

## IT IS SETTLED

### Buck to Be Hanged on December First.

#### PENITENTIARY FOR JIM.

#### The Tramp Orator's Great Address to the Court.

#### CLOSING SCENES OF THE MURDER TRIAL AT DORCHESTER.

Witnesses who saw the shooting, and something about them—the spectators at the trial—how the prisoners looked and acted while the evidence was being given—the impression made by the Nameless Tramp when he made his speech.

One of the most remarkable trials in the history of Westmorland county came to an end Thursday, when Judge Fraser sentenced Robert Olsen, "commonly called Buck," to be hanged on the first day of December, and "Jim," a man whose real name remains a mystery, was sentenced to 25 years imprisonment in Dorchester penitentiary.

PROGRESS gave an account of "Buck's" trial for murder last week. When "Jim" was put in the dock the evidence was merely a repetition of what was given before, with the exception of "Buck's" statement.

During the trial the greatest interest was manifested in the proceedings. Spectators crowded the court room daily, many of the most regular attendants being ladies.

The attendance in the mornings was not large, but constantly increased, the ladies coming in by twos and threes. Constable Lawrence, who seemed to be the ladies' constable, was kept busy providing chairs on the platform, and when that was filled to repletion, on the floor of the room. The platform being filled, the clergymen, justices of the peace, sheriff and a few others of the masculine sex were driven to one corner and into the smallest possible space. A raid was then made on the floor above. Here the men submissively, one after another resigned their seats, and soon every seat was filled by the ladies except those not occupied by "Buck" in



SELINA DONNELLY.

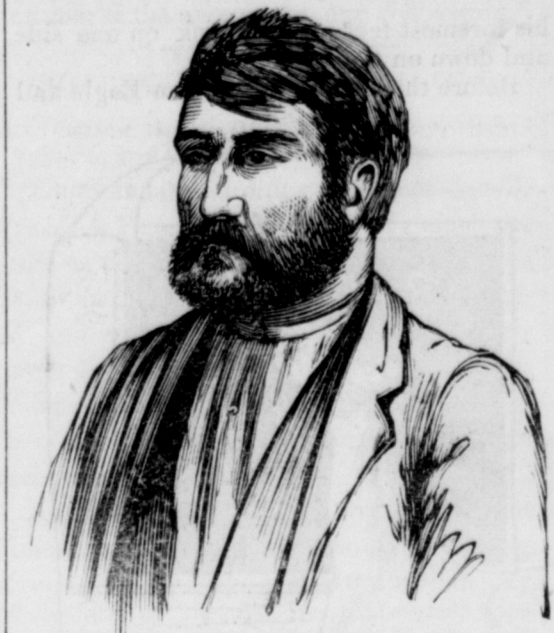
the dock, and all the standing room by the gallant males. What brought so many ladies out would, perhaps, be a harder question to decide than the guilt or innocence of the prisoner. "Buck's" indifference to all that went on in the court room has been one of the most remarkable features of the trial. Until Maggie Donnelly was placed on the witness stand the prisoner's face was as devoid of expression as a stone wall, but while she gave her evidence he clutched the railing of the dock and seemed to be making a desperate effort at self control. While Mrs. Donnelly was giving her evidence he relapsed into a state of seeming indifference, but when Selina was sworn he again seemed to be excited and moved about uneasily, and those who were near him say that his eyes filled with tears. Others declare that furtive glances passed from the witness stand to the prisoner's dock. The witnesses of the Donnelly house when on the stand must have convinced every one that women, to use a rather expressive word, are not easily "pumped." Every lawyer in court felt there were depths in the mind of the mother and daughters that legal ingenuity could not fathom.

Selina Donnelly, who warned the inmates of the Telegraph street house, when the police put in an appearance was one of the principal witnesses at the trial. Her evidence was of much importance, showing that the prisoners had some knowledge of the Chatham robbery, and, from the comments made in her presence, were better acquainted with the facts of the case than the newspaper reporters.

Buck was at all times one of the most interesting figures of the trial, his bearing

being a subject for comment among the spectators from day to day. It was not till the last day of the trial that he began to show any great concern as to its outcome. During the speech of the Attorney General, and the charge of the Judge, however, the features of the prisoner became more rigid, and his mouth more firmly closed. After the jury retired to their room and he was remanded, he left the dock breathing curses through his clenched teeth against the Sheriff, Carroll, the Attorney General and the Judge.

Not many left the court room while the jurymen were deliberating on their verdict.



The Tramp Orator.

The jury returned into court at half past six, and the officers were ordered to bring in the prisoner. As he stepped into the dock on his return to court he was trembling like a leaf, but on taking his seat by a giant effort he regained his composure, and when the verdict of guilty was given he manifested not the least emotion.

Many stories are told about what "Buck" said after he was taken back to gaol. He was followed to his cell by a quite a number, and each seems to have a different version. The story that he played with two dogs in the dock during the judge's charge is true, but to the careful observer, it seemed that when he played with the dog it was more to hide his emotions than through his indifference to what the judge was saying.

One of the witnesses at the trial was Deputy Wilson, the officer who took McCormack, the tramp who drew a pistol on conductor Morgan, at Sackville, in August. At that time there were no less than nine suspicious looking fellows lurking around different places in the county. Four of them are now in the penitentiary, two others, Alred Brown and Ben Duff, probably fictitious names, were convicted of vagrancy, and committed to Dorchester gaol for twenty days, but were by some mistake released at the end of ten days. They were old offenders, and it is said that one is wanted in Montreal and the other in Halifax. On this trial it was proved that they were often guests at the Donnelly house, and they were there at about the same time "Buck" was last June. One of "Buck" and "Jim's" associates is still at large. He was seen with them in Moncton before the murder of Steadman, and it is said he has been there since. He seems to have been the king of those desperadoes, never putting up at the same low places they did, and he is supposed to be the treasurer of the gang.

#### JIM'S REMARKABLE ADDRESS.

#### He Reviews the Case and Accuses the Court of Partiality and Injustice.

DORCHESTER, Sept. 22.—A remarkable statement was made by the prisoner "Jim" as he was about to receive sentence at noon today. Just as Judge Fraser, after a most impressive address, was about to mention the term of imprisonment, the prisoner asked, "Your honor may I be allowed to make a few remarks?" "Certainly you can," replied the Judge. "Jim" then addressed the court in a manner that aroused the deepest interest and emotion of all present. Crossing his arms upon his breast he gave evidence in the first words that fell from his lips of the scholar and the orator. He said:

"I, your honor and you good people of Westmorland, probably know more about this case than any man living. According to the evidence of the officers, the Donnelly house on the night of this tragic event was surrounded by the police. On the street also and in front of the house was congregated a crowd of spectators, composed mainly of people who had followed up the officers, intending to observe what took place. We were seen, Buck and I, coming out of the same door into the yard, that is true—there is no doubt about that—but does it not seem strange that among all those officers and all those spectators not one man of them saw Jim? They all saw Buck, but not a soul saw Jim. Now one of the witnesses, Mr. Lavash, I believe his name is, stated that he took up a position on the street that commanded a view both of the front and side doors of the Donnelly house. He stated that before the shooting he saw this door that leads out on the platform opened by someone and shut to again. That man stated the truth, though his evidence was contemptuously

thrown aside by this court. The door was opened—I had my eye on it at the time—it was only opened a moment, but it was long enough to enable me to see the man who passed through and recognize him when I ran up against him a few seconds later.

"Now, I want to inform the court that these officers, three of them for a dead certainty, saw Jim and ran against him that eventful night. Is it not strange that they should suppress that fact? The inference would be that they had a reason, and they did have a reason. One reason was that they made no effort at the time they saw Jim to arrest him. If they swore while in the witness box that they made no attempt to arrest him they would lay themselves open to the imputation of cowardice. It is a serious charge to make in court that a man should be lacking a little physical courage, but such was the case with these men.

"I wish to say further that I did not know on the night in question that the officers were in the house. I saw the side door open and at the moment it was opened I heard a voice exclaim, 'Shut the door.' More than one witness saw the side door opened, though they have not come forward and said so. At the time of my arrest I had a 32 calibre revolver, first in my pocket and afterwards in my hand, and I made away with it when I found that it was a number 32 bullet that had taken poor Steadman's life. I have no doubt that if I had been arrested that night I would now be occupying the position of that poor unfortunate fellow in yonder cell. I know



MCCORMICK, the tramp who drew a revolver on Conductor Morgan.

that the court has the power to impose upon me a long term of imprisonment, and I know that during the long dreary years that are to come I shall be buried alive behind those high grey walls." Here the prisoner's voice was low and his words thrilled the audience.

"Now if the police officers denied seeing Jim that night—denied all knowledge of him—is it not reasonable that they would deny seeing the 'third party'? Attorney General Blair has stated before the jury that the 'third party' was an imaginary being existing only in the imagination of my counsel. Well, I know that this 'third party' had a more tangible form than that—that he was composed of solid flesh and blood. One of the witnesses stated that while taking a drive with Selina Donnelly he went out to this building on the north line to see the 'third party' at our request. Another witness denied that he also was sent there. He was not man enough to acknowledge it. If this 'third party' was seen in our company a very few hours at the most before the shooting took place—I have it from the lips of the officers that he was seen by the wife of the dead man in our company out on the Mountain Road on the day of the tragedy—that ought to be pretty good evidence, but that evidence was not produced.

"So far as my arrest is concerned, I was in a pretty bad condition; there is no doubt about that. I received a pretty bad beating. I exonerate the officer, who gave me one or two drinks of whiskey, on that occasion. It was necessary. If I had not had that whiskey I never would have been able to reach the railroad in a conscious condition. I have no recollection of saying what I am reported by Carroll and Wilbur to have said. It is a fact that I have exclaimed, on hearing the particulars of his arrest, 'God help poor Buck,' but it is not true that I made the damaging admissions concerning him that have been referred to. On the contrary, I have carefully refrained from mentioning his name to any man since I was captured. I knew that we were placed in a very dangerous position, that the public was clamoring for our blood, and that anything I said might injure him or myself. I had sense enough for that. The statement made by Carroll that he overheard a conversation between Jim and I in the jail on the night of August 16th is wholly without foundation and false from start to finish. We knew that a close watch was being kept upon us night and day. We were cautioned repeatedly by our counsel not to discuss our prospects of acquittal or anything about the case, and we observed that caution. Carroll knows and I know that his statement was just.

"If the prosecution merely wanted justice, if they simply wanted to get the real facts of the case, why did they not place me in the witness box when Buck was on his trial? I was willing to go upon the stand in the case and tell what I knew. I told Buck through his counsel that I would take the witness box on his behalf, though it should result that I myself would be put on trial for murder. But Buck said, 'No! They are going to hang one of us anyhow, and I might as well go as you.' The most he would agree to was that if things went badly for him he would let me take the stand during the trial. He got the impression in his mind, poor soul, that he would get a fair trial, and he thought it was no use for me to place my life in jeopardy for the sake of his. He said that he would not summon me to the witness box at all. He would wait to see if the prosecution would do it. Well, he ought to have known better. He ought to have known the tiger of public opinion was thirsting for his blood. He went through the formality of a trial and was convicted of murder. Of course I had no opportunity then of making a statement on his behalf. Now, there was a 'third party' on Telegraph street that night. It never will be known, in all human probability, who the man was that fired the shot that killed Steadman. That will never be known.

"I think that your honor in charging the jury bore very heavily against myself, as you also did against Buck. I think that you presented all the facts that tended to implicate me in the most damaging light you could, while those that tended in favor of the prisoner were not mentioned—were ignored or glossed over.

"I have no hope of receiving any mercy from this court, or even of receiving justice. The killing of Steadman was not a murder. It is not a premeditated cold blooded affair as the crown has sought to show. They had to admit that I did express sorrow at the death of Steadman. That expression was sincere, I really meant it. I do not say this to gain the sympathy of any one here. I do not want your sympathy. I have also heard that man there in the cell express similar sentiments in regard to the death of that brave officer. I have only to repeat that neither he nor I, when we dashed out into the darkness that night, knew who our opponents were. Least of all did the thought of murder occur to us, but I have no hope of justice in this court, and I have nothing more to say."

It is impossible to describe the feelings with which the vast audience present listened to "Jim's" eloquent address. Tears gathered in the eyes of the judge and many of the ladies present wept copiously. His honor's voice was broken when he resumed his address. He said he could not credit all that the prisoner had said, though some of it he doubted not was true. Had the prisoner used the remarkable ability he possessed to worthy ends he would not be in the sad position he occupied today. He could not believe that the prisoner used a 32 revolver on the night of the shooting, because the revolver found upon him was a 38 calibre.

The prisoner here remarked, "If you will excuse me, your honor, for interrupting you, I wish to say that I had both a 38 and a 32 revolver on the night of the shooting. I first learned from a Mr. Steeves, who lives near Canaan station, that the bullet that killed Steadman was a 32 and then it was that I threw away the 32 revolver that I carried."

Judge Fraser said that this put a different face upon the matter as far as that point was concerned. In sentencing the prisoner to 25 years in the penitentiary he held out strong hopes that the term might be shortened.

A few minutes later Buck was brought in and received the death sentence unmoved. He made no statement except to declare that his evidence yesterday was true.

#### Teamster Ryder's Small Act.

The old woman who keeps the messengers and newsboys at the foot of King street supplied with apples and "jaw breakers," met with a serious loss Thursday. Richard Ryder, a cartman, who is evidently of opinion that he can drive a horse with his back to the equine, was the cause of it. Mrs. Duffy was going across the street from the Western Union building to the London house block. She had her small express wagon, on which she transports her stock in trade, with her. At noon there are always people on this crossing, but Ryder seemed indifferent to everything. Mrs. Duffy first realized her danger when the horse rubbed against her. She dropped the tongue of her wagon and got out of the road. The horse didn't stop, however, but drove over Mrs. Duffy's express, smashing it flat to the ground. The old woman was in a very bad way; she began to cry and call upon passers-by to help her, by Ryder took no notice of it, and drove away, though he was clearly to blame for the disaster.

## DID HE DIE IN PRISON?

### THE MYSTERY OF THE FATE OF A ST. JOHN CAPTAIN.

A Tragedy Recalled by a Personal Paragraph About a Literary Lady—The Strange Story of What is Said to Have Happened in Callao.

The following interesting extract was recently published in a city paper, credited to "Mrs. Helen E. Gregory-Flesher, M. A.," whoever that lady may be:

A prominent member of the New York Press club and an authority on Russian matters is the Countess Ella Norraikow. She was born in Toronto, but spent most of her girlhood in St. John, N. B. Though a thorough Canadian the countess looks more like a Spaniard; she is so dark and has such brilliancy and vivacity of expression. While in New Brunswick she married the late Hon. A. Seely, a prominent government official in the maritime province, and after her marriage she travelled for a number of years, visiting Germany, Belgium, Great Britain, Russia, Burma, India, and South America.

Shortly after Mr. Seely's death she settled in New York and there married Count Adolphus Norraikow, an exiled Russian noble, who had been a wealthy and well-known lawyer in St. Petersburg, but whose opinions did not please the Imperial government. The countess is a "woman of the world" in the best sense of the term, a fine musician and an accomplished linguist. She is a constant contributor to the Harper publications, the *Comopolitan*, the *Independent*, *Lippincott's Magazine*, etc. Lately she has written a play which is to be produced by Manager Palmer, of New York, during the coming season. She has crossed the ocean no less than eighteen times, and in both London and New York society has a large circle of connections and friends.

The St. John friends of the Countess Norraikow will recognize several important errors of fact in the above account. She was not born in Toronto, but in St. John, and some say on the West side. Her original name was Doherty, but she was adopted at an early age by Wm. Walton, and before her first marriage was known by her friends as Ella Walton. She was born, brought up and educated here, and was never a resident of any other place during her girlhood. She did not marry "Hon. A. Seely," but Captain Alexander Seely, who was a son of Hon. A. McL. Seely, who was simply a member of the Legislative Council and not a prominent government official. She was proficient in piano playing, but up to the time of her leaving here, to go to sea with her husband, gave no indications of the literary ability with which she is now credited.

The travels to which reference is made were in the ship commanded by her husband, and they terminated some ten or twelve years ago, in a tragedy at Callao, Peru. During the voyage thither Capt. Seely became enraged at the attentions shown to his wife by the mate, and took the latter's life. He was arrested on his arrival at Callao and thrown into prison. The story which reached St. John at a later date was that he died in the prison while awaiting his trial. It was afterwards alleged that he died of small-pox, and that his wife could neither see him during his illness nor have a look at the body after death. About four or five years ago she married a Russian resident of New York, who was said to have large estates in his native land, but who was not on good terms with the czar. When she last visited St. John, a few years ago, the public were not aware that she had a title.

The strangest part of the story is that while Mrs. Seely seems to have accepted the account of her husband's death in prison, there has been from the outset a doubt of it among his friends in this city. There was a mystery about the affair that was never made quite clear, and there was more than one version of the circumstances under which the mate was killed. It was rumored, but on no positive authority, that Capt. Seely had not died, but had been learned by his friends to escape, though what afterwards became of him nobody could learn.

Within the last year, a sea captain who was well acquainted with Capt. Seely and who was in Callao at the time of his reported death, made an extraordinary statement to a well known official in St. John. It was to the effect that he had been one of several captains who had actually assisted Seely to escape, and had placed a "dummy" in the cell, in the form of the body of another man who had died. Such a thing could hardly be done without the connivance of the officials at Callao, but money can do a great deal in that country, and so long as there was a body of some kind on hand, it is probable there would be no investigation. This would be more certainly the case were small-pox assigned as the cause of death.

Whether the captain referred to told the truth or not is another question. If he did, Capt. Seely must have formed his plans to simply leave his old life behind him and allow the world to think him dead. Were it known that he still lived, there would be a possibility of his arrest in any part of the world at the instigation of the friends of the man he had killed, for extradition treaties can reach almost everywhere in these days. With a change of name and an official record of his death, he would be as safe as if he had never been charged with the crime. Were he resolved to separate from his wife, he

could take no more simple and effectual method than to disappear and allow her to believe him dead, in which case she would be perfectly free to marry again as she has done.

Whatever may be the facts, her friends will be glad to learn that she is so rapidly acquiring fame in the world of literature.

#### THE LAST WEEK FOR COUPONS.

#### Another Change of Leaders for "Progress" Silver Service.

The silver service contest is drawing to a close. This is the last week the coupon will appear, and all coupons must be in this office by September 28. The result will be announced in next Saturday's issue. Miss Pauline Biederman wishes to thank Mr. Myrshall, "Fredericton," "Port El-

**CUT THIS OUT**

**Silver Service Coupon.**

To the person who Sends in the most of these Coupons by Wednesday, September 28, PROGRESS will present a handsome Silver Service of seven pieces, Quadruple Plate, Guaranteed, valued at \$45

**CUT THIS OUT**

gin," and Mr. Bowes, of Halifax for their kind remembrance of her with coupons.

J. H. Campbell goes to the front this week with quite a lead, while Miss Potts retains second place. Little Miss Biederman seems to have lots of friends working for her and will make a strong effort to win at the finish.

- The contest stands as follows:
- J. H. Campbell, 194 Sydney street, city,.....1343
  - Miss Minnie E. Potts, 128 Charlotte street, city,.....915
  - Miss Pauline Biederman, 74 Queenstreet,.....856
  - Miss Lizzie T. Sayre, Kichibucto,.....229
  - Miss E. A. Hartt, Rockland Road,.....212
  - Harry Bradshaw,.....191
  - Mrs. T. W. Higgins, Orange street,.....150
  - W. H. McCoy, Amherst,.....122
  - D. C. McKeen, Wolfville, N. S.,.....114
  - Mrs. J. E. Moore, Victoria street, city,.....243
  - Mrs. J. E. Wilson, 31 Inglis street, Halifax,.....68
  - Miss G. Markee, St. Stephen,.....61
  - Grace A. Estey, 36 Peters street,.....48
  - Mrs. J. B. Eagles, St. John,.....46
  - Mrs. Fred Shaw,.....37
  - Alice M. DeForest, 14 Coburg street, city,.....34
  - Thilie Morrison, 4 Celebration street, city,.....30
  - L. E. Cornwall,.....29
  - Mrs. John Albius, city,.....27
  - Mrs. Bent, Amherst,.....27
  - J. W. Jones, St. John,.....19
  - Miss LeB. Ferguson, Tracadie,.....11
  - Lizzie Maxwell, Gagetown, N. B.,.....8

#### Mr. Somerby and the Morning Papers.

Many people who read the morning papers may have noticed with some surprise that Mr. Rufus Somerby and his very excellent show are receiving no notices in those journals. It is the policy of protection run mad, the local amendments being favored as against foreign ones. Mr. Somerby has been coming to this city for many years, has always been a very generous patron of the newspapers, paid his bills when they were presented, or frequently in advance, and until this summer was getting generous treatment in the local columns of the morning papers. It seems, however, that these journals have determined to "sit" on Mr. Somerby and refuse him the usual notices which they give the Opera house company, or any other show that comes along. In consequence Mr. Somerby has withdrawn his advertising from them, and has quite effectually proved to the people that advertisements and reading notices in the morning papers are not essential to the success of his entertainment. He has played to full houses all the week.

#### Where a Dollar is Not a Dollar.

At the stamp office in the post office at Halifax only 65 cents will be allowed for the American silver dollar, writes a correspondent. One or two other places have made an effort to "retaliate" against the United States, but with little success. So long as the dollar will bring a dollar or a dollar's worth, it is folly for people to refuse it. Thousands of American dollars of all kinds were spent in Halifax during the past summer by visitors, and the hotels and other places were glad to get them. It is not likely the stamp office will get many silver dollars for 65 cents when so many other places are willing to pay par for them.

#### Always Sign Your Letters.

A Dorchester subscriber who writes that PROGRESS of September 17 failed to arrive as usual and asks that one be sent, neglected to sign his or her name to the letter. Of course it was impossible to send the paper.