MIRAMICHI ADVANCE, CHATHAM, NEW BRUNSWICK, NOVEMBER 7, 1895.							
General Business.	Miramichi Advance.			evidence set out in the proceedings. I have examined the originial books. There are		103 COOK BOOK	COOK BOOK
Geart Disturbance	CHATHAM. N. B., - NOVEMBER 7, 1895.		Mr. McCulley in giving such a decision.	some interlineations and alterations, but to no great extent, in the books. I do not think these would prevent a party copying	JOSEPH B. BENSON sworn-I reside in parish of Chatham, am physician and surgeon. About ten o'clock	PamamL.	For shortening never use more than two-thirds as much Cotto-
There is more heart disturbance now	Is Human Life not Worth Protecting?	per cent of catile are afflicted with this disease ; and that, whereas in some dis-	Answer: I consider that the course which he pursued in those cases, and his conduct	correctly, but he would have to be careful.	last night I was asked by a man to visit a	1. Incruching	lene as you would of lard. When frying with Cottolene al-
than ever. Present day modes of living, hurry, excitement, worry, promote it. You needn't have heart trouble, be-	People who hold to the old-fashioned	are parts in which a non-fuperculous cow	afterwards was influenced by au over zealous desire on his part to prevent the	reason of these alterations, unless he was	who it was, he said "Young Luke." I	these	ways put it in a cold pan, heating it with the pan. Cottolene pro- duces the best results when very
cause you can keep from having it.	thing not to be lightly taken, are	in the same manner, although not to the	drinking of intoxicating liquors, and he	Calley was, at that time, troubled with sore	house, on a loung in front room. He recognized me at once, he was ghastly nale.	n'age l'	hot, but as it reaches the cooking point much sooner than lard, care
cott's	ness of jurors has not a trend towards	same extent, about one pig in every 36 being attacked. Cats and dogs a'so are	means to that end; and I have in view also that the Attorney-General, the Hon. A. G.	be treated for his eyes. I made the type- written copy from the copy given me by Mr.	no pulse to be detected at the wrist, his hands were quite coll, even his tongue was	Uncerons	should be taken not to let it burn when hot enough, it will deli- cately brown a bit of bread in half
Darsaparilla	ods of western civilization by which	feared from their exceeding friendliness	both eminent lawyers -had, on substantially	typewritten copy of the evidence and the	denoted dangerous collapse. His trousers	forusing	a minute. Follow these directions in using Cottolene and lard will never again be permitted in your
	the slayer of his fellowman is not the object of a sentimentality which en-	with whom they play. Although the	given their joint written opinion that an	McCulley joined together, and then for him,	his back I could see several wounds on		kitchen or in your food. Genuine Cottolene is sold everywhere in tins with trade-marks—"Cottolene" and
Palpitation or fluttering of the heart, smother- ing spells at night, swelling of the feet and ankles, shortness of breath, pain in the left	deavors to make him appear as an in-	are affected differs in some particulars	institution the same as the Chatham Social. Club could legally exist in a county where the "Canada Temperance Act" was in force	to counsel for defence what purported to be	were caused by a shot from a gun, and they	Ottolena	steer's head in cotton-plant wreath -on every tin.
side, fainting spells, mean that the heart is oppressed—circulation is out of order.	incongruous in bereaved relatives plac-	disease, and commits great ravages in	and they based that opinion on the decision in Graff vs Evans, the English case before	given is the one in evidence as exhibit No. 29. The copy he gave is not in Mr. Mc-	his left side, from the hip joint below to the lower edge of the ribs above he was com-		THE N. K. FAIRBANK COMPANY, Wellington & Ann Sts., Montreal.
DELAY IS DANGEROUS	dered loved ones, while boquets are, at	friends of man, which have so far adopted	referred to (Records called for produced and nut in marked exhibit No 27 and 28)	Calley's hand writing : it is a different hand- writing. I believe part is in the hand-	pletely riddled with holes, I should say 25 or 30. There were two or three wounds	he thought we were after him. When about	
Note the papers daily chronicling the demise	bereaved and idle sentimentalists to	a roof. In the case, however, even of	to by Mr. Murray.) Allowed	me his son Jack was making the copy for	above the pelvis and below the ribs; a slight oozing of blood was taking place from all the wounds. The enentity of blood on his	12 or 15 feet from him Doherty turned round and said "Dont come here" put the gun to	IN S N GITY
result, total heart failure. Scott's Sarsaparilla sures heart disturbance by equalizing the cir- culation, restoring nerve power, supplying pure	the redhanded murderers in their cells.	in many respects live in more natural	I to all a sendent after the set of the	or was unwell.	the wounds. The quantity of blood on his clothes did not indicate a severe loss exter- nally-not sufficient to produce the collapsed	his shoulder and pointed the gun at us. Arthur Luke told him not to fire the gun	-
blood and relieving the heart of its burdes.	in the very centres of so called civiliza-	and, in fact, the only real friend of man	I believe, refused to certify a type written	Supreme Court, Judge Hanington, T	condition. I did not probe the wounds, as I did not consider it advisable. 1 prepared	asked him to come home. Doherty started	
USE SCOTT'S SKIN SOAP In Your Bath.	western method, which saves the	culosis is the goat. But any beast which conforms with man's habit of dwelling	which had been presented to him by one of the counsel for certification. In conse-	they were "about as well as I could write" or something to that effect. I heard the	ous condition, I advised them to send for the	to go across the road, Tom Knowles and Arthur Luke caught hold of the gun. I	
For sale by CLIFFORD HICKEY, Chatham, N. B.	curred at the florists' and the time devoted to a contemptible indulgence	under artificial shelter is apt to contract tuberculosis, and so it is that, whether	quence of what Mr Lawlor said to me, I went to Mr. McCulley's shop and office	remarks the court made about the judgment of Mr. McCulley.	police magistrate to take his deposition. I dressed the wounds in the usual way and		TIME TABLE,
50 VEARS	in "gush" is not, therefore, an un-	they be monkeys, camels, giraffes, ante-	and asked him if it was true that he had refused to certify the proceedings which we	(Mr. Lawlor objects.)	about an nour and a quarter after. For his	ing it was loaded. When Doherty got clear	and the second sec
JO ILANO	resorted to here, but believe public	Delepine, are liable to tuberculosis when		Judge Tuck, remarked that he was a Daniel	collapsed condition I applied heat externally and injected ether under the skin. He was removed to his father's house and put to	'in middle of the road. Luke made a run at him. Doherty ran into Kerr's yard, Luke	MONDAY OLOT OCTODED
For the Last 50 Years Cough Medicines have been coming in and dying out, but dur-	some of our jurors were made of stern-	they are kept in menageries. Clearly, the friendship of man is not an unmitiga-	his aves were sore I said this there no	effect. I can not say the court approved of	bed. I opened the dressings and examined	Knowles and I were abcut half way into the	1 St. Kay dil Vin on the way down. Will not go to
ing all this time	er stuff than they appear to be. Human life must be respected and	A French physician, Dr. Fere, has used	and compare them for you ?" mentioning the prosecuting counsel's name as a person he	about Mr. McCulley's course in other	of the pulse. I again injected ether and	Coleman's corner, went back to Kerr's,	ST& NELSON, will leave Chatham for up river at 5.00 p m leave Newcastle at 6.00 p m
Never Left the Front Rank	murderous blackguardism put down in the community, even though the	borax with considerable success in the	might safely rely on. I urged upon him	pointed out in the Coulson cases. I think when he admitted the Attorney	continued in varying degrees of weakness	in a sent bound of build out of	W. T. CONNORS.
for Curing Croup, Coughs and Colds. All Druggists and most Grocerymen sell it.		has met, however, with a number of persons peculiarly susceptible to borax,	certify to a copy of the proceedings if it	evidence, he should have been governed	injected i gr. morphine and 1-120 gr. of	think Luke had a stick in his hand. Doher- ty returned to the yard, I saw him put his	DRS. C. J. & H. SPROUL.
25 Cents a Bettle. 25		the prolonged treatment with large doses inducing symptoms of poisoning. Loss of	by any one other than himself.	appearing before Mr. McCulley in any	partly checked the vomiting which was very	I were stanting against a rence heat freit s	
ARMSTRONC & CO., PROPRIETORS.	"Advance" Scientific Miscellany. EXTENT OF AN ALPINE AVALANCHE-SAVE	appetite was followed by burning pain in the stomach, dryness of the mouth,	application was about to be made in a day or	cases. I was, in those cases, chief witness,	strychnia as a heart tonic. No reaction took place. About five o'clock this morning	towards Doherty. I heard the gun go off	Teeth extracted without pain by the use
	THE TERTH_AIR BORNE TYPHOID-AIR	any and moniting The skin may he		associate counsel and one of the managing	young Gould came to my house and tall	and Luke fell. I was not looking towards	Nitrous Oxide Gas or other Anæsthetics.



SHIP-POISONING BY BORAX.

century in the Swiss Alps was the ic

avalanche of the Gemmi Pass, which

of Sept. 11, and had but one spectator-

a waitress in the Schwarenback Inn. A

suspended glacier on the Altels Mountain

became detached at an altitude of about

10.800 feet, swept down the steep,

smooth limestone rock to a vertical depth

of 4600 feet, was thrown up 1300 feet to

the summit level of the opposite mountain

ridge, and, rebounding, fell in a fan

shape on the fertile pasture known as the

an average depth of nearly 6 feet. The

lives of 6 men and over 150 cattle were

lost. This disaster, it is found, was

exceeded by the rock fall of Elm (in the

Glarus Alps), which occurred Sept. 11.

1881, and caused the loss of 114 lives and

79 buildings, the volume of debris being

about double that of the Altels ice

The replantation of teeth under certain

circumstances was recommended by Dr

Benedikt, in a recent paper to the Army

Medical Staff at Budapest. This proces

consists in returning the tooth to its

original socket, and is to be distinguished

from transplautation. or the transfer of a

tooth from one person to another. Weld

has performed 80 replantations, with only

two failures. A tooth removed by mis-

take or violence should be replanted ; and

in cases of toothache from inaccessible

caries the tooth may be extracted, filled

and replaced. The operation is followed

by little pain and inflammation, and the

carefully replanted tooth becomes fixed

avalanche.

in two weeks.

water being good.

occurred about 5 o'clock on the morning

AT LOW PRICES!

PUMPS, PUMPS

Sinks, Iron Pipe, Baths, Creamers the very best, also Japanned stamped and plain tinware in end-less variety, all of the best stock which I will sell low for cash

Spitalmatte, spreading 4,000,000 tons o A.C. McLean Chatham. rock and ice over nearly a square mile to for Mr. McCulley.

WANTED.

A good man in your district to represent the "Fonthill Nurseries of Canada,"—over 700 acres. The largest in the Dominion. Position permanent. Salary or Commission to right man. With the increasing demand for fruit, a position

with us as salesman will pay you better than engaging in farm-work. Send us your application and we will show you how to earn good money. School Teachers !! it's just the thing for you during the summer. Write for particulars. STONE & WELLINGTON,

J W. Beall Manager



by any Licensee under any License, not even for piling, which will not make a log at least 18 feet in length and ten inches at the small end; and if any such shall be cut, the Lumber shall be liable to double stumpage and the License be torfeited

and all Licensees are hereby notified, that for the future, the provisions of this section will be rigid nforced

L J TWEEDIE.

Surveyor General

WANTED.

Teachers to begin work next term, For partic -

the stomach, dryness of the mouth, two following to the Supreme Court, with a TENT OF AN ALPINE AVALANCHE-SAVE THE TEETH-AIR-BORNE TYPHOID-AIR nausea, and vomiting. The skin may be view to set aside the convictions in these NAVIGATION BY KITES-A FIREPROOF dry, and the hair fall out. But the cases. I refer to his refusal in the particu-TREE-THE BANE OF MAN'S FRIENDdangerous result-one to demand caution lar case when he was presented with a typewritten copy to certify, because it seemed in the use of borax food preservatives-is One of the great catastrophes of th

McCulley.

WARREN C. WINSLOW

I reside at Chatham, am a barrister-at-

barrister, of Chatham, called and sworn.

law: have been 12 years a barrister.

I have in course of practice been engaged

in the Police Court before Mr. McCulley.

any Scott Act cases, excepting those

ag inst William Coulson, steward of the

Chatham Social Club; there were three

of those cases. They were all tried in

January and February last I think.

How were counsel treated ?

I have not been engaged before him

gave testimony as follows:-

all the more unreasonable since he had the producing of kidney disease or of a certified proceedings in another of these fatal malady from a slight kidney trouble. cases which had been written by some one else, and which has, notwithstanding his

certificate that it is a true copy, hardly a The charges against Police Magistrate page of its many pages without errors or

omissions, which, after I had received it as The adjourned enquiry into the charges certified, I had discovered by comparing ; made against Police Magistrate McCulley and not only were the omissions tormal. of Chatham by petition of Messrs. Z. but there were also important material Tingley and R. H. Armstrong, was reomissions, which had an important bearing sumed on Tuesday by Geo. Gilbert, Esq., on the case, and which, if I had not dis-Commissioner appointed by His Honor covered them, would in my opinion, have the Lieutenant-Governor. R. A. Lawlor proved fatal to arguments in behalf of the and W. C. Winslow, Esqrs appeared for Club. I refer particularly to that part of the petitioners and Robert Murray, Esq.,

the constitution of the Club, a copy of cil for final decision. which constitution Mr. McCullley's pro-

ceedings purported to contain. Under the head of "meetings," the copy reads, "The aunual meeting of the Club shall be held on

Another wanton sacrifice of human lif the first Tuesday in November in each year. as taken place in Chatham. A promising and notice of such annual meeting shall be routh of the town, belonging to a respectiu writing," &c. Before the word, "shall," able and law abiding family, was deliberthere is the omission of the words, "and of ately shot to death last Thursday night all special meetings." In addition to these errors and omissions the copy of proceedings by a young man who is unfortunately was very badly written-so bad as to noted for his disregard for the restraints he almost illegible, written on pages torn out which society deems necessary for its own of an exercise book, the edges of the pages

being ragged, some pages written on both sides, and others on one side, and the copy being such that most lawyers would be

ashamed to present it to the court. Mr. Lawlor was associated as counsel This is the copy of proceedings given by I was also a witness and gave very full Mr. McCulley which I refer to, put in and

marked exhibit No. 29. evidence in relation to the management I was not able to get it before the court of affairs of the club. I was one of the the next term. The court directed that managing committee of club, and was the corrections should be made by Mr. chief witness at the trial; my evidence] McCulley and the matter was heard after. believe tended to show, and I believe ward. I think at the next term (copy proved the club was a bona fide club, and examined by Mr. Murray.) that no device was used to make any

Witness continued :-- In these Club cases sales of liquor; that liquor was distributt was shown that parties residing out of ed to members of the club and to those the County got liquor at the Club room

whom members introduced in the form on being introduced by Club members and On causing typhoid fever patients to prescribed, they-the parties introduced their names registered in a book kept for breathe into sterilized water, Dr. Licard -residing outside of the county; each that purpose. I think they were not of Beziers, sometimes found the bacilli in member contributed his share of what he members of the Club. The members of the the water. This indicates that certain received, no person making any profit out of the club, or in its management, the

Club could give such persons, so introduced, obscure cases of the disease may have iquor but they could not pay for it. If Mackenzie's, amusing ourselves, from there been due to infection by the air, the a party was introduced the stoward of the | we went down the shore to the ferry wharfsteward being a paid servant of the club, Club would furnish that party with liquor | Luke, Gillmor, and myself. We came up paid at the rate of \$6 a week for his

on the order of a member of the Club, given | town again, and had some more fun. Luke services. During the progress of The experiments of Lieut. B. Baden on each occasion-not a general order. I left us then and went towards the west end. trial Mr. McCu'ley, presiding magistrace, Powell in the use of kites for military

cases, chief witness, toek place. About five o'clock this morning associate counsel and one of the managing young Gould came to my house and told me committe of the Club. I was called as a the boy was suffering very much. I went witness by the prosecution. I do not up, at the request of his father, and found think that I am prejudiced by reason of him tossing about the bed complaining of my connection with the Club. I think it intense pain. I saw he was failing rapidly is impossible for any one to swear positively the only thing I could do was to relieve his that he may not have been prejudiced, pain and injected some more morphine though he may think he is not. Almost before I finished the injection of

morphine, or certainly within five minutes he To the surprise of the non-interested, no was dead. Uudoubtedly the injuries which defence was entered upon in behalf of Mr I saw were sufficient to cause death. McCulley when the enquiry was resumed on

JAMES MCGREGOR BAXTER. Wednesday morning: nor was their any summing up before the commissioner by sworn-I am a physician and surgeon, reside

He then turned round and pointed the gun in the parish of Chatham. I was requested in the direction we were walking. I did by the Coroner to go and make a post mortem not hear the gan snap, was close enough to examination of the body of Arthur James hear it snap had it done so, we had noth-Luke about half past two this p. m. I found ing in our hands when he turned, he raised the body to be that of a young man said to his gun and said "go away." Luke went be 17 years of age, 5 ft 9 in. high; extremely | towards him, followed by Knowles. Knowles well developed for a young man of his age. caught hold of the barrel of the gun. He would probably weigh 140 or 150

Doherty fell down on his back, struggled pounds. I found rigor mortis well marked and swore a little, and asked them to let I examined the body externally and found the gun. We examined the gun and an old wound on the left leg below the knee.

ound no cap on it. thought it was not apparently an old wound and pretty well oaded and let him keep it. We could have healed. I found on the right side, extendtaken it from him if so disposed. I heard ing from the hip joint to the lower border of the gun snap but did not observe it pointed the last true rib, and in a space of about in any particular direction. Doherty ran nine inches from front to back, 35 wounds. across the street into Keri's yard. Luke some of them quite superficial, so much so followed him into yard. Knowles and I that I extracted this shot from one of them followed him. Luke chased Doherty up to | | (shot shewn), others going very deep, the corner of Kerr's house in the yard; then Doherty turned and faced Luke, his back being towards the fence and house, his face towards the road. We were not far from him at this time, Luke being nearest, not being the length of the gun from him, he struck at Luke several times with the gun. Doherty chased us all out on the sidewalk. walked towards Coleman's corner but turned right back and stood on the sidewalk ooking into Karc's yard. Luke was going

into Kerr's yard, Knowles following. Luke intestine downwards its whole length, but was at this time about 10 feet from Doherty did not find any wound in it. The bladder carrying a stick in his hand, which I thought was intact and contained a small quantity ne was going to throw at Doherty, who had of urine. I removed the right kidney and his face towards Luke. I saw Doherty put found it whole and healthy. The stomach his hand in his pocket. I started towards

the fence and stood on the side of the road. Doherty was standing at the back corner of the house. Knowles and I were facing the road, our back towards Doherty. Luke was facing over the corner of the fence. I heard the shot fired and saw Luke fall. Doher'y was pretty cross. From the time Luke attempted to take the gun from Do. herty until the shot was fired would be about

WILLIAM JAMES GROAT

and Luke fell. I was not looking towards Doherty when the gun went off. Luke sung out "My God I am shot." A crowd collected and carried Luke into McKendy's house. Doherty was walking peacably along, carryng his gup, using no threats to any person when Luke first tried to take his gun.

Questioned by Mr. Bennett. Barry. White and Sinnott were young men. overtook Doherty just one block away, he was walking ahead of us, with his back towards us. I think he was under the influence of liquor. We called out "Joe !"

Regular fortnightly sailings between London and Haliitax. Winter special contract with the Dominion government.

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egulating of the natural teeth

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Artificial Teeth set in Gold Rubber & Celluloid

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> That is what an old student now book-keeper for one of Moncton's leading firms, writes respecting our new Catalogue. Others sent greetings in simila The fee paid us is but a small

part of our remuneration. That s paid once only. The expressions of gratitude that come to us. from all quarters. make us feel better than any ioney payment ever did. loges mailed to any address: S KERR & SON. St John Business Collegen

St John, N B.

AUCTION SALE.

W B Howard being desirous closeing his usiness in Chatham, has instructed me to sell in lots to suit purchasers, positively without reserve to the highest bidder. AT PUBLIC AUCTION.

cing on Monday Evening 21st October .30, comprising the whole of his stock of staple and ncy Dry Goods, Clothing, Hats, Caps, Collars, rts, Ties, Velvets, Ribbons, Laces. Feathers rimmings, Buttons, Ornaments, Braids, Fringes lowers, Sacks, Gloves, Mittees, Stockings, Kait ckets, Cotton and Silk Thread, Berlin Wools and Tarns, Fire Proof Safe, Marine Clock, Store fitting toom papering Motto frames, Patent Tills, and reat variety of Sundries.

TERMS:-All Ants under \$20 cash. Over that amt months credit, with approved Joint Security W WYSE

Chatham October 15th 1895.

Tells

Ine

Truth

hand into his pocket until the shot was fired I heard no words spoken, or threats VAIIIARE

also was intact, I examined also the liver and could not find it had been injured

5 minutes. From the time Doherty put his

made. I did not see Doherty after the shot was fired. The gun was mnzzle loading and single barrelled.

time that

protection. The circumstances of the crime are partially set forth in the testi mony taken before coroner Dr. J. S

M chael Doyle, William T. Harris, A. H. Marquis, F. Campbell Johnston,

counsel on either sile. It was understood that

counsel would present th eir views in writing

to the commissioner, who, within a reason-

able time, is to consider all the testimony.

views of counsel documents, matter, etc.and

report his findings to the Governor-in-Coun-

Deliberately Shot to Death.

Geo. Sutton. Thos. Connors.

The depositions are as follows .---

STANLEY SMITH FLEIGHER

sworn-I live in the parish of Chatham

Benson and the following jury :--Geo. Stothart, foreman.

where I attend the High School as a pupil, I went down on the hill with the deceased last evening, some time after eight o'clock We had no particular object in going down

any way, and its general appearance was We first met at Mackenzie's drug store. healthy. I consider the injuries which] think it was before eight o'clock. Fred found were the cause of death. From the Maher, James Gillmor and some others were directions in which the wound passed] with us, we went down on the wharf behind should say he was standing with his right side towards the gun, slightly facing it. The wounds appeared to pass in a horizontal direction.

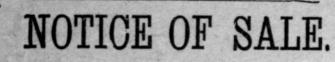
would not consider it the same as bar-room I stood by the Oddfellows Hall for a time. sworn-I work in the machine shop, pulp mill, reside in the parish of Chatham. Groat's store, Jack Pallen was with me and | left home last night about a quarter to eight,

of the intestine three of them, especially long, lacerated wounds from half to an inch in length. I then examined the large

several passing into the abdomnial cavity I then opened the abdomen and found the intestine highly conjested and the cavity of

the abdomen almost full of blood. carefully examined the intestines, following from the junction of the small and large intestines up to the stomach. I found in that distance eighteen wounds (perforated)

MARITIME TEACHERS' AGENCY. Shediac. N



To Philip Leonard of Chatham, in the County of rland, and Province of New Brunswick, tevedore, and Catherine Leonard, his wife, and all others whom it may in anywise concern. Notice is hereby given that under and by virtue of a power of sale contained in a certain indenture bearing date the TWENTY FIRST DAY OF JUNE in the year of our Lord one t dred and seventy eight, and made between said Philip Leonard and Catherine Leonard, his wife, of the first part and the undersigned, James Hickey of Chatham in the County of Northumberforesaid, Merchaut, of the second part and ered in the Northumberland County Records, me 59 on pages 100, 101, and 102 and numbered 93 in said volume ; there will for the purpose ing the moneys secured by the said indenture default having been made in the payment thereof contrary to the provisions of the said indenture, be sold at public auction in front of the post office the Town of Chatham on SATURDAY THE THIR. TIETH DAY OF NOVEMBER, NEXT at the hour of a string and the lower kite were towed welve o'clock noon, the lands and premises; mentiondescribed in said indenture of mortgage as

All that piece or parcel of land situate lying and being in the Parish of Chatham aforesaid and known as part of the lands formerly owned by Charles Carter and bounded as follows : namely, in front or South by the North side of Church Street and on the East by lands belonging to the estate of the late Reverend John McCurdy deceased, and on the Westside by lands in the occupation of Stephen Jackson and on the rear or North by lands belonging Richard Hocken-the said above conveyed a lescribed piece being one hundred and fourteen fee rom front to rear on the East side and one hundred nd eight feet on the West side and is forty feet in width and was sold and conveyed to the said Philip Leenard by Richard Hocken by indenture bearing date the eighteenth day of June A. D., 1878 as by reference will more fully appear.

Together with all and singular the buildings and improvements thereon, and the privileges and appurtenances to the said premises belonging or in anywise appertaining Dated this 20th day of August, A. D. 1895.

TWEEDIE & BENNETT, JAMES HICKEY, Solicitors for Mortgage Mortgagee

QUININE WINE AND IRON. THE BEST TONIC AND **BLOOD MAKER** 50ct BOTTLES WE GUARANTEE IT AT Mackenzie's Medical Hall

CHATHAM, NB.

purposes have been sufficiently encourage ing to give interest to the curious suggestion in aerial navigation made by his to the British Association for the Advancement of Science. He pointed out that

the wind is nearly always stronger at an elevation than near the earth's surface, often blowing at 1000 yards with three times the velocity it attains just above the ground. He proposes to take ad vantage of this difference by connecting two kites by a long line, and sending them up to different heights, the weight carried being attached to the line near the lower kite. The lower kite would thus supply a retarding medium to the upper the effect being the same in principal as the upper kite were held to the earth by through the air by a boy running with

the string in his hand. Both kites would be kept flying although not held to th earth by a string in the usual way, and is thought that possibly they might be navigated out of the course of the wind.

In a report to the British Foreign Office, the Chaparro tree (Rhopsal Obovata) of the United States of Columbia

and other South American countries is credited by Mr. Robert Thomson with phenomenal endurance of fire. The tre attains a height of 15 to 20 feet. and

distorted trunks measure from 9 to inches in diameter. In Folima, when other trees are nearly all destroyed by the persistent burning of the savannahs and hills for renewing pasturage, the Chaparro not only resists the fire but actually fostered by it. In the lower hills, reduced to sterility by the incessant burnngs, hundreds of square miles are occupied by growths of these little tree which are placed as regularly and syste

matically as in a carefully cultivated plantation. The resistance of the tree is due to the structure of the bark, of which th outer portion, to the depth of half inch, is of peculiar composition and serves

no vital purpose. "Argonine" is a new bactericide that has been attracting some attention Germany. The name is mislealing, and unfortunately suggestive of the. methods

of the charlatan, for the substance is compound of silver and caseine, and has not the remotest connection with argon.

stated that the witnesses were respectable treating; the form might be similar. . The and it would not be necessary to call any party introduced never paid for liquors corroborative testimony in relation to furnished him what had been deposed to by me as witness. Mr. McCullev referred to the club as being a bona fide club. By reason of this remark made by him we felt justified in concluding that Mr. McCulley was satisfied that the club was a bona fide club and not a device within the meaning of the "Canada Temperance Act" and for this reason further testimony for the purpose of corroborating the evidence

had given was not called. But, notwitham a member of it. standing the statement made by Mr.

McCulley at the trial, as to the bona fides of the club, he gave a written judgment

any license. stating that the club was a device, while at the same time he refused to be bound by cases decided in the High. Court of Justice in England, and decided also that

a club could not legally exist in a county in which the "Canada Temperance Act" was in force.

Mr. Lawlor here calls for the record i the case of the Queen against William Coulson on information of John Menzies. Produced, put in evidence and marked exhibit No. 26.

Mr. Lawlor counsel for defendant i these cases, before the magistrate had given judgment, addressed a letter to the magistrate requesting that, in the event of his concluding that it was a violation of the Act, he should state in his judg-

ment the facts which he found established steward of a bona fide club is not liable by the evidence, and that from such under the "Canada Temperence Act" for furnishing liquor according to the rules of facts only he drew the conclusion that club as appeared by evidence. I have seen there had been a sale within the meaning a report of the Ontario case in reference to of the Act. and that in his view of the game. I don't think it at variance with law a club could not be organized and Graff vs. Evans. maintained without being liably to

conviction if intoxicating liquors were distributed between members of the club. and Mr. Lawlor in that letter stated that he made the request to Mr. McColley in view of the intimation given by him at the trial of the cases, that the facts were established to his. McCulley's, satisfaction,

appeal to the Supreme Court. This letter, | Court indicated something of a bias. or a copy is attached to a certified copy of proposition was made in open court, and the the proceedings in one of the cases with the written statement made thereon by to such a course

Mr. McCulley that the letter written request made to him by the counsel for the defence, and that he

About 20 minutes after that I met Luke in George Russell was with Luke. We stood came up town and spent the evening,

I considered Mr. McCulley thought the by Allan's corner about five minutes and returning home about ten. I overtook Caleb evidence I had given was true as to the then went down on the hill below the pulp McCulley by the ADVANCE office, he walked constitution and management of the Club. factory and had some more fun there. Gilbert Buote, Luke, Tom Know'es were into the house, I went on towards home. I thought, if he believed my evidence, he should not have convicted, and if he did with me, also a lad called (I think) Ernest This was about half past ten. As I was convict, in view of the facts I stated, he Reid, young Buckley and William Stewart. going round the corner by Cahill's I overshould not have stated in his judgment that | We came round to Coleman's corner by way | took Joe Doherty, when I got within seven the Club was a device, for that handicapped of Buckley's store, Luke was still with me. or eight feet of him he jumped on the road. the Club in the matter of an appeal. I We came on towards the Wellington Road pointed the gun at me and said he would have been in the Union Club, St. John. I and stood by Armstrong's tank, where we shoot me. I asked him what was the remained a short time. Buote. Knowles. | matter ? He dropped the gun and said for

Question : Is that a bons fide Club? | Luke and Joe Doherty were with me at the me not to say where he was, I asked him (objected to.) Admitted. Answer : I believe it is : it does not pay of those with me wanted to take the gun I asked him the second time whether he

from Doherty. Luke, Buote, and Knowles | was out watching the slaughter house with Question : Do you claim that the steward attempted to take the gun from Doherty, the gun? He said he was. He accompanied of that Club would not be liable for a Doherty tried to prevent them. The boys, me as far as McLeod's store, turned away Luke, Buote and Knowles did not think it | and said "it was all right but do not tell violation of the license act for dispensing of intoxicating liquors, it being a bona fide was loaded and let him keep it, as soon as where I am." He ran into the lane by

he was let go he (Doherty) pointed the gun Lockhart's, towards the school house. Club? (objected to.) Allowed. Answer: In my opinion he would not be. at Luke, but there was no cap on it; they came as far as Armstrong's corner. I heard I think the members of that Club are not chased Doherty into a yard and tried to Luke was shot. I stayed around McKendy's catch him, but he would keep them off by door about one quarter of an hour and then liable under the License Act.

Cross ex'd by Mr. Murray. In giving his decision did Mr. McCulley

say anything which would tend to show heard the gur go off and Luke cried Oh ! 3 or | one quarter of an hour, then went home. 4 times. I turned round but did not see did not know who it was when I overthat he disbelieved any part of your testimony? (Objected.) Allowed. Luke, I saw Knowles and Buote who took Doherty until he jumped out on the

started to go back. I saw them carrying road about seven or eight feet from me. Answer: He used language in his judge-Luke into a house (Mrs. Con. McKendy's) I did not know at this ment which appears to me to indicate that I did not go into the house, but remained any one was shot. After that I heard he disbelieved my testimony, and the other ontside notil the doctor came, then went | Doherty's name mentioned in connection testimony as to the bona fides of the club, home. I have not seen Luke since I saw | with the shooting, I said nothing to him for it could not be a device and bona fide at

him carried into McKendy's. the same time. My contention was that the To Mr. Bennett :-- I was Luke all the evening from the time we me at Mackenzie's, with the exception of a few minutes I spent near Oddfellows Hall. As we passed Coleman's corner, Barry and two

others were there and told us Doherty was drunk and had a gun, at the time we over- sworn-I am a teamster, reside in the parish

There was a proposition made to Mr. took Doherty he was alone and walking of Chatham. About half past eight peaceably along, as we approached him he Thursday night I met Arthur Luke between McCulley by the counsel for Coulson in turned round and looked saving to us "Go these cases that he should state a case to be submitted to the Supreme Court : he reaway," turned from us and walked away. | Water Street. We went down to Loggie's fused to do so. They thought he was we followed him, we could see the gun in his hand before we overtook him. Knowles Tom Knowles, Lester Chesman and young into McKendy's house. I do not think that wrong in refusing to facilitate that mode of getting a decision. These cases were tried went up behind him and caught him, at the under the Summary Convictions Act. time Knowles caught him he was walking thing to a man in a boat lying at the wharf. and in order that an opportunity might thought his refusal to have the matter peacably from us, he struggled to get away be afforded of presenting the cases on brought up in that way before the Supreme from Knowles, Luke then came up to assist Knowles. Doherty still struggled to get on the street and went up to the Y. M. C. The away but could not until they let him go, A. rooms. Arthur Luke left us there and counsel for the prosecutor refused to agree he had the gun in his hand

> Question: Will you state how under the its being in a line with Luke. Doherty down and met Luke in front of MacKenzie's had a stone. I threw the stone but cannot Summary Convictions Act Mr. McCulley made no threats that I heard. Knowles, drug store. Tom Knowles, Arthur Luke, say whether Luke threw his stick. Doherty could legally state a case as requested to be Buote and Luke made a run at him, I Dennis Gould, Earnest Read, Will Stuart, was drunk and fell down when I took hold

THOM AS KNOWLES worn-I work at Mrs. Allan's, live in down with me as far as his home. He went Chatham, I remember Thursday night last. met Arthur Luke about half past 8 that

evening. After going round town we met down on the hill about ten o'clock when we saw Joe Doherty walking past Coleman's towards the Wellington Road. Gilbert Buote, Stanley Fleigher, Ernest Read, and Arthur Luke were with me, Doherty was

alone, walking away from us. We saw Jim White and Pat White at Coleman's tank corner, Joe Doherty had a gun, some where he had been ? He gave me no answer. corner. Jim Barry told us Joe Doherty was ahead of us with a gun and advised us to take it from him. We then followed, Doherty, Arthur Luke sung out. "Joe !"

> at us but did not speak that I noticed. He went from the sidewalk to the middle of the road. I went towards him and caught

Doherty turned round and pointed the gun

vard himself. I picked up a stone and

fired it at him. We followed him into the

vard the third time, he went behind the

corner of the house and took a box of caps

from his pocket. I did not see him place

it on the gun. Luke, Buote and I walked

out to the corner of the fence and stood

nold of him. Luke came and assisted me. He is an experienced repairer of complicated watches, We caught hold of him to take the gun | such as repeaters chronographs, etc. C Warmunde Sr., who has had a life long experience from him, he said nothing to us. He fell | at the trade in on the ground when I caught him and said "let go the gun." Gilbert Buote then came over and examined the gun, and found there was no cap on it, then we let him go. He

stood on the middle of the road and snapped the gun at us. Doherty then went into Mr. Kerr's yard. Luke and Buote followed

him into the yard, Doherty went to the We will keep a fine line of watches, clocks, jewelery back corner of the house, he turned and silverware, spectacles etc , new and latest styles at owest prices. chased us out again and returned to the

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of Doherty was, seeing him stumble, his face towards the river. GILBERT BUOTE,

striking at them with the gun, I saw went into the house and saw Arthur Luke

Knowles run, all of us started to run, I lying on a lounge. I remained there about

there. I was standing with my face to the fence. Luke was standing in gateway, slightly past the fence with his right side towards the yard. I heard a shot fired. Chesman's store and Goggin's corner on Luke fell and called out "Oh my Ged I am shot." A crowd collected and carried Luke wharf, Stanley Fleigher, Jas. K. Murphy, Doherty would have done any harm to us Luke said some-Robbins were with us. had we not interfered with him, and conand he threw a stone at Luke. Luke fired a sider that his firing the shot was caused by stone at him in the boat. We all came back our interference.

before he pointed the gun at me. I noticed

Doherty stumble and thought he was under

the influence of liquor, but quite capable of

taking care of himself, The first I noticed

Questioned by Mr. Bennett: Kerr's fence was close boarded and too high for me to all this time, went out. We remained in the Y. M. C. see over. Luke had a stick in his hand I thought he pointed the gun at Luke from A. room for about 1 au hour, then came the second time we went into the yard. I

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