

THREE MORE BOYS TO
GO TO REFORMATORY

Boys Who Tapped Mr. McDade's Till
Plead Guilty in Police Court, and Im-
plicate Peter Moran of St. Patrick
Street.

Three more boys must go to the reformatory for stealing, but for how long has not yet been decided.

They are Harold Chamberlain, twelve years old, John McDonald, the same age, and Willie Clayton, aged eleven.

McDonald seems to have been the ring-leader of the group, and the fathers of Chamberlain and Clayton, who were in court today, blame him for influencing their boys to do wrong.

None of the lads were sworn, and all pleaded guilty and McDonald implicated Peter Moran of St. Patrick street, and his honor said he had better be placed under arrest before the evening papers came out.

The lads were charged with entering D. McDade's meat shop, on St. Patrick street, every evening from the 15th to the 22nd instant, and stealing money, the amounts varying from 15 cents to \$1.50. Chamberlain said he was guilty but "not all the time." He admitted being in the store on Saturday night between 11 and 12 o'clock and said he took 15 cents from the till. McDonald stated that Chamberlain divided the money he took on Saturday night, but he (McDonald) got none.

Clayton also told of being implicated in the theft, and in reply to a question regarding the whereabouts of his brother Robert, said he was in the reformatory for stealing.

The boys' fathers were in court, and none of them had ever known their sons to commit any very serious offence, save only that Mr. Chamberlain blamed young McDonald for waiting outside the Sunday school for his boy, and declared that on one occasion he (McDonald) had detained the lad in his woodshed all night.

His honor commented severely on the fact that boys of such tender years were allowed on the streets after nine o'clock at night. Such boys he remarked were sure to come to grief.

Only recently he had received a complaint from Carleton street that boys were taking charge up there, and worse than that they were acting indecently.

The same party had told him that when he asked a policeman to arrest the offenders, the official had told him there was no use as nothing would be done with them in the court.

His honor added that the policeman referred to had been but a short time on the force.

He also made reference to a lad who had been arrested a short time ago and later allowed to go as the policeman had no right to arrest him. Mr. Henderson and himself had learned this but at the time no public reference was made to it. His honor pointed out that the policeman who made an arrest without proper cause was liable to a penalty. He did not think the police had any right to set themselves up to be judges of what was done in the police court.

He told the lads that they would be in bed by half-past eight next Saturday night for they would be sent to the boys' industrial school.

The court ordered that the youthful offenders be kept apart from the adult prisoners.

Between twelve and one o'clock today Sergt. Caples arrested Peter Moran of St. Patrick street on suspicion of complicity in the robberies committed in D. McDade's meat shop, St. Patrick street, last week.

JUDGE LANDRY REFUSED
TO REFER THE DEMURRER
TO THE SUPREME COURT

But on Application of the Crown Counsel He Grants Leave to
Appeal in the Emerson-Crocket Libel Suit.

FREDERICTON, June 24 (Special).—In the Emerson-Crocket libel case now before the circuit court here, Judge Landry declined to refer the question of demurrer raised by the crown counsel to the full bench for a decision. He afterwards consented, however, on the application of the prosecution, to reserve a case for the higher court. The crown then asked for a postponement of the trial but the defendant's counsel raised an objection and made application for his discharge from arrest.

Judge Landry, after remarking that the case was in somewhat an embarrassing position, stated that he would give his decision tomorrow morning.

Defendant Crocket and all his counsel were in their seats when court opened this morning, and Mr. Barry, K. C., alone represented the prosecution. There were only a few spectators present as it was generally known that the case would not be tried at this time.

After the usual opening ceremony, Judge Landry read his judgment on the demurrer as follows:

"I have considered the matter of referring the decision of the demurrer to the court and have concluded that the more regular practice is not to do so. Did I believe that there was no appeal from my decision I would refer the question, but believing that the court at the next term can properly be asked to rescind my order and that the matter can then be brought up I will make no grant of leave. It is yet so far as I have power to grant leave to appeal that leave is granted. The practice to refer to the supreme court important questions arising in circuit might lead to abuse and to much unnecessary and vexatious delay. Each time such a practice would be invoked and called, the practice at the circuit would have to be stopped and put off until another circuit and one can readily see how often recourse would be had to such a practice when once established."

In answer to a question by Mr. Barry, the judge stated that he had refused to reserve a case on the demurrer to the supreme court but would grant leave to the prosecution to appeal.

Mr. Barry then made formal application to the court to reserve a case under the provisions of section 104 of the criminal code, and requested that his application go on the record.

Judge Landry said that it was the first time counsel for the prosecution had asked him to reserve a case.

Dr. Pugsley had intimated that he believed that the court had not the power to reserve a case for the full bench on the application of the crown.

Mr. Barry said that he was now asking the court to reserve a case. He intimated that no application had previously been made on behalf of the crown. The question at issue, he regarded as most important, and it was right that the full court should be given a chance to decide it. Should the court decide against the demurrer, he understood Dr. Pugsley to say that the case would likely be dismissed.

Mr. Hazen said he understood Dr. Pugsley to say that if the court refused to allow the demurrer it would be impossible to take an appeal. Now Mr. Barry was asking to have a case reserved for the supreme court.

Mr. Hazen contended that it was impossible to have a case reserved without going on with the trial, and pointed out that the crown counsel had stated the trial would not be proceeded with at the present time. He claimed that it was now too late to make application for a reserve case.

Mr. Barry argued that under section 104 of the criminal code, an application could be made for a reserve case on any question arising out of a decision of the judge. Mr. Hazen contended that even if a case was reserved the trial could go on.

Mr. Barry remarked that unless his honor's decision refusing the demurrer was reversed the prosecution did not want a verdict from the jury. The question of law raised was admittedly an important one and should certainly be referred to the full court for a decision.

Mr. Hazen—"Dr. Pugsley said there was no appeal."

Mr. Barry—"Well, he has since changed his mind."

Mr. Hazen argued that it was something new to reserve a case without going on with the trial. As it was now certain that the case would not be tried this term, he would move for the discharge of Mr. Crocket.

Judge Landry said that there was no doubt in his mind but that Mr. Barry was entirely right. The law allowed an application for a reserve case to be made at any time during the trial. It was true that the trial could go on, but the fact of a reserve case being granted would not prevent the crown from stopping the proceedings at any time it saw fit. He understood Dr. Pugsley to say that the crown had not the right to make an appeal from the judgment on the demurrer, but he modified this afterwards by stating that he intended to exhaust every resource known to the law to secure an appeal.

The judge thought the crown had the right to move the court to rescind his order and in an important case could stop the trial pending the decision. He had no hesitation in saying that this was of sufficient importance to justify him in reserving a case, as he thought the full court should share the responsibility. Having decided to reserve a case he was now ready to hear the case for the crown against the accused.

Mr. Barry at this stage made formal application to have the trial postponed until such time as the reserve case had been decided. The full bench would meet on the first Tuesday in November and the case could be decided in time to have the trial begin about the middle of that month.

Judge Landry said he would not think of adjourning the court. If the trial was now proceeded with it would have to stand until the next January circuit.

"Your honor I would then move that the trial be postponed until the January term," said Mr. Barry. He pointed out that the resumption of the trial would be the denial of the allegation of facts, so the questions of facts in the case are to be decided. He did not think that any interests would suffer if the case went over until the January term.

Mr. Hazen started to address the court at this stage, but was told by the judge that it was quite apparent that the trial could not go on at the present time. The witnesses for the defence had returned home and an adjournment would have to be applied for to get them back again. Mr. Hazen thought the court should refuse the application of the prosecution to postpone the trial as, in his opinion, no legal grounds had been put forward in support of it.

Judge Landry said that the fact of his having reserved a case was not sufficient reason in itself for postponing the trial. Mr. Barry said that if by full court he should uphold his honor's decision, which practically meant that the publication of the libel was in the public interest, it would be futile for the trial to go on. The crown was not ready to proceed at the present time, Mr. Crocket, said Mr. Barry was not in actual custody, and no injustice will be done him by the case standing over. While the accused had rights in the matter, it must be remembered that the crown also had rights. As they were not ready to proceed with the case, they had the right to ask that it be stood over until next term.

With the disbarment of two prominent pension and patent attorneys and their associates and the threatened disbarment of several other firms it is evident that the country are receiving official attention. The disbarred attorneys are W. E. Moses of Washington and Denver, Harvey Spence and Sons of Washington and those who are further mentioned include the firm of Milo P. Stevens of Washington, Cleveland, Detroit and Chicago and Edward B. Gaddis of Washington. The housecleaning which has uncovered the alleged dishonest practices of these attorneys practicing before the pension office was seriously begun in the interior department when Mr. Garfield took charge of that department last March and will in all probability be continued.

(Continued on page 3.)

JUDGE WEDDERBURN
SCORES A PRISONER

Donald B. Kennedy Before King's County
Court On Abduction Charge---Severely
Censured by the Judge and Remanded
for Sentence.

HAMPTON, N. B., June 24 (Special).—At the adjourned session of the King's County court this morning, Judge Wedderburn continued his hearing of the case in which Donald B. Kennedy is charged with the abduction of Elsie Boone, the fifteen year old daughter of Fred Boone, of Apohaqui, on June 1st. A number of additional witnesses were in court ready to give evidence, but before any of them were placed on the stand J. M. McIntyre, counsel for the accused, said he had been instructed by his client to withdraw his plea of "Not guilty." and to plead guilty of the charge as set forth in the indictment. He had no extenuating circumstances to lay before his honor, but believing that the prisoner had committed no crime against the person of the young girl, who would go out to the world without a stain upon her character, save that she had been guilty of an indiscretion in going off from her home with the prisoner, he urged that his honor extend such mercy as he might in delivering sentence.

Kennedy, on being asked by the judge if he concurred in the withdrawal of the plea of not guilty, replied that he did and now pleaded guilty.

His honor then addressed the prisoner in the most scathing manner, in the course of which he brought out facts which had been disclosed since the adjournment and which would have been placed in evidence had the case gone on. Among these were that the prisoner had served time in the penitentiary and had just completed his ticket-of-leave term; that he was a married man with two children, one a babe of only a few weeks, and that his wife was in child bed at the time of his escape with the Boone girl; that on the morning of June 1st he and Elsie Boone had gone to Apohaqui where he tried to secure a marriage license but without success; that they went to Sussex county where Kennedy secured a license from the registrar, Mr. Saffren, that he contemplated, and but for his arrest would have accomplished the crimes of seduction, bigamy, adultery and desertion. He had led the poor young girl to violate the sweetest command ever given to man, Honor thy father and mother that their days may be long, all of which afforded slight grounds for the plea of mercy. In the midst of his strong denunciation of the prisoner's conduct, his honor paused and said: "Prisoner, you are remanded to jail until Wednesday next, when I will bring you before me for sentence." After his removal Judge Wedderburn called Elsie Boone to the witness chair and delivered to her a most feeling address on the wrong she had done, the crimes she had barely escaped committing, and the direct consequences which would have followed in their train ending with a ruined life and a possibly untimely death. He added some most fatherly advice as to her future conduct. His honor also paid a fitting compliment to Sheriff Freeze, clerk of the court, P. L. Fairweather and the officers for the very thorough manner in which they had elicited the facts culminating in the position of the case as developed this morning.

Mr. and Mrs. Boone, Mrs. D. B. Kennedy, wife of the prisoner, and her father, James M. Hastings, of Sackville, and Mr. Saffren, of Sussex, were summoned to court and were present with Sheriff Sherwood, of Westmorland. Mrs. Kennedy sought an interview with her husband on the promise that he make her a thorough apology for the course he had pursued towards her.

He Purported to be the Representative of a Japanese Syndicate But it Did Not Work.

GALVESTON, Texas, June 23.—O. Ayuna, purporting to be the representative of a Japanese syndicate interested in the colonization of his countrymen in Texas and other states, has been identified as an officer in the Mikado's army.

A document bearing the royal seal was found in his possession showing that he is a captain of artillery.

Ayuna admits he has had military service for many years, but vows that he is not now an officer of the army. He was in Texas over a year ago and upon his return to Tokio a deal was closed for nearly 35,000 acres of land in three tracts in Texas and Louisiana. The Japanese syndicate paid a big price for 20,000 acres and leased the balance for ninety-nine years.

It was given out at this time that the Mikado was financially interested in several colonization schemes in this country purely as an investment.

The greater portion of these lands have been disposed of by the Japs and the rice-growers are moving westward.

The leases on the Texas and Louisiana lands have been surrendered at a heavy cost to the Japs. It is believed that the representatives of the Japanese government in Texas, but Ayuna emphatically denies their mission is anything but for the advancement of trade relations and investment. He is en route to Colorado.

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MURDERER IS
ELECTROCUTED

John Johnson, a Wife Murderer
Put to Death in Sing Sing
Today.

NEW YORK, June 24.—John Johnson, a wife murderer, was put to death in the electric chair in Sing Sing prison early today. The jail officials pronounce the electrocution a successful one. Only two contacts were given.

Johnson murdered his wife, Catherine, in Yonkers, two years ago, in the presence of their two young children. He had been an ex-convict, had treated his wife badly and shot her when she threatened to leave him.

Albert T. Patrick, the lawyer, convicted for the murder of William Marsh Rice, took a deep interest in Johnson when the two were confined together in the death house of the Sing Sing prison, and it was through advice given by him, that Johnson, by appeals, was able to stave off death up to this time.

METHODIST CONFERENCE

ST. STEPHEN, June 24.—Special.—At this morning's session of the Methodist Conference it was decided to meet next year at Moncton. Rev. A. Lucas reported that a sum equal to five cents per member was necessary for the Sunday school aid and extension fund. It was decided that examinations for candidates for the ministry should be held in Fredericton, Sackville and Charlottetown in April, 1908.

Rev. G. T. Dawson was elected treasurer of the superannuated fund.

McCann-Harrington

A very pretty wedding was solemnized in St. Peter's church this morning at 5.30 o'clock, when John McCann of Indian town, was married to Miss Margaret Harrington, daughter of Jeremiah Harrington, 35 Main street, by Rev. F. Scully, C. S. S.

The bride wore a suit of grey tulle and a neapolitan hat trimmed with grey feathers while she carried a white prayer book. She was attended by her sister, Miss Nellie Harrington. The groom was supported by Bernard E. Gallagher. Immediately after the ceremony the bride repaired to the home of the bride's parents, where a bounteous repast had been made ready.

The young couple were the recipients of many beautiful and costly presents. Mr. and Mrs. McCann left this morning on the S. S. Prince Rupert on their honeymoon to Halifax and Annapolis and on their return to the city will reside on Douglas Avenue.

Callaghan-Gilson

A pretty wedding was solemnized this morning at 9 o'clock in the Cathedral, when Timothy Callaghan, of Little River, was united in marriage by Rev. A. W. Meahan, rector of the Cathedral parish, to Miss Charlotte Gilson, daughter of Daniel Gilson, Mill street.

The bride, who was prettily dressed, was attended by her sister, Miss Helena Gilson, and the groom was supported by his brother, Edward Callaghan.

Mr. and Mrs. Callaghan will reside at Little River.

Frank Bonnell, son of F. S. Bonnell, Cliff street, arrived here on the Montreal train today from Vancouver, B. C., where he is engaged in the real estate business. Mr. Bonnell left St. John about four years ago. Before leaving here he was employed in T. McAvity & Sons. He will return to Vancouver after a visit here of four or five weeks, during which time he will be one of the principals in an interesting event and will not return alone.

RESTORATION
OF UNION ST.

Sub-Committee of the Board
of Works Had It Under Con-
sideration This Morning.

A meeting of the sub-committee of the board of works, which was appointed to have charge of the restoration of Union street, west end, was held this morning, and considerable business discussed.

An offer from J. S. Gregory for supplying timber was accepted. It was arranged that the offer of the C. P. R. for the use of their big pile-driver at a nominal rental of \$5 a day, be accepted, and that C. P. R. employees be placed on the work and be paid their wages.

It is expected that the work will be commenced on Wednesday morning. Operations will start at the Rodney wharf yard and continue southerly. There was some discussion this morning over the action of Director Peters in dismissing D. J. Wharf inspector. The director explained that two men were not necessary as wharf inspectors, and that Isaac Duffy, an experienced man, who has been employed at this work, and understands it thoroughly, was able to look after two crews as well as one. The members of the committee approved of the director's action.

Director Peters recommended that the office of the board of works be moved from the water and sewerage building on Carmarthen street, to the engineer's office in City Hall. The committee will make a recommendation to this effect to the board of works at their meeting tomorrow night.

THE SCHOOL
FOR THE DEAF

Closing Exercises Will Be Held
in the Opera House Tomorrow
Afternoon.

The summer closing of the New Brunswick School for the deaf will be held at the Opera House tomorrow afternoon at three o'clock. A very interesting programme has been prepared.

The principal, G. W. Hansell, talking with the Times today said that the pupils had made excellent progress during the year and he was more than satisfied with the results of the examinations.

No changes will be made in the teaching staff for the winter season and the thirty-eight pupils as well as the teachers will spend the summer holidays at their homes. There are seventeen male and twenty-one female pupils in the institution at present, ranging from six to twenty years.

At the closing exercises, the principal work will be done by the pupils of the first and fourth classes. This course is taken to illustrate the opening stages of the method of teaching and the ultimate results. Dumb-bell exercises will also be introduced.

Class III will take up "language" and class IV, "history, geography, language exercises, arithmetic, essay writing and general questions."

A. O. Skinner of the school directorate said today he would endeavour to have Mayor Sears preside and added that speeches would be made by prominent citizens, including J. Harvey Brown.

BROWNSVILLE INVESTIGATION
WAS MERELY A LAUGHABLE FARCE

Negro Witnesses Had Evidently Rehearsed Their
Stories Many Times--Roosevelt's Original Action
Entirely Confirmed.

WASHINGTON, D. C., June 20.—The long drawn out Brownsville investigation is practically terminated and it is evident to an unprejudiced person that the result confirms the original action of the president and leaves him without the slightest reason for taking the measures he judged in dismissing the negro troops that were at Brownsville. The senate military committee has been in continuous session for three months taking testimony in the case and the evidence of the negro troops is conclusive. Much of the investigation has been farcical. The negro troops have testified to their innocence but their testimony was so evidently rehearsed and prepared in advance as to be laughable and the senators on the committee have not always been able to conceal their amusement during the telling of testimony. Not only were the stories told by these negro witnesses alike in substance but alike in phrasing, showing that they had learned their lessons verbatim and all from one instructor. The most reputable citizens of Brownsville testified that they saw the negro soldiers firing from different points and several of them had counted the negroes as they passed through the streets. Expert testimony has shown that the bullets found in the houses of Brownsville could have been fired from no other weapon than the new Springfield rifles which were in the sole possession of the soldiers, and altogether the case is so clear against the troops that if it were not for political reasons not a single man on the committee could be induced to sign the minority report. As it is none of the committee will sign a report declaring it to be their conviction that the shooting was done by the soldiers of the 25th infantry, though it was impossible to establish the identity of the individual culprits. A minority report declaring their belief in the innocence of the troops will be signed by the disbarment of two prominent pension and patent attorneys and their associates and the threatened disbarment of several other firms it is evident that the country are receiving official attention