

GLOBE FREDERICTON.

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OFFICE, SHARKEY'S BLOCK, QUEEN ST.

Fredericton Globe

A. J. MACMUR, Publisher and Proprietor

FREDERICTON, N. B. OCT., 21, 1893

THE ELLIS CASE.

Every newspaper published in Canada since the termination of the Ellis contempt case, and the incarceration of Mr. Ellis himself, has had something to say about the matter, and it is curious as well as significant to note what a general voice of dissatisfaction and condemnation finds expression all over the Dominion.

Newspapers of every degree of journalistic respectability and of every political stripe, with one or two exceptions in which either personal and political hatred for Mr. Ellis, or political love for the judges on the bench has overcome all fair and manly criticism, unite with a common and natural inclination in bravely and firmly denouncing the apparent maladministration of the law which has ended so disastrously for a brother editor.

This is especially true of the leading journals of the older provinces. Even ultra-conservative organs, while endeavoring to vindicate the action of the judges on the Supreme Court bench, deplore the severity of Mr. Ellis' punishment; and so strong has the feeling become that Ottawa journalists are contemplating a direct appeal to the Minister of Justice for commutation of the sentence. It seems to be tacitly admitted on all sides, without any argument, that the proceedings in the now famous "Ellis contempt case," from the commencement to the end, constitute a piece of refined political persecution, animated by the same intolerant spirit that predominated during the middle ages, and only differing in its outward manifestation as the change in civilization, manners and customs demands that it should differ.

The enemies of Mr. Ellis, who number not a few, all rabid Tories, have been for a long time past seeking some tangible opportunity to accomplish his ruin. They knew that they could not seize, bind and crucify him before the people, no matter how obnoxious he might be to them or to the political rulers of Canada, whom they serve. The public would hardly tolerate any open and active hostilities. But they feared and hated him the less, and when the perpetration of the infamous Queens County Steal betrayed him into an unguarded but very natural criticism of the conduct of one of the principal actors in that discreditable transaction, they saw the opportunity presented to them of doing, covertly, in the Queen's name, and with the sanction of the Supreme Judiciary of the province, all that was necessary to enable them to satisfy their vengeance upon him for all his brave, manly and uncompromising hostility to them in time past. And having once seen the opportunity; they were not slow in taking advantage of it. The result is that Mr. Ellis now lies in the common jail of the county, condemned by the Supreme Court of New Brunswick to remain there thirty days, and to pay a fine of \$200, besides costs nearly fifteen times as great. And all this has been accomplished without resort to a jury, and in the name of that much vaunted "British Justice" whose chief glory in the past has always been that no man should be condemned to punishment without having been given the opportunity to appeal to a jury of his countrymen! Surely the spirit of the British law has been insulted! Fancy such a course being attempted in England, the legal fountain head of all the world. His Honor Judge Pitt Taylor of England, in the latest edition of his admirable treatise on the Law of Evidence, recognized as the standard authority all over the globe, says:—"Hitherto no attempt has been made to shake the nation's faith in trial by jury, as the best institution ever devised by the art of man for protecting innocence when unjustly charged with the commission of crime. In criminal cases the party accused has still, as in the days of King John, the inalienable right to be tried per legale iudicium parium suorum; and

"may the rash hand of innovation never presume to touch that revered fabric, except so far as may tend to strengthen its foundation and enlarge its efficacy."

Yet in face of this strong pronouncement from the lips of the world's greatest lawyers, a man has been sentenced to imprisonment in the capital of New Brunswick, in the very centre of an intelligent community, and in the full glare of our boasted nineteenth century civilization; and has been murdered in a heavy sum of money, without having first had recourse to that most sacred of all civil liberties—the trial by jury, and for no greater crime than presuming to criticise in a journal of high repute, the public conduct of a Supreme Court judge. Not only that, but one of the judges of the same bench, who took part in the judgment and sentence pronounced against Mr. Ellis, openly and boldly defied the popular voice, expressing utter indifference to public criticism, and intimating that his own conscience would always guide him when acting as a judge. And that man was Judge Palmer! Would Judge Taylor, now on a sober review of the facts conclude that the course adopted by the Supreme Court in Mr. Ellis case tended to strengthen the foundation and enlarge the efficacy of trial by jury? But the chief question to be considered by the public is: Does the British law presume that its judges are immaculate? If so, the law ought to and must be changed, for we in New Brunswick know very well that our judges are neither immaculate nor infallible. We regret being forced to make this humiliating admission, and we make it in all sincerity and good faith. We are not among those who delight in stirring up needless strife. We would rejoice to see our supreme judiciary become in reality what it is in theory presumed to be—perfectly impartial, incorrupt and consequently unassailable. But we assert that their treatment of Mr. Ellis does not tend to establish their claim to any such prestige. On the contrary we are of opinion that it will tend to materially weaken the public confidence in our judicial system, or at any rate in the personnel of the present bench, and being of that opinion we do not feel it our duty to forbear from criticism. To ask that the press shall remain silent while one of its ablest champions is languishing in jail by command of a body of judges who were in reality his accusers, triers and executioners, is to make an unreasonable demand, and one which no tribunal can enforce. The law, says the Quebec Chronicle, a conservative organ must be changed, and with this sentiment we heartily agree. But it will never be changed unless the press of the province makes Mr. Ellis' cause its own, and takes its stand upon the just demand for an amelioration of the present law. Contempt of Court ought to be and must be made obsolete. Otherwise we will wake up some fine day to find the judges of the province exercising their prerogative in the way of condemning some fearless journalist to penal servitude, and confiscating his property to the crown. Let the press then, beware. If they do not make common cause against their enemies and oppressors, no one else will do so for them; and they will continue to be, as they have been in the past, amenable to an irresponsible judiciary, ridiculously jealous of its reputation, and needlessly severe upon its critics.

PEACE vs WAR.

"The International Parliamentary Peace league, now in session at Brussels has asked the British parliament to consider the advisability of passing a bill providing for the establishment of a permanent court of arbitration." The above clipping from one of our exchanges rings in our ears like a nineteenth century reiteration of the angel-song on the morning of Christ's nativity—"Peace on earth, goodwill to all men." It is certainly suggestive of the prevailing spirit of the day. Time was, not so very long ago, when nations rushed to war as readily as to their council-chamber, as the only honourable means of settling differences; when the invocation of a peace parliament or court of arbitration would be looked upon as cowardly and undignified conduct, and its promoters subjected to scorn. But we rejoice to see a revolution in national and international sentiment. Of late we have seen one vexed question, involving the opposing interest of two great powers, amicably settled by a court of arbitration, without the horrors and bloodshed of war; and many things point to the drawing near of the time

When peace shall over all the earth
Her ancient glories fling
And the whole world give back the song
Which now the Angels sing."

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Weakness of Body and Mind. Effects of Excesses in Old or Young. Robust, Noble Manhood fully Restored. How to enlarge and strengthen Weak, Undeveloped Organs and Parts of Body. Absolutely unfailing Home Treatment—Benefits in a day. Men testify from 50 States and Foreign Countries. Write them. Descriptive Book, explanation and proofs mailed (sealed) free.

ERIE MEDICAL CO., Buffalo, N. Y.

Notice of Sale.

To Honora Kingston, of Cork Settlement, in the County of York and Province of New Brunswick, widow and relict of John Kingston, deceased, and George Kingston of the same place, farmer, and all others whom it may concern:

NOTICE is hereby given that under and by virtue of a power of sale contained in a certain indenture of mortgage bearing date the twenty-first day of May in the year of Our Lord one thousand eight hundred and eighty-eight, made between Honora Kingston of Cork Settlement, aforesaid, relict and widow of John Kingston, deceased, and George Kingston of the same place, farmer, of the first part; and Edward Estabrooks, of the parish of Prince William, farmer, of the second part; registered in Book I, 4, of the York County Records, pages 306, 307, 308, on the fourteenth day of May, A. D., 1889. There will for the purpose of satisfying the moneys secured by the said indenture of mortgage, default having been made in the payment thereof, be sold at public auction at the Court House in the city of Fredericton in the County of York, aforesaid, on Saturday the fourth day of November next, the lands and premises mentioned and described in the said indenture of mortgage as follows: All those two several lots of land situate, lying, and being in Cork Settlement, aforesaid, and formerly owned by John Kingston, late of Cork Settlement, deceased, being the same on which the said John Kingston resided at the time of his death known respectively as lot number nine west, containing fifty acres, and lot number nine east containing fifty acres more or less, having been granted by the Crown to the said John Kingston and by him devised to the said George Kingston.

Together with all and singular the buildings and improvements thereon, and all the rights, members, privileges, hereditaments and appurtenances to the said lands and premises belonging or in any wise appertaining. Edward Estabrooks, Mortgagee.

W. Wilson, Solicitor for Mortgagee.

REMEMBER

It is to your advantage as well as ours to get good stock, and when you go to

Golden's

you will get it.

There is no trouble for you to find what you want there for he has

Chocolates

of endless varieties. Mixtures the best to be had. Toffees, the Best, Guaranteed Pure at that

A call will convince you that these statements are correct.

Do not allow yourself to be induced to buy till you have seen the large assorted stock we can place for your inspection.

W. H. GOLDEN.

Manufacturing Confectioner.

WHOLESALE AND RETAIL

MONEY TO LOAN.

\$5,000 TO Invest in good Real Estate Security.

GEO. L. WILSON, Barrister,

Queen Street, Opposite Normal School. F'ton, Oct. 14th.—1-m.

Down With High Prices For Electric Belts.

\$1.55, \$2.65, \$3.70; former prices \$5, \$7, \$10. Quality remains the same—16 different styles; dry battery and acid belts—mild or strong current. Less than half the price of any other company and more home testimonials than all the rest together. Full list free. Mention this paper. W. T. BAEK & CO. Windsor, Ont.

OCTOBER.

Just in Season.

New Cloth Jackets, - Plain,
New Cloth Jackets, - Fur Trimmed,
New Cloth Mantles and Capes,
New Fur-Lined Cloaks,
New Astracan Jackets,
New Sealett Jackets,
New Jackets for Girls,

Jacket Cloth and Cloakings of all kinds.

These Goods are all on the First Floor.

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C. P. R. TICKET AGENT.

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DAISY CHOCOLATES,
Which we get every
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A Complete Assortment of French and English Confectionery.

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Manufactured on the premises. Prices Low.

Give us a call and I am satisfied that I will suit your taste.

GEO F WILKES

Opp. Officers' Quarters, Queen St

NOTICE OF TRANSFER.

HAVING concluded to retire from the Agency of the Liverpool and London and Globe Insurance Company, I have transferred such Agency to Mr. George L. Wilson who will in future attend to all business connected with the same.

F'ton, N. B. Sept. 1 '93 W. WILSON.

The Liverpool and London and Globe Insurance Company.

Assets 1st Jan, '93 \$43,213,408.28

Assets in Canada 1,498,922.93

W. M. JARVIS, General Agent.

GEO. L. WILSON,

Agent, Fredericton, N. B. Offices: Wiley Building opposite Normal School.

OCTOBER 7TH.

Silver

Plated Ware

at

Lemont's.

Cake Baskets, Card Receivers, Children's Mugs, Toast Racks, Cracker Jars, Ice Water Jugs, Individual and Table Castors, Butter Coolers, Pickle Bottles, Sets of Knives in Cases, Napkin Rings, Souvenir Spoons, Scalloped Dishes,

Butter Knives, Fruit Dishes, Sugar Bowls, Desert, Tea, and Table Spoons, Trays, Tea Services, Cake Knives, Soup Ladles, Pickle Forks, Bon Bon Baskets Call Bells, Pie Knives, Breakfast, Desert and Dinner Knives, Salt and Mustard Spoons,

AT

LEMONT'S.

COMPLETE STOCK

—OF—

COOKING

—AND—

HEATING

STOVES,

—AT—

KITCHEN & SHEA.



OCTOBER 21ST.

LADIES' CLOTH JACKETS.

Ladies' Astrachan Jackets.

Ladies Coon Jackets.

Ladies Sealette Jackets.

—AT—

John J Weddall's.