

THAT WILL CASE

Seven Lawyers Engaged in the Richards' Dispute.

DR. ATHERTON GIVES SOME STARTLING EVIDENCE.

His Name Signed to Two Wills as Witness.

BUT HE ONLY REMEMBERS WRITING IT ONCE.

(Special to the Daily Herald.)

Newcastle, Oct. 9.—The court of probate opened yesterday, His Honor Samuel Thompson, K. C., judge of probates, presiding.

The Wm. Richards will case was before the court. Attorney General Pageley, Hon. L. J. Tweedie, Havelock Coy and A. J. Gregory appeared for those who are dissatisfied with the will, and H. A. Powell, Solicitor General McKeown and R. W. McLellan for the executors.

There seems to have been two wills drawn, one on the 15th of June, 1902, and the other 20th of July, 1902. The second will was produced and the executors proceeded to prove the same in solemn form.

By the first will deceased bequeathed to his son, David M. Richards, \$50,000 stock in the William Richards Co., Ltd., and also to his daughters and grandchildren \$30,000 each. This will was executed on Sunday evening, June 15, before Doctor Atherton, of Fredericton, and R. W. McLellan, who signed as witnesses.

By the alleged 20th of July will, sought to have probated, provision in favor of the children and grandchildren is done away with, and the bulk of the property is given to Herbert H. Gunter, son-in-law and David Richards, Campbellton, a brother of the deceased, small legacies being left to the children. This will also purports to have been executed by testator on Sunday evening, July 20, and witnessed by Doctor Atherton and R. W. McLellan.

Both documents are type written on separate sheets of paper, none of which are verified in any way by witnesses. In each case the signature of testator and witnesses are on separate sheets from the body of the will.

Mr. R. W. McLellan, one of the witnesses to the will was on the stand nearly all yesterday.

In reference to the will he said it had been executed in the presence of Dr. Atherton and himself, and that testator was capable of making the will.

Dr. Atherton swore he remembered witnessing a will, but did not remember the exact date. The will of July 20th was produced and he said the signature looked like his writing, and he would say ordinarily it was his signature, but since there were two wills he was not sure whether the signature was his.

To the best of his recollection he had witnessed but one will, and was much surprised to hear he had witnessed both. Both were certainly not his signatures.

The court adjourned until today at 10 a.m.

RACES POSTPONED.

(Special to Daily Herald.)

St. John, Oct. 9.—The boat races were postponed till tomorrow morning, owing to rough water. Neither Mark Lynch, Wray, Ten Eyck or Vail are here for the professional single. One of the St. Mary's crew of Halifax stands a good chance in the amateur singles, and St. Joseph's look well for the fours.

THREATENING.

(Special to the Daily Herald.)

Port Arthur, Oct. 9.—The Japanese squadron is manoeuvring off Corea. The Russian fleet is lying with steam up, and the vessels are painted as in war time.

It is denied in the highest quarters that the Japanese are landing troops.

MR. BEEK ONE OF THEM.

Lord Minto Will Present Imperial Service Order at Ottawa.

(Special to the Daily Herald.)

Ottawa, Oct. 9.—A function will take place in the Senate Chamber after prorogation, when His Excellency, on behalf of the King, will confer the imperial service order and medals on those who have been already announced as chosen to receive them.

[Mr. James S. Beek, auditor general of New Brunswick, is one of the gentlemen thus to be honored, and is the only representative of this province to receive the imperial service order.—Ed. Herald.]

RAILWAY WASHOUTS.

(Special to Daily Herald.)

New York, Oct. 9.—Washouts have stopped all northbound traffic on the New York Central railroad. Among the trains held up is the Empire State Express. Six and a half inches of rain has fallen here in the past 24 hours.

BIG GAME HUNTERS.

Another Batch of Sportsmen Pass Through the City.

Among the arrivals in the city by the noon train today was Mr. Ralph Pulitzer, son of Joseph Pulitzer, proprietor of the New York World, one of America's greatest newspapers. Mr. Pulitzer is on his way to Taxis River and McKeil Brook to hunt big game under the guidance of William Griffin, jr., of Green Hill. He is accompanied by his colored servant and has made arrangements to remain a fortnight or three weeks. Mr. Pulitzer is a most enthusiastic sportsman, and spends his vacation each year in the woods. He has just returned from a trip to Jackson's Hole, Wyoming, which was most successful, he having killed in one week, three elk and two grizzly bears. All arrangements for his present expedition were made by the Fredericton Tourist Association.

Messrs E. C. A. Becken of Worcester, Mass., and E. H. Moore of Hartford, Conn., are at the Queen today en route to the Miramichi on a hunting trip. Alex. Story of Doaktown will accompany them as guide.

A party of Boston sportsmen, made up of C. W. Bartlett, John J. Hagerly and Charles Jennias, came in on the noon train today and are guests at the Queen. They are en route to the Southwest Miramichi to hunt moose and caribou.

THE MUNICIPAL ELECTION.

Some Further Details of Tuesday's Voting in the Parishes.

Mr. M. A. Hagerman, of Bear Island, who was an unsuccessful candidate for Queensbury in the recent election, was in town today. Although defeated, Mr. Hagerman put up a stiff fight and has the satisfaction of leading the poll on the front, where he resides. In the back part of the parish however, he was literally snowed under only receiving 7 votes against 70 cast for Timmons and 27 for McNally. The people "at back" seemed to be afraid that both candidates from the front would be returned and plumped Timmons to a man, all other issues of the campaign being forgotten. The complete returns are as follows:

Coun Timmons.....	138
M B McNally.....	112
M A Hagerman.....	95

Mr. McNally is new to municipal politics, but is known as one of the shrewdest and most successful farmers in the county, and cannot fail to make a good representative. He comes to the board as the successor of George F. Burden, M.P.P.

In Prince William the election resulted in the defeat of Coun. Fraser, who has sat at the board two years and the return of William McGirr of Pokiok settlement. The figures are:

William McGirr.....	88
Coun. Archie McMullin.....	78
Coun. Fraser.....	73

Bachelor's Ball.

A number of the young bachelors of the city are to hold a ball in the Masonic hall on the evening of Thanksgiving day. Alex. Thompson is secretary to the committee.

Mr A B Raddick, of St John, is at the Barker.

Mr F W Wilson, of Montreal is re-elected to the Queen.

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ANOTHER WEEK

OF BARGAINS

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As we intend to further reduce our stock, in order to make room for New Fall Goods, and we also still have quite a large number of broken lots of Footwear on hand that we wish to clear out, we have decided to continue our Clearance Sale for another week, and will continue to give from

10 to 50 per cent. discount

Off the former prices of our entire stock of Leather Footwear, including Boots, Slippers, Beade Moccasin Slippers, Oil Tan Moccasins and Shoe Packs, (excepting our Gent's Hand Made Long Boots) until and including

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