

# PROGRESS.

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## Who Will Try Maxwell?

There has not been much news of startling importance in or about St. John of late. The newspapers have been without sensations except those that came over the wire from other places. This agreeable or disagreeable monotony was broken last Sunday morning when the word came from a little place down the Bay, Beaver Harbor, that murder and piracy had taken place in the Bay. The first report is usually the worst and so it was in this case. The piracy it was found amounted to nothing but the murder; report was too true. Capt. Baisley, a resident of the North End and a popular sea going man was lying in a fish house at Dipper Harbor stabbed to death by a sailor on his vessel the Van Dusen which had come to anchor at Beaver Harbor with the murderer on board.

How the deed was done, the row between the captain and Maxwell, who had sailed with him as mate before, the knifeing of the master and his falling overboard and bravely rescued by his mate Campbell and a sailor, who rowed some miles to shore; all this has been printed before and need not be referred to here.

When Maxwell was arrested and brought to the city he was lodged in the police station and the charge made against him. He remained in the police station that night (Tuesday) and up to the time of this writing (Friday) was in the same place.

Why he was not taken to jail is a story that has many sides to it. The chief put his name down on the sheet Wednesday morning and handed it in the usual way to the police magistrate. Then when the prisoners were brought up from the cells Maxwell was among them and sat with the drunks on the long bench. And there he remained for the magistrate took no notice of him or of the report on the sheet. When he had heard the city cases and disposed of the drunks he passed out of the court room and went about his business.

What was to become of Maxwell under these circumstances? Clearly nothing but to take him back to the cell. This was what was done and the prisoner remained in the basement of the police building until he was brought out to be present at the inquest Wednesday evening in the probate court room. Dr. Berryman held the inquest. Whether he had a right to do so seems to be a question with some people who are disposed to quibble over the matter but there is no doubt that an inquest had to be held by somebody and it seemed right that it should be in St. John as the ship sailed from this port and the captain belonged here.

So rightly or wrongly the inquest was held. Whether an inquest was even necessary or not is questioned by some. A high authority said in his opinion it was not necessary as there was no doubt of the man's guilt. There was no question who the murderer was and the preliminary examination should have gone on instead of the inquest.

The coroner committed Maxwell to jail but when the prisoner was presented to the sheriff, that official refused to accept the man. He wanted to know if the police magistrate had committed him. No, it was the coroner. Well this brought up another nice question and while it was being considered Maxwell remained in the police station. The police magistrate wanted nothing to do with him and the sheriff would not take him without he was committed by him.

It is stated that there was no intention of interfering with anybody in all this. The sheriff told PROGRESS it made no difference to him but as the case was likely to be a difficult one involving many nice questions between the United States and Canada he did not feel like keeping a man in custody without he had in his judgment the best authority for doing so. The coroner said later to this paper's representative that he had full power to commit the prisoner, according to his idea.

All this was due to the fact that the crime was committed on the sea. How far the vessel was from land is the question. The jury's verdict says the schooner was upon the high seas and that would mean that the prisoner should be tried in the United States.

The Van Dusen was an American vessel and should have been captained by an American captain. The fact that Baisley was a British subject may not make any

difference in the case but it will likely open the eyes of the authorities to some things that have been overlooked in the American schooner trade.

Magistrate Ritchie must have had some good reason for his lack of action, and Sheriff Sturges is not free from doubt but the coroner has gone ahead and the jury has given the verdict of "wilful murder." Now the prisoner will be committed to jail and whether the sheriff takes him or not the coroner says he will present his papers to the magistrate in proper form. It is believed that he will file them with the county secretary and that will end the matter so far as he is concerned.

There seems to be plenty of chances here for a good lawyer to make it pleasant for the authorities and if, as it is stated, Maxwell or his friends have retained Mr. H. A. Powell, then there is likely to be a second Bram case on the hands of justice. Maxwell is a native of Sackville and this, probably, is the reason why Mr. Powell, who belongs to the same place, has been mentioned as defending him.

Those who know the prisoner speak well of him. A prominent stevedore told PROGRESS that two finer or more agreeable men than Baisley and Maxwell would be hard to find. Both of them had worked for him and he was intimate with them. Ram probably accounts for the whole wretched business. Maxwell looks bad over it and no doubt feels worse. He realizes his position, and even the technicalities of the law will not be of much service to him.

When Mr. Dricoll, the agent of the schooner Vandusen, notified the chief of police of the fracas on board that vessel, it seemed to be necessary to take prompt action and this is what the chief did.

But according to the idea of many he did not give the matter that consideration it deserved. In the first place, he knew quite well that some time ago the government of the province appointed several provincial constables whose duty it was to look after just such crimes as this appeared to be. There are two of these here, Capt. Rawlings and Detective Ring either or both of them were ready to do their duty.

In spite of this fact the chief decided to go himself and look for the criminal. According to the resolution passed by the common council it was necessary for him to notify the director or the chairman of public safety and obtain leave of absence. This however he did not do but he sent Sergeant Kilpatrick to the mayor to get authority to hire a team and ask for permission to go. Now the mayor of St. John is not a man with authority as PROGRESS has explained before. He can do certain things, sign checks, give licenses and so forth but he has no more authority over officials than any one else and the chief knew this as well as any one. Why he did not telephone the chairman, Ald. McGoldrick, is difficult to explain. The fact remains that he did not and it has taken a good many omissions of this sort to impress the chairman with the fact that the chief deliberately ignores the orders of the council that makes it necessary, not only for him, but for all heads of departments to get leave of absence from the different chairmen before leaving the city.

The chief of the fire department does not fail to observe the regulations but the chief of police has sought to evade it in every possible way. His Spruce Lake excursions, every week, were constant reminders to the director and the chairman that he could go and come as he pleased.

But there is something behind all this that does not appear upon the surface. The antagonism of the chief and Detective Ring is well understood. The work that the detective is supposed to do has been transferred to Capt. Jenkins or acting detective Killen and the truth is that since John Ring has been appointed a provincial constable he has simply been a figure head and does not know what is going on in the department which he is supposed to control. The force, which the chief has always been saying is so small, has been weakened by the appointment of an acting detective while Mr. Ring goes around with practically nothing to do.

The telegram that came from Charlotte

county Sunday was sent to him and contained the first information that the vessel was in Beaver Harbor and Maxwell in custody. What did Ring do? He wired the chief at Miramichi or Lepreau the contents of the message. He intended to take the Shore Line train to the spot the next morning but the order came back from the chief to Capt. Jenkins to let no man go out as he was on his way to Beaver Harbor to arrest the prisoner! One would have thought that courtesy would have suggested a different course, but "official courtesy" seems to play but little part in matters that have anything to do with the police court.

No one in the city desires to deprive the chief of police of a particle of credit that might possibly be due him on account of the arrest of Maxwell but in any event he has no right to ignore the regulations of the Common Council.

### MR. MILLER AND HIS WIFE.

He Wants a Divorce From His Erring and Wayward Wife.

James Miller keeps a boarding house and is the owner of considerable real estate in this city. When ships were plenty in St. John and before seaman's home were thought of Miller was quite a figure on the water front, and in connection with the sailors, their business, quarrels etc. his name was in the newspapers quite often.

It appeared again the other day and to the surprise of many the fact was stated that Mr. Miller was seeking a divorce from his wife. This is his second venture upon the sea of matrimony and the voyage seems to be nearly ended. This cruise has lasted five years and now Miller is seeking his discharge.

His wife is a good looking woman and has, generally speaking, made a good wife for the boarding master; but she had a habit of once in a while taking too much gin and this is what made all the trouble. On these occasions Miller would keep a sharp watch over her and in a few days she was free from the temptation and was a good helpmate again.

In the latter part of September she took a notion that the time had come around again when she should have a spree and this time she gave her husband the slip and he could not find her. It is a hard case when a man cannot find his wife, and harder still when he has to apply to the police to locate her, but this is what Miller had to do, and on the morning of the 25th of the same month the erring wife was found in the residence of Al. X. Diggs, a colored man of police court renown on Duke street.

Both of them were what is known as "glorious" and the manner in which the police found them justified them on arresting them and preferring charges that resulted in long sentences in jail. Mrs. Miller is there yet and this is why her husband seeks release from his marriage vows.

### THEY HAVE NO SERVANT NOW.

A North End Family's Experience With a Young and Guileless Girl.

A North End family have come to the conclusion that it isn't a bad plan to insist upon references when employing a domestic. A few days ago a young and guileless looking girl, Alice Coates by name, presented herself at the home in question and as the lady was looking for a servant she employed her for a few days. Things ran smoothly for nearly a week and the lady congratulated herself upon having secured a jewel. One afternoon this week she came over to the East end to spend a few hours with a friend and was persuaded to remain to tea. Just after her arrival at her friend's house, about half past two, she telephoned her servant that she would not be back to supper and that her husband would also be absent, so the usual preparations for the evening meal were not necessary.

When the lady and her husband returned late that night, the bird had flown. A search next morning revealed that sundry other things had vanished also among them four yards of silk that had been sent home that morning, a gold bracelet, two house dresses and many other things of lesser value but quite as necessary to a housekeeper. Enquiry from the girl's particular friend, a servant in a family a few doors away, elicited the fact that the girl had taken the afternoon train for her home in Maine and was beyond the reach of her late employers wrath.

Umbrellas Made, Re-covered, Repaired. Pascal, 17 Waterline.

## Mrs. Worden's Woes.

A most peculiar case came up before Magistrate Ritchie on Wednesday last; peculiar because the complainant Mrs. Worden of Indian town, was assaulted by the husband of her husband's lady friend, who happened to be no one other than the defendant's own better half. The evidence adduced brought out the fact that Mrs. Worden had been hovering about the McBeath household in quest of her alienated Captain, who had, it is said, long since fallen into the net of Mrs. McBeath's charms and who was a frequent visitor to the house of his enchantress. Relations other than that of a mere neighbor were suspected by the complainant, who made her visits with unfailing regularity as soon as she suspected her husband was basking in the smiles and good graces of the "woman in the case."

Only about a twelvemonth ago the two wives came into conflict and, as the dailies at the time stated, they tumbled one another in an adjoining back yard to such an extent that thought and consideration for one another's coiffure and apparel were buried deep in a flood of ill-feeling. Off and on there little outbursts of allegiance to the stout little captain of the steam yacht "Dream," occurred between the navigator's real wife and Mr. McBeath's life partner, and this last occasion which was aired in the courts this week was only another.

While the mistress of the Worden household was holding the McBeath home in a state of siege under the impression that her erring husband was within, the lord of the manor appeared on the scene and asked the reason for her prowling around his place. Mrs. W. said she had every reason to believe her husband was in the house with his (McBeath's) wife, and here is where the strange part of the affair comes in. Enraged, at what he termed meddling in his domestic affairs, McBeath actually kicked the Captain's wife, and his appearance before the local judge, was the next act. He paid \$20 for his little amusement and is said to be still sharing his wife's affections with another. The whole case is unique, especially the attitude of Mr. McBeath who not only refused the help of his rival's wife to bring about a reconciliation of the two households, but sought to chastise her for seeking out the perfections of her husband.

### HIS LATEST PERFORMANCE.

Postmaster Hanington Cruelly Strikes a Little New-boy.

Little Willie Dodge has a grievance against Postmaster Hanington, not so great perhaps as others have had at various times but still sufficiently serious to make Willie feel that he was unjustly, not to say cruelly, treated by the postmaster.

A few days ago a number of newboys congregated around the post office, always a busy spot in the late afternoon, and one where newboys often reap a harvest. It is almost utterly impossible to keep the youngsters quiet and they were having an especially lively time of it, and ear splitting cries of "Globe! Gazette! Latest from the war,"—resounded on every side. It was only harmless fun though on the part of the boys, and nobody thought of interfering or trying to stop the racket until the postmaster happened along and decided that it must be stopped. He ordered the boys away and most of them moved on. Little Willie Dodge, however, saw no reason to leave for he had been silent through it all; standing a little apart he had said nothing, but sold a paper whenever he could. He therefore did not think he was included in Mr. Hanington's gruff invite, so remained where he was.

The postmaster was evidently anxious to get at somebody for he made a dive at Master Dodge and gave him a good sound slap across the face. Those who saw the affair say the assault was cruel and wholly unwarranted, and, later, the lad's father was advised to take legal proceedings against Mr. Hanington. He did not wish to do this, however, and decided to let the matter drop.

### A Regrettable Difference.

The residences on Chipman hill which have been recently selected as a boarding house conducted on the plan laid down by the Kings Daughters, has been the scene of a disagreement which is somewhat dis-

couraging to those who wish the new venture the success that it deserves. The housekeeper, Mrs. Hall, finding that she could not agree with the managing committee, or at least some members of it sent in her resignation, but for some reason or other reconsidered her decision and withdrew the same, it is said, before any action was taken. Now the committee desire that the resignation shall take effect and Mrs. Hall objects. The end of the difficulty is not yet. Legal advice has been sought and unless wise council is taken the matter may come into court.

### A SERIES OF MISFORTUNES.

The Mishaps That Have Felled the Blackball Business This Summer.

One of the oldest and best known businesses in St. John met with a disaster Thursday night that will probably mean the end of it. Few people in the province who travelled at all were not familiar with the name of Blackball.

"Blackball's livery" and "Blackball's stable" were familiar phrases in the city while old travellers when they arrived at the station, or wharf thought of nobody else but Blackball to drive them to their hotel or residence.

Changes have taken place in recent years. The head of the concern, Mr. Michael Blackball, who was always a vigorous man, became a feeble one, hardly able to move about. He had the same spirit and energy as before but lacked the physical strength necessary to carry out his ideas. Still his stable was well conducted and when he journeyed to Queens County early this summer on a business trip he had no idea that he had seen his stable for the last time. He came home in his coffin, having been found dead in bed in the house where he stopped.

Misfortunes they say do not come singly. This was true in again for only a short time ago Robert Blackball, who was the principal man about the place after Michael's death, was kicked in the face by a horse. One eye was taken out by the doctor and now PROGRESS understands the other will have to go as well.

The last misfortune was the destruction of the stable by fire. Six horses perished in the flames two of which belonged to Dr. McLaren and T. L. Bourke. Most of the carriages and sleighs were saved but the old stand is gone and it is not probable that the travelling public will ever hear again the well known name of Blackball when they reach station or wharf.

### FAULT FINDERS AFTER A FIRE.

People who Criticize the Firemen and Salvage Corps at Recent Fires.

There have been three big fires in St. John since Friday week—one at the Peter's tannery which destroyed that industry and several small houses, the second at Blackball's stable and the third in the North End when the Carpenter house was burned.

It will naturally be supposed that the firemen had plenty to do and the Salvage corps was not idle. Still in spite of their efforts one has only to listen to hear a lot of complaints—the most of them without reason, but some of them just.

One man growled because the firemen refused to wander through the tannery ruins and risk falling into the vats when in their opinion there was need of it; another could not see why the fire was not fought from the side where his house was and so on and so on.

There seems to have been some confusion when the furniture was moved from the houses on Union street and some of that which was taken out has not been recovered. One man said that a bed room set which he had paid a good deal of money for had gone from one of his rooms and he could not find it.

Mr. John Peters was a heavy loser. Even the jewelry of his wife and a valuable fur saccie or cape were lost. He had no insurance on his furniture but there was \$800 on the piano which was saved.

There will always be fault finders with the Salvage corps and the firemen, but those who talk about them would not do as well in their places. It is true that more care might be exercised by the Salvage corps at times. There were too many strangers in the houses at that fire and insufficient guards upon the furniture after it was taken out of the houses.