and Premises on the Front Road, Pittsburgh, City of Kingston, at present occupied by Mr. John Beeve. Possession on 1st January next. Apply to Messrs. HAWDEN & MACHAR, Solicitors Golden Lion Block, Kingston.

THE House at present occupied by Mrs. Jas. O'Reilly, corner Barrie and College streets, facing the Cricket Ground, having all the modern conveniences of hot and cold water, bath room. Rent $150 per annum. Possession given immediately. Apply to James Hurty & Co., Ontario st.

THE Shop on Market Square now occupied by T. B. HAWLEY as a restaurant. There is a good oven and baking utensils complete on the premises. Possession immediately. Apply to KIRKPATRICK & BOSWELL, or at the Whig office.

A MISTAKE!

To think that you are incurable.

GRAY'S VITALINE

Never fails to relieve, and with proper use will cure all diseases arising from impurity of the blood. Give it a fair trial, and you will be convinced that it is a wonderful remedy.

Price $1 per bottle. Sold by all druggists.

The Gray Medicine Company
TORONTO.

Oct. 23.

MANHOOD RESTORED.

A victim of early imprudence, causing nervous debility, premature decay, etc., having tried in vain every known remedy, has discovered a simple means of self-cure, which he will send free to his fellow-sufferers. Address J. H. REEVES, 43 Chatham st., N.Y.

oct 8

A Name to Remember.

NERVELINE,

THE GREAT PAIN REMEDY.

NERVELINE promptly relieves cramps.

NERVELINE is double as all pain whether internal, external or local.

NERVELINE should be kept on hand in every family, for NERVELINE is a prompt remedy for all pains.

NERVELINE promptly cures chills, spasms and cramps. NERVELINE never fails to cure vomiting diarrhœa, cholera and dysentery. NERVELINE is, in fact, the household family remedy in the world.

Sold by POLSON & CO. Princess St. Kingston.

WAGGONER HOUSE!

FORMERLY FRONTENAC HOUSE,

Ontario St., - - Kingston, Ont.

I DESIRE to thank the public for past patronage, and also to inform them that I have removed to what was formerly known as the Frontenac House, where I will be happy to cater to their wants. The House is centrally located, newly furnished, with good sample rooms. The table will be provided with the best, and no expense or trouble will be spared to promote the comfort and convenience of those who favor me with their custom. Good Yards, Sheds and Stabling. Charges, $1.00 per Day.

W. Waggoner, Proprietor.

(Lately of the Albion.)

☞ For pure Milk, unadulterated, try Pine Grove Dairy. P. E. & W. E. WARD.

☞ For Railroad and Steamboat Time Tables see 4th page.

CITY AND VICINITY.

PROBS.—Winds shifting to north west and north and increasing to a moderate gale, rainy, followed by cloudy to partly cloudy cooler weather.

PIRATES OF PENZANCE.—The plan, now at Stacey & Walpole's store, is being quickly marked off. This morning one hundred seats were taken.

LOVERS OF SONG can have the pleasure of hearing Miss Barr, in the City Hall, on Nov. 4th, at the Brock Street Presbyterian Church tea and concert. Tickets 35 cents.

KNOCKED OFF.—The cap having been knocked off the hydrant at the corner of Queen and Bagot streets, a perfect stream of water was pouring into the street to-day.

THE MAYORALTY.—Alderman Gaskin, before the business of the City Council commenced last evening, announced, in the course of conversation, that he had retired as a candidate for the Mayoralty in favour of Alderman McRoste.

ALWAYS WITH YOU.—City Missionary Jack says that he does not anticipate a great deal of destitution in the city during the coming winter. Nevertheless there will be plenty of work for charitably disposed persons to do.

A FIVE COMPANY.—The Fifth Avenue Company, which performs the Pirates of Penzance to-morrow evening, is the only one now producing the opera. It is splendidly equipped and gives a rendition of the music which invariably charms and electrifies. Its orchestra is full and complete.

GONE TO THE MERCER REFUGE.—Bridget Donnelly, who for upwards of fifty years has experienced varying fortunes in the city, and not long since stole a piece of print from the front of Felix Shaw's store in order that she might be sent to prison, has been removed to the Mercer Institute at Toronto. She will probably end her days there.

A NEW DECISION.—The Minister of Education, after requiring for years that all permits to teach in the city of Kingston must bear the recommendation of the County Inspector of Frontenac and be obtained through that zealous official, now states in a letter to Inspector Kidd, of Kingston, that he will at any time issue an extension certificate or permit for teaching to teachers for use in the city on the recommendation of its own school Inspector.

FIRE IN BARRIEFIELD.—Yesterday afternoon the barn of Mr. R. Hewitt, who lives near Barriefield, was burned with a quantity of hay which it contained. The barn was but recently built. There was no insurance upon the property. The loss will be about $200. As Mr. Hewitt was returning home from Barriefield he saw a woman run away from his barn. She is believed to have played the incendiary, as flames were discovered issuing from the barn shortly afterwards.

School Accommodation.

The Minister of Education has issued a circular, under date of Oct. 15, giving information respecting school accommodation. One of the clauses reads:

"The provisions of the Act of 1879 have not altered the duty incumbent upon Public School Boards and Trustees to furnish adequate accommodation in their schools as required by sub section 18 of section 104, and sub-section 8 of section 102 of the Public School Act. I have had occasion to point out to the Public School Board of the City of Toronto that this obligation of providing adequate school accommodation is incumbent upon all municipalities, and in case of refusal can be enforced by legal means, while the Department has also the power, in case of any default in this respect, of withholding the share of the Legislative grant, otherwise payable to the School Board or Trustees concerned."

Should the educational authorities withhold the public grant of $1,400 per year from the city schools, the public will have to pay dearly for the opposition of some members of the City Council.

Where's the "Folger?"

Not a little concern is felt regarding the safety of the schooner "B. W. Folger," which left Oswego but evening for this city, laden with coal. The "Folger" left at the same time as the "A.G. Ryan." The latter vessel reached here at four o'clock this morning. Capt. Ryan informed a Whig reporter that there was a very heavy gale blowing on the lake last night. For two hours there was a great down pour of rain. Part of the time the sailors on deck could not plainly recognize each other as they passed. They had to feel for the spars. Of the main Ducks very careful sailing had to be made. The captain thinks that the "Folger" has either gone ashore or sunk. Marine men think she will turn up all right as Capt. "Barney" Ryan was a good sailor. The vessel is owned by Mr. James Swift.

MARINE NOTES.

Vessel Sailings—Grain Shipments—Prop. Michigan Raised, etc.

The steam barge Norman ran aground in Napanee river yesterday.

The schr. Anna M. Foster is loading 5,600 bushels of barley for Oswego.

A raft of telegraph polys, lying off the esplanade, was broken up by the gale of last evening.

The schr. Herbert Dudley is loading 16,000 bushels of barley at Wolfe Island for Buffalo rate 4c.

Upwards of 1,200,000 bushels of American grain have been transhipped here since the opening of the season.

The schr. Ella Morton made the run from Kingston to Gibraltar Point, Toronto Bay, on Friday, in six hours.

The schr. Richardson broke her centre-board while going up the lake. She received a new one at Port Dalhousie.

Passed through the Welland Canal for Kingston: Schrs. Singapore, Windsor, wheat; Denmark, Toledo, timber; Craftsman, Mobile, wheat.

The schr. Manzanilla, which loaded here five hundred tons of pig iron for Chicago, has discharged her cargo at St. Catharines, having sprung a leak on the way up.

M. T. Co.—Arrivals: The tug Active arrived with barges Oswegan Cayuga, from Oswego, with 1,200 tons grate coal. The tug Bronson left to-day for Montreal with four barges, carrying 40,000 bush. of grain, 40 tons of phosphate and 1,300 tons of coal. The schrs. Augusta and Florida, for Ogdensburg, left by the same tow.

Capt. Donnelly has returned after successfully raising the prop. Lake Michigan and putting her on the ways at Ogdensburg. The propeller's stern and port keel were broken. The first time she struck the rock three planks were broken. Again she struck and broke three more planks. Her repairs will cost $1,500.

WIND WAFTS.

From Various Sources and on Various Themes.

—Mr. R. T. Walkem, Q. C., passed as an attorney and barrister on Tues.

—The recent military changes are causing great dissatisfaction.

—Mr. C. W. Bunting, of the Mail, has been asked to run as Mayor of Toronto.

—Yesterday the telegraphic message about the Kingston Council and the railway bonus was rather old! News travels slow.

—In the Talbot v. Griffith case before the Assizes, Mr. Snook was associated with Mr. McIntyre in the prosecution of the defendant.

—The Merryweather engine has received new cylinders and is again ready for service. A satisfactory trial was made yesterday.

—The next examination for entrance to the Collegiate Institute will be held on Dec. 21st and 22nd.

—Ammunition for the military stores still lies at Swift's wharf. No arrangement has yet been effected between the Government and the owner of the steamer "Picton" in regard to a claim for demurrage.

—Rev. F. W. Dobbs, Portsmouth, Kingston, is registered at the Windsor Hotel, Montreal, en route homeward from England.

MODEL SCHOOL SESSIONS.

Yesterday the second session of the Model School began with five candidates. At the session just closed there were sixteen. Altogether only twenty-one persons could have attended the sessions. The law allows a class of twenty-five to be formed, yet the Inspector for Frontenac arranged for sixteen to be trained at the first session. In Napanee thirty persons passed the Third Class examination. Mr. F. Burrows, the Inspector for the counties of Lennox and Addington, had them formed into one class, so that one session sufficed. There are various reasons why this would have been advisable in the Model School here—first, the law allowed twenty-five to form a class; secondly, it would have been to the advantage of the city school, as by the holding of the extra session the public school work is retarded; thirdly, to have had all the teachers trained at one term would have been advantageous. They could then have had an equal chance to look around and secure schools for next year. The sixteen who graduated first have the field to the detriment of the five now in attendance. What the public grounds are for such an odd arrangement we cannot divine any more than can the teachers themselves. The parents of children attending the Model School have probably the greatest cause of complaint. This Fall session will probably show a halt in the rapid progress recently achieved in this leading common school.

A Vagrant's Exploits.

Sarah Ann Garrison for upwards of twelve years has been an annoyance in police circles. On April 15th she was sent up for six months. In gaol she was particularly offensive. She had to be kept most of her term of imprisonment in solitary confinement. On the 15th she was released from gaol, and at once she began her nonsense. Last night she was making night hideous, and of course had to be arrested. In the cells she kicked the stove over. Sarah was then placed in the dark cells, and during the whole night kept up a running fire of fearful oaths. This morning her first act was to seize the stove damper and rush at P. C. Nesbitt and would have floored him but for the intervention of several members of the force. In Court this morning she appeared for the twentieth time and was sentenced to another six months' incarceration without the option of a fine. She was very abusive towards the magistrate and entire police constabulary. On her way back to the cells she shoved Sergt. Carson down the stairs. Two policemen escorted her to the gaol.

BUCKLAN'S ARNICA SALVE.—The best salve in the world for cuts, bruises, sores, ulcers, salt rheum, fever sores, tetter, chapped hands, chilblains, corns, and all kinds of skin eruptions. This salve is guaranteed to give perfect satisfaction in every case or money refunded. Price 25 cents per box. For sale by all druggists.

FALL ASSIZES.

His Honour Judge Burton Presiding.

SYXTON v. FERGUSON, et al.—The jury in this case retired at 1 o'clock yesterday. The whole afternoon was spent in deliberation. At 1.30 o'clock, when the Court rose, the jury returned into Court and stated that they could not agree on a verdict. The Judge thereupon dismissed them. Mr. T. L. Snook for plaintiff; Mr. R. Shaw for defendant.

DALY v. RAYMOND.—Record withdrawn, the case being settled.

BEATON AND BRYANT v. DORAN.—Defendant holds a lumber license for timber upon certain lots in the townships of Oso and Oso. One Gates bought a lot in Oso and sold 40 acres of it to the plaintiffs. They built a shanty and made a small clearing, chopping the wood into cordwood and sawlogs. The lot had, in the meantime, been withdrawn from Doran's license in consequence of the purchase. Doran looked upon the plaintiffs as not bona fide settlers, and while applying to the Government to have the sale cancelled is alleged to have claimed the timber under his license. The plaintiffs claim $1,000 damages. Case now going on.

MISAPPROPRIATION OF TRUST FUNDS.

William Bourk, of the township of Oso, pleaded not guilty at last Assizes to an indictment of three counts charging him with the misappropriation of the sum of $65, being a portion of a road grant made by the Council of the County of Frontenac on the 14th June, 1879. The first count was that on or before the 31st December last he, out of $75 granted, converted $65 to his own use, with intent to defraud. Secondly, that he expended the money on other roads than those specified in the by-law granting the money, namely, a new road leading from Sharbott Lake to the Town Hall, and on the road between lots Nos. 2, 3 and 4 in the township. Thirdly, that he caused the money to be expended on a private road on certain lands of his own, with intent to defraud.

The Crown was represented by Mr. G. E. Henderson, Q. C., and the defendant by Mr. McIntyre.

Mr. Henderson, in opening the case, explained that it had been up at last Assizes, but the defence not being ready it was put over. The case was a peculiar one. The indictment was drawn under section 81 of the Larceny Act of 1869, which he read. The defendant was Reeve of the township of Oso. A by-law was passed by the County Council in reference to the opening of roads for the convenience of settlers in different localities. By a clause in that by-law $75 was granted to the township of Oso, to be expended as therein provided. The defendant being Reeve, it was his duty to see that the money was applied solely for the purposes named in the by-law. It would be shown by evidence that the greatest necessity existed for opening the road, as a considerable number of persons were hemmed in for want of it. There was a road required in order to reach the telegraph and post offices, and also to the saw mill. Several parties in the locality had no means of ingress or egress because no road existed. Under these circumstances they had a right to see that they got a share of the money, and that it should be expended as intended. A map of the locality was shown to the jury, so that the necessity might be plainly seen. The gravamen of the charge was that Bourk had expended $65 illegally, but there was not evidence to show that more than $30 had been so spent, and that sum was laid out on a road leading to his own and his son's farms. Even if it were shown that this was a public road it could be proved that the money was diverted from its original course. The first proposition was that defendant had defrauded certain parties out of their just rights. On the second count it would be shown that defendant had a store, and by preventing the road being made he would be pecuniarily benefitted. The third count was a distinct charge of fraud, which would be submitted to the jury.

The first witness called was Francis Elkington, who after being sworn, stated he was County Clerk; produced an original by-law making the grant to the township of Oso, under seal of the corporation, passed 14th June, 1879. It was in force at the date of the indictment. William Bourk was then Reeve of the township. (The clause in the by-law was read.) The by-law came into force immediately on passing. There were other clauses relating to other townships. There was no solicitor for the county then.

Cross-examined by Mr. McIntyre. Witness drew up the by-law. Got the localities from some of the Reeves. Got the one in question from a paper written by Mr. J. R. Dawson, then reeve of Palmerston. Bourk did not give any figures. These were given in the Council Chamber. Witness had heard there was a mistake afterwards, but was not sure. Had known defendant eight or nine years. He had been Reeve for a long time and is so now. Did not know Mr. Doran was his opponent at last election. Witness produced another by-law, dated 11th June, 1880.

Mr. Henderson objected to a by-law passed last June, or subsequently, being put in.

His Lordship said the new by-law might show that a mistake had been made. He would allow it to be read.

Mr. Elkington read the by-law, which confirmed the several grants previously made and was adopted by the Council. It repealed the previous by-law so far as the specific road was concerned. Witness did not know the road.

Re-examined—The second by-law was passed by a new Council. The defendant was Reeve of Oso at the time.

John Irvine, late County Treasurer, sworn—Paid to Mr. Bourk certain money on 14th June, 1879, in accordance with by-law.

Cross-examined—Had known defendant ten or twelve years. Could not tell how long he has been Reeve.

Mr. McIntyre—Do you think him an honest man?

Mr. Henderson—I object.

His Lordship—I think evidence of character can be taken, as the charge is one of fraud.

Witness continued—So far as I know he is an honest man. A number of Reeves got money on the same day as Mr. Bourk got it, and for similar purposes.

William Doran sworn by defendant—I live at Sharbott Lake, Oso, and have for four years past. There are quite a number of settlers in the locality whom the road would have benefitted. I know the locality well. There was no road from Sharbott Lake to the Town Hall when the grant was made, although it had been established. Had no knowledge of any other road. Was not aware of any petition or application being made for the grant. There had been an agitation for opening the road before the by-law was passed, and defendant was aware of it. I attended the Council to press for a grant. It would be difficult to tell how many would be benefitted. (On the map witness explained at some length the localities benefitted.) The new road was an absolute necessity. I, with Mr. Shibley and others, applied for assistance. When the by-law was passed, I expected that the money would be expended on the road. Not a dollar of the money was expended on the road I was interested in. I find the road of great convenience since the opening. I knew nothing of the second by-law. Mr. Shibley and myself were the main movers in the prosecution. At the nomination last December, I questioned the Reeve as to the expenditure, and he reluctantly explained. He said he paid $10 to John Knapp for one road, $10 to Alexander England for another, $15 to William Crane for another portion, and the balance of the money was not spent, and on being threatened with a criminal prosecution said the balance of $30 had been expended on a road crossing his own land by himself and his boys. I do not know the road on which the $30 was expended. Mr. Bourk had a son keeping store and post-office at Oso station, three miles from Sharbott Lake. Some geographical details having been given, witness further explained of his grievance, and showed how the road would have benefitted him.

Cross-examined—I complained of the want of a road to the Town Hall and also to the station and telegraph office. Witness here gave the names of several parties who were interested in having the road opened. I came from Perth to Sharbott Lake four years ago and established a mill there. I applied for a reduction in taxation. I applied for an exemption which I did not get from the Council. I was put in nomination in January, 1877, for the Reeveship, but was beaten, Mr. Bourk having been elected. I declined last election to stand, Mr. Bourk being elected again. I am more particularly interested in the road from Sharbott Lake to the Town Hall. I am not aware that any money was expended on that road. I know of only one road from the Lake to the Hall. I made a speech at the nomination last year. Mr. Bourke said there he had expended money on a road crossing his own land. I don't know whether any of the money was spent on his own land. He said $30 was spent upon that road. I believe there was a by-law passed for the opening of the road. I do not know that the by-law for opening the road in question was passed on the 26th of August, 1879. I can't say there was a road in existence in June, 1879. It certainly was not opened. I cannot tell how long after that it was opened. It was not opened in August, 1879. I have never seen another road. The road was opened this summer, there being a grant of $400 of Government money. The non-expenditure of money on that road was complained of. No complaint was made concerning the expenditure on Nos. 22, 21 and 24.

Re-examined—I took no interest whatever in the election, and would not have consented to run just for the benefitting of the Reeve and Council. I have no feeling against Mr. Bourk. I am not aware of another road from Sharbott Lake to the Town Hall. The road made by the grant was particularly beneficial to the son of defendant.

To Mr. McIntyre—I consider that I was defrauded by the fact that the road was not made, owing to the incompetency, bungling and reckless expenditure of the defendant.

To His Lordship—The right of money had to be acquired by the Council before the road could be opened, after this a grant of $400 was obtained from the Ontario Government to make it a colonization road.

To Mr. McIntyre—The $400 of Government money was expended between my place and Mr. Shibley's.

To Mr. Henderson—It was a public road, and gave access to the telegraph office, railway station, &c.

Jesse Shibley sworn—I am one of the parties interested in the road in question. I do not know of any other road than the road mentioned leading to the lake. About four years ago a survey of the line of this road was made for the purpose of opening, but a change was afterwards made. This was the road meant by the by-law granting the money. (The map being produced, witness entered into a full explanation of the line of road.) I and the others supposed that the grant of $75 was made in consequence of our representations. I heard Mr. Bourk make his explanation at the nomination. He gave $10 to A. McGinnis to lay out on the road on lots No. 2, 3 and 4; $20 to Mr. Knapp for the same road; $15 to Mr. Crane for a road six or seven miles from the time of road asked for; and $10 to Mr. England for the road from the Town Hall to Sharbott Lake rapids. These expenditures were not for our convenience. He said the balance had been expended on a road leading across his own place, and that he and his son or men had used the money in benefitting the road. This road was about five or six miles from the road asked for. Witness then went into detail as to the purchase of right of way for the opening of the road.

Cross-examined—I was nominated along with Mr. Doran, but backed out. I did not run the year before, although I was nominated. I made a speech at the nomination. I got the $400 of Government money to expend, and spent it between the Town Hall and the Narrows. The Government Inspector appeared at the late. The money was granted before the right of way had been acquired. The whole of the land was not acquired until this year. I am not aware that Mr. Doran opposed the road between my place and his. I do not know that the money was spent on Mr. Bourk's land. He said it was spent on a road leading across his own land. I do not know that any money was actually spent on this road. I do not know, as a matter of fact, that such money was spent. I have never been over the road in lots 2, 3 and 4. I do not know that there is a road there.

Re-examined—In laying out the $400, I carried out the instructions of Mr. Aylsworth, the Superintendent. I was one of those benefitted by the grant. The expenditure of the $75 would have been of the greatest advantage, and for the convenience of the public generally.

To His Lordship—The whole of the road mentioned in the township by-law is now opened.

To Mr. McIntyre—There is no doubt that the money, wherever expended, would benefit the township. Had nothing personally against Mr. Bourk.

James Charlton, sworn—I am postmaster and telegraph operator at Sharbott Lake. The road spoken of comes right to my place. It was much required at that place. In order to get to the road we had to go down the river in a boat. There were nine or ten families interested. I was one of those who asked for the road across Mr. Garrett's land. The residents in the locality were anxious to get the road, and were glad when the by-law making the grant was passed. None of the grant was expended on the road. I made an offer to build the road, but the Council would not accept it. I corroborate the statement of Messrs. Doran and Shibley as to what Mr. Bourk said on the hustings at nomination.

Cross-examined—Mr. Bourk stated that the $30 was expended on a bad hill leading into his place. I don't think Mr. Bourk intended to defraud the township out of the money. He defrauded us out of our road, however.

Calvin Switzer, sworn, deposed that he lived in the 3rd concession. There was no money, so far as he was aware, spent on roads on lots 2, 3 and 4, because the road was not surveyed. John Knapp spent some money making a piece of road across his own land. The money was spent at some distance from where the by-law specified. He entered into details of the road.

His Lordship did not see what the importance of the road had to do with the investigation.

Mr. Henderson replied that the contention was that the money had been expended where it was not required.

His Lordship—If the defendant had expended even the sum of five dollars on the road what would become of the indictment?

Mr. Henderson—Of course in that case the indictment would fall through. But he did not do so.

Witness, in reply to a question, said he did not know of any money being expended where no road existed.

Cross-examined—There was a road surveyed, to the best of his knowledge, between lots 2, 3 and 4. A year ago last May, an advertisement appeared to establish the road. Never applied to the Council for money to be expended on lots 2, 3 and 4.

George Briggs, sworn, deposed that he had resided at Sharbott Lake for twelve years. The road passed through his property and persons went over it by his permission. It was opened at the rear of his lot. To his knowledge no money was laid out on it by the Township Council. He entered into details as to the price to be paid for his land.

Cross-examined—The price finally agreed upon for the road was $125. He could not state positively when the price was settled, but thought it was June. To the best of his knowledge the bylaw of the Township Council was passed in June. The dates given in the deed ought to be correct. The rapids of Sharbott Lake is not known as a portion of the lake. There was some of the money spent on the road between the rapids and the Town Hall. He heard that part of the money was given to be expended there, and it was so. There were $20 spent there by Alexander England. He knew the road near Mr. Bourk's. It required money also. Until the line was opened, travellers had to go through his land.

Re-examined—The expenditure on the road leading to the rapids would not benefit the parties in this case.

James Kelly deposed that he was one of those cut off for want of a road but made no effort to get one. It was much wanted. He knew of none of the $75 being expended. No one had any benefit from the road repaired. Witness entered into details of the expenditure.

Cross-examined—Witness was in the employment of Mr. Doran. The want of a road was no great inconvenience to him personally.

William Crane deposed that he expended some money on the road between the rapids and Town Hall. He got the money from Mr. Bourk. The $30 spoken of was laid out on a concession line abutting Mr. Bourk's land.

Cross-examined—The expenditure was of no benefit to Mr. Bourk, but for the interest of the people living beyond it was necessary. The money which he spent was necessary to allow the residents to get in and out to the county of Lanark.

William Dickson was next sworn, but his evidence was unimportant. In cross-examination he said he believed it necessary to expend the money between Sharbott Rapids and the Town Hall.

Alexander England deposed that he lived near Sharbott Rapids, on a road which was not opened. It is possible on foot but not for teams. Unless there was some greater expenditure there would be no benefit. In cross-examination he said there was no passage on the road. The road was known as running from Sharbott Lake to the Town Hall. Mr. Bourk has been Reeve for many years. In answer to Mr. Henderson, witness said he was not sure whether he voted for Mr. Bourk last year.

Samuel Hysop's evidence was entirely unimportant, except so far as saying the road from the Rapids was an absolute necessity as he knew to his sorrow.

This closed the prosecution, and Mr. McIntyre submitted that the original by-law was amended by the subsequent by-law. It was shown by the Crown witnesses that defendant had not expended the money for his own benefit. The diverting of the money to another road was no evidence of intent to defraud, which should be clearly shown. If the Crown wished to go on, he had plenty of evidence for the defence.

His Lordship after some remarks on the case, said he would not withdraw it from the jury, but he believed it would be utterly hopeless to expect a conviction. He advised the Crown to withdraw the indictment.

Mr. Henderson, after consultation with Messrs. Doran and Shibley, acquiesced in the opinion, remarking, however, that the evidence showed there was something wrong.

His Lordship said there was no doubt the defendant had acted foolishly and indiscreetly, but he might have acted in perfectly good faith. It was better to withdraw at once.

A verdict of acquittal was then recorded without the jury leaving the box, and the defendant was discharged, the Judge remarking that there was not the slightest imputation on his character.

PRESENTMENT.

At noon the Grand Jury made the following presentment:

The Grand Jury of our Lady the Queen for the Court of Assize of the county of Frontenac beg leave to report: That we have disposed of all the business laid before us by the Officer of the Crown and were highly pleased with the lightness of the calendar. It is a source of regret to the Grand Jury that some of the cases laid before them were instances of youthful depravity, but while regretting this it must at the same time be viewed with some satisfaction that they were arrested so soon, thereby tending to check their further perpetration of crime.

The Grand Jury in pursuance of their duty, visited the county goal, which they found clean, airy and orderly. There are seventeen males and thirteen females confined therein, chiefly of the vagrant class. Mr. Corbett, the very efficient gaoler, utilizes the labor of the prisoners to the best advantage in his power. The Jury also visited the Penitentiary, and from what they saw in passing through the various departments the institution appeared to be under efficient management. We desire to tender our thanks the Crown Officer, G. E. Henderson, Q.C., for his attention and assistance in the discharge of our duties, and also to the Sheriff of the county.

His Lordship addressed the Grand Jury and then discharged them.

GOOD ADVICE.—We advise every family to keep Downs' Elixir always on hand. It is the best remedy for coughs and colds ever offered to the public.

For cleansing the system of all morbid matter and warding off diseases, no medicine possesses such efficacy as BAXTER'S MANDRAKE BITTERS.

AS A LINIMENT for horses HENRY & JOHNSON'S ARNICA AND OIL LINIMENT is unequaled. It cures sprains, bruises, and lameness, at once.

A SMALL FARM FOR SALE, 50 acres of good cultivated land, situated five miles from Kingston. There are two dwelling houses occupied, bringing a rental of $160 per year. There are four wells of water, one large barn, size 40x48, with stable, drive house and granary; also four acres of an orchard in good bearing order with fruit. This property can be purchased by paying half down. For further particulars apply to the owner, William David, broker, Princess St., Kingston, opposite Parkhill's, sign of the red fez.

WINDSOR HOTEL, MONTREAL.—This superb hotel furnished with elevators and all the latest improvements, and carefully maintained at the highest standard of excellence, offers good room with board at $2.50 to $3.50 per day. The Windsor is but four blocks from the G. T. R. Station, and a free coach plies constantly between the Hotel and the Post Office. Sample rooms at 253 St. James St., free to commercial travellers.

We Are Showing
White Blankets
and Colored Blankets
In Great Variety and Low Prices.
F. X. COUSINEAU & CO.

Oct. 23.

Still the Rush Continues
TO THE
The New Dry Goods Store

AND WHY SHOULD IT NOT? where there is nothing but New Goods at the LOWEST POSSIBLE PRICES. Our motto is, Small profits and quick returns. We are making additions to our stock every day, and have also added to our staff of Milliners, so our patrons may depend upon all orders intrusted to us being done with neatness and despatch.

Gents' Furnishings a Specialty. Terms Strictly Cash. Only one Price.

Spence & Crumley,
Princess Street, Opposite City Hotel

Oct. 22.

Boys' Sewed Laced Boots, Sizes 1 to 5.
Youths' Sewed Laced Boots, Sizes 10 to 13.
Gents' Hand Sewed Laced Boots.
Gents' Hand Sewed Gaiters.
Haines & Lockett,
Noted For Low Prices.

Oct. 21.

ANOTHER LARGE DELIVERY
OF those WONDERFULLY CHEAP SILKS, aggregating over
1,000 YARDS,
In Navy Blue, Peacock Blue, Bordeau, Prune, Myrtle, Seal Brown, &c., at the absurdly low price of 65 cents.
Also, One Case of the Celebrated "Victoria"
Three Button Kid Gloves. Just Received by
Richmond & Boyden,
PRINCESS STREET.

Oct. 21.

WALSH & CO.,
354 King Street.

Beaver Hats in four different shades. Felt Hats in the fashionable shapes. Velvet Turbans, Silk Turbans and Tam O'Shanter Hats in Wool, Velvet, Cloth, &c., &c.

Drab Ulsters for $5.00, worth $12.00 in any store in Canada. Ladies' Beaver Jackets from $1.50 up.

CLOUDS AND WOOL SHAWLS in great variety.

WALSH & CO.

For Cheap Flannels & Blankets
GO TO
WALDRON'S.

Good Canton Flannels at 10 and 12½c.
Heavy Canton Flannels at 15 and 20c.
Good White Flannels at 20, 25 and 30c.
Heavy Union Shirting Flannels at 20, 25 and 30c.
Heavy Grey Flannels at 35, 37½ and 40c.
Cheapest Scarlet Flannels at 20, 25 and 30c.
Heavy Scarlet Flannels at 25, 30, 35 and 40c.
Heavy Cornwall Blankets at Wholesale Prices.

R. WALDRON, Wilson's Buildings.

Oct. 12.

New Fall TWEEDS.

WE ARE SHOWING TO-DAY 300 PIECES OF ENGLISH, Irish, Scotch and Canadian Tweeds of the Newest Shades and Patterns ever introduced into the City. We are also Showing the Latest in Stockinettes, Worsteds, Nap and Diagonal Overcoatings, consisting of Medium and Oxford, Grey, Brown, Bronze and Fawn Colors. A Perfect Fit Guaranteed.

The People's Clothing House,
CHARLES LIVINGSTON,
No. 69, BROCK STREET, - - - - - KINGSTON.

October 1.

A. ROSS

Is now showing a Well Selected and Complete Fall Stock of
DRY GOODS and MILLINERY
Uninjured in any way, but just fresh from the Market, and parties desiring a new
Fashionable Dress or Stylishly Trimmed Hat
Can be accommodated at his establishment at
RIDICULOUSLY LOW PRICES.

Sept. 21.

Fall Goods! Fall Goods!

WE are now complete in all departments for Fall and Winter Wear. In our Tweed Department we have Scotch and Canadian of the Latest Patterns. We offer from $13 upwards. Suitings of the Latest designs, and we guarantee a first-class fit. We are also showing a Splendid Assortment of Worsteds in Plain, Twill and Fancy Goods. Please call on us before leaving your orders elsewhere, and we are sure we will suit you in Quality, Workmanship and Design. In Our Readymade Department we have a Splendid Assortment. Notwithstanding the advance in Woollens, we continue to sell our Heavy Canadian All Wool Tweed Pants at $2.75, or two pairs for $5, and all our Readymades will be sold in proportion. Our Gents' Furnishing Department has been well assorted for this Fall. Also Hats and Caps, which are sure to have a large run, as they have been marked at exceedingly Low Prices.

Z. PREVOST, New York Clothing Store, Brock Street.

Bazaar!

—The Annual Sale of the
Ladies' Aid Association
OF THE
Queen Street Methodist Church
WILL BE HELD IN THE
VICTORIA MUSIC HALL
—ON—
TUESDAY & WEDNESDAY, Nov. 2nd & 3rd.

A full assortment of useful and fancy articles will be offered at low prices.

Dinner will be furnished each day from 12 to 2 o'clock, at 25 cents, including admission to the Hall. Tea, from 5 to 7 o'clock, 15 cents.

Admission during the day 5 cents; to the Evening Entertainment 10 cents.

Contributions respectfully solicited.

ANNIE CRAWFORD,
Secretary.

Oct. 16.

RUPTURES.

PROF. G. W. HOTCHKIN
Of Albion, Orleans County, N.Y.,
Will again visit as follows:
PICTON, Wilson House, Nov. 1, 2.
NAPANEE, Campbell House, Nov. 3, 4.
KINGSTON, Windsor Hotel, Nov. 5, 6, 7 and 8.—
With a good supply of Springless Trusses and Supporters that are specially adapted for Inguinal, Umbilical and Ventral Hernias, also for Children.

Prof. H. DEFINES the Hernia that he cannot hold. Having had 30 years experience he has become master of his profession.

Go and see him.

Sept 23.

TAKE NOTICE.

ALL PERSONS having Rags, Copper, Brass, Rope, Wrought or Scrap Iron for sale, should go to the
NEW SCRAP & IRON DEPOT,
No. 271 King Street, next to the British American Hotel. Cash paid on delivery of goods.

Oct. 12. P. O. BOX 624.