

THE DISPATCH.

VOL. 4. NO. 25.

WOODSTOCK, N. B., NOV. 17, 1897.

PRICE TWO CENTS

GREAT SALE OF SUITS.

To make room for "FIT REFORM" Clothing, for which we have the sole agency in this section of the province, we have decided to put our whole stock of Men's, Youths', Boys' and Children's Suits on the market at unheard of prices.

We have bought, to be shipped in January, an immense stock of "FIT REFORM" clothing, which we had to do to get control of.

We bought the "FIT REFORM" clothing for cash, which means a large amount of money.

We have in our store:

**345 Men's Suits,
140 Youth's Suits,
121 Boys' Suits,
157 Children's Suits,**

Which we must sell before **JANUARY 1ST, 1898.**

WE MUST SELL IT to make room for this "FIT REFORM" Clothing.

WE MUST SELL IT to get cash to pay for this "FIT REFORM" Clothing.

YOU CAN BUY at your own price 345 Men's Suits, 140 Youths' Suits, 121 Boys' Suits, 157 Children's Suits.

Remember this is not an old stock, but good fresh goods, and it will be to your advantage to look this stock over whether you care to buy or not. The stock must be sold by January 1st, 1898. Your money back if you want it.

Oak Hall, One Price, Woodstock.

Four Fine Flours.

Five Roses.

Best Bread Flour Made.

Cream of Wheat,

Good for All Purposes.

Thames and Rosedale,

Choice Pastry Flours.

For Sale by All Grocers.

THE A. I. TEED CO. (L'td.)

Fountain Pens.

"The Warwick,"

**THE BEST.
THE CHEAPEST.
THE MOST DURABLE.
THE MOST SATISFACTORY** on the market.

A new lot of them just received at

**CARR & GIBSON'S,
31 MAIN STREET.**

Marriage Licenses and Wedding Rings.

THE PERNICIOUS WEED

And How It Got Good Merchants In Trouble.

A Florenceville Man Defends His Case Before the Police Magistrate, and Pleads Ignorance of the Law.—Some Interesting Testimony.

When you buy a fig of tobacco you would hardly think that the seller has to be particularly careful how and whence he produces your fig. Yet such is the case.

Every package of tobacco contains instructions to the dealer and among the instructions are these (1) this package is to be opened in such a manner as to break the stamp, (2) this package is not to be used for any other tobacco when the present contents are removed, (3) the contents are not to be removed except for immediate sale, (4) when the package is empty the stamp must be destroyed.

Now, in these regulations lies all the trouble as far as the Canadian tobacco is concerned, and it was only about Canadian tobacco that the case in the police court last Friday was tried. American tobacco has been coming across the line, ever since the new government raised the duties, and has been smoked and chewed by Grit and Tory, loyalist and radical alike. Some of it has been seized by Inland Revenue officials.

Word was received by the Inland Revenue officials that a good deal of smuggling was going on along the border between Maine and New Brunswick, and Mr. Edward Floody, chief of the Inland Revenue preventive force swooped down on certain dealers and made it lively. He not only scored them about having American tobacco, but also seized Canadian tobacco not properly kept in the packages.

Among those whom Mr. Floody visited was the well known and highly esteemed Florenceville merchant, D. McGaffigan, and the circumstances connected with the visit, as told in the police court make spicy reading.

Stephen B. Appleby represented the Crown, and Frank B. Carvell appeared for the defendant who pleaded not guilty to the charge of violating the regulations issued by the Inland Revenue Department.

To Mr. Appleby, Mr. Floody said:—On the 7th of October last I found about 18 pounds in Mr. McGaffigan's store outside of the packages, which is contrary to the law. Constable Macfarlane was with me at the time.

To Mr. Carvell.—When I came to the county two or three weeks ago I do not know that I first consulted anybody. I saw Mr. Dibblee the police magistrate.

Did you consult with Mr. John Graham?
Yes! I had a talk with Mr. Graham, I had a letter of introduction to him.

Who gave you the letter?
I refuse to say where the letter came from. It was handed to me by the department.

Objection was taken to Mr. Carvell insisting on an answer to the question as to who the letter was from.

Mr. Carvell.—If the department are sending an officer with a letter of introduction to one important merchant using him as a spy against the others, it is the very thing we should inquire into.

Mr. Appleby.—If you can show what effect that will have upon the fact of Mr. McGaffigan selling tobacco, there may be some reason in it, but I do not think witness is bound to give the information.

Mr. Carvell.—Was this letter signed by an official of the inland revenue department?
Witness.—It was not.

Mr. Carvell.—I suppose you consulted with Mr. Graham about the merchants in the county. Did you ask him the names of merchants?

I do not remember doing so. He did not give me any names. Objection was taken to this question by the crown prosecutor.

Mr. Carvell.—This is a public matter. The government is prosecuting. They send an agent to visit the merchants, and he says he was not told the name of any merchants. Now I do not hesitate to say that Mr. Graham told him where to go.

Mr. Appleby.—This does not help Mr. McGaffigan.

Mr. Floody continuing—I called on Mr. Graham next day after I came. I could not tell you the names of all the stores I called at. I called at Slipps, Sherwood's and some others. Mr. Graham recommended Mr. Macfarlane as a good man, and I found him a good man—a rattling good man.

When you told Mr. McGaffigan that he was violating the law did he tell you he was not aware it was an offence?

Yes.
And he showed you the package out of which the tobacco was taken.

Yes.
Was it American or Canadian?
Canadian, Index and Napoleon.

You were judge, lawyer and jury, then, whole gun, stock and barrel, a very important personage. Here you are only a witness. I am not here for fun. Just ask me business questions, if you please.

I will try to do that.
Witness—I could not find any American tobacco.

Mr. Appleby.—Did Mr. Graham tell you to go to McGaffigan's?

No. He never mentioned his name to me at all. I never heard of him till I got to Florenceville. Mr. McGaffigan told me he did not know that he was doing anything contrary to the law. He had always kept his tobacco this way and was going to do so, in spite of the government.

Mr. McGaffigan was then examined. He said to Mr. Carvell—I was in the office when I heard a loud noise, as I came out, Mr. Floody came in towards the office. He wanted to know what I was doing in there, and if I had had any tobacco. I told him it was my business and I did not see that it was any of his. Then he accused me of hiding tobacco. Then he went back and accused John Homes of giving me information.

Mr. Carvell.—Its a wonder if it was John Home he did not get laid out.

Mr. Floody, interrupting—I am not afraid of that, Mr. Counsel for the defence.

Mr. McGaffigan continuing—After awhile, he went behind the counter and opened two packages of tobacco, Napoleon and Index. The tobacco was on a lower shelf near the floor, back of the counter, and the case I had pitched under the counter. This is the place I had always kept my tobacco in since I fixed up my store. I asked him what authority he had and he handed me a paper. He told me it was against the law to have my tobacco out of the packages. I told him that was the way I had always sold my tobacco and always would. I did not know it was a violation of the law. I do not give two cents whether I am fined \$50 or \$500, I bought that tobacco and paid for it, and sold it in good faith. One reason I take it out of the packages is that I have two little girls who tend shop. I will not run the risk of them cutting their hands in getting out the tobacco. I cut my own finger that way and it did not heal for a long time. I pay my taxes and try and pay for my tobacco and think I have a right to sell it. I do not want a man coming in my store and treating me as if I were a criminal. He charged me with having hid tobacco.

Did you hide any tobacco?
I did not.

Did you have any American tobacco in your store?

I did not have any American tobacco at any time, and I did not think I was guilty of any offence leaving my tobacco where it was. I never had any smuggled tobacco in my store.

To Mr. Appleby.—I had a telephone message but no named signed to it. It came from East Florenceville, and was brought to me by young Jamieson, John Jamieson's son. It was that an inland revenue officer was coming and to get in order for him. It did not say "hide your American tobacco." I did not have any conversation with Mr. Home before I saw Mr. Floody. Since Mr. Floody's visit I have opened tobacco and taken it out as before. I have two packages right there, but I will see I get the covers on before Mr. Floody comes again.

If you get a telephone.
Whether I get any telephone or not. Just let him come and try it. I won't let him in while there is a drop of blood in me. Let him try it.

This concluded the somewhat sensational evidence.

Mr. Carvell in addressing the magistrate claimed that under the strict law Mr. McGaffigan was guilty. But as this is a criminal or quasi-criminal case, I think the intent should be considered, and the evidence is quite plain that there is no criminal intent on Mr. McGaffigan's part. He asked the magistrate to believe every word that Mr. McGaffigan had said. He was not the man who would come and swear falsely.

Mr. Appleby said the old adage that every student learned was that ignorance of the law was no excuse. But as to the criminal intent, if Mr. McGaffigan could show that the packages got off the tobacco without his knowledge there might be some justification, but he deliberately took them off, and therefore he had the intent to violate the law.

His Honor reserved judgment which will probably be given tomorrow.

The Queen against S. R. Boyer charged with a similar offence was taken up and a fine of \$50 and costs imposed. There was no defence.

C. M. Sherwood, Centreville, Augustus Kilpatrick and William Boyer of Florenceville, did not put in a defence and were fined accordingly.

ON TOP OF A MINE.

Silver in Paying Quantities Runs Under The Town.

Such is Said to be The Case.—Successful Assay.—Woolen Mill vs. Moor Ajournaled Till The 30th, inst.—More Trouble Over The Highway Through Grafton.

Some weeks ago THE DISPATCH noticed the fact that Mr. W. H. Lawrence of Keswick, a miner of some reputation had become interested in representations made to him by Edward Greer of this town, as to the existence of silver in paying quantities a short distance under the surface of the town. Mr. Lawrence came here and dug a hole on Green street near the corner of Elm. He took out about a hundred pounds of the ore, and it was sent to Montreal to be assayed. Mr. Greer has received a letter from Mr. Lawrence to the effect that the assay has proved highly successful. Mr. Greer has, acting under instructions taken another sample, out of a spot off Connell street not far from Main, which has been sent away to be assayed. There seems no doubt that a good find has been made, and that a silver mine has been discovered within the town limits, which will well pay working.

County Court.

The county court was in session last week, Judge Stevens presiding. In the civil cases Nicholson vs. Leighton promissory notes, verdict was rendered for the plaintiff. A. B. Connell Q. C., for plaintiff, Stephen B. Appleby for defendant; Lewin vs. Stewart, on promissory note, W. P. Jones, attorney, A. B. Connell, counsel for plaintiff, J. R. Murphy, S. B. Appleby for defendant. Verdict for plaintiff. There was a criminal case of some interest the details of which have been already given in THE DISPATCH. It was the Queen vs. John and James O'Donnell for maliciously stoning a bull to death. Frank B. Carvell represented the crown and Dennis B. Gallagher defended the prisoners. The case occupied some two days and was noticeable for the quality of evidence. A verdict of not guilty was found.

Grafton's Road.

It would seem that Grafton is to have a suit in equity or something of the kind over the much discussed road. Readers of THE DISPATCH will recollect that some weeks ago a case was brought against Robt. McElroy, who runs the mill, for obstructing the public highway. The complainant was J. W. Dalling, road commissioner, and he was backed by other residents of Grafton. A fine was imposed. Now the school trustees have put up a fence where Mr. McElroy contends the road runs. They also gave Mr. McElroy notice to move his office. J. N. W. Winslow in the meanwhile went to Fredericton and secured an injunction, preventing the trustees from going any further.

The chief commissioner has been urged to come to Grafton and adjust the matter.

Another Adjournment.

The case of the Woolen Mill vs. Fred Moore, for obstructing mill street was to have been resumed yesterday morning, but as Judge Vanwart can not conveniently attend, it was agreed to further postpone the case until Tuesday the 30th inst. at ten o'clock a. m. Judge McLeod occupied the bench and allowed the adjournment.

Squeaked Once too Often.

Maccabe, the ventriloquist, was a great practical joker. Several years ago he was on board a river steambot, and, having made friends with the engineer, was allowed the freedom of the engine-room.

Presently a certain part of the machinery began to creak. The engineer oiled it and went about his duties. In the course of a few minutes the creaking was heard again, and the engineer rushed over, oil can in hand, to lubricate the same crank.

Again he resumed his post, but it was only a few minutes before the same old crank was creaking louder than ever.

"Great Jupiter!" he yelled, "the thing's bewitched."

More oil was administered, but the engineer began to smell a rat. Pretty soon the crank squeaked again, when, slipping up behind Maccabe, he squirted half a pint of oil down the joker's back.

"There," said he, "I guess that crank won't squeak any more."—London Spare Moments.

REV. KENNETH MCKAY, Presbyterian, of Houlton, exchanged duties on Sunday with Rev. C. T. Phillips, F. C. B. minister. Rev. Jas. Whiteside, was in Houlton on Sunday, his duty being taken by Rev. Mr. Cann, Congregational minister of that place.

Joseph and Wilman Oldham, Southampton, were at the Victoria on Monday.

George Upton, Fredericton, spent Sunday at the Victoria.

J. C. Stuart, Toronto, is at the Victoria.