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THE GENIUS OF PALMER.

SHOWN IN MANY DIRECTIONS DURING HIS LIFE TIME.

His End was Peaceful and He Died on Thursday Evening—The Important Case He was Engaged in to be Appealed—Some Talk of His Outside of Legal Circles.

Since the last issue of PROGRESS the news of the death of ex-judge Palmer has gone forth. He died Thursday evening at an early hour and his end was as peaceful as he himself could have wished.

Only a few months ago he and his friends and those of his talented son, Chris A. Palmer were called upon to follow the latter to an early grave. He was at that time associated with his father and Dr. Quigley in the case of Hesse against the street railway, with which all are familiar, and few who heard the brief but touching reference that the aged judge made to his loss when he reappeared before the New Brunswick bar for the first time can ever forget it.

Within a year or so of 80 years of age Judge Palmer was a man of remarkable vigor. His brain was just as active as it was years ago and as he passed rapidly along the street the grizzled veteran gave little evidence of physical infirmity.

Although his career as a lawyer was a brilliant one perhaps he was best known to the people of St. John and the province as a supreme court judge. For many years he sat in equity and some of the cases that came before him were very important in their character. For years he had the affairs of the cotton mills in his hands as judge and it is said that during that time he displayed that remarkable foresight which characterized his operations years ago.

He had been a shipowner and a millowner. His business was not confined to the bar by any means but it was in the practice of his profession that he was most successful. Shipping declined in value and Mr. Palmer was among the heavy losers yet it took more than that to discourage this man of indomitable perseverance.

Even the failure of the Maritime bank could not do that and it is within the recollection of very many people how he suffered at that time in a financial way. PROGRESS has alluded before to his wonderful argument in Fredericton in opposition to certain liquidators and his success in having others than him appointed.

As a judge in equity he was a power in the land—too much of a power perhaps, but the duties of his office were arduous and Judge Palmer was getting old when he was given a retiring allowance of between three and four thousand dollars. Then he went to Boston and became engaged in the completion of a work on international law. The notes and experience of forty years were to furnish the material for his volume and who is there who will deny that it would have been a most valuable addition to any library. But the task became too formidable. He told the writer that as he progressed he failed to see how any one volume would contain all that he proposed to include in his work. "Then these stenographers" he exclaimed impatiently, "how few of them understand a man or who do not think that every word of repetition must go on paper. That was my main difficulty. If I could have had a man like Fry who was used to my ways and dictated to him as I went along I think I would have continued, but I found the physical effort of writing with impaired eyesight too much for me."

In a reminiscent mood Judge Palmer was an entertaining companion. He loved to dwell upon the events of years ago of which he had full knowledge and his associations with the politicians of Canada. During Sir John Macdonald's life he was an intimate friend of his and the letters of the great premier to the representative of St. John, as Palmer was then, would make interesting reading if they could be published.

It was some time after the accident to Prof. Hesse happened that Judge Palmer heard the particulars of it. He was at that time stopping at Evandale, a favorite resting place for the summer, and though he had not the slightest intention or idea then of being engaged in any suit that Hesse might bring he spoke for fully two hours in a conversational vein upon the different things that had to be considered in a suit for damages. The writer listened to him at that time and months later when he addressed the jury that brought a verdict of \$25,000 damages and his reasoning and

argument in the court room was precisely similar to his impromptu talk upon the verandah of the summer hotel.

There too he related his experience in temperance matters. Years ago when the question of prohibition was before the New Brunswick people he spoke strongly in many parts of the province in favor of the measure. But when the act came in force he said he saw his mistake and came to the conclusion that man's appetite could not be controlled by legislation. The plebiscite



Ex-Judge A. L. Palmer.

was about to be taken in Canada when he was thus resting in the country and he told the writer that in his opinion it was a mistake. He believed in some degree in local option but had changed his mind about putting a law on the statute book that could not be enforced. Thus it was when the proposal to repeal the prohibition law in New Brunswick was made he favored it.

For nearly all his life the judge was a total abstainer but of late years he said his physicians had ordered him to take whisky in the proportion of one part liquor to ten of water, and he smilingly added "such a prescription was a very safe one." But he spoke of the benefit he had derived from the use of liquor in this way though he could not depart from the physicians formula without it being injurious to him.

It is a strange coincidence that Judge Palmer should have been injured on a street railway as Prof. Hesse was—not, in fact, by a runaway car but while stepping from one. He has suffered more than his client did by the accident though it is not known what steps, if any, he proposed taking against the railway people. The funeral is fixed for to day.

The story of his life as told in brief together with a short account of the principal cases he was engaged in is as follows:

Acaulus Lockwood Palmer, ex judge in equity, and for a long term of years one of the leaders of the New Brunswick bar, was a descendant of an old Irish family which settled in New York about 1742. His grandfather, Captain Gideon Palmer, was born in New York state (then province) in 1749, and served as lieutenant and later as captain in the famous DeLancy corps of royalists, during the revolutionary war. At the close of that long struggle for independence, Captain Palmer left a handsome property in Westchester, New York, came to New Brunswick and settled at Dorchester, Westmorland county. A. L. Palmer was born at Sickville, 28th August, 1820 the son of Philip Palmer, land surveyor and Sarah Ayer, both natives of Westmorland. He was educated in the Sackville grammar school, principally under the instruction of that excellent teacher, Mr. Ross, later head of Da house College, Halifax, studied law with the Hon. E. B. Chandler, was admitted to practice as an attorney in 1844 and was called to the bar of the province in 1846. Mr. Palmer practiced at Dorchester until 1867, in which year he was created a Queen's Counsel and removed to St. John. He was president of the Bar Association of New Brunswick for a number of years, and while he remained in practice he stood in the front rank among the lawyers of Canada. During his continuous legal career of thirty years Mr. Palmer established a reputation as a master of law and as a keen and logical reasoner, that brought him into prominence in connection with a great number of the most famous cases cases before the provincial and higher courts. As a commercial lawyer he had no superior, his keen intellect enabling him to grasp with wonderful facility the whole situation with regard to cases of the most widely divergent character and involving the most

intricate points of law. He was also a great criminal lawyer, and was engaged as counsel in a number of famous cases. His successful defence of the Osborne family, accused of the murder of Timothy McCarthy of Moncton, in October, 1877, was an effort that won for Mr. Palmer universal praise. The case for the crown was most ably conducted by the Hon. W. H. Tuck (now Chief Justice Tuck), and so far as popular sentiment went, it was dead against the accused. The first trial for murder, at Dorchester, lasted 27 days, and resulted in the disagreement of the jury. A second trial was ordered, and it too ended in the same way. It is a matter of history that had not Mr. Palmer unearthed the previous career of Annie Parker, the chief witness for the crown, and established her utter unreliability, the jury would have been a unit for conviction. As it was the first jury stood 11 for conviction and one for acquittal; the second jury 8 to 4. If the secret pages in connection with the remarkable taking off of M. Carby are ever unsealed, Mr. Palmer's management of the defence will stand out in a stronger light than is thrown on it by the official records.

BASEBALL FEVER RAGING.

Games Nearly Every Day and Good and Poor Playing Mixed.

Base ball seems to have regained much of its old popularity in St. John and if the boys will play good gettlemanky ball they will have no difficulty in retaining the support of the public. The enterprise of the Alerts and those associated with them brought the Boston Collegiates here. They proved a good team the first two games but they made many friends in St. John, too many for them to continue to play good ball and they did not put up their game on Saturday or on Monday, though by good luck and Sullivan's pitching together with Richard's home run in the ninth they won from the Roses. Then they went to Fredericton and what St. John entertainers failed to do the Fredericton boys did. They went down before the Tartars whom they say know how to play ball from start to finish. Capt Richards said the capital team is a splendid one—far stronger than they had calculated upon meeting. He proposes to return next year and the team he will bring will he thinks be a match for any here. Jope, his catcher, deserted him the last game with the Roses to catch for the Alerts with whom he was engaged and "Tribby" didn't like it because it made his team weaker and the Roses beat it 18 to 2 in seven innings. It is said that Jope got five dollars extra for catching the game. The Alerts played against Webster's Portland boys and found them a tough proposition. The game was a good one but the Portland's won 3 to 1.

Some changes and additions are talked of on the Roses team. Friars is overworked and must have assistance so another pitcher will probably be secured. Then "Bucky" Mills is in Boston and a first baseman is wanted. There are some other changes spoken of but only in whispers as yet.

"Tip" O'Neill added to his good reputation as a player and with Friars and McLeod did the best work of the Roses. Shannon's one hand catch on Thursday made his friends happy.

The Alerts and Portlands' play this afternoon on the Victoria grounds.

A PLEASURABLE EXCURSION.

The St. John "Knights" are great entertainers. At least that is the opinion of their visiting brothers who enjoyed their hospitality last Tuesday. The programme was a trip up the main river and then a short journey up the Kennebecasis to Rothery where some dined on the steamer and some at the hotel. The Aberdeen served as a tender, rather a large one to be sure but all the more satisfactory from that fact. There was plenty of good music, the evening was delightful and the enjoyment of the excursionists supreme. They returned weary but happy before midnight.

Clear up the Bay Shore.

It is a pity some one would not take an interest in the Bay Shore, make a decent approach, clear the beach of the rotten logs and re-use that cover it at present and at the same time erect some presentable bathing houses. Strangers can well afford to smile and romps sneer at the place as it looks at present, and yet hundreds of people flock there every afternoon to enjoy the delicious air and perchance venture a plunge in the sea water.

THE VALUE OF CHARMS.

HOW MRS. MAHONEY'S DAUGHTER FOUND HER'S VALUABLE.

She was Able to Persuade Several People to the Extent of Some Dollars—A Few Exemplars Noted of Her Success as a Talented Supplient.

One of the proprietors of a leading King street hotel had a lady caller a short time ago. She was a fine looking woman and when he entered the ladies parlor in response to her request, he thought at once that she was a newly arrived guest and one of those who always want to see the proprietor. Such however was not the case. She did want to see the proprietor but she did not want to register at the hotel. In fact her mission was an entirely different one. She was in distress, and wanted assistance to the extent of a \$10 bill to help herself and a sister who had just arrived from Boston to earn their livelihood in the cooler climate of St. John.

Her story was a pathetic one—the stories always are—and she prevailed so upon the sympathy and good heart of the hotel man in question that he made up his mind he would assist her to the extent of \$10 in order that she might buy a sewing machine and commence upon that business career which was necessary to save herself and her sister from want. Still, not being sure in his own mind whether she was all that she represented to be, he suggested that instead of giving her the money he should go up to Mr. Crawford's and go security for the amount of \$10 on the machine. But this did not appear to be satisfactory. She wanted the money and felt that if she got that she would avoid the publicity attendant upon the hotel man becoming her security at the sewing machine agency. This was plausible too and when she saw him beginning to hesitate as to what he should do, she gave evidence of her good faith in the matter by producing a watch which she said she had paid \$50 for and offering it as security for the \$10 which of course, she would repay in a few days. She got the ten and departed.

But she did not go home to her suffering sister just then. Her next call was upon the chief of police and again her appearance, pleasant address and charming manners made an impression quite unusual in the front office of that dingy old building. It is said that she persuaded the chief that she was all that she represented herself to be and in great need of assistance. Whether the story is true or not that he gave her \$50 PROGRESS will not say, but in some manner the rumor leaked out that he did. If it is true there is no doubt his intention was all right, but at the same time subsequent facts that came to light show just how easy it is sometimes to fool even the chief of police.

She seemed to have a partiality for officers of the law, because the deputy sheriff was her next victim and from that kind hearted official she secured a considerable quantity of very presentable old clothing with which to start a second hand clothing store. It seems from this that her ambition was not limited to the dressmaking business but that she wanted to run a second hand clothing store in connection.

There was one of many other things necessary to start the establishment which it is quite evident she did not have. That was del, such crockery ware as was necessary to complete the equipment of a small household. The crockery man she called on has an eye for beauty and good manners and he was easily persuaded to loan enough dishes to enable the party to go out on a small sized picnic. She did not want them for housekeeping. Oh, no, just for a picnic that afternoon and they were secured on very easy terms. It is quite unnecessary to say that "they never came back." But it seems that they went to a little shop down on the corner of Charlotte and St. James streets which happened to be vacant and which the lessee was glad to get off his hands to such really desirable people as this lady and her sister appeared to be.

But there were other people to be consulted, those who live in the other parts in the building. They it seemed were not exactly pleased with the character of the new tenants.

Whether it was that the rent was not forthcoming or for what reason a lawyer in person of Mr. E. R. Chapman was engaged in the case and Mr. Chapman's talk was so plain to the ladies in question, that they were very indignant indeed, in fact so

worked up were they over the matter that there is a good joke going around in legal circles that the lady with the prepossessing manner and handsome style succeeded in getting one or two eminent legal lights to take the defence of her case. However it never came to trial, nor is it likely to.

The people in the vicinity of her new residence must have felt that everything was not as it should be in the little shop on the corner, so a quiet hint was given to the liquor inspector that it he called there he might find that the provisions of the law were not being carried out. The inspector called one evening and when he went in the place there was nothing there save some crockery ware—probably that picnic crockery ware—that was on the shelves, a bench or two, and some scraps of bread and vegetables thrown around the room. He had hardly time to glance around when a lady came in. She appeared to be a lady and from the austere and yet inquiring look that she fixed upon Mr. Jones he gathered at once that he had better state his business as soon as possible. He did so in his polite way and the manner in which she drew up and denied the implied accusation would have done credit it is said to a tragedy queen. Certainly her denial was very effective because from the very appearance of the place the inspector gathered that there was not only no liquor there but there was nothing there for anybody to drink it out of, and when the lady said "Now sir, if you have finished your business you may retire" he did so with as good grace as possible.

It was about this time that the identity of this prepossessing person was discovered and low and behold she was no other than the daughter of that well known lady Mrs. Mahoney of old clothes fame. For years this genial person has carried on a second hand clothes business moving from one portion of the city to the other and becoming acquainted with all those who have nice things in the way of worn dresses and who are supposed to give them away on the promise that payment will be forthcoming when they are disposed of.

Mrs. Mahoney is not a stranger to the readers of PROGRESS although of late years she has lived in some retirement, but it would appear that she has fitting successors in her good looking daughters. The police say that they are quite capable of doing all that has been credited to them but they were a little late in finding them out this time for when they called at the house Wednesday morning the door was locked and the birds had flown.

The watch that the hotel man got was, it is said secured from a well known jeweler but instead of it being worth \$50 five would be the nearer figure. It is seldom that the monotony of August life in this city is varied by the visits of such a charming persuader as Mrs. Mahoney's daughter proved to be. None the less those who had the pleasure of her visits feel a respect for her cleverness, even if they are at the same time kicking themselves for being fooled.

The family seems to be an enterprising one and has several members. One or two live in Bangor and the "tall slim one," as she is described, is she who did the trick on the people here. She came from Bangor for a change of scene and it seems renewed relations with her parent, who however has another daughter in town. She however has had troubles of her own having sent her husband to Dorchester on a charge of bigamy or something of that nature.

Moncton Maidens in Distress.

A young man named Taylor is blamed by two fair looking girls at present in the city for enticing them from their situations in Moncton by promising them better jobs in Fredericton. Taylor it appears has worked in a good many places and in spite of the fact that he has figured in one of the shadiest transactions still manages to get a job in some hotel. It is said that he is at present in Fredericton or was there, up to a short time ago.

He was in St. John a few days ago and the girls in distress say that they came with Taylor from Moncton and that they had plenty of money to pay their expenses but that Taylor managed to borrow it from them. Now they are stranded and are looking in vain for a tall slim young man with a dark moustache.

Umbrellas Made, Re-covered, Repaired
Duval, 17 Waterloo.