

# PROGRESS.

VOL. IX., NO. 460.

ST. JOHN, N. B., SATURDAY, MARCH 13, 1897.

PRICE FIVE CENTS

## WRAPPED IN DEEP SILENCE.

### The True Story of the Meadow Brook Tragedy Must Ever Remain a Mystery.

John E. Sullivan Meets Death Without Making any Public Acknowledgement of his Part in the Tragedy of Last September—His Stoical Calmness Remains Unbroken Until the End—Last Sad Scenes in the Tragedy.

DORCHESTER, N. B., March 11.—Dorchester is alive tonight. The interest in the fate of Sullivan has reached the culminating point and hundreds of people are wandering about aimlessly. Some with the hope that they will hear something of a confession, others eager to get a chance to see the last and closing scene of his life, while the majority have simply that morbid interest in the preparations that always attend the execution of a criminal.

Sullivan has not given any one the satisfaction of a direct confession. The strain



JOHN E. SULLIVAN.

on him today must have been terrible, and hardly less so on the officials that have his fate in charge tomorrow morning.

This afternoon a large number of people arrived on the Atlantic express many of them being newspaper men and officials. Chief Clark of St. John was among them and all have received most courteous attention from High Sheriff McQueen and his assistants. All of them have been busy for the greater part of the week in preparing to carry out the law tomorrow morning, and at this late hour all may be said to be ready for the execution of John E. Sullivan. The condemned man has dismissed his priest for the night, and announced his intention to sleep until five o'clock in the morning. The execution is fixed to take place at seven thirty in the morning, at the prisoner's own request. He had the naming of the hour, and he said he wanted it as early as possible so as to get the affair over. He has made up his mind to die and it appears that the short space of grace that he might enjoy tomorrow morning is of no concern to him. Chief Clarke was the last person apart from Father Cormier, to see him tonight and the prisoner was as firm as a rock when he left him. Perhaps his interview with the condemned prisoner was the most remarkable that has been held today save those with Sullivan's family. When the Chief entered his cell, Sullivan did not need any introduction but said he knew him and was glad to see him. Clarke told him that he was there in a professional capacity and proceeded to examine his head and to inquire what effect liquor had upon him. Sullivan answered his questions readily and said that this was the first time in his life that a key had ever been turned upon him. He blamed his present position upon wine, women and rum. The opinion of the chief, after his interview was that he was not a hardened criminal. His head indicated anything but that. He seemed to have no fear, looked him in the eyes without flinching and the only nervousness he displayed was in the twitching of his hands and shoulders.

Father Cormier was with Sullivan most of the day and evening, and he gave the press a most interesting interview about nine o'clock at the prisoner's request. Sullivan was fearful that, seeing the score of newspaper men would unnerve him so he asked Father Cormier to give them a last interview which in effect was as follows: Father Cormier said Sullivan would like to

have seen all the reporters, but he was afraid their questions would agitate him, and work on his nerves so as to prevent him having the good rest he anticipated enjoying tonight. He wanted to go to bed at 10 o'clock and sleep soundly until 7. Sullivan told Father Cormier he hoped tomorrow would be the grandest day in his existence. "I have too much confidence in God's mercy," he said, "to think it will be my worst day."

Father Cormier considered Sullivan an admirable man, and since his confinement he displayed remarkable fortitude and courage. "Today when he was saying farewell to his father, brothers and sisters," continued the clergyman, "it made me break down entirely. The little girl, Sadie, held on to John's neck and sobbed until I thought her heart would break. We had to loosen her arms from around John and lead her away after he had lovingly kissed her. A tear dropped down John's cheek, but all he said was 'Sadie, you go home to mother and tell her I am happy and will be all right.' He spoke to his brother Charlie of the evils of card playing, drinking and all vices, and advised him to be a good boy. He is anxious that Charlie should become employed in the I. C. R. yards. 'Just now when I left him, Father Cormier went on, he was smoking a cigar, 'we had been reading religious books before that. He did not want me to stay all night with him, but advised me to seek some rest.'"

Father Cormier spoke of the agony a criminal on the eve of death, must endure when he hears the gallows being erected, but he says Sullivan bore up splendidly. He remarked to him: "Father, I will build my hopes on the thought that every nail in the scaffold will be one in the cross of my Saviour for my sins."

Father Cormier could hardly trust himself to speak to Sullivan of tomorrow, but John seemed to read his thoughts and asked, "Has the sheriff given you the programme?" The priest felt worse than Sullivan when he replied in the affirmative, but the prisoner's only remark was, "Let it be done as early as possible, as I want to get away from this place and the curious crowds about my cell."

Father Cormier believes that Sullivan will walk to the scaffold with a firmer and steadier step than most of those who will accompany him. He said with a laugh to Father Cormier this afternoon when the priest appeared downhearted. "I will have to cheer you up, as I guess you are breaking down."

Sullivan has not any of the characteristics of a criminal as had been shown in Buck, and if there was such a law in Canada that Sullivan, having seen his folly," said Father Cormier, "could be put out in the world, he would become a remarkable man and I would become his bondsman with my life. I believe that if he had pleaded guilty and not listened to the wrong advice that was given him, and had told the thing just as it happened, he would have been sentenced to five years imprisonment at the outside. He has made a sacramental confession to me, but only the Creator knows what that is. If the trial were commenced over again things would be different, and if he had not taken the risk he did, and had pleaded guilty, as I said before, his sentence would have been five years. If he had told me he was innocent I would have believed him, and I would not believe that he was a murderer in the way the evidence shows him to have been. Tonight, it will be my duty to talk with him about the crime, about which we have not yet conversed, and I will tell him that the church teaches that to acknowledge what you do wrong before God and man shows more of a penitent spirit. If he tells the whole thing as it happened, in my opinion, he would have to make a whole speech.

Father Cormier says it Sullivan confesses to him tonight and gives him permission to

tell it he will, but if John requests silence the world will never know from him the story of Sullivan's troubles. Buck told him his name before he died; he would part with his life rather than break his promise and divulge it.

Ridcliffe is also here and a more cold blooded specimen of a man it would be difficult to imagine. He talks freely about his business and his apparatus. He mingles with the crowd all the time, becomes hail fellow well met with all who wish to cultivate him; has an especial fondness for newspaper men and looks as if he liked his business. He has no sympathy for anyone and few care to meet him a second time. Perhaps his calling makes him appear in a worse light than he would otherwise, but certainly he looks much as one would expect him to.

About seventy-five passes have been issued. About a score of them are to the press and the rest to officials, jurors, etc.

Sullivan's two brothers were around the hotel tonight, and from their talk and their looks they felt very badly. Both of them have seen their brother during the day and his words of advice must have sunk deep into their hearts. They smoked and talked with the guests, answered questions and appeared more quiet and well mannered than would naturally be expected of them. They are fine looking fellows, and indicate that there is superior trait in the family.

Father Cormier is firmly of the opinion that Sullivan is not so black as he has been painted, and his statement, that, if he were allowed to live he would go his bondsman with his life, is a remarkable one from such a man, for Father Cormier is certainly a superior man. He has had experience with Buck and Jim and he does not place Sullivan in the same class with them. Buck was not so bad as Jim, in his opinion, from a criminal standpoint, and Sullivan shows but few of the bad traits of either.

Sheriff McQueen has a somewhat different opinion of Sullivan. He has talked with him many times and came to the conclusion that he is a ready liar, but has not made all of his stories tally.

It is well known that Sullivan denied all knowledge of the crime and yet in a recent interview with the sheriff he said there was "no robbery, no murder, no arson." "How do you know John? If you say that you must have been there." "Well I was there," said Sullivan, and then he stopped and later told some story of how he had got drunk and remained outside all night. Then today when asked direct if he was guilty or innocent he gave an evasive reply and said that he would not answer that question if he was at liberty. The conclusion tonight is that he will make a confession but that it will be for Father Cormier's ears alone.

DORCHESTER, N. B., Mar. 12.—At seven forty-five this morning Sullivan paid the penalty of his crime. He was hanged in the presence of about one hundred people while three times as many gathered outside of the building. The prisoner passed a quiet night retiring at 11 o'clock and resting if not sleeping until five o'clock this morning when he arose, remarked on the fineness of the morning, and after a few moments had a light breakfast of toast and coffee. Father Cormier and Father Roy were with him and had prayers.

The incidents of the morning were few. The jailor was a careful guard over the privacy of the priests and the prisoner, and when the press representatives were admitted all was nearly ready for the execution. Radcliffe accompanied by Peter Carroll, put in an appearance, and began the final arrangements with the scaffold. Word was received then that Sullivan was impatient and that his nerve which had been of iron up to that time was giving way. But he showed no fear as he walked to the scaffold, coming with a steady step keeping pace with those in the procession. His last words to the priests were spoken in a loud but quivering voice. Then many of those about shook hands with him. He turned and took a steady look at the rope, the weight and the hangman. The black cap was placed upon him, the rope adjusted the word given, and in an instant the body of Sullivan shot in the air. There was no struggling, the bonds and Radcliffe preventing that; but the leaving breast showed that life was not extinct for a short time. The doctor pronounced him dead and Coroner Chapman held an inquest and returned the usual verdict.

The crime for which Sullivan paid the penalty with his life was committed the

eleventh of last September at a lonely place about half way between Moncton and Dorchester. In this place lived Mrs. Eliza Dutcher and her two children Harrison and Maggie, the latter a child of eight years. Mrs. Dutcher sold liquor, and her house in consequence did not stand in good repute. About 2 o'clock on the morning of Friday the eleventh of September, the Dutcher home was discovered to be on fire, the alarm being given by Mrs. Jane Green, whose husband was away at the time. Hugh Green, Mrs. Dutcher's brother, was the first to enter the burning building and succeeded in rescuing little Maggie Dutcher, who had managed to crawl to the door. All efforts to save the other inmates were unavailing and they were left to their fate.

When it became fully established that a murder had been committed, suspicion at once pointed to John E. Sullivan, a mill hand, who had been seen in the vicinity on the evening of the fire. He was free in the expenditure of money, displaying a quantity of American silver, very rare in that part of the country but of which it was subsequently proved Mrs. Dutcher had quite a large quantity on hand. When the various facts became noised about Sullivan went quietly to some friends in Maine but was brought back to Moncton, without any resistance. The only direct evidence against Sullivan was that of little Maggie Dutcher, who identified the accused as the man she had seen in her mother's room on the fatal night, and gave a vivid description of the assault upon herself, her mother and her brother. Maggie had been too ill to give evidence at the preliminary examination and her statement at the trial was the first authentic information the public had beyond her nurse's testimony as to her talk in delirium, that there was a living witness of the crime.

On Wednesday, Jan. 27th, the jury brought in a verdict of guilty and Sullivan was sentenced to be hanged on Friday, March the 12th.

### THE JUDGES WERE ANGRY.

And They Were Undignified Enough to Show That They Were Real Mad.

HALIFAX, March 11.—Any one seeing our supreme court judges on the bench would ordinarily be struck by their courteous and dignified bearing to each other. They address one another as "My learned brother," and they generally soften and tone down any allusions they may make when differing in their judgements. But judges, like other people, are human, and they have their little differences as well as others. There are sometimes rather heated discussions in the judges' room, off the court room, where occasionally almost angry voices may be heard through the closed door. The feelings that sometimes find expression among the judges in the secrecy of their room in the court house, once in a while bubble over in public, sad to say. An instance of this occurred one day this week, when what seemed to be very like ill feeling was exhibited by members on the bench.

All the judges were present except Judge Weatherbe, delivering judgements. One case, in which a new trial was ordered, was that in which a verdict for damages had been given against a Pictou county doctor for negligence. Judge T. delivered the first opinion in this case. He said, in extenuation of the conduct of the Pictou county doctor, that we should make allowance for the circumstances attending a country doctor compared with those in the case of a city physician. It might be much more excusable for a doctor in the country, travelling long distances, and with difficulty of communication, to come prepared with all the appliances for good work that might be available for a city doctor, and on some such circumstances be based a possible excuse for the apparent negligence complained of in the Pictou county case.

The chief justice concurred in the opinion of Judge T. that there should be a new trial.

Then Judge G. rose, and in preliminary remarks to a brief opinion made a statement that caused a lot of trouble. He said in effect that he could not agree with the statement that there should be a different standard of medical treatment in town and country.

The chief justice remarked that he had not construed the remarks of Judge T. in that way, for if he had he would certainly not have concurred.

Judge T. appeared to be much mortified at the remark of Judge G. and at his interpretation of what he had said on this point, and he delivered himself practically to this effect.

"I think the remarks of the honorable Mr. Justice G. in this matter totally uncalled for, and away aside from the point. I made no such comparison as he has attributed to me. I thought my judgement would be interpreted with common sense, and I will leave it to any person of common sense whether my words conveyed any such meaning as has been attributed to them. I repeat that the remarks of the judge were totally uncalled for and should never have been uttered."

Such a deliverance as this, from one judge regarding another who sat beside him, had never before been heard in our halls of justice, and the silence in the court room which followed was painful. A disjointed discussion between the two judges something very like this was what followed:

Judge G.—"I don't think I misunderstood my learned brother. I thought I had caught the full import of—"

Judge T.—"I don't care what anyone 'understood' what I did say was—"

Judge G.—"If my learned brother will bear with me for a moment I think I can—"

By this time the excitement on the bench and at the bar had become intense, and the scene could hardly be called a judicial one. Several attempts were made by both judges to talk, strangely enough at the same time, ending with an abrupt statement by one of them: "I don't want to hear more; go on with the judgements."

This incident, on our supreme court bench, shows how human everybody is. Even judges sometimes almost fight and what great excuse there must be for more frail mortals.

### MR. RUHLAND EXPLAINS.

Says he Had a Good Precedent in the Window Opening Case.

EDITOR OF PROGRESS:—In your issue of March 6th, you published under the heading "Took out the windows" an article which is very misleading and calculated to give your readers a wrong impression of the case your correspondent deals with.

A lot of sympathy was wasted on a family whose actions during a whole season, were such that they exhausted the patience of those who tried by every means in their power, to deal with them charitably, and a duty, which he your correspondent described as "hard-hearted", he blames on one who was entirely ignorant of the whole affair; while the real principal in the case, who is the writer of this epistle, considers that the course he pursued was honest, straightforward, and right. The real facts of the case are briefly as follows. I, acting as sub-agent of the tenement opposite the Halifax hotel, rented in November last the apartments to a family named "Boys"; in the same building several families live, and on the Monday following their moving in, the other tenants complained to me that Boyd was drunk Saturday, and all day Sunday that he beat his wife and that the cries and noise was such that they would leave the house unless the Boys were ordered out. I told Boyd what the tenants said, and warned him to keep quiet or I should put him out. Every Monday I was met with the same complaint once he kicked the top off his stove filling the house with smoke; the police had to be called in to quiet him, some of the other tenants have come to my house at midnight saying they were afraid he would kill his wife, or set fire to the house.

Complaints were constant and all my remonstrances with Boyd failed to get him to act differently, and I could not succeed in getting him to move. I employed a bailiff instructing him not to levy on Boyd's furniture who up to this time had paid no rent; but to get them out. He failed. Then I got the assistance of the sheriff who advised the wife to go into the poor's asylum for the winter. He failed to get them to leave. Boyd was still drinking and causing a disturbance in the house. I threatened them as a last resort to send men and have the windows taken out which although rather an unusual proceeding was I think in this case justifiable and also a means of eviction with a Halifax precedent in the case of Fleming in which the present Recorder of the city of Halifax was the plaintiff's agent; in that case as in this the windows happened to be taken out on a cold day, also the doors off their hinges.

The rest of the story you know, although I may mention for your information that the charge for \$15.00 and the \$10.00 subscribed by the "generous boarders" of the Halifax hotel were not used to liquidate the rental. Boyd enjoyed the benefit of a windfall. J. MILTON RUHLAND. Halifax, March 9, 1897.