

The Daily Mail

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MAIL PUBLISHING COMPANY.

Fredericton, N. B., Dec. 6, 1910

SPARRING FOR WIND

The Gleaner newspaper, which some time ago assumed the role of a public prosecutor and slandered five prominent citizens, has all along endeavored to make its readers believe that it courted an action for libel. Now it is complaining because one of the five gentlemen whom it attacked has seen fit to set the machinery of the law in motion against its editor. In its issue of Saturday it devotes an editorial to the action for criminal libel now pending in the police court and deliberately misrepresents and distorts the facts of the case. In the first place it accuses Mr. McLellan and his counsel, Mr. A. J. Gregory, K. C., of having made unwarranted reflections upon the veteran police magistrate of the city, by seeking to create the impression that he has not chosen to act fairly in granting a postponement of the preliminary examination. It is true that when the case was before His Honor on Thursday last, Mr. Gregory protested against a six days postponement as he had a perfect right to do, but it is not true that he cast any reflections upon the Police Magistrate. The warrant for the defendant's arrest was issued on Saturday, Nov. 26th and as the preliminary examination was fixed for the following Thursday, Mr. Gregory naturally assumed that the defendant had ample time during the interim to engage counsel to defend him. When therefore, neither the defendant nor a lawyer authorized to act for him appeared in court when the case was called, he felt it his duty to protest and he did protest against any further delay. He assumed that with so many lawyers in the province, there was no reason why the defendant or the court should be obliged to conform to the movements of Mr. Baxter of St. John. As the Gleaner pointed out on Saturday, "the preliminary hearing is more of a formal nature than anything else," and as it further says "it is not there where the case is tried and the final judgment given." This being so surely it was not necessary for the defendant to limit his search for counsel to a man whom it was stated for an excuse had an alleged previous engagement in a case which demanded his attention until Wednesday in St. John.

The rumor that the defendant approached eminent lawyers in St. John who refused to have anything to do with the case may or may not be well founded. But there are certainly no scarcity of lawyers in this city, and strange it is that some of them could not have been induced to go to his assistance. The fact that Mr. Baxter, whom he finally secured, was otherwise engaged, was the intangible excuse for postponing the case. As counsel for prosecution did not complain of unfairness on the part of the Police Magistrate, having reserved his opinions in this respect, it was therefore scarcely necessary for the Gleaner to exhibit such feverish haste in rushing to the defence of that official. The public got the impression on Thursday last and still hold it that the defendant in the suit in requesting a postponement was simply sparring for wind, and his efforts to obscure the true issues and draw a "herring across the trail," at this stage by rushing to the defence when there was no attack or suggestion of one is too transparent to be taken seriously.

The Gleaner's attempt to create the impression that Mr. McLellan has dodged the main issue must appear very amusing to those familiar with the facts. No attempt to dodge the issue has been or will be made. The wheels of the law were set in motion

just as soon as the Gleaner substituted specific charges for veiled insinuations. Since last summer and up to the 19th of November that paper published articles in which it insinuated that various parties whom it alleged was attacking its editor had been guilty of divers acts of wrong doing, but suggested or mentioned no names. Mr. McLellan, believing himself to be one of the parties to whom the Gleaner's aspersions were intended published an open letter to the Gleaner editor and in the strongest language openly challenged him to meet him in public and substitute charges for these insinuations and then substantiate them. This challenge stands unaccepted. Why? The letter was published on Nov. 20th and on the 23rd the editor of the Gleaner replied to it over his own signature. After quoting the insinuating paragraphs which had prompted publication of the open letter he asked this question: "What is it that makes McLellan feel that these rejections are pointed at him? Why does he appear to be haunted by the consciousness that public opinion looks upon him with suspicion?"

It will readily be seen that up to that time the Gleaner had left the back trail open and was prepared as it has been prepared in similar cases for the last twenty years, to adopt it as a means of escape had it been attacked in the courts. In the same article, however the Gleaner editor made the charge that the proceedings in the Richards will case had mysteriously disappeared, and insinuated that Mr. McLellan was responsible. Mr. McLellan promptly met this by telegraphing the substance of the Gleaner's charge to the Northumberland registrar of probates who wired back that it was not correct. On Nov. 24th, Mr. McLellan's message to Mr. Fraser, the registrar of probates and the reply to the same were made public through the columns of The Mail. On the following day the Gleaner, evidently enraged by the Fraser telegram, exposing the whole plot, came out with a violent attack on Mr. McLellan, which it published under the following headlines:

"ALLEGED REPLY TO MR. McLELLAN IN WHICH HE CLAIMS PROOF OF INNOCENCE, IS A DELIBERATE FORGERY. G. B. FRASER OF CHATHAM, THE REGISTRAR OF PROBATE IN NORTHUMBERLAND, DECLARES THAT HE KNOWS NOTHING WHATEVER OF THE TELEGRAM WHICH McLELLAN USES AS HAVING BEEN SIGNED BY HIM." The article went on to characterize the telegram as a "deliberate forgery" and boasted that the scoundrel was being gradually unmasked. It even went so far in its wild frenzy as to direct the attention of the Attorney General to the startling discovery which it had made "that the name of an officer of the crown had been forged for a criminal purpose. This was probably done at the suggestion of Solicitor General McLeod, who now cannot deny having actively participated in the work of ferreting out this alleged offence against public morals."

As soon as his attention was called to this venomous attack, Mr. McLellan retained counsel and on the very same night the article appeared he lodged a complaint against the editor of the Gleaner for criminal libel and on the following day the latter says he was invited up to the police court to give bonds for his appearance. It is difficult for other than a diseased mind, blinded by intense and unwarranted passion against a political opponent, to understand in the light of the facts, what justification can be found for the statement that Mr. McLellan is now proceeding on a "side issue." It may from long and unchecked custom be a trivial matter for the Gleaner to charge offences against half of the community and refer to a citizen as a "deliberate forger" and a "scoundrel" and on the strength of its unsupported statement direct the attention of the Attorney General to alleged conduct, which the Solicitor General has so far left his connection with unexplained, but it is not so regarded by the reading public who recognize a real menace in this respect in the community and who insist on its suppression.

The Gleaner finds fault with Mr. McLellan for taking action "the hot minute that he conceived the notion that his critics are not absolutely sure of their ground." Note this now belates admission "his critics are not absolutely sure of their ground." Yet not being sure of their ground these same critics make the most damaging charge that almost

STANDING OF PARTIES IN BRITISH ELECTION

(Continued from page 1)

ster, Barnard and Knight; Aberdeen, (north) Pirie and Brown; south, Esle and Smith; Edinburgh, east Gibson and Cameron; west, Morgan and Clyde; central, Price and Barclay; south, Lyell and Murray; Cork, Roche and Redmond (Nats.) O'Brien (Ind. Nat.) Healy, (Ind.)

London, Dec. 6.—The prominent features in today's early returns in the parliamentary elections was the capture of Sutherland by the coalition parties. Hamar Greenwood, the Canadian Liberal, who returns to the House of Commons after an absence of less than a year, and Frank G. Goldstone, the Laborite, turned out the two Unionist members, S. Story, independent tariff reformer, and J. Knott, who were elected last January by majorities of 741 and 1,212 respectively.

The polling took place in Sutherland yesterday, but the results were not announced until today. Greenwood received a majority of 1,697, and Goldstone had a margin of 991 votes. The turn over is attributable in part at least to the bitterness of the boiler-makers in the Sutherland

district, who were locked out some months ago.

The results in Newcastle-on-Tyne were also made known for the first time today. They show no change. The Liberal and Laborite candidates being returned, by slightly reduced majorities. Unopposed returns however, placed the Unionists again in the front today with a total of 129 seats against 125, secured by the coalition. Early this afternoon the state of the parties was as follows:

Government coalition—Liberals,

89, Irish Nationalists, 20, Labor members 16, total 125.
Opposition—Unionists, 129. The gains thus far are: Unionists, 11, Laborites 1. Among the unopposed returned was John Dillon, Nationalist member for the east division of Mayo. There were pollings today in 39 constituencies returning 41 members in some instances there were three cornered contests of special interest, these including the fight in the Battersea division of Battersea and Clapham, where John Burns, labor leader, was pitted against Hon. Sir John Harrington, Unionist and the Socialist candidate, C. L. S. Shaw.

DISASTROUS FIRE IN ILLINOIS TOWN

Evansville, Ind., Dec. 6.—Fire here caused damage of approximately \$750,000 today, principally in the plant of the Fendrich Tobacco Company. A tobacco warehouse and several other buildings were destroyed.

WILL PLOW OUT PATH

The students of the U. N. B. have petitioned the City Council to have the snow plows break a path across Queen's Square during the winter. The Council has decided to comply with the request. It is expected that at the meeting tonight the contract for snow-plowing will be awarded to Wm. Clark and Chas. T. Burden, at eighty dollars each.

SABBATH OBSERVANCE CASE

The case against Ed. Washington, for keeping his place of business open on Sunday, was heard before the police magistrate this morning. Mr. A. J. Gregory, K. C., represented the defendant. The case was tried under a local act which, according to the magistrate, prohibits keeping open on the Sabbath day any place of business. Mr. Gregory argued that the keeping open of a restaurant was a work of necessity. The case stands over until Monday.

Mrs. E. O. Perley is to leave this evening for Sydney, N. S. to spend the winter.

the strongest words in the English language can hardly parallel. Is this not an astounding condition of affairs? Is it not time now for the Attorney General (the Solicitor General being incapacitated) regardless of his political connection with the author of the charge, to step in and take charge of his prosecution rather than to leave it to private citizens?

There is no doubt that not only Mr. McLellan, but also the other gentlemen who have been so maliciously slandered will endeavor to secure redress for injury done them. Their plans will mature early and in good time be unfolded to the editor and publishers of the Gleaner. In the meantime if the editor of the Gleaner, as he now admits, is not absolutely sure of his ground in one case, what reason have the public for believing that he possesses evidence to support his alleged charges in other cases, and particularly when he has been invited so openly and publicly to meet his opponent and has absolutely refused to do so.

MARYSVILLE TOPICS

Nov. 6.—The Gibbs family of entertainers closed a very successful week at Orange Hall on Monday evening. From here they go to Gibson for a week's engagement. The voting contest was brought to a close, Mrs. Moore being the lucky lady, her prize being a case of silver. Miss Hattie Buchanan was a good second. In the children's contest, Miss Margaret Stafford won first, getting a silver mug, spoon, knife, fork and napkin ring. Master Percy Watts was second.

WILL BID FAREWELL

Tomorrow evening at the Auld Kirk there will be a special meeting at which the congregation of St. Paul's Presbyterian church and other churches of the city, will bid farewell to Rev. A. H. Barker and his wife who will leave next month for the Korean mission field. There will be addresses by pastors of the various city churches. Mr. and Mrs. Barker are at present at the home of Mr. Robert Watson, St. Mary's father of Mrs. Barker. Rev. Mr. Barker is a graduate of U. N. B., and is well known here. He will preach in St. Paul's church on Sunday, December 11th and will leave the following day for Toronto, where his wife will join him later. They will sail from Vancouver for Korea on January 17th.

ALLENDALE

Nov. 30.—The weather for the past week has been very stormy and there was quite a fall of snow on Saturday, which makes the roads in an excellent condition for sleighing.

Mr. Wm. Simmonds and son are busily engaged getting their winter wood. Messrs. Dennis Murphy and John McGuire spent Sunday at George McDowell's.

Miss Bessie Simmonds, who is teaching school at Temple, spent Sunday at her home in this place.

The home of Robert O'Donnell has been gladdened by the arrival of a baby girl.

Mr. Cook Parker, of Magaguadavic has a large crew of men staying in this place, yarding hardwood for Gilman Bros. of Pokio. The culinary departments will be ably managed by Mrs. T. Thompson of Dumfries and Miss Dora Parker of Magundy.

Miss Kathleen Adams, who has been suffering with sore eyes for the past month, intends going to Presque Isle, Me., to consult Dr. Simmons, eye, ear, nose and throat specialist.

Mr. Thomas Madden was visiting at Joseph McLaughlin's on Sunday last. Mr. Edward Simmons, who has been away all summer, has returned home and has made some improvements on his place by adding a large addition to his front.

The young men of this place attended a straw frolic at George McDowell's on Friday last.

STAPLE DEPARTMENT

All Wool Blankets, Shaker Blankets, Down Quilts and Comfortables, Fancy Huck Towellings, Table Linens, Fancy Hemstitched Embroidered Towels, Guest Towels, Guest Towellings

NOTION DEPARTMENT

Kid Gloves, Angora Gloves, Fancy Belts, Fancy Neckwear, Fancy Jabots, belt buckles, beauty pins, etc. etc.

JOHN J. WEDDALL & SON

How About Your Boy?

The boy who does not desire to possess a good pair of skates is a rara avis. Can you think of anything he would rather have right now, for it is probable

There Will be Lots of Skating

before Christmas which the boys and the girls too, might as well enjoy

We Can Supply the Skates

Our Line includes the Starr and C. C. & M. Co. makes

R. Chestnut & Sons.

Sporting Goods Headquarters

PORTRAIT OF LATE MARTIN LEMONT

(Continued from page 8)

yal Caledonian Curling Club was ordered to issue to the Canadian Secretary, Mr. W. D. Aird, of Montreal.

Mr. J. H. Hawthorn, chairman of the management committee, submitted the estimates for the year amounting to \$571, and was authorized to have nights for public skating at the rink if advisable.

The following sub-committees were appointed:

Ioe, Dr. C. P. Holden and J. H. Hawthorn.

Light and telephone, President FitzRandolph and R. S. Barker.

Reception, R. S. Barker and J. H. Hawthorn.

Competition and games, President and Secretary.

Mr. Hawthorn reported that the club's share of the net receipts from the theatrical performance recently held in the Opera House was \$42.20. The thanks of the club was voted Mr. W. A. Walsh and others connected with the performance, also to Colwell & Jennings and John J. Weddall & Son for articles used in stage decoration.

The following new members were elected on the nomination of Rev. Dean Schofield, Messrs J. D. Palmer and J. S. Farrer.

PERSONAL.

Rev. Dean Schofield is reported to be suffering from an attack of la grippe.

Mr. A. F. Street, ex-collector of customs, who has been very ill during the past few days, is reported to be improved.

PURE GROUND SPICES

Allspice, Cassia, Cloves, Cayenne Pepper, White Pepper, Black Pepper, Jamaica Ginger, Mace, Nutmegs, Mixed Spice, Curry Powders. These spices are put up in 1-4 lb. tins by Lyman's Ltd., Montreal. They are guaranteed absolutely pure

George Y. Dibblee

Druggist

Opp. City Hall.

A lot of money is lost now a days buying Gifts of No Good Thing. Our Store is Full of Good Things we know will make the giver and getter feel good, we all like to feel good during these good days, Don't we?

DO IT NOW

That List for Christmas Giving, make it out and remember that GIFTS FOR MEN ARE BEST BOUGHT AND BOUGHT BEST AT

OAK HALL

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F'ton's Greatest Clothing House.



THE CELEBRATED "FIRFELT" SLIPPERS

The Finest in the Land This style is a lavender shade with covered heels and turned soles

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