POOR DOCUMENT

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# CHARLOTTE COUNTY'S VENERABLE JURIST.

## Sketch of the Busy Life of Judge Stevens—He Would Come Under Operation of Resolution Presented in Dominion Parliament This Week—He Has Done Much to Make His Name Honored in the Land.

St. Stephen, N. B., May 21—The proposal to pass a law at Ottawa this session making the superannuation of county judges compulsory when they have reached the age of seventy-five years would mean the retirement of two of the six New Brunswick county judges—Judge Stevens, of St. Stephen, and Judge Wilkinson, of Chatham—on their present salaries.

In February, 1902, replying to an address presented to him by the attorneys, Judge Stevens had this in view when he spoke as follows:

"Your expression of hope that I may be spared for many years to adorn my position, I have no doubt came from your heart. It will be trying for me to sever the tie that has bound us so long in professional and friendly union, and as the individual is the last to be aware of failing energies, your assertion as to the present state of my health, physically and mentally, as being unimpaired, is most gratifying; but, as legislation may probably be had as to the retirement of judges at certain advanced age, and as dissemination will be indelicate and difficult to make, it may be that an early resignation on my part may be required.

"When that takes place it will be with feelings of long-cherished mutual esteem, and whilst the mouth of the judge may be put aside, the man will still remain with all the cherished memories of pleasant practice in the intellectual arena, and the increasing qualities of heart and life still be preserved."

HON. J. G. STEVENS,
Charlotte County's Learned Jurist, One of New Brunswick's Most Prominent Men.

### Sketch of Judge Stevens.

Hon. James Gray Stevens, K. C., judge of the County Courts of Charlotte, Victoria and Madawaska, was born in Edinburgh (Scotland), on Feb. 25th, 1822. He is a son of Andrew Stevens, writer to the signet, in his life time solicitor of the Superior Courts of Scotland, and freeman of the city of Edinburgh, and Grace Buchanan Campbell, daughter of Sir Colin Campbell, of Auchinbreck, Argyleshire. His mother was a woman of marked character and fine talent and a valuable contributor to Blackwood's Magazine. She was intimate with many of the leading writers and educators of Scotland in those days.

Although descended from a noble family of Scotland on his mother's side, Judge Stevens more highly appreciates the nobility of intellect and character which he inherited from his gifted mother. His brothers occupied responsible positions in their chosen professions.

The judge is an alumnus of Edinburgh University and came to New Brunswick in 1840, locating at St. Stephen where he at once commenced the study of law with Alexander Campbell who afterwards became a noted judge in California. He finished his law studies with David Shank Kerr, then practicing at Fredericton, was admitted to practice in 1845 and called to the bar at Michaelmas term, 1847, and was created a Queen's Counsel in February, 1867.

Following his profession at St. Stephen, where he had an extensive practice in law and equity, he was brought into prominent notice in the conduct and argument of a case in equity in which he acted as counsel for the plaintiffs—St. Stephen's Bank vs. N. B. & C. Railway & Land Company. This case was appealed to the privy council in England, and it sustained the judgment of the New Brunswick court in favor of the plaintiffs.

Judge Stevens represented Charlotte county in the house of assembly from 1861 to 1865, when he was defeated on the question of confederation of which he was an ardent supporter. He was again elected in 1866, serving until his appointment to the bench on June 10th, 1867. As a member of the legislature he succeeded in getting an act passed relieving the port of St. Stephen from payment of export duties, although former attempts were made on this same question, and strong opposition developed, as it was considered exceptional legislation. He dictated much of the correspondence which had to be transmitted to the home government by the attorney general and consequently much credit was accorded Mr. Stevens for ability, tact and persistency in carrying a measure which at the time was so important to the interests of St. Stephen.

### A Successful Legislator and Author

Judge Stevens was a successful legislator leaving several acts on the statute books which mark his diligence and ability in this respect. His speeches there, as in future life, were marked for their masterly eloquence and brilliancy.

Judge Stevens is the author of "An Analytical Digest of the Decisions of the Supreme Courts of New Brunswick from 1825 to Easter Term 1873, inclusive, "Index to the Statute Rules, Orders, Regulations, Treatises and Proclamations of the Dominion of Canada," and "Indictable Offences and Summary Convictions." There are three editions of the digest, the last edition in 1897, bringing the decisions down to that year as reported in the manuscripts of the late Chief Justice Chapman, and the published volumes of G. F. S. Buton, D. S. Kerr, J. C. Allen, James Hannay, William Pugsley, George W. Burbidge, A. I. Trueman and John L. Carleton, as well as of W. H. Trueman. The first equity reporter. In addition to these, the book contains in its appendices the cases appealed to the Supreme Court of Canada, and the rules of court from Michaelmas Term, 1882, in continuation of Earle's Rules.

About 3,500 reported cases constitute the book, forming a body of law which every practitioner in the courts of this province is bound to study with care, and thankfulness that a judicial mind could at the age of seventy-five years be so clear and concise as the admirable arrangement exhibited in the third edition of the digest or what the honorable gentleman is pleased to term the "literary child of his old age."

This work will be an imperishable monument to the judicial acumen and industry of Judge Stevens. It is pleasing to the author that his works have been so highly appreciated by the members of the New Brunswick bar, who have generously purchased these books.

### In Other Public Activities.

Notwithstanding his studious character, attending promptly and faithfully to his judicial duties, yet the judge has found time to attend to any matter that would tend to promote the welfare of the town and county, ever identifying himself with any enterprise calculated to advance the moral, educational or financial interests of the town. For nearly thirty years he was president of the St. Croix Agricultural Society, and for eight years secretary of the provincial board of agriculture, he having a taste for such pursuits and especially for horticulture and botany. The judge is rarely happier than when working among his flowers in the well kept garden around his home, where he can be seen daily, even at his advanced age.

In 1861 the provincial board of agriculture presented to him a handsome silver urn, as a prize for an essay on the agricultural condition of Charlotte county. Judge Stevens was the pioneer in the present policy of the government in sending lecturers throughout the country districts to thoroughly inform the farmers on the agricultural possibilities of the province.

### In the Church.

To Judge Stevens and the late James Ganong is given the credit of the erection of the cotton mill at Milltown where a large number of employes are receiving daily occupation and contributing to the welfare of the four towns on the St. Croix. But space forbids the enumeration of the many projects which received the endorsation and fatherly advice of the learned judge who at all times when called upon to preside or attend at any public function, whether to advance some commercial interests for the benefit of the town, speak at a banquet, welcome strangers, or occupy the post of honor at a religious gathering. In the latter respect, Judge Stevens has been a consistent member of the Presbyterian church of this town, and in the early days of struggle which all churches are called upon to undergo, was without doubt the main prop of that church, working with the persistency of his Scotish ancestors, and with his talents it was little wonder that the Presbyterian church was soon erected and paid for. The judge, although busy with his legal practice yet found time to occupy the pulpit, not only here but throughout the country districts of Baillie, where many of his denomination resided. He has been for years president of the St. Stephen branch of the Bible Society, auxiliary of the British Society. In 1852 he was the recipient from the members of his church of a handsome gold watch, as a mark of esteem and respect. This watch is still carried by the judge and will be handed down as a valuable heirloom. The judge is justly proud of the fact that today the St. Stephen Presbyterian church is one of the best attended, as well as most prosperous, churches in St. Stephen.

In 1896 he had the honor of being the first lay man to receive the position of moderator of the St. John Presbytery, on which body he is annually chosen to represent the church here.

As a public speaker, Judge Stevens has occupied the platform in the important towns of the province. In the Mechanics' Institute at St. John on many occasions, at an alumni gathering of the university at Fredericton, his eloquence has electrified a large audience. In 1894 he lectured in the celestial city on The Punishment of Crime. At the close of the lecture the chairman, Governor Fraser, invited a number of those present to discuss the question spoken on by the noted lecturer. The speakers were O. S. Crockett, Judge Vanwart, Frank Baird, Prof. Davidson, Horace Brittain and Prof. Stockley and Chancellor Harrison, of the university. Governor Fraser also dealt briefly with some of the points and Judge Stevens was then called upon to close the debate.

In 1897, when the jubilee celebration of her late most gracious majesty took place for some unaccountable as well as regrettable reason, Judge Stevens was left off the speakers' list by the committee in charge of the proceedings at the rink in this town, but on learning that the judge was not to speak on that occasion, the citizens of Woodstock promptly invited the brilliant jurist to deliver the address at their celebration. This patriotic oration will rank with the ablest delivered in any part of the dominion on the occasion of her most gracious majesty's jubilee. In connection with and as part of the address, the judge read two very fine poems from the pen of his gifted daughter, Miss Grace, written for the celebration.

### Barristers' Address.

The next important and interesting event in the life of Mr. Stevens, and which is held very dear to his heart, was the presentation to him of an address by the Charlotte county barristers and grand jury on Feb. 25, 1902, in St. Andrews court house, this being the 80th anniversary of the judge's birth. The following is the address of the attorneys:—

To the Honorable James G. Stevens,
Judge of the Charlotte County Court:

May it please your honor: It having been brought to our notice that this date marks the eightieth anniversary of your honor's birth we, the members of the bar in the county of Charlotte, beg your honor's permission to extend to you our sincere and hearty congratulations upon the completion of four score years in a life so filled with honor, so exemplary in its character, and so usefully spent as yours has been.

We desire also to assure you honor that we join with you in sincere and reverent thankfulness to the great omnipotent Judge, through whose Divine mercy you have been permitted in the enjoyment of the fullest measure of physical and mental vigor, to preside over this court for so many years and until the completion of the exceptionally long span of life which is marked by this anniversary of your nativity. Of the members of the bar who were privileged to try causes before your honor and to practice in this court, at the time of your appointment to the bench, which dates back to the original constitution of this court, there are at this time very few survivors, and we can with great sincerity assure you that we regard it as a cause for special gratitude that you should have been so long spared, in health and strength, to preside over this court, to maintain, as you always have done, the dignity and honor of so important a tribunal; to give to the profession the benefits of your eminent and distinguished talents as a jurist, to assist in the administration of justice, to aid in the good government of society, and to be such a shining and illustrious example to the judiciary and the bar of this province in the conspicuous manner which has preeminently marked the whole course of your personal, professional and judicial life. Could the voices of those eminent counsel who once practiced in this court, but who have long since been summoned before the eternal bar of justice, be heard at this time they would surely say, in common with the members of the bar of today, that no provincial tribunal was ever held in higher regard or looked to with greater pride than the courts over which your honor has been privileged to preside, and no member of the bench has ever been held in greater esteem than has he to whom we have the honor and privilege of paying our respects today.

Possessed, as you always have been, of an eminently judicial mind, aided by a thorough knowledge of the law and actuated by a strong determination at all times to hold the scales evenly and fairly between your sovereign and her or his subjects and between all of your fellow men, your career on the bench has been one upon which you can well afford to look back with a very great deal of pride and satisfaction—a career which must find conscientious approval in yourself and merits the absolute and unqualified approbation of the world.

We desire also to assure your honor of the great pleasure and satisfaction we have always found in trying causes and practicing in the courts before you, which pleasure and satisfaction, to a barrister, can only result from a conviction that the fullest measure of justice will be meted out to his client by the presiding judge who administers the law, and that his treatment by the court will be of that kindly affable and gentlemanly character which has always in so marked a degree characterized your honor's demeanor towards all members of the profession whose privilege it has been to take part in the trial of causes in this court.

Without any desire to hope against nature, we are happy in the belief that the present conditions warrant an expression of the hope that your honor may yet be spared for many years to adorn the high position you have, with so much distinction, occupied for a period of nearly thirty-five years and that your wise and kindly counsel, your keen discrimination between right and wrong, and your correct judicial decisions may yet be available to the profession for many years to come. We also assure your honor of our complete confidence in your ability to still perform the important duties of your responsible and exalted position. We earnestly trust that an ever kind and gracious Providence may continue to bless you in health and to maintain you in the condition of mental strength and vigor, which you now enjoy in so marked a degree, for very many years, and that your busy, useful and exemplary life may still continue to serve as a guiding star for many young lives who, having seen your good works, may become desirous of emulating the same.

Dated at the County Court House, St. Andrews (N. B.), February 25, 1902.

L. A. Mills, J. G. Stevens, jr., M. MacMonagle, W. C. H. Grimmer, M. N. Cockburn, F. H. Grimmer, Geo. J. Clarke, E. W. Thompson, E. B. Coakley, N. Marks Mills, J. W. Richardson, J. Oscar Baldwin.

Judge Stevens replied—in words which while eloquent were yet full of pathos—in appreciation of the address presented. The following few words showing the character of the reply and of the judge will suffice: "I receive your effusive and laudatory expressions with much humility, sensible as I am of my many imperfections; I have, however, striven to discharge my duty in the sphere in which I have been placed with diligence and uprightness, and to elevate the position I have so long been spared to hold. Your testimonial to me is indeed most precious."

On the presentation of the Fenian medals, his honor made one of his characteristic and patriotic speeches, bringing back to the memory of the veterans present the stirring times of that period.

Last year he was present to welcome the members of the Summer School of Science at the opening session in the rink. At the close he was also present to "speed the parting guests." At the opening of the new court house in Calais last month he was invited and made an impromtu speech which was considered by those present to be the "speech of the day."

### The Judge's Family.

In December, 1845, Judge Stevens married Elizabeth Helen, daughter of John Marks, son of a Loyalist. She was the mother of fifteen children. The death of his wife, which occurred April 1, 1883, was the great sorrow of his life, for she was truly the partner of his joys and sorrows, his aspirations and honors; an affectionate wife and mother, a kind charitable neighbor, a true Christian helpmate. His children all occupy prominent positions in professional, business and social life. James G., jr., the eldest son, is a prominent barrister and partner of the late Hon. James Mitchell, attorney-general and premier at the time of his death. He also occupies a number of important positions. Andrew is a merchant in the west, as was Atheling, who died recently. John M. is a well known attorney in Madawaska. Helen M., the wife of J. G. Orchard, banker; Elizabeth, married to J. J. Morrison, in the banking business; Sarah G., now Mrs. W. B. Torrance, whose husband is also a banker; Miss Grace, who presides over the home since her mother's lamented death. She also is proficient as a writer, is one of our most attentive school trustees, as well as prominent in church and social duties; Fanny Alice, wife of Dr. Lawson, of this town; Kate A., married to Mr. Brown, of Woodstock; Ann W. is at home; Robert W. in the west, and Walter S. at home in business and a popular member of the town council.

It can be truthfully said that the history of Judge Stevens is the history of the progress of this town and county. This sketch of "The Grand Old Man" of St. Stephen can be appropriately ended with the last stanza of the jubilee poem written by Miss Grace B. Stevens, daughter of the honorable judge, to whom it fittingly applies:—

"The sands of time are sinking swift and fast away,
Victoria Regina.
And soon will come the call which even queens obey,
Victoria Regina.
May it be to 'come up higher' than the highest throne on earth,
To exchange an earthly crown of gold for one of lasting worth,
And an inheritance secure, more grand than thine at birth,
Victoria Regina.
God Bless Our Queen."

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Not less than one million dollars is annually spent by people seeking an absolute cure for Catarrh, Bronchitis and Consumption. Numerous are the remedies, but the one standing pre-eminently above all others is Catarrhozone. It cures these diseases because it is sure to reach them. Catarrhozone is inhaled into the lungs, throat and nasal passages and bathes every part of the diseased membrane with its germ-killing, healing vapour. You simply breathe Catarrhozone and it cures. Price 25c. and $1 at druggists, or Polson & Co., Kingston, Ont.

Genuine Castoria always bears the Signature of Chas. H. Fletcher.

When Baby was sick, we gave her Castoria.
When she was Child, she cried for Castoria.
When she became Miss, she clung to Castoria.
When she had Children, she gave them Castoria.

## Sheriff's Sale.

There will be sold at Public Auction at Chubb's corner (so called) in the City and County of Saint John at hour of twelve o'clock noon, on Saturday, the twenty-seventh day of June, next, all and singular, all the right, title and interest of the John McIntyre Estate of, in, to or out of the lands and premises described as follows: All those lots, pieces or parcels of land situate lying and being in the Parish of Simonds, County of Saint John, and Province of New Brunswick kown, marked out and described upon a map of said lands belonging to the said Joseph Crouch at the time of his death as lot number one hundred and fifty five (155) one hundred and fifty-six (156) one hundred and fifty-seven (157) one hundred and fifty-eight (158), said lots having a front of one hundred and sixty feet (160) upon a street or way marked and laid out on said map or plan designated Mount Pleasant street, and extending back preserving the same width one hundred and thirty-four feet (134) be the same more or less, said described land and premises having been conveyed by one Mary R. Crouch to John McIntyre by Deed Dated February 27th A. D. 1857, and registered in Libro G. No. 4, page 518, the 2nd day of March A. D. 1857.

And also all and singular, all the right, title and interest of the John McIntyre Estate of, in, to or out of the lands and premises described as follows: All these lots, pieces and parcels of land situate, lying and being in the Parish of Simonds, County and Province before written and known, marked out and described upon a map or plan of said Joseph Crouch's lands recorded on the first day of March in the year of our Lord one thousand eight hundred and fifty-six, as lots numbers one hundred and eight (108), one hundred and nine (109), and one hundred and ten (110) and hundred and eleven (111), said lots having a front of one hundred and sixty (160) feet upon a street or way laid out on said plan and designated Mount Pleasant street and extending back preserving the same width one hundred and thirty (130) feet more or less, said described lands and premises having been conveyed by one Mary R. Crouch to John McIntyre by Deed dated the thirteenth day of March A. D. 1857, and registered in libro H. No. 4, page 23, the 18th day of March A. D. 1857. The foregoing sale will be made under and by virtue of a Warrant issued by the Secretary of the Municipality of the City and County of Saint John under the provisions of Chapter 100 of the Consolidated Statutes of the Province of New Brunswick and amending Acts relating to the collection of rates and taxes, for the purpose of realizing the sum of two dollars and thirty-five cents levied and assessed against the said John McIntyre Estate in the said Parish of Simonds for the year A. D. 1901, and for the sum of three dollars and thirty cents costs and expenses thereon and for the further sum of nineteen dollars and fifteen cents for arears of rates and taxes brought forward and which said rates have been levied and assessed against the said John McIntyre Estate in the said Parish of Simonds, the whole amounting to the sum of twenty-four dollars and eighty cents, the said John McIntyre Estate having omitted to pay the said rates and taxes so levied and assessed against them as aforesaid or any part thereof.

Dated the 21st day of March A. D. 1903.

ROBERT R. RITCHIE, Sheriff.

GEORGE R. VINCENT, County Secretary.

## Sheriff's Sale.

There will be sold at public auction at Chubb's corner, so called, in the City of Saint John, at the hour of 12 o'clock, noon, on Saturday, the twenty-seventh day of June, next, all and singular, all the right, title and interest of the Estate of Hugh McHugh, of, in, to or out of the following lands and premises described as follows:

All that certain piece and parcel of land situate, lying and being in the Parish of Simonds in the County of Saint John being a portion of certain lot of land described on the plan No. 2 of partition of land between the children of the late Honorable William Hazen on file in the Record Office of the City and County aforesaid as lot No. one (1), containing one hundred and twenty-two acres and deeded to certain Patrick Madden the portion hereby conveyed being as described herein, to wit commencing at a point on the Loch Lomond Road in the said Parish on the division line between lots No. one (1) and two (2) named on the said plan, thence by the said line south 13.30 east 14 chains and seventy-eight links, more or less, thence at right angles in a westerly direction until it strikes the line parallel to the dividing line between No. one and two ten (10) chains more or less, and thence north 13.30 west by the magnet of 1824 14 chains 78 links, more or less, or until it strikes the said Loch Lomond Road thence by the said Road easterly ten chains, more or less, to the place of beginning, containing by estimation fourteen and three-quarter acres, more or less.

The foregoing sale will be made under and by virtue of a warrant issued by the Secretary of the Municipality of the City and County of Saint John, under the provisions of Chapter 100 of the Consolidated Statutes of the Province of New Brunswick and amending Acts relating to the collection of rates and taxes for the purpose of realizing the sum of $1.41 levied and assessed against the said Estate of Hugh McHugh in the said Parish of Simonds for the year A. D. 1901, and for the sum of $3.30 costs and expenses thereon, and for the further sum of $10.12 for arrears of rates and taxes brought forward and which said rates and taxes have been levied and assessed against the said Estate of Hugh McHugh in the said Parish of Simonds, the whole amounting to the sum of $14.83, the said Estate of Hugh McHugh having omitted to pay said rates and taxes so levied and assessed against him as aforesaid or any part thereof.

Dated the 21st day of March A. D. 1903.

R. R. RITCHIE, Sheriff.

GEO. R. VINCENT, County Secretary.

## Sheriff's Sale.

There will be sold at Public Auction at Chubb's Corner (so called) in the City and County of Saint John at the hour of twelve o'clock noon, on Saturday, the twenty-seventh day of June, next, all and singular, all the right, title and interest of the Brunswick Manganese Co. of, in, to or out of the following lands and premises described as follows: All and singular, those certain lots, pieces and parcels of land situate, lying and being in the Parish of Saint Martins in the City and County of Saint John in the Province of New Brunswick, and conveyed by the Saint Martins Manganese Company and one Wales R. Stockbridge by Indenture of deed bearing date the 14th day of June A. D. 1884, to the said Brunswick Manganese Company and registered in the office of the Registrar of Deeds in and for the City and County of Saint John in Libro 14, page 27, the 21st day of June A. D. 1884, reference thereto being had will more fully, and at large appear, and containing about eight hundred acres, more or less.

The foregoing sale will be made under and by virtue of a Warrant issued by the Secretary of the Municipality of the City and County of Saint John under the provisions of chapter 100 of the Consolidated Statutes of the Province of New Brunswick, and amending Acts relating to the Collection of rates and taxes. For the purpose of realizing the sum of eight dollars and sixty cents levied and assessed against the said Brunswick Manganese Company in the said Parish of Saint Martins for the year A. D. 1901, and for the sum of three dollars and thirty cents costs and expenses thereon and for the further sum of one hundred and five dollars and ninety cents for arrears of rates and taxes brought forward and which said rates and taxes have been levied and assessed against the said Brunswick Manganese Co., in the said Parish of Saint Martins. The whole amounting to the sum of one hundred and fifteen dollars and fifteen cents.

The said Brunswick Manganese Co. having omitted to pay the said rates and taxes so levied and assessed against them as aforesaid or any part thereof.

Dated the 21st day of March A. D. 1903.

ROBERT R. RITCHIE, Sheriff.

GEORGE R. VINCENT, County Secretary.

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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.

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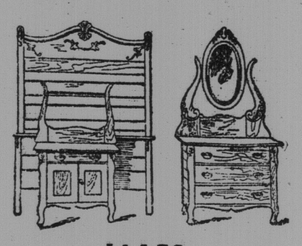
Bedroom Suit, golden finish, mirror 14x24 ins.



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This caution is necessary, as many persons deceive purchasers by false representations.

Dr. J. Collis Browne's Chlorodyne
—Vice Chancellor SIR W. PAGE WOOD stated publicly in court that DR. J. COLLIS BROWNE was undoubtedly the INVENTOR of CHLORODYNE, that the whole story of the defendant Fretmau was deliberately untrue, and he regretted to say that it had been sworn to.—See The Times, July 12, 1894.

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Is the TRUE PALLIATIVE in Neuralgia, Gout, Cancer, Tootache, Rheumatism.

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