

FOSBURGH MURDER TRIAL

A Number of Exciting Events Marked Monday's Sessions.

James A. Fosburgh, Brother of the Murdered Girl, and Accused, the Principal Witness.

PITTSFIELD, Mass., July 23.—I have not had a pair of suspenders for five years," declared James A. Fosburgh today during his cross-examination at the trial of his brother Robert for the killing of his sister May, in the superior court. It was in contradiction of the testimony given by previous government witnesses, who had declared that he saw James in the house with his suspenders hanging down. This remark of James caused amusement, but another which he made later had the opposite effect upon the jury that filled the court room. It was when he described his ascent of the front stairs after he had heard "Terrible shrieks" and his sister-in-law, as he said, "appeared before me in the light." She was in her nightdress, and he said, "I saw her face."

The court room today was the scene of a number of exciting events. Dr. W. W. Schofield, the first physician to visit the scene after the tragedy, gave not one iota of assistance to the government case. It also witnessed the putting in as evidence of the socks and trousers found outside the house on the following day. The torn pillow case with which it is claimed one of the burglars was masked, and the shoe found inside the house by the local police officials.

Young James Fosburgh made an interesting figure on the stand, and his testimony was direct and concise. James was slightly nervous, and this was noticeable when any reference was made to the death of his sister or to the death of the family on the night of the tragedy.

It was plain that all the strength of his nature was exerted to keep back the tears when he related the tragic story of the death of "Sister May." The expected attempt of the government to delve into the question of family quarrels did not materialize. The superintendent which the government arrested today over their foundation of last week cannot, therefore, be said to be in any way complete. After the close of the session for the day, and after Judge Stevens had retired, a spectator went up to the last witness of the afternoon and said in a loud tone: "You are the d— liar on the face of the earth. I would not believe you if I saw you."

The witness, who was a police officer, said nothing. After recess James B. A. Fosburgh testified that at the request he had stated that he got the key to the office of the electrical works, from whence he called a physician, from one of the ladies. Witness said he did not get in the cellar and he did not break the slats on the screen. He did not testify at the inquest, nor did he say to Col. Whitney as the latter testified. He said to him that he had been called from the mortuary from one of the windows at the rear of the house. As far as he knew he was the first person who discovered the bullet holes in the bureau.

He identified a photograph as one that had been on the bureau the day before and had been found on the floor with a bullet hole in it on the following morning. When he telephoned Dr. Schofield he said nothing about his sister having been shot or about burglars having been in the house. He did not telephone the police that there had been burglars in the house. What he saw his sister for the first time blood was coming from her mouth and nose. Witness, as questions about his sister's condition were put to him, hesitated and wept a little, drawing in his lips and biting them in his effort to keep back the ever ready tears.

Cross-examined by Mr. Joyner, he stated that at the time of the tragedy his brother and wife were staying at a house nearby, but came to their parents' home afterward. All ate at one table, and Miss Sheldon came about August 7. The witness related the doings of the family on the Sunday preceding the shooting, saying that all went to church except his brother Robert and his wife. The latter was not well, and they went for a drive. All ate dinner together, and in the afternoon they took their mother to see the electrical works which they were building. Esther, at that time, came down in Adams visiting friends. There were no servants in the house at that time, the cook having gone home after dinner. Robert and his wife got home about 8:30 p. m. in time for lunch. All sat on the veranda until dark, then took turns reading aloud from Browning's poems. Miss Sheldon played on the piano while May sang sacred songs. His father and mother and Robert and wife went to bed about 10:30. May assisted in preparing some hot lemonade for Robert's wife. Beatrice went to bed, then Miss Sheldon came to witness room and they talked together for some time, then witness read a book until 11:45. He stated that two nights previous he had had a hot flash, but that he paid little attention to it. The same noise was heard on the night of the tragedy, but he went to sleep again. He was then awakened by "terrible shrieks and heavy falls coming from the direction of father's room." He then repeated the story as given in his direct testimony, and repeated his previous story as the calling of a doctor. While at the house of Dr. Shephardson he heard his father calling from the window of his house: "Police, murder, help."

The face of the witness at this point seemed to grow purple with restrained feeling, and there was a pause of some moments. "I helped father dress in his room. As I was getting his shoes from under the bed I saw a large revolver there. I got it and gave it to someone, but do not know who. Beatrice came into the room and picked up an old worn brown bag that had been abandoned in it. It did not belong to my family, and I never saw it before." On the railing of the balcony were marks of a hand in chalk. There was also the imprint of a hand in chalk on the kitchen bedroom, the attic and the carriage room. They were sulphur matches in the attic, while in the kitchen were used by the family, the electric light bulbs in the kitchen were under the first floor. This switch was never used by the family, the lights being lighted from a button in the kitchen. The witness testified that the servants did not know that the revolver was in the house. Counsel said to him: "Mr. Chapman said he saw suspenders hanging down; is that not true?" The young man replied: "I haven't had a pair of suspenders for five years." Mr. Joyner asked: "Did you stop to ask how your sister was wounded?" He replied: "I did not stop. I just knew she was hurt and I had to get some one else." This closed Mr. Fosburgh's examination, and he was dismissed from the stand at his brother's remark: "That's through with you."

ADMIRAL SAMPSON

Talks on the Subject of McClary's History of the U. S. Navy.

The Third Volume of Which Secretary Long Refuses to Allow as a Text Book at the Naval Academy.

BOSTON, July 23.—Rear Admiral Sampson talked for publication today on the subject of McClary's history of the United States Navy, the third volume of which Secretary Long refused to be used as a text book at the naval academy because of the chapter in severe criticism of Rear Admiral Sampson's action at the battle of Santiago. When Secretary Long refused to allow the book to be used as a text book at the naval academy, Rear Admiral Sampson said he read the proofs of the book, but did not offer any criticism of them at the time because of the "immoderate statements" in the book. "I have read the history by Mr. McClary," he continued, "and consider the account of my campaigns a very good one. About the rest of it I cannot judge accurately, perhaps having no intimate knowledge of the events described. In response to an inquiry whether or not he had ever given Mr. McClary any facts about his campaign, and especially about the battle of Santiago, Admiral Sampson replied, most emphatically that he never had. He never told him anything about the naval fight or any other, and neither did my aide, Mr. Bennett. In one way possibly, I was responsible for the statement made by the latter. I was commander in chief of the squadron and was responsible, so far as reading the proofs goes. If the historian has taken facts from my official reports to the navy department, which is perhaps what he means when he says that he obtained them from me, that is all well and good. I stand by my reports and my official communications."

"I would welcome an investigation of this whole matter by congress or by the navy department, but I see no hope of any such investigation. My first statement regarding the battle of Santiago was moderately correct. The interviews given out afterwards were not correct. They were entirely different from this first statement, and were written in a different spirit. I think an interview purporting to have come from Admiral Sampson, and Mr. Long's statement, and I am entirely incorrect. On Jan. 8, 1898, I quoted, he most certainly made a misstatement of the facts. Soon after this statement appeared in print he quoted me as saying, and did not say, that I had never given any such statement; that he had been inaccurately quoted. The reporter to whom the interview was granted was a friend of mine, and the author of the 'Naval History of the United States' agreed to his (the secretary's) statement that only the third chapter of his book had been placed by the secretary's hands upon the publication of his book."

WASHINGTON, July 23.—Secretary Long this afternoon indicated to the newspaper men who called upon him that he did not care to discuss further the revival of the Sampson-Schley controversy. He said, however, that he had received a letter from Mr. McClary in which the author of the 'Naval History of the United States' agreed to his (the secretary's) statement that only the third chapter of his book had been placed by the secretary's hands upon the publication of his book.

AT CAMP BISLEY.

Lieut. Ogg, of Guelph, Won First Place in the Golden Penny Match.

Canadians Won All But One Prize in Competition for the Corporation of the City of London Cup—the King's Prize.

TORONTO, July 21.—The Evening Telegram's cable from Bisley says: Lieut. John Ogg of Guelph again distinguished himself, winning first place in the Golden Penny match, 500 yards, with seven shots; prize gold medal and 55. Color-Sergeant McDougall was declared the winner of the cup donated by Lord Strathcona and Mount Royal, and Private Graham of Dundas gets the Canada cup.

In the competition for the Corporation of the City of London cup, open to colonialists, the Canadians win all but one prize. In the second stage of the King's prize, Major Bayles of Toronto, not attached to the team, got 18th place; Private Spencer, 31st; Sergt. Bodely, 32; Lieut. Ogg, 47; Sergt. Wilson, 48; in the St. George's match, Sergt. Bodely was given fifteenth place, and wins 29. This is the closing day of the shooting and the Canadians leave camp tonight. Earl Roberts honored the Canadian hut with a visit today, and expressed much interest in the fine quarters in which the team is located. He sympathetically referred to the death of Hon. Dr. Borden's son in South Africa. General Sir Redvers Buller and the Earl of Aberdeen accompanied Earl Roberts.

TORONTO, July 23.—The Evening Telegram's cable from Bisley camp says: The total scores of the four Canadians competing in the final stage of the King's prize were: Lieut. Ogg, 180; Major Bayles, 197; Private Spencer, 215; Sergt. Bodely, 232; Lieut. Ogg, 24; Lieut. Ghosh, 25th, and Private Graham, 28th, 23. The third and final stage of the King's prize was completed today. At 300 yards range the scores of the four Canadians competing were: Gunner Fleming, 47; Sergt. Major McDougall, 50; Lieut. Ogg, 51; Sergt. Wilson, 52. In the St. George's match, Sergt. Bodely was given fifteenth place, and wins 29. This is the closing day of the shooting and the Canadians leave camp tonight. Earl Roberts honored the Canadian hut with a visit today, and expressed much interest in the fine quarters in which the team is located. He sympathetically referred to the death of Hon. Dr. Borden's son in South Africa. General Sir Redvers Buller and the Earl of Aberdeen accompanied Earl Roberts.

THE STEEL STRIKE.

The New York Sun sees in the strike ordered by the Amalgamated Association of Iron, Steel and Tin Workers against three of the companies embraced in the United States Steel Corporation, a serious blow at the ability of American steel manufacturers to compete with British and European rivals in the markets of the world. The strike, announced by the Amalgamated Association of Iron, Steel and Tin Workers, prescribes not only the rate of wages and the hours of labor, but also the amount of work to be performed by a given workman in a given time, and the kind of machinery to be used. Improvements in machinery intended to economize time and reduce cost by the use of steam power are prohibited. The strike is to be performed by a given workman in a given time, and the kind of machinery to be used. Improvements in machinery intended to economize time and reduce cost by the use of steam power are prohibited.

WAR MEDALS SUPPOSED TO HAVE BEEN ON THE STEAMER OPHIR.

Turn up at Department of Militia—Only Quorum of Ministers Present at Cabinet Meeting—Other Events.

OTTAWA, July 19.—Notwithstanding the fact of the announcement made a few days ago that the medals for the Canadians who served in South Africa were on board the Ophir, and that they may not be time fixed for the presentation by the Duke or York, the medals have actually arrived at the department of militia. They number 2700, and are contained in seven cases. The department will at once take steps to have them engraved and then ship them to the appropriate points as which they will be presented by his royal highness.

Mr. Borden, the Canadian agent in Norway, reporting to the department of trade and commerce, says that the cod fishery of Norway this year is only half of the ordinary average. Norway is sending large shipments of herring to Australia. Since the institution of the ticket of leave system, Nov. 24th, 1899, up to Sept. 30th last, 124 tickets were issued. During the last fiscal year, three tickets of leave were forfeited, because the holders were convicted of indictable offences.

Detective Dicks firmly believes that Anna Bella Morrison, whose body was found floating in the Ottawa river on Tuesday, either committed suicide or else met with an accident. The news on the other hand, says that she was killed by a big snake, and that it made it appear that foul play was committed. A Dublin firm, writing to the department of trade and commerce, asks for names and addresses of manufacturers of butter and egg boxes. The firm is prepared to take 5000 butter boxes, and to communicate with a few firms in Canada but could not get satisfactory replies.

The minister of militia returned from Nova Scotia today. A meeting of the cabinet was held this afternoon and dealt with some routine matters. There was just a quorum of ministers present. OTTAWA, July 22.—A peculiar condition of affairs has developed at Quebec in connection with the erection of stables to accommodate the Duke of York's horses. The knowledge of the department of public works constructed the stables on a piece of land quite close to the powder magazine, a site from which the Duke of York has long ago. The Department of militia, then turned down on account of their immediate proximity to the powder magazine, and consequently danger to life and property in the event of fire breaking out in the stables. It is likely that the militia department will insist on the public works people finding a new site for the stables.

The Duke of Cornwall is to be asked to press the buttons at Quebec which will open the Central Canada fair on September 16th. The Duke will be in Ottawa on the last day of the fair, and an effort will be made to get him to visit it. The forest fire which have been raging for the past two or three weeks in the Kippewa district are the most extensive that have ever taken place today the loss would be at least \$500,000, and probably run much higher. Heavy rains on Wednesday and Friday stopped the progress of the fire.

An order in council has been passed under which the Real Property Act of Manitoba of last year is disallowed. The statute was a voluminous one, comprising some 70 pages. The dominion authorities had no objection to the act except to clause 64, which specified that all lands in the province should be surveyed by provincial surveyors. The Ottawa government invited the authorities in Manitoba to have the act amended so that dominion lands could be surveyed by dominion surveyors. Manitoba would not consent to this, hence there was no other alternative than to disallow the whole act. It is stated that H. J. Beemer has concluded an agreement with the Hull Electric Company, under which he secures control of the property to the Electric Company for one year, or until such time as he can secure the necessary legislative authority to amalgamate the Pontiac and Pacific Railway and the Hull Electric Railway. A visit is to be paid to the maritime provinces shortly by Fred. Cook, grand president of the Sons of Beaulieu benefit society, and J. W. Carter of Toronto, grand secretary, their itinerary being as follows: August 5th, Fredericton; August 6th, St. John; August 7th, Moncton; August 8th, Amherst; August 9th, Springhill; August 12th, Charlottetown; August 13th, New Glasgow and Westville; August 14th, Halifax and Dartmouth. The following week the lodges in Newfoundland will be visited. On the return trip the various officers will spend a few days at Sydney, where there is prospect of establishing a strong lodge.

Admirers of the late Alexander MacKenzie will be surprised when they come to Ottawa, and see the statute book which was erected in his honor by the government. Today there was placed in front of the pedestal a bronze figure of a woman of Amazonian proportions, which is completely at variance with the statue itself. The difference is somewhat marked and is the subject of considerable comment in the city. Col. Macdonald of the Toronto Highlanders has been appointed chief executive officer of the D. R. Mackenzie Memorial Fund. Judge Birdwell has confirmed the references award of \$30,000 against the B. N. Bank Note Co., and in favor of the government for a breach of contract.

For the information of the militia force the department has published a pension act of last session, applicable to officers and permanent staff and officers and men of permanent militia. A monthly deduction of 5 per cent, is made from the pay of such officer in permanent employment, but this does not apply to allowances. Trade enquiries received yesterday at the department of trade, through the Imperial Institute, include the following: A London house wants Canadian supplies of beams, girders and joists. A firm manufacturing brick making machinery wants a Canadian agent. Lord Joseph Chamberlain called to Lord Minto today stating that the pro-tem party to apply to for information concerning the South African Constabulary was the chief staff officer of South African Constabulary, headquarters, Transvaal. This was sent in reply to a request from the militia department for information on this point, so that parties in Canada could get wanted information regarding Canadian affairs there might know who to communicate with. Under the acts passed by the parliament to encourage silver smelting, \$35,000 of one year's bonus is available to earn the bonus of \$150,000. The expenses of inspection, etc., amounted to \$2800. John A. Macdonald of Charlottetown has been appointed chief court judge. AMHERST. AMHERST, July 22.—Two well known coal mines, properties of the Chignecto and St. George coal mining properties, lying to the northeast of Macdon station and about eight miles from Amherst, have been sold to David Mitchell, the Pennsylvania Coal Co., Montreal, Wm. Mitchell of Drummondville, Quebec; Henry Hunter, Westchester, N. S., and other Montreal and local capitalists. The proposed sale comprises four square miles of coal areas and about 2500 acres of land, 30 houses and a residence for the manager. These will immediately be put in a good state of repair. The mines will be pumped out and new slopes sunk. James Baird, formerly manager at Joggins, has been engaged as manager of the new company, which it is proposed to incorporate as the Maritime Coal Company. David Mitchell will move his family to Amherst if a residence can be secured. NEWFOUNDLAND. ST. JOHN'S, N. F., July 21.—The mail steamer Home, which arrived here today from Labrador, says that the coast is blockaded with ice floes, especially the northern part, where the floes are impenetrable. This will greatly delay the Peary re-ice steamer Erik, which counted upon the coast ice blockading with ice floes, calling at Turnagain Bay, Labrador, and landing her last mail before entering the Arctic circle. The Home had to abandon the attempt to reach her terminus in consequence of the ice. ROBERT D. ROACH DEAD. HALIFAX, N. S., July 21.—The death of Robt. D. Roach of Macoon, occurred at four o'clock this morning, from Bright's disease. He was a brother of the late Thos. Roach, newspaper editor of Dr. E. Roach, Xtramagouche, and councillor John E. Roach, Napan, and uncle of E. Roach, house surgeon of the Victoria General Hospital, Halifax. Mr. Roach was unmarried, and sixty-eight years old. He was at one time station agent at Macoon and until July 1st was postmaster. Ill health compelled him to resign. He leaves an estate valued at about \$10,000.

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