

# The Union Advocate.

A WEEKLY JOURNAL

W. C. ANSLOW.

VOL. XXVIII.—No. 49

Our Country with its United Interests.

Newcastle, Wednesday, September 11, 1895.

EDITOR AND PROPRIETOR.

WHOLE No 1453

## PROFESSIONAL

### Law & Collection Office.

C. J. Thomson,

BARRISTER AT LAW,

Commissioner Newcastle Civil

Court.

Newcastle, N. B.

Thomas W. Butler,

Attorney & Notary Public,

Fire, Life, & Accidental Insurance Agent,

Collecting and Conveyancing Promptly attended to.

Office: Over "Russell's Store," facing the Public Square,

Newcastle, N. B.

J. MacCULLY, M. A. M. D.

Head, BC COL. STERILIZATION,

OF SPECIALITY.

DISEASES OF THE EAR, EYE, NOSE, & THROAT.

Office: For Westernland and Main Street, Newcastle.

Moncton, Nov. 12, 1884.

W. A. Wilson, M. D.

Physician and Surgeon,

DERBY N. B.

Daily Nov. 15, 1892

J. R. LAWLOR,

Auctioneer and Commission

Merchant

Newcastle, New Brunswick.

Prompt returns made on consignments of Merchandise. Auctions attended to in town and country.

MUSICAL TUITION.

Miss Edith Troy,

Graduate of Mount Allison

Conservatory of Music, is now

prepared to take pupils in

PIANO, FORTÉ, PIPE, ORGAN, and

VOCAL CULTURE.

Terms on Application.

Newcastle, June 6th, 1893.

HOTELS.

Waverley Hotel.

The Subscribers has thoroughly fitted up and

newly furnished the rooms of the well known

McKee House, Newcastle, and is prepared to

receive and accommodate transient guests. A

comfortable and pleasant rooms provided.

Simple rooms if required.

R. H. Greenleaf, Manager.

John McKee.

Newcastle, March 28, 1893.

Elliott House.

The Subscribers having purchased and newly

fitted up the house formerly known as the

"McKee House," opposite the Masonic Hall,

Newcastle, is prepared to accommodate

transient and permanent guests at reasonable

rates. All the latest improvements in

comfort and convenience are provided.

WALTER J. ELLIOTT.

Newcastle, Jan. 21, 1895.

HOTEL BRUNSWICK,

MONCTON, N. B.

GEO. McSWENEY, PROPRIETOR.

CANADA HOUSE

Chatham, New Brunswick.

WM. JOHNSTON, PROPRIETOR.

CONVENIENT & ACCESS

Good Sample rooms for Com-

mercial Travellers.

Clifton House.

Princes and 143 Main Street.

ST. JOHN N. B.

A. N. Peters, Prop'r.

Headed by Steam throughout. Prompt at-

tention and moderate charges. Telephone

communication with all parts of the city.

April 6th 1899.

Building Lots

FOR SALE.

THE subscriber offers for sale four desir-

able building lots fronting on the high-

## REDUCED PRICES.

I have on hand a lot of

Boots and Shoes, including long

boots and other goods, all of

which I will sell at reduced prices

to clear.

Wm. Masson.

Newcastle, March 28, 1894.

Sash and Door Factory.

The subscriber is prepared to supply from

his steam factory in Newcastle,

Window sashes and frames, Glazed

and Un-glazed,

DOORS AND DOOR FRAMES, Mouldings,

Planing and Matching.

H. C. NIVEN.

Newcastle, Jan. 2, 1895.

Tuning and Repairing.

J. O. Biedermann, Pianoforte and Organ

Tuner.

REPAIRING A SPECIALTY.

Regular visits made to the northern Counties

of which due notice will be given.

Orders for Tuning etc. can be sent to the

Advocate Office, Newcastle.

J. O. BIEDERMANN.

St. John, May 6th, 1894.

TIME TABLE

OF THE

M. S. N. COY.

Str. Miramichi,

Captain DeGRACE.

will leave Chatham every morning (Sundays

excepted) on and after MONDAY, MAY 20th,

1894, at 7 a. m. for Newcastle, will leave

Newcastle for points down river at 7.45 a. m.,

making the usual calls, going to Chatham on

Monday, Wednesday, and Friday, and to

St. John on Tuesday, Thursday and

Saturday.

Str. Nelson,

Captain BULLOCK,

will leave Chatham at 10.15 a. m.,

11.00 a. m., 12.15 p. m., 2.30 p. m.,

4.30 p. m., 7.00 p. m., 7.45 p. m.

SOLAR TIME.

Making the usual calls at Douglastown,

Buville and Nelson. The str. Nelson will

carry passengers at one fare on the 5 p. m. trip

from Newcastle, and the 12.00 p. m. trip from

Chatham, good for day of issue only.

W. T. Connors,

Manager.

Chatham, N. B.

MILLINERY.

Ladies wishing to have a nice Hat or Bonnet

should call and see our new

Spring and Summer Millinery.

We have the latest styles in Bonnets, also

Flowers, Feathers, Hats, Ribbons, Laces, Tulle

and Velvets.

Children's Hats, Caps and Trims, Infant's

Bonnets, Ladies' Hosiery, Underwear and Chem-

ise, Old Ladies' Dress Caps, and a nice

line of Stamp and Sewing Goods.

Trimmed Millinery always on hand.

JOHN E. WRIGHT.

Opposite Public Square.

Newcastle, April 30th

Mrs. J. Demers.

A Complete Stock of Summer

MILLINERY FOR ALL.

All the latest novelties in Hats, Bonnets,

Flowers, Feathers, Ribbons, Laces, Tulle

and Velvets, sold at very low prices.

Infant's Hats, Caps and Trims, Infant's

Bonnets, Ladies' Hosiery, Underwear and Chem-

ise, Old Ladies' Dress Caps, and a nice

line of Stamp and Sewing Goods.

## SICK

The Union Advocate

WEDNESDAY, SEPT. 11, 1895.

The McCullough Investigation.

(Continued.)

R. B. BENNETT.

The complainants live out of town

across the river.

In reference to the Malive case I cannot

say in what part it was stated the

fine and costs had been paid. It might

have been in the certificate. It was a

part of the copy of proceedings furnished

me by the magistrate.

Q. Will you undertake to say that

Mr. McCullough intentionally inserted those

words in order to prejudice the case on

review?

Ans. Mr. McCullough assured me that he

did not do it intentionally, since he

made the change. He said he did not

know it would make any difference, and

at the time, I told him that I believed

him.

Q. Do you know who penned the

charge against Mr. McCullough?

Objected to by Mr. Lawlor.

Question allowed.

Ans. Mr. Lawlor, Mr. Winslow and

myself. I think I did the major part of

the work.

Q. How long since they were prepared?

Ans. Can't say. A good while ago. I

am a partner of Surveyor General

Tweedie.

Q. Have you ever advised the pay-

ment of fines of persons confined in the

lock-up in order to get information

against Scott Act violators?

Objected to by Mr. Lawlor.

[Commenced my preferred the question

be asked. The question was not

pressed.]

Q. Can you give any other instances?

Ans. I cannot recollect any other.

As near as I can judge I have had

about a dozen cases before Mr. McCullough

but I have not thought of going to

his court.

Re-examined by Mr. Lawlor.

Q. What is the reason you have not

practised lately in Mr. McCullough's court?

Objected to by Mr. Murray.

The commissioner here stated that the

witness should only speak of reasons

which influenced him on account of the

conduct of Mr. McCullough in his judicial

capacity.

Question allowed.

Ans. I cannot answer the question

more fully than I have already.

Q. Referring to the Emile Malive

case, what was said by Mr. McCullough

to the jury when he made the proclamation

of Mr. Murray's house?

Ans. Either Mr. McCullough or Mr.

Murray, my impression is it was Mr.

McCullough, told me to shut up and not

to be a fool.

It is a matter of common knowledge in

the town that the complaint was made

against Mr. McCullough for the way in

which he performed his duties. His

conduct was complained of in the town

by a large number of people.

Q. Was the statement on the Malive

papers that the fine and costs had been

paid a true statement?

Ans. I do not know of my own per-

## HEADACHE

is dependent on nervous debility, caused by

deranged nerve centres at the base of the

brain. The GREAT SOUTH AFRICAN NERVE

TONIC will give immediate relief and

specifically effect a radical cure. This remedy

is a truly wonderful Nerve Food and health

builder. It is delicious to the taste.

For a number of years I have suffered

intensely with nervous and sick headache;

but but flashes, was sleepless and became

despondent. Some of my friends spoke so

highly of SOUTH AFRICAN NERVE TONIC

that I was induced to buy a bottle,—but purchase

led to a few others, and now I sleep soundly,

feel buoyant, strong and vigorous. I would

not be back in the condition I was in when

I began taking this medicine for any sum

you could name.

MRS. ISABELLA S. GRAHAM.

Friendswood, Indiana, June 8th, 1893.

WOOD'S PHOSPHORUS

The Great English Remedy.

Six Packages Guaranteed to

promptly and permanently

cure all forms of Nervous

Weakness, Emaciation, Spinal

Stiffness, Impotency and all

forms of Debility or Exhaustion.

Before and After.

Before, Debility, Consumption and an early grave.

After, Health, Vigor, and a long life.

It is the only reliable and honest medicine

known. Ask druggists for Wood's Phosphorus; it

restores some worthless medicine in place of this,

which is the only true medicine. It is sold in

all parts of the world, and will send by return

mail. Price, one package, 40c. Six, \$2.00. One sent

free. Send for free pamphlet to any address.

The

WOOD'S PHOSPHORUS

Manufactured by

W. D. MACKENZIE.

FOR SALE AT N. R. MACKENZIE'S.

SNAPS.

We are opening snaps in Silver-

ware this month.

See our Window for Some.

Here is a snap for the Ladies.

A solid Silver Belt Pin for 25c.

H. Williston, & Co.

Newcastle July 15, 1895.

Cottoline.

GEO. STABLES

has put down the price of

COTTOLINE,

and for this month will sell

Three pound cans for

35 CTS.

The usual large stock of



## The Union Advocate

Established 1867.

NEWCASTLE, MIRAMICHI, N. B.  
WEDNESDAY, SEPT. 11, 1895.

## Newcastle Societies.

## MEET AMONG FOLLOWERS.

NORTHERNBURY LODGE NO. 17 A. F. & A. M., have adjourned until the evening of the second Tuesday of each month at 8 o'clock.

NEWCASTLE DIVISION NO. 45 S. T. in the Temperance Hall every Thursday evening at 8 o'clock.

COURT MIRAMICHI NO. 165 I. O. F., in their rooms, Masonic Hall, on the evening of the fourth Tuesday of each month at 8 o'clock.

ANCIENT ORDER OF UNITED WORKMEN, Miramichi Lodge No. 11, in their lodge room on public wharf on the first Tuesday in each month at 7.30 p. m.

"NO SCHEDULE" L. O. L. No. 47 in their lodge room on the first Friday of each month at 8 o'clock.

DERBY.  
COURT HAPPY RETREAT NO. 150 I. O. F., in Foresters' Hall, Derby, on the evening of the third Thursday of each month at 7.30 o'clock.

## That Investigation.

The Commissioner appointed by the local government to investigate the trouble up charges against S. W. McCullay, Esq., Police Magistrate of Chatham, has before him a number of witnesses for the side of the complainants, some of them men who have been fined for violation of the Canada Temperance Act, the others being lawyers who feel aggrieved because the Police Magistrate did not agree with them in the law points they raised and in spite of pleadings convinced their clients.

And now that the complainants' side is all in the case has been adjourned until Tuesday, Oct. 8th, at 10.30 a. m., and Mr. McCullay left without the opportunity for the time being of putting in his defence.

The general expression of opinion so far as we hear from temperance men, men entirely distinct from the class called to give evidence in this case, is that Mr. McCullay is deserving of praise instead of censure for the manner in which he has performed his duties, by strictly and impartially enforcing the laws.

It is not true that "it was a matter of common talk throughout the county that something ought to be done to correct the conduct of the Police Magistrate," but the talk was merely among a few of the law breakers and their best customers, the former because they were prevented from violating the law with impunity by the fact that they could not supply their libidinous habits so frequently without risk of being summoned as witnesses against the dealer whether vendor or otherwise. Some of the statements made, though sworn to, will not generally be believed, but the people have evidence before them and must judge for themselves as to what weight may be placed upon some of it at least.

There is one correct statement made by one of the complainants against Mr. McCullay wherein he says he "did not get justice." The general impression is that it is unfortunate for the people that he did not get justice or leave the matter to any term in jail for immovable offences committed under the cloak of vendor against the C. T. A., and if the government had been as considerate of the wishes of upholders of the law as they have been to even acknowledge the receipt of such communications or to call for an investigation.

Looking at the matter calmly and dispassionately it does seem as if the Local Government had much better be expending the public funds in repairing the many tumble down bridges throughout the country which are a menace to the lives of persons crossing them than wasting money in the endeavor to help a number of criminals to get rid of a judge who has performed his duty too strictly to please them.

But the whole evidence in favor of the charges against Police Magistrate McCullay are now before the public and the Ratepayers of the County will be able to read, mark, learn and inwardly digest them. After that they will be able to form their own conclusions upon the mode taken to prove the truth of the charges in the indictment against him. There is nothing that will forcibly strike them, and that is that out of all the inhabitants of the county the only two men that could be found to father the charges, were violators of the Canada Temperance Act. There was a fair and impartial trial, but they were not convicted until it was unmistakably proved that they had wilfully and knowingly broken the laws. The magistrate had no other course to pursue but to convict them, and for simply doing his duty he has not only been put to trouble and expense but has been arraigned in court and forced to defend his character as an honest man and his reputation as an upright judge.

If the charges are not sustained the public are now debating the question what action will be taken by the Provincial authorities against the *Combinators* that has made and induced the Government of the country to investigate them.

Every law abiding citizen as well as the Temperance men of the county are deeply interested in this investigation, and the most practical way in which they can display their power and influence throughout the county is to bring out Mr. McCullay as their Candidate at the coming local election and by their votes place him at the head of the poll. A number of years ago the late Judge Williston was dismissed from the office of Clerk of the Peace by the master by the then Provincial Government. The electors of the county considering that he was unfairly dismissed, brought out as a candidate for the Legislature and triumphantly returned him, and in the course of two or three years he was a member of the Provincial Government. Let the electors now act in the same manner with Mr. McCullay, and force the fight to the government ranks.

## The McCullay Investigation.

(Continued.)

Q. When were you in jail were you visited by McCullay?

Ans. Once.

Q. What was the object of his visit?

Ans. I gave him my affidavit up in jail.

Q. Who was with him when you gave your affidavit?

Ans. Mr. Menzies.

Q. How long was it after Mr. Menzies told you you would get out if you would tell where you got the liquor?

Ans. I think it was the same day.

Mr. Menzies was with me twice. At the first visit he told me if I tell where I got the liquor I would get out. It was two or three days from the time Mr. Menzies first told me that and the time I saw Mr. McCullay. Mr. Menzies on that day said: "You give your affidavit and you will soon get out." Mr. McCullay and I had no conversation. He wrote the paper out for me. He only asked me questions about the sale of liquor. He did not say anything to me about my getting out of jail. It was a couple of days after I made the affidavit that I was released. Rigley was not arrested before I was released.

Q. Will you swear now that the story you told yesterday and that of today corresponds with the truth?

Ans. I will swear that they are both the truth.

I did not speak to McCullay since I was released, nor to me.

Affidavits taken in jail was now produced and hand-writing of witness identified by him. This paper was put in evidence.

PHILIP GALLAGHER.

Mr. Menzies directed the witness to let me know if I was released and I had an arrangement with Mr. Menzies, whereby I was to get out if I told on the other parties. The parties were Simon Treadwell and George McKay. I was not stable keeper, but services. He told me the fine would not be collected from me. I have never been asked to pay the fine. I did not pay any costs in the matter.

Re-examined by Mr. Murray.

I am a poor man. I have nothing. I have never been in the liquor business. I am a married man, have children. If I went to jail my wife and children would have no support. The age of my oldest child is 9 years. In talking to Mr. Menzies I told him about my wife and children. It was part of the arrangement that I was not to handle liquor any more. The fine was not to stand against me for future good behavior in that respect. He told me I wouldn't have to pay a fine at all; I would be clear. I was not to quit selling liquor and I did. I don't remember asking to be detained in the lock-up rather than to go to jail until McKay's trial was over. I said I didn't want to go to jail. I don't remember being willing to remain in lock-up. I don't remember saying to you that I would rather stay here than go up to jail and be brought back again.

I made no complaint about being detained in the lock-up after my conviction. I have no fault to find in that matter.

Cross-examined at 1 o'clock.

FRIDAY AFTERNOON.

Resumed at 2.30.

JOHN CASSIDY.

sworn: I reside in Newcastle; occupation, constable. I was charged some time ago, before Police Magistrate McCullay, with a violation of the Scott Act. I think it was in November, 1894, or thereabouts. I was present at the trial. The evidence against me was James Russell. He was the only witness sworn. There were five or six witnesses called for the defence. The first time I saw the witness, I was present at the trial. The evidence against me was James Russell. He was the only witness sworn. There were five or six witnesses called for the defence. The first time I saw the witness, I was present at the trial.

Q. Did you not see James Russell at the trial?

Ans. Yes, I saw him.

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Ans. Yes, I saw him.

It was true. It was a transaction between myself and Mr. Menzies. I signed this note in my own house. Mr. Menzies and myself were present. I had no conversation with Mr. McCullay about this matter. I have not seen that note since I gave it. I did not pay it. I can hardly say how long it has been due. I think it was drawn about the middle of June, 1894. It was payable to the order of Mr. Menzies. I cannot say where it was made payable. I cannot say whether or not it was made payable at McCullay's office. I was not at home when the transaction took place. I represent the Dominion Cereal Co.

ROBERT H. ARMSTRONG.

sworn: I reside in Newcastle. Liquor vendor is my occupation under the Canada Temperance Act. I was in April, 1892, charged with a violation of the Scott Act before Mr. McCullay. I attended the trial of the case myself while testimony was being given. The witnesses subpoenaed by prosecution were Jas. Mitchell, who resides in Newcastle, and was formerly Sheriff and at that time was Inspector of Lights for the Dominion Government; W. W. McLellan, who resides in Newcastle and is a trackman on the C. P. & W. A. Railway, who resides in Newcastle and is a Collector of Customs. I think that these were all the witnesses. These gentlemen are prominent and respectable citizens. I have made a complaint on account of the decision that was rendered in this case. I was convicted by the magistrate on the evidence given by the gentlemen referred to. My complaint is a part of the charges now being investigated. I am the R. H. Armstrong who signed the charges which are now being investigated. The amount of my fine in April 1892 was \$50.

Q. Do you say that the case of the Queen vs. Robt. Armstrong in which you are charged, 1892, was a violation of the Canada Temperance Act, and was fined by Mr. McCullay, in one of the instances in support of that charge?

Ans. I do.

Q. Do you know of any other instances of a like character from your personal observation?

Ans. I had another case before him after that in which I think he showed partiality. That was in May, 1894.

Q. What reasons, if any, were given by Police Magistrate McCullay for giving judgment against you?

Ans. I don't remember whether I was there when he gave judgment. I applied at the last adjournment to be allowed to give evidence. He did not give his judgment then.

Q. Do you consider that you received justice at the hands of Police Magistrate McCullay in that case?

Ans. No, I do not.

Q. Did you not hear threats made to the Surveyor General that the party or parties would not support him if Mr. McCullay was not satisfied?

Ans. I do not.

Q. Where is Mr. Park now?

Ans. In Newcastle.

Jas. Mitchell is also in Newcastle. He is in poor health and confined to the house. I think Mr. McLellan is in Ontario.

The witnesses called against me in the second case were Richard Grenley, Robt. Langley, John Robinson, Jr., Simon Treadwell, Edward Menzies and Wm. McKay. Mr. Grenley is a live stable keeper, his reputation is good; John Robinson, Jr., merchant and fish warden; his character is good; Simon Treadwell is poor but honest; Edward Menzies, farmer, character good; Wm. McKay, farmer, has a reputation for being honest. I gave evidence on my own behalf at the second trial and denied the charge. In that case the magistrate took time to consider at the close of the case. The first time I saw the witness, I was present at the trial. The evidence against me was James Russell. He was the only witness sworn. There were five or six witnesses called for the defence. The first time I saw the witness, I was present at the trial.

Q. Did you not see James Russell at the trial?

Ans. Yes, I saw him.

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