

FATAL BRUCEL IN MONCTON:

Jim Magee, "The Royal" Bartender Drops Dead During a Fight With Tom Gorman, of the Brunswick.

Moncton was thrown into a fever of excitement last night by a fatality which occurred in the Brunswick Hotel bar shortly after six o'clock, in which Jim Magee, aged 24 years, son of John Magee of the I. C. R. shops, bartender for the Royal Hotel, met a very sudden death. The young man in question and Thos. Gorman, bartender for the Brunswick, have been at loggerheads the past few days, Magee having been threatening to give him a beating, and had during yesterday afternoon even requested no less than three of his acquaintances to accompany him to the Brunswick Hotel to give him fair play while he fought Gorman. Magee had been drinking quite heavily during the past few days and yesterday particularly was intoxicated. During the afternoon, or a portion of it, he was accompanied by a young fellow named W. Cahill, who avowed to be a friend of his. About six o'clock last evening the two in question went into the Brunswick Hotel and entering the bar Magee said "Give us a drink." Gorman without a word passed out the glasses to the two in question, also to three others who were present. Magee then became slightly abusive, saying that he could beat Gorman. The latter paid no attention to Magee and after a while left the bar and had not been gone over twenty minutes before he returned and re-entering the bar again said "Give us a drink." Gorman said "What do you want?" He reiterated his demand at the same time throwing off his coat and adding, emphasized by language which will not bear publication, "You come over to the Royal and break all the doors and do whatever you like. If I come over here and start a rumpus I get my head broke." According to an eye witness Magee and Cahill began to abuse Gorman and the latter eventually came out from behind the counter and Cahill made himself scarce. Gorman said "You get to — out of here or I will put you out." Magee's answer was a slap on the face with his open hand and they clinched falling to the floor with Magee underneath. They scuffled for a short time and separated, but had barely arisen to their feet before they again clinched and fell this time Gorman underneath. They grovelled on the floor for a minute or so each gaining the upper hand alternately. At last they broke the clinch and as Gorman arose Magee laid over and threw up his hands without even the slightest articulation. He was quickly given a glass of water also some brandy but he remained motionless. Those present did not dream of a fatality but thought the unfortunate young man was stunned. Shortly after he was carried into the pool room by Jack Stevens, who lifting his head, poured a glass of water, partly down his throat and bathed his face with the remainder. His eyes were fixed and Stevens for the first time realized that he was dead. Dr. White was immediately summoned and pronounced the man dead.

It is said that deceased was a victim of heart trouble. For some years he has worked in the United States and only returned to this city about fifteen months ago. The young man's father states that when he was a little boy he had been troubled with heart trouble but since he has grown up he has not complained. A well known young man informed a Transcript reporter this morning, that no less than last week Magee told him he had heart trouble and that he would like to get a position tending bar in some private bar room as the excitement around the Royal was too much for him. When he and Cahill entered the Brunswick hotel last evening he was in a very excited condition and both he and Cahill were boiling for a row with Gorman.

The Coroner's Inquest.

The inquest into the death of James Magee, who died in the Brunswick Hotel bar, on Friday afternoon last, while in a scuffle with Thos. J. Gorman, bar tender for the Brunswick Hotel, opened in the police court this morning, shortly after 9 o'clock, before Coroner Wortman. The jury empanelled comprised Geo. P. Thomas (foreman), W. E. Cahill, R. A. Irving, A. Sullivan, W. B. Starratt, A. Y. Clarke and J. W. Kay. Mr. David Grant watched the case in Gorman's interest. The court room was crowded with spectators, who manifested considerable interest in the case.

W. CAHILL

was the first witness called: He deposed: —I am an upholsterer; on Friday I was in the Royal Hotel; the first I saw of Magee was about 4.30 Friday, the 2nd inst., when he was talking to Mrs. Wallace; he sat down for awhile and then came to where I was sitting; he said "Didn't I make Thos. Gorman take his hole last night?" he says, "Come over to the Brunswick and have a drink, I can lick that —" We went over and had our drinks, Magee commenced to give Gorman some lip; Gorman said "I don't want any of your cheek around here to-day," I kicked Magee on the leg to get him to shut up; he finished the drink and Magee and I went out; we went over to the Royal. I sat on the veranda and Magee walked a few steps on the sidewalk from the doorway; I said "Jim the best thing

you can do is to go home and have a sleep," he said "That's good advice Bill I guess I'll take it;" he walked out to the gutter and he came back and said "Come over to the Brunswick and we will have another drink;" we went over and he commenced to give Gorman some more lip; Jack Stevens was there also Cyril White and Alfred LeBlanc. Magee asked Stevens to have a drink. Stevens had one; when Magee got his drink he held the glass and commenced to stare at Gorman as though he were mad; he said "Tom I'll bet you \$4 you're drunk." Tom says "Hold on I don't want any more of that lip; you get out." Magee said "I'll go out when you come out in the back yard;" Tom said "Do you mean it Magee?" and before Tom made a motion to come out from behind the bar at all Magee threw off his coat and hat; Tom came from behind the bar and they both squared off at each other and eventually came together; Tom made a kick at him and Magee said "Look at the dirty — of a — kicking." Tom jumped back and Magee made a run at him and I think he hit him on the side of the face; they then clinched and fell on the floor Gorman on top; they got up, and went at it again, Magee put his head down and clinched Gorman by the leg; and they fell and Gorman went underneath; Gorman scrambled over on top of him; I don't know whether he hit him or not; when Gorman was getting up his open hand came off Magee's face; Magee laid there as if he was in a faint; Jack Stevens got some water and put some in Magee's mouth also some on his head; he swallowed the water; Gorman then came toward me saying, "What do you want." I left and went to the Royal. I left and went back to the Brunswick shortly after; I said to Tom, "Can I see Magee," he said, "Come in I won't touch you." I got Magee a glass of brandy; he swallowed the brandy or it went down his throat; Magee had a revolver in his back pocket; he was lying on the floor in the pool room; I took the revolver out of his pocket for fear he might come to and use it; it was loaded; I put it in my pocket; I went down the street; down by the Queen hotel; I pulled the revolver out and C. B. Macdougall and Pascal Hebert told me to put it in or I would be fined; I then went up to B. Macdougall's office and then went over to McCleave's; I went up to the Brunswick hotel and went into the pool room; Gorman says, "What is that you got in your pocket, is it a revolver?" I replied "yes;" he said, "Is it loaded?" I said "yes;" Gorman told Tom McSweeney to telephone for the police; I went out to the Royal Hotel and stayed there a little while; I heard Magee was dead; I gave Mrs. Wallace the revolver and told her where I got it; when I went in the second time his pulse were beating also his heart. The last time I went in he was dead.

To Juror Sullivan—Magee was very full that day; I did not see Gorman use any weapons only the naked hand; I don't think Gorman's fist was even closed; Gorman did not kick him; I think he kicked at him. To Foreman Thomas—I was in at the beginning; Gorman did not seem half so mad as Magee was; I have known Magee; when he was sober he was a quiet fellow, a very decent fellow; when he drank he wanted Gorman's scalp, the only blow I saw struck was when Magee hit Gorman; Magee invited me over. To Mr. Grant—They fell about four feet from the door going into the main house; it was not near the stove where they fell.

DR. F. J. WHITE

sworn:—I practise in this city; I was called upon to hold a post mortem on the body of Jas. Magee on Friday evening last; I called Dr. O. J. McCully as an assistant. The witness submitted the following statement:

After discussing the appearance of the deceased the statement said: "On the left side of the head were four discolorations in line, the lower one an inch outside the outer corner of the left eye and the upper one two inches above the middle of the left eyebrow; the distance from the lower end of the lowest mark to upper edge of uppermost one was four inches. They were about the size of 5 cent pieces. They were dark blue in color more marked in centre fading toward the edges. The most marked one was the third from the bottom and it was slightly lower than the rest.

An inch and a half to the left of the navel was a small round hole, said to be made by the undertaker for injecting embalming fluid. On the left leg half way between ankle and knee on the skin was a discoloration of what appeared to be an old healed up sore. There were vivid discolorations on the dependent parts of the body, etc.

Rigor mortis of a marked degree had set in. On examination we found the lungs healthy with the exception of the hardening of the size of a walnut on the posterior border of the upper lobe of the left lung in the center of which was a chalky concretion. The right ventricle of the heart had about two ounces of fluid blood; valves normal and tissue healthy. The abdomen contained about a quart of embalming fluid all the abdominal viscera were found to be normal. The stomach contained five ounces of a dark fluid substance strongly smelling of alcohol. On the neck I took the scalp we found effusions

of clotted blood corresponding to the external discolorations before referred to. The spots were larger than the marks on the outside, the third from the lower end being about the size of a twenty-five cent piece; this discoloration did not involve the membrane covering of the bone; the membrane was found normal. No fracture of the skull or rupture of blood vessels were found.

There was no evidence of heart disease; the immediate cause of death was not evident at all; there was no organic disease of the heart; we could not arrive at any definite conclusion as to the cause of death; the bruises on the left side of the head were recent; if these bruises caused death the cause was very slight; we spent about 5 hours in the examination.

To Foreman Thomas: There was about 4 oz of liquid in the stomach itself; a fall on an even surface would not likely cause those marks; there was no fracture of the skull, nothing apparently in the body to cause death; the quantity of alcohol we found in his stomach would not be liable to cause death; we could not arrive at any definite conclusion as to whether the external marks would cause death; we could not; I could not swear he died of natural causes; there were no bones broken.

To Juror Clarke—He had no apparent heart disease.

To Foreman Thomas—The hollow in the head in which several persons put their fingers was due to the fact that the skull cap was not properly adjusted; it is not necessary to call witnesses. A sudden jar or fright sometimes produces death; sometimes nothing might indicate the cause of death; the different marks and defects I have described above together with the fact that he was tired, on a spree and in a passion and diseased to some extent; as there was evidence of former disease would enhance the tendency of death by a shock; shock is a violent exhaustion of the vital forces produced by over exertion.

Jack Stevens sworn: I knew J. Magee; I was in the Brunswick bar room on Friday evening last about half past five o'clock and saw J. Magee in company with a man called Cahill; Cyrille White, and Alfred LeBlanc, and Thomas Gorman, who was behind the bar; I was talking to White when they came in and Magee asked me to have a drink; I had my drink; I was carrying on with Cahill and Magee put his hand in his left pocket and pulled out a revolver, he said don't fool with Cahill; I caught him by the shoulder and told him to put the pistol in his pocket and he did so; he called Gorman some names; he said Gorman was a door breaker, saying if he (Magee) broke any doors he would get his head broke; Gorman told him to get out; Magee chucked his clothes off saying if he would go out in the yard with him he would go out; Gorman ran around the end of the counter and told him to get out; Magee hit him under the left ear; Gorman ran back and commenced to laugh, and run back and caught Magee by the legs; Magee fell and got his arms around Gorman's neck and Magee yelled "leave me alone, I got him." Gorman previously kicked at Magee said "Look at the dirty—of a—kick"; Gorman jumped up off Magee and slapped him with his open hand on the left cheek, saying "Get out now." I stepped in between them saying "Stop you'll have the whole front house out here;" Magee ran and caught Gorman by the legs; and Gorman got his arm hooked round Magee's neck and Gorman fell on his breast with Magee lying across Gorman's back and his head under Gorman's arm on the floor; I thought Magee's forehead struck the floor; they lay in that position without moving; Gorman gave a jump and Magee rolled off him; Tom went back to the end of the counter near the stove; I saw Magee tremble and catching him by the shoulders I lifted him up; he said "Water" and I gave it to him; he opened his mouth and took two swallows; I poured the rest on his head; Tom Gorman said to carry him into the pool room and Cyril White and myself did so; Cyril went and got Magee's coat and put it under his head; his heart was still beating; I thought he would be all right in a minute; I thought he was only stunned; I drove my team to the barn and returned to the Brunswick and Mr. McSweeney told me he thought Magee was dead; J. Benner said that Magee had just been in McCleave's and wanted him to go over until he (Magee) would beat Gorman.

To the Coroner—Magee hit Gorman; that is the only blow I saw struck; Gorman made one kick at him; I don't think he struck him. To Mr. Grant—Magee was pretty drunk and angry. To the Coroner—Gorman had a little jar on.

ALFRED WHITE

testified:—I know James Magee, deceased; I saw him at the Brunswick bar room about 5.30 Friday afternoon; he came in with W. Cahill; Magee and Cahill came in and J. Stevens came in after; Magee called for a drink; Cyril White and myself and Gorman were present when Magee first came in; he asked Jack Stevens to have a drink; Stevens and Cahill drank theirs and Magee held his glass in his hand and asked for some; Magee said to Gorman "If I want another and broke down as you do I would get my neck broke" Gorman told him to go out, he did not want to be bothered with him.

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Magee told him to come out doors he would try him" Gorman said "you better get away! you want trouble and you'll get it," Magee took off his coat and hat and Gorman came from behind the counter; Magee squared off to him; Gorman slapped him on the face with his open hand; Magee struck Gorman in the ribs with his fist; Gorman made a kick at him; I don't know whether he kicked him or not; Magee said "Jack did you see him kicking me; a man then came in from the outside and Gorman waited on him; the man then went out; Magee was still making signs to Gorman; Gorman came out again and said "Jim you had better go there will be trouble;" they clinched falling sideways, Magee slightly on top; they got up; Gorman stood where he was and Magee walked around and caught Gorman by the thighs and had his head against Gorman's breast; they scuffled and Gorman got Magee's head under his arm and they fell, Magee's forehead on the left side striking the floor; they laid there a second or two and Gorman moved Magee over and got up; Magee remained motionless; Jack Stevens said give him some cold water and they did so; I went to the Royal and told them I thought Jim Magee was dead.

The jury after being out forty-five minutes brought in the following verdict:

We, the jurors sworn to find the cause of the death of James D'Arcy McGee of the city of Moncton, in the county of Westmorland, on Friday, the second day of August inst., after hearing the evidence of Cyril White, Wm. Cahill, Drs. White and McCully, Alfred White, John Stevens and P. J. Sweeney, find that the deceased, James D'Arcy McGee, came to his death by a shock caused by mental excitement, exhaustion and former disease; and we find while in that condition his head came in contact with an uneven floor in a room in the Brunswick house while in the act of throwing Thomas Gorman to the floor, and that no blame can be attached to Thomas Gorman or other persons.

(Signed) GEO. P. THOMAS, Foreman, J. F. IRVING, J. W. KAY, C. S. STARRATT, A. Y. CLARKE, ARTHUR SULLIVAN, W. E. CAHILL.

The prisoner, Thomas Gorman, was discharged from custody. Thomas Gorman arrived in Richibucto Tuesday and proceeded to his home in St. Louis. He was accompanied by his brother Andrew J.

Three boys, aged 8, 9, and 10 years, were drowned at Chatham, Ont., while bathing in the river Thames at that place.

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