

JUSTICE IS DEMANDED.

A CORRESPONDENT WHO DEALS WITH THE CASE OF BUCK.

His Trial declared to have been a Miscarriage of Justice—The Fickle Ways of Tribunals of Law—How the Courts are Partial in Punishment.

The letter signed "Justice" which appeared in a recent number of PROGRESS has emboldened me to say what has been in my mind for a long time concerning that most flagrant miscarriage of justice, the trial and condemnation of the prisoners, Olsen and Jim, who are now in Dorchester, one under sentence of death, and the other condemned to the living death of twenty-five years in prison. Now that it is all over, and the excitement has subsided, an intelligent and unprejudiced public, composed of those who had nothing whatever to do with the trial, and were neither friends nor relatives of the dead policeman, but who watched the progress of the trial with impartial eyes, and carefully considered and sifted the evidence, would like to be informed what, Jim, has done.

That point, so far from having been brought out at the trial, seems to be enshrouded in greater mystery than before. True, he was suspected of many things, but what transgression was proved against him, which merited what is equivalent to a life sentence in the penitentiary, is a question that still remains unanswered. It was not proved that he was concerned in the burglary at Chatham; it was not proved that he shot or attempted to shoot Steadman, nor that it was he who fired the shots on that eventful night; it has not even been proved that he discharged his pistol, and it was most assuredly not proved that he endeavored to frustrate the ends of justice by interfering with Buck's arrest—though that was one of the counts in the indictment against him—since one of the very few points on which the witnesses were at all inclined to agree was the fact that Jim's chief concern seemed to be to scale the back fence of the Donnelly domain without attracting any more attention than was absolutely necessary and to leave the scene of action with all possible dispatch.

One other point, and I really think the only one on which the witnesses were quite unanimous, was the direction from which the bullets were fired. According to these truthful people they all came from the direction of Telegraph street, and strangely enough, this circumstance was not commented on, or even noticed by either judge, jury or lawyers, though it was one of the strongest points for the defence, while every smallest item, every jot and tittle of evidence which could possibly be wrested into a point against the prisoners was viewed through a magnifying glass. But to the impartial observer this last point is a most significant one, since, unless the luckless Jim took the trouble to run around to the front of the house and discharge his revolver, three or four times after he succeeded in getting over the fence, it is manifestly impossible that he could have fired those shots. Even if he did so, and it had been proved against him, it would be interesting to know whether in future anyone who is suddenly attacked by unknown enemies and who, on the impulse of the moment, discharges his revolver, whether in the air or not, will be liable to be sentenced to 25 years in the penitentiary for his imprudence. This is a question which concerns us all, at least those who possess revolvers and excitable dispositions.

As for the unhappy Olsen, whom a wise and merciful judge has seen fit to condemn to death, so free was he from any intention to commit murder, that even now, with the shadow of the gallows darkening the last few days left him on earth, he does not know whether he fired the fatal shot or not, and can only say that if he killed Steadman he is very sorry and supposes he ought to die. This man is poor, ignorant and helpless, a stranger in a strange land, who seems to have but two friends on earth who have tried to comfort and cheer him in his dire extremity, and who are willing to use their best efforts to save his life. One of these is a noble Christian woman who has earned for herself the title of "The Prisoner's Friend," and the other is Mr. C. B. MacDougall, who has done his best to turn the tide of public opinion, and soften the hearts of the too stern Pharisees of Moncton who thank the Lord in one breath that they are not as this man is, and in the next, clamor that he may be hanged "as high as Haman." If the unfortunate Buck's sole crime consists in his having discharged a pistol at an officer of the law while in the discharge of his duty, I would like to remind the citizens of Moncton who have judged him so harshly and rejoiced so piously in his condemnation to a cruel death, of a very similar case which occurred, not in Ontario, as did the one cited by "Justice," but in our own city a few years ago, and which is still fresh in the memory of Moncton people. A man well educated and occupying a good social position, shot at an officer of the law, but the wound was not fatal. The man had influence and friends, so the attempted murder was not considered a heinous offence, and nothing was done towards punishing him.

Now where the difference exists in these two cases I fail to discover, except that one man was educated and should have

known better, while the other was densely ignorant and discharged his weapon either accidentally or at the worst at random, while it is most unlikely that the one was to any greater extent than the other under the influence of liquor, as it has been generally admitted that "Buck" had been drinking very heavily all the day and evening on which the shooting took place; and yet the educated man was allowed to go free while the poor tramp was sentenced to death.

Perhaps the strangest part of this strange trial was the fact that the same Judge who charged so strongly against the unhappy tramp, as to virtually command the jury to convict him, was the Judge who presided, on the very first circuit after his elevation to the bench, at the trial of the notorious Sarah Smith of Shediac, who shot a man dead at her own door some three or four years ago and wounded another man in the leg—and was sentenced by the too lenient Justice to either two or four years in the penitentiary, I am not sure which.

Now these are well known facts, and in view of them the thoughtful person may well ask himself whether a Judge should be considered infallible, and whether such consistency does not savor more of the Court of Star Chamber, where the most absolute power was placed in the hands of the presiding Judge, than it does of British justice in the latter end of the nineteenth century.

HOW THEY DO IN VICTORIA COUNTY. The Duties of the Coroner simplified by the Lawyers and Others. ANDOVER, Nov. 15.—On the 9th inst. Geo. W. Bishop, of Perth, came to Andover and gave himself into the custody of Sheriff Tibbits, saying he had killed his son Percy, a boy about nine years of age. Mr. Bishop's friends at once retained Thos. Lawson, barrister, to look after the case, and Bishop went home to await the result of the inquest, which Coroner Murphy was ordered to hold. Now, Mr. Geo. Murphy is much respected as a private citizen; he is also much esteemed as "mine host" when officiating at Murphy's hotel; but as a coroner he does not enjoy the confidence of the public in its fullest measure.

When Coroner Murphy is called upon to hold an inquest, he invariably engages an assistant to conduct, and record the proceedings, then he signs the record and files it in the office of the clerk of the peace. A search in this office brings to light records of inquests in the handwriting of Messrs. Stratton, Carter, Cameron and Lawson, all duly signed "Geo. Murphy, coroner."

When ordered to hold this last inquest, Mr. Murphy's first care was to secure an assistant, and he made application on that behalf to Thos. Lawson who was already retained by Bishop's friend. Mr. Lawson accepted, and the parties to the contract were mutually well pleased. The coroner had secured the services of an assistant at a slight cost, and the assistant had virtually been appointed the coroner before whom he was to appear and defend his client.

Seven jurors were sworn, though it is said that three of them were not qualified to act as jurors. They heard the evidence and gave their verdict. Blanche Bishop, sister of deceased, testified that deceased and his brother Perry slept in a bed made on the floor in her room on the night of the 8th inst. In the morning her father called to Percy to get up. Percy did not obey; her father came into the room and seized Percy by the foot; Percy rolled out of bed on the quilt, gasped once or twice and died in less than five minutes. He did not speak after he rolled out of bed. Her father was angry and was talking loudly when he came into the room.

Dr. Moffat testified that he found no evidence of violence on the body of deceased. He found in the abdomen a foreign semi-solid substance which he considered a tumorous growth; he believed that death was occasioned by a sudden twist or wrench acting upon this foreign substance. The doctor made no internal examination of the body.

Geo. W. Bishop was next called and his statement is recorded in the handwriting of Mr. Lawson, as follows: "The father of the child, Geo. W. Bishop, was called and after being duly cautioned made a statement similar to the evidence of Blanche Bishop."

The following verdict is recorded, also in Mr. Lawson's handwriting: "The jury sworn on this inquest find that death was caused by a sudden wrench or fall acting internally, probably on the growth described by Dr. Moffat, and they therefore find a verdict of death from natural causes and exonerate the father of the deceased Percy Bishop from any blame connected therewith. Dated the ninth day of November, 1892. Signed: A. A. Moorehouse, Moses Grant, J. S. Mallory, C. H. McLaughlan, Wm. Hibbert, R. H. Inman, Emery Hallett."

Nothing further has been done in the matter. Just What is Wanted. Messrs. Schofield Bros. sends out a handsome circular announcing the opening of a paper warehouse about December, 1st, in this city. Such an establishment has long been needed by the city and province printers, and it should be liberally patronized. Messrs. Schofield have been in the service of the Plymouth Paper Co., and have a thorough knowledge of the business.

The Mince Meat Season. Why is it that just as soon as signs of winter begin to appear that the thoughts of the average man and woman who think anything of the luxury of dessert, associate with it mince pies? The mince pie season is hailed with joy in the country and not less so in the city. In both places many housewives make their own mince meat, but there are hundreds who do not go to that trouble. All of the latter should remember that John Hopkins has won a provincial reputation for his mince meat, which is neatly put up in tins of different sizes all ready for use.

The Sensations of Battle. A gentleman who was distinguished in the War of the rebellion for his personal bravery, and who fought in some of the most bloody battles, was recently asked just how it felt to be under fire. "Shall I tell you just how a battle affects me?" he asked smiling. "It is not elegant, but it is at least true." "Yes," was the reply. "Tell us exactly what it is like." "I can only speak of my own feelings," the old soldier said; "but as far as the effect on me personally goes, a battle is like a champagne drink." "You mean that it is so exciting?" the questioner asked. "I mean," was the reply, "that there is first an intense and glorious excitement, and that after that comes a most undignified but inevitable nausea. I was never in battle in my life without being seasick afterward."—Boston Courier.

Things Worth Trying. Warming crackers in the oven, before using. Dipping sliced onions in milk before frying. Rubbing tough meat with a cut lemon. Steaming a stale loaf of bread to freshen it. Heating the dry coffee before pouring on the water. Stale cake with brandy sauce for dessert. Bacon fat for frying chicken and game. Fried sweet apples when you have liver or kidney. Hard boiled egg salad, made like potato salad. The juice of an orange and some nutmeg in lemonade. Stewed grapes as an appetizer. Lemon and orange peel to flavor sauces. And, finally try the simple recipes you see, hoping to find a welcome addition to the family menu.

Value of Spare Minutes. Madame de Genlis composed several of her charming volumes while waiting in the school-room for the tardy Princess to whom she gave lessons daily.—Dagnesseau, one of the Chancellors of France, wrote an able and bulky work in the successive intervals of waiting for dinner.—Eliza Burritt, while earning his living as a blacksmith, learned eighteen languages and twenty-two dialects, by simply improving the "odd moments."—A celebrated physician in London translated Lucretius while riding in his carriage upon his daily rounds.—Dr. Darwin composed nearly all his works in the same way, writing down his thoughts in a memorandum book which he carried for the purpose.—Kirke White also learned Greek while walking to and from a lawyer's office.

A somewhat characteristic story was current in Paris many years ago of Louis Napoleon. Having been skating one afternoon, in conversation afterward with a friend he observed: "Never did I appreciate so much as I did today what it is to be an emperor: for when others fell everybody laughed, but when I happened to fall everybody at once looked serious."

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