

THE SATURDAY GAZETTE, ST. JOHN, N. B., SEPR. 10, 1887.

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FORGED EVIDENCE. VARIOUS DEVICES OF CRIMINALS TO ESCAPE JUSTICE.

Attempt to Make a Homicide Appear a Suicide—Fabrication of Evidence in the Crook's Own Behalf—Presumption of Guilt—Zealous Counsel.

It is usually regarded upon a criminal trial as one of the strongest proofs of guilt that the prisoner has manufactured testimony in his own behalf, especially if this has been done prior to or just about the time of the commission of the offense. This one thing has doubtless many times put the rope around the neck of the accused, when to all probability other facts in the case, taken by themselves, could hardly have taken the case out of the realm of reasonable doubt. It is a legal maxim, pretty well supported by human experience, that all things should be presumed against the doer of a crime, and unless such a thing is shown against the prisoner it usually requires overwhelming proof of an honest intent, or at least an intent not criminal, to relieve the act of its guilty character and to overcome the natural inference of guilt. It is not uncommon instances of intended homicide for the criminal to pave the way for news of the death. Asking if a certain person is not looking ill, telling marvelous and doubtful dreams, repeating vague threats, and the like, are methods often adopted. On the trial of a negro for murder in Pennsylvania some years ago, it was shown that he had procured a fortune teller in the neighborhood, who was regarded with great reverence among the colored population, to foretell with distinctness and particularity the hour and method of the death of the deceased. A woman in England, who was convicted of the murder of her husband and two children, told a female neighbor, about a month before the commission of the crime, with well simulated distress, that she had had her fortune told by a gypsy woman, who had predicted that within six weeks she should see three funerals pass from her door.

Another very common instance is the attempt to make a homicide appear a suicide, as by putting a weapon in the hand of the deceased, so that probably a very searching examination will not be made of the case, the assassin trusting that the coroner will jump at a conclusion without careful inquiry. How often this has been successful, no one who has had any experience of knowing. Coroners and police officers, like prosecuting attorneys, will be fooled sometimes. But the criminal records are plentifully sprinkled with cases where, so far from escaping the law, the guilty party has thus furnished the clue for his detection and conviction. In some instances the pistol has been found in the right hand from the wound, or held in a manner wholly inconsistent with the theory of self-murder, where death must have been instantaneous. In one case the bullet extracted from the wound was found to be of a caliber several sizes larger than that of the weapon; in another, the pistol in the hand of the deceased had never been discharged at all, while still another it had evidently not been loaded. So also with reference to sharp weapons, as knives, daggers and razors, and very often in cases of poisoning, where the criminal has purchased poison in the name of the deceased and left what has not been used in close proximity to the body. The strangest case is that where the hand of the deceased tightly clutched a dirk knife, while the wound was clearly inflicted with some blunt instrument. Occasionally the corpse of the victim is carried to the railroad track to be mangled by a passing train, or tumbled down some old quarry, in the hope that the mutilation of the body will conceal the marks of a crime, or that they may be supposed to be drowned. This latter device is rarely, if ever, successful, for medical science has definitely established the marks by which death by drowning may be certainly shown, disproposed and the authenticity can scarcely be deceived, even though the investigation be only superficial.

It may be well to remark that professional criminals and those who have been regularly schooled to crime rarely if ever resort to the fabrication of evidence in their own behalf. The great cross of crime and too well posted to run any such risk, for he knows its danger. If he can escape by throwing suspicion, probably on some one else he will do it. He will slip a purse which he has stolen into the pocket of another man when in danger of discovery, or join in a crowd and yell "Stop thief!" with all his might, or persecute an officer, or do some other such thing, but he is too shrewd to usually write letters, give warnings and the like. The schemes I have described are usually adopted by those who commit their first offense, without any criminal experience or teaching, or by those who almost against their wills are suddenly guilty of crime. For the most part they occur in cases of homicide, where the murder has been for some time premeditated, and where the motive is generally generally actuated the extortion thief.

The presumption of guilt arising from the fabrication of evidence is not always conclusive, even in law. Instances are unnumbered where innocent persons have worked their own undoing by thus seeking to avert suspicion from themselves. Every man is liable at some time in his life to be involved in a network of circumstances which threaten his good name, his liberty or his life. And many men, wholly guiltless, have forged what they supposed would be proofs of their innocence, just as others have resorted to disguise and flight. A man of weak nerve, suddenly placed in a compromising situation, confronted with the terrors of accusation, arrest and trial, may in the horror of the moment, seeking only present safety, do some act which not only strengthens the suspicion against him, but also seems proof positive of his guilt, and all the explanations in the world will not clear him. It is not fair, therefore, to judge a man guilty always, simply because he has resorted to the forgery or destruction of evidence.

Instances are plentiful where counsel, more zealous than honorable, and as often without as with the connivance and consent of their clients, have manufactured and presented false testimony for the defense, and have justified their action with the specious plea that "everything goes" where a man's life or liberty is at stake.

To sum up the whole, the fabrication and forgery of evidence stands about on the same footing with every other kind of testimony which tends to prove or disprove guilt. It is the province of the jury to decide upon its weight and effect in connection with all the other facts submitted to them, and they are just about as apt to decide it wrong as they are to decide it right. —"Circuit Attorney" in Globe-Democrat.

Lieut. W. S. Hancock in Florida. Mrs. Hancock describes vividly the discomforts to which she was necessarily subjected at Fort Myers, Fla., during her trouble with the Seminoles in 1836.

"Our mail came from Tampa Bay in a sailboat, and, wind and wave permitting, was received once a week. Commissary stores and other supplies came in the same way, and on one occasion, when the boat was capsize with a load of these stores, we were without some of the necessities of life for six weeks. Gull Borden was unknown then, and milk could only be obtained from the half-starved, miserable Florida cows. Fort Myers could not boast such a noisy animal, and Mr. Hancock made four separate attempts before we could secure this luxury. The first cow strayed from the herd during the overland journey and never reached us; the second came by sea, and while being landed at the dock fell overboard and the third was crushed under the heels of the soldiers, and was killed on the day of her arrival and so was lost. Persistence was finally rewarded, and the fourth attempt was successful. "On the 23rd of the month the troops were concentrating for service in the Everglades, the officers drew lots for their privileges. Mr. Myers, there not being sufficient quarters for either officers or men at the post. The officers drew lots for this privilege, frequently so severe, so prolonged that no fires could be lighted or cooking be done in the camp. This was especially the case with the officers' quarters, which were so packed together that the smoke from the stoves was so close that the men were unable to sleep. On one occasion Gen. Harney tried to enter from some narrow hiding place of Billy Bowlegs and his followers, who were concealed in the Everglades. Harney was severely wounded, but he was rescued, the women refusing to reveal the secret even when a rope was brought out with which the general threatened to hang the little children. At night of the rope, Russell Hancock, Lieut. Hancock's little son, sprang from his seat, a la Pocahontas, and leaping pitiously for the lives of the Indian babies. Finding the general inexorable, he finally exclaimed: "Well, if you will hang them, please give me your bows and arrows!" —Review of "Reminiscences of Gen. Hancock."

A Prevalent Fault. When Harvey, the departmental forger, was brought up for sentence, having pleaded guilty to the charge against him, his counsel sought to move the court to leniency by pleading that the prisoner was in need of medical attention, and that he was suffering from a violent attack of the disease. The judge did not apparently consider this in mitigation of the crime, for he sentenced Harvey to two years at hard labor in the penitentiary. The judge was right. A morbid disposition to live beyond one's means might be accepted in explanation of perhaps half the crimes committed in civilized communities, but it is to be hoped that this explanation will never be regarded as a palliative. No doubt a morbid disposition to live beyond one's means is distinctively a vice of civilization. Any man, however, who is guilty of it, and who is now I always pretend to be throwing the cards for some guy's money. Sometimes bets are made among men in the front row that they can call my card, but I always fool them." —Courier Journal.

An Ancient Fraud Exposed. One of the old stand bys in the fraud line is the alleged newspaper issued Jan. 4, 1800, the inside of which is draped in mourning because of the death of King George the Third. The paper was the Ulster County Gazette, published at Kingston, N. Y., and was the issue of Jan. 4, 1800. There are 10,000 alleged copies of this alleged newspaper carefully preserved in the homes of New York and New England today, without any doubt. But the owners of these sheets do not know the fact. There was an Ulster County Gazette at the time of Washington's death, and it very naturally printed something about that event. Probably not one copy of that paper is in existence, but every week somebody pops up in Maine or Vermont, or Iowa or Minnesota, and says he has a copy of the Gazette.

The simple truth about the matter is that some twenty-five or twenty-six years ago parties who were exhibiting an ancient printing press published thousands upon thousands of this Ulster County Gazette, because it was easy of reproduction, and everybody who went to an agricultural show that year got an Ulster County Gazette dated 1800, and printed the day of the show. These are the bogus papers that are continually coming to the front as genuine relics. Why, more of them are in existence than there were genuine copies of the Ulster County Gazette printed. —Boston Herald.

Disillusion as to Indian Deities. You have read of the beautiful Indian maiden. I have, and I thought as I read of her that she was as attractive and Pocahontas like as the historian had portrayed her. Well, she doesn't look like you think she would. She is generally a big, fat, filthy looking creature, with a blanket around her that comes to her knees, bare-headed, with moccasins on that she generally pulls off when they are worn out. This blanket is fastened at the neck and also with a belt at the waist. One thing, and one only I will say for them, they have the most beautiful, pearl looking teeth I ever saw. —Pocahontas (Idaho) Cor. Chattanooga Times.

Magnetism of the Moon. M. Ligner, an Austrian meteorologist, claims to have ascertained after careful investigation that the moon has an influence on a magnetized needle varying with its phases and its declination. The phenomenon is said to be more prominently noticeable when the moon is near the earth, and to be very marked when she is passing from the full to her first or second quarter. The disturbances are found to be in their maximum when the moon is in the plane of the equator, and greater during the southern than it is during the northern declination. —New York Sun.

THE LONE FISHERMAN. Origin of a Noted Stage Character—Humor in Pantomime.

It is not generally known that Mr. Maffit created the part of the Lone Fisherman in "Evangeline." The character is so unique that in many places the play is remembered by this part alone. The Fisherman is on in every scene, but does not speak a word, and his only connection with the play is to burn the will in the last act. Mr. Maffit said:—"The history of the part is this: When Mr. Rice was a boy in New England he saw a panorama. Sitting on the stage, at one side of the picture, was an old man who had no business there and no connection with the show. He was absorbed in the picture, and as it was unrolled his face expressed a great variety of emotions—sadness, disapproval, surprise, etc. Sometimes he would laugh quietly. The audience quit watching the picture and watched the old man. One day he made an immense hit. Rice always remembered him. When "Evangeline" was contemplated I came to me and asked me if I wouldn't do a non-speaking part in it. The matter rested for some time. "Evangeline" was produced in New York in 1874, at Niles's Garden. Billy Crane, who had been the buffo in an opera company, was the Le Blanc, and Ed. Tier, then, as now, was the King. Miss Mestayer was Catherine, Fortesque's part, and Laura Joyce, now Mrs. Digby Bell, was Evangeline. A fisherman came to the stage, and he had no other business, and at the close of the play he spoke a line and burnt the will. The old man was brought to Boston, where his partner, Bartholomew, now with the Kralays, and I were playing. He came to me and reminded me of the part he had asked me to play, but said there was no part there unless I made it, which he left it to me to do. I went to the rehearsal and concluded to undertake the character. I made it up as you now see it, and introduced a scene of the business, which came gradually, though, and largely by accident. At first I did not dance. Then it occurred to me to fill in a blank with one. The Lone Fisherman's dance is now famous.

"One night I took a fan out with me for my own personal comfort, and fastening myself upon the rocks. The fan made a hit and I always carried it afterward. An old umbrella was lying in the property room one night and I took that on. It added to the effect. I was whitening a piece of wood with a jackknife and I thought it would look natural to whittle it on the stage, as I had nothing else to do. Then I thought me of making a boat. I made it, and my business with it was to admire it. That made people laugh. I concluded to go further and work the boat off the stage. That is how I made my boat. Of course the boat is pulled off by a cord, but I seem to fan it off, and my astonishment at seeing it move is what creates the fun. The business with the rat is a revival of an old pantomime trick; but the three card monte business is another accident. I do several tricks with cards, and one night last winter I was showing them to the stage carpenters. When I got on the stage I concluded I would try a trick there. I threw the cards and I saw that the audience became interested; so I just made it a part of the regular performance, and now I always pretend to be throwing the cards for some guy's money. Sometimes bets are made among men in the front row that they can call my card, but I always fool them." —Courier Journal.

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MESSRS. HANINGTON BROS.: Early in February, 1885, while in St. John, N. B., I had a severe attack of Rheumatism, was treated by an eminent Physician and with great care was enabled to come home in about two weeks time, after which time I grew worse and suffered dreadfully. We did everything we could to control the disease and get relief, and various kinds of remedies, including Minard's and Electric Oil, I then had good medical advice and treatment which at times afforded temporary relief, but the disease lasted in my system, and I could not do any other work. In fact it permeated by whole being. For more than two years I was unable to get to my room or retire without assistance I procured a package and when I received it my limbs were numb swollen, my feet and ankles were purple, and so swollen that they were shapeless. After four days of the internal Medicine and three applications of the Eucalypt, the swelling had all disappeared. In five days the Rheumatism had completely gone, could walk about as well as ever I did. Have had no return of the disease since having passed through the autumn and winter to this date January 18th, 1887, with its climate changes. I can recommend your "Bellatine," and hope that all who are affected with that painful disease Rheumatism, will not hesitate to give "Bellatine" a trial. Any person wishing to know more of the particulars, or desiring this statement given can write to Mrs. W. H. Moore, South Farmington, Annapolis Co., N. S., who will cheerfully give them all information. MRS. W. H. MOORE, South Farmington, Annapolis Co., Nova Scotia.

SPECIAL NOTICE! GRAND OFFER. THE SATURDAY GAZETTE WILL BE SENT TO ANY ADDRESS IN THE UNITED STATES OR CANADA FOR THE NEXT THREE MONTHS FOR 25 CENTS IN ADVANCE. This Offer remains open for one Month until September 15th.

At Johns Hopkins University. One great power of appeal playing between teachers and students is exercised through the "advisers." Each student is expected to designate one of his professors whom he will consider his adviser while at the university. The professor is to be consulted by the student as a personal friend and guide, whom he will find to be interested in all matters concerning his success as a student. In this way, more than any other, does the young man get a good view of the benignity and wisdom of his professor, as the latter also obtains a direct knowledge of the pupil's aspirations and fears, and is enabled to conform the impulsive ardor that meets him into a hearty co-operation with the university's efforts for his members. The "advisers" act very considerably, yet very heretofore somewhat neglected. Through in a while a pair of knit breeches coming out of a study may announce positively that at least one person "can't see it that way" on the other hand, we have known a consultation to make sunshine and hopefulness had seemed to one student a dark, fruitless year, relieved of its trouble which, without the intercession of such confidential relationship, would never have been confessed through the whole college course. —James Cummings in Liverpool Times.

Valuable Interest Rules. (Basis, commercial year, 360 days, or 30 days per month.) 4 per cent.—Multiply the principal by the required number of days, divide by 9 and point off. 5 per cent.—Multiply by the number of days and divide by 72. 6 per cent.—Multiply by the number of days, divide by 6, and point off three figures from the right. 8 per cent.—Multiply by the number of days and divide by 45. 9 per cent.—Multiply by the number of days, divide by 4, and point off three figures from the right. 10 per cent.—Multiply by the number of days and divide by 36. 12 per cent.—Multiply by the number of days, divide by 3, and point off three figures from the right. 15 per cent.—Multiply by the number of days and divide by 24. 18 per cent.—Multiply by the number of days, divide by 2, and point off three figures from the right. 20 per cent.—Multiply by the number of days and divide by 18.

A Physician's Opinion. Every day or two I read some foolish story of a young woman or a man who claims to have been assaulted and chloroformed, and as a person could run up to you with a rag saturated with chloroform, put it over your nose, and you would at once lapse into insensibility. The administration of this anesthetic is an operation of great delicacy, and the condition must be just so. Whenever you read about a girl who was suddenly seized by a bad man and "chloroformed," put it down that she has not told the whole truth. —Dr. A. S. Bernays in Globe-Democrat.

Wanted It Both Ways. Irate Mourner—See here, I thought you said you had your own horses and carriages. Undertaker—That's what I have and that's what was used at the funeral. Irate Mourner—I supposed, of course, the horses were trained into something like a respectful demeanor; but, sir, they came back from the cemetery as if home from a race. Undertaker—Oh, that's what's the matter. Well, if you wanted horses which would travel in mourning-style both ways, why didn't you go to a livery—Tid-Bit.