DINGS

## DUNLOP-HAYES

pretty wedding took place in ited Baptist Church at Central N. B., on the 19th inst., when Helen Hayes, of Bloomfield, ited in marriage to R. Mel. Dunlop, of Passekeag, Rev. E. being the officiating minister rch was beautifully decorated occasion, the centre aisle being two beautiful floral arches the platform and in the other the building a profusion of Gilcrist preand ferns. Mrs the organ. The bride, who was way by her father, wore a gown silk. After the party and guests drove to the the bride's parents where reevening enjoyed. The many ful presents testified to the high in which the contracting par-

## NICHOLSON-AYER.

ery pretty wedding took place at nce of Mrs. L. B. Ayer, Petitat twelve o'clock, 19th inst., her only daughter May, was in marriage to Bertrum Nichof Yarmouth. Only the immedi nds and relatives of the conparties were present. The who attended from a distance Mrs. Smith, Moncton, Mrs. R. on, St. John, Mr. Bliss Aver. ille and Stephen Ayer. Bangor, After refreshments were servand Mrs. Nicholson took the R. for an extended wedding tour. A. Perry of Norton performed emony. The bride received a many beautiful presents.

### ARGREAVES-SCAPLEHORN

lliam Hargreaves of Coverdale, Co., was married at the Methparsonage, Hillsboro, on the 19th e to Miss Clara Scaplehorn of same place. The ceremony was ned by Rev. Isaac N. Parker. ICTON. N. B., June 24.-A very wedding event took place a ast one o'clock this afternoon in nard's church, when A. Arthur Blanc, a well known young barof Campbellton, and formerly of ty, was married to Miss Annie McInnis, daughter of John Mc-A large number of friends of stracting parties were present at dding and the interior of the presents a most attractive ape being decorated with ferns, flowers, Rev. Father alls and performed the wedding cereassisted by Rev. Father Cor-

## ROBERTSON-DUNLOP.

retty wedding took place at 7 Monday morning at the Mr. and Mrs. John of Carmarthen - street, 140 their daughter, Miss Nina married to Arthur was Rev. chertson, of this city. Marr officiated. The bride was in white organdie over taffeta carried a shower bouquet of white ons. She was attended by her r, Miss Winifred Dunlop.

MCCANN-HARRINGTON. pretty wedding took

## THE NEWS, ST. JOHN, N. B., FRIDAY, JUNE 28 1901

# JUDGE REFUSES CROWN'S PLEA FOR POSTPONEMENT

Crocket's Demand for Discharge and Dismissal of Indictment Also Refused

He is Bound in His Own Recognizance to Appear at the January Court -- Meanwhile the Reserved Case on Judge Landry's Decision Will Be Heard by Full Bench,

## FREDERICTON, June 25 .- Judge by the fury that the matters published Landry this evening refused the re-quest of the crown for a postponement idence that he had reasonable grounds for believing and did believe that they

quest of the crown for a postponenieus of the trial of Mr. Crocket, but also refused the demand of the defense for his discharge and the dismissal of the indictment. He declined to express indictment the meanding the indictment any opinion regarding the indictment. whose laws I am sworn to administe and bound Mr. Crocket in his own reto postpone the case to another

cognizance to appear at the January session of the court. Meanwhile the "My first duty is to examine the reaeserve case on Judge Landry's. desons for such postponement. "I cannot in the facts as known to cision regarding the public interest of

the alleged libel will be heard by the me, find one goed reason to do so. The only reason urged is that, I have refull bench. full bench. When the court opened this morn-ing his honor was not ready with his decision, not having had time to pre-pare, so adjournment was made until 7.30. There was a large attendance at the court room this evening. Mr. Barry was present in behalf of the crown, while Mr. Hazen and O. S. Crocket represented the defendant. The latter occupied a seat by the side of his counsel. His honor's decision was awaited with much interest. On taking his seat Judge Landry im-mediately proceeded to deliver his judgment, which was as follows: "To decide this application I feel the necessity of reciting some of the facts that my reasons may be better under-that my reasons may be better underserved for the Crown a case to be dened this morn-Judgment, which was as follows: "To decide this application I feel the necessity of rediting some of the facts that my reasons may be better under-stood. The defendant is charged with having published that are said to be defamatory are redited in the in-the universal practice of nist prives to be defamatory are redited in the in-the universal practice of nist prives to be defamatory are redited in the in-the universal practice of nist prives to be defamatory are redited in the in-the universal practice of nist prives to be defamatory are redited in the in-the universal practice of nist prives to be defamatory are redited in the in-the universal practice of nist prives to be defamatory are redited in the in-the universal practice of nist prives to be defamatory are redited in the in-the universal practice of nist prives to be defamatory are redited in the in-the universal practice of nist prives to be defamatory are redited in the in-the universal practice of nist prives to be defamatory are redited in the in-the universal practice of nist prives to be defamatory are redited in the in-the universal practice of nist prives to be defamatory are redited in the in-the universal practice of nist prives to be defamatory are redited in the in-the universal practice of nist prives to be defamatory are redited in the in-the universal practice of nist prives to the universal practice of nist pr dictment. In themselves the words are clearly libellous and defamatory. The are asked, await the determination of dictment. In themselves the words are in the asked, await the determination of defendant pleads the general issue the jury and then decide as to re- which he could be guided. If one looks tional evidence may develop during the and puts on record another plea by serving or not. "It never was the practice, and I have

which he justifies the publication on two grounds, viz.:

uch a plea and directing the manner of putting it on record are as follows: 910 .- 'Every one accused of

of the case have been fully discus before you and decided, and the cu tions involved in your decision h been reserved by you for the opin of the full court.

"As stated by Dr. Pugsley on Frida; last the crown is not ready to go on a this time, and desires to have the ques tions raised by the demurrer decid by the appellate court before he show be called upon to try out the iss fact raised by the plea and replication. The indictment can only be disposed of absolutely by trial or by the entering of a nolle prosiqui by the crown. "There are three ways formed out the authorities, either of which may now be adopted by your honor either to discharge the defendant from his present recognizance and require he ones to discharge him on his own re uire he congnizance, or to continue the pres recognizance, and this is entirely matter for your discretion, but we do say that the indictment must stand as a case not tried, and the defendant cannot be absolutely discharged

Mr. Hazen said that as his honor have refused the application of the crown to postpone the trial and as Mr. Barry by Dr. Pugaley that the prosecution would not proceed, together with the facts that the crown had shown no excuse for delay and Mr. Crocket was willing and ready to try the case out, he would ask that the indictment be dismissed and Mr. Crecket discharged. If Mr. Barry's contention held the crown could hold an indictment over a

at the civil procedure for a guidance. failed to find even an exception to re-serve a case during a trial, and be-cause of the reserved case, to adjourn till it was decided by the bench. If a and as to the question whether the

was true. "Ind—That it was for the public benefit that the matters charged should be published. "The criminal code makes such a plea legal and agood defense it put on the record with the technical wording necessary to come within the meaning of the sections of this code. "The parts of the section authorizing such a plea and directing the manner

present one, nor could he find one in present one, nor could he find one in any of the authorities bearing on the thing of a startling nature was brought session tomorrow. There is no deny-ing the fact that throughout this community at least, the belief is strong

COLES ISLAND, Queens Co., N. B., smoke coming from the , side of June 25.—The inquest into the cause Crystal Stream. He climbed down to Stephen on Saturday. of the fire which destroyed the steamer the wharf and started to help get peoor the nre which destroyed the steamer Crystal Stream and brought death to ed to get into a boat to row out to her,

BELIEVE ACCIDENTAL

Capt. Perry-"I could not say." Mr. Trueman-"If you did get up Jolicure, steam in ten minutes would that not

be remarkably quick time?" Capt. Perry-"We used keresene order to get a quick fire." Mr. Trueman-"How long would

foot on the Grystaf Stream since she Rev. Dr. Shearer, Dominion secretary

NEWS OF SACKVILLE SACKVILLE, N. B., June 24 .- Mis Chas. Pickard and daughter Alice left

on Saturday for Halifax, where they will spend some weeks for the benefit of her daughter's health. Miss Frances Millner, professional nurse, accompanied them. Rev. C. H. and Mrs. Johnson of Cale

donia, N. S., are the guests of Rev. Dr. FIRE WAS IMPOSSIBLE and Mrs. Paisley, York street. Hon. F. J. Sweeney, Monoton, was in own today, en route from a visit at Jelrose, N. B.

> Dr. H. R. Carter, Port Elgin, own on Saturday. Dr. R. C. Archibald returned from St.

Miss Burk of Toronto is the guest of her grandmother, Mrs. J. L. Black. Miss Marion Cutten of Boston is the M. A. Oulton, M. D., a recent graduate of McGill, Montreal, is spending a

few days at his old home, Jolicure. Mr. and Mrs. James Seaman, Cape Tormentine, are receiving congratulathat you got up steam in ten minutes. tions upon the arrival of a daughter. Charles and Fred Smith of Fall

River, Mass., are visiting friends in Rev. E. L. Steeves, Middle Sackyille, preached the annual. L. O. F. sermon yesterday for Court Tantramar. There was a large attendance, and an ex-cellent address given. Special music was furnished, under the direction of

to Miss Mabel Read. Miss Dorothy Webb, Hallfax, is the guest of Mrs. H. Humphrey. Mrs. H. P. Trueman is visiting riends at Sussex. Mr. and Mrs. Senned Hicks, Midgle.

Hon, Wm. Pugsley arrived home from Toronto yesterday. Dr. Pugsley said that he had interviewed MacKenzle and Mann and they have received the report of Engineer Stewart and G. G. Ruel who have looked over the proare rejoicing over the arrival of a baby daughter.

sed valley railroad route. Ms posed valley railroad routs. with the and Mann seemed pleased with the outlook for traffic, not only locally, outlook for traffic, not only locally. but as'a natural out

Maine would give them the shortest

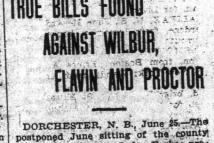
line to St. John, which they desire to make their winterport. The grade is

cure a grade of 5-10 of 1 per cent, to

the mile, which means additional ex-

pense in construction. Dr. Pugsley

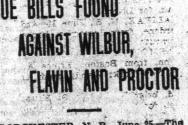
the only difficulty. It is desired to



court opened today, Judge Forbes pre-siding in the place of Judge Wells, absent in Europe on leave. The grand jury found true bills, against. Priest Wilbur of Moneton for assault on wife; against Proctor, a. convict, escape, and against James. Flavin, tried and found guilty. He defended himself and addressed the jury at so length. Wilbur also defended himself, length. Wilbur also detended the was likewise addressing the jury. He was found guilty. Sentence will be imposed tomorrow morning. W. H. Chapman, tomorrow morning. W. H. clerk of the county court. The probate court is in ses over the account in the estate of the late Theo







NI BOBS

TRUE BILLS FOUND

er's Church Monday, when Miss gie Harrington, daughter of Jereh Harrington, was united in marto John McCann, of Indiantown. ceremony took place at 6 o'clock was performed by Rev. Father

The bride was attired in a costume of hite silk with hat to match. After the mony Mr. and Mrs. McCann left on rip through Nova Scotia.

## AT HAMPTON.

HAMPTON, N. B., June 24. wo very interesting weedings took ce this morning in the Roman Cathchurch here, when the Rev. W. lland united in marriage Miss Mary non, of Hampton Station, with Horace B. Butler. Mr. Joseph le was groomsman and Miss Ane Carney bridesmaid. Rev. Mr. Byrne performed the cereony which united Mr. Wm. Edwards Boston, to Mrs. Hannah Desmond ughter of Mrs. Timothy Desmond, Hampton Village. Mr. Harry Ed rds, brother of the groom, acted as st man and Miss Katie Desmond. ster of the bride, as bridesmaid. Mr. and Mrs. Butler left on the Que express at noon for St. John and its west, and Mr. and Mrs. Edards will leave for their Boston home the C. P. R. this afternoon.

### DUNLOF-HAYES.

A very pretty wedding took place in Central Norton United Baptist urch on the 19th inst., when Miss L. elen Hayes of Bloomfield was united marriage to Mr. Melbourne Dunlop Passekeag, Rev. E. J. Grant being officiating minister.

The church was very prettily deco ated for the occasion, the centre aisle ing spanned by two beautiful floral rches and the platform and other arts of the building having a great ofusion of flowers and ferns. The ride, who was given away by her ather, looked charming in a gown of ream silk.

After the ceremony the bridal party nd guests drove to the home of the oride's parents, where refreshments vere bountifully served and a very leasant social season enjoyed. The nany beautiful presents testified to the teem in which the contracting paries are heli.

#### YEOMANS-HUGHES.

Miss Lizzie Hughes, one of Petitcoliac's popular young ladies, was maried at her home Wednesday, 18th inst., o Charles Yeomans, of Mechanic, Kings County. The bride and groom eft on C. P. R. for a trip to Lowell, Mass.

SANSOM-SHORT.

JERUSALEM, K. Co., June 19-Miss Anna Belie, eldest daughter of Mr. and Mrs. M. T. Short, was today married to Havelcck Sansom, of St. Mary's, N. B. Rev. L. J. Leard officiated.

ishing a defamatory II plead that the defamatory matter published by him was true and that it for the public benefit that the matters should be published in the mannenr. the time when they were and at hlished.'

"Sub see. 3 of 910-"Every such plea must be in writing and must set forth the particular fact or facts by reason which it was for the public good that such matters should be so pub-

"The crown answered those two pleas by joining issues on the first and categorically denying the second. The crown made further answer to the sec-ond plea by demurring to it. This de-murrer technically admits that the

matters published are true, but affirms that even if true, are not sufficient answers, and they set forth the legal reasons why such facts are not a sufficlent answer. The demurrer is then left to me to decide. It is admitted

that the question as to whether the matters published are true is for the jury, but the question whether the publication was for the public good is

they were true.

in remain on the record and permit what the representative of the crown ter. evidence being given by the defense on said on Friday last, viz.: That the Mr evidence being given by the delense on the tridey last, viz. That the into this recognizance at once. The truth of the publication. It also crown would not go on with the trial into this recognizance at once. On Mr. Hazen's request on with the prosecution to answer by til the decision I had given was re-evidence the proof adduced by the defendant. The crown maintains by arrendant. The crown maintains by ar-gument that under such conditions it would not avail the prosecution to con-vince a jury that the charges were false, if it failed in convincing it at the same time that the defendant had no neasonable crown had means to postpone the trial without an order for

reasonable ground for believing that Postpone the trial without an order for that purpose from the presiding judge, then I leave it to the crown to exercise those means or to go to trial. In the "The crown says that it cannot hope to so convince the jury as to the belief. meantime the case stands before me so and the reasonable grounds therefor; far as the crown is concerned, ready and that under section 334 the defend-

ant would thereby get clear. If that for trial and demanding from me dissection is available to the defense un-der the present state of pleadings then the statutes protect the defendant to

the extent of permitting him to publish defamatory matter, provided he you cannot postpone the trial of this can show that the circumstances justi-fied him reasonably in the bellef of the arises what shall be done with the in-dictment and Mr. Crocket. truth of the matters, and that in fact "From what was said by the counse

he did believe in their truth. My decifor the defendant on Friday last, I pretion therefore on the demurrer does not go beyond declaring that the second plea is within section 910 and that sume that my learned friend, Mr. Hazon, will now ask for the discharge of the defendant. If your honor were the declarations in that ples, if capable now to discharge the defendant from of proof, show it to have been in the the indictment and afterwards another public interest to have published such grand jury should find an indictmen matters at the time and place. against him for the same libel. my own "The case before the court now therefore stands thus: The Crown charges the defendant with having charges the defendant published a defamatory libel. The defendant answers by a second denial be for the crown to accede to the disand says in effect 'What I published

was true and it was in the public inest that I published it.' "The Crown denies both branches of the answer. Thus left the defendant of fact. It must not be lost sight of

to succeed must be legally entitled to that Mr. Emmerson by his replication have it declared by the court that the denies absolutely the allegations set up publication was in public interest and in the defendant's ples of instification.

The starts grying the scout during to make the reason. And there is a start of a construction of a second during to make the reason and local rest of the scale rest of the scale and local rest of the scale rest of the sca

though it arose 'during the trial.' In zance should any longer hold. my opinion then the rights of the crown my opinion then the rights of the crown Mr. Hazen It the recognizance was to get a postponement of triab remain made with the condition that Mr. the same as though no reserved case Crocket appear at the next circuit existed. Leaving aside therefore the con- in January next it would be sufficisideration of the reserved point no case ent.

The court was asked to decide whether it was for the public good that the publication took place and I decide it that it was. "With such a decision the pleas as put "With su

Mr. Hazen-Mr. Crocket will enter On Mr. Hazen's request Mr. Crocket stepped forward and en-tered into the recognizance on the above named codintions. The court then adjourned and the intment goes over until next January. In the meantime it is expected that the case reserved will be argued before the full bench.

inia air

TTARRATE SHIEF

AT FORTY

Some of the signs that life has passed its zenith appear. Exertion is followed by fatigues that are not quite worn off next morning-and the beginning of that slow decline is commenced which

opinion would be that he could plead that he was previously acquitted and that matter was res judicata. To show youur honor how impossible it would

charge of the defendant, it is only necessary to point out that there has really been no trial upon the questions

Case off the boat and of identifying the bodies. Alfred West, a juryman-"What was route inside of six weeks.

between the bollers and the bottom of the boat?"

Mr. Roberts-"On the timbers of the boat was first a two inch plank, that was covered with two inches of plas-ter of paris on top of which was a layer of bricks; cracks between the bricks were full of cement, On top of the brick was an inch and a half coating

years stomach disease without any me of cement. From that bottom to the fire grate would be about 18 inches." Witness said he had never known dicine as his patient tells: "I had stomach trouble for 20 years, tried doctors' medicines, patent medi-cines, and all simple remedies suggest-Witness said he had never another of that floor cracking and consequent-ly had never had any trouble with fire. There was no possible way of the fire being caused by friction of the the time. "Finally a doctor who is the most

machinery. To Juror West, witness said that there was a lantern about fifteen feet from the hay.

The boat was all open on the next to the wharf and any person could come on board if hey wanted to do

Witness said he had no repairs made to the boiler since February or March. He said he inspected the boilers four or five times a day for the purpose of keeping them ofled up, etc. Witness then described how boilers.

were situated and showed how it was practically impossible for the fire to have caught from the machinery or boilers. He had no idea how the fire started,

that slow decline is commenced which culminates at sevenfy.
At forty men and women should be careful. Nature needs a little help, and no ramedy equals Feirozone as a stregtlening system builder. It renews health by producing new blood, by supplying food elements to robuild the nervous system.
In this way the decline that sets in at forty is postponed by Ferrozone. The vital fluid is renewod, surplus vigor is created, the nervous system is invigor ated.
With increased appetite, sound sleep, and strong zerves you are bound to feel better—you will surely feel the enormous push Ferrozone has given your health; try it. Thousands use it every day, just one tablet before meals. 50c. health; try it. Thousands use it every the night of the nre. About 12.30 "Gusty! Gusty!" she said, "Come in Fiver and that Frank Lawrence, age day, just one tablet before meals. 50c. oclock he was awakened by the cry and eat yourself. Ma's on the table, and 23, was drowned Sunday while bathing per box at all dealers. of fire. He ran out on deck and saw, pa's half at!"-July Lippincott's. in Deer River, near Copenhagen.

ORCHARD TESTIFYING AT HAYWOOD TRIAL

that the owners of the Crystal ing. Stream, not being able to com-plete arrangements with the owners of the Elaine, have practically decided to go to England and secure a fast boat, which will probably be placed on the

WHITE'S COVE BUDGET. 16.6.1

CLEVER DOCTOR WHITE'S COVE, June 24 .- The hot wave which is now sweeping this place Cured a 20 Years Trouble ; Without is doing considerable good to the far-mers and those who were looking forany Medicine ward to the destruction of their crop by

the cold weather, are now beginning to hope for fairly good crops. Hon, L. P. Farris arrived home from A wise Ind. physician cured a 20his trip to the old country on Satury day last, much to the surprise of

friends, as he did not intend to leave England until the 29th .... Mr. Farris says he enjoyed the trip very well; but ed by my friends but grew worse all New Brunswick is good enough for him. . Mrs. J. W. Deb. Ferris of Vancouver, prominent physician in this part of the B. C. arrived here Saturday, and will

state, told me medicine would do me no good only irritate my stomach and make it worse that I must look to diet and quit drinking coffee. and quit drinking coffee. "I cried out in alarm, 'Quit drinking is at his old home here. Mr. Wright's Mr. Avard's body will be found in the iourney home was a very sad one as boat. "I cried out in alarm, 'Quit drinking Coffee!' why, 'What will I drink?'..., "Try Postum,' said the doctor, 'I drink it and you will like it when it is made according to directions, and serv-who for some time past had been un-dergoing medical treatment at the St

ed with cream, for it is delicious and dergoing medical treatment at the St. John Hospital, is recuperating here at has none of the bad effects coffee has? "Well, that was over two years ago the home of her uncley J. D. Reardon. and I am still drinking Postum, My . Ira D. Ferris, of St. John formerly stomach is right again, and I know of this place, paid a risit to his home

here last week. Doctor hit the nail on the head when Harry Holts of this place, who has he decided coffee was the cause of my been very ill, is slowly recovering. trouble. L only wish I had quit it years Hugh Farris, son of, Hon. L. P. Farris, ago and drank Postum in its place. Never too late to mend. Ten days' trial of Postum in place of coffee works who has successfully passed his exern-Inations for the degree of M. D. at Mc-Read the famous little book, serne Aifi Medical College, "is spen days at his home here. Mr. Farris is Road to Wellvelle," In pkgs, Physicians soon to leave for New York, where will practice.

Cassille ments of merchant

through a German village in the west recently, when a stout German girl came to the front door and called to a small girl playing in front. "Gusty! Gusty!" she said, "Come in Hyer and that Frank Lawrence, aged "Gusty! Gusty!" she said, "Come in Hyer and that Frank Lawrence, aged "Gusty! Gusty!" she said, "Come in Hyer and that Frank Lawrence, aged "Gusty! Gusty!" she said, "Come in Hyer and that Frank Lawrence, aged "Gusty! Gusty!" she said, "Come in Hyer and that Frank Lawrence, aged "Gusty! Gusty!" she said, "Come in Hyer and that Frank Lawrence, aged

PORT ELGIN MAN DROWNED IN BAY

> SACKVILLE, June 25.-It is feared that Chas. Avard of Port Elgin has been drowned in the bay. Sunday morning Mr. Avard went out in a boat for a sail. It was thought that several of his friends were to accompany eral of his friends were to accompany him, but for rome reason they did not do so, and Mr. Avard went alone. He did not return Sunday night and Mon-day about noon a young man named Trenholm, returning in a boat from Tidnish, stated that he saw Avard's boat down the hav sunk. boat down the bay sunk.

boat down the bay sunk. At once a party was organized and in Magee's launch started for the spot. They could see the masts through the water, but the party was unable to raise the hoat. Sunday evening another attenut was made. But al-though the boat was dragged for some distance under water, the launch was not sufficiently strong to raise it. This morning a third attempt will be made, this time with the assistance of a steam tug from Tidnish seems little doubt that this will prove a success, and it is felt that

There was a heavy wind Sunday, Miss Mabel McIntosh, of St. John, and the general opinion in Port Elgin the for some time past had been un- is that the boat went down in a squall and Mr. Award with It.

The unfortunate young man was 24 years of age and carried on a fruit and confectionery business at Port Elgin. He was well known throughout the eastern end of the county and had many friends in Sackville who will regret to learn of his sad end.



TUTTLE'S ELIXIR CO., 73 Beverly St., Boston, Mass., Sold by all druggists and by

Ferris is making large ship- gaspereaux to the St. John Mr. Ferris reports the be much below the average.	A A
USE, N. Y., June 25-A Post	Tuttle's Famil
despatch from Carthage states	Tuttle's Amer

