Miramichi and the North Shore, etc.

THE SCOTT ACT QUESTION :—A letter from Mr. G. C. Crabbe, repiying to one of Mr. W. S. Brown, which recently appeared in the ADVANCE, reaches us too late for publication this week. It will appear next week.

GUILD SALE :—We direct attention to the interesting sale of needle-work etc, which will be held by the ladies of S. Paul's Chapter of the Guild of S. Mary's and S. Paul's, in the hall near the near S. Paul's Church Upper Chatham on Wednesday next, at 2 o'clock p. m.—See advertisment.

PICNIC AT POKEMOUCHE :—The congregation of the Church of the Immaculate Conception, Pokemouche, intend holding a picnic on the church grounds on August 16th. A good day's enjoyment is promised to all that may attend. For particulars see advt. in another column.

THE P. O. SITE :—The Advocate is in error when it states that Hon. Mr. Costigan, when here on Saturday, expressed himself adversely respecting the site selected for the proposed new Dominion building. The statement was, no doubt, an invention of some interested party.

SATURDAY :—Who will think of missing the opportunity to make a trip of forty miles —to Bay du Vin and return—when it can be done every Saturday for twenty-five cents on the Str. Miramichi? The steamer runs to Bay du Vin first, landing excursionists, and calls for them on her return up river, four hours later.

EXCURSION TO REDBANK :—A Bazaar and Picnic by the congregation of St. Thomas R. C. Church is advertised to take place at Red Bank on August 16th. The Str. Rustler will run from Chatham to Redbank calling at all intermediate points. St. Michael's C. T. A. S. band has been secured and will furnish music for the occasion.

FRANK SISK was arrested in Chatham on Monday for presenting a forged order upon Mr. Snowball for $23.62, purporting to be drawn on account of Michael Graham by Robert Loggie. He said he received it from the post-master of Tracadie, who requested him to get it cashed for him. Similar orders have been made on other occasions. Sisk was let go subsequently with Mr. Snowball's consent, but the end is not yet.

PERSONAL :—We learn from the British Medical Journal of July 16th that Dr. J. Hayes (Nelson N. B.) of McGill College, Montreal, underwent examination before the Board of the Royal Colleges of Physicians and Surgeons, London, on July 11th and passed in both Anatomy and Physiology. We congratulate him on his success, especially as we observe from the published list that the numbers of candidates "referred" were as large as those who passed.

Mr. M. J. Doyle of Boston is visiting Miramichi friends, who are glad to welcome him home again, although his vacation will last but a fortnight.

Hon. John Costigan Minister of the Inland Revenue Department was in town on Saturday the guest of his brother-in-law, Mr Wm. Lawlor. He was accompanied by Mrs. Costigan, their daughter, Mrs. Armstrong and her son, and Mrs. John R. Costigan, of Calgary and her son. They left the same afternoon, and the Minister's many friends here regretted that his stay was of such short duration.

Messrs. S. Hayward and John W. Gilmor, of St. John were in Chatham yesterday afternoon and left for the Tabusintac Club House to enjoy the trout-fishing.

Amongst the summer visitors to Miramichi are Messrs. T. D. Adams of Boston and Baron Von Hugel of Montreal, who are enjoying Miramichi attractions in the way of private excursions by road and river and otherwise passing the time most delightfully.

Mr. Daniel, agent of the Bank of Nova Scotia, Campbellton, has been spending a week's vacation as the guest of F. R. Morrison, Esq., agent of that institution here and at Newcastle. He has made a host of friends during his stay.

Death of Mr. Joseph Tweedie.

Mr. Joseph Tweedie, one of our oldest, most widely known and respected citizens died at his home, in Chatham, on Tuesday morning at the age of seventy-nine years and six months. He was an Irishman by birth and came to this country sixty-six years ago. For many years he has been engaged in the work of colporteur for the American Tract Society and in that connection was known all over the North Shore of the province and also in adjacent parts of Quebec. He was a brother of three Methodist clergymen who are or were well known on circuits in the maritime provinces: Rev. Wm. Tweedie, now supernumery at Hampton, N. B.; Rev. Jas. Tweedie now stationed at Port Hood, N. S. and Rev. Robert Tweedie who died a few years ago. He leaves one son and two daughters, Hon. L. J. Tweedie, Q. C., Surveyor-General, Mrs. Barnett of Toronto and Miss M. R. Tweedie of Chatham. His second wife, who survives him, is a daughter of Mr. Wm. Gray of Benaventure, Quebec. He was a man of pronounced character and great strength of will, and his familiar figure will be much missed in the community. The funeral will take place this afternoon at three o'clock from his late residence, Shirreff street, near St. Andrew's church.

Mr. Collinson's Farewell Concert.

Mr. George Collinson, the retiring organist of St. Luke's Church, Chatham, has reason to congratulate himself on the success of his compliamentry farewell concert, which was given in the Masonic Hall here on Monday evening. It attracted one of the best audiences that has ever been in the hall, a bit of good fortune such as is always a satisfaction to those who cater for the public, and it was a great success also from the fact that it brought before our people a combination of talent of which no couminity in the province need be ashamed. Those who appeared were not of course all residents of the Miramichi, but they were largely so, and while comparison in this respect would be out of place, it is gratifying to know that if those from abroad were admired for their excellent work, they could not but join in the general verdict that we have some talent here of more than average merit, as well as of a high degree of culture. The programme was as follows :—

PART I.

Chorus—Come, Dorothy, Come,	Swabian Vogs'eid.
Song—Trusting, ... Miss Elliot	.....
Violin Solo—Cavatina, ... Mr. J. A. MacDonald.	J. Raff.
Song—Anchored, ... Senor Idone.	Watson.
Recital—The Whistling Regiment ..... Mrs. Margerite Chase.	.....
Humorous Song—See Me Dance ..... Mr. Porteous.	Grossmith.
Scotch Ballad—Auld Robin Gray, ... Mrs. Porteous.	.....

PART II.

Piano Solo—Valse No. 1, ... Mrs. Porteous.	Chopin.
Chorus—Stephanie Gavotte, ...	Czibulka.
Song—In Romany Land, ... Miss Troy.	Roeckel.
Recital—Selected, ... Mrs Margerite Chase.	.....
Violin Solo—Air Varis, ... Mr. J. R. McDonald.	.....
Serenade Bercouse, ... Mrs. Porteous.	Gounod.
Song—Estudiantina, ... Senor Idone.	Lacome.

These numbers were not strictly adhered to but such departures from them as were made did not, in any sense, mar the entertainment. Too much cannot be said in praise of Mrs. Porteous' artistic rendition of her songs. One of her encores, "Comin' thro' the Rye was particularly captivating and her last effort, a volunteer number, to which she accompanied herself on the piano, exhibited a range of voice and ease and finish in execution that have never before been equalled in Chatham. We would like to say a good deal in praise of Misses Troy and Elliot, but they are, asyet, amateurs, tho' most promising vocalists. Mr. Porteous acquitted himself excellently. He accomplishes what he undertakes—the amusement of his auditors. Mrs. Chase is, we presume, a professional reader. She has a good stage presence, dresses well and has evidently had the advantage of careful training. Mr. McDonald took the house by storm. He is especially good in catchy violin preformances and his bowing is, in some respects, very artistic. We hope to see more of him in Chatham. Senor Idone did not put in an apperance, or make any attempt to have his absence explained, so we do not know what good things were missed by his failure to materialize. It is needless to say that Mr. Collinson's accompaniments were quite up to his usual standard of excellence, and that the members of the chorus acquitted themselves creditably.

Robbery.

Last Friday night, or early on Saturday morning, thieves and cracksmen effected an entrance into Messrs. Wm. Wilson & Co's. store, lower Water street, Chatham, blew open the safe in the office and secured cash to the amount of several hundred dollars. They entered the premises by forcing the back door on Ritchie's wharf, bored the panel out of an intermediate door, which was securely fastened and passing through two other doors, which were not locked, to the office. The safe was one made by the Hall Safe and Lock Company—United States makers—and was of small size. A hole five sixteenths of an inch in diameter was drilled in the outer door plate into the cavity containing the combination lock, and strong rifle powder—some of which was found on the office desk—was run into this by means of a paper funnel formed by a blank form for writing telegrams on. The outside door plate was thus blown cleanly open on its hinges, exposing the rest of the door and enabling the robbers to slide the bolts and open the inner part. They forced the safe drawers and took all the cash there was, including some silver coins, but left notes and checks behind. They also wrenched the steel box out and carried it away with them.

It transpired afterwards that the robbers had forced an entrance into Mr. Chas. Gunn's blacksmith shop on Wellington street and taken a brace and some other things, such as a railroad spike and old file, to assist them in their work.

It was ascertained that two suspicious-looking characters had taken the early morning train for Chatham Junction, who professing to have no money to pay their fare, were put off at the Junction and started south. Mr. Wilson and others endeavored during the day to have the police magistrate telegraph news of the robbery to Moncton and other points, but without effect, so comparatively nothing was done here in the way of preventing their escape.

Murder in Moncton.

SUPPOSED TO BE BY ONE OF THE ROBBERS OF MESSRS. WILSON & CO.'S STORE HERE!

[Moncton Times, Aug. 2nd.]

A terrible tragedy was enacted on Telegraph street last night, resulting in the death of policeman Joseph E. Steadman.

On Friday night last W. Wilson & Co.'s store at Chatham was burglarized, the safe blown open and between $900 and $500 in cash stolen.

An item about the burglary in yesterday's Times was the first intimation of it received here, and some parties on reading this item fixed suspicions on two hard-looking characters who reached town Saturday night and spent Saturday night, Sunday and yesterday at Mrs. Donnelly's notorious house on Telegraph street, a short distance above the Park hotel.

The suspects were seen about town yesterday afternoon and Marshal Foster telegraphed to Wilson & Co. at Chatham and on the strength of their reply it was decided to arrest the men.

The officers were prepared to effect the arrest about six o'clock in the evening, but delayed on account of hearing that the suspects had left Donnelly's house.

MAKING THE RAID.

Later in the evening it was learned, however, that they were still at the house, and between nine and ten o'clock Marshal Foster, accompanied by officers Steadman, Scott and Charles Colborn, the latter a special appointed for the occasion, proceeded to and surrounded the Donnelly house.

Steadman was stationed at the side door, Scott at the front door and Colburn at a window, Marshal Foster going in at the front door and demanding that the men be given up.

When Marshal Foster entered the house, the two suspects were in a room talking. When the Officer's presence became known the alarm was given by one of the Donnellys from an adjoining room, by saying "Foster is here."

One of the suspects, who was called "Buck," immediately pulled a revolver and saying to his companion, who also pulled a revolver, "Hi! Jim,' started for the door.

On crossing the threshold it is supposed "Buck" ran directly into the arms of officer Steadman and commenced shooting in the dark.

Officer Scott who heard the shooting ran around to where Steadman had been stationed. There he saw Steadman grappling with one of the suspects. He immediately went to Steadman's assistance and soon had his man safely handcuffed.

Officer Steadman in the meantime had relaxed his hold on the prisoner and staggered back a few feet, exclaimed,

"MY GOD, BOYS, I'M SHOT."

fell over in a heap and almost immediately expired.

He was carried to the sitting room in the Park Hotel where an examination showed an ugly looking bullet wound in the left breast, about two inches above and a little to the left of the nipple.

It was at first thought from the quantity of blood about the mouth and face that another shot had taken effect in the head, but Doctors Church, Bourque and Botsford, who were first on the spot made a hasty examination and found this to be not correct.

In the meantime the prisoner "Buck" was taken to the lock-up in irons, when it was learned that he had received a bullet wound in the fleshy part of the left leg, just above the knee. Dr. Bourque, who dressed the leg, pronounced the wound not at all serious.

The second suspect referred to as "Jim," made his escape in the excitement and darkness and up to the present time nothing has been learned of his whereabouts.

The prisoner refused to talk last night, any more than to say that he did not do the shooting. He refused to give his name. He is a young man, about 30, 5 feet 7 or 8 inches tall, weighs probably 150 lbs, has high cheek bones, small eyes and is brutish and rough looking. His face evidently has not been shaved for several weeks.

THE FATAL PISTOL.

In the yard where the scuffle took place was found an old 32 long Smith and Wesson self cocking revolver, a regular death dealer. Two of the five chambers were empty, and as four, if not five shots were fired in all, it is evident that both the suspects took a hand in the shooting.

There is little doubt that the prisoner did the fatal shooting. He is the only man seen by Officer Scott, he was gripped with the deceased and his coat is marked with powder, indicating that the fatal shot was fired while the officer had hold of him. That this is the correct theory of the shooting is also indicated by the course which the bullet took, as shown by the post mortem, though the course of the bullet was no doubt diverted by contact with the rib.

THE MAN WHO ESCAPED.

The man who escaped is of middle age, probably 40, was dressed in black clothes, dark shirt, wore a necktie with black spots, whiskers three or four weeks growth and had no hat on when he escaped.

The shooting caused intense excitement, and though the majority of citizens had retired or were about retiring for the night, a large crowd soon collected in the vicinity of the Park hotel and remained during the greater part of the night. There was much indignation and some declared in favor of lynching the prisoner, though of course these remarks were probably thoughtlessly made. The lockup was guarded during the night by Constables McDougall and Colburn.

OFFICER SCOTT'S STATEMENT.

Officer Scott said when he went on duty the Marshall said to him: "We've got an ugly job on hand to-night." He went out to hunt up some men and while he was out the men left town. Between 8 and 9 o'clock Joe came down and asked for the Marshal. He said we have found out that the burglars are into Donnelly's. After a while we got together and went up. The Marshal went in the front door, Joe went to the side door and I went around to the back door as the Marshal directed. I found no door there and went on and as I came around I heard a shot. There was a short pause, and then there were four shots fired in quick successsion. By the time the last was fired I was close enough to hit the man whom I found Joe in a clinch with. He staggered and the next one I knocked him. They had got out into the street and Joe was still clinging to him when he fell. Joe partly fell, but regained his feet and appeared to walk away, but when he reached the ditch he threw up his hands and said "My God, I'm murdered!" Just then the marshall came out of the house. I never saw the other suspect at all. I saw Joe wanted help and I went to his assistance.

MRS. DONNELLY'S STATEMENT.

Mrs. Donnelly, the proprietress of the house, said the two men whose arrest was attempted, came to her place on Saturday forenoon. They drove here in a carriage and said they were sailors. They gave no names, but one fellow called the other "Jim," while Jim called his chum "old man." They stayed Saturday night and all day Sunday and night, going out and staying away from the house between meals. On Monday they came in for their supper about four o'clock, hurrying me up saying they were going away on the C. P. R. One of them went out and was gone for a little while, when he came back and said his clothes were not done and they were too late for the C. P. R. They went out again after tea and came in later on, saying they were going away to-night (Monday) and wanted to pay up. They each had a $5 which one of them asked to have changed. After paying they did not seem to be in a hurry to go away. When the marshal entered the front door some one said the police are coming, and one of the men, the light complexioned one, who was standing in the dining-room by the table with his hands in his pocket, sung out, "Hi, Jim," and like a flash went out of the back door. I started upstairs and heard the shooting as I got to the head of the stairs.

Mr. Wm. Wilson, who went to Moncton on Tuesday night and returned yesterday, identified as his a number of coins found on the person of the prisoner—the man who murdered policeman Steadman. The fellow, whose name is believed to be Hutchison, preserves a dogged demeanor, refusing to answer questions or to have his photograph taken. It is believed that much of the money he and his pal stole from Wilson's safe is concealed somewhere in or near Moncton. A girl in Moncton overheard the men talking of the robbery of Wilson's store in Chatham, and one of them gave a woman in the Doherty house over twenty dollars worth of Wilson's silver coins.

Willis, who escaped when Hutchison shot policeman Steadman at Moncton, was reported to be in Nelson yesterday, he having come on an Intercolonial coal car on Tuesday morning and lain near Newcastle station all day. Policeman Woods and constable Hill went to Nelson and arrested a man who is said to be the wrong man.

Holiday Trip to Chatham ann Newcastle

The Ancient Order of Hibernians will run their annual excursion to Chatham on Monday, Aug. 22nd. They have engaged a special train of first class passenger coaches to convey excursionists to that town and return. We think the A. O. H. have made a good move in selecting Chatham for their day's outing as a more pleasant trip could not be desired than a run along the beautiful Nashwaak on the Canada Eastern. From Chatham a line of steamers runs to Newcastle every hour, thus affording excursionists a fine opportunity of having a pleasant sail and a visit to the many points of interest on the noble Miramichi river. Tickets for the round trip, Fredericton to Chatham and return, have been placed at the remarkably low figure of $1.50. The committee in charge of arrangements will spare no means to make this the excursion of the season.—F'ton Herald.

Restigouche County Court.

The Restigouche County Court opened at the Court House, Dalhousie on Tuesday, 20th July, His Honor, Judge Wilkinson presiding. Owing to the unavoidable absence of the Solicitor-General the manslaughter case of the Queen *vs* Daniel Desmond was deferred until the following day, Wednesday, when it was duly taken up, Solicitor General Pugsley appearing for the Crown, and Hon. L. J. Tweedie and Messrs. Barbarie and Mott for the defence. The jury was as follows:—

Geo. Blair, Hugh McLeod, Paul Devereaux, Alex. McBeath, Mich'l. Murray, Sam'l. McLauchlan, Danl. O'Keeffe, Chas. Power, John Nowlan, Wm. Glover, John McAllister, Wm. Hamilton.

Daniel Desmond was called on his recognisance, and the clerk having read the indictment, the solicitor general proceeded to open the case, stating that the charge was one of manslaughter which he defined as being different from murder, in that it was the taking of the life of another, not with malice but under provocation or by carelessness—which latter was charged to have been done by Desmond. The case was an unfortunate one, the facts of which he proceeded to recite, as shown by the testimony taken at the preliminary examination of the accused. The jury, he said, were to consider whether the deceased, LeGouffe, received a blow from Desmond; whether it was a blow of more than usual severity or unreasonable under the circumstances—whether, in other words, it was justifiable; whether there was provocation for it; whether the evidence would satisfy the jury that death resulted from the injury thus inflicted. The first witness called was

JOHN CAMERON, ENGINEER,

who said he was passing Desmond's place on 29th August, 1891, on his way to take charge of his engine—that of the outgoing express train on the I. C. R. It was about 8 a. m. He was coming up the main street towards the railway station and passed within about sixty feet of Desmond's house —was passing what was then O'Leary's store—when he heard someone from Desmond's house or yard say: "You go away, you are hindering men from their work" and another voice say: "I'll not go away for any son of a w—re like you." Witness took the voice saying "you go away, etc.," to be that of Desmond. Witness first heard the voices when he was at Allan Thompson's house and the talking continued for about three minutes; was about sixty feet away when he saw deceased fall and remain down for about a minute; then he got up, staggering, and put his hand to his head. Witness did not see deceased struck, but only when he fell.

Cross-examined by Mr Tweedie.—Desmond said "You old b——r, what are you doing here," and seemed to be trying to get him away. It was on Desmond's property where the altercation took place. Desmond is a respectable man so far as I know.

EDWIN PETER

was working for Desmond on 29th August, 1891, attending the mason, Wm. McTomney. Paul LeGouffe came into the yard and stood on the hatchway door leading down to the cellar where we were working. He was in McTomney's light and he told him to get out of his light. LeGouffe said he wouldn't and McTomney said he would make him go. That made LeGouffe's temper get up more and he said to McTomney that he didn't care a —— for him. McTomney then took a trowel and threw a little mortar at him. LeGouffe then got real mad and told McTomney he was a son of a ——. McTomney didn't say much more, for Desmond came out into the yard and asked LeGouffe what business he had there bothering his working men. LeGouffe replied that it was none of his (Desmond's) a—d business. Desmond told him to clear out of the yard altogether, but he said he wouldn't go and Desmond said he would make him go. LeGouffe then seemed to make an offer at Desmond but I could not say whether it was to strike him. He seemed to jump towards Desmond. Then Desmond took a stick and struck LeGouffe. I cannot say whether LeGouffe had anything in his hand or not then, but he had a pick and shovel when he came into the yard and I don't know whether he put them down or not. Desmond was handy enough to strike him. It was an edging about four feet long and three or four inches wide that Desmond had in his hand and with which he struck him on the neck. I don't remember whether Desmond had hold of the stick with both hands. He was struck only once and it was after he made the jump towards Desmond. He fell when Desmond struck him and remained down a few minutes. I went out of the cellar and LeGouffe was moving his arm. I did not go very near him. It seemed hard for him to get up and he was spitting blood. Desmond was not there then, but had gone out of the yard. After he got up he seemed dazed a little.

Cross-examined by Mr. Tweedie:—I saw LeGouffe that night. [Witness here repeats the bad language used by LeGouffe towards both McTomney and Desmond] McTomney may have struck him. I cannot say whether he did or not; can't say whether he was drunk or not. I cannot swear whether he stooped or not. I may have sworn at the former examination that LeGouffe had a pick and shovel. LeGouffe jumped towards Desmond and I thought he was going to strike him. It seems to me that Desmond struck him and that he did not throw the edging at him. Desmond ordered him away and seemed anxious to get him off the premises. He abused Desmond and started to attack him. It is true that I don't know whether Desmond threw the edging at LeGouffe or struck him with it. I was in the cellar and my head would be above the level of the ground.

Re-examined by the solicitor general: LeGouffe was talking as if he wanted to fight. I cannot tell whether he moved two or more steps; he seemed as if he was going to strike Desmond. He might have had the pick or shovel in his hand—that I did not see. Did not see the pick, but had my attention on him. It might have been there. I cannot say whether he took the pick; don't think he had it when he went away.

WM. MCTOMNEY.

On 29th August, 1891 I was building a furnace in Desmond's cellar. Paul LeGouffe came into the yard and came over and sat down on top of the cellar hatch. I told him to keep out of the light and he said he wouldn't. I then took a trowel and threw some mortar at him. He said, "you son ——" etc. If I go down there I'll give it to you. I told him to come down. With that Desmond came out and told LeGouffe to go away and not be bothering the men. LeGouffe said he wouldn't go and Desmond said he would make him do so. Then LeGouffe called Desmond a son of a —— and moved away from the hatchway. I did not hear much after that; heard a little talk; don't mind what it was; did not see LeGouffe struck as I was attending to my work in the cellar. I saw LeGouffe that evening in his house.

Cross-examined by Mr. Barbarie:—I neither saw nor heard blows struck; didn't see Legouffe when he fell or how long he remained down; did not see him after until the evening. I was plumbing up my work. I knew him a little before that. He was a peculiar kind of man—a troublesome man.

Other testimony was given for the prosecution by Drs. Daniel Murray, Henry Lunan, Victor J. Venner and W. W. Doherty.

DR. VICTOR J. VENNER.

Dr. Venner said Legouffe called on him between 8 and 10 on the morning of Aug. 29th, 1891. His throat was swollen, he was spitting blood, coughing and appeared like a man under the influence of liquor. He said he had received a blow. There was an enlargement of the neck from the back of the right ear down towards the front of the neck and a small abrasure of the skin. The injury was such as might have been caused by a blow of a stick; did not prescribe for him, but advised him to see another physician immediately. It struck me that the case was a serious one. The next day, after a second summons, I called to see him at his house and directed him to go to the hospital. There was quite a crowd at the house and the swelling was more pronounced towards the chest and he was spitting blood. He was removed to the hospital and I prescribed perfect rest for him and something to relieve the cough. I also gave him medicine to keep him quiet. The enlargement of the neck was due to the entrance of air into the tissue during the act of breathing. It indicated a break in the wind-pipe. I forbade him to move or talk and in order to secure more complete rest ordered nourishment to be given by injection. There were nurses in attendance at hospital, night and day. I saw him sometimes twice and sometimes three times a day until he died. Ten days after he went to hospital the enlargement went down and he was able to rest pretty well; respiration was getting better; he said he did not feel any pain and wanted to have food by the mouth, which he beseeched for and was an unruly patient. I began to give him food by the mouth: the blood-spitting had nearly disappeared; the swelling was nearly gone, except a small enlargement on the right side of Adam's apple; he seemed to be doing pretty well. I forbade him to smoke, but don't know whether he obeyed me. I ordered him to keep his bed. About 15th Sept he began to feel pain in his neck where the small enlargement was and the fever commenced to rise again; respiration grew shorter and more hurried; blood came from the abscess formed at the right side of the Adam's apple. I opened it on 18th Sept. and a great quantity (a tablespoonful) of matter came out and it relieved him at the time. He got worse again and I concluded to ask a consultation. There were symptoms of suffocation; called Dr. Lunan and we decided that if there was no improvement, we would perform the operation of tracheotomy at 7 o'clock in the morning. We performed the operation accordingly; did not use ether or chloroform, as the tendency of the patient to suffocation would make the employment of either unsafe; we used cocaine. He did not lose much blood and improved in temperature and respiration after the insertion of the tube, which gave him relief. The operation was performed on Monday. On Tuesday he showed that the relief it gave him was only temporary and he gradually sank until 25th Sept., when he died. There was no other physician in attendance upon him until Dr. Lunan was called in. I think he had careful treatment and that he died from complications arising from the injuries to the neck which he had received.

Cross-examined by Mr. Tweedie: There were symptoms of suffocation necessitating the operation of tracheotomy; matter formed where he had received a blow and he became exhausted, until at last we thought of inflating the lungs. There was an abscess; perhaps a displacing of the wind pipe. These were quite enough to cause death. The nurses complained that LeGouffe was talking all the time, which was much against his recovery. The complications mentioned may have been induced by his own actions and conduct. If tracheotomy had been performed earlier he might have recovered and might not. It was a risk to perform the operation, so much so that we did not perform it under the usual conditions of administering ether or chloroform; we did it to relieve suffocation. If performed when the patient was stronger it might have been more successful. I knew LeGouffe before he received the blow; he was subject to a chronic cough, which would operate against his recovery in a way that would not affect a healthy man. I saw him on the morning of 29th August and not again till the next afternoon. If no one attended him during that time it would be much against his recovery. Having knowledge of him before, I did not consider him a desirable patient and when I saw him I thought the case a likely one to come to court, so I wished to avoid it. He was peculiar and quarrelsome, not having all his wits about him—a difficult man to deal with. If he smoked it was against his case and his moving and talking were also against him. The injury was not necessarily fatal. Performing the operation without chloroform or ether would have a great effect on his nervous system. He may have had some other fatal disease. I never had a case of tracheotomy at the Adam's apple before. I suppose deceased was 56 years old. I thought, for ten days, that he was doing well. The nurses said he was always talking—with himself, when there was no one else to talk to.

Re-examined by the Solicitor-General: He would both talk and move, so the nurses said, I think there should be great necessity —of which the physician is the judge—before the operation of tracheotomy is performed. The abscess formed and was relieved and the system recovered. I thought the patient then in a fair way of recovery.

DR. HENRY LUNAN

was called to see LeGouffe about 10 o'clock on the evening of the day he was injured; found him home in bed, bolstered up with pillows, breathing loudly. On asking him what his trouble was he put his hand to his neck. He could not speak distinctly. I tried with water to ascertain whether he could swallow, which he did with great difficulty, the swallowing exciting him to cough, and he coughed up a mixture with blood in it. [Here the witness described the injuries to the neck, as the previous witness had done.] I did not intend to take charge of the case, as I was to leave next morning. I did not see LeGouffe again until 20th Sept, when he was in hospital; examined him together with Dr. Venner. His pulse was very weak and irregular and temperatre sub normal—97; the normal is 98.—I made an attempt to examine the lungs; the result was not satisfactory owing to the great noise he was making in the passage in and out of the lungs. I took this to be from some narrowing or obstructing of the wind pipe—the air passing in and out of the lungs being breathed with very great difficulty. I deemed his condition critical, demanding immediate attention. We decided to wait until morning and if he was no better to perform the operation of tracheotomy. He was not improved in the morning so we performed the operation. [Here the witness described it as opening the wind pipe and inserting a silver tube to enable the patient to breathe by artificial means.] The patient fainted during the operation. I believe he was partly unconscious. I proceeded with the operation and when I got the tube in—a minute or two after—he showed some symptoms of recovery. He did not breathe for two or three minutes of his own accord. We had to perform artificial means of breathing. After a little his breathing was very much improved by the operation. We prescribed such further treatment as we then saw best. I saw him the evening after —on 22nd—when his breathing was very much improved. He sank gradually from that until 25th, when he died. The operation of tracheotomy was the only chance of saving his life. Assuming he received a blow on the 29th August, that might account for the symptoms I saw on the 20 and 25th Sept.

Cross-examined by Mr. Tweedie: In my practice I never saw the operation of tracheotomy performed before that and had no practical experience of it. He would have been better able to stand the operation of tracheotomy had it been performed earlier in the case. If it had been performed on the 29th August it might better have accomplished the object for which it was performed on the 21st Sept. I decline to answer directly whether the operation was performed too late. It may be that it was too late. It may be that if performed earlier the patient's life would have been saved. It may be that if peformed on the 29th of August he would have recovered. The wound of Adam's apple is not necessarily fatal; much would depend on the patient's own conduct and proper treatment. It may be that he would have recovered if he had received proper treatment, but if he smoked and moved about it would interfere with his recovery; not to have been treated by a physician for two or three days might complicate the trouble. He should have had immediate attention; am not prepared to say what the cause of his death was, or that the injury to his neck caused it. He might have had considerable lung trouble.

Re-examined by the Solicitor-General: I will state positively what was the cause of his death. I came to the conclusion that he died of exhaustion. I would not consider my opinion that he died of the injury received on 29th August was of value because I did not see him constantly. The physician who did must be the best judge.

DR. DANIEL MURRAY

who made the post mortem examination of the remains of Legouffe testified to finding the throat bruised and the wind-pipe somewhat broken. On opening the chest found the lungs adhering to the chest wall, the layers of the pleura covering the lungs and the layer lining the chest wall adhering opposite the upper and mid-lodes on the right side and opposite the upper lode on the left side—not a normal condition of the lungs. Pleurisy would cause that condition—double pleurisy, on both sides. The cavities of the heart contained chalky material, as did also the large arteries leading from the heart. There was no injury outwardly. The injury to Adam's apple was inwardly. It was evident deceased did not die of pleurisy, as that trouble was seated some years before. The fact of his having had pleurisy might increase the difficulty caused by the injury, which latter might not be fatal to a perfectly healthy man. I do not think the injury to the throat, of itself, would have caused death. Complications might arise, in course, which would terminate in death. The complications would be suffocation from closing of the wind-pipe, blood-poisoning, and severe weakness might result from the patient being unable to swallow food. There is a distinction between direct and indirect results. Some of these do not necessarily follow after a wound. It would depend on the state of the patient's health. In Legouffe's case I think it would likely lead to death. In his case, that of a man suffering, as he suffered, from the diseases already described, which would weaken a man and make him less able to have the use of his muscles, requiring air which he could not have, owing to insufficient breathing power, he would be more likely to succumb. If the injury were to prove fatal of itself it would, probably do so in a few hours or even minutes after it was inflicted. In this case Legouffe lived for several weeks after the injury, showing, in my opinion, that it was not the direct cause of death. Being a vital part a fatal injury to it would, in all probability, prove fatal at once. As to my opinion of the indirect cause of death, blood-poisoning might be one, but the autopsy did not reveal that, and the fact of the death not having occurred for some weeks would indicate that it was not from blood-poisoning. Hemmorhage might be one of the complications, but not one likely to have occurred in this case. It is reasonable to suppose that death occurred from great general weakness of the system, owing to his not being able to inhale sufficient air; or death from diseased stomach, kidneys or other vital organs. I made no autopsy of these. My examination showed that the wind-pipe was not closed; it was partially open and besides tracheotomy had been performed, which would naturally prevent a fatal result from suffocation. The autopsy I made did not lead me to any conclusion, —not directly, not at all as to the cause of death. The condition of the lungs or rather their congestion, and the condition of the chest lining, which would impede breathing at any time, together with the narrow condition of the passage through the wind-pipe, also preventing the entrance of air, and the difficulty in taking food into the stomach, may all have been factors in producing a weakened condition of the system sufficient to prevent recovery.

Cross-examined by Mr. Tweedie:—Didn't know deceased; the body looked like that of a middle-aged man. There would be no great danger from the injury if the patient got proper medical treatment at the time. He should have gone to an hospital or lain down and sent for a physician and not have moved around at all. Smoking would have a bad effect on him—I would not say a fatal effect, but a serious one in bringing about complications, and tending to retard recovery. Moving the head from side to side would also have a bad effect, especially before the injury was attended to. Constant talking would also be injurious physically and mentally as causing excitement and tiring the muscles. Assuming that deceased smoked, talked and moved around, it would aggravate his trouble and render the chances of his recovery the more remote. I said I did think pleurisy did not cause death; it may, however, have been a factor in the fatal result. Not having examined the kidneys, stomach and brain I cannot say positively what the deceased died of. I would not swear he did not die of some disease independently of the wound he received.

Re-examined by the Solicitor-General:—The physicians who attended deceased would be the best judges of the treatment necessary and of the patient's condition from the time of the injury until his death. I express no opinion whatever as to the treatment he received. I speak only of his appearance after death.

DR. W. W. DOHERTY

who was visited by the deceased for treatment, described his condition as about the same as the other physicians had done. He was the coroner who held the inquest. In cross-examination he said he would not consider the blow LeGouffe received necessarily fatal. He refused to attend LeGouffe, as he was too much engaged. The complications would be aggravated by moving about, talking, etc.

THE DEFENCE.

Mr. Tweedie submitted whether His Honor would not now direct the jury that they must acquit the accused. If he did so it would not be necessary for him (Mr. Tweedie) to address the jury. The whole case showed evidence of justification, and from the medical testimony it was exceedingly doubtful whether deceased died from the wound in his neck or not.

The Solicitor-General, while admitting that the material evidence differed from that given at the preliminary examination of the accused, could not agree that there were not some facts to be left to the jury.

Mr. Mott then opened to the jury and claimed the prisoner had committed the act in self-defence and also that the blow itself was not shown to have been the cause of death, citing several authorities in support. He then called

Joseph O'Hearn, switchman on the I. C. R. who stated, as follows: I was at Desmond's place on 29th August and saw LeGouffe come there. He had a pick and shovel with him. I was sitting at the door with Mr. Desmond and heard a noise. Desmond entered the bar. It would not be more than two minutes from the time Desmond went out till he returned to the smoking room and I saw LeGouffe going out of the yard carrying the pickaxe and shovel. It was an ordinary pickaxe about two feet long, with handle four feet. I did once see a blow inflicted with such an instrument and death ensued.

Francis F. Matheson, sworn, stated that on the evening of the day LeGouffe had the trouble with Desmond he saw him at his own house talking to a crowd and smoking.

This closed the testimony.

Mr. Tweedie here said the case appeared to him so clear that he did not think he ought to occupy the court's time in addressing the jury.

The Solicitor-General said he did not wish to address the court if the learned counsel for the defence did not. If the latter did so it might be his duty to make some comments on the case.

His Honor said he would leave the case to the jury in such a way as he thought would meet the views of both parties, and he then proceeded to define manslaughter and homicide and to refer to points brought out in evidence. He left it to them to determine whether the blow struck by Desmond caused the man's death, or whether it resulted from other causes. If they thought death resulted from the blow they were to consider whether Desmond was justified in inflicting it. If they believed the evidence going to show that the deceased had a pick in his hand or other dangerous implement and that he made at Desmond and that the latter struck him in self-defence they must acquit him. If, however, the blow was struck without such justification and they believed it caused Legouffe's death their verdict must be, guilty under the indictment.

The jury having retired and been out about ten minutes returned to court with a verdict of acquittal and stated that they were unanimously of the opinion that the blow deceased received was given in self-defence.

Disastrous Fire at Jacquet River.

A Jacquet River special of yesterday, 3rd, to the ADVANCE says: "The spool factory here was burned yesterday at nine o'clock, a. m. The origin of the fire is unknown, but it is supposed the wood dust floating in the air caught fire, causing an explosion, as the building was immediately full of flames, the operatives getting out with difficulty. One man was badly burned.

The loss is about forty thousand dollars. No decision has been arrived at yet as to rebuilding. Nothing in the mill was saved. Wood to the value of ten thousand dollars outside of the mill was saved with difficulty.

Our Old Fire Company.

"That was a gay old company that we belonged to, Joe; away back in '63, when you and I ran with the machine. Do you remember that big fire in Hotel Row, one freezing night, when fifteen people were pulled out of their burning rooms and came down the ladder in their night-clothes; and how 'Dick' Greene brought down two 'kids' at once—one in his arms, the other slung to his back? Poor 'Dick'! He got the catarrh dreadfully, from so much exposure, and suffered from it five years or more. We thought once he was going in consumption, sure. But, finally, he heard of Dr. Sage's Catarrh Remedy, and tried it, and it cured him up as sound as a flint. I tell you, Joe, that catarrh remedy is a great thing. It saved as good a man and as brave a fireman as ever trod shoe leather."

BOOK-BINDING :—Persons having magazines, or other periodicals to bind, old books to be rebound, or any similar work, can have their orders attended to at the ADVANCE office, where information as to styles, prices, etc. may be obtained.

More Malicious Scott Act Business.

CHATHAM, Aug. 3rd.

To the Editor of the Advance:

SIR :—While passing the police court this morning I went in to see what was going on, and found Scott Act Magistrate McCulley trying a case of infringement of the Scott Act against one Mrs. Howard. By the way, the Colonel does not like to be called the Scott Act magistrate, nor do I call him such without cause; he has tried nearly all Scott Act cases in the County for the last six months. Defendants and witnesses have been obliged to come to Chatham from Newcastle and more distant sections of the County to be tried before Magistrate McCulley. There is a police magistrate in Newcastle. Why should cases be brought for trial in Chatham and that too when the only means of conveyance in the spring of the year was around by the bridge or by train? It certainly looks as if he is fully entitled to the name of Scott Act magistrate. Report even has it that he can go to a picnic at Doaktown and before the day's fun commences try a man for an offence against the Scott Act.

Among the witnesses for the prosecution in the Howard case was one of our worthy Justices of the Peace. After this witness testified that he had not been into Mrs. Howard's house or place of business and consequently did not get any liquor from her, and being informed that he could leave the court, this magistrate made quite a speech. Among other things he said he could not understand how the inspector or any one else could swear that he could or was likely to give material evidence against Mrs. Howard. He considered it a malicious act on the part of the inspector or whoever gave in his name as a witness. Mr. R. Murray,