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RICHIBUCTO, N. B., JAN. 21, 1897.

THE GREAT ARBITRATION TREATY

The eleventh day of January in the year 1897, will be memorable hereafter as the day on which the arbitration treaty between Great Britain and the United States was signed at Washington by Sir Julian Pauncefote and Secretary Olney. It is one of the most auspicious events in human history. It is a pledge of perpetual peace between the two great English speaking nations, the two peoples, akin in race and language, who hold two-thirds of the world's commerce in their grasp, lead the world's progressive civilization and rule more than four hundred millions of its people.

The text of the treaty is not of very great length and is embodied in fifteen articles, the first of which sets forth its general scope and is as follows:

Article I. The high contracting parties agree to submit to arbitration in accordance with the provisions, and subject to the limitations of this treaty, all subjects in difference between them which they may fail to adjust by diplomatic negotiation.

Articles 2 and 3. Provide for all pecuniary claims under £100,000, not involving territorial rights, which shall be settled by three arbitrators, one, who must be a jurist of standing, to be chosen by each of the contracting parties, and they two to select the third. The award of the majority will be final.

Article 4. Provides for pecuniary claims over £100,000 in amount, in which territorial or boundary rights are not involved. Such claims may be referred to a similar tribunal to that named in article 3, but the award will not be final unless the tribunal is unanimous. If not unanimous it may, on the demand of the dissatisfied party, be referred to five "jurists of repute," two to be chosen by each party, these two to select an umpire, and the award of the majority shall be final.

The third class of cases are those in which territorial claims, rights of fisheries, or of navigation, etc., are involved and are provided for in article 6 and those following. For these cases there shall be a tribunal of six, three of whom shall be judges of the Supreme Court of the United States, or Justices of its Circuit Court, and three shall be members of the Judicial Committee of the Privy Council of Great Britain, or of the British Supreme Court of Judicature. The award of five or more shall be final. The award of four shall be final unless protested against by one of the parties within three months. In case of an equal division of the arbitrators there shall be no recourse to hostile measures of any description until the mediation of one or more friendly powers has been sought by one or both parties.

Such are the main provisions. Other articles make provision for cases in which the rights or property of a state or colony are involved, in which case either of the parties may claim the right to appoint a judicial officer of such state or province, instead of one of the judges prescribed in the preceding articles. Where the arbitrators on pecuniary claims fail to agree upon an umpire the choice shall vest in the King of Sweden, unless objection is taken by either party that he is not then friendly, when another ruler shall be selected to name an umpire.

Each tribunal shall appoint its time and place of meeting and each of the two parties shall pay its moiety of the expenses. The treaty shall remain in force for five years, and for twelve months after either party shall have given notice of its termination. If either party gives such notice its duration will be perpetual. Thus, almost in the language of this important document, "The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being desirous of consolidating the relations of amity which so happily exist between them, have consecrated by treaty the principle of international arbitration."

The situation in regard to the representation of Winnipeg is peculiar. Hon. Hugh John McDonald was declared duly elected in June. A petition was laid against him to which preliminary objections were taken but these were dismissed

the court. An appeal was taken against this dismissal of the objections, and this has not yet been decided. Last week the election trial came on before two judges in Winnipeg and Hon. Mr. Macdonald; counsel admitted corrupt practices by agents, sufficient to void the seat. Should the appeal on the preliminary objections be hereafter decided in his favor he will still hold his seat notwithstanding the admissions made. The situation is an anomalous, if not an unprecedented one, but then "Hugh John," as he is familiarly called, a son of the old chieftain, is an uncommon man.

The appalling murder committed at Meadow Brook in September last had the strange attendant circumstance of the rescue from the very jaws of death of little Maggie Dutcher. Her recovery from frightful injuries to tell her story to the court and jury is one of the most remarkable incidents in our criminal annals. Probably not in the whole history of our province has so young a witness been called to testify in the trial for a capital offence, and seldom if ever has an adult witness given testimony more damaging to the accused. Devout believers in the aphorism that "murder will out" will find confirmation for their belief in the trial just ended and will regard Maggie Dutcher's preservation as a providential event.

In the search for "offensive partisanship" among the officials it must be admitted that Messrs. Wilson, Atkinson and McAlpine have each seen a good deal of the genuine article in the unofficial walks of life. Mr. McAlpine enjoys the distinction of being about the most effective of Liberal campaign orators. Mr. Wilson is an easy first in humorous campaign anecdotes and illustrations, while Mr. Atkinson has all the zeal of a new convert. On the principle that "an old smuggler makes the best custom house officer," these gentlemen have a keen scent for partisanship, but we believe they are also possessed of a sense of fairness and justice that will operate to protect faithful public servants against false and unwarranted charges.

For the purpose of fighting out the parliamentary battle for reduced taxation in Ireland, Hon. Edward Blake has been selected by all the Irish parties, it is said, to move an amendment. Mr. Blake will have a strong party behind him for the time, but it is too much to hope that he, or any other man could keep them together for any length of time. Yet they could not have chosen an abler or more judicious leader to present what appears to be just claims for redress.

It is yet possible that the arbitration treaty may fail of ratification by the Washington senate, where a two-thirds vote in its favor is required. The Anglo-phobe element and a section of the silverites in the senate with some other senators representing discontented electors who would welcome war because of the more stirring times it would create, may be able to make up the little more than one-third which may defeat the ratification.

Three by-elections in Ontario will take place on February 4th. These are East Simcoe, South Brant and North Ontario. Present indications are that they will all be contested by both parties.

It appears the north shore is not to have the pleasure of seeing the tariff commissioners except, possibly as the palace car containing the magnates sweeps by.

If it is "measures, not men" they want, the electors of Albert need find no difficulty in deciding between an Osman and a Peck.

Coal Branch Jots.

Times are booming in Coal Branch this winter owing to the extensive lumber business carried on by Messrs. Kennedy & Fleming.

Crank in last week's issue asks, "Who is sorry James has a housekeeper?" Now I believe there are more than a few of our fair ones sorry; but none of them seem to be sorry that Crank himself has one.

Anyone having a few spare dollars should present themselves at the back room of our depot with a pack of cards.

Mrs. A. Hudson and Miss Flora McDonald are spending the winter in Moncton, much to the delight of Andy.

Miss Annie Swift has returned home again from St. Louis, where she has been attending the convent.

Mr. Fred Little who has been ill for some time, is, we are pleased to say, recovering.

Our school has opened again under the management of Mrs. Welsh.

Mrs. P. Swift who has been very sick for the past week is recovering.

Mr. Robert Little is recovering from a severe attack of sickness.

Mr. Walker Howard has returned from a short visit to friends in Sussex.

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SULLIVAN'S TRIAL FOR MURDER.

DORCHESTER, Jan. 13.—The Grand Jury yesterday afternoon returned a true bill against John E. Sullivan on the indictment charging him with the murder of Mrs. Dutcher and her little son, Harris Dutcher, at Meadow Brook on the night of Sept. 10.

The trial of John Sullivan was commenced this morning with the empanelling of the jury. The panel consisted of 101 persons and three-quarters of it was gone through when the selection became complete.

When John Sullivan was brought into court his appearance from that when his incarceration took place was noticeably changed. He, however, appeared very unconcerned.

The jury chosen is as follows: Frank Trueman, Pt. de Bute; Coun. Peacock, Shemogue; Albert Oulton, Bay Verte; Edward Babineau, Dorchester; Henry Copp, Pt. Elgin; Edgar Weldon, Dorchester; John W. Carter, Salisbury; J. Albert Avard, Jolicure; Harvey Dobson Bayfield; J. C. Graves, Steeves Settlement; Edwin Copp, Jolicure; Coun. Peacock, Bay Verte. Adjourned for noon recess.

DORCHESTER, Jan. 14.—Two witnesses were examined yesterday in the Dutcher murder case. City Marshal Miller, of Calais, who assisted in the arrest of Sullivan, testified, his principal statement being that Sullivan did not ask the nature of the offence with which he was charged. Jane Green gave testimony similar to that at the preliminary examination.

The court opened at 9.30 this morning. There were present in court the father, mother and brother of the prisoner, as well as his uncle from Maine. The prisoner looked well and composed in manner.

The first witness called was Hugh Green brother of the murdered woman. His testimony was in substance the same as given at the examination. He was severely cross-examined by Mr. Smith, but his testimony was not shaken. A good deal of time was taken up in describing the burnt premises and details of little interest to the public. His testimony was substantially as follows: I reside at Meadow Brook. I remember the night the Dutcher house was burnt. I went to bed about nine o'clock. I usually sleep with my overalls and socks on. I had them on that night. Some time in the night I was awakened by a cry of fire. I jumped up and looked out, and saw fire in the upper portion of the Dutcher house. I hastened over and tried to force the door. I had no boots on. I ran and got an axe and broke the door in. I ran up stairs calling "Eliza." On entering the room I heard Maggie Dutcher cry out "Mamma, mamma." I heard no other voices. I carried Maggie down stairs and handed her to my daughter to hold. My daughter Jane said: "Father, don't go back," and Mrs. Jane Green called out, "Oh, save Eliza and Harris." I said "Come, let us try." We tried to get upstairs, but were driven back by the fire. With other neighbors we then began carrying out furniture. Mrs. Dutcher kept a dog. I did not see it on the night of the fire nor have I seen it since. I think I saw it the day before the fire. I have known John Sullivan off and on for about twenty years. I have often seen him at Mrs. Dutcher's house.

Eliza Green, the sixteen-year-old daughter of Hugh Green, testified: I live at Meadow Brook. I remember the night of the Dutcher fire. I was awakened by father calling out fire. My father was up when I awoke; he was partially dressed. I went to the fire with Jane. I could see the upper portion of the house aflame. When I got there my father had just carried Maggie Dutcher down stairs. He handed her to me. I gave her to my cousin Mary, who took her to their house. I went along, too. Maggie could walk with assistance. Maggie said, "Don't let me fall." I did not at first notice she was hurt; not until she was taken to the house. I then saw she was bleeding. I got blood on my clothes off Maggie. Dutcher's had a dog named "Kiss." I have not seen him since the day before the fire. There was a quantity of blood on the pillow where Maggie lay at Mrs. Jane Green's house.

Cross-examined by Mr. Smith—I am positive Maggie did not fall while in our care.

James O'Neill, formerly barkeeper at the Queen Hotel, Moncton, testified as follows: I saw John Sullivan at the Queen Hotel, Moncton, on Friday, September 11th. I have had no previous acquaintance with him. On that occasion he was accompanied by two others. He treated, paying me 25 cents for the drink. He asked me if I could give him some Canadian silver for some American silver. He displayed an American silver dollar and some other American silver. He asked me if I had attended bar the night before, said he had changed ten dollars somewhere and had lost five by some mistake. He said he thought it might have been here. He did not say where he had been the night before. He did not seem to be intoxicated or excited.

Mary Green, daughter of Mrs. Jane Green, testified: I remember the night of the Dutcher fire. I was awakened by my mother calling out fire. My mother

was out of bed. I sleep in the same room as mother, but not in the same bed. I ran to the Dutcher house as soon as I had dressed. My mother had preceded me. When I got there Hugh Green had just carried Maggie down stairs. He handed her to Eliza, but soon after Eliza gave her to me and we conveyed her to our house. She could stand when slightly supported. I did not at first notice her being wounded. I noticed after getting her to our house. I was at the scene of the fire when what I believe to have been the body of Mrs. Dutcher was taken from the ruins. I was also present when some gold coins were picked up by Lizzie Cormier and others. Maggie and Harry usually slept with their mother. The coins were found about under where Mrs. Dutcher's bed would have been. I have never seen the dog since the fire.

Cross examined by Mr. Smith—I heard no dogs barking nor any unusual noises on the night of the fire.

Court adjourned until 2 p. m. The crowd has seventy-two witnesses.

Solicitor General White, in his opening address to the jury, yesterday, said that while the chain of circumstantial evidence was nearly complete, Maggie Dutcher would supply any discrepancy, as she had a distinct recollection of the doings on the fatal night. He stated that the little girl was now in good health and that great precaution had been taken to prevent any tampering with her. The statement of the Solicitor General regarding Maggie's evidence had a disturbing effect on the prisoner who seemed much agitated. Maggie Dutcher will not testify for some days yet.

DORCHESTER, Jan. 15.—At John Sullivan's trial for murder Thursday afternoon Dr. Gaudet, Lawrence Cormier, Fred Gayton, Louis Cormier, Phileas Melanson, Benjamin White, Harry Elliott, Richard Warren, Charles Colborne and Amos White gave evidence similar to that at the preliminary examination. No new evidence was elicited by cross-examination or otherwise. Maggie Dutcher, accompanied by her two nurses, the Misses Croasdale, arrived in Dorchester on the evening train. The little girl is now in excellent health, but is not expected to give evidence for some days yet. Sullivan's father, mother and brother were in court all day and did not seem to experience any anxiety, at times laughing and apparently enjoying the proceedings. The prisoner in the dock wore a careworn expression during the day.

The first witness called to day was Chas Colburn, of Moncton, who deposed: On the morning of Sept. 11 last I was at O. S. Leger's hotel; I went there between 5 and 6 a. m.; the prisoner came there soon after I arrived; he treated myself and others several times; three times and perhaps more; the prisoner spoke of having lost five dollars at the Queen hotel the night before; about nine o'clock the prisoner, Andrew Melanson and myself went to the Queen Hotel, where the prisoner again treated, paying twenty-five cents for the drinks. The prisoner asked the barkeeper at the Queen Hotel regarding changing ten dollars the night before; O'Neill, the barkeeper, said he was not attending there the night before. We did not go direct from Leger's to the Queen. We went to a barber shop first, where the prisoner paid the barber twenty-five cents for shaving the three of us. At Leger's prisoner said he had been up all night, having been down on the wharf with some women. Prisoner displayed some money; I think about ten dollars, about five of which was in silver. He showed among other coin two American fifty cent pieces. From the barkeeper he got an American silver dollar, giving him a dollar bill for it. From the Queen Hotel the prisoner and I went to Mrs. Donnelly's, on Telegraph street. We stayed there only a short time, going from there to Melanson's where we ate some salt herring. We returned to Mrs. Donnelly's. I left Donnelly's about 3 p. m. and went home. Previous to my leaving Donnelly's the prisoner had gone into a room with a girl named Carrie. I did not see the prisoner again till Saturday morning about seven o'clock. I met him near Leger's bar. He invited me to have a drink and remarked that he was about broke or strapped.

Cross-examined by Mr. Smith—The prisoner bought a pair of pants at W. D. Martin's that day, paying \$2.50 for them and asking that they be sent to his father's house. I never heard anything against the prisoner I always thought him a pretty good fellow. When I first saw the prisoner at Leger's he looked "seedy," but was not intoxicated. I saw a man and two women on the wharf the

(Continued on Page 7.)

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