

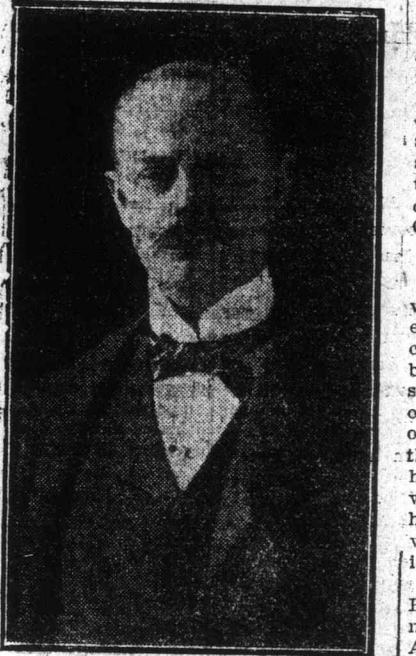
# JUDGESHIPS WILL GO TO McKEOWN AND BARRY

Former Atty. General and Fredericton Lawyer Chosen

The Appointments Will be Made Early This Week

Formal Announcement of Cabinet Decision Not Yet Made

Careers of the Proposed New Judges Briefly Sketched



HON. H. A. McKEOWN.

(Special to The Sun.)  
OTTAWA, May 28.—Through the new appointments to the New Brunswick supreme court bench have not yet been formally made nor officially announced it is understood that the new judges are to be Hon. H. A. McKeown, K. C., of St. John and Judge J. H. Barry of Fredericton. In fact, the correspondence in a position to announce that the government will make the appointments at a cabinet meeting early this week.

**Harrison A. McKeown.**  
Harrison Andrew McKeown, the official address of whose elevation to the bench have been received with general satisfaction throughout the city, is a native of St. Stephen. He was born 28th November, 1838, and is a son of the late Rev. H. McKeown and Elizabeth (nee Harrison) of Sunbury County. He received his early education from the Fredericton Collegiate School. Later he entered Mount Allison University, graduating in 1861. Mr. McKeown first entered politics in 1860 and in the ensuing election he contested the county seat for the local house. He was defeated by the casting vote of the sheriff. The following seven years were chiefly spent in the practice of his profession, but in 1869 Mr. McKeown again entered the political arena and was elected to the local house as the representative of the county. On the 18th January, 1869, he was sworn in as a member of Mr. Emerson's government without portfolio. The succeeding general election of 1869 Mr. McKeown was re-elected, to be subsequently appointed solicitor general. He was returned by acclamation. In the following year Hon. A. G. Blair resigned his portfolio as minister of railways and canals in the federal administration and Mr. McKeown contested the vacant seat of St. John as the Liberal candidate. He was defeated by Dr. Daniel.

In the general election of 1904, Mr. McKeown, with Richard O'Brien as his running mate, contested the two seats. They were both defeated. On 28th October he was sworn in as attorney general in the government headed by Hon. C. W. Robinson and upon Dr. Robinson's resignation Mr. McKeown was elected to the seat of attorney general by application. He was re-elected in the general election of 1908, when in the defeat of the government he resigned his portfolio.

**JEREMIAH H. BARRY.**  
Jeremiah Hayes Barry, the son of Patrick and Julia Hayes Barry, Bantam, Ireland. His parents came to this country in 1840, and settled in Maugerville, Sunbury County, where on the 21st of May, 1858, the subject of the sketch was born. In 1861 the family moved to St. Mary's, opposite Fredericton. Mr. Barry received his education at the Fredericton public schools and in 1875 entered upon the study of law in the office of J. A. afterwards Judge Vanwart. In 1882 he was admitted to the bar, among his class mates being French Hazen, M. G. Teed, D. Mullin, A. J. Gregory, Dr. J. A. Curry and Judge Carleton. During the past five

## ABLE TO DRAW ALLOWANCE AND WORK IN HAY FIELDS

Probably the most interesting evidence which came out on Saturday in the equity suit of Dr. v. McGuire, was that of Archie McGuire of St. Patrick, Charlotte county, who told the court that it was possible to draw a full disability allowance from the I. O. O. F. of which he is a member, and still be able to work in the hay fields at \$2 per week. The defense attempted to bring in evidence that the plaintiff, J. Henry Dyer, had alienated the affections of Mrs. Robert McGuire from her husband, who is one of the defendants, L. A. Curry, K. C., for the plaintiff contended that this evidence should not be admitted on the grounds that it was irrelevant. Melbourne Monagle, K. C., and A. O. Earle, K. C., for the defense, did not press the point. The action is brought to set aside a number of transfers as fraudulent. Six additional witnesses were called. The defendant, Robert McGuire, is at the present time serving a term for perjury and the defense did not attempt to produce him. Upon argument of L. A. Curry, K. C., who appeared with Mr. Cockburn, K. C., for the plaintiff, and of Melbourne Monagle, K. C., who appeared for the defense, His Honor the Chief Justice said that he would have time to consider. A. O. Earle, K. C., appeared for the defendant, Mrs. Mildred I. Hunt, daughters of Melbourne Monagle, K. C.

**FIRST WITNESS.**  
The first witness called on Saturday was M. N. Cockburn, K. C., who was examined by Dr. Curry. He told of a conversation which he had with Archie McGuire some time ago in the street in St. Stephen before a number of witnesses. In answer to questions of witness, young McGuire had said at that time that he would not have asked his father for wages for the work which he had done for him. His father had sent for him and told him that he would give him a deed of the farm for services.

The second witness was the plaintiff. He was present when young McGuire made these remarks to Mr. Cockburn. Archie said that if the property was sold, his father's hands would be might as well have it as any one else. Archie said he would not have asked for the property, however. Witness said that he was a farmer, blacksmith, blacksmith and postmaster. He said that his farm, adjoined the McGuire farm now involved in litigation. Cross-examined by Mr. Monagle, witness was asked, "Are you not the one who is mentioned as having alienated Mrs. Robert McGuire's affections?" Dr. Curry objected to the question. Dr. Earle said that he wished to attack the credibility of the witness' evidence. Mr. Cockburn said that a jury had twice found this charge unfounded. Dr. Curry said that the matter was not relevant. They were not afraid to discuss it, however. Dr. Earle said that just as a question of things, and that they are gradually being abolished. He would not, however, agree with the plaintiff.

Witness, continuing, said that Mr. Monagle had bought the mortgage of the property from him and had paid full value. Witness said that he had sold it to Mr. Monagle and told him that he had better buy it. Mrs. Hunt was next called. Witness is the daughter of Melbourne Monagle, K. C., and lives in Framingham, Mass. Examined by Mr. Monagle, she said that by the will of her grandfather she was the owner of a house. Up till July last she had not received the legacy or any part of it from her father, who had charge of the estate since the death of her mother about eleven years ago. In July last she was visiting her father at St. Stephen and they talked of the legacy. Her father suggested that she should take the mortgage. She asked him if it was a good one, and he told her that it was. She was satisfied and made no further inquiries, but took the mortgage as he suggested. She has never seen the land in question. Up to the time of this suit she knew nothing whatever about any of the McGuire family. The first that she knew about any trouble was when she was served with papers at Framingham in this suit. Cross-examined by Dr. Curry, witness said that she was married and living with her husband and over age. Her father told her that the mortgage was a good one and she was perfectly satisfied. She trusted him entirely.

**TOLD OF CONVERSATION.**  
Melbourne Monagle, K. C., examined by Dr. Earle, told of his conversation with his daughter. When she said that she would take it he drew

years. Mr. Barry practiced his profession by himself in 1867 he entered into partnership with Attorney General Blair, and this partnership continued until 1869, when Mr. Blair became minister of railways. Among some of the important positions Mr. Barry holds are the following:—Member of University Senate, member of Victoria Hospital Board, member of Provincial Board of Health, President of the New Brunswick Bar Association, member of A. D. H. and C. M. B. A. the former of which he was its first president. Mr. Barry was appointed K. C. in 1899, clerk of the county court in 1896, on the resignation of Judge Wilson, and Judge of Probates in 1891 on the death of P. A. H. Shotton. Mr. Barry married in 1891, Isabelle, daughter of John Owens, of this city, and they have four children.

the assignment, which was executed before Mr. Richardson, a justice of the peace. He had obtained the mortgage from Mr. Monagle in good faith. He had no account of \$154.60 against McGuire for services in recent litigation. He gave him his demand note for the balance of the \$500. This note he paid on the 2nd day of June last in full. This is according to memorandum on the back of the note. Cross-examined by Dr. Curry, witness denied that he had ever previously said that he had paid the \$500 in cash. Dr. Curry tried to show that witness was hard up because he borrowed money recently at six per cent. His honor remarked, the witness, like many other business men might be borrowing money and still not be in financial difficulties.

To Dr. Earle, witness said that he did not send Robert McGuire to Dr. Marks Mills to have that solicitor draw up the deed to Archie McGuire.

Dr. Earle now moved that the bill be dismissed against Mrs. Hunt. She should never have been joined in the suit. There was not the slightest evidence against her.

Dr. Curry was heard contra. "The whole of the transactions from beginning to end tainted with fraud," Mrs. Hunt, he said, would not suffer in any case. She could not be regarded as a stranger and a third party.

His honor—Why not a stranger and a third party. She was married and away from home.

Dr. Curry—I argue that his knowledge was his knowledge.

His honor—I cannot see it that way. The question of constructive notice has not been raised.

His honor said that he would hear the rest of the evidence. Archibald E. McGuire was next called. Examined by Mr. Monagle he said that he lived on the farm in question. He is 27 years of age and has been living ever since he was 17. He has been married three years. Witness told of a conversation which he had with his father, the plaintiff, in which he was going to sell the property and witness might as well have it as any one else. His father thought that the property was worth \$1,000, but they agreed upon \$300. Witness had at that time an account against his father for services. He had also loaned his father the various sums \$40.80. They had made the account out together. The whole bill amounted to \$400. He had various moneys. Some of these were paid in evidence. One was written on the back of a piece of wall paper. He had not pressed his father for the amount. His father never seemed to be in a good position to pay.

**HEARD NO TALK.**

Witness heard no talk about Monagle sending his father to Mills to have the deed and mortgage drawn. In time for the sale of the property which he present owns in Woodland, Me. He remembered seeing his father receive money from Mr. Monagle about June. He did not know, however, how much was paid. He remembered that his father signed his name. He identified the paper shown him, namely the cancelled demand note, as the paper which his father signed.

Cross-examined by Dr. Curry witness said that he had been living home at times since he was married but had paid no board. Once he paid board but that was a long time ago when he was under age.

Dr. Curry—Did you ever expect to make a charge against your father?

Witness—"Yes, I did."

Dr. Curry—"Were you not drawing a disability allowance from the I. O. O. F. on some of the days which you have charged up against your father?"

Witness—"Very likely. I was not very well, but I was working in the hay fields."

Dr. Curry—"You admit then that you were perpetrating a fraud on the I. O. O. F.?"

Witness—"They all do it around there."

Dr. Curry—"You got full benefit allowance, did you not?"

Witness thought that he did.

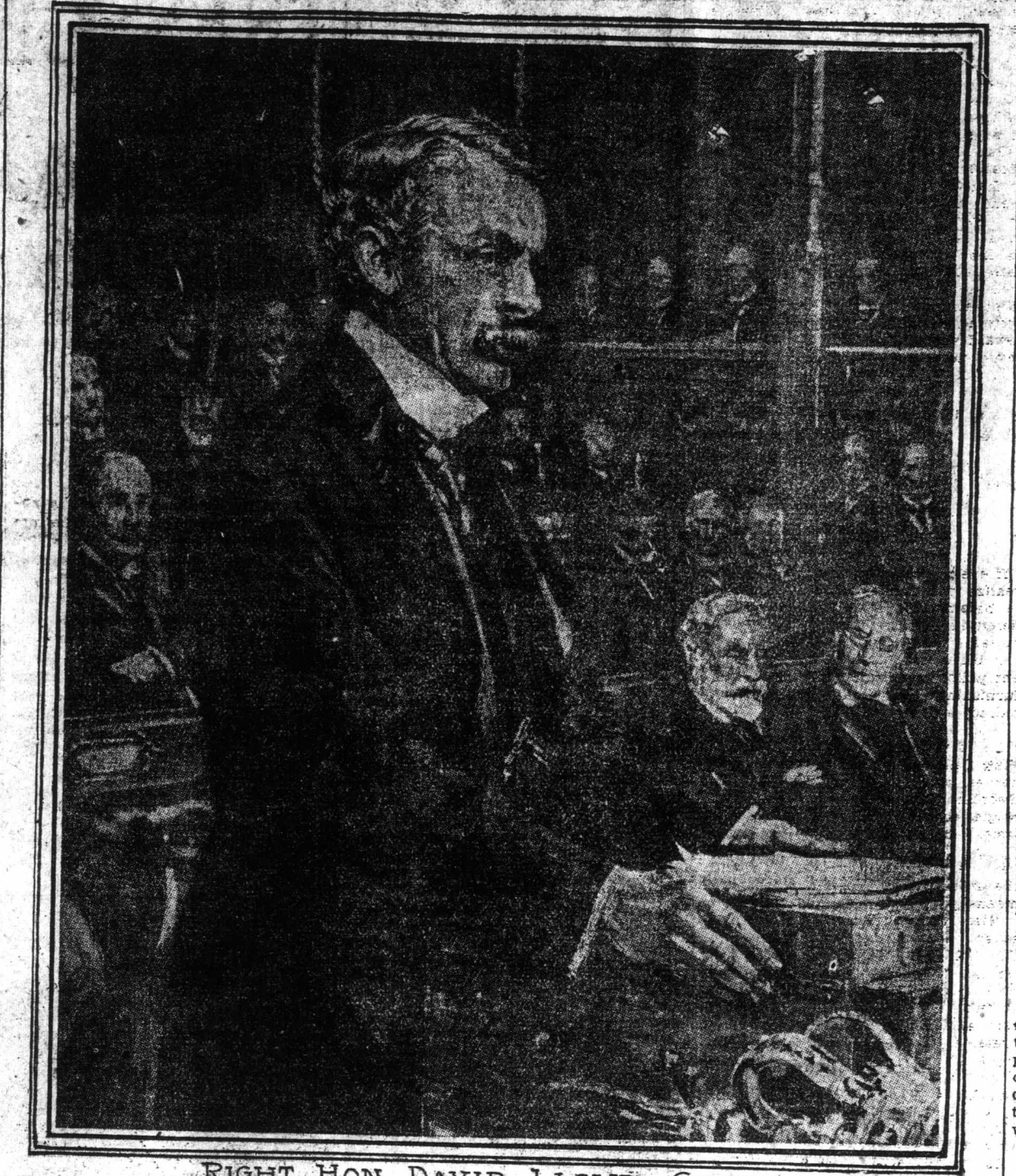
**RECEIVED A LETTER.**

Witness said that he received a letter from Mr. Monagle saying that his father was anxious to see him. He therefore went from Woodland, Me. where he was then living, to St. Patrick. When he got there he had his conversation with his father which ended in the deed being made to him. Gertrude S. McGuire was then called. She remembered her husband working for his father both in the lumber woods and in the hay fields. He was not well when he was drawing the allowance from the I. O. O. F., but he was able to work in the hay fields well enough.

This concluded the evidence and argument of counsel was then heard. Melbourne Monagle, K. C., was heard on behalf of the defense, and L. A. Curry, K. C., for the prosecution. Both sides went fully into the evidence. At the conclusion his honor said that he would take time to consider. It was after five when the court adjourned. The trial in this suit left for home by the evening train.

When the court opened in the morning L. A. Curry, K. C., requested another adjournment in the case of Gertrude S. McGuire. The case accordingly stands over till the next session of the court, which will be in July.

## LORDS MAY REJECT LLOYD-GEORGE'S BUDGET AND FORCE AN ELECTION



RIGHT HON. DAVID LLOYD-GEORGE.

LONDON, May 21.—Paling some radical amendments of the new taxation proposals, Lloyd-George's budget, Conservative opinion holds that the House of Lords will be warranted in resuming its ancient right to give its decision on financial matters. The existence of that right has been fully discussed of late and it has been shown beyond dispute that the Lords have no right to amend financial legislation, and that right merely brings that assembly into line with the usage of second chambers in other civilized states.

In spite of the Liberal claim that this is a "People's Budget," opposition demonstrations have shown that it will bear heavily on the poor as well as the rich. The brewers give warning that the price of beer is bound to increase, and it is contended that even such an innovation as the proposed tax on land values will press heavily on the artisan classes. More than half the shops

of the friendly societies are invested in land, buildings and mortgages, and hence this tax will constitute a real burden to the half-million artisan members of those societies.

It is taken for granted, of course, that any action on the part of the Lords, in violation of the long usage which gives the Commons control of the public purse, would force the government to appeal to the people and the opposition are confident that upon the issues thus raised the government would be defeated.

**Sensational Tales Which Turn People's Heads Nothing but Myths**

**The Phantom "Flying Dutchman" Belonged to Advertisers**

**Germany Views the Spectacle With Contempt and Disgust**

**England Pictured as "The Home of Decaying Degenerates"**

LONDON, May 22.—The speech at the Lake Mohonk conference on international arbitration of President Nicholas Murray Butler of Columbia University, in which he described Great Britain's attitude to Germany as a form of "present day emotional insanity," has been strikingly confirmed during the past week. Sensational stories of German airships, stacks of German Mausers stored in a London cellar, thousands of German waiters and their dressers eagerly anticipating the emperor's signal to deliver England to an invading army of their fellow countrymen, have been the main features of the newspapers throughout the country.

**The Mauser Myth.**  
The Mauser myth, to which attention was first called by Sir John Barlow, has been contemptuously dismissed by War Secretary Haldane in the House of Commons as "an exceptionally silly story," but it has been quite surpassed by accounts of mythical nocturnal visitations of a German airship. The phantom "flying Dutchman" soon developed into a large fleet, the com-

ponents vouching for the accuracy of their respective stories and giving signed statements either materially admitting the genuineness of the mysterious and swift-moving dirigibles or the "momentary" various places of the east and west coasts, and even in Ireland.

Captains of incoming steamers have been credited with statements that they exchanged flare signals with the aerial visitors in the North Sea and some newspapers went so far as to insinuate that the "secrecy" had its home on a German warship now in the North Sea at manoeuvres, to which it came after its nightly flights. Descriptions of the secret fly-by-night became more and more graphic until certain advertisers, who had been experimenting with model airships attached by ropes to motor cars, confessed their part in the affair and exploded the various theories.

Meanwhile Germany, as evidenced by the comments in the German papers on the latest panic, came to much the same conclusion as President Butler. Contempt, disgust and impatience have been the prominent notes in the German editorials, which picture England as "the home of mere nervous degenerates, who are yielding themselves up to a frenzy unworthy even of a 'decaying country'."

**\$10,000 SUIT AGAINST D. A. R.**  
DUGBY, N. S., May 23.—For injuries sustained by his wife at Ohio station, owing to alleged negligence on the part of the company's employees, counsellor E. W. Cousins of Digby has instituted an action against the Dominion Atlantic Railway for ten thousand dollars damages. The writ, issued out of the supreme court, was served on General Manager Giffins on Saturday. Barclay Webster, K. C., is acting for the defendant company and R. G. Munroe of Digby is the solicitor for the plaintiff.

**On Either Side.**  
Besides this increased power all the twelve inch guns of these new ships may be fired on either side. For this purpose the deck erections have been reduced to the minimum and the two pairs of guns placed in the centre of the ship in barbettes on each wing, but arranged in elevation, can sweep through almost a complete circle and fire on the port or starboard side. The

**CASTORIA**  
For Infants and Children.  
The Kind You Have Always Bought  
Bears the Signature of *Dr. J. C. Watson*

BOSTON, May 21.—Rev. Dr. Peter Thos. Stamford, a negro minister and writer, formerly well known in the north and south, died at his home in North Cambridge last night. He was born a slave at Hampton, Va., in 1825,

## NEWS OF THE WORLD IN CONDENSED FORM

Coldest May Day in Fifteen Years in New York

Saturday

CUP FOR FLEET

NEW YORK, May 22.—Whiskey administered as a cure for seasickness caused the death of two nine-year-old boys, steering passengers on the steamer Kaiserin Augusta Victoria, which arrived here today from Hamburg. Both were buried at sea.

**WESTON IN COLORADO.**  
HUGO, Colo., May 22.—Edward Payson Weston arrived here early this afternoon, having travelled eighteen miles from Hoyo today. He will stay here until early Monday morning. He expects to reach Denver 105 miles west on Tuesday.

**CUP FOR FLEET.**  
NEW YORK, May 22.—A huge silver loving cup, a gift to the Atlantic fleet in commemoration of the round-the-world cruise, was received on board the battleship Connecticut, flagship of the fleet during the cruise this afternoon. The cup is the gift of the Admiral Trenchard section of the Navy League.

**COLD IN NEW YORK.**  
NEW YORK, May 22.—New York experienced today the coldest May day in fifteen years. The lowest temperature was 48 at 7 o'clock and the highest 64 at noon. A high tide and a heavy sea outside the Hook accompanied the chill and considerable damage was done along the waterfront.

**ANOTHER HOLDUP.**  
OMAHA, Neb., May 22.—It is reported that three men attempted tonight to hold up a Chicago and Northwestern passenger train running between Council Bluffs and Sioux City, near Council Bluffs. One passenger is reported to have been killed. Two of the robbers were captured.

**CARTOONIST DEAD.**  
CAMDEN, N. C., May 22.—E. G. Bush, formerly cartoonist for the New York World, died at his winter home here last night. Mr. Bush is survived by his widow, three daughters, and one son.

**SOME DIRECTORS WANT NEW SITE FOR BIG FAIR.**  
Almost Certain \$50,000 Grant Will Come to St. John and Plans Being Discussed

The possibility of an official decision reaching the city regarding the decision of the Dominion Exhibition grant for 1910 is bringing forth much controversy among several of the directors, as well as a number of St. John's leading merchants. It is practically certain that the \$50,000 will come here, and the first point to be settled upon will be the site of the exhibition. While there are some who favor holding the big fair on the present grounds, others declare they are inadequate for the purpose. It is generally expected that the directors will come here with a Dominion Exhibition. There has been talk of improving the grounds and even enlarging them. However, many feel that a new site somewhere, near the city, should be secured. There have been many places mentioned, but so far the scheme has not materialized.

As soon as any definite information from Ottawa is received, the directors will assemble and begin preliminary arrangements. There will be a large amount of work and an early start will be made.

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Mrs. Gunter, who was in failing health for some months, was well and cheerful until a few days ago, when she was seized by a large circle of acquaintances, and her decease will be recalled with much regret. Interment will be at Springfield Tuesday morning.

**GERMANY'S DESIGNS.**  
Germany's intentions are no doubt very friendly, but if she held command of the sea it is impossible to doubt that she would expect America to be "restrained" in her policy. It is in regard to the Monroe Doctrine that Germany considers out of date to its logical conclusion.

"For example she would not deem it a friendly act on the part of America to refuse recognition of her claim to special interests in northern Brazil. Again, if she were able to obtain the command of the seas she could not be expected not to desire the possession of some islands in the West Indies. In a word, the state department knows that if Germany were once to obtain the command of the seas she would be able to claim the privileges and advantages of that position upon Germany which they possess in our case

## CANADA AS A HOSTAGE

If England Should Fight Germany

UNCLE SAM'S PART

London Spectator Thinks Americans Like Britannia to Rule the Waves

LONDON, May 24.—A rather embarrassing discussion was had in the English press this week over the attitude that America might take in case the threatened struggle between Great Britain and Germany should actually take place. The New York Times of the Times has been at the pains to explain, on the authority of the Springfield Republican, that the United States could not only remain neutral in such a crisis and that America could regard only with suspicion the assumption of a certain section of the English press that she could be reckoned even as a moral ally of Britain.

These representations have moved the Spectator to devote its leading article today to the subject. It uses language which it itself declares may seem that of blunt and brutal frankness. The ordinary American journalist, it asserts, sometimes shows astonishing ignorance of foreign affairs. Like all ignorant people, these journalists are very suspicious, especially of friendly expressions of opinion which they do not understand.

They are in the condition of Farmer Hays when he comes to town. He assumes that everybody who is decently civil to him is trying to swindle him and a courteous word throws him into a perfect ferment of anxiety. The Spectator says on this occasion, "We venture to say that the statesmen of America realize this moment, and that later on the bulk of the American people will realize it. The Springfield Republican, that it would be little short of a national disaster if the command of the sea were lost by Britain and were to pass into German hands."

"America, in spite of her tremendous coast line and her possession of the great archipelago of the Philippines, and still more, in spite of those great interests in Spanish South America, and Brazil which are defined in the Monroe Doctrine, is not in a position to acquiesce with easy mind in British command of the sea. The reasons are plain.

"In the first place, America has always realized that we could not use our command of the sea in any way which could greatly damage the very good reason that Canada is a part of the British Empire. In Canada the Americans feel that they possess a hostage whose loss would mean from any exercise of the power that comes from the command of the sea, which they would find intolerable."

"Further, American statesmen know that we are, in reality, alien partners with them in the Monroe Doctrine, though occasionally that doctrine has been used in a sense which is a twisting of the lion's tail. It was a British statesman, Canning, who originally suggested the formulation of the Monroe Doctrine, and it is in fact, as we have repeatedly said, in fact, in fact, have acknowledged the binding character of that doctrine."

The State Department at Washington knows full well that if they should ever deem it wise to approach the governments of Europe with a view to getting a general acceptance of that policy put on record, no opportunity would come from this country. Therefore those who control the foreign policy of America will have no anxieties so long as the command of the sea remains in British hands."

"No doubt there is a certain party in the United States who desire that the own country could in the full command of the sea. If, however, cannot induce the people of America to make the necessary sacrifices and create the means for the purpose, they would much rather that the control should remain in our hands. We venture to go further and say that though the American people are from many points of view very friendly with Germany the statesmen of Washington would rather see the command of the sea in almost any other hands than those of Germany, and for this reason: They know that the German ambitions and aspirations in the matter of world power must if Germany held the command of the sea end to bring her into conflict with the Monroe Doctrine."

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Mrs. Gunter, who was in failing health for some months, was well and cheerful until a few days ago, when she was seized by a large circle of acquaintances, and her decease will be recalled with much regret. Interment will be at Springfield Tuesday morning.

**GERMANY'S DESIGNS.**  
Germany's intentions are no doubt very friendly, but if she held command of the sea it is impossible to doubt that she would expect America to be "restrained" in her policy. It is in regard to the Monroe Doctrine that Germany considers out of date to its logical conclusion.