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English Worsted Suitings, Trouserings and Fancy Vestings, Scotch Tweed Suitings, 10'Coatings and Trouserings.

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NICHOLSON

Makers of Men's Clothes
WOODSTOCK, N. B.

Ely Was One Of The Best American Aviators

NEW YORK, Oct. 20.—Eugene Ely, killed Thursday at Macon, Ga., by a fall, was one of the best known of the American aviators. His reputation was international as an expert, conservative and experienced pilot. He has probably done as much or more than any other American aviator in furthering military experiments with the aeroplane particularly in connection with the United States Navy. It was Ely who first made the flight from a warship successfully starting from that U. S. S. "Birmingham" off Norfolk, Va., in November, 1910. Subsequently at San Francisco on January 18, Ely landed a bomb under the deck of the armored cruiser "Pennsylvania," and a few minutes later started at the same point and returned to the aviation field some ten miles away. In addition to these feats, Ely had demonstrated aeroplanes purchased for the army at San Antonio, Texas, and carried out scouting experiments in connection with the army at San Francisco. He was highly regarded by the army and navy officers, and was a general favorite with all of them. He established a home near San Francisco and being recognized as a resident of California, although born in Iowa, was given a commission as lieutenant in the California National Guard. Ely was 26 years old. He leaves a young widow, a native of San Francisco, who is at present in New York City.

Why Hesitate?

An Offer That Involves no Money Risk if You Accept It

We are so positive our remedy will completely relieve constipation, no matter how chronic it may be, that we offer to furnish it free of all cost if it fails.

Constipation is commonly caused by weakness of the nerves and muscles of the large intestine. To expect a cure you must therefore tone up and strengthen those organs and restore them to healthier activity.

We want you to try Rexall Orderlies on our guarantee. They are eaten like candy, and are particularly good for children. They seem to act directly on the nerves and muscles of the bowels. They apparently have a neutral action on the other organs. They do not purge or cause other inconvenience. We will refund your money if they do not overcome chronic or habitual constipation and thus aid to relieve the myriads of associate or dependent chronic ailments. Try Rexall Orderlies at our risk. Three sizes, 10c., 25c., and 50c. Sold only at our store—The Rexall Store. E. W. Mair.

UPSET

"You look blue."
"I am. I have called on her father."
"What did he say that so upset you?"
"It was not what he said that upset me." —Houston Post.

Mystery About Attempt to Shoot Nathan Squires

Almost a Murder Committed on New Maryland Hill About Dusk Last Evening—Nathan Squires Says Man Fired at Him

BULLET WHISTLED BY CLOSE TO HIS HEAD AND THEN THE STRANGER TOOK TO THE WOODS

There is a deep mystery surrounding the attempt made about dusk last evening to shoot Nathan Squires, formerly of the Risteen woodworking factory, near his residence on New Maryland Hill road.

While Mr. Squires is unable to give the name of the man who almost killed him he is sure that he could identify him if he happened to meet him and a diligent search for his assailant will be made.

About dusk last evening the stranger in question shot point blank at Mr. Squires, who says that the bullet passed within a foot of his head giving him a bad nervous shock. As soon as he had fired the shot the unknown stranger ran into the woods and has not since been seen.—Gleaner.

MURDER TRIAL AT WOODSTOCK

(Continued from first page)

Dr. N. M. P. Grant, sworn, said McCluskey's death was caused by shock and loss of blood. Court adjourned until 10 o'clock Wednesday morning.

Court met at 10 o'clock Wednesday morning. Another large crowd attended the trial. Messrs. A. D. Holyoke, Miles Diamond, C. W. Dugan and Dr. Rankin gave evidence.

A. D. Holyoke, police magistrate, sworn, said I knew Thomas McCluskey, saw him at the hospital between 9 and 10 o'clock on May 4th. To questions he said he knew he was going to die and wished to make a statement.

Mr. Carvell objected to the dying declaration going into evidence, unless doctors were called to show that McCluskey knew he was going to die.

Hon. Mr. McLeod pointed out that the dying man told Chief Kelly that he knew he was all in and that Matron Lane told him that he was going to die. This had happened before he made his dying statement.

Mr. McLeod then read the dying declaration of McCluskey stating that Bragdon shot him on May 3 and that he knew he was going to die. Mr. Holyoke said the declaration was drawn up by myself. I signed McCluskey's name and he made his mark in the presence of Chief Kelly, Miss Lane and Rev. H. C. Archer, Baptist clergyman.

To Mr. Carvell—McCluskey could write but I signed his name, not wishing to give him unnecessary labor in the condition he was in.

Miles Diamond swore he was up Connell street with Stanley Wise on May 3. He heard two shots fired and later heard

the third shot fired and heard a quarrel between Bragdon and his wife, the former driving the latter into the house. He did not know that McCluskey was shot until next day.

To Mr. Carvell witness said he left Wise's barber shop at nine o'clock. Bragdon's house was on a lower elevation than Connell street, and it was 150 yards from Connell street to Bragdon's yard. With the help of Mr. Carvell Mr. Diamond drew a plan of the streets near Bragdon's house.

C. W. Dugan said: I live in Woodstock, saw McCluskey on the evening of May 3. Walked with him nearly one hour around town and left him at 8.30. Did not see Bragdon. The Fredericton train came in about nine o'clock. It was a dark night.

To Mr. Carvell he said he left McCluskey and went to his potato house. He was positive it was a dark night.

Dr. Rankin being sworn said: I reside in Woodstock. Am a registered physician. I remember May 3rd. He told of the visit of McCluskey to his home that night, and of his removal to the hospital, of the operation performed before death and of the autopsy, when he found that the bullet had perforated the bowels, which caused McCluskey's death. Witness took the bullet from the body and gave it to Chief Kelly. The bullet is now in court.

This closed the evidence for the crown and adjournment was made until 2 o'clock.

Asa Bragdon, a nephew of the prisoner, told of having twice heard his uncle warn McCluskey to keep away from his home. Several other witnesses gave evidence that was unimportant and then Mrs. Bragdon took the stand. She said she was married in Houlton, in May, 1904. She had been married to Edmund Flowers and was divorced from him that year. McCluskey had been a frequent visitor to her home from 1907 down to the day of his death. These visits were during the absence of her husband. On several occasions McCluskey and her husband met and quarrelled. At 9 o'clock McCluskey came to the house on the night of the tragedy. McCluskey went out and started to walk away. The prisoner said to McCluskey that he knew him and the latter came toward Bragdon. The quarrel took place. One shot was fired in the air, two at McCluskey and one in her direction. Her husband told her to go in the house. He was very angry but he did not interfere her. When they met Bragdon said: "Who are you?" and later Bragdon said he knew him. McCluskey tried to hit him with a rock before any shots were fired. The first shot was fired a few moments after. They were pulling each other four or five minutes after the second shot was fired. She thought this shot was fired at the ground. McCluskey grabbed her husband's wrist and wrenched it, and Bragdon fired at the stomach of the deceased, who put his hand on the wound and backed away. The fourth shot was fired at her.

The Court took 10 minutes recess, after which the prisoner, Wm. Bragdon, was called.

William Bragdon said he knew McCluskey was coming to see his wife for over a year. He spoke to McCluskey about it and warned him to keep away. Later they had another talk and McCluskey told him he would not see his wife again as he was going west in a short time. On the night of May 3rd., after coming from Fredericton, he saw a light burning in his house and said to himself that Wood McCluskey was there. When he reached the front door he heard McCluskey and his wife talking in the hall and heard McCluskey say he would give her all the money he had if she would do something—what that was he did not hear. McCluskey went partly away and coming back he said he would give witness \$500 if nothing was said, witness ordered him away, but he caught witness and tried to hit him with a rock. During the scuffle witness fired once in the air, the second one at the ground and the third hit McCluskey. He did not fire a shot at wife or beat her when she went into the house. After a restless night, on advice of Mr. Watson, he gave himself up to Chief Kelly and Sheriff Tompkins.

Court then adjourned till ten o'clock Thursday morning.

The trial was resumed at ten o'clock Thursday morning.

Mr. Carvell promptly commenced to address the jury, the address lasting one hour and forty minutes. Mr. Carvell, in addressing the jury, said that it was not a pleasant matter for himself, for the crown or for the jury to pass upon such a case as they had before them. He had every confidence that the twelve men would give a just verdict according to the evidence. There is no doubt that Woodman McCluskey met his death in the yard of Bragdon's

house about 9.20 on the evening of May 3. There was a mass of evidence to show that Woodman McCluskey had been intimate with Bragdon's wife for over four years. All the neighbors knew the facts, and Bragdon after some time was also aware of them. He (Bragdon) repeatedly warned McCluskey to keep away, telling him that he was making his home a hell upon earth. McCluskey promised, but he never kept his promise. Bragdon not only warned him, but he threatened him that he would get hurt if he continued these visits. Finally we find deceased in the house on that fatal night. Mrs. Bragdon did not expect her husband home that night. McCluskey did not expect him home. As a general thing it would be almost impossible to run a raft from Woodstock to Springhill and return the same day, but Bragdon did it on this occasion. Finding deceased at his home so late at night, and remembering the conduct of deceased and his wife for some years, he acted as probably any man would have done, and as has been done since the time of Adam and Eve. The outraged husband lost his head, and after a scuffle the shooting took place. If a man came in on my property and interferes with my wife or family I have a right to use sufficient force to eject him, and if attacked, as this was a life and death struggle, Bragdon had a perfect right to shoot him. That is good law and in the interests of morality and the home, the jury should grant justice. Shall you send him to the gallows or let him go home to his wife and family such as it is?

Hon. Mr. McLeod started his address at 11.40, and closed at 12.30.

Hon. Mr. McLeod in his address pointed out that a human life had been taken, a man who was well known to most of those present. Was there wilful murder? Was it manslaughter, or was the prisoner justified by law and by right for the killing of McCluskey? There is no question but that Thomas Woodman McCluskey was killed on the evening of May 3 by the prisoner at the bar. The circumstances of the killing had been related to the jury. He had placed Dunwood McIntyre on the stand, supposing that he would give about the same evidence as he did at the preliminary hearing. As a contradiction to his evidence there was the sworn evidence of Coles Dugan and Miles Diamond that the night of May 3rd was dark. Is it possible that McIntyre saw all the things that he said he saw? Take the evidence and the argument of my learned friend and it can be proved that a crime was committed. There is not a title of evidence that shows that there was an illicit connection between Mrs. Bragdon and McCluskey. Even on the fatal night McCluskey went to the house the blinds were up, the light burning and the two children were present. The nearest neighbor, C. R. Watson, swore that he saw deceased at Bragdon's house frequently, but never at night time. If anything was wrong, the visits would not have been in the daylight. Mr. and Mrs. Bragdon were anxious to tell the story that would save him. His wife naturally wished to help him. Their story is practically the same. The attitude of McCluskey when he came back on the fatal night, after walking a few feet away, was one of peace, not a fighting attitude. She said that the deceased had a rock to strike her husband, but this was an afterthought; she said nothing about a rock at the preliminary hearing. The facts were that the prisoner was firing indiscriminately and the dead man would most likely catch Bragdon's wrist in an effort to save himself. It was not necessary for the deceased to use a rock on the occasion. There was no revolver in sight when McCluskey walked toward Bragdon. The deceased turned back when Bragdon called him and his attitude was a peaceful one. On the whole the evidence showed that there was no justification for the shooting and justice should be dealt to the prisoner at the bar for taking the life of a fellow man.

Mr. Justice White explained the law and dealt with the evidence. The crown officer did not unduly press the case and the prisoner was ably defended by Mr. Carvell. The jury might believe the prisoner if they thought he was telling the truth by the character of the man and that whether it dove-tailed into other evidence. His statement was that after McCluskey returned, he, the prisoner, was thrown to his knees; he struck the deceased with his fist, shoved him away and fired the revolver into the air, then to the ground and as McCluskey caught his hand he fired the fatal shot. Assuming that to be the case the deceased was on the prisoner's land, he did not go away when warned, if no undue force was used and he was attacked, his firing the fatal shot would not even make him guilty of manslaughter. If he did not intend to do

(Continued on page 5)

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