Owing to the neglect of many of our Subscribers to pay their subscriptions, we have found it necessary to adopt the rule of hereafter rigidly adhering to our published terms, viz, to make the price of the ADVANCE \$2 a year to al who do not prepay their subscriptions.

We therefore, give notice that from the 1st January next all who are in arrears will be required to settle at the rate of \$2 per

Subscribers who are now in page. arre will-if they pay before 1st January -be settled with at the advance rate of \$1.50.

Miramichi and the North Shore, etc.

MR. NICOL makes a seasonable sug gestion. See his advt.

CHRISTMAS GROCERIES: -Mr. Alex. McKinnon's X'mas Advertisement reached us too late for publication. He has special attractions to offer.

BRAINTREE: - A peddler was arrested in Derby on Sunday and brought to Newcastle to jail, on suspicion that he was Thompson, the Braintree murderer. He has since been liberated.

THE JACKSON TRIAL :- We are indebted to Mr. Anslow of the Advocate and Mr P. Devine, official Court stenographer, for most of the report of the above trial in today's ADVANCE.

INSURED AT ONCE:-Mr. Warren C, ish America Assurance Company to accept all classes of fire risks, issue policies and make endorsements, without delay or reference to the head office.

VERY SAD. -Mrs. George Keeffe did not long survive her husband, who lost his life in the fire in Dorchester penitentiary last Monday night week. She was partially suffocated at the same time, and remained so long in the burning building before being discovered that there was very little hope that she would recover. All that medical skill could do was done, but without avail, and on Sunday death relieved the sufferer.

Going West-Mr. W. A. Kerr, a graduate of the Provincial University and a law student with Messrs. Weldon & McLean, will leave in a few days for the far west. Mr. Kerr has only been in St. John a little more than a year and during that time he has made many friends who will regret his departure. He has been connected with a number of societies and organizations and in all of them has made himself quite popular. He is at present head of the Young People's Association of St. Andrew's Church, and at a meeting at Rev. Mr. Macneill's residence on Thursday evening, he bade good-bye to the members. As a long distance runner he had few superiors in St. John and he has on sev eral occasions done good work on the

cinder path. -Globe WILL ESCAPE PUNISHMENT. - The case against the Italian, charged with shooting at a companion near Metapedia, and who was confined in the jail at New Carlisle, Que., is likely to collapse owing to the absence of two very important witnesses. A few days ago the wounded Italian recovered sufficiently to move about, and soon afterwards moved with his son to the United States. The sheriff of Rimouski county, Que., in which the shooting took place, had been been advised of the man's intended departure, but his telegram asking that he be detained as a witness was received about five minutes after the departure of the train. There being no important witnesses to testify against the Italian who is in custody, he will probably escape with little or no punishment for his murderous act.

CHRISTMAS SERVICES IN ST. MARY'S AND ST. PAUL'S :- Tuesday next being Christmas Day the usual services will be held in St. Mary's and St Paul's Churches, viz: 1st a Christmas Eve Service at St. Mary's on Monday at 7.30 p. an., 2nd, a midnight celebration of the Holy Eucharist at 12 o'clock, after which the Te Deum will be sung in honour of the adorable Redeemer, 3rd, a celebration of the Holy Eucharist at St. Paul's on Christmas morning at 8 o'clock, 4th Morning Prayer, Holy Eucharist and Ser mon at St. Mary's on Christmas morning at 11 o'clock Before this service the children of the Sunday School will sing Christmas Carols. 5th, Evening Prayer with Sermon at St. Paul's on Christmas afternoon at 3 o'clock. The offerings will be in aid of the sick and needy. The decoration of St. Mary's Chapel is now in

Notice and Warning.

Subscribers will please note that our object in placing the date at which their subscriptions expire on the colored address slips, which they slways see sasted at the cop of let page, is in order to inform them of the time at which it is their duty to pay their subscriptions.

Finding most of them indifferent in the matter, we are, at times, obliged to send them their bills, which ought not to be necessary, when the position in which their accounts stand are made known to them each week as regularly as they

receive the paper. A they put us to the trouble of making up their bills and paying postage thereon to them far too many pay no attention thereto, but continue to receive and read the paper, without apparently, realising that they are treating the pub- It was almost impossible to tall how long

lisher very shabbily. When a paper is mailed week after week to a subscriber, and he knows, all the while, that he is shirking the duty of paying for it; and when, after the Stayed about ten minutes. It was about publisher has been obliged to pay postage a mile from Chatham. Had a drink to remind him of his neglect he still with- there. I drank gin and I think my holds what is due, simply because he may brother did too. Had only one drink think the sum is not large enough to pay there. I had a drink of lager a few

becomes necessary to resort to more effec- Butler's. His brother was not with him tive and unpleasant methods of collection. then. He met his brother in front of A notice at the top of the first column Snowball's store. His brother was at on this page is particularly addressed to Mrs Pine's. I got a drink there. I saw our tardy friends, and as our business him go up to drink there and think he interests make prompt collections neces- took lager. I took whiskey once or sary, we intend, at the begining of the twice. Will swear I did not have it six After O'Brien came within a short disnew year, to charge up all over-due sub- times. scription accounts at the uniform rate of Question .- Will you swear you did father and struck him on the face. I was soner was not guilty of the crime of mur-\$2 a year and place every one of them in not have it five times? the hands of our attorneys for collection.

Answer. —I will, I think I had three Saw no pistol fired but heard the report. life which he considered in danger. It narrow one. The jury had taken a mer-We prefer to have the relationships drinks there. Had lagar at Mills'. I distinctly swear that I saw my father could not possibly be murder, as there

and be entirely ignored, without getting anything, but heard him asked to take fore. out of patience. When those that are something, I was perfectly soher. Had now shirking payment find the lawyers only one drink at Mrs. Hayes'. Don't after them, and have to pay at the rate know how many John had. My horse of \$2 a year, with the costs added, they will was slow and I was in a hurry. I went wish they had been considerate enough to to Gitchell's because I wanted to see settle at the rate of \$1.50 when they had Carroll. the opportunity to do so.

Delinquent subscribers are particularly notified that after Jan. 1st, when their accounts are placed out of our hands, they will have to deal with our lawyers, as we asking John to take a drink and said Pat | first kick at him. do not propose to then interfere with the you come too. process of summary collection of the full amounts due, and costs. Every one of them-save those who have other business drink with him ot speak to him as he besides on our books-can inform himself had told me lies. as to what he owes by consulting the pink

wanted to see Carroll?

Yes, I didn't like him.

not tell King and others so?

with him to hit him.

Question. - What reply did you make?

Answer. - I told him I did not want to

Question.-Had you a grudge against

against Jackson for a couple of years,

and did you not take every occasion to

presence, and did you not threaten you

Answer.-I do not remember, but

Hays'. Jackson did not respond abrupt-

ly to John when he pretended to arrest

him. I told Jackson I was cross enough

Answer .- He did not know. Jackson

had his hands upon my brother. He did

not hear Jackson tell John "to be care-

ful" when his pipe fell from his mouth.

I saw Mrs. Carroll speak to my brother

but could not remember what she said or

what my brother said to her. He saw

his brother raise his foot to Jackson

He was a short distance away. Only saw

him lift his foot once. Did not see him

strike Jackson. After he made the kick

he stepped back and dodged behind Git-

He had never made this statement of

Answer.-Yes. The last time my bro-

ther walked towards Gitchell I did not

see anything in his hand. Could not

swear he had nothing. My brother was

After walking two steps did he not re-

Question.-Then how did he get shot

The shot was fired over Gitchell's

Henry Gitchell, after giving evidence

of the meeting of prisoner and deceased

said that on hearing a noise or scuffle be-

tween them in the road just opposite his

fell and witness got something for him to

lie on. He said, "Jackson you're done

for me, it will be dreadful news for my

dodging behind Gitchell before.

trying to get away from Jackson.

turn and face Jackson?

Answer.-No sir.

thought?

shoulder.

brother lay hands upon Jackson.

Circuit Court.

date-siip on the top margin of the first Jackson?

The Special Circuit of the Supreme Court for the trial of Isaac Jackson, Chief Justice J. C. Allen, presiding, resumed, pursuant to adjournment, on Wednesday. 12th inst. at Newcastle. The new pane of jurymen summoned the evening before were nearly all in attendance, and the selection of the jury was proceeded with, the jury selected being composed of the following:-John Betts, Duncan Morrison, John Menzies, Thos. Mullins, Wm. Searle, these were the jurymen sworn in on Tuesday when the panel was exhausted, and the remainder were chosen on Wednesday morning, viz:-Chas. Call. John Norton, W. S. Brown, Robert Anderson, Wm. Robinson, Zenas Tingley,

W. C. Johnson. The following Jurymen were absent or objected to as stated: -Patrick Wheeler, excused as he was a Dominion officer, Richard McCullam, challenged by prisoner, Jas. Mowat, not present. James Russell, ordered to stand aside by the crown counsel. John Foran, challenged by prisoner. Donald McGruar, challenged by prisoner, Thos. Flanagan, not present. Geo. Stothart, James Falconer and Chas. Lays were challenged by prisoner. W. C. Johnson, ordered to stand aside by crown. John Rundle and James Hickey, not present. John McCullam, Benjamin Fairey and Francis Bockler were challenged by prisoner. Wm. Lyons, not present. Alex. McFarlane, ordered to stand aside by crown. Alex. Robinson, challenged by crown. The last named juryman exhausted the panel, one juryman being required to complete the jury and those ordered to stand aside were recalled in order. James Russell, challenged by the crown. W. C. Johnson, sworn

The Attorney General then addressed the jury in reference to the case they were about to try, and then proceeded to call the witnesses. Dr. Desmond and Patrick O'Brien were the only witnesses present aud the Atty.-Gen'l asked that Bench Warrants be issued to bring the witnesses to the court. The clerk of the court was directed to prepare the papers which were given to the sheriff to serve. The first witness called was Patrick O'Brien, who being sworn testified in sub-

stance as follows: Resided in Nelson,

Remembered what occurred on the 25th poor mother." September. Had been to Chatham and In cross-examination witness said he was returning home in the evening. Stop saw no weapon but the revolver. O'Brien ped at Hays' where he had some words might have had one. Didn't see Jackson with Isaac Jackson. Jackson gave me a take off his coat; Witness' wife and he message from George Burchill that he ran over together to where the men were. wanted to see me particularly, which was Mrs, Gitchell, wife of the last witness, not the case. Was at Hays' about half testified that just before the shooting, an hour and then went to Burchill's. realising there was trouble between the which was below Hays'. Got into his two men, she ran from her own door to wagon with his brother and drove to where they were quarrelling. Just as Carroll's. Saw there Mr. Carroll and his she got beside them heard report and saw wife, Isaac Jackson, Henry Gitchell and flash. Saw only the two men in the imsome one else. Did not know him. As mediate vicinity. Did not see her hussoon as I stopped, my brother jumped out band there and thought he was mistaken of the wagon, and as he did so he said to where he said he was present me "treat Jackson." Getting down on Mathew Carroll, sworn. - He was presthe platform he put his hand on Jackson's ent on the occasion when the prisoner and shoulder and said "you're my prisoner, I arrest you in the Queen's name" laughing as he said it, Jackson replied-"all right

where Gitchell and Jackson were and

knocked him down and gave him a kick

in the ribs. I then went back to my

brother where he was, I asked him if he

was badly hurt, he made no reply. I then

stooped down, put my cheek to his lips

and found he was dead. It was a very

short time after the shot was fired that he

was dead. Jackson seemed to be in li-

quor but he handled himself very smart.

I had had a glass or two, My brother

appeared to me to be sober. I saw

Cross examined by Mr. Tweedie. - Went

to Chatham the evening before. His

brother was not with him. It was on

Monday. Left Chathan, at 2 or 3 o'clock.

Was in a great hurry to get home. It

was 7 miles from Chathom to Gitchell's

and we got there about 5 o'clock,-It

might have been drawing pretty well on

Question. - Will you explain how it was

it took you three or four hours to get to

Answer.-Was at Hays', Burchill's

store and at the mill. Was over half an

hour at the mill talking to John Burchill.

Was in the mill about fifteen minutes.

and about an hour in the store and mill.

Question. - Had you any stops between

Answer. -- Stopped at Mrs. Kelly's,

Chatham and Hayes'.

a collector to go, personally, after, it minutes before I left Chatham, at Mrs.

between ourselves and our subscribers Took nothing stronger. Had a glass of

asant and agreeable, but cannot afford whiskey at Hayes'. Think my brother

him take lagar in Chatham.

deceased met. Deceased and his brother drove up in a waggon and he was on the platform of his house when they arrived. John, I'll go with you." He then invited Gitchell was also there in his company. Jackson in to take a drink and told me to Deceased jumped out of the wagon, came come too, but I declined. I then told over to Jackson, put his hand on his Jackson that he had not acted right with shoulder and said "you are my prisoner me, as Mr. Burchill did not want to see in the Queen's name," Jackson said "all tion of Jackson. me, and that it was not the first time right John, I will go with you." Withad had trouble with him. My brother ness did not hear anything sail about a took hold of Jackson and half turned him drink. Heard Pat O'Brien use angry round on the platform, his pipe fell from words to the prisoner, who walked away his mouth and broke, which made him from Pat and began talking to deceased. angry. I then told him how he had ser-Deceased and Jackson did not appear ved me in serving a capias on me in Chat ham some time ago and I wanted to have it out with him and then make up friends with him. My brother said "you're queer man to do the like of that." Jackson then attempted to haul off his coat to mouth, which fell to the ground, Jackson fight. Henry Gitchell ordered him away stooped and picked it up. My wife told death. This closed the case for the but he said he would not go, he could lick Jackson's son to take him away. Jackthat fellow. I saw my brother move son then sang out "he could handle that back and kind of dodge when 1 heard a fellow," and was in the act of taking his shot. I saw my brother stagger and then coat off when his son interfered and took fall. I jumped out of the wagon, went to

> was the last I saw. The Attorney General in cross-examination asked "Do you think any of the whole crowd was sober?"

Answer .- "I know I was sober my-

his father down the road a piece. That

On re examination Mr. Tweedie asked

what character John O'Brien bore. Objected to but allowed.

Answer.-He had always heard of O'Brien as a quarrelsome man. Susan A Carroll, sworn. - The evidence of this witness elicited nothing further

than was given by other witnesses. Dr. Desmond testified as to the cause of death, which was caused by injury inflicted by a bullet, which had entered between the third rib on the right side, and after inflicting other injuries, which he enumerate l, lodged in the muscles of

Aethony Jackson sworn. - Was a son of the prisoner, Was at Nelson working for Mr. Gitchell on the 25th September. Had been working on Mr. Gitchell's farm, and found the O'Briens there when he went to Gitchell's to get his tea. He had his tea and then went with his father. Heard O'Brien and father talking but did not know what they were talking about. He saw John O'Brien raise his hand and knock the pipe out of his father's mouth In reference to what Pat O'Brien had said about his father serving a capias on him. his brother swore with an oath that he would kick the face off him. His father said "let bygones be bygones," when John told him to go to hell. After the pipe had been knocked out of his father's

his father off. Did your father make any threat? No. My father walked along the platform and then stepped off into the road and took about three steps into the road. John O'Brien was coming down the road. tance he lifted his foot and kicked my about ten feet off, I saw no one else. der. Was it murder, manslaughter, or ing to him that he had escaped with his was the prisoner merely defending his life and, possibly, the ercape had been a

Children Cry for

to send them the ADVANCE every week was at Butler's but did not see him take struck and kicked at by O'Brien. He and pay postage on requests for payment anything. Do not know whether he took never knew his father to have a pistol be-

Cross examination,-He turned round

as the blow was struck by O'Brier. When O'Brien came up he saw him raise his hand and strike him in the face, and kicked him twice on the stomach. John O'Brien after striking and kicking his Question.—How was it that Jackson father turned and walked a few steps and was the first man you addressed when you then came back and made another kick at him, when the shot was fired. Father Answer. - Jackson first spoke to them,

When the pistol shot was fired you not see whether O'Brien had any weapon

shot was fired: he was sitting on his platform. Father's face was bruised and a lot of his beard torn out. I took my father Question. -Had you not a grudge into Mr. Gitchell's to get the blood washed off his face and hands. Father bore the showed that it was knocked out of his mark of the blow on his face. I was perbring up the grudge in the prisoner's fectly sober. Just a few minutes elapsed between the time the pipe was knocked would give him a beating and did you out of father's mouth and the final scuffle

The testimony of this witness was somewhat weakened in re-examination might have said it to King. I do not and the fact was elicited that he made know which way Jackson went from statements at the preliminary hearing contradictory to those now made.

General stated the case for the Crown was closed. Mr. Tweedie then opened for the Question .- Did you not see your defence. He proposed to prove that the character of the deceased was that of a quarrelsome man when in liquor but later on he would have an opportunity of commenting on the evidence presented.

John Shirreff, sworn. - Was sheriff of the County of Northumberland. The prisoner delivered himself up to me at my house. I had no warrant for his arrest. He seemed to be in a very weak and debilitated state and kept his hand on his side. His face was black and blue, with a large lump on his forehead. His whiskers were less in quantity on one side than chell. Gitchell was between the prisoner | the other. He seemed in so weak a state | hand. The difference between murder when he came to my house that I offered and manslaughter was the absence of malhim a glass of water. He looked very weak and debilitated to what he did a Question. - Then this was an after few days before. He was quiet in jail. Had employed him on several occasions in constables' work and always found him obedient to instructions, and I had every confidence in him in his desire to carry out any instructions I had given him. Cross examination - Did I understand you to say the prisoner had delivered him-

> I had suggested to his friends that he had better give himself up. I did not go to his home, but to where he was staying. I drove prisoner's wife to his brother's house where she wished to confer with friends. I offered them my horse and wagon for them to go where he was and if he came out he could come to my house. Re-examination -- I had no warrant for

place he ran over, saw prisoner point pis-Mr. Iweedie. Then you had no auth- came up, and it was in evidence that it tol at deceased and heard shot, the two being about three feet apart. Didn't ority to arrest him, His Honor here stated that the Sherift think the shot was fired over his (witness') shoulder. Prisoner staggered and certainly had authority although he had

> Geo. Burchill, sworn-He knew the deceased by sight, Question by Mr. Tweedie - What was Gitchell: did he know what he saw? It

is reputation Objected to by the Atty. . Gen!

His Honsr overruled the objection so far as his reputation of being quarrelsome was

He had not enough knowledge of the leceased to know whether he was quarelsome or not, but he had heard so. Cross-examination-Had seen Jackson several times before that day. On one casion he had spoken about the rates of P. O'Brien and applied for au execution

against him. Did not give it to him. John Niven, sworn-Was Stipendiary magistrate. Knew John O'Brien, the desuch evidence. What was kept back?

What was his general reputation? He had heard that he was quarrelsome, but could not say of his own knowledge. Think he was a pretty quiet man except when he was in liquor.

Dr. J. S. Benson, sworn-Was a physician, resided in Chatham. Remember the 25th September. Made an examina.

Question-Will you tell me what inju-

ries he had received?

Objected to by Attorney General. the O'Brien was a bully, but he thought such life." evidence having shown that P. O'Brfen had assaulted him. Objection overruled. He found the prisoner's right eye black ter than of a quiet and orderly person, angry at the time. Afterwards they got and blue, an abrasion on his right temple, You would have to be guided as to the into a kind of clinch and he, witness, and bruises and pains in other places. told them not to get into any trouble Knew John O'Brien He was a powerful there. I saw the deceased catch a hold man, a much more powerful man than prisoner was in danger of his life then it of Jackson and knock the pipe out of his Jackson. A kick in the stomach was would be justifiable homicide. Do you

very dangerous and might be cause of

The Atty. Genl. proposed to add additional evidence as to the blows given by P. O'Brien, and that Jackson was struck in the face and kicked in the ribs after the shot was fired. He wished now to introduce this testimony.

Mr. Tweedie objected. Such evidence sad occurence of taking away his brother's could not now be brought in to contradict his own witness, and it was too late now for previous witness to strengthen their who killed O'Brien, and his constant

own case by further swearing. His honor stated that after Anthony Sackson's evidence had been given the prosecution could have recalled P. Brien as to where he struck the prisoner. but he had some doubts about allowing scientiously in so doing. He had not

such a course at this time. Mr. Tweedie then addressed the jury. He called attention to the axiom that a prisoner was held innocent until proved guilty, but in general the contrary was the case in the higher crimes and thus men became prejudiced in one way or another. The evidence taken at the coroner's inquest had been published and scattered proadcast, and he considered it unfortunate that such was allowed, as the evidence was ex parte, without the presence of the prisoner, and it had a disastrous effect on the prisoner's case. The persons who had given the evidence were thus enabled to study it over and keep the state- the jury at length upon the evidence laid ments then made in their minds so that before them as well as their duty but abled to study it over and keep the statewhen they came to give their evidence space will not permit even a synopsis of later on they had a valuable guide which his address. When he closed, court adwould prevent their contradicting their journed for dinner. former evidence. In the case of the evidence of the prisoner's son it was not so. His evidence was not called for at the in- | tice Allen appeared to favor the idea of quest, the evidence taken at the preliminary examination before Justice Masson though he emphasised his conviction that the killing was not justifiable, the prisoner memory to depend upon which placed not having availed himself of the manifest Gloves, Hosiery, Caps, Hats, Water-proofs, Boots, Rubbers, Teas, Tobaccos, Trunks. Valises, Guns, Revolvers, etc. nim at a disadvantage in comparison with opportunity he had of getting clear of the other witnesses. He believed the jury deceased without the shooting, prisoner was composed of men who would bring in having just before the shooting walked a a verdict according to the evidence and few feet away from deceased, where he he had confidence that they would bring stood showing no intention of avoiding an in a verdict conscientiously, dealing with encounter. the matter fairly as twelve men sworn to mouth some one sang out to him to take do their duty. He would also wish them

to remember that if they had any doubt question being put to them, the foreman, as to the guilt of the prisoner he was en-Mr. W.S. Brown said"We find the prisontitled to the benefit of it, and if they did er guilty of manslaughter, with a strong not do their duty in so solemn and serious recommendation to mercy. We also rea case they were traitors to their God and commend to His Honor that the sentence country. It was their duty to sift out be as light as it is possible for him to the evidence and take therefrom only what they considered correct. And here Sam'l Thomson, Esq., Q. C, in the he would ask them-is the evidence inabsence of the Attorney General, moved consistent with the theory that the prithat sentence be pronounced, His Honor addressed the prisoner, say-

ciful view of his offence and there was ED. Apply at the Office of Pitcher's Castoria. evidence to sustain it, but had they would also

was not a tittle of evidence of malice have been justified therein by the eviaforethought. The prisoner was there at- dence. They had made a very strong tending to his duty as a constable, and recommendation to mercy and he must was there on his ordinary duties. He regard it. Had they not done so the first saw the O'Briens at Mrs. Hays', and sentence would have been heavier than was met with ill words from P. O'Brien | that he was about to impose. He felt on account of an act done two years be- that the prisonor might have avoided You all know John and Pat O'- killing his victim. He did not do so, Brien. You also know Jackson as well but sent him before his Maker without as I do, and you know the reputation notice or chance for preparation. That they all bear. He wished to say no more reflection might remain on the prisoner's against the reputation of the deceased conscience until his dying day and

than was necessary in the proper perform- he might have to answer ance of his duty in regard to the prisoner. his deed at the Judgment. He They evidently had some design upon hoped the case would be a warning to Plush and Bronze Frames, told him to be careful when he made the Jackson when they returned to Carrol's all who heard of it against the carrying of whom Pat O'Brien said he wanted to see. revolvers. He would not say that officers But no business word was spoken to Car- on criminal business should not carry roll. And here again P. O'Brien accused | them, but they, above all others should were behind your father and you could Jackson of doing certain wrong acts be careful how they used them. The senagainst him. How does Jackson reply. tence he would pronounce was the lightn a quiet manner, and was met by John est he felt justified in passing. It was O'Brien with the threat "Jesus Christ, if | that prisoner be confined for two years in No. I saw Henry Gitchell after the I thought you had done so to a brother of Dorchester penitentiary with hard labor. mine I would kick your face off." The It would have been heavier but for the witnesses remembered John O'Brien sayjury's extremely strong recommendation ng "you're my prisoner," but they heard nothing more.-They saw the pipe fall The prisoner was at once conducted to out of the prisoner's mouth, but evidence

It is understood that the jury, at first, mouth and again a second time. stood five for a verdict of justifiable there a tittle of evidence of malice? Did homicide and seven for manslaughter. he not say let bygones be bygones? After he had been struck Mrs. Carroll ran over Attention! If you desire a fine head of to where they were, and who did she go hair of a natural hue and free from dant to, why John O'Brien, who was endeavordruff, Hall's Hair Renewer is the bes ing to raise a fight. She told O'Brien to go home, and so did Carroll, but he reand safest preparation to accomplish it.

What does Mrs. Getchell sav? She saw The Late Hon. Wm. M. Kelly. these men coming along quietly. but she The funeral of the late Hon. W. M. saw by the fierce look on O'Brien's face On Thursday morning the Attorney that there would be trouble. All the Kelly, the announcement of whose death provocation was given by the O'Briens. If Jackson was careless of human life why did he not defend himself with his

the prisoner believing his life was in

danger, drew his revolver and fired the

shot which killed John O'Brien, and if

verdict accordingly. O'Brien followed

him when he went away, and struck him

and kicked at him when the prisoner fired

the shot. Who saw the last part of the

quarrel? Gitchell says he stuck up the

there at all, and the theory of self-defence

was a reasonable one. Henry Gitchell

did not see those who were present, the

see them. No evidence was given that

John O'Brien had no knife?or that one was

not found. Then the foot was a danger

ous weapon. The prisoner was attacked

in a viclent manner by the Doolans and

was not until he was forced to did

draw his revolver and fire. - Would you

by some of the witnesses? Patrick O'-

Brien's evidence what was it worth after

he had so many drinks as stated in his

evidence, what state was he in to know

what he saw? And it was the same with

was better that 99 criminals should escape

then that one innocent man should

condemned, and this was no act to con

as to the evidence of Anthony Jackson.

He was not examined at the inquest, and

hence had not the advantage of reading

his evidence in print. He had taken a

statement from Jackson and it corrobor-

ated what he swore yesterday, and he

believed his evidence at the preliminary

examination was not exactly what it

should have been. But he was confused

by the questions of the Attorney General,

who led him along in his easy manner

until he got him confused. He did not

wish to say that the witnesses who had

given evidence had perjured themselves,

but he did think no jury would

find a verdict of manslaughter on

something he was sure. It was convenient

to forget, and it was unfortunate that

they could remember what first occured

but could not remember what took place

immediately afterwards. The prisoner

by his word and acts tried to make peace

hell," and that the prisoner then drew

the trigger thinking his life was in danger.

There was another thing he wished to

draw their attention to. The Attorney-

General objected to his proving that

evidence was admissable, as the prisoner

would know himself to be in more danger

from the attack of a man of this charac-

law from His Honor the judge, and if

you come to the conclusion from the

testimony of the witnesses that the

think that man could be guilty of murder

or manslaughter? He gave himself up .-

He was a respectable man. If you

believe honestly that the shot was fired

in defence of his life, would he not bear a

life and his family, as well as in the

regretting it, and his punishment will be

that he can never forget and regret the

life, and if he goes free from this place

still he goes forth with the consciousness

that every eye was upon him as the man

feeling would be regret that he had done

such a deed even though justifiable. He

felt satisfied that the men composing the

jury before him would do their duty no

that if they felt inclined to bring in a

verdict of not guilty they would act con-

would not do so. He would rather rely

upon the evidence which was of such a

character that it only proved that O'-Brien was shot and that Jackson was the

man who did it. We admit it, but it

was in self-defence. And now gentlemen

of the jury, I leave this matter to you.

If the prisoner is guilty no sympathy you

may feel for him should pe allowed to in-

terfere with your duty as a jury, but he

slaughter.

thought on such evidence they could not

The Attorney General then addressed

In his charge to the jury, for which we

The jury, after deliberating three hours

returned to the Court room and the usual

regret that we have not room, Chief Jus-

manslaughter rather than murder, al-

but how was it met? By the exclamation

facts of the case being that he could

pistol, his wife says he did not, while

young Gorman says Gitchell was not |

they so believed they would bring in

plied that he would not.

appeared in the Advance of last week, took place at two o'clock on Sunday last from the residence of John Shirreff, Esq., where revolver when the Doolans were using him so roughly, and when the suggestion service was held by Rev. R. S. Crisp. was made to him by Henry Gitchell why Amongst the relatives present were Mr. he did not defend himself with his revol-Kelly's eldest son, Frederick, now of ver, and even while we find that Jackson Montreal, his sister Mrs. Robert Orr. of said he could handle that fellow and vet Fredericton, his brother, Joseph Kelly, he left and went down the road. Turning the right cheek to be struck his niece, Mrs. Jas. Pallen and others. might be right in theory but not in prac-The funeral procession was a very large one tice. There was too much manliness in The pall-bearers were Messrs. John Shirthis country to practice any such theory. A foot was admitted to be a dangerous reff, S. Habberly, Wm. Murray, D. Ferweapon, and he quoted the opinion of a guson, R. Flanagan, Wm. Anderson. The judge and Roscoe to prove it. He had a theory and it was when O'Brien walked gate by the Rector of Chatham, Rev. D. towards Jackson that although his hands were in his pockets he had a knife in his Forsyth, who held the service at the grave in the family lot there. Mr. Kelly was sixty-five years of age at the time of ice and therefore there being no malice his death, although the Parlimentary could not be murder. Then the line between manslaughter and justifiable homi-Companion has him down as a younger cide was very faintly defined, and it was man. Referring to Mr. Kelly's death the for the jury to say whether it was man-slaughter or justifiable homicide, and that Telegraph says :

"Though not unexpected, as he had been long ill, many readers will learn with regret of the demise of Hon. Wm. Kelly. a member of the legislative council. He was born at Moncton in 1837, but afterwards removed to Chatham where h spent many years of his active career. Early in life he was a driver on the North Shore stage, a notable institution of those days. From driver he rose to be contractor in the mail service, and in connexion therewith conducted an extensive livery stable business in Chatham. He became widely and favorably known for his courtesy and knowledge of human nature, qualities which made him popular. was no doubt excited when the O'Briens | When the late Hon. John M. Johnson was selected to represent Northumberland in the Commons, Mr. Kelly was chosen hang a dog on such evidence as that given by acclamation to the seat thus made vacant in the legislature. He was at for the entire northern section of the province in the legislature and was made played much executive ability and retained his popularity during the term of years vict a man of man-slaughter. And now in which he held that office. He was charged with making the office and the construction of public works serve political ends sometimes, but few have altogether escaped that censure while holding the like position. Many of the great bridges of the province date from one or other of the years of Mr. Kelly's administration. In 1878 he was given the seat in the upper house which he held until his death. Business reverses came upon him in his later years followed by ill health, in which at times his mental powers be-

"He for some time resided in the upper provinces, and, shortly before his death. being partly recovered, was on his way home in Toronto, when he was stricken by the way and died in Montreal. For some years past, owing to the causes of John O'Brien, who told him "to go to above mentioned, Mr. Kelly took but lit tle part in public affairs, but his death will recall kindly memories among those who knew and appreciated his good qualities in the days of his more active

> Expel the Worms by using the safe and reliable anthelmintic Freeman's

To Invigorate both the body and the brain, use the reliable tonic, Milburn's Aromatic Quinine Wine.

NEEDFUL!!

MY STOCK OF FALL AND WINTER GOODS will be found complete and Prices Low. heavy punishment in the cloud over his

thought that he had killed John O'Brien even if in defence of his own life, for no true man can take away a life without

> SUITS Coats, Pants, Vests.

ali sizes, Men's, Youths', Boys', also

Blankets, Quilts, Rugs,

matter what public opinion might be, and DRESS COODS, CLOTHS, Checks, Plain Colors, in Unions and All Wool. asked for sympathy for this man and he ULSTERINGS.

> OVERCOATINGS, TWEEDS Fancy Woolen Goods,

Squares, Fascinators, CURAANTS. Clouds.

Tuques. find him guilty of either murder or man- SEAWLS, JACKETS, ULSTERS

> New Styles and Nice Goods. Cardigans, Linders, Drawers All sizes for Women, Misses, Men and Boys. White and Grey Cottons,

See them, they are selling fast

THE CHEAP CASH STORE.

JAMES BROWN

GOLD LOCKET with the monogram initials w. C. W., in relief, and containing a deture of a lady, was lost on the street in Chatham about three months since. A reward will be paid to the finder for returning it to the ADVANCE

Custom Tailoring.

The Subscriber calls attention to his large stock of

GOODS IMPORTED ESPECIALLY FOR THE

-CONSISTING OF-

Fancy Brass Goods, Shields,

Fancy Tables. Glove & Hand'chief Boxes, Dolls in Wax & Rubber

VERY CHEAP

The LARGEST AND BEST assortment of FANCY GIFT CUPS, Saucers, i Plates ever offered here and at prices to suit. Our stock of PLATED WARE

onsisting of Casters, Cake Baskets, Fruit Dishes, Pickle Star is, Butter Coolers, Knives and Forks, Spoons, Carvers, Butter Knives, Pickle Forks, Napkin Rings, is offered very low—Quality Guaranteed. A Fine Selection of Fancy and Plain Glassware.

In DINNER AND TEASETS. We have a fine assortment

1 Cask Brass Hanging Lamps, Latest Patterns, cheaper and more reliable than Electric Light. Every one in need of presents, useful and Ornamantal, can not fail to be suited both as re

G STOTHART.

DEC. 10, 1888.

HARRIS & SON.

HOLIDAYS!

20 PER CENT. DISCOUNT DURING THE HOLIDAYS! cortege was met at St. Paul's churchyard The Best Opportunities for Purchasing Presents ever offered on the Miramichi!

> WATCHES in Gold & Silver-American & Swiss! JEWELERY of all kinds!

SILVERWARE—A full line!

All the above at specially reduced rates for the season

A GREAT VARIETY OF

PLUSH and MOROCCO ALBUMS.

which are the best value we have ever had, and defy competition in quality and price. Examine them and be convinced.

Our usual full line of Smokers' Goods in **Great Variety**

I. HARRIS & SON.

X'MAS & NEW YEAR CARDS.

Christmas Goods of all kinds, comprising once looked upon as a representative man Jewel Caskets, Ladies' Companions, Work Baskets, Odor Cases. Photo Frames, Albums and all kinds of novelties

in Plush Goods. Commissioner of public works. He dis- Card Receivers, Cake Baskets, Berry Dishes, Cruets, Tete-a-Tete Setts, Napkin Rings, Mugs, etc.

LADIES FOB CHAINS.

GENTS' CHAINS Latest American Styles of Brooche and Bar Pins and the finest assortment of Fancy Cups and Saucers ever shown in Chatham.

GOODS TO SUIT THE SEASON & SUIT THE POCKET. ™ Also the usual First-class Assortment of

Cigars and Tobacconists' Fancy Goods.

ALBERT PATTERSON: Stone Building, Pallen's Corner.

CHRISTMAS PRESENTS !

The Subscriber having purchased direct from the Manufactories a large number of articles suitable for Christmas presents, offers the same REMARKABLY CHEAP.

-THEY CONSIST OF-

Toilet Cases, Dressing Cases, Comb, Brush and Mirror Cases, Work Boxes, Jewel Cases, Whist Holders, Work Baskets, and several other designs

ALL MARKED LOW as they must be sold during the

HOLIDAY SEASON.

Also, The New French Soaps in beautiful shapes representing different kinds of fruit. These goods are all marked low and I guarantee better value for the money than can be procured elsewhere. I carry no fancy goods after the Holidays, consequently all I

Overocats, Ulsters, Reefers, My usual Stock of PERFUMERY has been Supplemented by Fresh Goods from the best makers. Also, Combs, Brushes, Hand Mirrors, Sponges, and all kinds of Toilet Articles at

> MEDICAL HALL. J. B. D. F. MACKENZIE.

Chatham, N. B., Dec., 1888.

RAISINS. RAISINS.

LONDON LAYERS

CALIFORNIA MUSCATEL AND VALENCIA RAISINS.

CURRANTS. FIGS:

Citron, Lemon and Orange Peel, Desicated Cocoanut, Pulverized Sugar, Fine Spices and Essences, Royal, Imperial and German Baking-Powder, Choice English, Canadian and Carleton Co., N. B., Cheese, Hams, Bacon, Butter, Lard, N. S.

Cider, Etc. FOR SALE LOW AT

W. WILSON & CO'S.

SENSATION OF THE SEASON!

So Original! So Novel! So New! So Complete! So Cheap! and So Gay!

COUR HOLIDAY STOCK BE SURE AND SEE IT! A GLIMPSE OF FAIRYLAND!! Appropriate Gifts for all kinds of Folks—Little or Big. At all kinds of Prices—Great and Small. We are Pleasing Them All!

- A LARGE AND VARIED ASSORTMENT OF-Clocks and Jewelery.

Diamonds, Silverware, in all the Latest Novelties,

The newest designs and the Finest Goods of the Season.
The newest designs and the Finest Goods of the Season.
The newest designs and the Finest Goods of the Season.
The newest designs and the Finest Goods of the Season.
The newest designs and the Finest Goods of the Season.
The newest designs and the Finest Goods of the Season.
The newest designs and the Finest Goods of the Season.
The newest designs and the Finest Goods of the Season.
The newest designs and the Finest Goods of the Season.
The newest designs and the Finest Goods of the Season.
The newest designs and the Finest Goods of the Season.
The newest designs and the Finest Goods of the Season. The Largest and only Assortment of R. Lawrence Spectacles in Town.

REMEMBER THE PLACE. POST OFFICE CORNER.

TWO EXPERIENCED COAT-MAKERS WANT W. R. GOULD.

W. S. LOGGIE. Practical Watchmaker, - - Chatham, N. B.