

C. J. MILLIGAN AWARDED FULL VERDICT IN SUIT FOR DAMAGES AGAINST J. H. CROCKET.

Plaintiff Brought Action for \$1,000, and This Amount the Jury Gives Him—First Time in St. John That Verdict for Full Sum Claimed is Gained in Suit for Damages.

C. J. Milligan has won his suit against J. H. Crocket, of the Fredericton Gleason. On Saturday, the jury before whom the case has been tried, returned a verdict in Mr. Milligan's favor for the full amount of damages claimed—\$1,000—and it is the first time in St. John that a jury has given a verdict for the full amount claimed in a suit for damages.

In the case of Milligan vs. Crocket, Friday, W. B. Wallace offered in evidence the Rotheysay electoral roll and the correspondence between the two men. Mr. Wallace raised the point that the list having been quashed and made null and void by this act, and there being no punishment for the offense committed, and the act not amounting to a forgery, there could be no liability on the part of the plaintiff's complexity in the matter.

G. O. D. Oty, secretary-treasurer of Kings county, was the first witness called. He produced the bogus list and the correspondence between himself and Postmaster Hanington, all of which was put in evidence. He had not received the voter list from the return on Nov. 28, 1910. He wrote to Mr. Gilbert, asking him to send it. On Dec. 4, as the list had not come, he notified Mr. Gilbert, who sent him a typewritten copy of the list, which was filed on Dec. 5. Mr. Gilbert said he had given the list to Mr. Gilliland. He gave away, as he had mailed it, but he would try and get trace of it. On Dec. 11, witness received the fraudulent list, with the address of Mr. Wallace, which was addressed in the handwriting of Mr. Gilliland.

Henry Gilbert, of Rotheysay, testified that he was controller and one of the reviewers of Kings county in 1910. He was shown the bogus list, and said the affidavit attached was the one he reviewed, but that name had been added to the list since he wrote it. Some of the names added were C. J. Milligan, J. M. Scott, jr., G. M. Seovil and J. J. M. Seovil.

Postmaster Hanington was the next witness. He said his attention had been called in January, 1911, to a registered letter for the name of G. O. D. Oty, and he identified his letters to Mr. Oty. He had a talk with Mr. Seovil, and the latter had said that the evidence showed that the defendant had mailed the letter.

Judge McLeod ruled out copies of The Daily Telegraph offered to show the light in which that paper had treated the affair, on the ground that they were evidence against the plaintiff and had control of the editorial column. His honor decided these papers were not admissible.

C. J. Milligan was recalled. He said he remembered the letter of W. H. Truman denying complicity in the matter of the Rotheysay lists. On reading the letter, witness said he did not deny anything, but was depressed as a Liberal, the perpetrator of the act. The names of J. S. Armstrong, R. J. Armstrong and A. Armstrong were shown to the witness on the list, and he said he thought they were Liberal-Conservatives. Witness thought the lists were all well known, and that he had never seen the list which produced in court today, and further stated that he had never had in his office paper of the kind that was written on.

In the afternoon the case was continued. At the opening of court, O. S. Crocket stated that he wished to refer to the report of The Sun. He said he had seen a saying that he had no doubt the attorney-general and his associates would be very glad if the case were to stop at this stage. He felt he was called upon to draw attention to this report, as he was very close to the report, as saying something he did not say.

E. J. Armstrong was the first witness called in the afternoon. He corroborated Mr. Milligan's statement as to seeing him prepared for his land in Rotheysay. The land in question belonged to Crocket's wife. When he saw Mr. Milligan about the deed, the latter told him he knew nothing about them. Col. Donville was the first to approach him in regard to the land. He believed it was wanted for a park.

public fully appreciated the horrible indignities that were perpetrated in Rotheysay. In Fredericton, they would know how much this province owed Mr. Milligan and his associate. Mr. Milligan has been for a long time a target of these slanders. The meanest man on God's earth is the slanderer; with a lie on his lips and malice in his heart, he goes about to ruin the reputation of men who may not even know the existence of the charges until by the loss of friends, or by the changed aspect of his equanimity, he sees that his maligner is made apparent. The victim is not only he at whom such charges are directly hurled, but the family circle, his closest friends, those whose respect and goodwill he may prize above all earthly possessions are stricken with shame and sorrow at charges involving the reputation of the man who may be ignorant that his good name is being filched away.

A newspaper hath a thousand tongues, and in the mind of the reader all. It is the life of falsehood poisoning the mind of the reader, and leveling to the dust the reputation of the man who is thus libeled. All this must be considered when coming to the question of damages; he would ask that the jury find for the full amount asked for, that is \$1,000. The plaintiff asked for only a reasonable amount, and he thought the plaintiff deserved the whole of it.

Mr. McKeown's address was one of the libels read in the court for some time. Judge McLeod then briefly charged the jury. He defined a libel to be as a statement which, whether it is a written or a printed libel, contains words which tend to bring the plaintiff into the hatred, contempt or ridicule of the community. He then proceeded to direct them on the different points which were in issue before them. The libelous letter as published is capable of the defamatory meaning which the plaintiff attaches to it, it is for the jury to say whether it has that meaning or not. The publication of the Gleason in which the letter appeared is not privileged in any way, and the defendant is liable for the exact meaning of the publication and what any reasonable man would infer from reading the letter.

As to the damages, the defendant had pleaded justification. Where a party pleads justification to a libel, and fails to support the plea by the evidence, the damages are aggravated. Under those directions the jury retired, and after nearly an hour's absence they returned with a verdict for plaintiff for the full amount claimed, \$1,000. This is the first time in an action for damages that a St. John jury has ever given a verdict for the full amount claimed.

Solicitor General McKeown, K. C., appeared for the plaintiff in this case, and O. S. Crocket, W. B. Wallace, K. C., for the defendant.

Address of Counsel.
Mr. McKeown objected to a postponement and the judge decided that the case must go on.
O. S. Crocket then addressed the jury on behalf of the defendant. The defence set forth what the evidence showed to be the facts of the case, and that the defendant had sufficient reason to publish the article in question, and that the defendant was not to be held liable for the articles published, therefore it was not libelous.

The counsel contended that the defence was fully supported by the absence of witnesses who testified to have seen, and almost appeared that they were keeping their silence as to what they saw. The evidence clearly justified the defendant in publishing the article he had published, and that the jury should put the meaning of the letter he had printed and find a verdict for the defendant.

In referring to the evidence, counsel stated that it appeared to him, that by any reasonable man some of it was inadmissible.
Mr. Wallace, on behalf of the defendant, maintained that on account of the defendant's connection with the bogus list, the crime of forgery had not been committed, and that consequently a statement that a person was connected with the preparation of the list was not libelous.

Solicitor General McKeown, on behalf of the plaintiff, addressed the jury in the afternoon. He stated that he was prepared to state by direct evidence that the defendant had not charged the plaintiff with forgery. Mr. McKeown pointed out that in his plea the defendant directly makes the charge. That he stated that was correct, and in the defendant's open letter he stated that he was prepared to state by direct evidence that in his plea the defendant directly makes the charge. That he stated that was correct, and in the defendant's open letter he stated that he was prepared to state by direct evidence that in his plea the defendant directly makes the charge.

In regard to the imputation of the counsel on the other side that there had been a plot to keep away witnesses, it was absurd; but there was one witness whose absence he would like to have explained. Where was the defendant himself, the man who reiterated these charges and knew just why he had published the letter about Mr. Milligan, the man who could tell the reasons he had for believing the charges against the plaintiff and publishing them, in fact the man who by his plea knew all about the whole affair, where was he? Why did he not come to the trial, and tell what he knew, either producing the facts which led him to publish the letter and so justify it, or show that while he may have been mistaken, nevertheless, he had sufficient reasons at the time of the publication to justify him? It was a very peculiar thing that the defendant had not been called to give evidence in his own behalf, and the only possible explanation is that he knew these charges to be false. The plaintiff had been accused of being slow in getting this case to trial. He knew that the plaintiff had done everything in his power to hurry matters up, and he could not be accused of slowness in any way. The energy of the plaintiff in pushing the case and dumb investigation had been sneered at, and denounced and compared to what was called slowness in getting this case to trial. The plaintiff had not been slow, this was an incorrect statement, and he would further say that the public were under a deep debt of gratitude to Mr. Milligan for the energetic manner in which he and those associated with him had prosecuted the deaf and dumb investigation, which resulted in the finding that the charges preferred were true. If the

ROTHEYSAY SCHOOL SPORTS AND PRIZES

A Nice Programme at the College Friday.

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The grounds at the college never looked prettier; small flags lined up on the athletic college grounds, and the trophies were also marked prettily in this fashion.

The tracks on the college campus were also lined with flags, and the young, healthy athletes in their working costumes, the bright and pretty dresses of the ladies, the good programme of sports, the excellent music furnished by the military band, stationed under a large tree on the campus, and the speeches and refreshments the festivities were such as will long be remembered by those fortunate enough to be there.

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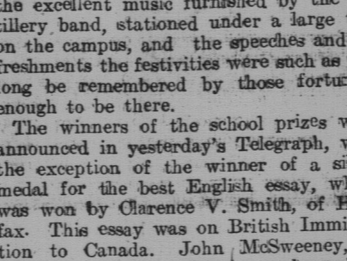
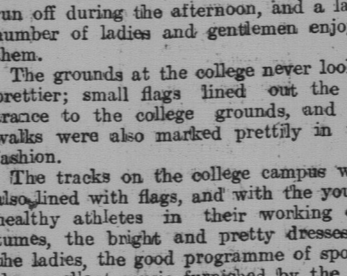
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THE SEMI-WEEKLY TELEGRAPH, ST. JOHN, N. B. JULY 1 1920.

TWO SPECIALS: Low Price Bedroom Suits

We illustrate below two Elm Bedroom Suits which we are selling at very special prices. These suits are grand value, well made in every way, finely finished, and have perfect mirror plates.



Bedroom Suit, golden finish, mirror 14x24 ins. | Elm Bedroom Suit, golden finish, mirror 14x24 ins.

WRITE FOR PHOTOS OF BEDROOM FURNITURE.

Manchester Robertson Allison, Limited.

ST. JOHN, N. B.

Dr. J. Collis Browne's Chlorodyne

IS THE GREAT SPECIFIC FOR Diarrhoea, Dysentery, Cholera, Coughs, Colds, Asthma, Bronchitis.

THE ILLUSTRATED LONDON NEWS, Sept. 23, 1886, says:—"I was asked which single medicine I should prefer to take abroad with me, as likely to be most generally used, to the relief of all ailments, I should say CHLORO-DYNE. I never travel without it, and its great applicability to the relief of a large number of simple ailments is a fact well known to all who have used it."

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Dr. J. Collis Browne's Chlorodyne is the TRUE PALLIATIVE IN Neuralgia, Gout, Cancer, Toothache, Rheumatism.

The Canadian Bank of Commerce with which is amalgamated The Halifax Banking Company.

Paid Up Capital, \$8,700,000. Rest, 3,000,000. HEAD OFFICE, TORONTO. HON. GEO. A. COX, President. B. E. WALKER, General Manager. LONDON (ENGLAND) OFFICE, 60 LOMBARD STREET, E. C. S. CAMERON ALEXANDER, Manager. NEW YORK AGENCY, 16 EXCHANGE PLACE W. M. GREY & H. B. WALKER, Agents. 104 branches throughout Canada and the United States, including the following in the maritime provinces: Halifax, H. N. WALLACE, Manager. Amherst, Antigonish, Barrington, Bridgewater, Canning, Lunenburg, Middleton, Windsor. A general banking business transacted. Sterling Exchange bought and sold. Circulars Letters of Credit issued available in any part of the world. SAVINGS BANK DEPARTMENT. A Savings Bank Department is now open at every Branch. Deposits of \$1 and upwards received and interest allowed at current rates.

Y. M. C. A. SECRETARY BACK.

Mr. Wilson Brings Good Report of Nova Scotia Recruits for Camp—Extending Y. M. C. A. Work in Annapolis County.

Secretary Wilson, of the Y. M. C. A., returned Monday from Bridgetown (N. S.), where he went to see about the boys who will come to that section to the Y. M. C. A. camp to be held at St. Martins, July 16 to 30. He finds that fifteen to twenty boys will come across the bay from the camp at Bridgetown, and he expects to have about sixty.

Mr. Wilson spoke at the boys' meeting in Bridgetown Sunday afternoon and in the afternoon at the meeting of the Y. M. C. A. at its work. The secretary of Bridgetown is organizing a branch at Lunenburg and intends also to have branches in several other sections of Annapolis county.

ADVANCE IN FLOUR.

A Number of Changes in the Markets During the Last Week or Two.

There has been several interesting changes in the markets during the past week or two.

Flour has advanced. Ogilvie's Hungarian flour is quoted at 22 cents and Ontario 10s. This is a rise of 30 cents in the Manitoba flour within a month. Millers refuse to book except for prompt delivery.

All kinds of feeds have advanced \$1.00 to \$2 within the last ten days. The drought no doubt has something to do with this.

There has been in the last week or so a decline of \$2 to \$3 in American coal prices, and \$1 in Canadian. American and Canadian plate coal is 23 cents as there was a short time ago. Lard is also easier, at 11 cents per pound for salted. A few herring have come on the market and are quoted at \$2 per barrel out of stock.

The molasses market is very firm, with Porto Rico quoted at 42 to 43 cents, and Barbadoes 38 to 39 cents. There is a little New Orleans offered at 30 to 38 cents as to quality, but it is not much in demand. Quotations on canned peas should soon be received. Evaporated apples are a little scarce here, at 6 to 6 1/2 cents per pound. These are all wholesale prices, out of stock.

There has been a sharp advance in hay during the last fortnight, owing to demand from the New England states, but there is very little doing in the St. John market.

Annual School Examination. Hardingville, N. B., June 16.—The annual examination at Hardingville, St. John county, school took place Friday and the following programme was carried out: Exercise on geography—By the junior class. Recitations—An Egg—Robert L. Verrier. Nettie L. Verrier—A Little Girl's Troubles. Mary E. Verrier—Mamma's Curly Locks. Miss Anna J. Floyd—School Days. John H. Floyd—Pony. Song—The Maple Leaf Forever—By the school. To Miss Jennie Gould, the teacher, it was a great credit to the attendance was Leonard A. Brown, Fred Floyd, Mrs. John Verrier, Mrs. James R. Hoey, Miss Maud Floyd, James R. Hoey, Sr.

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