who having heard two witnesses swear he be let off because he could being fifty persons who could swear they didn't see him Meuzies and Hill had the best means of knowing what they said and that they made a proper demand for admission, and it was not to be believed that they would parjure themselves by swearing they said that which they did not say when they made their effort to get into the Conway house peaceably before breaking the door.

As to the claim in behalf of the defence that they should have tried the gate and run round to the back door, who were to be the judges of the proper course in executing the warrant? - the officers having it in charge, or the parties against whom it was directed? It had been said that because Constable Went on a former occasion to the back door when he had a paper to serve at Conway's, he should have done the same thing on this occasion. But on the former occas ion his duty was to serve a paper personally on Conway, and by going to the back door, he was most likely to find him. In this case, however, the object was to get into the bar first as the most likely to find the liquor which were supposed to be there, and it was therefore reasonable that they should seek admission through the bar-room door, and not through the kitchen, from which they would have to pass through three other doors before they could reach the bar. Besides it seemed quite evident, from the testi mony, that the Conways were in the bar at the time the door thereof was broken open. while the gate was barred.

Mr. Tweedie: There is no evidence of that .

Mr. Thomson: Well we might suppose it was barred and all we could expect to find in the kitchen would be hot water. and not that which the warrant authorised the constables to search for. It was, therefore, clear that, having rapped at the front and bar room doors and said what he errand was, and failing to be admitted, I had exercised a reasonable discretion not going further, but breaking the bas room door open.

used than was necessary for the due execu tion of the warrant. When the door w broken open four or five persons were seen inside ready to repel the officers, so it was evident that forcible resistance was planned. The officers were not responsible for being there, for it was not from from magistrate McCalley that obtained. If policeman Wood were here he would have been able to show how the

mob got there. The jury must have a reasonable don t of the guilt of the accused before they would be justified in bringing a verdict of not guilty. They must believe from the evidence that the officers were not acting in a legal way in the performance of then duty. He affirmed that they did do their duty. The jury had heard the evidence and they knew the nature of the oath they had taken. If they believed there was re sonable evidence that the officers were exe uting the warrant in a legal and reason able, way there must be a conviction. If the jury believed that the officers had there, then the offence of the Conways would, at all events it was an unfortunate thing for Miss Conway that she was here before the court in the position she occupied, but he had nothing to do with that. It was unfortunate for Mrs. Maybrick that she was Woking prison in London, and unfortu was not the fault of those whose duty was to prosecute for the State that these women were deprived of their liberty. was the duty of the Crown prosecutor an of the court and jury to guard the laws of peace or hinderance of the free administration of law took place, and if Miss Conway were guilty of the offence charged, she must take the consequences, even if she were the fairest daughter of earth since Eve. He was also sorry to see Conway sulted Mr. Tweedie before the officers sisted them in the execution of the warrant but would have submitted to the operation of the law, as it was every man's duty to do. Conway, doubtless, had some erroneous to his rights in resisting the for unfortunately, there was a good deal of "hreside law" in the country. way did not act upon his threat with the the part taken by Annie Conway axe, for had he done so Menzies might now

His Honor, Judge Wilkinson, charged the jury as follows:

they had left this court.

way might now be in a felon's cell. In the

name, therefore, of peace in the land : of

the due administration of law and of ju-

life been taken with the iron

The case of the prosecution, as you have already heard, is on an indictment found by the Grand Jury against the defendants, James Conway and his daughter, Annie Conway, on complaint of John Menzies on five counts; complaining of an assault and battery on him and interference and obstruction with him in aid of Adam Hill a constable peace officer in the execution of his duty: the 2nd count is similar, as rega de the interference, etc., only charging -intending to do grievous bodily harm and that they did wound: 3rd charging that they did best, wound and ill treat generally occasioning actual bodily harm, but not alleging any interference with him in aid of the peace officer; 4th charging malicious wounding generally and not alleging any interference with him in aid of the peace officer; 5 common assault and battery generally.

The defendants have pleaded, not guilty, and this is the matter I have now to give you in charge and which, under the direction of the court, it is your duty to determine.

Assuming the Canada Temperance Act has been brought into force in this Countythe Gazette declaring the same is evidence-I beg to refer you in order, to one of the provisions, to which your attention has already been called, relating to the searching for liquors kept contrary to the Act. It is the 108th section as follows :-

"If a credible witness proves upon oath be one hundred and three of this Act that there is reasonable cause to suspect that any intoxicating iquor is kept for sale in violation of the second part of this Act or of "The Temperance Act of 1864," in any dwellinghouse, store, shop, warehouse, outhouse, garden, yard, croft, vessel or other place or store, ship, warehouse, outhouse, garden, yard, croft, vessel or other place or places or any part thereof is there found, to bring the same before him and any information to in form M in the schedule to this Act; and any search warrant under this section may be in form N in the said schedule."

we have in this Province, what is known as ef protecting peace officers in the due execu- was not unlawful for them to carry at the being well represented in the large assemthe local option or License Act, in which, tion of their duty and as to the circum- time, nor was it unlawful, of itself, for Con- blage present, so that the "at home" may

they were all some distance away, and to at- authorising the appointment of an inspector tach any value to their negative testimony by the Municipality of the County to carry stole an article, told the judge he ought to issuing of a search warrant by a magistrate on similar information on oath. This pro-S.c. 69 Any Magistrate, if satisfied by

the information on oath of any such officer.

policeman, constable or Inspector that there is reasonable ground for belief that any spirituous or fermented liquors are being kept for sale or disposal, contrary to the provisions of this Act, in any unlicensed nouse or place within the jurisdiction of the Magistrate, may in his discretion grant a warrant under his hand by virtue whereof it shall be lawful for the person named in such warrant at any time or times within ten days from the date thereof to enter, and if need he by force, the place named in the warrant and every part thereof, or of the premises connected therawith, and examine the same and search for liquor therein; and for such purpose such person may, with such ussistance as he deems expedient, break open any door, lock or fastening of such premises or any part thereof, or of any closet, cupboard, box or other article likely to contain my such liquor, and in the event of any iquor being so found kept on the said premises, the occupant thereof shall until the contrary is proved, he deemed to have kept such liquor for the purpose of sale, contrary to the provisions of this Act.

It will be observed that, in the local Act. t is expressly declared that under a search warrant issued on such information "it shall 'be lawful for the person named in such 'warrant at any time or times within 10 'days from the date thereof, to enter, and i "need be by force the place named in the warrant, and every part thereof, or of the 'premises connected therewith and examine 'the same and search for liquor" and for 'such purpose, such person may with such assistance as he deems expedient break open any door-lock or fastening of "such premises, &c. The 141st section of

ocal Act of 1887 enacts-Every municipality wherein the Canada Cemperance Act of 1878 has been or shall be roclaimed, is hereby authorised to appoint one or more inspectors, whose duty is shall e to search out and prosecute all off-inders gainst the sec and part of the Canada Temserance Act of 1878 and when any informaon is given to such inspector, etc., that here is cause to suspect that some person is iolating or has violated any of the proviions of the second part of the said Act &c.. t shall be his duty to make diligent enthere is reasonable and probable cause, &c. shall make an information for such violaon before a court of competent jurisdiction

ud diligently prosecute the same. I think the effect of this section, in conction with section 69 makes the matter

In this case a search warrant was issued v the police magistrate of Chatham bearing late 3rd of Nov. last, directed to all or any f the peace officers, authorising any constable to search the premises of the defenlant, James Conway, [His Honor here read the warrant to the jury.] It has been arged before me, that the local Act which expressly authorises in case of need, the entry by force and the breaking of doors, locks, or fastenings, &c., has no reference to this case and that as the Canada Temperance Act. itself does not, in express terms, give authorty to enter by force and break open doors, locks or fastenings, &c., that the constable and his aids had no authority and the warrant gave them no authority to break doors, &c., and enter by force, assuming verything otherwise had been regularly

I however say to you in regard to this natter, that, in my judgment, the issuing of the warrant may be justified under either Act or both and that the legal effect of both ssued as regards the power of the peace officer and those acting in his aid. As to the occasions when he or they may enter by force: If necessity arises I have no doubt the exigency of the warrant will permit the officer authorised by the war ant to enter with force, and, if necessary, break doors, &c.

One of the questions we shall have to connder is, whether the facts of this case as they were, or arose at the time the parties went to execute the warrant at the house of the defendant, James Conway, was such an occasion as to justify the breaking and forcible entry. The warrant, then, in my judgment, is a good legal warrant and would authorise the constable to whom directed or any person acting in his aid in its execu tion to do what is, in express terms, authorsed in the local Act whereever the circumstances therein named occurred to justify the breaking of doors, that is to say to enter by force if need be.

And, here, it becomes important to con sider what the facts and circumstances were n this case and to enquire whether the facts and circumstances as they may be determined by you from the evidence, would by which men were led to do rash and justify the resistance offered by James Conillegal acts. It was providential that Con- | way to the execution of the warrant and laughter as claimed for them by their counsel-and if not-whether any part of the alleged resistence and opposition and assault on the officers executing the warrant was justifiable. Before referring more particuarly to the evidence it will be convenient for me to lay down for your guidance two or tice he asked the jury to do its duty; he three legal propositions, and you will apply these to the facts and circumstances as you adjured them to give such a verdict as their consciences would commend, after shall find they existed at the time.

1st, the local act under which I think the issuing of the warrant in this case may justified, only authorised the entry by force in a reasonable case of necessity, or in language of the Act-"It shall be lawful enter, and if need be, by force and break doors, etc., that no greater liberty is given by the Dominion Act, 1888 than by in plication and necessity. I think the warrant if issued under that Act authorized entry by force and breaking doors in like manner, that is if need be. I think there should be s necessity for breaking before that course is

warrant to have it with him and to produ e rant.

the warrant under which he acts.

As I have already said, there was a valid search warrant issued and that Adam Hill and Menzies and the policemen went Conway's for the purpose of executing it and two of them at least, broke in the door. As regards the question raised, whether it was not Hill that went to assist Menzies, instead of Menzies to assist Hill, I think if the warrant was given to Hill, a constable, to execute and he accepted it for that purpose. I think it was not only a protection in any thing the constable did lawfully under but also to Mr. Menzies and the policemen if they acted in aid of the constable, at his request or by his authority; and I do not think that though it may be that Mr. Menzies took the most active and prominent part at the breaking, that would alter the relation in law if the party to whom the warrant was directed was so near as to be acting in the execution of the warrant -at the time of its execution. Nor do I think that the fact that the Inspector was the complainant in this case would deprive him of the protection of the warrant, if acting in aid of the constable. I think there is a distinction between a man executing his own process or warrant and aiding, where he

which forces the duty on him. But besides the Canada Temperance Act, public:-lst, the importance and necessity ing had revolvers and a "billy," which it and St. Luke's congregation, all of them

discharge of his duty." brats of boys and persons not requiring great danger in resisting peace officers, and retire to deliberate upon their verdict. great danger to life in attempting to meet

against whom warrants and legal processes are issued: For it is plain, from the many authorities which have been read that there are cases of warrants and processes of law, which parties proceeded against may resist. This may be when the warrant, on the face of it is illegal- which in this case. I have already said, I do not think there is just guilty. round for attacking-or it may arise from wrongful mode of executing a legal warrant. There is a principle that has always

been held in high estate and great respect in the make up of what is called the liberty of the subject and that is the maxim -"To every one his house is his safest refuge," 'every man's house is his castle," under this maxim it is said "A man's house s a refuge for him against a fi-fa, ca-sa distress warrant, as neither sheriff nor land lord can under such process justify breaking into his house to take him or his goods. house is not, however, a defence for him criminal proceedings; as, under a warrant at the suit of the Queen : and the sheriff may, in either civil or criminal proceedings, a reason ble time. In a'l such cases of breaking in however, demand of admission must first be made, with notice of the cause for which admission is required; and feature establishes the principle of maxim. Several things are considered with reference to the maxim, namely :- That the house of every one is his castle, as well for detence against injury as for his repose; so that if thieves come to a man's house to rob or murder him, and he or his servants ki any of them in defence of himself or h nouse, this is no felony, and he shall not be damnified thereby; and so may he assemble

ouse against violence. Again-that where the Queen is a party to a suit or proceeding—the doors being shut and fastened-the sheriff may break open the doors, after having first made demand of admission, and signified the cause of his coming, but not otherwise, for, until demand and refusal there would be no default in the owner of the house ; for he might not know of the suit or proceeding, and it is to be presumed that had he known he would have obeyed it, and there is no law to prevent man closing the doors of his own house. Also, if a sheriff break the doors or effect a highly. forc ble entrance otherwise, when he might enter without, he is a trespasser.

his friends and neighbors to protect his

my part to tell you that the doors rant unless there be a reasonable necessity therefor. It is for you to say if that necessity had arisen. The prosecution say yea, the defendants, nay. And you must determine this matter from the evidence before you. From the evidence of Mr. Hil the constable, it appears that there is a back door from the vard, and that on a forme occasion about a month ago when he wanted to serve a paper, he went to that door and also through a gate from the street, neither of which were on this occosion, tried. But whether these would have been found fastened at the time, there is no direct evi-

His Honor here read from the testimony taken in reference to the doors by which the Conway house may be entered from the street as well as the yard and said that it did not appear that either Hill or Menzies thought of trying to gain admission by the latter before breaking. This would be con. subsequently did business in Chatham on the necessity of the breaking-a matter of puenmonia. The remains will arrive in to give notice thereof whenever practicable. Sttherland will regret his early death, for and before breaking doors to demand ad- he was one of the most kind-hearted and mittance, for the purpose of executing it. | genial of men. It is yours to say from the evidence in this case, if this had been done.

If the jury could say, from the evidence that all reasonable efforts and attempts to gain admission to the premises to be search ed had been made and ignored or refused by the Conways, then the officers were justiffed in breaking. If there were half a dozen toors, for instance, and an officer went to only one, it would not be a reasonable effort o gain admission, or justify breaking. The jary must in this case, determine whether the officers made a reasonable demand : whether those within heard; whether having heard, they determined not to respond and open the doors. They must also determine whether there was an interference with the 2nd It is the duty of every one executing a officers in the proper execution of the war-

Here His Honor read the testimony of 3rd It is the duty of every one executing a Messrs. Hill, Menzies and Kelly in referwarrant to give notice where practicable of ence to Conway having an axe in his hand and said the jury must determine whether these witnesses who were so near Conway were not in a better position to see such a weapon in his hands than others who were further away and whether they would come to court and state that they saw the axe, when they did not see it. The affirmative estimony of one man was worth more than the negative testimony of half a dozen, Only two witnesses swore that they saw Annie Conway strike Menzies with the iron, but all the other witnesses merely swore that hey did not see her, so that testmony must be considered in the same way as that in ref-

If the jury should come to the conclusion that the demand for entry under the warrant was insufficient and the Conways were justified in resisting the breaking in it must be borne in mind that they should only resist sufficiently to oppose illegal force and if greater force than was necessary was used by them they would be responsible therefor. It seemed that James Conway did not use force. His action was more in the nature of intimidation and His Honor would not say ne was not justified in doing what he did, provided the parties breaking his door were not legally there. In the same way, Annie has made complaint under a special Act Conway might use the iron to assist her ed by refreshments. Invitations were issued father in preventing the entry, if those to the members of the Epworth League The circumstances which took piace on breaking were illegally there In such a of Newcastle, the Christian Endeavor the occasion incidentally involve two very case it is difficult to measure the exact force Society of St. Andrew's church, Chatham, important considerations which concern the one may use. Those engaged in the break- the young people of St. John's church

discussed, but the general result of all the the time for which those concerned would lowing programme was rendered :cases and all the experience would seem to be responsible under the law. If the jury would be of a piece with the idea of the thief, out the provisions of the Canada Temperance | be this that, upon the whole it is very came to the conclusion that the officers gave Act, and making similar provisions for the hazardous to resist the execution of any proper notice of the warrant and made a process or arrest or execution of a warrant reasonable demand to get in and that the having the semblauce of a legal proceeding, Conways had knowledge of it and refused to and that in all cases, the wisest course is not open the door or ignored the demand, then only to protest against, but to submit for they were not justified in resisting the the time even to illegality, rather than by officers and if the jury believed that in make hazarding a resistance to be subject to the ing such resistance the wounding of Menzies serious consequences that sometimes ensue. | took place in consequence of the illegal acts do not at all agree with the counsel of of the accused and by the throwing of the prisoners that it is unlawful for constables | iron by Annie Conway the verdict must be and peace officers to carry revolvers and one of guilty. If, on the other hand, the weapons, for necessary protection. The jury believed, from the evidence, that the statute law plainly allows it-thus: demand for entry under the warrant was not Nothing hereinbefore contained shall affect sufficient, that the Conways had not sufficithe right of any soldier, sailor or volunteer ent knowledge of the purpose of the officers n Her Majesty's service, constable or other in being there and that in resisting their atpoliceman, to carry loaded pistols in the tempt to enter they used only reasonable and necessary force, they would find accord-It is an entirely different thing as regards | ingly. The responsibility of arriving at correct conclusions as to the facts under the necessary protection. There is, therefore, evidence was upon the jury, who would now

After being out for about an hour, the jury sent word to the court by the constable 2nd, As regards the rights of persons that they wished to see the evidence of Policeman Kelly, and His Honor said that if so, and they would return to the Court room, he would read it over to them. They did not return, however, and, after

about a half hour's further deliberation they came into court and, through their foreman, Mr. Wm. Lawlor, rendered a verdict of not Mr. Tweedie, Q. C., then moved for th

discharge of the accused.

His Honor, addressing the accused, said became his duty, under the verdict, to give them their discharge. He thought they would feel, and the public would feel, they had had a very full, fair and able trial. They were greatly indebted to their counsel who had put their case so strongly and favorably before the court and jury, for the fact that they had escaped from the clutches of the law. The course they took, and out of which this trial had come, was an unwise one. It was always unwise when force is brought against force, and it was best even to suffer wrong, or what one might think was wrong, rather then to resort to force in watches, jewelery and fancy goods, and break into a house to retake after an escape; resisting officers of the law; and to rely upon others in the vicinity also packed their and eviction, if the re-entry be made within | would give afterwards. It was a bad example to oppose the sheriff constables, police or other officers when they were acting even under the color of law and he had no doubt that the experience the prisoners had-their uncomfortable feelings and anxiety during the trial-would make them more guarded in the future in their conduct. The court adjourned sine die.

#### Miramichi and the North Shore etc..

COAL :- See Mr. Fotheringham's advt. UNITED :- One of Chatham's most winning young daughters and a young Trurorian were about to be united for life at St. Luke's Church, as we were going to press last evening. Particulars next week.

PRESENTATION :- Mr. and Mrs. H. Mc Kay and Mrs. H. McDougall, a deputation from some kind friends in Black River neighborhood, presented Rev. J. Robertson, on Friday, 20th ult., with a valuable donation of an otter skin cap and gauntlet fur gloves, which Mr. Robertson appreciates

IMPROVING BY REMOVING is what is in tended by Mr. W. R. Gould, Chatham's These, then, are the general principles well known watch maker, and jeweller which must govern this prosecution. You, and justice of the peace. The premises the jury must find as to the facts. It is recently occupied as MacKenzies Medical of a Hall are being fitted up for him and he is house may not be broken to execute a war- soon to remove thereto, with an enlarged stock and better facilities than ever to accomodate his fast increasing customers.

FIRE:-As the ADVANCE forms being made up last evening a fire broke out in the Lyons' house, Water St., Chatham. The hose was promptly laid, but it was half an honr after the alarm was given before the engine reached the river and another quarter before she started pumping and then-the hose burst. Three-quarters of roof was a blessing. Later! An hour after the alarm was given

men with buckets had practically subdued

#### D:ath of Mr. Donald Sutherland.

Mr. Donald Sutherland, who was for good many years senior partner in the wellknown firm of Sutherland & Creaghan, and

#### Sunday School Convention

The first quarterly meeting of the Chatham Parish Sunday School Convention for the present year will be held in the base ment of St. Luke's Methodist church on Thursday evening the 9th of February, commencing at half past seven o'clock p. m. sharp. Interesting papers will be music furnished and discussions on the ferent papers, making an interesting evenings entertainment. Programme later.

cordially invited to be present. EDITH SHIRREFF, Secretary.

Chatham, N. B., Feb. 1893.

#### "On with the Dance!"

The dancing party under the auspices of the Directors of Newcastle Driving Park, is to come off this ever.ing in Masonic Hall in that town and the attendance promises

On next Thursday evening, 9th inst. there is to be another large dancing party in the same hall, under the auspices of Court Miramichi, Ir dependent Order of Foresters. This will doubtless be one of the most enjoyable, affairs of the kind ever given in Newcartle. The invitations for both of the foregoing parties are already

On Monday, 13, Masonic Hall, Chatham, is to be the scene of another large dancing asssembly, under the auspices of the Cypress Club, of Chatham. Invitation, to both ladies and gentlemen are, we believe, to be out this week, and the names mentioned in connection with the management and patronage guarantee a well conducted and therefore enjoyable party.

#### Epworth League "At Home."

The Epworth League of Chatham gave an "At Home" on Monday evening last in the S. S. room of St. Luke's church. The president, Mr. S. E. Harris occupied the chair and the affair took the form of a musical and literary entertainment, followthese counties in which stances that will justify resistance and if way to have the axe. The use of any or all be characterised as one of the most sucthe Canada Temperance Act has been needs be assault on peace officers. This is a of those would, of course, be matters of ex- cessful as well as enjoyable social gather. parishes. A valuation of the County was

under the warrant amounted to nothing, for brought in force, provision has been made large subject and, of course, cannot be fully igency, depending on the circumstances of ings ever held in St. Luke's. The fol

Chorus, Praise God, &c. Lord's Prayer repeated by the audience. Chorus, March of the Men of Harlech. Solo. Miss Dobson, Susan's story. Recitation, Mr. S. U. McCully, "False Solo, Mrs. Shaw, "True till death."

Duet. Mrs. Snowball and Mrs. Nicol. The Royan Tree." Recitation Mr. S E. Harris, "First ad ventures in America Solo, Mrs. McLoon, "The song that uched my heart." Chorus, "Mariner's song."
Instrumental, Miss Lilly Snowball and

Mr. Loudoun, piano and cornet. Quartette, Messrs. Nicol. Chesman, Harris and Fisher—"Three doughty men." Solo, Miss Ida Haviland, "London bridge." Solo, Mrs. Nicol, "Where hath Scotland found her fame." Hymn: God be with you till we med

In addition to the above programme Revs. N. McKay and J. McCoy addressed the large gathering present.

Miss Carter the efficient organist of St. Luke's was the accompaniest.

#### Burning of the Waverlay Hotel.

The Waverley Hotel, Newcastle, was burned on Saturday last, the fire originating in the ell, at the rear between the old flat roof and the pitched roof which was put on a few years ago when the building was enlarged. It was about a. m. when it began and as it could no be got at with water, it spread into the upper part of the main building which was soon on fire in many parts. The steam fire engine was placed on the rive ice-owing to the tide being too low for sufficient water to be got at the time the fire broke out-and it worked admirably the hand engine also doing good work.

Meantime, most of the furniture, carpets, etc., were got out, a good deal of them in a damaged condition. Mr. Howard Williston who occupied the building facing the public square and separated from the Waverley only by an alley, packed up and removed his stock of household effects, but the efficient firemen and citizens who aided them suc ceeded in confining the fire to the Hotel, which was completely destroyed, only the lower portions of the walls and first storey remaining. The building was insured for \$7.100 and the furniture for \$2,000. We understand that although no definite arrangements are yet made in regard to rebuilding, it is the intention

The absence of the Waverley is a great drawback and positive loss to Newcastle and everybody will be glad to see an other hotel on the old site with as little delay as possible.

#### Safe. Sure, and Painless

What a world of meaning this statement embodies. Just what you are looking for, is it not? Putnam's Painless Corn Ex tractor-the great sure pop corn cure-acts in this way. It makes no sore spots : safe, acts speedially and with certainty: sure and mildly, without inflaming the parts : painlessly. Do not be imposed upon by imitations or substitutes.

#### Mr. Murray and ex Inspector

[From report of Municipal Ceuncil, Jnc. '93,) Coun. Murray : - "Inspector Brown tried the experiment of handling a case at Rogersville. He secured a conviction for a second offence, \$100, but failed put in evidence a certificate of the first conviction. The fine was reduced to \$50 and the Inspector had to pay \$40 costs." As Councillor Murray was police justice at the time he refers to, he well knows the above statement to be a perversion of the truth, a wilful misrepresentation. Councillor Murray has, on several occasions at the council board misrepresented my doings whilst I was acting as inspector, and my reluctance to engage in a newspaper controversy has heretofore prevented me from correcting him, but there is a limit to forbearance, and Councillor Murray must not conclude that he can continue his misrepresenta. tions with impunity. Counciller Murray says Inspector Brown tried the experiment of handling a case at Rogersville-Now sir I never tried the experiment of Landling a prosecution at Rogersville, sidered in connection with the point as to his own account, died in N. Y. on Monday last but I conducted nrarly all my prosecuwhich the jury must determine for them Newcastle this Thursday evening, and the was inspector, and I think, all of them selves from the evidence. It is my part, funeral will take place on Sunday at 2 p. for the last year, and I believe my whole said His Honor, to tell you that vet it is m. from the residence of Mr. Alex, expense for attorneys' fees for the last the duty of everyone executing a warrant Stewart. Everybody who knew Mr. year was less than \$20, exclusive of one

> I presume the case that Councillo Murray refers to was when two cases were set down to be tried at the same date. They were both tried before Police Justice Murray at Chatham, and two of our most able attorneys were employed for the defence. I conducted the prosecutions myself, and I am free to confess that between the two attorneys they bothered me considerably, but, notwithstanding, I succeeded in getting my cases fairly, and got judgment in both of them. Having, however, failed Every person interested in Sunday school to place in evidence a certificate of a forwork in Chatham parish and vicinity are mer conviction, the defendant was only fined \$50, with costs. The fine and costs amounted to more than \$70 in each case. every dollar of which was collected and paid into the hands of Justice Murraynot only the fines but a part of the expenses were paid into the Secretary Treasurer, and at the meeting of council was refunded to me by Coup. Murray's explanation, thus showing that Coun. Murray's misrepresentation was a wilful

Come, Councillor, come up! W. S. Brown, Ex-Inspector.

#### Restigouche Co. Council.

The annual session of the Restigouche County Council began at the Court House, Dalhousie, on Tuesday, 17th Jan., at 11 o'clock a. m. Secretary Johnson announced the names of the councillors DRS. elected from the different parishes as Addington :-- Wm. McRae and J. E.

Dalhousie :-- A. J. LeBlanc and Neil Colbourne :- Donald Kerr and Donald Durham :- John Culligan and Thos Hayes. Coun. Kerr was called to the chair. On motion of Coun. McLean, seconded

by Coun. McRae, Coun. Haves was mously re-elected for the present year. Warden Hayes, on taking the chair, thanked the Council for the confidence placed in him by electing him warden for The following committees were

Returns :- Couns. McLean, Miller and Accounts :- Couns. Kerr, LeBlanc and McRae. Assessments: - Couns. Kerr, Culligan, McRae and LeBlanc. The Council dealt with upwards of 150

pointed :-

ordered to be taken the present year, by a vote of 4 for and 4 against the valua-

The valuators for the County are David Ritchie, Wm. Fraser and Wm. McBeath and they are to receive \$2.50 per day for their services. There were seven applications for tavern licenses recommended by Inspector Bassett and the fees were fixed at \$80 for towns and \$60 in country districts. William Montgomery, Esq., was reelected Treasurer and Jas. S. Harquail. Auditor. The work of the Session was closed on Friday evening, when a vote of thanks was tendered the Warden and Secretary.

#### Trainmen Excited

deal of excitement among the members of the local lodge of Railway Trainmen over a peculiar case that happened at Gravenhurst: It appears that a member of the lodge named Samuel Murray was disabled while engaged as a brakesman, and for several years lay helpless at his home in Gravenhurst. He had lost all the power of his limbs and had all the symptoms of kidney complaint coupled with a complete collapse of his nervous system. His case was given up by seven or eight prominent doctors, and the Grand Trunk Railway paid him his total disability claim. His total disability claim was passed by the local lodge here, and sent on to the Grand Division. The strange part of the thing comes now. Murray has been completely restored to health and states that he does not want the money, while the lodge members here claim that he is entitled to it and should have it Murray was cured by using Dodd's Kidney Pills

#### Young Men's Christian Association of Chatham.

Meetings held every week in their rooms ap-stairs, Barry's Building, as follows :--Sunday morning at 10 o'clock, for Prayer and Praise. Monday evening at 8 o'clock, for Bibl Tuesday evening at 8 o'clock, for Training

to all of these meetings. DIED. At her residence, Chatham Head, on January, 15th Catharine Travis, relict of the late Jera, ich

All young men are most cordially invited

Dew Advertisement.

## COAL!

stored on the Muirhead wharf, served. Apply to JOHN FOTHERINGHAM

137 Casks Choice Bright Antigua Molasses, 70 Casks Choice Bright Barbados Molasses, 23 Tres. Choice Bright Barbados Molasses. 50 Brls. Choice Bright Barbados Molasses. 285 Brls. Bright Ex. C. Sugac. 100 Brls. Granulated Sugar.

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Teeth extracted without pain by the use o Nitrous Oxide Gas or other Anæsthetics. Artificial Teeth set in Gold, Rubber & Celluloid special attention given to the preservation regulating of the natural teeth.

Also Crown and Bridge work. All guaranteed in every respect,
Office in Chatham, Benson Block Telephone In Newcastle, opposite Square, over J. Kethros' Barber shop. Telephone No. 6

#### NOTICE

A Parliamentary Grant having been voted for the purpose:—First prize of \$400, and second prize of \$200, will be given for the best half model with lines drawing and specification of a fishing schooner most suitable for North Atlantic Bank fishery, which Competition open (to Canadians only) until 2 m. Wednesday, 7th June, 1893. The model, drawing and specification can be forwarded to the Department at Ottawa, or to the Agents at Halifaxs, St, John, Charlottetown or No models to be returned.

WM. SMITH, Dep. Min. of Marine and Fisheries. accounts and returns from the different Department of Marine and Fisheries,

## NOTICE OF SALE.

TO George A. Flett, of the Parish of Nelson, in the County of Northumberland, in the Province of New Brunswick, carpenter, and to all others whom Notice is hereby given that by virtue of a Power of Sale contained in a certain Indenture of Mortgage, bearing date the Eight day of May, in the year our Lord One Thousand Eight Hundred and Eighty Five and made been the said George A. Flett, in the County of Northumberland and Province of New Brunswick, carrenter, of the one part and undersigned George Burchill of the Parish and County aforesaid, merchant, of the other part, which mortgage was duly recorded in the Records of County of Northumberland on the Eleventh day May, in Volume 63 of the County Records, pages St and 397 and is numbered 326 in said volume. There will in pursuance of the said Power of Sale and for the purpose of satisfying the monies secured by the

said Indenture of Mortgage, default having been made in payment thereof, be sold at Public Auction on Wednesday, the 22nd day of March, next, in front of the Post Office, Chatham, in said County ALLANDALE Jan. 30-There is a good at 12 o'clock noon, the lands and premises in said Indenture, mentioned and described as follows, namely:—"All that lot or parcel of land and premises situate on the south side of the South West Miram chi River in the said Parish of Nelson, "formerly owned and occupied by the late Joseph "Hubbard, deceased, and bounded on the upper or "westerly side by lands occupied by Joseph Bate 'man and on the lower or easterly side by land occupied by the heirs of the late William Appleby. extending from the shore to the rear of said lo and being the same land and premises conveyed by "the late Joseph Hubbard to the said George "Burchill by Deed of Mortgage bearing date the "Eighteenth day of October in the year of our Lord "One Thousand Eight Hundred and Sixty Four, "and by the said George Burchill conveyed to the "said George A. Flett by Deed bearing date the "Sixth day of May in the year of our Lord One "Thousand Eight Hundred and Eighty Five," Together with all and singular the buildings and ileges, hereditaments and appurte ances to the premises belonging or in anywise appertaining

> Dated the Eighteenth day of January, A. D. 1893 GEO. BURCHILL. Mortgagee

and the reversion and reversions, remainded and

remainders, rents, issues and profits thereof; also

all the estate, right, title, interest, dower and right

of dower, use, property, possession, claim and de-mand whatsoever, both at law and in Equity, of his

he said George A. Flett of, in, to, out of or upon



#### BLACK BROOK GRIST MILL

cents per bushel to cash customers, or for the will re-open TUESDAY, Jar usual rates of toll.

RUSSEL

JOHN MCDONALD. (Succeo to George Caady) Mannfacturer of Doors, Sashes, Mouldings

umber p'aued and matchee to order. BAND AND CROLL-SAWING Stock of DIMENSION and THE EAST END FACTORY, CHATHAM, N. B.

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Guaranteed to give satisfaction or money cheerfully refunded. PRICE, 25 CTS. PER BOTTLE. Perfectly safe for the youngest infant Remember it is sold on a

------MEDICAL HALL.

guarantee

#### J. D. B. F. MACKENZIE Chatham, Jan 11, 1893.

MONEY FOUND his right thereto and paying expenses.

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interest. Among the novelists who will write stories for the WEEKLY HERALD are Jerome K. Jerome, Stepniak, Mrs. Grimwood, Edwin Arnold, John Strange Winter. Marie Corelli, Helen Mathers, Florence Warden, Hume Nisbet and Hamilton Aide,

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