

# PROGRESS.

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## KILLED BY A DEAF MUTE.

### BERTHA WHEARY MURDERED IN HER HUSBAND'S ABSENCE.

By Her Brother-in-Law in the Presence of Her Two Children—The Murderer Arrested—How the Husband Heard the Dreadful News.

FREDERICTON, Sept. 28.—A most revolting murder occurred at the mouth of the Keswick, eleven miles from Fredericton, Wednesday afternoon, between one and three o'clock, of which the victim was Bertha Wheary, wife of Hedley Wheary, and the murderer, Edward Wheary, her brother-in-law. The family are colored and are natives of the district. The crime was committed in the kitchen of the house occupied at one end by Joseph Wheary, his wife, daughter and the murderer, and at the other end by Hedley Wheary, his wife, (the murdered woman,) and two children. Shortly after dinner, Wednesday, Joseph Wheary and his family went to a church gathering and Hedley Wheary went to the grist mill. When the latter returned at four o'clock he was met by his little son, who said, "Mamma is dead. Eddie chopped her up."

Entering the house he found his wife lying on the floor in a pool of blood, her clothing disarranged and her head nearly severed from her body, and evidence that outrage had been attempted. There were five backs in her neck and it was a horrible spectacle. Added to the horror was the fact that the victim was soon to give birth to another child.

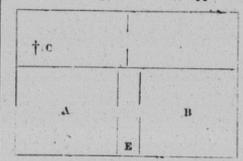
The murderer, Edward Wheary, is about 18 years old, a large, well formed negro, with African features. He has been a deaf mute from birth and has led a secluded life only when a pupil of the deaf and dumb institution at Fredericton. The little boy, a bright chap, said that Eddie killed her with the axe, the baby cried and he carried it and the cradle into his father's end of the house and rocked it till his papa came. As soon as Hedley entered the house on his return, the murderer left and took shelter in the woods a few rods distant, returning after dark. Thursday morning he was arrested by Officers Roberts and Phillips and lodged in jail.

The trial will be on Monday. Joseph Wheary, his father, is a true type of the African, his father being a slave, who escaped from Montreal, and made his way to Keswick. He is a church-going man, a baptist, and much respected. There are several colored families, all relatives, in the neighborhood, in comfortable circumstances, and esteemed by all the people.

FREDERICTON, SEPT. 29.—Few facts concerning the Keswick murder have come to light since the last despatch sent PROGRESS. The community around the village where the affair occurred is worked up to a great pitch of excitement which has been kept under however, by the fact that the man whom every one believes to be the murderer, Edward Wheary, has been captured and is in custody. The innocent witnesses of their mother's murder, one of them just able to talk plainly and the other an infant, have forged a strong chain of evidence against the accused. The words with which the little boy ran to quiet his father and the effect produced by them can better be imagined than described. His father had not dropped the reins of his horses, had not moved from the seat of the wagon, when these childish words reached his ears, "Mamma's dead, Eddie chopped her up." Stunned and stupefied by the fear that the words might be true, yet not thinking for a moment that they were so, Hedley Wheary alighted from his wagon, and followed his boy slowly into the house. While on the way, his brother Edward, a deaf mute, came out in the usual way, went to the horses, and began to unhitch them. This, if nothing else, would have allayed the suspicions aroused by his son's awful words, but when he reached the outer threshold of his home the sight that met his stunned vision was enough to drive him mad, for his wife, a woman of nearly thirty years of whom he had left but two hours before happy with her children, was lying in the outer kitchen of her home, with her head literally chopped from her body just as his son had told him. Hedley Wheary thought of nothing for the moment but his loss, the terrible fact that his wife was dead, that she had been murdered. He did not think of his son's words that "Eddie killed Mamma" and make an attempt to find him, but instead fled to his nearest neighbor and brought him to the spot to see the deed that had been done. These two with Councillor Kinghorn who happened along at this time were witnesses to the scene. Nothing had been disturbed. The murdered woman lay just as she had been left by her brother-in-law and was dead beyond a doubt. The body was warm and the other evidence showed that whoever had done the deed had been incited to do it, probably by the woman's opposition to the gratification of his passion.

In the meantime the Edward Wheary had fled to the woods. Even his imperfect

intellect grasped the fact of the terrible wrong he had done and fearful of what might happen to him he fled to the woods as soon as he had placed his brother's horses in the barn. Then while all was confusion the father mother and sister of the murdered and husband of the murdered woman returned from the social church gathering they had been attending. The scene was heartrending made doubly so by the lamentations of the colored people who soon collected outside and inside the house. Exercising no control over their feelings, they filled the house with their cries. The scene was indescribable until the coroner Dr. Coburn of Keswick put in an appearance



FLOOR PLAN.  
A.—Hedley's end of house.  
B.—Joseph, the father's, end.  
C.—Where victim was found.  
D.—Front door.

and quickly prepared for an inquest. The jury that he summoned evidently did not wish the responsibility of naming the murderer and the verdict they returned was non-committal, and simply that the woman had been killed by a sharp instrument in the hands of some person they could not name.

But the people had named Edward Wheary as the culprit, and sent to the city for officers. When detective Roberts and sergeant Phillips arrived, Edward Wheary was home, crouching in a corner in his father's house, moaning in his guttural fashion. It is said that he confessed committing the deed, to his parents and detective Roberts made the statement that, he pointed to the woman then himself and passed his hand several times across his throat. He made but little resistance to going with the officers though the following day he proved unruly when wanted to appear before the magistrate. He was remanded until next Monday when the examination will begin.

## LOCAL RACES AT MOOSEPATH.

### A Meeting Arranged for Next Friday—Probable Starters.

Racing at Moosepath is not all done for this season. The local three minute horses that have been moving on the road and track this season with their owners "knocking chips" will go next Friday for a small purse and all the fun they can get out of it. The track has been secured and it has been decided to have two races, which might be grouped under a three minute and a 3.10 class. PROGRESS understands that several entries, with a deposit, have been left already with Mr. McEvoy, who will look after that part of the affair with the assistance of Messrs. King Bros. Several good three minute horses are mentioned as entries for the faster class including the well bred roan gelding, owned and driven by the turf veteran, John Fitzpatrick, Mr. Frank McAvinn's brown mare, P. Kane's bay mare, King Bros. Allright gelding, J. Huggard's Olympus colt, a Wilkes gelding, Frank E., named by W. B. Campbell, Welsh Bros. bay horse, a Dean Swift gelding owned by M. Barry, and horses owned by Messrs. Tower and McKinney. If all of these enter there will be ten starters, all of which will be so evenly matched that it would be unsafe to pick a winner. Many of the horses mentioned appeared on Moosepath Wednesday and it was a difficult matter to say that any one of them had a decided advantage over the others. Welsh Bros. bay horse is as honest as he used to be while Mr. McAvinn's brown mare under the guidance of Wm. McEvoy kept moving all the time. Harry Barry had his bay in a road cart and on the track for the first time and after he got used to the change he made all of them speed. Mr. Fitzpatrick's entry will go the second mile as fast as the first and rigged in the proper fashion may surprise the party. King Bros. Mr. Kane's Lady Laurier, and Frank E. will all contribute to the interest of the race which will be as attractive to the general public as some of those given already this year. The second race includes Mr. Hamilton's gelding, the grey horse of Mr. Macaulay's and Dolan Bros. roan horse as well as some others the names of which PROGRESS was unable to get at the time of writing.

This is the first of a series of races that will probably be held at Moosepath this fall and winter. There will likely be a good crowd present, as all the horses are well known, and the admission is the popular quarter dollar.

## The Governor as a Club Man.

One of the early acts of Governor Boyd on his return from Ottawa was to have his name put up for membership in the Union Club. He must be balloted for like any common citizen, but there are no apprehensions as to the result. The club will be very glad to welcome him, no doubt.

## LOG ROLLING FOR SURE.

### HOW A PONDFUL OF COLLATERAL VANISHED FROM VIEW.

McGinty Was at the Top of the Heap and Not at the Bottom of the Sea—The Fix in Which the Tapley Brothers Were Caught An Extraordinary Affair.

Indian town has not had any social scandals as topics for discussion during the last week. The people have had something else to talk about.

Nor has the talk been confined to Indian town. There has been a good deal of it around the lawyers' offices near Chubb's Corner, and it may be assumed there have been some interesting discussions in the private offices in the venerable Bank of New Brunswick. The sheriff, too, has taken a hand, and now the question is how is everybody concerned coming out of the affair?

The public got tired of singing about McGinty a year or two ago. It was definitely stated then that he was at the bottom of the sea, but it now seems that McGinty has not only been very much alive, but has been doing a large stroke of business.

Mr. John McGinty has been considered a well-to-do citizen of St. John, and appears to have stood well in the mercantile community. The directory states that he is a partner in the firm of Cowan & McGinty, the owners of a saw mill, at Marble Cove, near Indian town. His partner is, or has been, Mr. M. E. Cowan. Mr. McGinty is also put down as a partner in the firm of A. A. Mabee & Co., builders, North End.

As the story goes, early in the season, Tapley Brothers, and McLellan & Holly, owners of timber ponds near Indian town, received a large quantity of logs from Hugh McLean, Salmon River, Queens, and other operators in that section of the country. These logs came down river, and were secured in the ponds. These ponds are near the mill of Cowan & McGinty.

When logs are so placed, pond receipts are given, and they are of the same nature as warehouse receipts. They can be used as collateral security, just as the receipts of the Standard Trading Company were used once upon a time, and it would seem the banks are as confiding and unsuspecting in the one case as in the other.

At a later date Mr. McGinty went to the owners of the logs and bought the pond receipts, paying part cash, it is said, and giving notes for the remainder. He had previously raised some money by the hypothecation of bonds owned by his wife. Securing the receipts he became owner of the logs, and they were valuable assets as collateral.

Mr. McGinty wanted to raise more money, and with the laudable desire to patronize home industries, he went to the Bank of New Brunswick. He presented his pond receipts and succeeded in getting advances to the reported amount of about \$13,500. As the banks never advance anything like the actual value of the collateral, and frequently only a third, it will be understood the logs in the pond were worth a pretty snug sum of money. Mr. McGinty gave his notes, and the general bank officials probably rubbed their hands at the thought of having accommodated an energetic citizen, and made a profitable shave out of the transaction.

At a later date the bank was so obliging as to give Mr. McGinty an order on one or two of the ponds receipts for the delivering of a certain quantity of logs. They had ample security and could afford to be generous.

The other day Mr. McGinty's notes, or some of them, fell due, and were not paid. The bank, mindful of the story of the Standard Trading company, sent somebody to the pond to see how the logs looked.

To their intense astonishment the logs were gone.

It was not hard to find out where they had gone. Everybody knew, and there was no attempt at secrecy. They had been sawn in Cowan & McGinty's mill. Some of the sawn lumber was piled up to show for itself. Some of it had been sold, and McGinty was supposed to have the proceeds.

It had "got there" and so apparently had Mr. McGinty, to say nothing of his partner Mr. Cowan. The latter is understood to say he knows nothing about the rights of the matter, that McGinty got any money there was and that he, Cowan, is \$2,000 out of pocket.

That they got out of the ponds without an order from the bank is not a mystery. It is reported that one of the Tapley brothers, in the depth of his good nature permitted them to go on the representation of Mr. McGinty that the money would be paid to the bank and the pond owners protected. They went and so did the logs in the Holly pond. Cowan and McGinty's mill had a busy season.

Mr. Tapley had allowed the logs to go, supposing everything would be made all right. When Mr. Holly was asked to let the logs go from his pond, he refused, but they went from there all the same. Mr.

Holly was very angry and threatened McGinty with all sorts of things. The latter is reported to have told him to go ahead and do his condemned.

A natural inquiry under the circumstances is as to what became of the \$13,500 which Mr. McGinty received from the bank. It is understood that a large portion of it was used to redeem the bonds which had been previously hypothecated. At any rate, it is out of the reach of the bank.

The bank intends to hold Tapley Brothers liable for the logs delivered without its order. It is said that Mr. Holly in whose pond were only a small proportion of the logs, has already settled for about \$1,500. The liability of the Tapleys is of course, very much larger.

The latter are protected to some extent. Before the bubble burst completely, the Tapleys realized the fix they were in and began to hunt up a lawyer. They finally got a confession of judgment from Cowan & McGinty for \$12,265, with the understanding that no action should be taken until the return of McGinty's lawyer, C. A. Stockton, from Chicago. Last Tuesday, however, before the latter did return, Hugh H. McLean, Tapley's lawyer, caused the writ to be executed. Under it the Sheriff levied on the rights and interests in the Cowan & McGinty concern. The share of McGinty in this is presumably worth some \$5,000 or \$6,000, and there was also a levy on his interest in A. A. Mabee & Co., supposed to be worth \$5,000. Should these figures hold good, the Tapleys will therefore have considerable to aid them in meeting the demands of the bank.

In the meantime a number of lawyers have been kept busy in trying to get things straightened out for their respective clients, and there has been a good deal of running and driving around. The sheriff has also been pretty busy in executing the documents launched upon him.

Whether, under the banking act, there is a field for other than civil suits is a matter which the lawyers can best determine.

## THEY WENT IN UNIFORM.

### And Now the Man who Supplied it Wants to Get His Money.

During the visit of the flagship Blake, the mayor and some other city dignitaries were seen admiring an official visit. They went in the corporation barge, presented to the city by Recorder Jack a year or two ago, and they went in style. The boatmen wore bran new uniforms, consisting of straw hats, blue guernsey shirts and blue serge trousers. They looked very well, indeed, and it Admiral Hopkins saw them he must have had a higher opinion than before of the importance of St. John as a maritime city.

Before the Blake arrived, the crew of the official barge were without uniforms, and looked like any other boatmen who ply their vocation around the harbor. Considering the importance of the occasion it was decided that such a state of things would never do. The mayor is so particular about his own attire, that the contrast between him and his attendants would be painful. So to Captain Taylor, the harbor master, was entrusted the delicate task of procuring uniforms suitable to the occasion.

Capt. Taylor appears to have considered that an expert in the clothing line could do even better than he could himself, and so he went to his own tailor, Mr. A. R. Campbell, and asked him to attend to the matter. Suitable trousers were required, but they must be cheap. Mr. Campbell had some blue serge that was just the thing. His price to an ordinary customer for such trousers would be \$5.50 or \$6 a pair. A custom tailor does not usually do such work for less, but in order to meet the idea of economy, Mr. Campbell made the trousers for \$4 a pair, with a belief that he was rather out by the transaction.

Then Mr. Campbell went up to Thorne Bros. and bought two straw hats at a dollar apiece. Then two serge shirts arrived from Manchester, Robertson & Allison, billed to Mr. Campbell at \$1.75 each. The total amounted to \$13.50, on which there was not a cent of profit, but direct outlay on the part of Mr. Campbell.

In due time the bill was sent to the city, but the treasury board refused to recognize it, referring it to the mayor for payment out of his own pocket.

Mr. Campbell is now wondering how and when he is to get back the money he has spent to add to the glory of the official barge. He has no fault to find with Capt. Taylor, who acted in as good faith as he did himself, but he has not a very high opinion of the spasmodic economy which occasionally shows itself among the aldermen.

Just now he appears to be a citizen with an undeniable grievance. In the meantime the city has the benefit of the uniforms.

## Will He Tell the Story?

It is reported that a St. John clergyman who visited the World's Fair went on a slumming tour, after a manner of some of the pulpits orators of New York. What he saw is not stated, nor is it announced whether he proposes to deliver a series of sermons based upon his experience among those who are given to ways that are dark.

## HOW MR. TOBIN STRAYED.

### THE QUEEN INSPECTOR DISCOVERS A SHORTAGE IN HIS ACCOUNT.

And Dismisses Him From the Position of General Manager of the Company for the Maritime Provinces—A Story of the Shortage and How Long It Has Existed.

HALIFAX, September 23.—Nothing during the past week has caused more regret in Halifax society and with the business public than the difficulty in which Stephen Tobin has placed himself, or rather the distressing financial position in which he is found to be. Mr. Tobin for very many years has been connected with the Queen insurance company, and for the past few years he has been general manager of the company for the Maritime Provinces and Newfoundland. A shortage has been discovered in Mr. Tobin's accounts amounting to at least \$27,000. That immense deficiency has been rolled up by the manager during a series of years.

A few days ago Mr. R. K. Mackenzie, of Liverpool, England, the company's inspector, came to Halifax. He had not examined Mr. Tobin's books for twenty-four hours when he promptly suspended Mr. Tobin. The existence of the shortage was thus very apparent. The manager was subsequently dismissed.

As already stated, there is genuine regret that such a state of affairs should have existed with Stephen Tobin. He was in the upper circles of Halifax society, and his family connections and personal accomplishments made him a desirable acquisition in any set of people. For one term Mr. Tobin represented this constituency in the Dominion parliament, where his knowledge of French enabled him to address the house gracefully in that language on more than one occasion. The people of Halifax repeatedly showed their confidence in him by over and over again electing him mayor of the city. He was one of the oldest members of the well Halifax Club and for years has been on its committee of management. Nothing went on there of which he did not know the inside history. Not only was Mr. Tobin personally popular, occupying a high social position, but he is well connected by marriage with some of the best families in Halifax. It is no wonder, then, that people are sorry he has brought himself into such trouble.

On the other hand, the few who knew the facts of the case,—for it has been kept very quiet, and not a word has been whispered of it in the Halifax papers,—can find no excuse for Mr. Tobin. As manager of the Queen, which did an immense business here, he has had a salary of \$5,000 per annum. That sum should have been enough to enable a man to make both ends meet. But it seems it was not. The mystery is, what did he do with the money? Mr. Tobin was not known to be extravagant in his habits. He gave no big entertainments; he was not a hard drinker. He lived well in his own house, and at the club, but in no other way was he a lavish money spender. The only explanation for Mr. Tobin's fall is, that he was a "high liver," but not a man in Halifax suspected that it was to such an extent, that his salary would not more than meet his expenses.

Mr. Tobin's shortage of \$27,000 with the Queen insurance company's funds has not been made in a year or two. It extends over a long period of time. Five years ago he was \$20,000 behind, and the company, under the old management, knew it. At that time the management were disposed to be lenient. The discrepancy was acknowledged by Mr. Tobin, and an arrangement was arrived at between him and the company. He gave the latter a mortgage on his property for \$10,000, agreeing to pay it off in installments, and the company forthwith wrote off the other \$10,000 of the indebtedness. That was pretty generous of them, but it had no good effect. Since then Mr. Tobin, as Maritime manager of the Queen, has taken \$7,000 more of the company's funds, for his own use, and he has paid off nothing of the \$10,000 mortgage out of his \$5,000 annual salary.

Not only is Mr. Tobin short in his funds, but it is charged that he took absurdly bad risks merely for the purpose of handling the premiums, making a showing of big business, and securing commissions from the cash paid in. The indirect losses by the company in that way make the deficiency they have suffered still greater than the actual shortage for which Mr. Tobin is directly responsible.

There are rumors of fraud on outside parties as well as against the company. Mr. Tobin's brother's widow, who lost property by the St. Johns, Nfld. fire, had \$1,600 insurance in the Queen. That policy has never been paid. All efforts to secure it proved fruitless. Mr. Tobin finally contended, as a reason for not paying, that money was due him from the policyholder, and that he was keeping the \$1,600 to recoup himself. An action is being entered by the widow for the money she claims from the company.

Some of Mr. Tobin's friends hold that a possible explanation of his shortage is, not that he appropriated the company's funds, but that he allowed insurance to run on without collecting the premiums. He would renew a policy on a promise that the premium should soon be paid, but the cash was never forthcoming. That may account for part of the missing \$27,000, but it is hard to accept the statement as an explanation for the great shortage. Mr. Tobin is deeply in debt all over the city.

What is as surprising as that Mr. Tobin should have gone wrong, is the business system in the Queen company which allowed such things to continue year after year without discovery. They found Tobin's shortage five years ago, made a settlement and deliberately allowed the manager to go ahead and take from them another \$7,000 at least. There should have been a way of preventing it, or discovering what was going on, long ago. It did not take Inspector Mackenzie long to learn the condition of affairs when once he got at the manager's books. Twenty-four hours work, or less, brought Mr. Tobin's suspension, and a day or two later he was dismissed.

He is not now in the city. What proceedings the Queen insurance company will take is not known.

## TORTURED THEIR VICTIM.

### Joseph Hector More Seriously Burned Than at First Supposed.

Last week, PROGRESS referred to the trick played by some of "the boys" upon Alfred Riggs, by causing him to ride down King street on a high cycle, with his feet off the pedals. There was not only danger to Riggs himself, but at an hour when ladies and others were on the street with their teams, there was imminent danger to others. The men who were responsible for this are recognized "good fellows," and possibly they did not realize the chances of accident, but this would have been a poor excuse had there been a loss of life or limb.

This week there was a picnic of "the boys" out the road, but with that of itself PROGRESS has nothing to do. Among the recreations was the making a butt of one Joseph Hector, a colored man. So far as can be learned no particular harm was done him. He is used to going on excursions for the purpose of being soaked in the water and otherwise made a fool of, and he appears to go willingly enough. The presumption is he considers the compensation he gets a fair equivalent for the usage he receives.

After the picnic party returned to town, Hector went or was taken by "somebody" to a stable on the south side of King square. It may be that those who had taken him to the picnic had no share in the later proceedings, but "somebody" determined to have some more "fun" with him. While Hector was lying drunk and asleep, kerosene oil was poured on him and a light applied. It is a wonder he was not burnt to death, but as it was he was very badly injured. He had on his own clothes at the time, and subsequently his own clothes were put on him. Thus it was that when he went to the police court to make a complaint against his tormentors, the extent of his injuries was not understood, because his clothes showed no trace of fire. After he went home it was learned that not only was the back of one of his hands raw flesh, but that one of his legs was also in a horrible condition for almost its entire length. At last accounts he was unable to get out. When he is able to do so, it is to be hoped that action will be taken by the authorities, whether Hector wants it or not. There should be no "buying off" permitted in such a case.

The stable where Hector was burned has been the scene of a good deal of rather rough "fun" at one time and another by a crowd of "the boys" who have initiated victims into what has been known as the "cabinet." Tumbling into a tub of water and such like diversions were mild features of the ceremonial. One night a well-known young man about town was nearly killed, by falling off a plank on which he was being sent, blindfold, from the upper part of the barn to the lower floor.

The fact that "good fellows," including business men, clerks, ward politicians and others are mixed up in these affairs does much to make such amusements merely laughed at by a good many. So long as they do not go too far their amusements are not a matter for public concern. It may be these humorists had nothing to do with the burning of Hector, but the fact that it happened at their chosen resort brings them into unpleasant prominence. If "the boys" were innocent of that affair, they owe it to themselves to see that those who were guilty of it are brought to an account. The act was a piece of cruelty that should not be tolerated in any decent community.

## Nearing the Finish.

Since the appointment of Judge King to the supreme court of Canada, he appears to have begun to put his judicial business in order with a celerity as welcome to some suitors as it is surprising to the profession. Last Wednesday he gave judgment, or rather announced what his judgment would be, in a matter argued before him about two years ago. His Honor has probably been "considering in the meantime."