

The Semi-Weekly Telegraph

VOL. XLVI

ST. JOHN N. B., WEDNESDAY, JUNE 19, 1907.

NO. 83

EMERSON-CROCKET CASE EXCITES MUCH INTEREST

Only Criminal Case Before York Circuit Court, Which Opens Tuesday

Difficulty Expected in Securing a Jury, So Extra Talesmen Have Been Summoned--Ex-Minister of Railways Denies Rumors of Compromise--Earl Grey and Party to Visit St. John Aug. 13 and 14, and Fredericton the 15th--Big Drive Hung Up.

(Special to The Telegraph.) Fredericton, June 17--Great public interest is attached to the Emerson-Crocket criminal libel case which is to come up for trial in York circuit court tomorrow morning before Judge Landry.

Judge Landry will lay the case before the grand jury immediately after court opens, whereupon they will retire to examine witnesses and deliberate upon the case. It is quite probable that they will make their presentment before the court adjourns at 1 o'clock. Should a true bill be returned the whole afternoon will likely be consumed in selecting a jury.

J. H. Crocket, the defendant, left Saturday evening for Montreal in connection with the case, but will return home tomorrow morning. His brother and counsel, O. S. Crocket, M. P., was in Ottawa last week looking up evidence for the case. He is expected to be ready to fight the matter out to a finish.

Hon. A. S. White, one of Mr. Emerson's counsel, arrived this evening and afterwards had consultation with Harry K. C. crown prosecutor. Dr. Pugsley, senior counsel for the prosecution, will arrive from St. John tomorrow morning.

Judge Landry, who is to preside over the court, arrived this evening and is a guest at the Queen.

Paul Kelly, representing the Toronto Telegram, is here to report the trial for his paper. A number of other newspaper men are expected tomorrow.

It is reported that William N. Noble has abandoned his drive of 7,000,000 feet of logs for Cushing & Co. at Seven Islands. Levi W. Pond, contractor for the Corporation drive, is reported seriously ill at the hospital at St. Basil. As he is

WITNESSES' STORIES IN SHARP CONTRAST

Constable Gallop and Peter Fontaine Fell Down Stairs Together After the Shooting

Says Seely Called on Deceased to Stop Before He Fired--Relatives of Deceased Give Version Different Than Officials--Inquest Adjourned Till Wednesday.

(Special to The Telegraph.) Dalhousie, N. B., June 17--The court house was again crowded today by people from all parts of the county for the coroner's investigation into the death of Peter Fontaine. W. A. Trueman represented the crown. R. A. Lawlor, K. C., the Fontaine family and W. A. Mott attended on behalf of the two Dalhousie officials, Seely and Gallop.

Andrew Fontaine, called and sworn, said to Mr. Trueman: "I am a brother of the late Peter Fontaine. On Thursday morning last two men came to my house and pointed revolvers at me. They arrested and handcuffed me. I saw two men in a scuffle in front of Jalbert's house. Gallop dragged me to the scene. He struck Jalbert and the latter ran away to the barn. I also ran away. Peter Fontaine got clear and while running away was fired at by both officials. Peter crawled into the house.

To Mr. Mott the witness said both officials fired one shot after the other. To Mr. Lawlor, he said that Peter was running when the shots were fired, that Seely fired first.

To Jurymen Powell, he said that he ran away because he was afraid of being killed. "When I saw Peter crawling on his hands and knees I saw blood on his legs."

Jalbert's Story. George Jalbert, sworn, said: "On Thursday morning last I occupied my home with my wife and Peter Fontaine, my brother-in-law, who slept upstairs. A man forced open my door and from my bed I saw him with a revolver in his hand. I called out to my wife to bring a rope to tie him. I wanted to find out what was the matter.

Gallop appeared and struck me with his baton. Peter came down and said, "What does all this mean? Let go the revolver and I will not hurt you. No shots were fired in the house. Before we fell on the woodpile a revolver was discharged.

Constable Gallop Gives Detailed Story. William Gallop, sworn, said: "I reside in Dalhousie. I am a constable for the county of Restigouche. I received warrants for the arrest of Peter and Andrew Fontaine from James S. Harquail. I left Dalhousie at 2 p. m. on last Thursday morning. George Seely and James Savoy, a driver, went with me.

"At 5 o'clock we arrived at Andrew Fontaine's. We left the house a little way from the house. I knocked at the door twice. An answer came from inside. I opened the door in a minute. He opened the door. I had a revolver in my hand. I pointed it to him saying, 'You are my prisoner; throw up your hands.' He slammed the door in my face.

"I shoved the door, at the same time pointing to George Seely to come. I grabbed Andrew Fontaine by the head and pushed him against the wall. Seely grabbed the other hand. I had put the revolver in my pocket by that time. I took the handcuffs out of my pocket and put them on Andrew. I said, 'Where is the teamster?' He was gone, the horse also.

"I said to Seely, 'I will stay with this prisoner; go and make the other arrest yourself.' Seely hurried away. Andrew wanted to know what was going on. He wanted me to wait till he got his shoes on. I told him to wait that we would fix him up all right.

"I was watching the other house. I saw Seely go to the door. He stood there for a while, then I saw him and another party coming out the door. They both landed in the dooryard, both down. Seely on top. I cannot describe his clothing except that he had on something red. I then saw another man coming out. When I saw the other man come out I said to Andrew, 'Come on.' I had to use main strength to bring him along. The reason why I hurried was because Seely had two men at him.

EMIGRATED TO CANADA ON FALSE PRETENSES

Immigration Department Offer to Investigate Complaint

It is Alleged That 200 Scotch Laborers Were Induced to Come to This Country to Work on the G. T. Pacific, and That They Didn't Get Employment.

(Special to The Telegraph.) Ottawa, June 17--J. W. Cleland in a press cable has directed attention to the report that 200 Scotchmen were induced to go to Canada on the promise of work on the Grand Trunk Pacific, that they were not able to obtain the work and there is great indignation in Scotland over the matter.

Superintendent of Immigration W. D. Scott stated today that no such complaint had reached the department. "However," he said, "if any of these men wish to lodge a formal complaint to the department we will provide for his or their deportation to Scotland, where they can lay information under the merchants' shipping act, and take proceedings against the men who deceived them."

The provision referred to was inserted in the merchants' shipping act, at the request of Canada, MacKenzie King being sent to England for the purpose of pressing the matter on the attention of the British government. It declares that it is a criminal offence to make dishonest representations to persons for the purpose of inducing them to emigrate.

LIVELY TIMES AT CHARLO CHARIVARI Father and Brother of Bride Badly Hurt by Crowd They Attempted to Drive Away--Child Killed by Train.

(Special to The Telegraph.) Dalhousie, N. B., June 17--John Giroux, of Charlo, a prominent farmer, and his son were hurt yesterday evening by a number of persons mixed up in a chart. Mr. Giroux's daughter having been married a number of young people felt it their duty to go and interrupt the festivities. When Mr. Giroux and his son appeared to dispel the intruders the former was hit by a stone and his son was also assaulted and so badly hurt that he was unable to attend any at the Royal Bank.

Heavy Casualty List AT BOSTON BUNKER HILL CELEBRATION Two Dead and More Than 100 Injured--Many Arrests Made.

Boston, June 17--Two deaths and over 100 injured treated at the hospitals, at least one of which is expected to result fatally, and about 100 arrests for violating the city ordinance regarding the celebration of the 122nd annual celebration today of the battle of Bunker Hill.

The dead are: Mrs. Elizabeth Travers, South Boston, an aged lady, who, in leaning from her window to remonstrate with some boys who were firing off cannon crackers, was startled by the explosion of a large cracker, and, losing her balance, fell three stories to the pavement. She was removed to hospital, where she died soon afterwards.

Cornelius H. Tegen, a fireman, was the other victim. He was driving his engine to a fire in the Roxbury district, responding to an alarm caused by fire crackers, when his horses, frightened by the explosions of some nearby fireworks, veered, hurled him to the ground, causing injuries from which he died later at the hospital.

ONTARIO BANK SUES FORMER PRESIDENT FOR LARGE SUM (Special to The Telegraph.) Toronto, June 17--The Ontario Bank, late this afternoon, issued a writ against former President George R. Cockburn for \$37,500.00 and interest at the rate of five per cent. from March 31, 1903, being money received by the defendant for use of the plaintiff. The following are the particulars:

March 31, 1903--To amount wrongfully and illegally placed by plaintiff to the credit of the defendant on this date, being the purchase price of 278 shares of the capital stock of the plaintiff, which defendant assumed to sell and transfer to the plaintiff, \$37,500.00.

HOW KINGSLEY REACHED GOAL OF HIS AMBITION

New Head of New York Life Insurance Company Steered Clear of Trouble

Married a Daughter of John A. McCall, the Former President, and His Rise Was Rapid Afterwards--When His Father-in-Law Was Under Fire His Son-in-Law Didn't Rush to His Rescue But Cast His Lot With the Reformers.

(From Our Own Correspondent.) New York, June 17--Another of the queer things brought about by the "whirligig of time" was the election today of Darwin Pearl Kingsley to the presidency of the New York Life Insurance Company.

Twenty-two years ago Kingsley went to work for the New York Life and became inspector of agencies in New England. He was transferred a few years later to the home office in New York, and came under the attention of John A. McCall, who was just beginning to be the great power in the company. McCall made him superintendent of agencies. Kingsley clinched his position, after McCall had become president and undisputed king of the corporation, by laying siege to the heart and affections of McCall's daughter.

On December 3, 1885, the marriage of Miss Josephine McCall to Darwin Pearl Kingsley was celebrated. The insurance magnate was proud of his hustling son-in-law, and legend says, remarked to him that some day he might hope to be president of the New York Life. Legend doesn't say whether Mr. Kingsley laughed in his sleeve. It is more likely that he made a little speech--he is very fond of speeches--assuring Mr. McCall that he hoped to merit that great honor by honesty, integrity and strict attention to business.

Pushed Kingsley Along. McCall pushed his son-in-law along. Three years after the marriage he made him third vice-president of the company, and by 1903 had advanced him to the vice-presidency. Darwin Pearl Kingsley had taken the standard of integrity which must be maintained at all times by the man who serves you and the policyholders in this high office.

Kingsley's Beliefs. In the printed slip sent out to the newspapers order that the public might know what manner of man Mr. Kingsley is, occurs this paragraph: "Mr. Kingsley is as far removed as a man can well be from a workaholic of mere success. He sees the great future before men of affairs, because they deal directly with the greatest of all problems, the struggle of life and because the material superiority of the American nation is equally big with spiritual promise. He contemplates physical decay and death, but do not fear it, for he knows that a but infested with vermin is not so conducive to profitable meditation as a modern home with bathrooms, sun-baths and sound rules of hygiene--that the spectacle of 1,000,000 men under arms appeals to the soul less powerfully than that of 1,000,000 men at work, and that the most exalted conceptions of the hereafter will be developed under a programme that stands every man on his own feet, faces him with his own responsibilities, and makes him do justice if he expects to receive it."

Kingsley Struck to Business. Sterling, the three-year-old son of Geo. Hamilton, of Eel River Crossing, was struck by a train Saturday evening at Dalhousie Junction and died today at the hospital in Campbellton.

SCHMITZ OUSTED AS MAYOR OF SAN FRANCISCO San Francisco, June 17--Mayor Schmitz was formally removed from office by the supervisors at their meeting this afternoon. Supervisor James Gallagher was named as acting mayor in his place.

NEW BRUNSWICK BLIND PUPILS GET MANY PRIZES Many Others Granted Certificates as Pianoforte Teachers and Tuners by Halifax Institution.

(Special to The Telegraph.) Halifax, N. S., June 17--The closing exercises of the school for the blind took place tonight, when a large number of citizens were present. The list of graduates is: Miss Louise Blakeley, Perth (N. B.), certificate as pianoforte teacher; Miss Sarah Legere, Shediac, teacher of piano and voice; Miss Elizabeth MacIntosh, Bell River, P. E. Island, certificate as pianoforte teacher; Charles Day, Moncton, certificate as pianoforte teacher and pianoforte tuner; Charles Campbell Hampton, certificate as a pianoforte teacher; James Burgess, Hanx Mills; Walter Day, Moncton; some of these obtained more than one prize.

MURDER SUSPECT OF GREEK PRIEST HELD AT LIVERPOOL Liverpool, June 17--An Armenian giving several names, including those of John Movsedian and Anton Leon, was formally arraigned in the police court today on suspicion of being implicated in the murder of Father Caspar Vartanians, who was shot by a bullet in a trunk in a New York lodging house on May 28 last.

When arrested the Armenian declared that he had no knowledge of the murderer of the crime. The case was remanded.

A. D. O. L. for Senator Coffey. Ottawa, June 17--(Special.) The University of Ottawa, at the commencement exercises on Wednesday morning, will confer the degree of LL. D. upon Senator Thomas Coffey, of London. Senator Coffey is the editor of the Catholic Record, and has long been a prominent layman in the church.

LOG STEALING CASE UP AT WOODSTOCK

St. John River Driving Company Has Tize Dyer Arrested for Picking Up Lumber That Didn't Belong to Him--Prisoner Admits the Charge, and Swears He Sold Them to B. F. Smith--Other Witnesses Examined.

(Special to The Telegraph.) Woodstock, N. B., June 17--The preliminary examination into the charge of log stealing against Tize Dyer, of Bristol, was held in the council chamber this afternoon, the office of Magistrate Dibble being too small for the purpose. F. B. Carvell was prosecuting attorney, and J. C. Hartley, represented B. F. Smith, M. P., against whom an effort is being made to connect him with buying stolen logs from Dyer.

The witnesses heard for the prosecution were Lewis Bliss, Tize Dyer, Wm. Burnham, Wm. Hopkins, David Bell and Deputy Sheriff Foster. Mr. Hartley called Adolphus Lovely and after his evidence the examination was postponed until Wednesday afternoon.

The first witness was Louis Bliss. He resided in St. Mary's Ferry, was boom-master and secretary-treasurer of the St. John River Log Driving Company, formerly the Fredericton Boom Company. All the lumbermen on the river filed marks of their logs with him. He had the marks filed by Smith in 1906. (Marks put in evidence.) Had been engaged with the boom company for eight years and connected with lumbering for 23 or 24 years. He was instructed by the president of his company to lay the present information. The mark in black point with R on end of log is Randolph & Baker's mark. He described other marks of lumbermen. None of these marks are those of B. F. Smith.

To Mr. Hartley witness admitted that it was common for logs to drift under rafts and so float to booms.

Tize Dyer sworn said he lived in Bristol and was a common laborer, was working for Smith in 1906, also this year working in Bristol and Bath, the latter village is three miles above Bristol. He rafted spruce logs bought by Smith from Harry Peterson, two-thirds were spruce logs, the 4 logs did not lay in the raft, but they from the bank. He raftered the 4 logs and ran them to Bristol. He assisted by Adolphus Lovely and Burnham. Lovely said to Smith that "some lots of prize logs running, said: 'Why not put them on the raft?' He put six in the raft next day. Some of the spruce logs had three hicks, five joints were run to Bristol. When

at Bristol he picked up 17 or 18 logs. When Smith came to Bath he asked witness which logs they were. Witness said they belonged to him. "I told Smith we would put them in his raft." We did so. Next day Smith and J. R. Tompkins were there when we were rafting. They were on the main raft. Saw Smith counting the logs in the raft. 162 pieces in all. I was working for Smith at 82 a day. I must have picked up 60 or 70 logs in all. They were run to Smith's mill at Florenville. I got 20 cents a piece for spruce logs from Smith, also 25 or 30 cents for logs which Smith paid me 81. I was not acting under Smith's instructions. I was arrested by Deputy Sheriff Foster in May. Smith and Tompkins told me to admit the offence and plead ignorance of the law. Before I went away Burnham told me if I had to go away he would present my wife with \$25.

Cross-examined by Mr. Hartley, he said Smith and Tompkins advised me not to go away and you (Hartley) advised me to stay. After I left you I went home but did not show up for trial. Smith was not out of the wagon when he asked me who owned the logs. He had no talk with Smith about buying my logs. He made me no offer, but I rafted my logs with him. Was not picking up river logs for Smith but was doing it for myself and did not consider it was any great crime. Lovely and Burnham to put my logs on the raft and we did so in the absence of Smith. Got no instructions from Smith to tack my logs on the raft. I don't think there were any marks on my picked up logs. I went to Houlton by train from Mars Hill, and remained two days. I saw Deputy Sheriff Foster a few days ago and he told me if I came back and gave evidence I would not be prosecuted, but he wanted my evidence against Smith. I would not come back only for that promise. I met Foster at the boundary line. I sent word to Foster through Manzer Caldwell that I wished to see him. The statement I give now I gave to Mr. Carvell in his office and he wrote it down. They did not seem to be after me as much as they were after Smith.

Adolphus Lovely swore he had been in the employ of Mr. Smith since 1896 and he had never received instructions to pick up logs that were not owned by Smith.

ORCHARD FORMALLY ARRAIGNED FOR MURDER AND TRIAL POSTPONED Caldwell, Idaho, June 17--Harry Orchard, the confessed murderer of former Governor Stannard, and eighteen other men, was brought today to the scene of the crime which finally landed him within the clutches of the law, and taken before Judge Wood at the county court house. The Haywood case at Boise was adjourned over today to enable Judge Wood to come to Caldwell and enter an order formally adjourning Orchard's trial for the present term of court. The local attorney, Mr. Cox, who has been the attorney for Orchard in this county, was relieved from further duty by Judge Wood this morning and, with the consent of the prisoner, Frank T. Wyman, a Boise attorney, was appointed in his place.

The date of Orchard's trial will not be set until the cases against Haywood, Moyer and Pettibone at Boise are disposed of. Orchard was taken back to the penitentiary at Boise this afternoon.

CAMPBELLTON ELATED OVER RAILWAY DEAL Project to Make Gaspe an Atlantic Terminal Means Much for the Town--Expect Bridge Across Restigouche and Likely the Purchase of the International Railway by the Atlantic Quebec & Western Company.

(Special to The Telegraph.) Campbellton, N. B., June 17--Great satisfaction is expressed here by business men over the announcement from Ottawa of the sale of the Atlantic & Lake Superior railway to the Atlantic, Quebec & Western Railway Company.

It has been the dream of Campbelltonians and the leading business men of Gaspe coast that some day Gaspe would be recognized as the nearest port in Canada to Great Britain. With this about to come to pass, and the building of a railway from Gaspe to Port Daniel, it is confidently expected that the next step will be the building of a railway bridge across the Restigouche at Campbellton, giving

NEW HEAD OF NEW YORK LIFE INSURANCE COMPANY

Married a Daughter of John A. McCall, the Former President, and His Rise Was Rapid Afterwards--When His Father-in-Law Was Under Fire His Son-in-Law Didn't Rush to His Rescue But Cast His Lot With the Reformers.

(From Our Own Correspondent.) New York, June 17--Another of the queer things brought about by the "whirligig of time" was the election today of Darwin Pearl Kingsley to the presidency of the New York Life Insurance Company.

Twenty-two years ago Kingsley went to work for the New York Life and became inspector of agencies in New England. He was transferred a few years later to the home office in New York, and came under the attention of John A. McCall, who was just beginning to be the great power in the company. McCall made him superintendent of agencies. Kingsley clinched his position, after McCall had become president and undisputed king of the corporation, by laying siege to the heart and affections of McCall's daughter.

On December 3, 1885, the marriage of Miss Josephine McCall to Darwin Pearl Kingsley was celebrated. The insurance magnate was proud of his hustling son-in-law, and legend says, remarked to him that some day he might hope to be president of the New York Life. Legend doesn't say whether Mr. Kingsley laughed in his sleeve. It is more likely that he made a little speech--he is very fond of speeches--assuring Mr. McCall that he hoped to merit that great honor by honesty, integrity and strict attention to business.

Pushed Kingsley Along. McCall pushed his son-in-law along. Three years after the marriage he made him third vice-president of the company, and by 1903 had advanced him to the vice-presidency. Darwin Pearl Kingsley had taken the standard of integrity which must be maintained at all times by the man who serves you and the policyholders in this high office.

Kingsley's Beliefs. In the printed slip sent out to the newspapers order that the public might know what manner of man Mr. Kingsley is, occurs this paragraph: "Mr. Kingsley is as far removed as a man can well be from a workaholic of mere success. He sees the great future before men of affairs, because they deal directly with the greatest of all problems, the struggle of life and because the material superiority of the American nation is equally big with spiritual promise. He contemplates physical decay and death, but do not fear it, for he knows that a but infested with vermin is not so conducive to profitable meditation as a modern home with bathrooms, sun-baths and sound rules of hygiene--that the spectacle of 1,000,000 men under arms appeals to the soul less powerfully than that of 1,000,000 men at work, and that the most exalted conceptions of the hereafter will be developed under a programme that stands every man on his own feet, faces him with his own responsibilities, and makes him do justice if he expects to receive it."

Kingsley Struck to Business. Sterling, the three-year-old son of Geo. Hamilton, of Eel River Crossing, was struck by a train Saturday evening at Dalhousie Junction and died today at the hospital in Campbellton.

SCHMITZ OUSTED AS MAYOR OF SAN FRANCISCO San Francisco, June 17--Mayor Schmitz was formally removed from office by the supervisors at their meeting this afternoon. Supervisor James Gallagher was named as acting mayor in his place.

NEW BRUNSWICK BLIND PUPILS GET MANY PRIZES Many Others Granted Certificates as Pianoforte Teachers and Tuners by Halifax Institution.

(Special to The Telegraph.) Halifax, N. S., June 17--The closing exercises of the school for the blind took place tonight, when a large number of citizens were present. The list of graduates is: Miss Louise Blakeley, Perth (N. B.), certificate as pianoforte teacher; Miss Sarah Legere, Shediac, teacher of piano and voice; Miss Elizabeth MacIntosh, Bell River, P. E. Island, certificate as pianoforte teacher; Charles Day, Moncton, certificate as pianoforte teacher and pianoforte tuner; Charles Campbell Hampton, certificate as a pianoforte teacher; James Burgess, Hanx Mills; Walter Day, Moncton; some of these obtained more than one prize.

MURDER SUSPECT OF GREEK PRIEST HELD AT LIVERPOOL Liverpool, June 17--An Armenian giving several names, including those of John Movsedian and Anton Leon, was formally arraigned in the police court today on suspicion of being implicated in the murder of Father Caspar Vartanians, who was shot by a bullet in a trunk in a New York lodging house on May 28 last.

When arrested the Armenian declared that he had no knowledge of the murderer of the crime. The case was remanded.

A. D. O. L. for Senator Coffey. Ottawa, June 17--(Special.) The University of Ottawa, at the commencement exercises on Wednesday morning, will confer the degree of LL. D. upon Senator Thomas Coffey, of London. Senator Coffey is the editor of the Catholic Record, and has long been a prominent layman in the church.