

The Daily Herald.

VOL. X.

FREDERICTON, N. B., TUESDAY, OCTOBER 3, 1905

NO. 231

St. Mary's Departmental Store.

We have tried to convince you that it is to your advantage to buy at our Departmental store. Perhaps you are one of the doubters. We have secured many of them as permanent customers. We are sure of securing you if we can interest you enough to get you to visit our store on sales day, Tuesday. That is our excuse for holding these sales.

We have a splendid bill of fare for next

TUESDAY.

FLANNELETTE WAISTS.

A fortunate purchase of flannelette waists all sizes, new styles just arrived allows the selling at such a low price. Good value, 75c; our price, 59c.

BLANKETING.

Hewson all wool blanketing in white and grey by the yard, a splendid winter blanket, regular price, \$1.25, Tuesday, 88c.

SHAKER FLANNELS.

An extra heavy English shaker in white and cream. Regular price is extremely low.

Cream, regular price, 16c, Tuesday, 12c.

White, " " 14c, " 10c.

LADIES' GOLF JACKETS.

Navy blue, red, white and brown, newest and best, none better at regular prices.

Regular price, \$2.50, Tuesday, \$2.00

" " 1.65, " 1.18

" " 1.45, " 1.03

LADIES' CORSETS.

A large stock, including each well known makes as D & A, C. B. C., B & T and Crompton.

Regular price, \$1.30, Tuesday, \$1.00

" " 1.40, " 1.12

" " 2.25, " .93

" " 1.15, " .82

" " .90, " .72

" " .75, " .58

" " .50, " .42

LADIES' HOSE.

An extra fine cashmere fleeced hose. Splendid for fall wear. All sizes, 8 to 10, regular price, 25c, Tuesday, 19c.

BOOTS AND SHOES—MEN'S BALS.

Men's Dong, Kid Bals, Goodyear welt, regular price, \$2.95, Tuesday, \$2.29.

MEN'S OXFORDS.

Men's Dong, Kid Oxfords, regular price, \$1.25, Tuesday, 99c.

MEN'S WORKING BOOTS.

Heavy grain and buff working boots, regular price, \$2.25 and \$2.50, Tuesday, \$1.67.

LADIES' BALS.

Ladies' Dong, Kid Bals, regular price, \$1.35, \$1.40 and \$1.50, Tuesday, \$1.07.

CROCKERY.

Regular prices in this department are away below city quotations. Cuts therefore do not appear so large. It will pay you to examine our hardware and crockery prices.

PLATES.

8 in. regular price, 85c, Tuesday, 65c.

7 in. " " 75c, " 60c.

6 in. " " 60c, " 40c.

SOUPS.

7 in. regular price, 75c, Tuesday, 60c.

PLATTERS.

10 in. regular price, 30c, Tuesday, 23c.

12 in. " " 45c, " 10c.

14 in. " " 55c, " 49c.

PITCHERS.

Regular price, 12c, Tuesday, 8c.

" " 15c, " 10c.

" " 18c, " 12c.

CUPS AND SAUCERS.

Regular price, 75c, Tuesday, 60c.

BAKERS.

Regular price, 15c, Tuesday, 10c.

BASIN AND PITCHER.

Regular price, \$1.10, Tuesday, 66c.

TOILET SETS.

Regular price, \$1.50, Tuesday, \$1.00.

LADIES' RAINCOATS.

We have just opened all the new styles, such as Redigote, Empire, etc. Prices are inducing.

LEAK FURS.

We have pleasure in announcing that we have taken the agency for the well known Leak Furs. The following guarantee goes with every coat.

GUARANTEE.

"The skins from which this coat are made are the very best obtainable and are not damaged by coloring and we guarantee this Fur Coat to give better service and wear longer than any other Fur Coat on the market.—LEAK FUR MFG CO. OF CANADA.

We again call your mind to McCall's PATTERNS, the leading New York styles. Shall we send you a fashion sheet?

St. Mary's Departmental Store

ST. MARY'S, N. B.

Chestnut
says

You are always sure of finding
our **CHOCOLATES** fresh.
Constantly arriving shipments,
and brisk sales keep our stocks
ever fresh.

Always in Stock:

A BEAUTIFUL LINE OF

Friendship,

Engagement and

Wedding Rings

Don't forget our removal to 290 Queen st., opposite
the Officers' Quarters.

F. E. BLACKMER.

BURPEE VINDICATED.

Former St. John Man and Graduate of U. N. B. was
A Victim of Spite.

MAM WHO ARRESTED HIM FOR EMBEZZLEMENT IS HIS DEBTOR.

More than a year ago despatches to Eastern newspapers from Dawson noted some difficulties into which Mr. Isaac Burpee, formerly of St. John and well known in Fredericton, was alleged to have fallen through the action of his business partner, having him arrested at St. Louis on the charge of embezzlement and fraud. Mr. Burpee returned to Dawson to face the charges against him and was promptly acquitted by a jury of his fellow citizens.

In confirmation of the report to that end which had already reached the "Herald," we are pleased to be able to reproduce the following from the Yukon World of Sept. 17:

"An advertisement in another column signed E. Shoff, ins the ending to a very old story and one which seems to show a big miscarriage of Canadian justice.

The firm of Burpee & Company carried on a business handling general merchandise and drug supplies, from September, 1902, till March, 1904. The partners therein were Isaac Burpee and E. Shoff.

On the date of the dissolution of partnership Mr. Burpee was on the outside. The day after the dissolution of partnership Mr. Shoff, partner in Dawson, laid a charge of embezzlement of twelve thousand dollars against Burpee in connection with the business.

Extradition papers were applied for but were refused. However, on another criminal charge, that of embezzling six hundred dollars, the extradition proceedings were allowed, and on May tenth of that year Mr. Burpee was arrested in St. Louis and brought back to Dawson. In all he was in confinement until Sept. sixth, of nineteen hundred and four.

Burpee was tried before Mr. Justice Macaulay, who found him not guilty of the charges preferred against him and ordered his release. At the trial it was admitted that the charge on which the extradition papers were issued was merely pressed in order that Burpee could be brought back and made to face the other charges.

Before Burpee was acquitted Shoff started a civil suit for the recovery of the twelve thousand dollars, which he claimed Burpee had in connection with their partnership. In October, however, the prosecution withdrew the charges and paid the costs in connection therewith.

February last Burpee took a hand in the game and started a suit against Shoff. There was considerable cross-firing and finally an agreement was reached that the whole matter of the partnership would be referred to Mr. E. W. McAdam, the expert accountant of the N. A. T. & T. Co. He was instructed to make a new set of books and to go into the matter with the utmost thoroughness and find just how the partners stood in regard to each other.

Mr. McAdam finished his work yesterday. There were on the books some gross assets to the amount of over eighteen thousand dollars. A considerable portion of this was written off to profit and loss. After this had been done it was found that a considerable sum of money was still due to Mr. Burpee from Shoff, and this sum Mr. Shoff paid at once and made the acknowledgment printed in another column.

Mr. Burpee and his friends are naturally jubilant at his complete vindication. There is still a feeling that Mr. Burpee has been wronged

and that a whole year of his time has been wasted in an endeavor to clear his name from the aspersions that have been cast upon it. However, all's well that ends well, and Mr. Burpee intends to celebrate the conclusion of his long suits by a trip to the outside before navigation closes for the year.

The advertisement which appears in another column of the Yukon World of the same date and referred to in the above is as follows:

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Be it known that I hereby announce to the public that the informations laid by me in March, nineteen hundred and four, to procure the extradition of Isaac Burpee from the United States on the charge of embezzlement were unjustly and improperly laid, as at that time, though I believed my statements to be true, which belief was founded on the books of Burpee & Co., they were not true in fact, which fact has been recently established on the taking of accounts in a civil suit between Isaac Burpee and myself to adjust the affairs of Burpee & Co., in which it was found that I was indebted to Mr. Burpee instead of his being indebted to me, and the settlement of which indebtedness has been made.

Dated at Dawson, in the Yukon territory, this sixteenth day of September, A. D., 1905.

E. SHOFF.

Witness:
FRANK J. M'DUGALL.

Editorially the Yukon World of Sept. 17, under the heading of "A Crime Against Law," says:

In another column is told a story of how a Dawson boy was brought from St. Louis to Dawson on a charge of embezzlement, was kept six months in durance and subjected to a number of other indignities.

It took the Dawson boy a year after this to prove that he was innocent of the slightest wrong doing and to vindicate his good name.

When the whole matter of the partnership, over which the trouble arose was settled, it was found that the man who was arrested and extradited was the one to whom the money was coming and yesterday that money was paid and an acknowledgment made that not the slightest blame in the whole matter attached to him.

Incidents like the above do not often happen in Canada. The fact that in a country under the British flag, a man can be dragged about at the heels of a policeman and have to spend a year of his life proving that he is innocent of crime, is enough to give the general public contempt of law that is so administered.

The chief fault seems to be in the insufficient investigation of the application for extradition, and the ease with which such proceedings were permitted.

It is to be hoped that, if the case is such as is stated as it appears to be, that there will be a most searching and thorough investigation made, and that whoever are responsible for an innocent man being dragged all over the continent by policemen for crimes which he never committed, will be swiftly and surely given a strong taste of the medicine which they so carelessly and lavishly dealt out themselves.

FATE OF ELECTION PETITIONS.

Minister of Militia Holds his Seat—Fielding Must Face
Trial—Other Cases Referred Back.

Ottawa, Oct. 3.—(Special).—The Supreme Court which met today, gave judgment in a number of election appeals.

The result of these are:—Sir Frederick Borden holds his seat for Kings, N. S. A new election will be required to be held in Wentworth, Ontario.

THE STANLEY FAIR.

The annual fair of the Stanley Agricultural Society opens at that place tomorrow and a large number from this city will probably take in the show. The executive composed of D. J. Griffiths president; M. W. 000,000 in gold. The hemp, ready for shipment, is also a total loss. The plantations were damaged to such an extent that it will take a year to get them into condition again.

ENORMOUS LOSS.

Manila, Oct. 3.—(Special).—It is estimated that the loss to the hemp growing district from the ravages of the recent typhoon will reach \$7,000,000 in gold. The hemp, ready for shipment, is also a total loss. The plantations were damaged to such an extent that it will take a year to get them into condition again.

CITY COUNCIL IN COMMITTEE.

Union Telephone Company Will be Able to Enter the
City.

DAINGEROUS CROSSINGS TO BE BROUGHT TO NOTICE OF RAILWAY
COMMISSION.

The city council met in committee last evening and transacted quite a lot of business.

The accounts for the month were gone over and passed after considerable discussion, and the necessity for having all supplies ordered through the chairman of the committee was made apparent. This rule was adopted by the council some time ago, but has not been strictly adhered to. It was decided that in future order blanks signed by the chairman of the department, must accompany all invoices. If the order blanks do not accompany the invoices, then the latter is to be returned to the party furnishing the goods. The discussion arose over some accounts in connection with the fire department, and it came out that changes had been made in the contract for wiring the central hose station without the sanction of the chairman.

Dr. Frank Brown of Centerville, president of the Union Telephone Company, and Dr. Ross of Florenceville, the secretary-treasurer, were heard with respect to the application of the company for permission to enter the city.

A long discussion followed and resulted in a recommendation to the council to pledge itself, in case the Union Company fails to arrive at an agreement with the N. B. Telephone Company, to erect a line of poles

from the Kingsclear boundary to Odell Avenue and lease a right of way on same to the Union Company.

A petition from J. Bebbington, M. S. L. Richey, H. B. Rainsford and Fred Cooper, calling attention to the dangerous condition of the Charlotte street railway crossing and asking that two electric lamps be erected near the same, was read to the meeting.

After some discussion the city clerk was directed to bring the matter to the notice of the I. C. R. authorities and also to the railway commission, and ask that the crossings on both George and Charlotte street be properly protected by gates. The government will also be asked to provide gates for the same.

A petition from Messrs Simmons and Burpee asking that an arch light be placed on the bridge, in order that they might set a night crew to work on the piers, was referred to the light committee.

Messrs J. F. McMurray and J. Hugh Calder, presented a petition praying for a reduction in the assessment on the Jack property, now owned by them. It was pointed out that the property is assessed for six thousand, two hundred and fifty dollars, and was purchased by them for four thousand dollars.

It was decided to renew the city's subscription to the Canadian Union of municipalities.

THE HARTLEY ASSAULT CASE.

The Grand Jury at County Court now Considering Bill of Indictment.

The October term of the York Co. Court opened this morning. His Honor Judge Wilson presiding. Among the barristers in attendance were Solicitor General Jones, J. D. Phinney, K. C., J. H. Barry, K. C., clerk of the court, H. B. Rainsford, O. S. Crockett, M. P., R. B. Hanson, H. G. Penney, Walter Limerick, J. T. Sharkey and Peter J. Hughes.

After Crier Fanjoy had delivered the usual proclamation, the roll of grand jurors was called when the following answered to their names:

C. W. Hall, Frank Vanwart, George J. Clark, W. E. Farrell, Fred J. Todd, Abram Alward, T. Amos Wilson, John H. Parsons, C. H. Thomas, J. Bebbington, Jr., J. A. McAdam, Geo. F. Wilkes, A. H. Vanwart, C. W. Whelpley, Henry A. Burtt, D. J. Shea, W. L. Anderson, J. S. Allen, Havelock Sansom, C. H. Weddall.

Mr. C. H. Thomas was elected foreman, after which the grand jurors were duly sworn by Clerk Barry.

The petit juror list was made up as follows:

Hedley Vanwart, Fredericton.
H. H. Bridges, Fredericton.
E. G. Hoben, Fredericton.
H. C. Jewett, Fredericton.
George Slack, Manners-Sutton.
Joseph Richards, Fredericton.
George S. Peters, Fredericton.
J. C. Risten, Fredericton.
J. DeL. Robinson, Fredericton.
W. E. Everett, Fredericton.
J. A. Fletcher, New Maryland.
John McCarthy, Fredericton.
Ludlow Yerna, Fredericton.
Odier White, Fredericton.
W. P. Barker, St. Mary's.
J. D. Ester, Fredericton.
Frank Smith, Fredericton.
Dunbar D. Nason, Fredericton.
John R. Limerick, Fredericton.
Lemon T. Stone, Fredericton.
James Horncastle, New Maryland.

The following docket was made up by the respective attorneys:

CRIMINAL DOCKET.

The King vs Harry McCatherine.—Indictment for assault causing actual bodily harm.

BASTARDY DOCKET.

The King at the instance of the Overseers of the Poor for the parish of Kingsclear vs. Alexander Stevenson—H. B. Rainsford files record.

JURY CASES.

John A. Morrison vs. Sarah Blizard. J. H. Barry, K. C., files record.

Allen E. Stairs vs. Brackley Shaw and Charles T. Shaw—Mr. Crockett files record.

J. F. VanBuskirk vs. Allen Stairs.—J. H. Barry, K. C., files record.

Mary Nicholls vs. Walter Limerick.—Mr. Crockett files record.

THE CRIMINAL CASE.

In charging the grand jury in the criminal case His Honor briefly reviewed the evidence as disclosed by the depositions. He said that the Rev.

F. Clarke Hartley, a Free Baptist clergyman of Houlton, while returning from a summer camp at Maryland Hill on the evening of July 21st, had been set upon by three men and brutally assaulted. He had not been able to recognize any of his assailants, but there was evidence to show that the accused had been seen along with two companions shortly before the assault had been committed. The indictment contained two accounts, one for assault, doing grievous bodily harm, and the other for common assault. He thought if the grand jury presented a bill they would have no difficulty in finding on the first count.

His Honor in conclusion remarked on the seriousness of the case, and pointed out that it was the duty of the authorities to rid the city of persons who would attack citizens on the highway and whose presence was a menace to the community.

After hearing the testimony of a number of witnesses, among whom were several who were not heard at the preliminary examination, the grand jury separated for lunch until three o'clock.

There was a short session this afternoon, but Mrs. Howard of Acton, a crown witness not being available, an adjournment was made until tomorrow morning. It is said that the McCatherine boys and McSorley stopped with Mrs. Howard for several days after their flight from the city, and that she is in a position to give important testimony.

The civil case of Morrison vs. Blizard was undefended, and the damages were assessed at \$119, being the plaintiff's claim for goods sold the defendant.

The court adjourned at 3.30 this afternoon until 10 o'clock tomorrow morning.

RATHER PREMATURE.

Chatham World.—Rev. A. H. Barker, B. A., of Toronto, who is at present visiting the Synod of the Maritime Provinces in the interests of the Student Volunteer Movement, is in town, and will occupy the pulpit of St. Andrew's church at the forenoon service tomorrow.

(This refers to Mr. Archie Barker who graduated at the U. N. B. last encoenia and will commence his theological studies at Pine Hill College, Halifax, this autumn. Mr. Barker is not yet a reverend, but his friends believe that when he secures that honorable title the Presbyterian church will have received a clever and promising preacher.

HE VISITED HOULTON.

James McSorley, who is wanted by the authorities in connection with the Hartley assault case, passed through Houlton a short time ago on his way to Boston. While in Houlton he told some friends that at the time the police were scouring the country for him he was calmly journeying in a Fredericton cellar.