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Miramichi Advance.

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An equal surprise and pleasure

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The McCulley Investigation.

The investigation of the charges preferred by Messrs. Z. Tingley and R. B. Armstrong against Police Magistrate S. W. McCulley of Chatham, was resumed on Friday last by Commissioner, G. G. Gentry, Esq., of C. D. Dr. J. C. C. and Messrs. E. J. Lawler and W. C. Winslow appeared for the complainants and Mr. Robert Murray for Mr. McCulley.

The case was heard by Hon. L. J. Tweedie was resumed under cross-examination by Mr. Murray as follows:—

I don't know what month it was the club was fused, but I think it was in February

My recollection is it was in March that the charges were filed against Mr. McCulley. Were you present when Mr. McCulley filed the steward of the club?

Do you recollect on one occasion shortly after or immediately after Mr. McCulley had omitted the steward of the club, Mr. Winslow, one of the managing committees of the club, and that I think that we have had a new magistrate?

The steward was fined two or three times. We were not in court at all.

In these not, to your knowledge, a great deal of the time, the magistrate, either in the complaint preferred or in the evidence on his ground, namely? That no charge has been made against Mr. McCulley because of his having committed the steward of the club?

Mr. Puggley objects to the question on the ground, namely? That no charge has been made against Mr. McCulley because of his having committed the steward of the club?

The Commission—Although the question may be objectionable I will allow it.

I have heard Mr. McCulley's judgment in the club cases criticized by members of the club, and the club against Mr. McCulley, and I have heard of any ill feeling existing against him among members of the club.

Have you not heard expressed a good deal of ill feeling by the lawyers who are in the club against Mr. McCulley?

I will tell you what I have heard.

Mr. Murray claims the right to a direct answer.

I have not heard any expression of ill feeling against Mr. McCulley, but I have heard, however, heard criticisms of Mr. McCulley's conduct as a magistrate by the lawyers of the club, but I never saw any evidence of ill feeling.

Do you not hear them claim that the convicting of the steward of the club was an outrage?

No; I have not heard them claim it was an outrage.

Do you not hear them make claims statements to that effect?

No; but I have heard them claim that he was unfair in his rulings.

Have you not heard them denounce him as a magistrate?

I have heard adverse criticisms of his judgment, but I have not heard him denounced.

Tell us just what you have heard them say.

I have heard them say that you and Mr. Menzies appeared before charges of him; that he allowed you more latitude than he did to oppose counsel; that his rulings were nearly always in your favor; that he declined to appear for the trial of the club against Mr. McCulley, and that he desired to have the legal decision come down to whether a bona fide club, such as the Chatham Social Club, could exist in a county where there was no evidence of ill feeling.

Did you understand my question as referring to the club cases?

I did.

Were you not aware that I did not try club cases?

I was in the bed at the time. I recollect now that they did not try the cases. You were a member of the club. Mr. Butler tried them.

Did you not well informed as to what was going on when you were all and confined to your house?

I was pretty well informed, I think.

Were you not consulted about the club cases by the lawyers, but you being tried?

I can't say I was consulted. I talked over the law points with different persons. Did you not make suggestions to the counsel?

No; I did. I can't say I advised them. They knew as much as I did about the cases.

When you understood me to be asking you about what the legal members of the club said in reference to Mr. McCulley's conduct when you said you heard them say that he was not engaged in the cases?

The opinion was expressed by some of the legal members of the club, and by some of the lawyers in these cases, and consulting with Mr. McCulley in reference to these very trials.

Who were those lawyers who expressed that opinion?

They were not necessarily; some of the lawyers about the club. My answer covered what was said generally regarding Mr. McCulley's conduct.

Did you not answer the questions regarding my trial did you make your answer cover more than the question called for?

I could not well divide the answer, as I was not necessarily distinctly each conversation. I gave you the substance of what I have heard.

What have you heard lawyers of the club say in reference to Mr. McCulley's decision in the club cases?

Mr. Puggley objects to this method of cross-examination being continued, as it will prolong the enquiry indefinitely. These charges are not made by the lawyers. Messrs. Tingley and Mr. Armstrong are the complainants. Do you control your judgment, Mr. Commissioner?

The Commissioner—It may be important to know what is the opinion of lawyers regarding Mr. McCulley.

Mr. Puggley—I have no objection in the club cases having to do with these charges. The Commissioner—I don't care who

Has Upset

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