

## SOME LOP-SIDED JUSTICE.

### THE KIND THAT HAMPTON IS GETTING

Belyea Out of the Way and the Festivities Resumed at the Vendome—Some Facts for the People and for Mr. Grant—An Undignified Official.

Justice is having a pretty hard fight of it in Hampton and at present has no claims for a victory. Rum has mounted the temperance ladder, gained its object and is proceeding to enjoy itself.

Brunswick Belyea is in jail again and the time will probably have to enjoy no other scenery than the scant furniture and four walls of his strong room until the sentence of stipendiary magistrate Peters has ended. If it was a surprise to Belyea to find himself in jail it was no less a thunderbolt for his friends and a source of congratulation to his enemies. Progress has told how he was tried and convicted, and for whose instance, on whose evidence and after he had closed his bar and gone out of the business. This was the hardship in the minds of many people, who, while strong in their temperance principles, did not believe in persecuting a man after he had ceased to do wrong. Rev. Mr. Grant, the informant and prosecutor, was aware of this, and after conviction had been secured told Mr. Belyea that so long as he remained out of the liquor business he would not ask for a commitment, and he left the matter in the hands of Rev. C. H. Paisley, of Hampton, who was to inform him if Belyea began to sell rum again. Belyea did not begin to sell rum, but he began to keep an even sharper watch upon his neighbor and enemy, Scribner of the Vendome, and very soon it began to look uncomfortable for that house and the proprietor. The same rushing business hitherto done could not be carried on with a detective on the *qui vive*.

Progress has told before of intimate friendship existing between Magistrate Peters and Scribner of the Vendome. They are an enterprising and ingenious pair who find each others society congenial. When Scribner is in doubt Peters can, if he wishes, with his extended magisterial experience and his knowledge of the nice points of magistrature law gave him excellent advice. There are others who flock around these crony standard bearers of order and disorder, and when the meeting is full it is a very full meeting.

But it did not suit the "meeting" or the "ring"—call it what you please—to have Belyea moving around. There were more reasons than one for this. Scribner had a lawsuit with Belyea in the Equity court, and it was not decided. The dispute was over some right of way which Progress has spoken before. Notwithstanding the fact that Scribner had the astute assistance and cheerful companionship of Magistrate Peters at the trial he did not succeed in winning the case. But it turned out, curiously enough that Mr. Peters, the warm friend of Mr. Scribner, had the pleasure of convicting Belyea, his opponent in the suit, of selling liquor contrary to the Scott Act. Holding such a conviction it was in his power to issue a commitment at any time and show Belyea the interior of the Hampton prison, to the delight of the deputy sheriff and his assistants who, like all good officers, never cares to see a man out of jail when the law entitles him to be in it. Such a course would not only be within his magisterial province, but, curiously enough, with Belyea in jail, Scribner would have a less active opponent in his suit and no detective on his illegal rum business.

Belyea was sent to jail. Mr. Grant, from whose hands such an act was supposed to come, was not consulted, and he has not been slow to say that it was a breach of faith and that he has been deceived. The temperance people of Hampton are angry beyond measure that the man who holds the most important judicial position in the community should deal out such lop-sided justice; sending Belyea to jail and allowing Hopper, though convicted of the same offence, to be at large. They are still more annoyed, if possible, because all this comes from a man who poses almost as a temperance man, for he assured Progress that his personal acquaintance with liquor was limited to its use in fishing and snake bites.

However as soon as Belyea was in jail the festivities at the Vendome were renewed and the refreshment supply replenished. The "element" once more found its way to its congenial quarters, and the poker players and the whisky drinkers pursued their pastimes without fear of molestation. Progress mentioned once that Belyea was convicted upon the evidence of the colored boy, Ogden, who, it was assumed, was paid for buying the rum and giving the evidence. It is a fact worth stating now that this same boy is employed about the Vendome and, at times, waits upon the customers behind the bar. He bought liquor from Belyea and is selling liquor for

the Vendome. There is a nice legal point in that for Magistrate Peters to argue with himself.

Who cannot see that all of this is a wretched piece of business—a shame, in fact, that a quiet, orderly community, a pleasant, peaceful suburb where city people turn for quiet and coolness in the summer time, should be turned over to such a set. It is a shame that in such a place the chief officer of the law should not be above a suspicion of impartiality; that there should be the least semblance of persecution. Persecution is exactly what it amounts to. Judge Palmer would no doubt characterize it as a conspiracy, if he knew all the facts. And the law does not believe in conspiracies.

Magistrate Peters may be borne out by the law in jailing Belyea, but even that is doubtful if the proof was forthcoming that it was done for a purpose. How he can account to that misnamed something which he and we call conscience for punishing one man and permitting another to go unpunished, is a puzzling question for those who have hitherto regarded him as the impersonation of dignity and law.

Those who held that opinion of him had it shattered very rudely a short time ago when application was made to him for a search warrant to search the Vendome for liquor. He refused to grant the warrant, and when the applicant warned him that he would get an order from the supreme court to compel him to do so he flew into a passion and used language that could not be called legal, dignified or gentlemanly. It is not necessary to paint the scene.

A search warrant, if it was executed in a proper manner would reveal many surprising things at the Vendome. If the search could include the persons as well as the place the well grounded suspicions of the people might be easily proven. But, judging from the station platform Thursday a search of the place would bring enough to light for the purpose. The morning train brought cases and casks and barrels of liquor to the Vendome and as soon as it was landed the bar tender and the help of the hostelry viewed it. The boy Ogden shouldered cases and barrels in turn and with a "hurrah for the Scott act" carried them into the Vendome.

Another incident showing the jubilation of the ring over Belyea's imprisonment cropped out when this notice was posted on his building, "John B. Gough has gone into winter quarters."

Progress has said enough perhaps to convince Mr. Grant that there is further need for his efforts in Hampton.

### Mr. Skillen, Mr. Fownes and Mr. Brown

Mr. W. E. Skillen, of St. Martins, was in town Saturday and had to stand some chaff from his friends on the salmon spearing story which, according to his version, is a real fish yarn. Beside being court commissioner and secretary to about all the societies of importance in St. Martins, Mr. Skillen is also manager of the telephone company and the duties of that position often take him along the line. On the occasion in question he was accompanied by Mr. Fownes who has come to the front smilingly in these columns before. Mr. Fownes, so Mr. Skillen says had a fishing gaff along for the purpose of replacing the telephone wires—it seems to be a very handy tool for such work—and when Mr. Brown came along and found Mr. Skillen and the gaff alongside of the stream he jumped at the conclusion that the court commissioner was having a quiet spear all by himself. Though not a fishery officer Mr. Brown thought his responsibility as a law abiding native justified him in appropriating the spear against the expressed desire of magistrate Skillen and later contrary to the wishes of Mr. Fownes who said it was his property. He brought it to the city and there is some talk of Mr. Fownes bringing an action against Mr. Brown for larceny!

### He Found a Real Officer There.

One of a rather jovial company which meets frequently after hours in a saloon in the heart of the city planned a surprise for the proprietor recently. Securing a uniform and a baton he walked to the door and demanded admittance in a disguised voice. "Go to," was the reply of the inmates, who, unable however, to ignore his persistence and racket had to admit him. His surprise may be imagined when he found a real policeman seated upon an ale keg enjoying himself with the rest.

### The Jubilee Singers Coming.

Perhaps there is no entertainment so nationally popular as that given by the Jubilee Singers. Progress will not attempt to speak of the genuine worth of the performance. They have sung their sweet and entrancing songs too often in St. John to need any praise. They appear in the Opera House Nov. 26 and 27 under the auspices of the Y. M. C. A., and a splendid audience will surely greet them.

The Best of Everything in Confectionery at W. Warn's, Union St., next Opera House.

## FEELING GOOD OVER IT.

### A CORONER'S INQUEST THAT HAD AMUSING FEATURES.

And a Verdict That Was Applauded by the Chief of Police—Two Jurors Who Were Not Satisfied, and Another One Who Used Forceful Expressions.

A coroner's inquest is generally supposed to be a sombre proceeding, surrounded by all the mystery and uncertainty of life and death, and the jurors are expected to be impressed with the importance of their duties, in finding out whether the deceased died from natural causes or, as in the case of the man McNeill, anyone was criminally responsible for his death.

It sometimes happens that the jurors do not feel this responsibility, or if they do when they consent to serve, it grows gradually less as the inquiry goes on. This is especially the case when the coroner shows more than ordinary interest in the proceedings, when he performs the duties of coroner, judge, juror and witness, and has decided and expressed opinions in regard to the case before the court is opened.

The inquest held on the body of McNeill was a striking illustration of this, and although nobody attends an inquiry with the expectation of having fun, those who watched the proceedings found it difficult to suppress a smile at times.

Coroner Berryman has opinions of his own, and being police surgeon is naturally interested in the police force. It was, therefore, a great satisfaction to some people to hear that he arrived at the hospital in time to claim body of McNeill and score a point on Coroner Hetherington.

There were several distinguished persons at McNeill's deathbed, and in the natural course of things they had to give evidence. There were also a number of people in the courtroom, whose only claim to distinction seemed to be in the fact that they knew something about the case. The amusing part of the proceedings was when these two classes of witnesses were "sorted out."

Those who were distinguished before the shooting had the privilege of kissing the clean leaves of the Bible when they went on the stand; but the Book wasn't opened for the "ordinaries," and they had to be content with kissing the cover, which had been moist with the lips of numerous other kinds and classes of witnesses for many months before. Few in the courtroom failed to notice this extraordinary innovation in the way of coroner's inquests, and there was a smile all round.

But there was more amusement pictured on the faces of the spectators when the chief of police took the stand. If the chief is not an orator it is not for want of practice, as the police who have listened to his nightly lectures know only too well. Those who had heard of his achievements in this direction, therefore expected to hear a well delivered and straightforward account of the affair, with some desirable information about police duty, especially in regard to the use of fire arms. In this they were very much disappointed. The chief was not in a fit condition for a brilliant oratorical effort, and his ideas of police duty and the use of fire arms were extremely hazy. Some of the jurors think he could have given his evidence better if he had remained in his office all that day, without refreshments.

As it was the coroner seemed relieved when he stepped out of the witness box; the jury or the spectators were no more enlightened than they were before he appeared; and speculation among those in courtroom was not confined as to whether officer Caples was justified in shooting McNeill.

After the coroner told them what to do the jury retired, and although the former visited them and gave his assistance in making out a verdict, it was an hour before the jurors put in an appearance. This delay was caused by two of their number who were fully impressed with the responsibility of their duties, and were of opinion that besides dealing with the death of McNeill, they should consider the lives of other people who might become endangered by the indiscriminate distribution and use of fire arms. They thought something to this effect should be inserted in the verdict, but they met strong opposition from other members of the jury who did not want to get "mixed up in police affairs," and whose only aim seemed to be to get out of their present situations as easily as possible. The result was that the two conscientious jurors were opposed until they got tired of the room and their surroundings and threw up the sponge.

The verdict exonerated officer Caples, saying that he was justified in shooting. There was nothing in it to make anybody uneasy. In fact there seemed to be some cause for jubilation on the part of the head of the police department. He was sitting in his office when he heard the verdict and manifested his delight by clapping his hands and doing acrobatic feats that those who saw him had no idea he was capable of.

The verdict upheld the action of one of

his own appointments, and left no doubt in his mind as to when an officer should use his revolver.

Although the verdict proved satisfactory to the coroner and the chief, the majority of the citizens were not so easily satisfied, and some of the jurors have been kept busy ever since explaining to their friends how they arrived at their conclusions. One jurymen got excited and astonished his hearers by exclaiming with remarkable earnestness, "I have satisfied my conscience and my God and I don't give a damn who else is satisfied."

A very dissatisfied person is the brother of the dead man who was with him when the shooting took place, and there is every possibility that the matter will be decided in another court besides the coroner's.

### New Brunswickers at Dalhousie.

New Brunswick is well represented at Dalhousie college and university, Halifax. Among the art faculty freshmen, George Shaw, son of St. John's representative in the local legislature, is one of the best forwards on the college foot ball team. George S. Milligan, son of the King square marble worker, is also among the freshmen. In the junior class this province is represented by: Miss Lucy C. Murray, of Kings county, a sister of the lately appointed professor at the U. N. B., and D. M. Robinson of Sussex, who was one of the successful competitors for a Munro bursary in the senior competition this fall. H. G. Gratz of Sunbury county, is in the senior class.

Among the freshmen in the law faculty are R. A. Irving, of Buctouche, student in the Moncton office of Hannington, Teed and Hewson; R. W. Hannington, student in the Dorchester office of the same firm, and a graduate of the U. N. B. He is a son of Hon. D. L. Hannington. Among the juniors are: R. B. Bennett, of Hopewell, who led his class last year; student in the office of surveyor general Tweedie; Henry F. Puddington, of St. John, student in the office of Weldon & McLean.

J. Montgomery, of Dalhousie, who graduated in the arts faculty last spring is entered as a student in the office of Hon. C. N. Skinner; L. P. D. Tilley, a son of Sir Leonard, is a student in the office of Barker & Belyea.

Of the seniors, R. G. Murray, of Orange street, was admitted an attorney at Fredericton this fall; H. W. Sangster, of Sackville, is a graduate of Mount Allison college; B. S. Smith is a son of G. Sydney Smith, and W. H. Trueman is another St. John boy.

### The Last Tribute to Mr. Morley.

Mr. Morley was buried on Thursday afternoon. The funeral service was held at the Mission church at 3 o'clock. The body had been taken there at half-past seven in the morning and many friends of the deceased musician availed themselves of the last opportunity of viewing his remains. The flowers which were sent were very beautiful, among them a harp of roses, lilies and maiden hair fern from the Oratorio Society, a lovely wreath composed of white flowers from members of the Mission church, and another circle of lilies and carnations from Rev. J. DeSoyres. As a last mark of affection and respect, the Oratorio Society attended the service and sang a part of Romburg's *Lay of the Bell to Mother Earth*, which Mr. Morley had admired very much and had often said how appropriate it would be to sing over one who had gone before. The society also joined the choir in the hymns, "Lead Kindly Light," and "Abide With Me." The other music was anthem, "What are These that are Arrayed in White Robes?" by Stainer, the psalms and sentences chanted, and Nunc Dimittis. The service was most impressive, and was but a slight expression of the respect and admiration felt for the late organist and conductor.

### Practical Jokes at Midnight.

A schooner captain was the subject of a practical joke recently, played by some of the boys who found time hanging heavily on their hands. A delegation waited upon the captain and arranged with him to take one of their number to Eastport to escape the law for \$40. They departed, promising to return shortly. When they appeared the tide was out, and they were quite safe in raising their offer to \$200. The captain was willing, but admitted very sorrowfully that he could not move his vessel for \$1,000. Their second visit was followed by that of a couple of policemen, who entered into the joke and searched the vessel for the supposed criminal. The excitement of the captain had hardly subsided when the boys returned again, and this time one of them was in uniform bound to arrest the schooner's master. When descending the ladder he missed his footing, and fell to the deck, narrowly escaping a broken neck. Agonizing groans were his only replies to his companions inquiry, "Are you hurt, chief?" The captain was not long in making his appearance. The uniformed cap was fished from the slip, and the amateur officer helped to the wharf with many sore bones, but no prisoner.

## HE BET ON THE CHIEF.

### AND THE COLONEL WANTED TO BOX THE POLICEMAN.

To Decide the Wager—How a North End Officer Found Himself on a Level with His Superior—and Had His Ideas of Dignity Shattered.

A gymnasium where the police could develop muscle, and perhaps do away with the necessity of firearms, has been one of the pet ideas of the chief; but, like many of his dreams, it has never been realized. Should the council ever see fit to supply this "need," it will not be necessary for them to supply an instructor or a sand bag for the officers with pugilistic inclinations to pound. The chief will perform both these offices. His reputation as a pugilist has already caused some consternation on the force, and a North End officer found that he had a remarkable appetite for "crow" not long ago.

The North End man had been talking of his accomplishments in a pugilistic way to a member of the southern division, when the latter carelessly remarked that he couldn't fight anybody. This put the North End officer on his mettle, and he said he "could do up" any man on the southern division in one round.

"There is one man you can't knock out," said the other, "and I'm willing to bet money on it."

"All right, name your man, and put up your money."

"Well, it is the chief."

"Is the chief the best man you've got on the division?" asked the North End officer.

"If he is bring him along."

Although the North End man evidently meant what he said, he did not think it would be taken seriously. He thought it would be beneath the dignity of the chief to "put on the gloves" with him, and the incident passed out of his mind. But he was mistaken.

One day shortly afterwards the North End officer had a prisoner in court, and after the trial went down to the guardroom on his way out. There he met the chief, and was somewhat surprised to see him approach with great seriousness and ask: "Did you say you could knock me out in one round?"

The officer was thunderstruck, but when he recovered himself mumbled out an apology. This, however, did not seem to satisfy his superior. "If you think you can do me up," said the chief, "come out and stand before me for a couple of minutes, and I'll show you what I'm made of."

The officer would not fight, but his idea of the dignity of the chief of police has changed to a remarkable degree.

### A Feature of the Performance.

There was a good audience at the opera house Thursday evening, and every one in the house seemed to have lent his energy in applauding when the new drop curtain came down after the first act. It is a fine piece of work, and there was nothing but delight expressed on all sides. In response to calls Mr. Chidley appeared and bowed his acknowledgements. President Skinner also appeared on the stage, and in a short address presented the artist with a handsome gold-headed cane, "as a token of the esteem in which Mr. Chidley is held by the directors of the opera house, as an artist and a gentleman."

### Miss Coombs "Coughs."

The dramatic critic of the *Telegraph* made an amusing blunder in his paragraph on *Camille* in Tuesday's issue. Speaking of Miss Coombs in the part, he said "she was evidently suffering from a slight cold." Miss Coombs must have enjoyed a hearty laugh when she read it. *Camille* is a consumptive, and Miss Coombs is too good an actress to omit the hacking, persistent cough which attends that malady.

### A Victim of Consumption.

Many persons who buy American newspapers and magazines, even more regularly than they do the city publications, will remember the bright pale faced lad, Johnnie Higgins, who attended to their wants in Harrision's bookstore and regret to hear of his death. His willing and obliging ways made him a favorite with everyone.

### A Holiday Crowd.

The Y. M. C. A.'s were in true thanksgiving mood when they counted the tickets at the door from people who were interested in their annual sports. It was a regular holiday crowd, that filled all parts of the rink, and the programme of sports was carried out in a way that kept everybody in good humor.

### A Question For the B. of T.

The Canadian Pacific railway sends out an elegant pamphlet entitled *The New Highway to Orient*. It is beautifully illustrated with views of scenery and cities among which all the larger ones, Montreal, Toronto, Halifax excepting St. John are represented. What are we going to do about it, Mr. Cornwall?

Try our Choice Chocolates; Warn, Union St.

## SUSSEX IS NOT DEAD.

### Some Lively Incidents in the Pretty Town.

The cold chilly nights of November are with us again, and as the favorite pastime of plying the buxaw and the axe and keeping the fire going is trying to the nerves, as well as consuming considerable time there is not much left for news gathering.

Sussex however is comparatively quiet—in fact some people say it is dead as a door nail—and that, ere many years, the grass will be growing on the street, but you just tell one of the Sussex boys you see the "hayseed" in his hair and you'll think there is some life left in the old place yet. Sussex dead? Well, just let us count up. It has within its borders at the present time no less than ten lawyers, and all claim to be making a living. Of course some people would be uncharitable enough to say that this is a sure proof in favor of the argument that Sussex is dead and flat. It also has within its borders five practising physicians and two clairvoyants and faith cure healers. But they are all good doctors, and it cannot be charged to their doors that the place is dead on their account, as they glory in keeping their patients alive as long as possible, and that makes the fees much more expensive in a pecuniary sense.

Sussex is also actively engaged in the heroic struggle of trying to down the anti-Scott act party. Mighty has been the struggle, but as yet it has not been accomplished. Complaints are made and convictions have been had, but the sale of the ardent still goes on apace. It reminds one of the well-known lines slightly changed from Tennyson's book: "Acts may come and acts may go, but the rum flows on forever." The fight is still being waged but when it will end in a perfect triumph is one of the queries yet unsolved.

The newspaper "boycott" matter has quieted down somewhat and it is said the three firms who have withdrawn their patronage are amazed to see that Editor Spooner is still alive, doing business and pursuing the even tenor of his way.

A trial in the stipendiary magistrate court last week caused considerable interest and amusement. A well-known female walked into Mr. Whalen's whiskey mill and there found her lord and (supposed) master about helping himself to an eye opener. Hubby was bounced out suddenly by the wife and she then proceeded to empty the contents of the bottle on the floor. The barkeeper who goes by the name of "the unknown" seized her by the arm, disarranged her best fall bonnet and hair, and according to her sworn statement struck her violently on the side of the head—hence the trial for assault. The testimony was conflicting but it seems that some choice language not exactly properful in their nature was exchanged. The defendant was a veritable "smart Alex" who didn't know he had a name under oath—swore he spent three months in the county gaol a short time previous to coming to Sussex, but what county gaol he couldn't remember, etc.

There have been suggestions made at various times as to the advisability of a summer hotel in Sussex, and the handsomest location that could be found would be on a certain portion of the Morrison farm. It certainly would be a move in the right direction, and if gone into properly would beyond doubt pay very well and attract many more visitors to the place during the summer months than come now on account of not being able to secure suitable accommodation. We trust the scheme will be carried into effect in the near future.

### In the Editor's Sanctum.

The manager of Miss Coombs is also her husband, a fact not known generally in the towns to which they pay a fleeting visit. Manager Brown called upon the editor of the *Liberal morning* daily one evening and in the course of the conversation remarked that Miss Coombs was the best actress St. John had seen for a long time. The editor, ignorant of his relationship to the lady, said that the same remark had been made to him about Miss Clitherow "but, do you know" he said "the only one I heard say so was her husband."

### All Must Bow to It.

There are times when it is not an advantage to be tall, and this should always be remembered when passing a store that sports an awning. There is an awning on Dock street, however, that claims more than tall men for its victims, and when the sun shines, and it is let down, business is good with the hat stores.

### Beginning in the Post Office.

The little urchins who loiter around the post office late at night and beg coppers should be looked after. Few people can resist their pathetic appeals, and fewer still have the time to enquire whether they are deserving of charity. An effort should be made by the authorities to investigate these cases, and provide for them in the proper way.

### A New Agency.

The American rubber store has received the agency for the goods of the Atlas rubber company of New York, and are showing a fine line of their specialties.