

THREE C. BRUCE MCDUGALLS IN MONCTON, N. B., PLEA BY DEFENCE

J. C. Sherren in Free Speech Case in Police Court On Saturday Claims Client Could Not Be Identified — Lucas and Mirriss Give Evidence — Latter Tells of Meeting McDougall and Identifies Him in Court — Some New Developments.

The preliminary examination of C. Bruce McDougall in connection with Free Speech opened on Saturday morning in the police court. Night Detective Fred Lucas and George Mirriss were examined. The latter told of meeting McDougall in Moncton and identified him in court. He gave evidence as to his business relations with the defendant and his testimony was listened to with considerable interest by a large crowd who attended the proceedings. Mr. J. C. Sherren of Moncton appeared for McDougall. He objected to much of the evidence and at one stage announced that there were "three C. Bruce McDougalls in Moncton." Mr. J. B. M. Baxter and Dr. A. W. MacRae conducted the prosecution. The hearing was adjourned until today at 11 o'clock.

At the opening of the hearing Mr. Sherren applied for bail for his client in order to prepare his defence. He had only been retained, he said, on the previous day and no time had been given him to outline his case. He was prepared to furnish bail, and asked for a postponement until next Thursday.

Mr. Baxter said he had no objection to a postponement. He asked that the evidence of Police Constables Lucas and George Mirriss might be taken if necessary cross examination could be deferred.

His Honor intimated that if satisfactory to the prosecutors, arrangements might be made later for a postponement, but that in the meantime the taking of evidence would be proceeded with. Lucas was then sworn and in reply to Mr. Baxter spoke of seeing copies of Free Speech for sale in the store of Mirriss and Aliotis on Aug. 2.

Mr. Sherren once rose to object. No connection he said had been established between McDougall and Free Speech.

Mr. Baxter replied that the connection would be established all in due time. He could only examine one witness at once.

Mr. Sherren was again rising to object when His Honor intervened with the remark that he would make much difference what part of the evidence was offered first if every link in the chain was proven.

Mr. Sherren said he assumed the prosecution would ask evidence with respect to the papers in which the different libels—the alleged libels—appeared.

Mr. Baxter: "We will go further than that. We will put in each issue containing the libels and others found there and we will undertake to connect the defendant with them."

Mr. Sherren: "I object to the evidence of the witness who wanted McDougall's connection with the papers. He objected to evidence with reference to the seizure on Aug. 2 being given until that had been done."

The objection was overruled. Continuing his evidence Lucas stated that seizures of Free Speech were made at the store on Aug. 2.

Mr. Baxter: "I offer in evidence a copy of the paper dated July 2."

Objected Again. Mr. Sherren rose to object. Mr. Baxter: "On the ground that it contains a libel against Dr. A. W. MacRae."

Mr. Sherren raised objection to the whole paper being put in, contending that there might be libels against other people in the issue.

His Honor: "I am not afraid of libels against the rest of the people mentioned are you?"

Mr. Sherren: "I know nothing about the paper, but I contend the libel and the item referred to should only be put in evidence."

His Honor: "What is in the paper is said to be a defamatory libel. Suppose you put in evidence the item referring to Dr. MacRae. Would you like to see the context?"

Mr. Sherren and Mr. Baxter were continuing the argument and His Honor turned to the witness and advised him to take his seat. "This may take some time, Lucas," he added, "and you may get weary."

Mr. Baxter took the ground that the libel had been contained in a letter which would not put in the whole letter to show animus as a motive.

Mr. Sherren replied that the rest of the paper had no reference to the libel and was not evidence. "I have no time," he added, "to look the point up or to cite authorities but I distinctly remember a case turning on it."

Whole Paper Allowed. His Honor in giving his decision said the paper was not going before a jury and he could not conceive any objection to the whole paper being put in. He would allow it as evidence.

Mr. Baxter then asked the witness to read a public notice which appeared at the head of column 1, page 2 of the issue. The notice was as follows:

Free Speech is published by the undersigned, who is also responsible for its editorial policy and for all correspondence which appears in its columns. Address all letters for Free Speech to W. C. Loggie, Free Speech Office, Moncton, N. B., P. O. Box 336.

Turning to Mr. Sherren Mr. Baxter asked him if he had brought "Loggie" with him.

AS FAR AS HE KNOWS MCDUGALLS IN MONCTON, N. B., PLEA BY DEFENCE

The witness—"I told him I was an agent and asked him if he was McDougall. He said: 'Yes, as far as I know.' (Laughter.)

Mr. Baxter—"Did you talk about McDougall?"

The witness—"The business had been done through a friend."

Mr. Baxter—"What did McDougall say?"

The witness—"Better every Saturday. I suppose; anything else? Anything about the price? Did he make you a present of it?"

The witness—"No."

Replying further to Mr. Baxter, the witness said he sent a letter to Moncton written by a friend named "Roy."

Mr. Baxter—"Your opportunity, Mr. Sherren, will come later." To the witness—"Do you know any other A. W. MacRae in St. John?"

Mr. Baxter—"Do you know any place called the Sydney House?"

Mr. Sherren—"I object."

Mr. Baxter—"Do you know of any place reported in the police books as the Sydney House?"

The witness—"Yes."

Mr. Baxter—"Where is it?"

His Honor—"On the left hand side after you pass McCormick's. (Much laughter.)

Mr. Baxter—"Your Honor's reply seems to cause amusement."

His Honor—"Those who made the demonstration may know it in some other sense to that in which I know it."

House of Ill-repute. Replying to Mr. Baxter, the witness said it was a house of ill repute in police circles.

Mr. Baxter—"What do you understand by 'given up the Sydney House?'"

The witness—"That he was in the habit of going there."

Mr. Baxter—"Did you ever hear of Gerlie McKeown?"

The witness—"Yes."

Mr. Baxter—"Where and when?"

The witness—"About two years ago she worked in the Chinese restaurant in Charlotte street."

Mr. Baxter—"Had she a reputation?"

The witness—"Yes."

Mr. Baxter—"Of what kind?"

Mr. Baxter—"A street walker, a person of easy virtue."

Mr. Baxter—"What does this sentence mean to you, 'has he dropped the booze, or is it because Gerlie McKeown has gone to Boston?'"

The witness—"That he used to go out drinking or to see this Gerlie McKeown."

"A Bold Challenge."

Mr. Baxter—"What do you find on the right hand page under the heading 'A Bold Challenge?'"

The witness—"I am addressed to Shannon and Burns and signed truly yours, C. Bruce McDougall, Editor of Free Speech."

Mr. Sherren—"I object."

Mr. Baxter—"Possibly some nefarious person has been using McDougall's name. It might be possibly Loggie. (Laughter.)

Mr. Sherren—"I object to going into the signature. It has been held that it is not provable and is no evidence."

His Honor—"Of what?"

Mr. Sherren—"Of McDougall being the editor of the paper, if the evidence is admitted, it is subject to my objection?"

Mr. Baxter—"Oh, yes."

Mr. Sherren—"I presume before the close, McDougall's connection with the paper will be proved."

"The Pious Mayor" Item.

The issue of the paper for July 10, containing reference to the "pious mayor" was then taken up.

The witness in reply to Mr. Baxter said Mr. Thomas H. Bullock was mayor of St. John.

Mr. Sherren objected.

Mr. Baxter said the article appeared under the caption St. John. Questioning the witness, he asked what the article implied.

The witness said it meant that the mayor had bribed the electors to vote for him and that he was a hypocrite.

At this point George Mirriss, one of the Grecks who kept the store where the papers were seized was put on the stand.

Mr. Baxter addressing the witness, said that he was only fair he should know what the formal objection would be used against him.

It took some time to make the witness understand the point, but he finally made the formal objection.

Replying to Mr. Baxter the witness said he sold newspapers and polished shoes in partnership with Aliotis. He identified an impression of a rubber stamp as that used on the copies of Free Speech sold in his store. He sold the paper about June 4.

Mr. Sherren objected and wanted the evidence confined to particular issues of the paper.

Mr. Baxter said there were two other libels not yet given in evidence, and he proposed to show the connection between them.

Replying further, the witness said the last issue sold was July 31. He sold the paper every week from June 4 to July 31.

Mr. Baxter was called to the telephone at this point and Dr. MacRae continued the examination.

Started in February.

The witness said he identified the paper by the stamp. He started in business last February.

Dr. MacRae—"Where did you first see the defendant?"

The witness—"In Moncton long ago."

Dr. MacRae—"After you started selling the paper?"

The witness—"About a week after June 1."

Dr. MacRae—"Why were you in Moncton?"

The witness—"I was there on business."

Dr. MacRae—"Where did you see the defendant?"

The witness—"Outside the door of his house."

Dr. MacRae—"Did you go into the house?"

The witness—"No."

Mr. Baxter then took up the examination. "Did you see that man?" he asked the witness, pointing to McDougall.

The witness—"Yes."

Mr. Baxter—"What was said?"

Mr. Sherren asked if His Honor absolutely declined bail.

His Honor said the case at that

ANNUAL PICNIC OF FORESTERS AT WELSFORD SCENE OF PLEASANT CEREMONY — MORE THAN THOUSAND PEOPLE PRESENT.

At the sixth annual picnic of the In-Dependent Order of Foresters held at Welsford on Saturday, upwards of one thousand were in attendance. The affair was a success in every way and was greatly enjoyed.

A surprise awaited the St. John Foresters on their arrival by the 1 o'clock train. A large crowd gathered at the station and a procession headed by the City Cornet Band and a contingent of the 1000 Foresters were formed up and headed for the grounds which had been elaborately decorated for the occasion by Mr. J. McKinley Jr., with flags and bunting.

In a speech directly opposite the pavilion were stationed the High Standing Committee of New Brunswick, composed of Mr. G. W. Mersereau, H. C. R. G. Langley, High Treasurer; Dr. B. A. Myers, High Physican; Mr. H. W. Woods, P. H. C. H. Mr. A. A. Wilson, High Councilor, with the Royal escort in command of Mr. E. J. Tarte formed up with the band in the rear playing Hail to the Chief.

High Chief Ranger Mersereau stepped to the front and called on P. H. C. R. G. Langley, stating that the High Court of New Brunswick had unanimously recommended that the Supreme Court confer upon him the Grand Cross of the Legion of Honor, for distinguished service rendered the Order. The recommendation had been concurred with, and it was his pleasant duty to carry out the desire of the New Brunswick Foresters.

The Grand Cross consisted of a Maltese Cross of gold and enamel resting on a golden wreath and surmounted by a crown pendant from a royal blue ribbon with three clasps to be worn on the back. Presented to Duncan G. Langley, Past High Chief Ranger, New Brunswick, for distinguished services, 1909. The cross is to be pinned on the left breast. The jewel was a gold set enamel nine-pointed star resting on a gold back-ground, with a small five pointed blue enamel star between the points of the large star, in the centre of which was displayed a mosaic head on a red field, enclosed in a field of blue surmounted by a gold crown.

At the conclusion of the presentation Mr. Tarte expressed his pleasure in a few well chosen words, and also thanked the Royal escort for the assistance given him in the past.

During the day the usual sports and games were indulged in. The prizes were won by the members of the St. John's team, and also by Mr. Alfred Corbett, of this city. The ladies' bean toss was won by Mrs. McCormick, of St. John, who also took the first prize in the rifle contest was won by Mr. Andrew Heeman, of Fairville.

Special to The Standard. Halifax, N. S., Aug. 22.—The United Baptist Convention of the Maritime Provinces opened in business session at 10 o'clock Saturday morning.

Before business was proceeded with the Rev. H. F. Waring, pastor of the First Church, gave a most admirable address of welcome in which he urged the relation between "intensive work of the individual" and the extension of the church's work.

The admission of visitors to the floor followed, each addressing the convention briefly.

Dr. Vernon, who presided the good wishes of Colgate University, and was enthusiastically received. Dr. Kierstead, who gave an interesting report of the progress of the work at McMaster University.

Mr. Bosworth of the Grand Ligne Mission, who designated the Maritime Province as his province, and ever growing. Mr. Meyer, the energetic and effective agent of the Baptist publication society in Boston, who brought hearty greetings there from Slider Stackhouse, Mr. Harkness, Mr. Allen Habes, of the University of Chicago, and a Maritime Province member, Mr. Seaman, Dr. W. Smith, of Br. N. University; Dr. Morse, A. C. Archibald, and Mr. Christopher, of Worcester, Mass., who extended a hearty invitation to those present to attend the state convention and Rev. M. B. Puryear, of Cornwallis St. Baptist church.

The reading of the correspondence was next in order. The communications including two from the Attorney Generals of New Brunswick and Nova Scotia with respect to violations of the Scott Act.

The 51st annual report of the home mission board was taken up and read, and was considered clause by clause.

Rev. J. W. Kierstead, Signs. The Rev. J. W. Kierstead, pastor of the Tabernacle Baptist Church, surprised his congregation at yesterday's service by announcing his resignation. He was obliged to take the step, he said, which would appear somewhat unexpected to them on account of his health. His physician stated that it was imperative he should cease work unless he was prepared for serious complications. He asked the members of his congregation to meet him Wednesday evening next to accept his resignation, and take steps to select a new pastor.

Dr. and Mrs. Woodruff Leave Today. Last evening in St. Matthews Presbyterian Church, Mrs. C. S. Woodruff, recording secretary of the Woman's Social Church in Fort York, gave an interesting discourse on the work of the Society in that place. Rev. Dr. Woodruff preached two excellent sermons yesterday in the Main Street Baptist Church to the large congregations. Dr. and Mrs. Woodruff will leave this morning for their home in Flemington, N. J. They expressed appreciation for the many expressions of sympathy with the treatment they have met with while in St. John, and hope some future date to pay another visit to the city.

Deaths. Harding—Suddenly on 22nd inst. at 127 Duke St., Capt. Wm. H. Harding, this city in the 74th year of his age. Last surviving brother of the late Sheriff Harding and Geo. F. Harding, Esq.

Funeral will be held at residence of Wm. L. Harding, 400 Queen Street, Tuesday 24th inst. at 3.30 p. m. Interment in Cedar Hill cemetery. Evening papers please copy.

Mr. John Brickley. The funeral of Mr. John Brickley was held at 2.30 Saturday afternoon from his late residence, Queen Street to the church of St. John the Baptist where Rev. Walter Holland conducted the service. Interment took place in the new Catholic cemetery.

More Goods Found. Detective Killen on Saturday discovered more goods stolen by Walter Patrick from the home of Mr. Jacob S. Smith, Waterloo street, where Patrick formerly boarded. The articles had been presented to him by the family at different times and consisted chiefly of ornaments of various kinds. They were valued at about \$25 by Mr. Arnold. The police have also received from other sources articles which were given away by Patrick, and they expect tomorrow to have the supply increased.

Fire Destroys Largest and Best Equipped Wireless Station on Continent — Spark Room First to Go. The operating room, conservator room and all the buildings under that roof were completely destroyed by fire at the Marconi Station about 6.15 this morning. The blaze started in the spark room. Just how it is hard to state but when discovered it was too late to do anything to stop the progress of the fire. An electric spark from the Bay and the Coal Company apparatus went immediately over but nothing was done to save the buildings. The power house and consequently the power necessary to get the wireless messages was not in any way injured. The dwelling houses are all safe and so are all the barns and other buildings. None was injured. Where the building was not injured, now a mass of red hot cinders and one can get anywhere near the scene of the fire owing to the intense heat. The loss will be quite heavy as the buildings destroyed contained valuable machinery and other apparatus in connection with the wireless system. The loss will total some thousands of dollars and it will be some time before the buildings can be replaced. It is understood however that the building was insured. It is a royal blue ribbon with three clasps to be worn on the back. Presented to Duncan G. Langley, Past High Chief Ranger, New Brunswick, for distinguished services, 1909. The cross is to be pinned on the left breast. The jewel was a gold set enamel nine-pointed star resting on a gold back-ground, with a small five pointed blue enamel star between the points of the large star, in the centre of which was displayed a mosaic head on a red field, enclosed in a field of blue surmounted by a gold crown.

There was no rifle for ball. There was no rifle for ball. There was no rifle for ball.

Mr. Baxter again drew the witness' attention to the letter.

Mr. Sherren contended that counsel was trying to get witness to swear that McDougall signed the letter.

Mr. Baxter replied he wished to prove that money was sent in consequence of the letter.

The witness said he referred to "Roy" the witness said he has not seen "Roy" for a week. He would find out who he was if he came to his store again.

The Correspondence. Mr. Baxter then questioned the witness with regard to correspondence sent to the paper, and asked him if he sent some of the letters to a Mr. Sherren.

Mr. Sherren objected.

Mr. Baxter—"You know something was going up?"

The witness—"No."

Mr. Baxter—"Did you ever show a slip to anyone and tell him that as he was a friend you would take care the item didn't go up?"

The witness—"No."

Mr. Baxter—"Be careful."

His Honor—"You understand, witness, if two people come here and swear that you did you will be in a worse fix than the defendant."

Mr. Baxter—"I presume before the close, McDougall's connection with the paper will be proved."

Deaths. W. H. Harding. The death of Capt. W. H. Harding, a well-known citizen of St. John, N. B., died suddenly on Saturday, Capt. Harding's brother of the late Sheriff Harding.

He was unmarried and is survived by five nephews, Herbert of New York, Ernest G. Parker, Harry C. of this city. His wife is Mrs. W. L. Harding Payne, Mrs. F. H. Barr, Mrs. L. B. Thompson, and Mrs. Norman Sanction, St. John, N. B. Mrs. G. F. Hurley of the funeral will be held at the residence of Mr. W. L. Harding, Duke street, West Side, tomorrow after noon at 2.30 o'clock. Interment will take place at Cedar Hill.

CAPT. MCGOWAN WON. Capt. J. T. McGowan won the P. R. A. medal yesterday with a score of 92, at the monthly club of the 3rd Regiment of Canadian Artillery shoot on the local range. Cash prizes were awarded the winners of the different classes. The results follow:

Class A. Capt. J. T. McGowan 92
Gunner McIntosh 89
Gunner Cooper 80

Class B. Corp. Dick 83
Serg. Brown 74

Class C. Gunner Johnson.

LACROSS RESULTS. Special to The Standard. Toronto, Aug. 21.—Before one of the largest crowds that ever attended a Lacrosse match at the Rosedale grounds, estimated at ten thousand, the Toronto team this afternoon defeated the Tesumehs in an N. L. U. game by the score of 8 to 3.

Cornwall, Ont., Aug. 21.—In ideal weather and before a crowd of about 1,500 including 400 who came on the Montreal club's special, the Cornwall team defeated Montreal in an N. L. U. game today 5 goals to 3. A good deal of interest was taken in the outcome which would put the home team out of the running for the championship.

A Visitor from Salt Lake City. Mr. W. H. Dickson, a former resident of St. John but now engaged in business in Salt Lake City arrived in the city yesterday and is at the Royal. He has not been in the city for more than twenty-five years.

Mr. Dougall's House Was Searched. Moncton, N. B., Aug. 21.—On the strength of a telephone message from St. John last evening, the police here this morning seized 1,500 copies of Free Speech, which will be sent to St. John to be used as evidence at the trial of Bruce McDougall, charged with criminal libel by St. John citizens. The copies seized were dated August 21st, and were to be sold today. Although many articles appear from many towns, none are from St. John, which goes to show that the correspondent fears the result of McDougall's arrest. The police made the seizure at the Free Speech office, and also got several letters of a sly nature from McDougall's residence. All these will be sent to St. John.

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