

THE EVENING GAZETTE

Published daily except on Sundays and public holidays.

Subscription prices: One month \$1.00, Three months \$2.50, Six months \$4.50, One year \$8.00.

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ST. JOHN, N. B. TUESDAY, JULY 16, 1890.

THE ARREST OF MISS TIBBITTS

The arrest of Miss Tibbitts of Fredericton, N. B., for an alleged crime, which may never have been committed, and which if committed at all was committed by another party, will have one good result, that it will sharply direct the attention of the people of this Dominion to the manner in which criminal justice is administered in the Province of Quebec.

The same Dominion statute apply to all in Quebec that govern procedure in the other Provinces. But the Tibbitts arrest shows that this is far from being the case, and that the criminal law of Quebec is British in manner and procedure.

Let us look at the facts of the case. Last March a mysterious marriage was announced to have taken place in Montreal in a cab, between a Miss Malahy and a young Englishman named Hanson.

After which the bridegroom immediately died, and the body was as all those connected with the marriage, except Miss Malahy, disappeared.

Some time after the disappearance of the bridegroom, the alleged bride, went to Judge Dugas and told him the full story of the marriage, and that she had seen her daughter-in-law.

She said her daughter watched her arrival from the window of her house and saw him come out when he was on the point of riding the bell girl who resembled Miss Malahy, and that she seemed to have been hidden in the doorway, stepped up and took his arm and walked off with him.

Miss Tibbitts, who is now in the hands of the law, is a young woman who she claimed to have seen her daughter-in-law, and that she was being aided and abetted in this course by a man named Hanson, who she said had written her daughter saying that he would kill her if she did not wear mourning for Hanson.

On this Judge Dugas told her to swear out a warrant against Hanson, and this unknown woman for conspiracy with intent to do injury and to kill, and gave orders to all police sergeants to arrest any woman that Mrs. Malahy might point out.

Now it will be observed that the whole improbable story of the Malahy-Hanson marriage rests on the evidence of an alleged bride, that the young woman against whom Mrs. Malahy obtained a warrant was only seen by her at the trial, and that a part of the evidence to show that she had any connection with the alleged marriage or with Hanson, who was said to have written the threatening letter which Mrs. Malahy claimed to have received, that this alleged letter was not produced; that in fact the whole affair rests on the imaginations of a hysterical woman who might be simply lying for the purpose of gaining notoriety.

And yet on this preposterous testimony the Montreal Court issued a warrant which gave Mrs. Malahy the power to arrest the first woman she met on the street and deprive her of her liberty. This proceeding resembles nothing so much as the "Lettres de Cachet," which were issued by Louis the Fourteenth of France, and his successors, under which men and women were arrested and thrown into prison or sent into exile on charges which they never saw, and without any opportunity of proving their innocence.

On this improper warrant Mrs. Tibbitts, a young lady who had never been in Montreal before, was arrested. As soon as this was done she was subjected to all the influences which French officials are in the habit of employing to prove the guilt of a person. She was not allowed to communicate with her friends; she was imprisoned to make a confession, and when her friends had learned of her arrest and employed a legal gentleman as her counsel, he was not permitted to see her. In short, Miss Tibbitts was treated, not according to the theory of British law as an innocent person, whose guilt had to be proved, but according to the French theory that the mere fact of arrest is a proof of guilt.

Now, if Mrs. Malahy saw such a young woman as she describes, which may be a matter of doubt, and if she had succeeded in obtaining her arrest under the same circumstances as those which attended the arrest of Miss Tibbitts, we maintain that there was not a particle of evidence under which she could have been held for a single hour, for there was no proof of any conspiracy to kill, and no evidence whatever, to connect the unknown woman with it, supposing such a conspiracy to have existed. How gross then was the outrage, and misuse of the process of the court when the Malahy family were able to hold and treat as a criminal a young lady who was visiting Montreal for the first time, and deprived her not only of her liberty, but of the opportunity of proving her innocence. This is a matter which must not be allowed to rest where it is, or be allowed to pass by a mere apathy. The friends of Miss Tibbitts must see to it not only that the Malahys and Judge Dugas are proceeded against for damages, but that the matter shall come up in Parliament, in order that the manner of administering the criminal laws in the Province of Quebec may be daily inquired into.

The superiority of the Gazette as a newspaper was never more clearly shown than last night. A young lady was arrested in Montreal, and held in defiance of law and most unjustly. The Gazette was the first newspaper in Canada to learn of the arrest, and at once set the wires in motion to find out who, the young lady was held a prisoner. The authorities at Montreal, fearing the consequences of their illegal act, declined to give information, but the Gazette correspondent there, who is a newspaper man, found out the cause and gave the people of St. John the facts, which our evening continent failed to get. The Gazette can always be depended on for the latest news of all important events.

THE HARVEY-SALISBURY LINE

The Fredericton Gleazer, which came to hand yesterday after our article on the Short Line was in type, contained some additional information which the people of St. John are deeply interested in knowing. The Gleazer states that the surveying party will shortly be in a position to report, and it seems to have been supplied in advance with important data in regard to the progress of the work. It learns that the saving in distance that may be effected by the line surveyed from Harvey to Boundary Creek, is 144 miles, so that the new line by Fredericton, according to the Gleazer, will be only 107 miles. This is just the length of an absolute line between Harvey, Fredericton, the Head of Grand Lake and Boundary Creek, without making the slightest allowance for grades or curvatures. The so-called survey is therefore simply a sham and a fraud, undertaken for the purpose of finding reasons for the construction of this unnecessary line. The Board of Trade was very wise on this subject a short time ago, why are its members so tranquil now when good work might be done? The facts in relation to this railway ought to be placed before every commercial organization in Canada, and also before the member of Parliament, so that when the matter comes up again at the next session of the Legislature, the construction of this line may be defeated.

NOTE AND COMMENT

The New Glasgow Enterprise tells the story of a little episode which took place in Pictou on Dominion day in which a man called Dwyer, of the firm C. Dwyer & Co., carried out to their loggia on the occasion of the Dominion day.

The change when she left the hotel was a great one. Her wardrobe was magnificent, her behavior about the hotel above suspicion, and she made a large number of friends with her pretty face, nice manners and conversational powers.

When the bill was presented to her she explained that she was waiting a remittance from her father in Los Angeles, and she did not so nicely that the payment of the bill was not pressed.

But the remittance did not come, and when May the same story was repeated the clerk and the hotel proprietor became obliged to tell the dashing girl that her father had died, and that it would be necessary for her to vacate.

Every week that she remained in the house her tastes became more and more expensive, and carriages and extras were ordered regardless of expense.

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Because Ayer's Sarsaparilla contains only the purest and most effective remedial properties.

Because Ayer's Sarsaparilla is prepared with extreme care, skill, and cleanliness.

Because Ayer's Sarsaparilla is prescribed by leading physicians.

Because Ayer's Sarsaparilla is for sale everywhere, and recommended by all first-class druggists.

Because Ayer's Sarsaparilla is a medicine, and not a beverage in disguise.

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BOOTS and SHOES

A large stock of Ladies and Gentlemen's fashionable

Boots and Shoes

MRS. MCCONNELL'S

King street.

T. PATTON & CO.

Waterloo, near Union.

Are now showing House Furnishing Goods in every variety.

From Closets in all the leading shades; Wool Henriettes, Cashmeres, Merinos, Serges, Grenadines, Fancy Acc.

PUSS! PUSS!

You can buy one of our elegant new Clocks, a Turkish Rug, a pair of Lace Curtains, a Carpet or almost anything you want, by paying

50 CENTS A WEEK.

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IMPORTANT TO ALL.

The Great Atlantic & Pacific Tea Co.

Now running in first class order at No. 3 King Square.

Their Teas and Coffees have been selected with great care and attention, and are inferior to none in the Maritime Provinces.

They will also retail Sugars at net prices.

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at the BOSTON SHOE STORE, 211 Union St.

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"SUMMER CARNIVAL," ATTENTION. Transparencies and Designs Furnished.

74 Grenville Street, F. H. C. MILLES

International Steamship Co. Special Carnival Excursion by Steamers State of Maine and Cumberland.

READY FOR BUSINESS. 5 Centre Street. GENTLEMEN: You can have your Clothing put in good order by sending them to

JOHN S. DUNN, TAILOR. Repairing, Pressing and Altering a Specialty.

THE CELEBRATED HAVELOCK MINERAL SPRING WATER.

The Water from this Spring has been had a long reputation as a remedy for various forms of disease and derangement of the system.

I have been for a number of years suffering from a disease of the system, and have found the water from your MINERAL SPRING to be the most effective remedy I have ever used.

Yours truly, RICHARD THORNE.

Yer's Sarsaparilla is prescribed by leading physicians.

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