

# PROGRESS.

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## THAT DRAMATIC SCENE

LITTLE MAGGIE DUTCHER GIVING EVIDENCE IN COURT.

Regarding the Murder of Her Mother and Brother—The Child Witness Described—What She Said When She Saw Sullivan as She Came In Court.

Deep as the interest has been in the Sullivan trial from the very first, it is perhaps natural that it should especially centre in Maggie Dutcher, the little girl who has been forced by such sad circumstances from the obscurity of her former life, into so prominent a position, and who has been an object of deep interest to the public at large for nearly four months. The terrible experience she had gone through, her sad position as the sole survivor of a tragedy of more than ordinary horror, and her youth and loneliness all combined to render her a subject of great solicitude on the part of all who heard her sad story. But apart from all personal interest she was a person of especial importance in the eyes of the law, representing as she did the one eye witness who would be able, if her life and reason were spared, to throw some light upon the tragic events of the night of September tenth, and in whose power it might lie to clear up the mystery surrounding the death of her mother and brother and the time when her lips would be unsealed was waited for with great impatience.

It is scarcely to be wondered at, under these circumstances, that Maggie Dutcher was the witness whose testimony was most eagerly awaited all last week, and that the public were most anxious to discover when she would be put on the witness stand. It was impossible even for the crown officers themselves to know positively when this would be, and therefore when one of the crown witnesses, Ambrose Arseman stepped down from the stand, shortly after ten o'clock on Saturday morning and the solicitor general said abruptly—"Call Maggie Dutcher!" a very decided thrill of excitement made itself felt through the large audience in the courtroom. It had been rumored that the chief witness for the crown might be called either on Saturday or Monday, and numbers of ladies who had been curiously watching the case, in the hope of hearing her evidence, were present—in fact the elite of Dorchester may be said to have been well represented. As chairs were placed for the witness and her nurse heads were bent forward and eyes eagerly turned to the door in order to catch the first glimpse of Maggie Dutcher, who came quietly in, in charge of her nurse Miss Anna Crossdale. This is what the spectators saw—a child who somehow looked much smaller than they had expected to see her, since most people pictured her as a child of ten, whereas Maggie will not be nine until the spring—with short brown hair, regular features, very pretty brows and lashes, and large eyes apparently of a dark gray color. The right ear—the one that was burned, was a good deal disfigured, but strange to say the left, the ear so badly cut has healed with scarcely a scar. The child was prettily dressed in a little yoke frock of pale blue, trimmed with white lace and as she came forward and took the place assigned to her above the witness stand, and between the judge and Mr. F. H. Risteau, court stenographer, she created a very favorable impression. Miss Crossdale occupied a seat to the right, and as the child's eyes suddenly rested on the face of the prisoner, she leaned over to her nurse and said in a voice loud enough to be heard by several of the lawyers and court officials, "That's him. That's the man that hit my mother, and brother!" No notice was taken of the remark, and the crier of the court placed the bible in the child's hands with the intention of administering the oath when the prisoner's counsel interposed and questioned her ability to understand the nature and importance of an oath; and some time was taken up in questioning her, and ascertaining how far she understood the meaning of the ceremony. After satisfying the judge, and the opposing counsel on that point, the witness was sworn in the usual manner, and proceeded to answer the questions asked her. She was far more composed, and at ease than an older person would have been, giving her answers with the calm unconsciousness of childhood, but seeming slightly awed and subdued by her unusual surroundings, and the number of strangers present. On account of the child's youth the examination took the form of brief, plain questions, expressed in as simple language as possible in order to be easy of comprehension.

The scene was a most dramatic one! The crowded courtroom so still that the traditional pin could almost have been heard, if anyone had thought of dropping it; the eager faces of the spectators, the alert ones of the lawyers and reporters, the studied indifference of the prisoner, and the small unembarrassed child upon whom the attention of everyone in the room was concentrated, answering question after question in her low voice, and occasionally glancing about her, with all a child's interest in an unfamiliar scene. In answer to Solicitor General White's questions the child stated clearly that she remembered the last night she slept at home, and that she had slept with her mother, and her brother Harry, they all slept in one bed, "Harry next the wall, me in the middle, and mamma outside" she was awakened some time in the night and saw a fourth person in the room, this person had hold of her mother who cried "stop" and afterwards "John don't hit me" her mother was hit "two times" and on being hit the second time she did not say anything but "just lay still;" she was in bed at the time, and lay back without moving again. Continuing the child said the same person then hit her, and afterwards hit Harry "two times;" the first time Harry cried, then the man hit him again and he also lay still. The man then lit a lamp which was on the table, striking a match on the wall near the window in order to do so, and the child saw who it was. "Who was it?" asked the solicitor general amid a breathless silence—"It was John Sullivan" came the answer in the most matter of fact tone and without the least trace of emotion. "Point him out," said the solicitor general. The child hesitated for a moment, and then stretched out her hand towards the dock where John Sullivan sat. The prisoner was told to stand up and the witness asked if the man standing up was the one who struck her, and amid great excitement in the court, she answered "yes." Continuing her testimony she said that when she was hit, she was hurt very much, but did not cry the first time; after lighting the lamp the man again struck her and this time she cried. She remembered nothing more, neither the house being on fire, nor being carried out, she had never seen either her mother or Harry since that night, and she did not know where they were. She had no recollection of being at Hugh Green's or Jane Green's, but remembered being taken to Moncton in the cars and being at the almshouse in Moncton with Miss Crossdale. She did not know what Sullivan struck her with.

The child stated plainly and positively that she awoke all of a sudden and saw John Sullivan standing in the doorway of the room next the one they were sleeping in; she could not be mistaken, she said and he was fully dressed having on his pants, coat, vest and boots. She did not know John R. Sullivan—"Michael's John," as he was called, so she could not have mistaken him for the other. After lighting the lamp he struck her twice—which would account for the three blows the child had evidently received and then she remembered nothing more. The bed was on the floor, the child said, and she added that she did not know whether her mother had any money in the house that night or not. On being cross examined by Mr. Smith the prisoner's counsel the witness adhered to her first story, with a few variations, such as saying that she remembered seeing Sullivan strike a match, and light the lamp, but could not remember seeing him put the chimney on, that it seemed to be daylight, and she could see as well before the lamp was lit as after, and that it was on the head that her mother was struck, while she herself was struck behind the left ear. On being asked whether anyone had told her that John Sullivan was the person who had struck her mother and brother the child had denied it emphatically, saying she had told them but they had not told her. The child's evidence occupied an hour and a half, and she came through the ordeal without contradicting herself, or growing confused in any way. Her evidence has been criticized on the ground that it consisted chiefly of monosyllabic replies to questions asked; but when it is taken into consideration that in spite of her careful bringing up Maggie Dutcher is but an ignorant little country girl eight years old, it is scarcely to be expected that she would be able to give a clear account of what happened, without the aid of questions, however clearly the events of the terrible night might have been impressed upon her mind. The ability to answer questions intelligently and truth-

fully and to give straight evidence without contradicting herself was surely all that could have been expected in a witness much older than poor Maggie Dutcher.

As Sheriff McQueen was heard to remark to a friend at the Windsor hotel, shortly after leaving the court, "The child's evidence was especially good seeing that it was perfectly free from all animus. She was unconscious of the fact that her mother and brother were dead, and therefore there could be no such motive as revenge to actuate her in telling the story as she did and no one could possibly suspect her of malice."

## LEFT THE BABY BEHIND.

A St. John Woman Hurrying to Catch a Train Forgets her Baby.

Every holiday season is usually prolific in amusing stories of one kind or another but the one related recently of a lady well known, in not only her own social circle, but to very many outside it, is perhaps the funniest that has occurred this year so far, at least in St. John. The lady in question and her husband had arranged to spend Christmas with the latter's husband, and planned to leave on the C. P. R. on the day before Christmas.

The couple have only one child, a bright little creature of ten months, and it was left, by its fond mother, to enjoy a good sleep until the last possible moment. As the hour for leaving approached the baby was roused from its sleep and carefully dressed for the journey. At the last moment, and while the carriage which was to convey the party to the depot was waiting at the door, the lady placed the baby ready dressed on the bed while she donned her hat and jacket. One or two grips and several small parcels were quickly gathered up, and with the aid of the coachman taken out to the carriage. The lady was naturally a little excited as she was obliged to attend to everything personally, her husband agreeing to meet her at the depot at train time, so in answer to the coachman's query "if that was all," she replied that it was, and settled herself comfortably in the carriage.

It was not many minutes however before it dawned upon her that at the most important bundle of all had been left behind.

The awful scene which was enacted in the carriage can only be left to the imagination, but the coachman avers that his first thought upon hearing the commotion inside was that his "fare" had become suddenly insane. It was some moments before the excited lady could make him understand what the matter was. Finally he elicited the fact that the baby had been forgotten.

The party returned to the lady's residence on Charlotte street, to find the baby sleeping, quite unconscious of how near it came to being left behind.

## HE HAD MANY WARM FRIENDS.

Mr. Michael Crowley Dies After an Illness of a Few Days.

Seldom has the death of any young man caused such general surprise and regret throughout the city as that of Michael Crowley, so long connected with the retail business of Thomas Furlong and for the last year or two a partner in the firm of Messrs. Crowley and McWilliams. If the deceased was popular as an employe of Mr. Furlong's, he was still more esteemed as one of the proprietors of the establishment where he made his many acquaintances and good friends. He was always thoroughly conscientious in what he considered his duty to his customers and to the public and that was a difficult task to one known to so many and an enemy of none.

When in the prime of life—he was 38 years of age—and apparently in the best of health he was seized with pneumonia which was followed by congestion of the brain. He died at an early hour Tuesday morning, and was buried from the residence of his sister Mrs. Gorman Friday when many of his friends paid their last tribute of respect.

Like some men who become well acquainted with many people Mr. Crowley had opportunities for collecting curios. His fancy in this direction was in the line of old newspapers, valuable scrap books and curious coins, of these he had a unique collection and it was a pleasure to look over much that was of interest to the present generation.

## A Lesson to the Aldermen.

PROGRESS' article on the visit of the aldermen to the police station on the night "Cap" Mullin was released brought two of them—Ald. Wilson and Macpherson—out with letters to the evening papers stating their innocence of who the prisoner was, they were going to help out of "quod." No one doubts their word, but the lesson they received will probably prevent them from visiting the police station in future to use their influence.

## MRS GRUNDY AFTER HIM.

A YOUNG MINISTER WITH A LIKING FOR PRETTY GIRLS.

Engaged in One Town and Flirting in Another—Why Objection is Made to This by his Boarding House Landlady and Those Who Take an Interest in Him.

HALIFAX, January 21.—When people become so ready to talk as they are nowadays it behooves all to be very careful of their conduct. This remark should not be taken as a piece of advice to practice hypocrisy in any manner or form; it merely means that if people are not prepared to abstain from even "the appearance of evil" a principle that they should do so because those looking on will make it miserable for them by the hardest of criticisms if not the severest of condemnations whenever they see anything questionable in their conduct. A case in point is that of a young minister, whether in Halifax or St. John, it matters not. This gentleman of the cloth is eloquent, earnest and popular. More than that he is engaged to a charming young lady in one of our provincial towns and has been so engaged for some time. Distance does not always lend enchantment to the view, however. It does not seem to have done so in this case, at least nearer heart attractions appear to have had a greater power. This talented clergyman became very fond, so his actions indicate, of a young lady nearer his home. This fact, while it may have been very pleasant in one sense, was not altogether so in another, for the church dignitaries got on to the situation. Some of them objected, and not only that, but his boarding house proprietors also raised their voices in remonstrance. They united with the church luminaries in saying that it was not right for a minister, in the circumstances in which this one found himself, to burn too much midnight oil outside his study, away from home, and the object of a formal matrimonial engagement. The upshot of it was that boarding houses had to be changed and that the congregational authorities have suspended judgment for a time; but to observe if there shall be the desired improvement.

An old hand who has had considerable experience gives it as his opinion that young ministers cannot be too careful in those innocent affairs of the heart, for they may lead to regrettable consequences. Ministers can break fair hearts as well as can ordinary members of the church or men of the world. It seems to be a practice rather more common, perhaps, with young clergymen than with others. T. L.

## CIVIC MATTERS DISCUSSED.

By the Aldermen of Halifax City Council and Business Men.

HALIFAX, Jan. 21.—At Tuesday evening's session of the city council a respectable batch of proposed legislation was introduced. One of these was a bill proposed by Recorder MacCoy to amend the school act as it relates to Halifax. The board of school commissioners is composed of twelve men, six of whom are appointed by the government and six by the city council. Towards the expenditure of the board the government contributes not more than \$11,000 or so, while the city raises some \$92,000. The object of the bill is to reduce the government representation from six to three and make the council's quota nine members. This seems reasonable enough, and will probably meet with the approval of the citizens if not of the legislature. But the bill was sprung on the council by the recorder without their having asked for it and without notice. Hence there was surprise and some comment on the action of Mr. MacCoy. For once the city's able legal advisor was in advance even of the smart men in the council.

Another bill proposed is that which will compel Ald. O'Donnell to resign his aldermanic seat if he runs for the mayoralty. He cannot try for the higher honor and retain the lower—that is providing the bill passes the legislature.

Ald. Redden has propounded an interesting series of questions for Foreman of streets to answer regarding the material which city teams hauled from an excavation being made by Ald. O'Donnell. When they are answered by Mr. McDonald, the alderman mentioned will have something to say of the official whose salary he was ready to advance not long ago.

The house that Mr. Rhuland has recently built on Grafton street was very plainly described by an alderman at the same meeting of the council. In plain Eng-

lish he said it was a brothel where liquor was illegally sold every day in the week. Mr. Rhuland will have his innings some of these days.

The city council furnished a gathering place for city fathers in the evening of Tuesday. The leaders of our business life spent the afternoon at the board of trade rooms. The discussion was rather mournful as they talked of a vanishing commerce and a starving trade, all due to what was spoken of as discrimination in railway freight rates against Halifax, Joseph Wood, J. A. Chipman, M. F. Esger and a half a dozen others talked as if it was only the last straw that was required to break the back of the camel of trade in Halifax, J. J. Troop, the president of the board, said that the commercial position of this city is worse than it has been for thirty years—"since confederation," were the words he used. Halifax must be put on a railway equality with St. John, was the opinion or go down. It is a question of the survival of the fittest with cities as with individuals; and if it is so bad now we will soon learn our fate and know the worst, or let it be hoped the best.

## HE WAS AFTER A BICYCLE.

But he Objected to the System of the Grocers Clerk.

The grocery clerks have already begun to get in their fine work on the bicycle soap wrappers; in fact, there is hardly a grocer in town, who doesn't think he's sure of a bicycle, to while away his leisure hours during the coming summer.

A well known Charlotte street grocer, has one clerk at any rate, who imagines if he doesn't get a "bike" no one else will. A few days ago the wife of a well known citizen entered the store, and was duly waited on by the clerk, who was after a '97 wheel. Among the articles purchased by the lady was a number of pounds of the prize contest soap, all of which were to be sent to her residence, and upon leaving the store, the lady was asked by the gentle clerk if she would mind if he kept the wrappers on the soap. Permission being given, the clerk unfolded the wrappers from the soap and the boy sallied off with the parcel to the buyers house.

Now it happened that at this particular residence there boarded a young man who was also saving the wrappers for a lady friend of his, and had previously asked the lady of the house for all the soap wrappers. Naturally he felt very indignant when he saw the parcel of soap come to the house containing no wrappers. Without consulting any one at the house, he sallied forth to the grocer's.

Approaching the proprietor, he called him to account for allowing his clerks to take the wrappers from the soap, saying they had no right to do so. The proprietor in turn became somewhat angry, and before the young man had said any more he was introduced to the street again. It is safe to say he will keep away for the future.

## When Trinity has a Holiday.

Trinity clock when it elects to take a rest causes considerably more trouble than would the stoppage of nearly all the rest of the timepieces in the city put together. The busy man of business, within sight of Trinity, glances hurriedly up from his desk to see if it is anywhere near lunch time, and the busy housewife who has taken advantage of a few idle moments to run down town is a trifle anxious in case she has stayed a few moments too long also looks up at Trinity, and both may be excused if they get a little impatient over finding the hands in the place they were in the night before, and for several nights and days. The school children, workmen, shop girls and others all share in the general dissatisfaction and disarrangements of plans, caused by the suspension of the clock's operation. This hasn't been Trinity's busy week.

## A Fight That Did not Come Off.

A good story is told this week of a fight that did not come off. Two young men became "vexed" at each other and agreed to settle the question of physical superiority by the usual manly fashion. One of the seconds enjoyed these little affairs so much that he was right in his element, but his suggestion that unless there was a referee the seconds were apt to make a second battle on the side, set the principals to thinking and talking it over, and in the end rather than fight it to a startling finish they shook hands, and buried the hatchet.