

THE DISPATCH.

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CRIMINAL LIBEL CHARGED

BY JOHN S. LEIGHTON AGAINST EDITOR JAS. H. CROCKET.

Preliminary Hearing Before the Police Magistrate Results in the Defendant Being Committed to Trial.—He Finds Bail and is Let Go Till Next Circuit.

It is not often that we peaceable citizens of the peaceable town of Woodstock have an editor arraigned in our midst on a charge of criminal libel, but sure enough Mr. Jas. H. Crocket, editor of the *Fredericton Gleaner* put in an appearance in company with Deputy Sheriff Foster, last Thursday, at noon, to answer before the Police Magistrate the charge of having written a criminal libel against Mr. John S. Leighton, registrar of wills and deeds for the county, in an editorial published in the *Gleaner* of the 14th of July last. The alleged libel was to the effect that Mr. J. Vandine had borrowed \$600 from Mr. Leverett Estabrooks of Kingsclear, giving Mr. Estabrooks a mortgage on his property as security for the amount borrowed. It was also alleged that Mr. Vandine had paid to Mr. Leighton, who it was said was acting as agent, for Mr. Estabrooks, the full amount of the mortgage in discharge thereof, and that upon Mr. Vandine asking for a discharge of the mortgage from Mr. Estabrooks he was informed that he would be very happy to give the discharge when the money was paid. The article also, it was alleged implied that Mr. Leighton had been in the habit of retaining monies given to him for the purpose of discharging certain mortgages.

The case aroused considerable interest, and the court room was filled with spectators at the preliminary examination. Mr. Stephen B. Appleby, appeared for the prosecution, and Mr. A. B. Connell, Q.C. for the defence.

Mr. Connell said he was prepared to waive the holding of a preliminary examination, and to agree that Mr. Crocket should be committed to trial at next court.

Mr. Appleby contended that there was nothing in the statute which would permit such a course otherwise he would agree to the proposition. It was the practice in the United States but it had not been introduced into the criminal practice of this country. If therefore Mr. Crocket was to be committed to goal, he thought it might be found that the prosecution was liable to an action for false imprisonment.

Mr. Connell.—I think no such consequences would result.

Mr. Appleby.—I would be perfectly willing to waive the examination if I thought it possible, but as I said I do not think it would be in accordance with the law.

The Police Magistrate.—I am of the opinion that I would have no right to take bail.

This technicality having been disposed of the examination was commenced.

Mr. John S. Leighton senior was the first witness. To Mr. Appleby he said. I have been registrar of deeds and wills for this county for about eight years and a half. I know Jas. H. Crocket the defendant who sits in court. He is the publisher of the *Daily Gleaner*, also of the *Weekly Gleaner*. I am the John S. Leighton referred to in an article complained of published on the evening of the 14th. of July.

Do you know Leverett Estabrooks? I do. Were you ever appointed by Mr. Estabrooks as agent to collect any monies for him? I was not.

Did you ever collect any monies for him from any person? No.

Do you know Joseph Vandine referred to in the article above mentioned? I know him by sight only.

Did you ever collect any money from Joseph Vandine for Mr. Estabrooks? I did not.

Nor collect monies from Joseph Vandine for any person? No sir.

Did you know that Mr. Estabrooks held a mortgage against Joseph Vandine? No.

Then the statements in this article referring to you are utterly untrue? They are utterly untrue.

Mr. Connell then cross examined the witness. Are you a subscriber of the *Gleaner*? No.

Do you patronize its advertising columns? No sir.

Have you any business relations with Jas. H. Crocket? I do not know of any.

How can you swear that he is publisher of this *Gleaner*? I know it by common report, I know it by the letter heading. I instructed my solicitor to write to Mr. Crocket, publisher of the *Gleaner*, and he received a reply.

Mr. Connell here accused Mr. Leighton of trying to take the bits into his teeth.

Mr. Appleby.—No, I would not be a party to that.

Mr. Leighton proceeding said he had been shown by his solicitor a letter he had received from Mr. Crocket, on which the letter head was Jas. H. Crocket, Publisher of the *Gleaner*.

Do you know that this is Jas. H. Crocket, publisher of the *Gleaner* who sent the bill-heads? I am quite positive that he is the publisher of the *Gleaner*.

Who is the deputy registrar of deeds? John S. Leighton, jr. I am his father.

How long has he held that office? He was appointed about seven years and a half ago.

What were his duties as deputy registrar? The same as mine were.

As a matter of fact, has he not done the greater part of the work of that office? No, he has done over half.

About how much over half?

Mr. Appleby.—I take objection to any further examination on this line, on the ground that it is entirely irrelevant.

Mr. Connell insisted on his right to ask the question and the magistrate allowed it.

He has done over half the writing on the large books.

What part do you do? I sign all documents received, and sign all certificates of entry as they are entered in the large books. I write certificates for discharge of mortgages and bills of sale and sign them, and I make searches.

What else do you do? Sometimes I build the fires and sweep the office.

You have become within the last few years financially embarrassed? Yes sir.

It became necessary to make an assignment for the benefit of your trustees? Yes.

Could you give me any idea of your indebtedness?

Mr. Appleby raised an objection to the question.

Mr. Connell pressed the question and the magistrate allowed it.

Can you give me some estimate of the amount of your indebtedness? It was about, I think, \$25,000, secured and unsecured. Or it might have been \$30,000.

Has any dividend been declared by the trustees? I have not heard of any.

During the past few years you and your son have been quite intimately concerned in business matters? No, not very intimately.

There has been some connection between you two? He has endorsed paper for me. Since he was deputy registrar he has endorsed something like \$2000.

How long has this extended? It commenced along in 1890, I think, but I could not say positively. I think it extended up to 1892.

Has he not been carrying these liabilities since? He has paid part, and I presume he is carrying the balance.

Did he assist you in ways financial other than endorsing? Did he not procure money for you?

Mr. Appleby objected to this question, but it was allowed.

Did he not procure ready money for you? I do not know that he did.

Did you know that he was appointed agent for Leverett Estabrooks. Yes sir.

Did you learn of Estabrooks having been at the office? Perhaps John might have told me. I am not positive.

Did you make any inquiries into the business? No.

Did your son volunteer any information to you about the business? No.

When did you first learn of the Vandine mortgage? On the evening of the 16th of the present July.

Did you not see Vandine in the registry office before that? I saw him on the 14th of June last past.

What was his business that day? To record deeds.

Have you any recollection of your son giving you some money in 1887 or 1888? No.

Have you any recollection of getting any money from him during 1888 or 1889? I think I got some money in 1889, but could not say how much?

Would it exceed \$1500? I could not say it might have exceeded \$800 or \$900.

Do you know when he got this money? I do not.

When was the Leverett Estabrooks mortgage discharged? On the 11th day of the present July.

He was here personally. Did you know how he happened to get here. Did you send for him? No! I did not.

Do you know what time of the day the mortgage was discharged? No.

Had you any conversation with your son John with regard to this mortgage? No.

During the eight years had you any conversation with your son John with reference to Vandine? No.

Have you any idea when the principle of the sum due on the Vandine Estabrooks mortgage was paid? I have heard since.

What have you heard about the payment of the mortgage since?

Objection was taken to this question by the complainant's counsel, and the magistrate ruled it out.

Have you heard anything from your son John as to the payment of that mortgage? I have had no conversation with regard to the mortgage with John S. Leighton, jr.

You asked him for no explanation? Not one word.

In explanation, Mr. Leighton said, about

(CONCLUDED ON FOURTH PAGE.)

PRESQUE ISLE SENSATION.

A WOMAN USES A REVOLVER WITH DEADLY EFFECT.

B. & A. Employee the Victim.—Preliminary Examination Results in Commitment to Trial, and the Defendant Furnishes Her Own Bail.

Word from Presque Isle to THE DISPATCH yesterday, regarding Saturday's shooting affair, is that a preliminary examination into the matter was held on Monday. Mrs. Helen Cross the defendant, was committed to trial at the October court, and furnished her own bail in \$1000.

The circumstances of the case, seems to be about as follows: A number of B & A employees, generally known as rackers, had been indulging in the sad pleasure of a spree for a couple of days and were kicking up quite a shindy in this prosperous little town.

Mrs. Cross, it is alleged, kept a place of no enviable reputation, and used to dispose of liquor to trusted customers on the sly. The authorities got on to her little game, and stopped proceedings.

On Saturday a party of B. & A. men went to her house which is situated on the Mapleton road near the trotting park, and demanded liquor. Mrs. Cross turned a deaf ear to their demands, whereupon they tried to force an entry. Upon this, the woman produced a revolver and the men not keeping away she fired two shots, one taking effect on Daniel McNeill, a native of Chatham, N.B., and passing through his left lung.

The companions of the injured man were furious for a time, and even threatened to lynch the woman. However it all ended in threats.

The affair, as is natural, has caused quite a commotion in Presque Isle. Mrs. Cross is said to be connected with a highly respectable family, but seems to have somewhat fallen from grace herself. McNeill was living yesterday. His condition is precarious.

REFINED HOG KILLING.

A Visit to Squire's Great Abattoir in Cambridge.

(CORRESPONDENCE OF THE DISPATCH.)

Boston, July 29.—Yesterday I applied at the office of Messrs. Squire, on State street, for a permit to go over their large abattoir in Cambridge, and repaired there forthwith. The average number of hogs killed in one day is somewhere about 850. These hogs arrive from all over the country in special trains chartered by the buyers. The hogs are driven from the cars into pens in the upper story of the annex and then driven in lots through a covered bridge until they arrive at the main building where they are furnished with temporary lodgings awaiting the call of "next" from the man with the chain. As they are driven to him through a gangway, one at a time they are promptly seized by the hind leg and a chain fastened thereto. After being hoisted to a ring in a beam they are given a push by the chairman, which carries them to the sticker, a gentleman in long rubber boots standing in the blood tank, who performs his duty as fast as they come along. He then gives them a push which carries them in front of the hot water tanks. On account of hanging head downward they bleed to death in about two minutes. They are then lowered into hot water and promptly hooked in the snout and hoisted through the scraping machine which takes all the hair off them as they come up, except a little around the joints, which is promptly attended to by hand. Mr. Pig then takes a toboggan slide a short distance for his "post mortem," which leaves him bare inside, after which he slides into the cold storage warehouse where a thermometer is kept below the cipher. Here he remains an hour and is then taken out and converted into hams, sausages, shoulders, lard, head cheese, etc., and not a bit of him is wasted even to his blood, which is converted into a first-class fertilizer, and his bristles are put up in packages for shoemakers' use. The rapid transit of a porker into all the different commodities is something that would make the average farmer stare in astonishment. There is a man employed to show visitors over the place. He starts every hour from the office, and the trip occupies about fifty minutes. It is well worth seeing and not as heartrending a sight as one would imagine. No one is allowed to go through without a permit from the Boston office. Considering all things the place is kept beautifully clean, and any man with average digestion will be able to eat a square meal at his regular time after having been through this institution. To one who has seen pigs killed on a farm in N. B. where a night is required to cool them off before they can be cut up and the choice roasts presented to near neighbors, as a reminder that the

owner of the pig expects a return when the neighbors have their killing, it is very astonishing indeed.

The following is an extract from an article in the Boston Sunday Herald of this date, headed Queen Victoria in which is a detailed account of Her Majesty's Drawing Room:—

The Queen heavily swathed in black was probably more uncomfortable than anybody else. After receiving the obeisances of a long line of sweltering celebrities she turned to a lady of the court, in attendance and vigorously fanning herself exclaimed, "My! aint I hot." "Yes ma'am you are" replied the lady, for etiquette commands that one shall not contradict the sovereign.

The veracity of this scribe is of rather a doubtful character. Surely Her Majesty speaks more grammatically than this. The average yankee swallows such things with great glee, and believes any stuff about royalty it pleases the newspapers to print.

OBSERVER.

THE OLD INSTITUTE.

The Spirit of 1847 Puts Us to Shame.

An old and interesting book was kindly lent to THE DISPATCH last week by Colonel W. T. Baird. It contains the records of the old Mechanics' Institute and bears date 1847. The first entry, which is in the hand writing of James McLaughlan, the first secretary of the institute, shows that a party of twenty-six (26) men met in Miss Drake's school room in Woodstock, on the evening of March 11th, 1847, and passed, among others, the following resolution:

WHEREAS, The increasing intelligence of the community requires the adoption of means for the more fully developing the mental energies of its members, and the more general diffusion of useful information,

AND WHEREAS, The delivery of lectures on literary, historical and scientific subjects will best effectuate these objects, it is deemed expedient to form an association for that purpose.

THEREFORE RESOLVED, That a society be formed in this place to be called the "Woodstock Mechanics' Institute."

The first officers of the institute were: John Bedell, pres.; James Robertson, vice-pres.; Michael Kieley, treas.; George W. Clarey, Richard English and Lewis Smith, directors.

The annual subscription fee was five shillings. Each member, on payment of his subscription fee, was admitted to the lectures free and allowed to bring one lady of his family. Other persons had to pay an admission fee of 7 pence.

L. P. Fisher, Dr. Ried, James Robertson and Rev. W. Temple were appointed a committee to draft a constitution. The gentlemen before separating on this first evening

RESOLVED, That the thanks of the meeting be given to Miss Drake for the handsome manner in which she offered the use of her school room to the institute and that she be presented with a ticket of membership for herself and the inmates of her house.

An entry of March 25 in the same year reads as follows: "Dr. Rice lectured this evening on 'The Atmosphere,' to a respectable audience." This was the first lecture delivered before the Mechanics' Institute.

The spirit of these men of 1847 puts to shame us of today. In a day when the population of the town was small, and men not so well off as they are today, men and money were forthcoming to found an institute, build a hall and establish a library. Today we have not a literary society, not a lecture course, not a library. Base ball and tennis are in their glory. Even Grafton out does Woodstock in her pursuit of these worthy ends which it was the object of the Mechanics' Institute to accomplish. The debating society of two winters ago was a move in the right direction. The mock parliament was a rather better effort. A library would help. Perhaps the weather is almost too hot to even think of these things now. However let us see what the cooler atmosphere of fall and winter can bring forth.

The New Republic of the Pacific.

The Republic of Hawaii was duly proclaimed on the 4th of July. New York Herald (Ind) in speaking of it says:

With a Republic founded upon the will of the people and maintained with the consent of the governed the United States can have only genuine sympathy and friendly relations. We greet the new Republic of the Pacific, and trust that its birth will prove the final doom of the jingo annexation folly.

Pittsburg Dispatch (Ind) thinks as follows: The controlling spirit of the proceedings by which the "Republic" of Hawaii was declared to be constituted on July 4 is that of sardonic humor. A Constitutional Convention, the majority of whose members the people of Hawaii were not allowed to choose, frames a constitution which the people are not allowed to ratify, and names a president on the distinct ground that the people must not be permitted to elect him. It is to be hoped the United States will keep itself clear of all support to this travesty on republican government. At present the supporters of republican principles have just ground for an action of libel against the Hawaiian oligarchy for their misuse of the name.

Were at St. Andrews.

Lord and Lady Randolph Churchill were in St. Andrews, the guests of Sir Wm. C. and Lady Vanthorne, who have a beautiful cottage on Minister's Island, across the bay from the town. This is a good advertisement for St. Andrews, which has distanced Newport, for Newport could not get the distinguished and eccentric Englishman.

IT WANTS LOOKING AFTER.

THE CELLS IN THE GAOL ARE NOT WHAT THEY SHOULD BE.

An Institution in which Cleanliness Should be Enforced.—Foul Smells are Emitted from the Cells.—Prisoners Must be made to Keep Themselves Clean.

It has come to the attention of the public lately that the gaol is not kept in the condition in which it should be kept. There have been two or three cases of sickness among the inmates, and the doctors attending have been forced to state that it is a wonder that disease is not rampant in that institution. THE DISPATCH does not undertake to lay the blame on any particular person, or set of persons, but its attention having been called to the matter, feels bound to express an opinion on the subject. The prison regulations are not at hand this moment, but it may be taken for granted that howsoever they may read with regard to the severity to be imposed on criminals, impurity of air, and filthiness are not included in the punishment. That is a refinement of torture left for Russian and eastern civilization.

The cells in the gaol at Upper Woodstock are in such a condition that of one them at least, a medical man remarked that "if a hog were kept in it a week it would get skin disease."

Even were the health of the prisoners not to be considered, the community is liable to suffer by having in its midst a place in which filthiness prevails.

The stench from one cell, in which a DISPATCH reporter entered, was distressing. The inmate was suffering from diarrhoea and how he was to get better in that close room appeared a mystery and a problem.

It may be said, in some justification, that Mr. Jones has been very ill himself of late, and was hardly able to attend to the matters and was reported to one of the gaol committee he had some disinfectants sent up and ordered the place cleaned up.

It is a custom of the grand jury in Ontario, at every session of the court, to visit the institutions of the county including the gaols and prisons, and thereupon to make a presentment to the court of the condition in which they find these institutions, and any recommendations they make are acted upon very promptly. Why should not our grand jury do the same? Nothing in the world can be more horrifying to every sense of fair play and decency than that criminals should be subjected to unhealthy confinement. They should be forced to keep themselves cleanly, and their cells should be kept free of filth.

They say, who know, that in Houlton the clean condition of the gaol puts us, in this county, to complete shame.

This article might be made stronger, but it is not the desire of THE DISPATCH to criticize any institution too harshly. It must be remembered, however, that criminals have the right to at least equal privileges with animals, and no man who values his horse or dog would allow it to be kept in foul quarters.

Lawn Tennis.

The tournament, gentlemen's single which has been going on for a week or two is now about concluded. The playing has been exceptionally good all around. In the opinion of many the best bout was that played on Saturday between Arthur Hay and Thane Jones which was won after a sharp fight by Hay whose agility and brilliant strokes shall probably win for him the tournament. The grounds this year are in a splendid condition. The courts are occupied not only every suitable afternoon but very often during the less sultry morning while in the evenings 15—love, ect is most attractive sound to be heard in the upper part of the town. The ladies are enjoying the sport immensely many more playing than did last year. The band music shall be to the tennis players a most delightful addition to their pleasure.

Drowned Near Rothesay.

Ernest S. Ruel, son of Jas. R. Ruel, collector of customs for St. John, was drowned in the Kennebecasis, near Rothesay on Saturday evening last. While competing in a canoe race with Mr. H. F. Puddington, his canoe upset. His friends saw that he was upset and did everything in their power to rescue him, but to no avail. The body was recovered. Deceased, who was 21 years of age, was the youngest son of Jas. R. Ruel, collector of customs. He was a student at law, and the brilliant manner in which he graduated at the New Brunswick university indicated that he would achieve distinction in his chosen profession.

He was a cousin of Mrs. Wm. Dibblee, of Woodstock.