

THE CAMPBELLTON GRAPHIC

ESTABLISHED 1880.
PUBLISHED WEEKLY.

CAMPBELLTON, NEW BRUNSWICK, FRIDAY, MARCH 12TH, 1909.

PRICE: Single Copy 2 cents.
One Dollar Per Annum.

PRESBYTERY MET AT NEWCASTLE

**Increase in Membership Last Year
Over Two Hundred-Amounts
Raised for all Purposes.
NEXT MEETING HERE.**

NEWCASTLE, Mar. 10.—The Presbyterian Synod met here yesterday. Moderator MacArthur in the chair. There were present Revs. Dr. A. P. Carr, Campbellton; C. A. Hardy, Plantville; J. H. Kirk, Dalhousie; Geo. P. Tait, New Carlisle; J. M. MacLeod, secretary, New Mill; J. B. MacKay, Taborville; A. D. Fraser, Brookville; J. G. A. Colquhoun, Millerton; E. E. Mowatt, Redbank; H. J. Fraser, Longville; A. J. W. Myers, Black River; Geo. Wood, D. Henderson and J. M. MacLean, Chatham; R. H. Staver, Harcourt; H. D. Archibald, Newton; H. C. Simpson, Douglasville; and S. J. MacArthur, Newcastle; and Elders John Robertson, Newcastle; John Bishnie, Chatham; and John Menzies, Redbank.

Rev. Clarence MacKinnon of Winnipeg was nominated for the Presidency of the Synod. The Moderatorship of the General Assembly was also nominated. The following were appointed commissioners to the General Assembly: Revs. MacKay, Kirk, Staver, and H. J. Fraser; and Elders Simpson, Menzies, Joseph Henderson of Bathurst; and W. R. McMillan of New Mills.

The following were appointed convenors of standing committees: Moral and Social Reform—Rev. F. C. Simpson. Home Missions—Rev. J. M. MacLean. Augmentation—Rev. Geo. Wood. Foreign Missions—Rev. A. D. Archibald.

Sunday Schools—Rev. A. J. W. Myers. Young People's Societies—Rev. H. J. Fraser. Church Life and Work—Rev. Jas. W. Henderson. Systematic Giving—Rev. J. H. Kirk. Evangelization—Rev. S. J. MacArthur. French Evangelization—Rev. C. A. Hardy. College—Rev. A. J. W. Myers.

Rev. Mr. Myers presented the report on Sunday School Work. The following recommendations were passed by the Synod:

ONLY ONE PAINLESS CORN CURE.
Hundreds have tried but no one has succeeded in making as good a remedy as Putnam's Corn Excisor. It's by far the best—be sure of substitutes for Putnam's.

(1)—That an adult Bible Class be organized wherever possible.
(2)—That church co-operation be given to the N. B. and P. E. I. Association.
(3)—That a Cradle Roll and Home Department be organized in every school.

(4) That a series of Institutes be held in parts of Presbytery untouched last year.

(5) That every school contribute to Missions setting aside, if possible, the contributions of the first Sunday of each month.

Rev. H. J. Fraser presented report on Young People's Societies. The Presbytery recommended:

(1) That ministers in all congregations where societies do not now exist make an earnest effort to organize some form of young people's work during 1909.

(2) That an hour's conference of this department be held at next quarterly session of Presbytery.

The statistical report of Rev. J. M. MacLean, Secretary, showed that there were in the Presbytery 11 self-supporting congregations; 5 augmented congregations; 3 mission charges; 21 mission fields; and 22 ministers on the Presbytery roll. The gain in membership during the year 1908 was over 200. The total sum raised for mission purposes was \$3,000 of which Campbellton raised \$1,295 and New Mills \$1,025. New Carlisle raised for purposes \$1,631; Campbellton, \$1,222.

The Women's Foreign Missionary Society raised \$2,315, of which the Campbellton section collected \$964; New Mills \$325; and Plantville \$249.

Rev. S. J. MacArthur reported on Church Life and Work. Rev. A. D. Archibald on Systematic Giving and Rev. F. C. Simpson on Moral and Social Reform.

Next quarterly meeting will be held at Campbellton on fourth Wednesday, in June. Adjourned.

INTERNATIONAL FINISHED NEXT AUGUST.

Thomas Malcolm Expects to Lay Last Rail by Then.

THE RIVER BRIDGE.

ST. JOHN, Mar. 10.—Thomas Malcolm, the contractor building the International Highway was at the Royal Victoria Hotel here today. He said he expected to have the road opened Aug. 1. There were about twenty-five miles of grading yet to be finished. At the present time there were only a few men at work getting out ties, but as soon as the spring opened, 1,500 men would be put on and the work rushed to completion.

Regarding the bridge which he proposes to build at Campbellton, he said it would connect the International with the Quebec, Atlantic and Western railroads. The connection thus established would benefit the whole of the Bay of Chaleur district, providing a means of access to the fresh fish markets of New England. At the present time, Mr. Malcolm said fresh fish were shipped from St. John to Boston and from there taken to northern Maine. The bridge would give a direct means of communication to these markets.

BROADLANDS.

We record with sorrow the death of Mrs. Patrick Smith, whose sad event occurred here on Monday, March 8th after a lingering illness, which she bore with Christian fortitude. The deceased was in her 74th year. The funeral was held on Wednesday, from her late residence. The services were conducted by Rev. C. A. Hardy, assisted by Rev. Mr. Ganong. The pallbearers were Messrs. John Oatman, John Gregoire, Thomas Dickson, Malcolm Dutton, Melvin Dewar, Gilbert Adams.

BROTHER TOLD BROTHER.

One Suffered for Fifteen Years, the Other for Thirteen.

The convening of a medical conference here, drew a large number of people to the case of Mr. Hugh Brown. A brother, Leonard Brown, of Avonville, N.B., read in the paper about Mr. Brown's condition, and he said he had cured him. Mr. Leonard Brown said he had cured him. Mr. Leonard Brown said he had cured him.

JUNIOR HOCKEYISTS.

The Junior Hockey Club of Campbellton and Dalhousie crossed sticks last evening in the rink of the shire town, the result being a victory for the visiting team with a score of 2-1.

The following was the lineup:—
Dalhousie: Campbellton: Alex. Leitch, Goal. Geo. Matthews, W. Winchester, Point, Chas. Johnston, G. Methel, C. Point, Hiram Dolaney, H. McNeil, Centre, Ollie Mowat, James Johnston, Rover, Mark, M. McKay, L. Wing, Gerald McLean, C. Cabot, R. Wing, Hugh McArthur, Austin Wall, spare, Leo Sanson, referee.

After the game the victors were entertained at supper by the home team at H. Good's.

TEXT OF JUDGMENT IN THE CROCKETT SUIT FOR DAMAGES.

**Judge Barker Reviews Evidence and Orders New Trial—
Plaintiff Has Not A Favorable Point in
Whole Judgment.**

INTERESTING DOCUMENT.

We today devote considerable space to the case of C. S. O. Crockett vs. The Town of Campbellton. This case has aroused considerable interest in the community and we feel sure that this will make interesting reading.

The following were jurymen on the case: Ebenezer Ferguson, James Currie, Nathaniel McMillan, William Miller, Robert Archibald, Archibald Murdoch.

The case was tried at Dalhousie and short reports were published at the time. The jury brought in a verdict for \$1500. The case was taken to the Supreme Court and the following is the judgment of that body:

COPY OF JUDGMENT.

This is an action of assumption brought for the recovery of damages which the plaintiff says he has sustained by reason of the defendant's refusal to carry out a contract which was made with him by which they agreed to supply him with sufficient water to operate a motor engine used by him in carrying on his printing business at Campbellton. On the answers given by the jury to certain questions submitted to them the Judge directed a verdict to be entered in favor of the plaintiff for fifteen hundred dollars.

The first two questions are the only ones to which I shall make special reference. The first is as follows:—
"Was there an agreement between the plaintiff and defendant by which the defendant Town was to provide a good and sufficient supply of water to the plaintiff to propel his motor engine?" The answer was "Yes" and to the second the jury said "No" without any reference to the evidence. These answers are, if not meaningless, certainly inconsistent. While the defendant denies that there was any agreement, and while they deny that there was any agreement of any kind binding upon the defendant, it is not disputed that under a verbal arrangement of some kind the plaintiff's premises were connected by the defendant Town's servant with the water main, and water was supplied him for over a year, for which he paid \$20 for the first year, and for which he offered to pay a similar sum for the second year. The dispute, between the parties is not as to the existence of the agreement, but as to the terms of the agreement which was made. Upon this question there is no finding at all. The declaration contains but one count, and in it the plaintiff alleges that in a certain agreement he and the defendant entered into on July 1, 1905, wherein he and the defendant, for and in consideration of the sum of \$20 agreed by the plaintiff to be yearly paid, yearly and every year, the defendant agreed to provide him a good and sufficient supply of water for the purpose of propelling a motor engine in his printing and publishing office in the Town of Campbellton. The agreement here alleged is binding upon both parties. Though it contains no limitations as to time, it binds the plaintiff to pay yearly for the water service, and it binds the defendant to supply the water for that term. That is the agreement which the defendant relies on. It is the agreement which the defendant says he never made. There is no finding on the question of "why" or "how" the plaintiff's contract was derived under a statute or a necessary incident to the discharge by

the municipality of a public duty. It would be contrary to general principles at all events that the reasonableness of its action could be called in question when the defendant had been described bona fide and without malice. In either case I would say, after a careful examination of all the evidence, that the finding of the jury as to this last question is contrary to the great mass of the evidence and in no way warranted by it.

I think there should also be a new trial on the ground of excessive damages. The plaintiff was allowed for the twenty-two weeks profit on his business which he said he lost by reason of his job press being idle. That amounted at \$20 to \$440, but what the balance of the \$1500 is for, it is difficult to see, for no special damages were alleged. The plaintiff right to recover the \$440 is questioned under the authority of Hadley vs. Baxendale, 2 Ex. 241, but it is in my opinion unnecessary to discuss that point now.

The evidence in this case, based as the action is on an express contract, took a much wider range than was in any way necessary for the determination of the real issues involved. Many questions have arisen in consequence which it is of no use to discuss now because of the reason I have mentioned. I think there must be a new trial on the ground that the damages are excessive, and that there has been no finding of the material issues involved in the case.

BLACK CAPES.

BLACK CAPES, March 10.—Thomas Patterson has returned home from Seattle, Wash. after an absence of two years. His many friends are glad to see him back.

J. M. Patterson left on Monday for his home in Chicago. He will be a month's visit to his old home here.

Mr. and Mrs. Harry Gadd have left New Carlisle on Saturday where they were the guests of Mr. and Mrs. Chas. Cooke.

Mr. Angus D. Campbell left on Saturday for Brandon, to spend a few weeks with his sister Mrs. John Clement.

The W. P. M. S. held their monthly meeting at the home of Mrs. Peter Moffat on Saturday afternoon.

Rev. J. B. Ganong, general secretary of the N. B. and P. E. I. Sunday School Association gave a very interesting address in the Presbyterian church at New Richmond on Thursday evening. The attendance was small owing to the unfavorable weather.

Quite a number of our young people were entertained at the home of Mr. and Mrs. C. J. Fales on Saturday evening and all report having spent a most enjoyable time.

Frank Leonard has returned to his home in Caplin River after a successful trip to Virginia, U. S. A. He was very highly of that country and intends moving there in the fall, where he has purchased a fine fruit farm.

The Calapedia Mr. and Trading Co. finished lumbering operations last week. We understand that the cut of the N. B. and P. E. I. Sunday School Association gave a very interesting address in the Presbyterian church at New Richmond on Thursday evening. The attendance was small owing to the unfavorable weather.

MISS DUNCAN HAD CLOSE CALL AT TORONTO.

Accidentally Left Gas Jet Turned on When Retiring For Night.

WAS UNCONSCIOUS.

TORONTO, March 9.—Unconscious from inhaling illuminating gas, which had poured into her room all night, Miss Lydia Duncan, of Campbellton, New Brunswick, was discovered at ten o'clock this morning in a room at the Palmer House. As soon as possible, she was removed here, and Dr. Bruce Roughton had her taken to Grace Hospital, where she is recovering.

Miss Duncan is here to attend the convention of "Home Circle" in Toronto. She was very highly of that country and intends moving there in the fall, where he has purchased a fine fruit farm.

The Calapedia Mr. and Trading Co. finished lumbering operations last week. We understand that the cut of the N. B. and P. E. I. Sunday School Association gave a very interesting address in the Presbyterian church at New Richmond on Thursday evening. The attendance was small owing to the unfavorable weather.

WAS IT TRUE?

Q. What effect has this shutting off of the water had upon your business?

A—I had difficulty at first getting a man to turn the newspaper cylinder press and I have been compelled to close down the job office.

Q. You say as a result of turning off the water you have had to abandon the job office?

A—Yes—C. S. O. Crockett under oath.

And yet today, after the trial has been concluded and Mr. Crockett awarded a job printer is engaged, and every day, six days a week, is turning out job printing in the "abandoned job office." What do our citizens think of this? It looks as if Mr. Crockett deliberately planned to saddle the town with a large bill for expenses, and according to the above, did not even ask for the truth of it.

Minard's Liniment for sale everywhere.

DR. CATES, Dentist, has just received another large supply of the latest and best preparation in the World to date for the PAINLESS EXTRACTION OF TEETH, Non-Secret and endorsed by the leading scientists of Europe and America. Call for information about this preparation.

ANNUAL MEETING AGREAT SUCCESS

**Union of N. B. Municipalities Draws
Good Attendance at Convention
at Moncton.**

MUCH IMPORTANT BUSINESS.

The third annual meeting of the Union of New Brunswick Municipalities was held in the city of Moncton on Wednesday and Thursday of this week. There were present between fifty and sixty delegates, including the Mayors of all the cities and most of the towns of the province, about a dozen County Wardens, Aldermen, Town and County Councillors, Municipal Clerks, Treasurers and other municipal officers. Our town was represented by Mayor Murray and Councillor Mowat. Questions of great importance to our people generally were discussed and action taken to promote legislation wherever such legislation was considered necessary in the public interest. We trust in a future issue to publish a synopsis of the whole proceedings in order to give our readers who have not access to the City papers, at least of the great importance of such conventions and their far reaching influence in promoting the welfare of the individual municipalities.

On the invitation of our town delegates it was decided to hold the next annual in the Town of Campbellton. Mayor Chestnut of Fredericton was elected president for the ensuing year. Mayor Murray of Campbellton, vice-president. City Clerk, McEwen, of P. E. I. was elected secretary and a strong executive committee appointed to carry into effect the several resolutions passed by the convention.

SELLARVILLE. March 8.—James Oatman, Miss Isabel Oatman and Miss Jennie Sullivan of Kempt Road, were the guests of Mr. and Mrs. Wm. Adams on Wednesday evening.

"Miss Lizzy" Bulmer of Matapedia, was visiting her sister Mrs. A. Pratt of Sellarville last week.

Messrs. Anderson and Jackson of the Shilve Lumber Co. were in Sellarville on Wednesday last week.

Mr. John Moffat of Head of Tide, also Mr. Andrew Dickson of Brooklands were in Sellarville last week.

Mr. R. W. Nixon was in Matapedia Saturday.

Mr. and Mrs. Wm. Ferguson of Sellarville were in Matapedia Monday.

Alex. Ryan of Matapedia, passed through Sellarville Friday. He was accompanied by Walter Warren of Brooklands.

Wm. Polter of Sellarville was in Matapedia on Friday.

Mr. Nathan A. Novelle passed through Sellarville on Sunday.

Miss Annie Montgomery was the guest of Miss M. Sillars Monday evening.

Fred Parson was the guest of Mr. and Mrs. John Hume Sunday.

Family Hoag was in Campbellton Monday.

Mr. Thos. M. Adams of Sellarville was in Matapedia Monday.

Mr. and Mrs. H. H. Adams of Sellarville were the guests of Mr. and Mrs. H. H. Adams Monday.

Mr. W. K. McLean has erected a "miniature" Novelle house and "miniature" buildings are continuing and are coming through our village daily.

We understand that the Council of St. Anne Municipality are making great progress as it has incorporated the water works and the electric machinery in that municipality on a preliminary basis in such measure as they will be free to "improvements" that corporation for making water, such a resolution for such has not yet been founded by the other municipalities in the County. No doubt it concerns all salesmen of their municipalities and others who are travelling agents. Your correspondence is welcomed and no business will be put to a halt soon. If satisfactory we will send you complimentary copies of our paper, as well as the "miniature" house.

Repeat It—Shoop's Cure will cure your coughs and colds.

ORE STRUCK IN GLOUCESTER CO.

Deposit Contains a Large Percentage of Copper.

Work was resumed here this morning, the fact that ore has been struck in the Falls mine, New Brunswick, Gloucester County, is a discovery of 24 feet. This ore contains a large percentage of copper and a drill has gone four feet eight inches in the vein but has not yet reached its full diameter. The mine is owned by a syndicate of Bathurst and Miramichi men and the proprietors are jubilant.

Weak Women

To weak and ailing women, there is but one remedy, and that is Shoop's Night Cure. As the name implies, does its name suggest, both men and women, all kinds of ailments, such as indigestion, nervousness, general weakness, and all other ailments, give renewed vigor and health. Shoop's Night Cure is a general tonic to the system. For positive local help, use a well

Dr. Shoop's Night Cure