

again about 4 o'clock in the morning. I inspected the wagon all round, but I did not take it away.

Cross-examined by Mr. Holgson—I mentioned about the pistol before the Coroner. Cross-examined by Mr. Palmer—It was about three quarters of an hour after I left Kelly that I went to Millner's. In the meantime I arrested Rose Chiverie. I heard nothing about Millner at the station at that time. The Marshal told me to go to Millner's. I will stick to what I said about having heard Pat Hand say he thought it was Millner's horse. I think I heard others say the same thing. I did not see the horse that night. Hand said nothing about Dockendorff's horse, that I heard. Could not swear that the track I saw in the gangway was not Beales'. To the Attorney General—The track led right up to the wagon in Millner's yard.

JAN. 31.

RICHARD KEATING, sworn—Examined by the Attorney General—I was acting for Sergeant McGregor the night Kelly was shot. I was on Pownall Street on beat, opposite the Jail. We met some persons who gave us information of the murder. When we got there a considerable crowd was gathered about Billy Byers'. We went in where his mother lived, and saw the boy lying on the bed. He was not dead at the time. I saw the wound. I saw Patrick Hand there before we left. He made no statements to us. We brought Rose Chiverie to the Police Station, as we received information that she knew something about it. We went to go back, and when we got to Longworth's corner we met Dr. McLeod and Dr. Jenkins. We came back with them to the station; and at five minutes to eleven we were sent to Millner's yard by the Marshal. We did not look for tracks going into the yard. It was a bright moonlight night and we saw a light wagon and an express wagon in the yard. McGonnell, who was with me, went to open the stable door; and as he did, Millner (the prisoner) put his head out of the window and said "Hello." I then heard the cocking of a revolver. We asked who was that, and he said it was him. McGonnell then asked if any of the wagons were out that night and he said there was an express wagon out. Millner then came out. We wanted to see if any of the horses were heated when we went to open the stable door. As we went out of the gangway we could see the track of a driving wagon coming from the east. We tried to track the wagon, but were unable to do so after going about 150 yards. We reported the matter to the Marshal and went back next morning, and both wagons were there. The wagon in Court is one of the wagons which was in the yard. I did not see anyone there when we went at 4 o'clock the next morning, and, as far as I know, no one saw me. The Marshal and I went at nine o'clock the next morning and arrested Millner and sent him to the station with me. We had no conversation on the way. An hour after we got to the station he said it was "a good job you spoke when we were in the yard last night, because I had a revolver in my hand."

Cross-examined by Mr. Palmer—I resigned my situation on the police force. My resignation was not exactly voluntary. I had a little hint to do so. There was a charge preferred against me for taking too much beer—getting drunk—and the Magistrate told me I had better resign. It was nothing about taking out of the railway cars. I was up to Morell and took home more trout than I caught on my line. I was suspended once and went out when my time was up. The night I was to Millner's I heard something like the click caused by the cocking of a revolver. I would not blame Mr. George Millner for cocking a revolver if he saw people in the yard, but it was out of place for James to do so.

Mr. Palmer—Then you think it would be right for James to sit there and say "Rob away, boys, this place belongs to George." That vicinity had been set on fire several times, but I don't think he had any occasion for the cocking of a revolver when he saw McGonnell there with policemen's clothes on. I cannot tell who was in the police station when Millner spoke about having the revolver in the window.

PATRICK SHEA (Policeman), sworn—I remember the night Kelly was shot. I was off duty that night. I accompanied the Marshal in search of the prisoner Johnston. There was a man named Pius McKinnon with us. McKinnon gave information at the Police Station. We went with him on board a schooner at Duncan's Wharf. He was a sailor on board the schooner. He took us into the cabin. We did not see any of the prisoners there. The Marshal went forward and did not find anyone there. He then went into the main hatch, which was open. The vessel was loaded with iron plate like that used in the gasometer. The Marshal found the prisoner Johnston in the main hatch. I was standing at the main hatch. The prisoner in the dock is the one. I offered my hand to assist him up, and he said, "I'll go with you; I suppose I will have to suffer for what I have done." We got him out, and the Marshal asked him where was the pistol he had. He said it was at home, and that his father had it. The Marshal, myself and Pius McKinnon were there at the time. When we were going up he said to McKinnon, "You made a big job of it in selling my life." We took him to the Police station, and the Marshal said on starting, "You are my prisoner, and we want no talk on the way." We kept him in the Police Court in charge of myself and Officer Bradley. I heard him say when he got there, "There were only three shots fired." I asked him no question, and did not hear any person asking any.

Mr. Palmer—Did you ask the prisoner any questions on that occasion? Witness—I said "Poor fellow, I don't remember saying, 'I am sorry for you.' I did not ask him to 'Come along quietly and peacefully.' I said, 'Come along, my boy,' or something like that. I said nothing about the punishment. I am sure I did not. I did not say 'You must come.' I said nothing to him about it being a foolish thing firing the shots. I said nothing to the boy only what I said as he came out of the hatch. I swear positively I did not. (Here Mr. Palmer read from witnesses' deposition before the Stipendiary Magistrate, showing that he said to the boy, "It is a foolish thing to be firing pistols in the street.")

Re-examination continued by the Attorney General:—Question—Do you remember saying these words? Answer—I don't remember. Question—Might you? Me srs. Palmer and Holgson objected to both questions, and the Court ruled the ques-

tions out. The Attorney General then put the first question formally, and Messrs. Hodgson and Palmer formally objected to it on the ground that it was a leading question. Direct examination resumed:—I don't remember saying these words to the prisoner I went away after remaining with the prisoner three quarters of an hour, and then came back and stayed the rest of the night. When the prisoner Johnston was in the Police Court he did not say anything more than about firing the shots.

No cross-examination. PETER BRADLEY, sworn—I am a policeman. I was on the force last August. I remember the night Kelly was shot. I was not concerned in arresting either of the prisoners. I saw Millner in the station at 10 o'clock the morning after the murder. I had no conversation with Millner. I was searching for Johnston, but did not find him. I searched the cabin. I was not down more than once. I first saw Johnston when he was brought to the station by the Marshal and Shea. Shea and myself took him over to the Court Room. Cross-examined by Mr. Hodgson—I don't remember saying anything to the person about the punishment he would get. Shea was in the Court room. I could not exactly tell what Shea said to Johnston. I don't think Shea said anything to Johnston before Johnston spoke to him.

To Mr. Palmer—I think I heard Johnston say to Shea that "There were three shots fired, but he did not intend to shoot the man nor kill him." Shea said, "I suppose you only did it through devotion or wildness." That is what I said before the Stipendiary Magistrate. There was some words said between Shea and myself before what Johnston said. (The counsel then read part of the witnesses' deposition before the Stipendiary Magistrate, which related to the statement of Johnston to Shea, and declined to read the whole of the deposition unless it was in connection with this statement.) There was considerable talk before the prisoner said these words. I asked him "how he felt." He said, "I feel better here than I did in the vessel." I said "It was a foolish way to go. If you wanted to go, you could get a better way than that." He said, "I did not know the man was dead till eight o'clock in the morning; then I told my father. The train was then gone." I said, "It is a wonder a young man of your stage would pick up with such company as James Millner." He said, "I enquired into his character before going with him, and was told that he had a good one." I said, "It was not the first of his wildness." He then put a coat under his head and lay down on a seat that was there. He got up again and I told him not to be uneasy. He said "He did not care so much on account of it, not being at home, and that he would not care only for his mother." I asked him what age he was, and he said he would be nineteen if he would live to New Year's. I laughed and said he had no need of being afraid of that. He said he would give himself up in the morning if it was not for his father. He made use of Mr. Palmer's name, to the best of my knowledge. I asked about his place at home and about how much he got for building the tank at the Gas House. He said "I think \$21,000." That's all I can remember. I think Shea said to him that "it was foolish to be firing shots through the streets." I did not speak to the punishment. I don't recollect saying anything about imprisonment. I think there was something said by me about that. I did not say anything about it being better if he would own up; nor did I hear anything said about it. I was absent from the Courtroom for about twenty minutes that night. I think when I told him not to be uneasy that I then mentioned some words about punishment; but I cannot recollect what the words were. Light or heavy imprisonment might have been one of those words. I did not tell him the imprisonment would be light upon him by owning up. I recollect that I did not tell him to own up or confess. I swear that I said it was a strange thing that he would mix up with parties like James Millner. I deny that I encouraged the young man to own up, by any inducement or word. If I told him about the light imprisonment it must have been to encourage him.

Direct examination continued—We took the prisoner to the Station. When we went into the Courtroom Johnston asked for some cigars. He said he gave \$5 to McKinnon to go for cigars. He showed the cigars and said, "These are the kind of cigars he bought me. He did not give me any change, but went to the Station and asked for five dollars more to have me arrested." He then said, "This was a better place than in the schooner," etc. (The witness then continued the conversation between the officers and Johnston, the same as in the foregoing cross-examination by Mr. Palmer.)

Canadian Exhibits in New South Wales.

No doubt Canada will be properly represented at the Sydney International Exhibition, New South Wales, to be held in August next. The people of the United States are making arrangements for an extensive display, the opportunity being considered a favorable one for improving trade relations with the Antipodean colonies. One ship, laden with exhibits from the United States, has already sailed, and another will leave between the 10th and 15th of February.

Mr. Gladstone and His Axe.

The silver axe which has been subscribed for by admirers of Mr. Gladstone, for presentation on his 69th birthday, which occurred on Sunday, was despatched from Easton on Friday, and arrived at Queen's Ferry, the station near to Hawarden, on Saturday morning, and was thence conveyed to the castle. Accompanying the axe was an address, signed on behalf of the subscribers, expressing admiration of the right hon. gentleman's policy as a statesman. Mr. Gladstone has sent the following reply: "The axe, of which you announce the despatch, has reached me in the due course this afternoon. I beg you to accept and to convey to the subscribers my thanks for this beautiful and tasteful gift. Its qualities are themselves a lesson, for it is strong, solid, of intrinsic value, not easy to be injured, and not intended to injure anything else. I remain, dear sir, yours very faithfully and obediently, 'W. E. GLADSTONE.'"

THE mail carriers left Cape Tormentine this morning at nine o'clock; but were obliged to put back on account of the bad state of the ice. They did not leave Cape Traverse.

THE DAILY EXAMINER.

JANUARY 31, 1879.

Mr. Harper's Letter.

We insert with pleasure Mr. Harper's letter, in answer to our article in Monday's issue. We shall be happy, at any time, to open our columns to our educationists, not only for the purpose of correcting what they may consider mis-statements, but to give their views on the educational questions of the day. Mr. Harper, upon reflection, will see that we did not at all misrepresent matters; nor were our remarks necessarily directed against him. When we saw that a very large number of the candidates failed, and found, on enquiry, that entrance examinations were given for the very purpose of avoiding the unpleasant results complained of, we were left with only one of two inferences to make: that either the entrance examination was too simple or the final one too difficult. We ascertained that the first was under the control of the Normal School; and that being the case, we could see no reason why students should be admitted in order to be disappointed, and that even by those who should labor to prevent that end. It was more probable that the cause of failure presented itself after that period. We have been informed, more than once, that the questions asked were too difficult; and Mr. Harper more than hints the same in his letter. But when he says that the number who received licenses is the same as that which has received diplomas from the institution, how can he do otherwise than pronounce the work of the examiners very impartially and fairly done, when it corresponds so exactly with the examination for diplomas which is conducted by himself. From these facts we are convinced that both examinations are conducted properly; and in our article already referred to we inferred that the teaching during the term might be open to criticism. Mr. Harper's answer does not account for the failures of the students, but he refuses to make the result a test of the efficiency of the Normal School. To a certain extent this is right; but Mr. Harper cannot deny that the work of the Normal School, while a separate institution must be two-fold. It is absolutely necessary, as at present managed, that it should have a scholastic as well as a professional course; and, indeed, three-fourths of his own time and the whole of that of his two associates is taken up in educating the young men and young women who are under his control. When this is the case Mr. Harper can hardly blame us if we look to him for the proficiency of his pupils in subjects that are practically so large a portion of his work—whatever theory in regard to the subject may be. In regard to the professional work of the Normal School, we said nothing in our former article. It is the only element in our Normal School which is necessary to be preserved; and no injury is intended by us, either to Mr. Harper or anyone else when we say that even this part of the work can be done in Prince of Wales College much better, where such opportunities of obtaining the very best of education are presented. Mr. Harper cannot but know that the best educated are generally (and always if their natural abilities are equal) the most easily trained. And in an institution presided over by one who distinguished himself, not only in a remarkably successful college course, but who obtained the first place in the best training college in Scotland, neither the teachers nor the country would I see in educational nor professional status; and, as Mr. Harper remarks, a few thousands of dollars could be saved. There is only one serious objection to the amalgamation: that the necessary attendance of candidates for the third class would lower the standard of admission to the Prince of Wales College. But we are certain that a judicious management would prevent this from injuring the College. We will just notice one more point. Mr. Harper takes exception to our insertion of third class papers only, and omitting to give those of the first and second. Our remarks were wholly confined to the fact that only forty-two out of ninety-seven students passed for any class, and we merely mentioned the fact that not one passed for the highest grade. We did not, from our knowledge of the shortness of the term, feel at all surprised at their failure for first class, but we certainly thought that a larger percentage would be made on the papers we published. In conclusion, we would express our satisfaction at having the testimony of a practical educationist in favor of the amalgamation of the Normal School with the Prince of Wales College; and we feel certain that the former could be merged into the latter without losing any of the special benefits of either. There are certain elements in both which are absolutely necessary in our educational system; and to preserve these should be the chief aim in bringing about the amalgamation required.

The Death-rate of

Our country is getting to be fearfully alarming, the average of life being lessened every year, without any reasonable cause, death resulting generally from the most insignificant origin. At this season of the year, especially, a cold is such a common thing that in the hurry of every day life we are apt to overlook the dangers attending it and often find, too late, that a Fever or Lung trouble has already set in. Thousands lose their lives in this way every winter, while had *Boschee's German Syrup* been taken, a cure would have resulted, and a large bill from a doctor been avoided. For all diseases of the Throat and Lungs, *Boschee's German Syrup* has proven itself to be the greatest discovery of its kind in medicine. Every Druggist in this country will sell you of its wonderful effect. Over 950,000 bottles sold last year without a single failure known.

FINAL NOTICE.

ALL amounts due the Subscriber, not paid by the 15th February, will be sued for without further notice.

SIMON W. CRABBE,

Sign of the Stove. Charlottetown, Jan. 31, 1879 41

A Good Time May be Expected

THE Volunteer Brass and City String Band will give a **BONNET HOP,** on Thursday Evening Next,

IN THE ATHENEUM.

Dancing will commence at 9 o'clock, and continue until 2 o'clock. A Refreshment Table will be there.

Tickets to be had at Dr. Dodd's, also at John Quirk's, Esq.

TICKETS 40 CENTS EACH.

Jan. 31, 1879.

Flour, Apples, &c.

BY AUCTION,

On Saturday, February 1st,

AT 2 O'CLOCK,

100 BBLs. FLOUR,
100 " CORNMEAL,
50 " APPLES,
30 " HERRING,
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20 boxes SOAP,
Mustard, Pepper, Ginger, etc.

B. BALDERSTON.

Ch'town, Jan. 30, 1879—2in

MAIL NOTICE.

MAILS will be closed daily at this Office, (Sundays excepted) at 8 o'clock, p. m., and forwarded via Cape Traverse, to all places abroad.

The British Mail for Canadian Packet sailing from Halifax on Saturdays, will close here at 8 o'clock, p. m., every Wednesday; and for the fortnightly packet sailing from Halifax on the first and third Tuesday in February, it will close here on the previous Friday evening at 8 o'clock p. m.

Mails for all places West of Charlottetown and Summerside receiving Mails by Railway or Postal Car, will close here at 7 o'clock a. m., daily.

Mails for Georgetown and Souris East and all places on the route to those points, will close daily at 2.25 p. m.

Post Office closes at 8 o'clock, p. m.

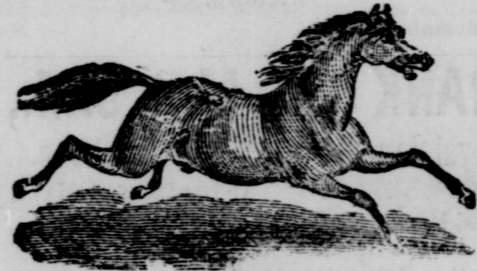
A. A. MACDONALD,

Postmaster.

Post Office, Ch'town,

21st Jan'y 1879. 1m

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NORTH SIDE QUEEN SQUARE.

FIRST-CLASS Single and Double Teams to hire at shortest notice. TERMS MODERATE. Orders left at J. F. McKay's promptly attended to.

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Ch'town, Dec. 30, 1878—

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FLOUR & TEA STORE!

And it cannot be stopped while they are selling

SUCH EXCELLENT TEA

For 3s., 4s., and 4c. per lb.

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From \$5.50 to \$6.00 per bbl., and

OTHER GROCERIES

RIGHT CHEAP.

Save your money by buying at

BEER & GOFF'S.

Ch'town, Jan. 17—

CHEAP CROCKERYWARE

ON hand, Five Crates Crockery-ware, which I will sell at much less than cost, for Cash.

WILLIAM DODD,
Queen Square.

January 25, 1879.—31

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A DRAMA IN V. ACTS,

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THE above interesting book is for sale at all the Bookstores on the Island.

Col. Duvar is happy in having selected for the theme of his drama, one of the most romantic incidents of a romantic and soldierly time. The scene is laid in Spain, amid all the accessories of grave and gay, love and chivalry, poetry and song, with room for the display of many types of character,—knights and ladies, priests and soldiers, courtiers and peasants, cooks and clowns. Many lyrics in the author's best style are interspersed in the dialogue, which is, in general, quaint and sparkling.

Price: Paper cover, 50 cents; in cloth, 75 cents.

Summerside, Jan. 25, 1879—

CHARLOTTETOWN CEMETERY COMPANY.

THE Annual Meeting of the above Co., will be held at the office of the Marine Insurance Co., corner Great George and Lower Water Streets, on

Tuesday, the 4th day of Feb'y next,

at 4 o'clock in the afternoon.

By order,

F. W. HALES, Sec'y.

Ch'town, Jan. 25, 1879.

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1879.

1879.

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NOTICE. NOTICE.

WE have to request the prompt payment of all accounts now due. All accounts unpaid after the

1st Day of February Next, will be sued for without further notice.

DODD & ROGERS.

Charlottetown, Jan. 13, 1879—pat h no till 11