

THE TUPLIN TRAGEDY. Millman in The Dock. THE COURTROOM CROWDED And the Interest Increasing. The Evidence Taken.

Interest in the case increases as the days pass by. The Court-room is crowded from morning till evening. All classes of citizens are in attendance. So closely packed is the crowd about the doors of the Court-room (before they are opened) that the officials find great difficulty in opening them wide enough to admit the eager spectators; but once opened there is a rush and scramble for the seats such as has never before been witnessed in Charlotte-town.

The jurymen, are, themselves, taking careful note of the evidence; and it is quite clear that they intend to give their verdict independently of all influences, except the statements of the witnesses.

The name of the witness first examined yesterday was James Simmons, not "James Somers" as printed in THE EXAMNER.

THE EVIDENCE TAKEN.

THURSDAY, Jan. 23.

JOHN R. PROFIT, (sworn)—Examined by the Attorney-General—I teach the Margate school. My father lives at Clinton. I know William Millman and have seen Mary Tuplin, but had no acquaintance with her. I spent part of my vacation at my father's. I know William Millman very well. We were school fellows together. I was home in May last. If my memory serves me right, I saw the prisoner then. It was near the middle of May. I had a conversation with him. Our conversation was respecting Mary Tuplin. He spoke of a letter he received, and wanted to know if I knew anything about the letter. I replied in the negative. He mentioned two names—these were Christy Tuplin and Mary Tuplin—sons of which names was attached to the letter. This letter was asking him to meet Mary Tuplin at Francis Hillman's. He said the letter was a joke on him, and he took no notice of it. He admitted seeing it. We were talking of a party given at the country house of Mary Tuplin's parents. At that time Millman did not go. This was the first time I saw him. He was working on his father's farm burning some stumps. He spoke of a party that was at Francis Hillman's, and said that he was there. I think it was on New Year's Eve, 1886. He said that he accompanied Mary Tuplin home to her father's, and went into the house. He remained with her a good while and then went home; but he did not tell me that anything else happened. He said that he was back to Tuplin's on another occasion—the first week in January and stayed with Mary part of that night. He said that Mary was called by her father and he was ordered out of the house. He spoke about what strange sayings she had. He told me that he had had connection with Mary Tuplin some time about the first of January. I have no doubt about what he told me. We had another short conversation at my father's farm at Margate. It was a fortnight or three weeks before the murder, at five or six o'clock in the evening. My brother George was in the wagon with me. We talked about Mary Tuplin. He said he thought he was blamed for her condition, and that if she swore the child on him it would place him in a very bad position. He appeared to think that he would be dealt with as a criminal and would have to serve a term of years in the penitentiary. He didn't seem to think he was the father. He did not say anything about a memorandum book. He told me he was at Tuplin's on the 5th January—that he had it marked down on a post. He told me he had it marked with her and marked it down. He said that if she swore it on him and his mother heard it, he was afraid that she might again become deranged in her mind. Mrs. Millman was deranged about four winters ago. He didn't seem very anxious or excited about it. He did not ask my advice about the matter. I gave him my opinion, and advised him, if it really was the case, to stand his ground and he would probably come out all right. I said that I thought that he could get three or four other parties who would come and swear that they also had had connection with her. He said that he had marked it down on a post in an out-house on his father's property. He spoke of leaving the Island when I was talking to him in May. I supposed it was to get clear of Mary Tuplin. He never said what he would do if she swore it on him. On the day of the conversation at Margate, he was in my father's wagon, in company with my brother George. They had been at Kensington. I remember the day of the murder. I was in Alberton. I heard that Mary Tuplin was missed on the night I came from Alberton, on Wednesday. I next saw him under arrest at Donald Cameron's. I did not take notice of his clothing. It was dark. I did not notice his hat. I am twenty-two years old, past. The prisoner and I have always been friends.

Cross-examined by Mr. Hodgson.—Millman never admitted that he was the father of the child. The rumors concerning Mary Tuplin's connection with young men were pretty general; but when I was talking to Millman there was only one rumor spoken of. He did not speak about it going away when I spoke to him in Margate. I think he said that he got home from Tuplin's (on the night of July 5th) about 12 o'clock. It would take him about three-quarters of an hour to walk home. I think Millman first saw Mary Tuplin at the party at Hillman's on New Year's Eve. To the Attorney-General—He told me himself that he had first met her at Hillman's on New Year's Eve. PATRICK POWER, Jr. (sworn)—Examined by Mr. Peters—I live at Long River, and am a son of Thomas Power. I am sixteen past. I know Millman's father. I remember the time that Mary Tuplin disappeared. I saw William Millman shortly after that. I saw him on the 30th day of June. It was the day after a holiday in our church. Millman came to our house. We went down to fix a fence in the field. Millman went, too. He told me to tell that I saw him on the night of the 23rd June at Paynter's Line, that we sat there for a few minutes, then walked up to the corner by Thomas Millman's, stayed there for a few hours, or up to ten o'clock, and then both of us started for home. That is what he wanted me to tell. There was not a word of truth in it. I had not seen him that night at all. Paynter's Line is the line between Paynter's and William Millman's—a way clear of Tuplin's altogether. I told him I would. No one was present. My brother could not hear us. He took me aside. This was two days after the girl disappeared. I saw him again about the same day. The same Thursday he came again in the evening, and saw me at

my father's house, outside. My two brothers were there, but no conversation took place then. I was going up to Forriestall's shop for a half pound of tobacco. The prisoner told me not to be in a hurry, that he was going up in a wagon, and would give me a lift. When I was getting out of the wagon he asked me to go on as far as Mr. Richard Ready's, who is a Magistrate. He said he was going down there, and would bring me back. I went with him. When he got me to Mr. Ready's gate he told me he was going to have my affidavit taken. I told him I would not. He went into Mr. Ready's house then, and stayed about 20 or 25 minutes. When he came out, "Pat," says he, "Well go." Then he asked me to go to Mr. John Tuplin's, and tell Mr. Tuplin what he had told me to tell, so that it would scare Mr. Tuplin. We didn't go down to Tuplin's. We stopped at the Black Horse. We stayed there for a few minutes, and then we went home again. He thought he wouldn't go there then. I saw him again on the next Friday or Saturday. We were cutting down bushes. He came to the field where I and my two brothers were working. He told me to stick to what he had told me to tell. I told him I would not. My brother Thomas heard what he said, and I think James did too. Thomas asked Millman what he wanted me to do. Millman gave no answer, and my brother Thomas asked me what it was. I told him that Millman wanted me to say that I had seen him at Paynter's Line that night. He asked me if it was true. I said No. My brother then said to Millman, "Don't be getting my brother into anything." Millman then started for home. I don't remember seeing any answer to Thomas. I was at my father's house all the evening. I went to bed sometime after 11 o'clock. George Profit, Catherine Lunigan, James Lunigan and E. Lawkins were at our house that evening, and my father and mother were away at Kelly's Cross. I have seen my brother Frank with a revolver. He bought it from Benjamin Bryenton. He had it when I saw it. I don't know what became of it.

Cross-examined by Mr. Hodgson—I was examined before the Magistrate.

FRIDAY, Jan. 27.

MARGARET TUPLIN (sworn)—Examined by the Attorney-General—I am the mother of Mary Tuplin. My son was buried on the 23rd June. I remember the Sunday before he died. There was a good many people at the house, viz: James Tuplin and his wife, Archibald Bryenton, Thomas Bryenton and his wife, Michael Morrison; and his wife, Alice Connolly was not there. Thomas Bryenton and his wife came there before dark. Mary was at home. Bryenton came into the room and told her his wife wanted to speak to her down stairs. She went down stairs. I did not see them in conversation. Thomas Bryenton and his wife were both in the room. He called his wife out. They both came in and spoke to Mary, and Mary went out to speak to his wife. I don't know when Bryenton and his wife went away. Mary was not long out, only a few minutes. She came back to the room. I remained in the room with my sick child. I remember the Tuesday evening on which my son was buried. Mary was home. My married daughter, Mrs. Slavin, was in the house, and also our family. Alice Connolly was there when we came back from the funeral. Miss Marks, Mrs. McLeod, my daughter Mary and Alice Connolly were in the house while we went to the funeral. We got home between five and six, and then had our tea. Mary milked the cows after we came home. I saw her when she went out. She had on a cotton dress and a red skirt and boots—nothing on her head. I never saw her alive. I don't know where she went. About twenty minutes after she left I went to the door and called. Then after a few moments I went to the other daughter and called. Then my husband went to George Profit's to see if she was there. He wasn't away many minutes. He came home and searched in the barn. Then he went out and called "Mary" twice. He went back to Profit's again to ask if he had seen Mary. He came back in a few minutes. Between each time we talked about Mary. I don't know that he searched further. My eldest son is named Jabez. He went to bed early. He heard me call "Mary" but did not know any more about it. Mrs. Somers was at our house on Sunday night. I don't remember that she was there on Tuesday night. I saw Millman at our house once. It was a short time after New Years. I don't remember the day. I was not in when he came. It was dark. Harvey Manderson, Arch'd. Bryenton and my own family were there at the time. Harvey Manderson is my sister's son—a first-cousin to Mary. We were all in the kitchen. We were not doing anything in particular. I went to bed about nine. I felt my husband, Jabez, Mary, Harvey Manderson and Millman in the kitchen. Jabez and Harvey Manderson went to bed a few minutes afterwards. Harvey Manderson stayed all night. I heard my husband call Mary in the night. I heard the door open and some one go out. Mary then came to bed. Mary was in the family way when she left—I would suppose about six months. I mentioned it to Mary about three months from the time Millman was my eldest son. He is 25 years old. Two men called one evening in the week before Mary was lost. I heard the wagon come and drive away. Mary's handkerchiefs were marked—some with the word "Mary," more with the letter "M." [Handkerchiefs produced.] That's Mary's. I was examined at the Coroner's inquest. [Boots shown.] Those are Mary's. She had them on that day.

Cross-examined by Mr. Hodgson—Jabez is my eldest son. He is 25 years old. Two men called one evening in the week before Mary was lost. I heard the wagon come and drive away. Mary's handkerchiefs were marked—some with the word "Mary," more with the letter "M." [Handkerchiefs produced.] That's Mary's. I was examined at the Coroner's inquest. [Boots shown.] Those are Mary's. She had them on that day.

To the Judge—She left before I did. I got home about daylight. To the Attorney-General—I don't know how soon Mary got home before I did. Millman was at our house about a week after New Years. He came about dark. Archibald Bryenton, Harvey Manderson, and my father and mother were there. I went to bed about 10 o'clock. Harvey Manderson slept with me all night. He is my first cousin. To the Judge—Manderson is about 25 years of age. To the Attorney-General—I left Millman and my father and Mary in the kitchen. I did not see Millman again that night. I saw him at our house again. I remember the Sunday before my brother was buried. I saw Mary that evening. As far as I know she did not go out of the house that evening. I was in the kitchen. I saw Mary go out on Tuesday evening and saw her no more. She never came back. It was after supper. She was sitting down nursing Mrs. Slavin's child about fifteen minutes. I don't know

that she did anything after supper. She went out just about dark—between midnight and dark. I did not search for her that night. I went to bed a few minutes to nine. I heard my mother go to the front door and calling for Mary. It was about fifteen minutes after I went to bed.

To the Judge—She went out about ten or fifteen minutes after I went to bed.

To the Attorney-General—When I got up my mother was out milking. I went out and asked her whether Mary had come home or not, and she said she didn't. I went into the house and my mother got me my breakfast. I told Donald to come with me and show me where he had seen the man sitting on the Mud Road. Donald went with me and showed me where the man was sitting. The ferns and grass were flattened and broken down. I went until I came to John Woodside's fence on the Mud Road leading to the shore. I climbed up on the fence and saw where somebody had gone through the standing hay. I went on to the part of the field where the road had went out in winter. I followed on through the woods and found some tracks, but the ground was dry and hard, and I could not see many tracks. I followed on till I came to Fred Davison's field, and I saw where something had been scratched at the ground. Something had been buried there. This was about one hundred yards from the road. I went into the lane between Frank Davison's and Joseph Davison's. As I was going I saw Cousins' boat further down the river—on the east side, sitting in the marsh. There was a stake stuck in the ground about a yard from the boat. I sat on the fence for about fifteen minutes, then I turned back home and went to work burning brush. I did not engage in the search till the evening. I saw Millman on the Thursday after Mary was missing. It was at the "Black Horse" corner in the evening. Francis Hillman and George Clarke were there. Patrick Power was with him. Millman asked me if my father was home. I said he was not, but he would soon be home. I told him that I had seen him. He did not go. I told him that I had seen him. He said, "I hear you have been saying you were never to our place." He said, "What next?" He was sitting in the wagon with the reins in his hand. He remained there about half an hour. Power went with him. I next saw Millman in Warten's barn. I remember that parties called at our house one night shortly before my sister was lost. One was Frizzle. They had a horse and wagon. They drove into our yard. They asked how the sick boy was; also "where there many in the evening." He said that the boy was very low and no one could see him. They asked George Profit to light their pipe. They turned the horse and I did not know their faces. I turned the light on them. I knew Frizzle, but I did not know Muttart.

Cross-examined by Mr. Hodgson—I took the tracks to be those of a man. I saw no tracks of a woman. It was only where the horses had cut up the ground in the spring of the year that I could see any tracks. By the marks in the hay field, I thought one person had walked through the hay. I saw one track that night was of Ramsay's land, and I saw the stumps a few days afterwards.

To the Judge—I had to go through the field to pass through the Mud Road. To Mr. Peters—I don't know who cut the trees or when they were cut. They attracted my attention, and I stepped up to them. The trees were taken away. I didn't notice the direction in which they were taken.

To the Judge—The Mud Road going on to the main road has two forks (or branches) which join before we come to the hay field. THOMAS CAMERON (sworn)—Examined by the Attorney-General—I live at French River. I took part in the search for Mary Tuplin on the Southwest River. It was I who found the handkerchief. [Handkerchiefs shown.] This is the handkerchief. I picked it up on the west side of the Southwest River—on the west side of the water fence, near the end of the Mud Road. I gave the handkerchief to Mr. Donald Cameron, J. P. I also noticed two foot-prints leading towards the water. The ground is marshy and there is white sand. The tracks were not the same size. There was a half sole on the boot that made the smaller track. The small track was about two sizes smaller than the other. [Boots shown.] The foot-prints were similar to that pointing to the sole. I saw only one track representing that sole, leading toward the water. They were both right foot tracks. The tracks were measured by Constable McKay with sticks. The tracks were not far from the water's edge when the tide ebbs and flows. They were about half way between the bank and low water. The tide passing over them would not obliterate them on account of the material of the soil. The handkerchief was found in the marsh. I was not acquainted with the Mud Road. The tracks were about twenty feet from the bars at the end of the Mud Road.

Cross-examined by Mr. Hodgson—This was on Saturday. Other persons had been searching for the missing girl. We landed in a boat. We found the handkerchief just about five minutes after. We met three other people just after we arrived. William Inglis first picked it up and threw it down as useless. When Johnny was sick, two men called one evening in the week before Mary was lost. I heard the wagon come and drive away. Mary's handkerchiefs were marked—some with the word "Mary," more with the letter "M." [Handkerchiefs produced.] That's Mary's. I was examined at the Coroner's inquest. [Boots shown.] Those are Mary's. She had them on that day.

To the Attorney-General—This was Thursday evening. I don't think they dragged the river before Sunday. I found the handkerchief on Saturday. There was to have been a search of the river by torchlight on the night of the 30th June; but the parties didn't come. John Colman came, and while waiting we saw the light and heard the splash. I thought it was by the water fence. I don't know who made the splash. It was about half-past twelve o'clock. To a Jurymen—They were both right foot tracks; one was larger than the other. To the Attorney-General—They could not have been made by the same person. They were right square abreast.

To Mr. Hodgson—The smaller one was to the right of the big one. THOMAS POWER (sworn)—Examined by the Attorney-General—I was examined before the Magistrate. I know the prisoner. I live at Ed Creek, Southwest River. I am a brother of Patrick and Francis Power. I have seen Millman at my father's house. He lives about half mile away—the third house away. He has often been at our house. I have been at his. We have always been friendly. I heard that Mary Tuplin was missed on Thursday, the 30th June. I was at Kelly's Cross. I heard that on Tuesday, about 2 o'clock p. m. My brother Francis went with me. We took Kelly's Cross about sundown on Tuesday evening. We were at Mrs. John McMurray's, about two-and-a-half miles from Kelly's Cross, and about twenty-four miles from home. On Wednesday we were at my uncle's, John Ashton's, on South Melville Road. We left on Wednesday evening and got home on Thursday morning, the 30th, about 4 o'clock. I went home on Friday. I was home on Saturday forenoon. I saw the prisoner on Thursday, the 30th, about the prisoner on the 30th. He came just where we were harnessing a horse by the barn, and then we went to load poles—Francis and Patrick and I. We went to a road by the side of our farm, called the New Road. When we were loading poles he asked us if we heard that John Tuplin's daughter was missing. I said—Missing, how?

He said, "Gone away on Tuesday night." I said, "Perhaps she's gone to a neighbor's house." He said, "She has not." He didn't say anything more about the matter that I remember. My two brothers and him walked up by the cart to the back of the farm. He remained there till 10 or 11 o'clock. Then he started to go away. I told him before he left to get the work on the road done that afternoon. I am Road Overseer for the precinct, and had sold a piece of road in which Millman and my brother had a share. I said he need not take a horse. So then he left. When I came out of the house after dinner Millman was at the door. Pat and I went to harness the horses, and when we got the horses harnessed, Millman held the plough and I drove the horses till we got to the road. I asked Millman if the girl had been found. He said it was strange about the girl, and perhaps she had gone down to the East of the Island like her other sister, who was away about six weeks. He says there's something strange about the matter. He said a few nights ago there was a horse and wagon drove up to the house. Two boys were in the wagon. They asked for Mary but her brother Jabez went in and got the light, and when they saw the light they turned and drove off. He said "James Evans, me and George Henderson told him." I told him that the morning we were coming home, we met a wagon on the County Line Road with two boys and a girl in it, and I said, "Would it be Mary Tuplin in the wagon?" He said "It might be." That's all. We parted about half-past two. We went from the road and I paid him his share of the money for the mending of the road. I afterwards heard that the wagon was running quite different from what I told him. So I made inquiries I found out that there were ahead of us that morning Owen Scourman and his wife. I went to Scourman's and asked him if he remembered the morning of the 30th June.

[Mr. Hodgson here objected to hearsay evidence.]

I saw Millman on the same Thursday evening at our place. He was opposite the front door. My brother Patrick and William Millman left together. They had been by themselves in the early part of the day. I next saw Millman on Friday or Saturday. Saturday is, I think, the day. We were cutting down bushes. William Millman came to the field and told Patrick to stick to what he had told him. I asked him what it was. Millman made no reply, and I asked my brother what it was. He told me that Millman wanted him to say that he had seen him on Tuesday evening at the line between Paynter's and Millman's. I asked my brother if he was there. He told me he was not. I then told Millman not to try to draw my brother into anything. He said he should stick to what he told him. Millman then left the field. I don't remember seeing him again till I saw him arrested.

Cross-examined by Mr. Hodgson—I left for Kelly's Cross on Tuesday, and stayed there all Wednesday till 5 o'clock in the evening.

GEORGE PROFIT (Black Horse)—(sworn)—Examined by Mr. F. Peters—I live at Lot 18, about 300 yards from Mr. John Tuplin's house. I know the Tuplin family if he was in the house when Mary disappeared. I was at Margate that day, but got home between sundown and dark. James Woodside, George Clark and Douglas Ramsay were at my house that evening. They left about ten minutes past ten by the clock. I could not say that she was right. John Tuplin came to my house while they were there. He sat down but did not stay more than three or four minutes. It was then about half-past nine. After Tuplin left I heard something. I heard two shots. I was then in the house, cutting George Clarke's hair. There was not more than three or four seconds between the two shots. The shots came from the direction of the river. It would be near about 10 o'clock. Woodside was then untying his horse. I heard nothing but the shots. John Tuplin came again about eleven o'clock, and spoke to my wife. I am not related to either Tuplin or Millman.

Cross-examined by Mr. Hodgson—Woodside did not come in after the shot were fired. The shots were fired about ten o'clock. There was not much wind that night. I don't know the direction it blew from. The sound of the shots came from the east. JOHN SUNDREY (sworn)—Examined by Mr. Peters. I live at Spring Valley, about two miles from Mr. John Tuplin's. I know both Tuplin and Millman. I heard of Mary Tuplin's disappearance. On that evening I was first at New London. I came from New London and made a call at the Church to take home my misses from the meeting. The Church is not more than a mile by a straight line from the Southwest River. When I got there the meeting was still in. I tied my horse and talked to a man named Hallman; and then stood at the Church door till the meeting came out, when I took my wife home. Before the meeting came out I heard two shots from the direction of the Southwest River. That was before the Church came out—about fifteen or twenty minutes before. I don't know what time I got home that evening.

To a Jurymen—One shot appeared to be sharper than another. ANDREW WOODSIDE (sworn)—Examined by the Attorney-General—I remember the 28th June last. I was at a lecture at Clifton. I arrived home at twenty minutes to eleven. My son was with me. I heard a pistol shot and a scream or two—or a continuation of one—in which there was a perceptible lowering of the voice. I heard one shot. I was about a mile and three-quarters from home. It was sometime between ten minutes to ten and twenty minutes after. I was walking the horse very slowly. After hearing the shot I commenced to trot the horse, and the noise would perhaps prevent my hearing a second shot. When I heard the shot I thought it might be as far away as Margate. It seemed to be in the distance. The sound of the shot was quite clear and distinct. When I heard the shot I was between William Cotton's and William Ryan's, about half a mile from the main river. I would be about a mile and three-quarters from home round by the road. When I got home I looked at the clock; it was twenty minutes to eleven.

Cross-examined by Mr. Hodgson—It would take about twenty minutes to drive from where I heard the shot to my home. It was very calm that night—a bright, clear night. I could not hear any word—only just a screech. DESTROYED BY FIRE.—The barn of Mr. John Driscoll, a well-known farmer of Lot 48, was destroyed by fire on Wednesday last, together with all its contents, consisting of five cows, one horse, two pigs, harness, grain, hay, etc. It appears that one of Mr. Driscoll's little sons had been playing with lighted matches, one of which fell into the hay and set fire to the barn. Mr. Driscoll was absent from home at the time, and when the fire was discovered it was too late to save either the barn or its contents. It was with difficulty that the farm house and other out-buildings were saved. Mr. Driscoll has the sympathy of all in his loss.

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Ch'town, Jan. 4, 1888.—d & wky

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