

ST. JOHN, N. B., SATURDAY, DECEMBER 14, 1895

### SHE IS NOT IN HALIFAX.

THE RUMOR THAT MRS. LEAR IS IN THAT CITY DENIED.

She Will Attend the Trial Next Spring and Give Evidence—Judge Graham Angry—King's Regiment Succeeded by the Royal Berkshire—A Great Bank Clerk.

HALIFAX, Dec. 12.—Another step in the Byron (Lear) versus Tremaine suit has been taken. The pleadings are now complete since the plaintiffs solicitors have filed their reply to the defence set [up to Tremaine]. It was expected that that reply would have been a lengthy document answering the different paragraphs in detail, but the prosecution decided otherwise. All they filed in the prothonotary's office on Saturday were the words:

"The plaintiff joins issue with defendant's defence."

This simply means that they will place upon Tremaine the burden of proving [the truth of the statements he has made, rather than by any possibility raising fresh questions. They will absolutely deny that Tremaine had any right to pay one cent of the \$900 collected from the four young men to Perry Lear, or to any one else than to Mrs. Lear. Even granting that there was any liability on Lear's part to Tremaine, the plaintiff will contend that the money collected, as she alleges for her sole benefit, had no right whatever to go to the husband who secured divorce, any more than to the sultan of Turkey, for instance.

In connection with divorce costs, by the way, while Tremaine rolls up a bill of costs of over \$1,000, in one way or another in this suit of the Lears, the cost in recent proceedings where a divorce was granted by Judge Graham, amounted to only about \$140.

The trial of Byron (Lear) versus Tremaine will come off probably in the early spring. Then it is said that both Mrs. and Mr. Lear will be on hand to give evidence. There was a rumor that the plaintiff was in town a week ago but it was a mistaken report, for she was far enough away. But it is confidently stated by those interested that she will be on hand bright and early when the suit comes up for trial. If the couple get on the stand it will be an interesting story they will tell even though its novelty be somewhat dimmed for the public are already pretty well acquainted with the principal features of the story.

If ever there was an indignant judge, it was Mr. Justice Graham, when he found out how the divorce court, over which he so ably presides, had been treated in this matter by all concerned in the notorious divorce proceedings of Lear versus Lear.

The King's Liverpool regiment has gone and the Royal Berkshire is here in its place. It cannot be said that the departure of the King's was regretted so keenly as is often the case with the embarkation of a regiment which has been garrisoned here for between two and three years as was the King's. There are always scenes of weeping and mourning along the line of march from the barracks to the dockyard. "The girl I left behind me," is not anxious to conceal her feelings as Tommy Atkins goes aboard ship, and she does not mind who knows how dearly she loved her departing red coat. But the public were not "broken up" over the exit of the King's. Colonel Stone was not by any means, what would be called a "popular" commanding officer. The trouble between the Wanderers and garrison, too, originated with the King's.

The departure of a regiment in old times was the signal for ship-keepers to arm themselves with capias for departing officers who had contracted accounts with them. A soldier below the rank of a commissioned officer cannot be proceeded against for debt. But a soldier holding a commission is as liable in this respect as any civilian. The capias is frequently resorted to as the eve of a regiment's departure to collect bills from officers who would not or could not pay up previously. But in these days the number of capias issued under such circumstances is not so numerous as once it was. An authority says that nowadays not one-third as many are taken out. While in times past the departure of a regiment would mean the issuing of a half dozen or more capias, when the King's left, for instance there were only two, and the sum total of debt claimed was only \$13. One of the capias was issued by a Barrington street goods firm for the arrest of Major Banning, for \$9. The other was for Captain Pollett, by a piano dealer who claimed \$4 for piano tuning. Sergeant Baker presented himself at the Wellington barracks gate with the capias for the arrest of the two officers named, but the sentry suspecting something of the kind, would not let the policeman in. Then Baker betook himself to the ship's side and awaited the arrival of his prey. By and by, the keen-eyed policeman saw them, and he lost no time in laying firm hold upon his men. Mayor Banning paid up, and he

was a free officer once more. Captain Pollett gave security for his \$4, and he, too, went aboard ship in proper form.

The capias is a rough and extreme way of collecting a debt, and it is pleasing to know that our military friends are called upon to endure it less frequently than hitherto.

Is there any danger that the rapid outpouring of lawyers from our law schools and elsewhere will produce a class of shysters rather than a set of honest legal gentlemen? There are those who fear that the legal ranks are being so overcrowded, often with incompetent men, that the shyster will outnumber the lawyer. The shyster has long been represented in Halifax, as doubtless he also has been in other cities.

What would be thought of a lawyer were it to be shown that he went into the Halifax police station and there found a poor, unfortunate young woman who had been sentenced by the magistrate to a \$4 fine for drunkenness. Supposing he were to enter into conversation with that woman, and learn from her that she had no money wherewith to pay her fine, but that if her mistress were acquainted with the facts she would readily hand over the necessary cash to escape a term in Rockhead. Then supposing that the lawyer were to go to that mistress and state the case, and were to get the \$4 to pay the fine, and supposing that with the money in his hand he were to give the police station a wide berth and never go near the prisoner, and were to keep that money in his pocket, supposing that in the meantime another friend came to the rescue, raised the \$4, and paid the woman's fine, while the lawyer still retained the money he received from the mistress. Supposing a Halifax lawyer did this, which it is alleged he actually did, and which is a matter of common talk among members of the bar here, is that legal limb a lawyer or a shyster?

The S. P. C. is in communication with a Mr. Stubbing, clerk in a bank in this city. The grievance the society has against the young man is that he is said to have been guilty of cruelty to a dog which it appears had the misfortune to have him for its owner. Fashion, it seems, demands that a fox terrier's tail should be cut short. Nature did not cut Mr. Stubbing's dog's tail short so, if the reports to the S. P. C. are to be believed, the owner took the matter into his own hands and artificially made the tail the regulation size. Probably the S. P. C. would have done nothing in the case if that had been all, but that was not all. A neighbor of Mr. Stubbing's had further information which he did not hesitate to impart to the crusty prevention people. It came to this neighbors knowledge that the poor dog had been treated with cruelty beyond the average with such people as dock horse's tails and cut short dog's tails merely because it is the fashion of certain sections of "society" to do so. This kind-hearted neighbor of Mr. Stubbing's acquainted the S. P. C. A. with the fact that twice over was the dog's tail abbreviated with a knife, and that after the second cutting the poor canine was left in a barn, where he bled to death. After the first operation, so the informant alleges, the bank clerk was not satisfied with the extent of the knife's work which had been done by another hand than his, and the "surgeon" (?) is known, so he himself took off another slice. In the morning the dog was found in the barn where he had bled to death. This case looks something like the refinement of cruelty.

Chief O'Sullivan and his force have again taken to some liquor license law enforcing, such as they carried out during the last year of Inspector Mackenzie's regime. Within two weeks the police have reported five cases, and already some of them have paid fines. Among those reported for selling after hours, are the Aberdeen hotel, Ted Wright, Captain Verge's, and Andrew Finlay's. It looks as if the chief were inaugurating a new campaign of liquor law enforcement, which may prove interesting in its outcome.

Society in Little Harbor. The squeal of the babies and the pigs is heard through the land. The following arrivals are noted: to Mrs. David Harding a son; Mrs. A. Swansburg, a son; to Mrs. Allen Swim, a daughter; Mrs. Melbourne Ringer, a daughter. The following killed pigs six months old—John Ringer, 345 lbs; Snyder Decker, 277; Frank Godfrey, 244; Dan Swim, 242.—Lockport, N. S., Hustler.

Lost Faith in Her. "Woman," said the dejected young man, "is a fake." "Yes," spoke one listener. "Yes," spoke another. "Yes," spoke a third. "Yes," spoke a fourth. "Yes," spoke a fifth. "Yes," spoke a sixth. "Yes," spoke a seventh. "Yes," spoke an eighth. "Yes," spoke a ninth. "Yes," spoke a tenth. "Yes," spoke an eleventh. "Yes," spoke a twelfth. "Yes," spoke a thirteenth. "Yes," spoke a fourteenth. "Yes," spoke a fifteenth. "Yes," spoke a sixteenth. "Yes," spoke a seventeenth. "Yes," spoke an eighteenth. "Yes," spoke a nineteenth. "Yes," spoke a twentieth. "Yes," spoke a twenty-first. "Yes," spoke a twenty-second. "Yes," spoke a twenty-third. "Yes," spoke a twenty-fourth. "Yes," spoke a twenty-fifth. "Yes," spoke a twenty-sixth. "Yes," spoke a twenty-seventh. "Yes," spoke a twenty-eighth. "Yes," spoke a twenty-ninth. "Yes," spoke a thirtieth. "Yes," spoke a thirty-first. "Yes," spoke a thirty-second. "Yes," spoke a thirty-third. "Yes," spoke a thirty-fourth. "Yes," spoke a thirty-fifth. "Yes," spoke a thirty-sixth. "Yes," spoke a thirty-seventh. "Yes," spoke a thirty-eighth. "Yes," spoke a thirty-ninth. "Yes," spoke a fortieth. "Yes," spoke a forty-first. "Yes," spoke a forty-second. "Yes," spoke a forty-third. "Yes," spoke a forty-fourth. "Yes," spoke a forty-fifth. "Yes," spoke a forty-sixth. "Yes," spoke a forty-seventh. "Yes," spoke a forty-eighth. "Yes," spoke a forty-ninth. "Yes," spoke a fiftieth. "Yes," spoke a fifty-first. "Yes," spoke a fifty-second. "Yes," spoke a fifty-third. "Yes," spoke a fifty-fourth. "Yes," spoke a fifty-fifth. "Yes," spoke a fifty-sixth. "Yes," spoke a fifty-seventh. "Yes," spoke a fifty-eighth. "Yes," spoke a fifty-ninth. "Yes," spoke a sixtieth. "Yes," spoke a sixty-first. "Yes," spoke a sixty-second. "Yes," spoke a sixty-third. "Yes," spoke a sixty-fourth. "Yes," spoke a sixty-fifth. "Yes," spoke a sixty-sixth. "Yes," spoke a sixty-seventh. "Yes," spoke a sixty-eighth. "Yes," spoke a sixty-ninth. 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