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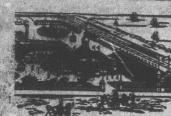
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EXHIBITION 1895, SEPT. 24 TO OCT. 4

ST. JOHN, N. B. Will open their fair, on their largely externic grounds south of Sheffield Street on

SEPTEMBER 24, 1895.

New buildings are in course of construction, for the accommodation of live stock and the ax-Farm and Dairy Products.

LIVE STOCK, AGRICULTURAL AND HOSTICU TUBALPRODUCTS, MACHINERY AND MAN-UFACTURES, FINE ARTS, ETC., ETC. Cash prizes are offered in the

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letters of inquiry should be ad CHAS. A. EVERETT,



Would it not be well for a certain class of newspaper writers to confine the expression of their views more within the limits of the Golden Rule, and, in delivering their judgment in matters of law, to avoid doing that which the law very proper ly forbids ?

Miss Sophie Benson's Injuries.

The matter of the injuries sustained by Miss Sophie Benson on the 11th inst., ention, by the fact that the injured lady a still unable to leave her had and that er friends very properly think there hould be some red

They have been in communication with the Attorney-General on the subject. and the bye-laws of the Municipality reating to the preservation of Order has ollows :-

Whoever shall shout, or make any un isual noise in, or upon any of the streets, lighways, lanes squares or wheres of the County calculated to disturb or annoy the County calculated to disturb or annoy the inhabitants, shall be liable to a penalty of \$4 for each offence, and should such shouting or noise occur in the night time, the person offending shall be liable to a penalty of \$3 for each offence. The Attorney-General, writing to Mr. M. S. Benson says:

M. S. Benson says:

1 don't know of any reason why the members of the Salvation Army who indulge in the beating of drums and shouting and otherwise frightening horses and endangering peaceable citizens should not be liable to prosecution under such byelaw as you describe. Of course, the individuals who had made the noise and racket should be personally proceeded against on a complaint of this kind, and only those who can be proved to have been a party to it. The case in which your sister and her nephew met with the mishap stated is a very serious one, unquestionably, and I would be of opinion that the persons who were actually guilty of frightening the horse would be hable to damages in a civil action."

After referring to the fact that those sho are set at making the noises by the Army would probably not be in a position o pay substantial damages recovered against them, the Attorney General goes

on to say :-"The only thing that can be done is to prosecute under the Municipal bye-law as above mentioned. This would not repair damages or restore your sister to health, or be any compensation to her. It might, however, to some extent, contribute to the abatement of the nuisance."

The difficulty to be contended with in Chatham, in this matter, is that the Army people have been encouraged by a decision a former police magistrate several years ago, to practice the nuisance complained of. A horse was frightened by the drum-beating and shouting of the Army on the street and a child run over. The Councillors of the day were appealed to and one of them, at request of an favor of the nuisance, and we have the the photograph is claimed to be the which comprises the charges to be investifruits of it in the maining of Miss

	ared with those of	the general
lection 1891	1891 :	Election 1895
135 124 114 1153 91 108 121 89	City of Moneton, 1 2 3 4 5 6 7	75 62 96 62 74 47 156 85 42 64 24 112 88 58 40
945 78 70 82 55 98 56 77	Parish of Moncton. 1 2 3 4 5 7	722 450 70 72 50 75 73 72 51 62 76 97 28 68 53 34
516 88 67 62 60 58	Parish of Salisbury. 1 2 3 4 5	401 478 57 59 44 69 87 78 42 86 87 78 217 870
48 68 89 75 72 116 50 57	Parish of Dorchester. 1 2 3 4 5 6 7 8 full ceturns r	40 85 48 54 69 47 74 48 84 34 72 86 35 15 not in,Pow-
72	ell's majority 15	63 46
642 67 53 65 91 113 79 103	Parish of Sackville. 1 2 3 4 5 6 7	485 365 72 34 45 49 97 39 106 59 109 25 70 58 86 52
571		584 811
41 107 24 86	Parish of Westmorland. 1 2 3 4	44 97 106 52 23 62 71 71
258	Parish of Botsford.	244 2 82
77 95 55 100 96	2 2 8 4 5	87 56 88 67 29 58 98 60 78 100
428	Davish of Shadian	380 341
61 97 219 69 58 80 46	Parish of Shediac. 1 2 3 4 5 6 7	77 83 104 42 130 78 43 60 88 56 188 7 103 43
530 4205	Grand totals	733 369 3766 2968
Adding	Powell's majority	of 15 in

Dorchester No. 8 puts him 813 ahead. There is, however, a difference between this result and some telegraphed to other papers, so we shall not have the exact eturns until declaration day.

"Advance" Scientific Miscellany.

VERHEAD TRANSPORTATION FOR LIGHT TRAFFIC-WRITING BACKHAND-WELD ING BY PRESSURE-INDIAN LIGHTNING MONDS-FROZEN MILK-IRON IN FOOD-A NEW TESTING LABORATORY-THE LAR-

It has been noticed that workmen attending pans in salt works do not have cholera, small pox, scarlet fever or

In the payement of one Paris street net less than six different kinds of wood have been used, viz.-pitch pine, pine from the Landes, teak, red harri, box, and particularly hard wood from Borneo. From time to time a committee will report on the most durable of the woods.

The Danes and Swedes now send to Newcastle each week about 100 barrels of frozen milk, each of 100 nounds. The milk is treated by a patent process, being first heated to about 165° F., then cooled to 50°, and afterward frozen three hours. A half-barrel of this product is placed in each barrel, which is then filled up with unfrozen milk. Thus barreled the milk

keeps fresh 26 days. A photograph 261 feet long and 3.6 feet wide, giving a view of the recent annual show of the Royal Agricultural Society at Sydney, has been produced by nterested citizen, caused the offending the Government Printing Office of New persons to be brought before the police South Wales. It was taken on 8 pletes, nagistrate under the very bye- 15 by 12 inches in size, and enlarged on bromide paper. The picture is good, and largest ever produced, succeeding a view gated by Commissioner Gilbert :-

MIRAMICHI ADVANCE, CHATHAM, NEW BRUNSWICK, AUGUST 29, 18

Mistranichi Moramich Moram companied by thunder, while the

bewildering, but Prof. Dewar points out that we have such a substance in solidified specified, Commissioner Gilbert said his commission cover any charges uspended by a cord in water in a glass authority to show this. no colder to the fingers than common snow, because in reality it never came in contact with the skin when being handled. Another striking experiment—never exhibited before—was the burning of diamonds in liquid oxygen. When two r three red-hot crystals were thrown into the liquid they were at once cooled and sank to the bottom, but a diamond made extra hot by the blowpipe caught fire and burned on the surface of the oxygen with a steady flame.

The rapid progress in means of trans portation has caused the need of light and expensive railways for certain places and he suspended cable-way which has been cheaper to construct than an ordinary railway of equal capacity, there is practically no interference with the land, and here are neither locomotives nor level crossings. The system is capable of normous development. There is no reason why whole trains of railway carriages, wagons, etc., may not be taken be ascended by zigzag lines. It will be especially important to many manufacture ing districts, affording cheap and ready transport for goods from the manufactures to the railways.

Investigation of Charges against Police Magistrate McCulley of Chatham.

On Tuesday at 11 a. m. George Gilbert, Esq., the commissioner appointed by His Honor the Lieutenant-Governor to investi-

his court. R. A. Lawlor and W. C. Winslow, Esqrs., appeared for the petitioners and Robert sent to jail, as I believe. the right to answer; then, the complainants that effect. He did not then refuse to matter raised by the defence.

favor of the nuisance, and we have the fruits of it in the maining of Miss Banson. Those interested in the Images ever produced, succeeding a view Banson. Those interested in the Images ever produced, succeeding a view Sydney, 24 feet long, which the same in securing, as far as possible, the safety of those who use them in safely and the same in the same of good order on the streets and in securing, as far as possible, the safety of those who use them in safely and the same in the

Mr. Murray said he had no formal reply displays of lightning are not accompanied to make to the charges read, but would answer the case as made out in evidence. Mr. Lawlor said he understood His-The idea of a boiling solid is somewhat Hopor's commission would admit of his pewildering, but Prof. Dewar points out going into other changes besides those

property of boiling at a temperature was broad enough to cover any charges ower than its melting point. To illustrate this before an audience, some selid with the police magistrate's discharge of his to alter the copy of proceedings.

Mr. Lawlor: Did you tell Mr. Murray arbonic acid was pressed into a ball, duties, and he read the last section of his

rough, and an image of it!projected upon a screen. Gas was then seen to be given was the first witness called and being sworn, said: I reside in Chatham and am sworn, said: I reside in Chatham and sworn, sai McCulley, police and Stipendiary Magistrate for the town of Chatham. [Mr. Murray admits the appointment of Mr. McCulley in the fall of 1891.] I have practiced before him in my capacity o attorney on several occasions. fMr. Lawlor reads 1st charge.

I think it was on July 1st, 1894, a vonne man named Boyle was arrested and taken to the lock-up house by the police man. I was sent for and went to the lockup and saw Boyle, and next morning I appeared as counsel to defend him. I think that a married woman named Bredo had charged Boyle with assault. Boyle had not been arrested by warrant, nor had uses to be more keenly felt. In a lecture he been summoned on the charge on which the other day to the British Balloon he was taking his trial. I contended that Society. Mr. W. J. Brewer described the policeman had no right to take Boyle, inasmuch as he was not taken while in put into operation near Brighton. The commission of the offence, and I protested cost of a light railway of this kind is said to be about \$750 per mile, exclusive of cars and engine Such a line is vastly dinner, I stated to the magistrate that I wished to make a motion for the release of Boyle, on the ground that he was not legally in custody. The magistrate refused to entertain the application.

[Record of the case produced.] Mr. Murray objects to the witness seei the record, which was not in his writing. Mr. Lawlor said witness wished to see it, merely to refresh his memory as to what took place at that time.

Commissioner Gilbert said that as the record was produced in court he would rule that the witness might look at it for the purpose, and only for the purpose, of refreshing his memory. [Mr. Murray's objection, however, was

noted.] Witness: The court, refusing to entertain my application, I proposed to cite authoritles in support of it and Mr. McCulley would not hear them. I had the authorities with me, one of the cases being from gate charges preferred by Messrs. R. H. Armstrong and Zenas Tingley against Police Magistrate S. U. McCulley of Chatham opened his court in the Winslow Law This he, at first, refused to do, but after Chambers, Chatham.

Mr. Gilbert read his commission from His
Honor the Lieutenant-Governor and opened
bis copyt. hear the authorities cited.

Boyle was convicted and, subsequently, Murray, Esq., for Police Magistrate Shortly after-next day, or a day or two McCulley, who, himself, was also present after-I went to the place of business on Commissioner Gilbert said the course he should take would be to have the com- to see the record in the case against Boyle. plainants go fully into proof of their case He said the record was at his house, and first, and then Mr. McCulley would have that he would bring it down, or words to would be heard in rebuttal in any new me see it. It was, I think, the next day, that I called at his place of business and Mr. Lawlor then read the following, again saked to see the record; we had some conversation, and he declined to let me see the record and said, if I wanted a

McCalley with the necessary correction made. The correction was the omission of the statement that the fine had been

the fine had been paid to him. Witness: He did not. He did not, at

a final decision of the case.

Street on the way up. I spoke of the his—

Witness: I had such a conversation with tory of itinerant courts, and when we got the information against Thompson was

Mr Lawlor: Of your own knowledge, do you know that money was paid for your client as fine in the case to Mr McCulley? Witness: I do not. I got a sum o reversed. [Paper shown to witness] This paper is in Mr. Robert Murray's handwriting. Court adjourned until 2.30.

Court reassembled, pursuant to adjourn ment. R. B. Bennett's testimony was re

sumed :-I first saw this paper shortly after the trial of the cause. It was given to me in my office by either the defendant, or her sister have had the custody of it ever since. At that time, I think Anthony Forrest was keeper of the lockup. Emily Malive was were set aside.

I direct your attention to charge No. 6 Do you know anything of that? I know agood deal about it, but it mixed up with hearsay and my personal knowledge was gained by professional connection with the case and therefore privileged. Will you state how you have been treated

generally by Police Magistrate McCulley while conducting cases in his court. Mr. Murray objects to any general stament on this subject. Witness may state any particular case of wrong treatment. The Court : I think the question should be put differently. Mr. Lawlor might ask the instances in which witness has been badly treated. How have you been treated?

Witness: I have been treated in a grossly unfair and partial manner by the Police Magistrate of Chatham. Mr. Lawlor: Do you consider him con petient and qualified to administer the laws

and discharge the duties as Police Magistrate of Chatham. Mr. Murray objects, as the court is no sitting to get this witness's opinion on that subject. Facts should be stated and the court can form its own opinion from them. Question admitted, but, the Cammis sioner says the answer will have only the

weight to which it is legally entitled. Witness: From the bias and prejudic with which I have known the police magistrate to approach the consideration o questions which were submitted to him for adjudication, and in which I have been interested, from the grossly partial manner in which he has dealt with arguments of counsel opposed to me-notably Mr. Murray -I consider him wholly incompetent to

Mr. Lawlor: Can you give the court any nstances of such bias and prejudice? Witness: The pedlar (Malive) case is one which the magistrate displayed the bias and prejudice referred to. He allowed the instance and to become a peripatetic oue,

It is not

An experiment-but a Proved Success. Thousands of housekeepers who at first thought they never could use any shortening but lard, now use COTTOLENE and couldn't be induced to change, simply because it is better, cheaper and more healthful. The genuine has this trade mark -steer's head in cotton-plant wreathon every tin. Look for it.

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ledge I cannot say whether Stewart gave negative the exceptions in the Act? him the money or not. Cross examined by Mr. Murray: I think the first of the cases tried was the knowledge.

the bar. I was admitted attorney in Michael- | agent? mas term 1893-about 8 or 10 months. I have a fair memory. I consider my recollection fairly accurate; not perfect. Information may be laid by a collector of rates against was sufficient without going into other p persons peddling without license. It is his I had submitted. luty to do so under the law. Mr. John- Mr Murray: Can you give us another ston was collector of rates when acting in instance in the Malive case, in which the the Malive case. John Fadil, as I know magistrate showed prejudice. him, is fairly well off; had considerable Witness: In the hearing of that case, property about him; lived in the Desmond asked Johnston if he saw the spectar house and paid rent at our office. He was Mrs Murray swore she bought, after he a naturalised British subject at the time of returned to the house; I objected to it the Malive suit. I did not then know he and it was allowed. A question in relation had real property. My recollection is that to spectacles had been asked by you before court in my presence, in any way, that the witness had been subpected, was aged, don't remember your stating on what the subpectation is that to spectacles had been asked by you before that and ruled out. [Witness referred to other items of avidence admitted with the subpectacles had been asked by you before the subpectacles had been asked by don't remember your stating on what other items of evidence admitted, which he grounds. I said to the magistrate it was thought showed prejudice.] I considered it

to you in doing so.

Mrs. Murray was in a poor state of health. magistrate allowed him, and made me produced showing she was unwell, infirm or attribute that to the magistrate's bias

partiality? Witness:-I do, and it was against my The witness here stood aside.

nsolent language to the court?

Witness: I vigorously protested against

Mr. Lawlor:—What were you to do for the magistrate's course; in all probability, I that? paid.

Mr. Lawlor: Did Mr. McCalley, at the it was an outrage to drag this poor girl—
time he first gave you the proceedings, say

said no ether magistrate would do it; that it was an outrage to drag this poor girl—
time he first gave you the proceedings, say

a foreigner—through the streets in a against the person who sold me the liquor the time, give me any reason for his refusal dwelling of the mother of counsel for the and was released from custody. I got no prosecution and the mother-in-law of the complainant; that it was an outrage, and I else was present to overhear when Mr something to the effect that the money had not been paid, but merely deposited, pending a final decision of the case.

think the court reprimanded me for doing of the court in the street on the way up. I spoke of the hisand if no one else will make the proclamamoney from him after his judgment was tion I will, and I said "Oyez! Oyez! again on circus day this summer.

God Save the Queen !" Mr. Murray : Didn't you say it in a lond

"We now have the court as usually were in the lockup at the same time, onstituted-Mr. Murray Mr. Menzies and the magistrate," I said a good many nasty things on the way up, to help the fun along. Mr. Murray: In what way did the ad-

journment tend to defeat justice? Witness: Anything that tends to degrade a court or burlesque justice tends to lessen the respect in which the community holds

Mr Murray : Was not the community, in your estimation, composed of R. B. Bennett? Laths, Witness: No.

who shared your opinion? Witness: There was quite a lengthy Box-Shooks, rticle in the ADVANCE-which represe public opinion—reflecting on the magistrate ecause he thus adjourned the court. Mr. Murray: Are you not aware that the

McCulley are not on good terms? Witness: I can't speak positively. learn from hearsay that they are not, Mr Murray: You saw my mother whe you went to the house?

Witness. I did. Mr. Murray: Didn't she appear infirm. Witness: I can't say so. I didn't think so. I heard someone say she was over seventy. I have never said injury was one to the defendant's case by the adournment, altho' you know that I could not have the same scope in cross examination as in open court. I think the case would have resulted in a conviction under the

that adjournment had not taken place?

Objected to. Allowed. Witness: I'll answer a portion of that very readily. The laws, prescribe certain court to be adjourned at Mr. Murray's proceedure to insure the attendance of she was ill, aged or infirm; I, therefore, say that no injustice would have been done had

were issued after that. Of my own know- was that the information, did no

Witness: I do not know of my own Malive case. I had not then been admitted to Mr Murray: Do you know it from you Objected to Allowed

Witness: My agent informed me that

for him, not for us to decide who should go bail for Emily Malive. He accepted Fadil as bail. I don't say he showed partiality right of reply, no witness having been called to you in doing so.

Mr. Murray: Do you recollect my stating any grounds for adjourning to the house for I omitted to ask for an acquittal, as I sat Mrs. Murray's evidence.

Witness: I won't swear you didn't say conviction and claimed the reply, which the I recollect, however, that no affidavit was address the court before Mr Murray did. I

Mr. Murray: -Do you allege that in ad- In the Boyle case I made application for ourning to the house the magist rate showed his release at dinner time as the court had no warrant or other process to hold him on.

THOMAS COUGHLIN Mr. Murray :- At the time of the ad- called and sworn, said :- I reside in Nelson ournment did you act in a gentlemanly and am a laborer; was in the Chatham manner or an insolent manner towards the lookup about a year ago, on a charge of drunkenness; was fined; dou't recollect Witness: I protested against the court how much. It was some time before two paid. I asked Mr. McCulley to alter that, as the copy would be no good to use in that of proceeding; and I said, "why not adjourn way. He declined to do it. He gave no to Smith's catamaran and go on a cruise Tweedie, Mr Menzies and Magistrate Modown river, and have a court there." On Cuiley were present in the court. After Tweedie what the magistrate had done.
Mr. Tweedie took the proceedings out with him and that evening I got them from Mr.

Mr. Murray:—Did you not use other pay my fine. Mr. Menzies told me he paid

> procession, headed by the police, to a private house, simply because it happened to be the wharf. I gave evidence against Thompson new going on hallowed ground; this zies that I got liquor from Thompson. I building ought to be dedicated to justice, have never been asked for the fine imposed on me the first time. I was in the lockup

To Mr Murray: It was on the trial of Thompson that you and Mr Tweedie were present-not when I was tried for drunkenness. Mr McCalley had nothing to do with Witness: Not so very loud, but the the arrangement I made with Menzies. I magistrate was very cross. I considered the whole thing a farce and outrage on justice, Menzies; it seemed all like one trial to me; and I was helping the farce along. I said it was all the same day. Thompson and l

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have resulted in a conviction under the testimony in any case—whether we had the adjournment or not.

Mr. Murray: Was justice in any way defeated by that adjournment?

Objected to by Mr. Lawlor on the ground that the question does not touch or affect, the enquiry now being made. Allowed.

Witness: I'm not prepared to say. Justice means the rendering of a correct and-legal decision and that was not done, for the decision was reversed.

Mr. Murray: Might not an injustice have been done to the public and informant if that adjournment had not taken place?

If my also be fitted to burn call There is a draft for frecing the tire and at the word as a star store while owing to a new and peculiar may also be fitted to burn call There is a draft for frecing the tire and abure of the seening the heat at will. The top has two tot-holes and these may, by the removal of their vision there are converted into an any way the converted into an any way if the same of the seening the first sample of which agond the same of the seening the first sample of which agond the same of the seening the first sample of which agond the same of the seening the first sample of which agond the same of the seening the first sample of which agond the same of the seening the first sample of which agond the s [From Miramichi Advance of Oct 11.]

SCHOOL TAX.

J. F BENSON,

TYPEWRITER, &O. &O. AGENT FOR "NEW YOST" TYPEWRITING COM

OFFICE:

CHATHAN, N

Mr Murray: Do you know any others Palings. editor of the Chatham ADVANCE and Mr