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The Weekly Post.

LINDSAY, FRIDAY, NOVEMBER 6.

HAS JUSTICE HER FAVORITES?

It has been remarked on the streets during the last few days—in fact ever since the disgraceful occurrence in the Lindsay police court on Thursday of last week—that, as every case is supposed to form a precedent in law, in future there will be far less risk in committing a bodily assault within the supposedly sacred precincts of police court, and under the eyes of the magistrate and the alert chief constable, than on the open street. For the former offence one may in future fairly claim exemption from punishment.

Two weeks ago two green Englishmen, who were partly under the influence of liquor and failed to recognize the authority of a man in plain clothes officiating as a constable—objected to what they regarded as an undue interference with their rights and unwisely assaulted the officer. Did they get off? Was their somewhat natural mistake looked upon with a lenient eye? Nay, may! They were sent up for trial, were denied the right to secure bail, and were confined in goal for several weeks awaiting a hearing before the County Judge.

Another case occurs in which two prominent town lawyers—both supposed to be quite sober, and each apparently anxious to secure justice for his client—appear before the County Police Magistrate in a case heard in the town police court. One of the lawyers indulges in abusive language towards his learned colleague, the latter replies in kind and finally remarks the cutting remarks applied to him by planting a swift kick in the rear of his fellow counsel's unmentionables as that unsuspecting individual turned away.

This unseemly and disgraceful behavior occurs within a few feet of the magistrate and chief constable, but no punishment is imposed on the offenders—no satisfaction is exacted of the law. Evidently the good old-fashioned scales of justice used in Lindsay are sadly out of order and the balance can no longer be depended on to weigh in every instance with correctness and impartiality. "What is sauce for the goose should be sauce for the gander." If the above case is to be accepted as a guide by which to gauge rules of conduct in a court room, it follows that common offenders and street rowdies may continue to expect that summary and perhaps excessive punishment will be meted out to them, but that town barristers may indulge in choicest Billingsgate language and kick each other in court without fear of either discipline or retribution from the judge on the bench. Following this line of procedure to its legitimate conclusion, we may imagine perhaps the added privilege of being permitted to bite and scratch each other, and even to loosen a few teeth, before being mildly requested to desist from their joyous pastime, and that higher legal dignitaries will be allowed ever greater liberties, and may aspire to chewing the ear of their brother on the bench with whom they may have cause to differ.

What the public have a right to expect and demand is that justice should be administered in an impartial manner, that justice shall have no favorites, and that offenders against the law—whether they be high or low, rich or poor, barrister or client—shall alike be subject to the same punishments when they are guilty of similar offences.



SUNLIGHT SOAP
is made of pure fats and oils and contains no dangerous ingredient. It is pure soap that gives absolute satisfaction.

THE DAILY POST'S LYING REPORT. SEQUEL TO THE SIMON MARSHALL CASE

To the public: I deem it my duty to myself to contradict The Post's lying report of the Simon Marshall case so far as it affects myself. The law says, R. So. O. Chap. 87, sec. 36: "No Police Magistrate, and no partner or clerk of any Police Magistrate, shall act as agent, solicitor or counsel in any cause, matter, prosecution, or proceedings of a criminal nature; nor shall such Police Magistrate, partner or clerk act as aforesaid in any case which by law may be investigated or tried before a Police Magistrate or Justice of the Peace."

Yet Mr. Steers in spite of the law and in defiance of the protest of Mr. McSweyn and myself persisted in appearing as prosecutor in this case and kept interfering with the cross-examination of the girl, making nasty remarks. Finally I told him if he did not stop he would get himself into trouble. I did not use the expression, "I will make you take that back." Mr. Steers thereupon came up to me in a gesticulating manner and I did the only thing that a Counsel could do, stood my ground, and asked the presiding magistrate to have the man removed. I repeated my request a second time; then Mr. Steers turned round, remarking that I was a pup, and I thereupon did the only thing I could do, administered to

him a good swift kick. If Mr. Steers wanted to attack me he had every opportunity, instead of which he called to arrest me, whereupon Mr. McSweyn promptly said "You called him a pup." I did not, as the Evening Post said, "Fall back into the arms of Constables Nevison and Crawford," but on the contrary stood my ground and put up my fists when I was grabbed by some person behind me, and I publicly brand the Evening Post, and Mr. Nosworthy, their reporter, as liars and slanderers, and I invite them to bring an action against me if they dare. It is not the first time The Post has published untrue reports and it is time some person branded that paper for what it is. Fortunately there were too many people present who can corroborate me for them to escape. As a further illustration of their unreliability, I would point out that they have twice published in this case that Mr. Steers was acting for the Children's Aid Society, when they well knew he was not, and that he had to acknowledge in open court that he was not, and claimed he was acting for Chief Nevison. We disputed Mr. Nevison's right to employ Counsel and asked Mr. Nevison if he had done so, but Mr. Steers refused to let him answer. The public can draw their own conclusions.

G. H. HOPKINS.

A Difference of Opinion Between Mr. Steers and Judge Dean Over an Application for Bail Made Wednesday Morning by Mr. Hopkins, Solicitor for the Defendant in Rex vs. Marshall.

Our readers will recollect that this is the matter in which the prisoner made his escape from custody while the preliminary investigation before Police Magistrate Deacon was being taken, and having taken leg bail, concealed himself in the Sylvester Works. Wednesday a.m. application was made before the County Court Judge's Criminal Court for bail by Mr. G. H. Hopkins. The application was heard by His Honor Judge Dean, when it was urged by Mr. Hopkins that substantial bail should be accepted. Mr. Steers, who was present, asked the County Crown Attorney to allow him (Mr. Steers), to reply to the application, and to this the County Crown Attorney agreed. When Mr. Steers arose the following rather warm discussion took place between His Honor Judge Dean and the learned Counsel:

His Honor—"I cannot hear you, Mr. Steers. You are police magistrate for the town of Lindsay and not entitled to be heard."

Mr. Steers—"If that is so, it is not a matter in which your Honor is concerned. If I break the law I shall take the consequences, but I would inform your Honor that I am not police magistrate for the town of Lindsay, but am simply acting as police magistrate at the request and for the accommodation of the Department of Justice, and if your Honor will give me a judgment in writing, refusing to hear me, I will very quickly compel your Honor to do so by applying for mandamus to High Court of Justice."

His Honor—"I would not hear you even if you were not police magistrate, even if you were appearing as an ordinary barrister. I will hear no one on behalf of the Crown except the County Crown Attorney."

reached the scene of the wreck about 8.30 p.m. Passengers were enabled to continue their journey by transferring to another train on the other side of the wreck.

KILLED IN A WRECK

Fatal Railway Smash West of Beaverton Village.

FIREMAN J. MOUNT KILLED AND DRIVER MAYBE SERIOUSLY INJURED IN THE SMASHUP.

A Double-Header Grain Train Involved—Engine No. 474 and 9 Cars Wrecked, Others Being Badly Damaged—Track Cleared at 8 o'Clock This Morning—Now the Accident Happened.

As the result of a deplorable railway accident which occurred Tuesday night about 7.30 o'clock a few miles west of Beaverton village, and about 25 miles from Lindsay, Fireman Mount, of this town, lost his life and Driver Jas. Maybee was painfully injured, while Conductor R. Greenbury, also of town, received a bad shaking up and nervous shock.

At an early hour yesterday morning the train in question, comprising about thirty cars loaded with wheat and corn, left Lindsay for Lindsay. It was drawn by Engines Nos. 106 and 474, Drivers Topley and Maybee, and was in charge of Conductor R. Greenbury. (Wm. Fee, town, was fireman, on engine No. 106—the pilot—and the unfortunate man Mount occupied the same position on No. 474. The brakemen were Landry and Smith, both of Lindsay.)

Shortly after 7 o'clock last night the train passed Gambridge, about six miles west of Beaverton, and at the commencement of a rather steep grade that extends to the village. After running about two miles it was discovered that the drawhead of a grain car next or close to the engine was broken, and it was deemed wise to detach it from the rest of the train and take it into Beaverton yard. The air brakes were applied on all the cars at full pressure, and Conductor Greenbury and one of the brakemen stepped to guard the train while the engine pulled ahead with the disabled car.

THE WRECKED TRAIN.

Having performed the duty assigned to them, Engineers Topley and Maybee were hastening back at a fast rate to the distant point where they had left the stalled train when a terrific rate of speed, the air pressure having leaked away and set free the brakes.

The force of the collision was terrific, and the crash was distinctly heard by the operator at Beaverton, who at once wired the news to Lindsay and Allandale and then sent aid to the scene of the wreck. The auxiliary train, with locomotive Foreman Price and Trainmaster Irwin on board, left Lindsay about 8.30 and made a rapid run to the scene of the disaster, being joined soon after by the auxiliary crew from Allandale, accompanied by Superintendent Tiffin. Before they arrived the body of poor Mount had been taken from the wreck, and Driver Maybee had a deep cut on the head dressed by one of the doctors from Beaverton.

In all nine cars of grain and one engine were wrecked, the cars being smashed into kindling wood. Engine 106 being in the lead, escaped with small damage, and was able to make the trip to Lindsay about 2 o'clock this morning for additional gear needed by the wrecking crew, who succeeded in clearing the line about 8 o'clock this morning. The regular train Blackwater to Midland

THE DEAD FIREMAN.

Fireman Mount, the unfortunate victim, was about 22 years of age, and had been a resident of Lindsay about three months, coming here from Orillia. His home is said to be in the vicinity of Victoria Harbor. While Mount boarded with Mrs. Burridge, near the station, who speaks very highly of the young man and was deeply affected by the news of his sad death. Deceased attended the Cambridge-st., Methodist church when in town on Sunday, and was a staunch teetotaler.

OBITUARY.

Bandmaster Graham, at One Time Leader of Citizens' Band, Lindsay.

Newport News, Perry Co., Pa., Oct. 29th; Bennett S. Graham, 53 years old, the well known band teacher, who recently returned from the South, died of neuralgia of the heart Saturday morning about 7 o'clock, in his room at the Mingle hotel. He had had a weakness of the heart for several years, and was not feeling very well when he retired Friday evening. Having taken sick during the night, about 5 o'clock he succeeded in attracting the attention of one of the female employees of the hotel who was passing his door and a doctor was called in, but in a few minutes the patient was dead. Sunday evening the body was removed to the Protestant Episcopal church, of which Mr. Graham was a member, where Rev. William Dorwart conducted funeral services Monday afternoon at 2 o'clock. The church was crowded to overflowing with friends of the late Mr. Graham. The chief mourner was the only child of Mr. Graham, Mrs. Percy Gantt, who arrived Sunday at 9.06 a.m. from her home in Iliou, N. Y. The interment was in the family burying plot in Newport cemetery.

Bennett S. Graham was a son of James and Fannie Graham, both of whom are dead, and was born in Thompsonstown, Juniata county, June 17, 1855. At the age of seven years he came with his parents to this place, where he had been well known since, although for several years he had spent most of his time during his boyhood in the country teaching bands, having travelled north to Canada and from Canada to the Gulf of Mexico in the pursuit of his vocation. His cheery, social qualities and his wit and humor, combined with his musical talent, were ever the means of making him friends wherever he went. He was married to Miss Mattie Thompson March 29, 1871. The fruit of this union was three children, namely: Nellie B., wife of Percy Gantt; Harry, who died March 25, 1882, and Carrie, who died October 6, 1891. Mrs. Graham died January 26, 1896. His surviving brother and sister are Mrs. Harriet Graham, of this place, Mrs. Harry Horting, of Harrisburg, and Mrs. T. Free, of New Buffalo. They all attended the funeral.

The above intelligence will be read with a feeling of deep regret by many citizens of Lindsay, and particularly by former members of the town's old musical organization, the Citizens' band, of which Mr. Graham was the capable leader for several years.

Going Around The World.

Lieut.-Col. John A. McGillivray, of the Independent Order of Foresters, is taking a trip around the world and left Toronto last Saturday. He will go first to San Francisco and will then visit Honolulu, Samoa, Auckland, Sydney, Melbourne, Adelaide, West Australia, Seylon, Bombay, Aden, Suez, the Holy Land and Italy, the Riviera, and from there return home by way of New York. Col. McGillivray expects to be away till February next.

THE EVENING POST'S EXPLANATION.

The above choice effusion was foisted upon a suffering public Saturday afternoon by the person whose name is attached, a copy reaching us too late to receive attention in our early issue. We were entirely unprepared for the furious diatribe, in view of the fact that we personally eliminated from the report of the trial several statements which we considered not creditable to the utterers thereof, and which we felt were made in the white heat of anger. In this process of elimination we felt that we had favored Mr. Hopkins in not making public a few of the remarks made by his opponent, Mr. Steers, who since then has apologized for his indiscretions. Realizing our excessive fairness to one of the participants in what might just be termed a disgraceful exhibition, we experienced a feeling of virtuous satisfaction Friday evening, after the publication of our report, when Mr. Hopkins called at the office with a few friends, and while buying four or five papers, indulged in some laughing and jocular allusions to the events of the trial, and our report. We felt that we had spared an erring brother, and were glad. Evidently the details were made public by some of the other persons present at the trial, and their recital proved so tormenting to Mr. Hopkins that he again lost his head and laughed into a fresh ebullition of vituperation.

With the first part of Mr. Hopkins' letter, dealing with Mr. Steers' right to descend from the Bench and represent the Children's Aid Society—of which the girl is a ward—or any other plaintiff, we have nothing to do. Our reporter was informed that Mr. Steers was acting for the Society, and as the only officer of the Society present—Dr. Herriman—took no part in the proceedings, our representative assumed that he was correct in his statement, which has not yet been disproved.

With respect to Mr. Hopkins' perjured denial that he made use of the expression, "I will make you take that back," Mr. Nosworthy, our reporter, is willing to allow him the benefit of the doubt. He may not have used the words at that particular juncture. Everybody was convulsed with laughter at the scene being enacted, and our representative made no attempt to take a verbatim report—the comedy was too rich, varied and ludicrous. Imagine if you can, dear reader, the two principals face to face, some distance apart, and exchanging left-handed compliments as rapidly as the ball passes between pitcher and catcher when two men are caught on a base. Finally Mr. Hopkins, in reply to a jibe, remarks, "You'll get into trouble," whereupon Mr. Steers repeats the expression, slides over to his fellow barrister, it insinuates his face close to that per-

son's somewhat distorted visage, and again ejaculates, "I'll get into trouble, will I? Where will the trouble come from?" Mr. Hopkins raised his trembling arms, and the spectators expected to see blows exchanged, but evidently our valiant Town Solicitor deemed discretion the better part of valor, or couldn't get his arm to work because it needed oiling, or something. Anyway he didn't strike, and Mr. Steers turned away with the sneering remark, "You're a pup." The moment he caught sight of his opponent's back, Mr. Hopkins' latent bravery manifested itself. He didn't scratch, but he kicked—with all the ease and grace of a lumber-jack, but not with the same force or precision. Mr. Steers, fancying that something had touched him, looked around and saw the descending foot. On turning to resent the insult Mr. Hopkins retreated with his face to the foe and his foot in readiness to play a tatum upon his enemy's shins. After a masterly retreat of some yards he got past Chief Nevison and was steadied and reassured by the strong arm of Constable Crawford. Mr. Steers, seeing his enemy had escaped him, remarked in disgust, "You're a cur—you wouldn't strike a man when his face was turned, but will hit behind his back."

The whole scene was one of the most ludicrous ever enacted in a Lindsay court room, and we acknowledge our inability to do justice to it. To do that would give scope for the genius and talent of the editor of Punch.

Mr. Hopkins, in the anger born of the merciless jibing to which he has been subjected on the score of his "brave" act, brands The Evening Post and its reporter as liars and slanderers, and says "It is not the first time The Post has published untrue reports. The charge is hoary with age—it has been hurled against every newspaper ever established by every sore-headed noodle who sees fit to disapprove of any statement. We would be content to leave the reputation of The Post, and that of our reporter in the hands of the public, for comparison with that of Mr. Hopkins, and would await the result of the investigation with every confidence in a satisfactory verdict.

However funny and laughter-provoking the court scene may have appeared to the spectators, we feel it incumbent upon us to say that Magistrate Deacon erred in not taking summary action to end it and punish the participants. It is not yet too late. If a similar scene had been enacted before Magistrate Steers his indignation would have been great and his fine a heavy one. Shall it be said that the poor and the ignorant are sure of punishment, while the educated gentleman shall escape when he commits a similar offence? It should not be.

MATTHEWS CO'S NEW PLANT

Defunct Farmers' Co-operative Packing Plant Sold to Local Firm. Examiner: The Geo. Matthews Company, of Peterboro, have just effected an important purchase in Brantford. They have bought the plant of the Farmers' Co-operative Packing Company, and will at once fit the plant up and operate it. This is a comparatively new concern, and is in good condition, having only been in operation a few months. As the name of the firm indicates, it was a joint stock company composed of farmers. The project did not prove to be a very successful one, however, and for some little time it has been closed down. It will now be re-opened immediately and under the management of the Matthews Company there is every reason to believe it will be more fortunate than under that which previously characterized it. This property has been held for some time by one of the banks of the city.

MERRY WEDDING BELLS.

Mather—Carter. A very quiet, but pretty wedding, took place at St. Paul's church at 8.30 a.m. Wednesday, the Rev. C. H. Marsh officiating, when Miss Annie Ethyl Carter was united in marriage to Mr. J. W. Mather, of New Lowell, N.Y. The bride, who was given away by her brother-in-law, Mr. G. H. Massey Baker, wore a travelling gown of navy blue broadcloth, opening over a white silk blouse, and had to match, and grey ostrich bow. She was attended by Miss Ethel Neelds, who wore a blue gown and large white hat, Mr. Norman Mather, of Toronto, ably assisted his brother. The wedding march was played by Miss Leary, organist of the church. The groom's present to the bride had a heart-shaped pearl pendant, and to the bridesmaid a pearl crescent. They left on the 9 o'clock train for Buffalo, New York and other American cities.

Dundas & Havelle Bros.

DIRECT IMPORTERS. ESTABLISHED 1860.

An Interesting Store.

THIS STOCK of Dry Goods, Carpets, Millinery and Mantles, is by far the largest in the County. It is made up of the most reliable of merchandise, and we take great pleasure in telling you about it. Prices here are not high, we can sell you finer grades of goods at the same prices as inferior lines are sold at. Write this down in your memory: we go direct to the makers for our stock, pay cash, and get prices as low as the wholesale houses.

This month of November is to be one to remember in the selling. Note what we have to offer for a starter; these prices only tell of a small corner in this large place—better values were never offered than we can give you to-day.

Dress Goods.

Without a doubt we have one of the finest collections of Dress Fabrics in Canada—being in touch with all the largest houses in this country and buying jointly with them in all the markets of the world, we are in a position to secure and control many of the newest materials of the season. A visit to this department will convince you of our statements.

- 200 yards of Ail-Wool French Serge, black only, best dye and finish, wide wale twill, width 40 inches, per yard 19c
- English Tweed Dress Goods with Zibeline finish, in colors of Grey, Brown, Green and Blue, in fancy checks and stripes, for suits and skirts, width 42 inches, per yard 50c
- Harris & Co's 56 inch Homespun Tweeds, all new shadings of Greys, Blues and Greens, suitable for skirts, suits and dresses, per yard 95c
- Black and Navy Cheviots—none can beat these—bought direct from the French makers, best in color and quality, width 51 inches, pure wool, for suits, dresses and skirts, per yard \$1.00
- Other qualities at 75c, 85c, \$1.25 and \$1.50.
- Fine French Amazon Cloths, venetian finish, all pure wool, newest in colors, and also black, width 45 inches, per yard 75c
- Other qualities at 50c, \$1.00 and \$1.25.
- Rich finished Broadcloths made in Germany, made of the finest Cape wool, finished like satin, colors Browns, Navys, Greens and also Black, width 48 inches, per yard \$1.25
- Other qualities at \$1.50 and \$2.50.
- Fine Scotch Tweed Suitings in new mixtures of Browns, Greens Greys, and Black and White, all 56 inches wide, for suits and skirts, in tailor-made garments, per yard \$2.00

Cut Prices—Linings.

- A few of the odds and ends that get lost sight of in the rush of a busy store—dressmakers can secure extra quality here at nearly half price.
- 250 yards of Soft Finished English made Silicias for waist linings, in Cream, Slate and Fawn, width 40 inches, 20c 12 1/2c
 - 200 yards of Heavy Hard finished English Silicias in Fawns and Slate, for suit linings, 40 inches wide, 25c and 30c 15c
 - 150 yards of Fancy Linings, made Black with Grey and fancy backs, and also plain shades and checks, all were 25c and 35c per yard, for 12 1/2c

Millinery Reductions.

30 only Paris Feather Hats, the very newest in style, in Browns, Castor, Navy and Black, mixed with other colors; this lot of hats are from \$4.75 to \$10.00, the reduction is 25 per cent. off, that is you get a \$6.00 hat for \$4.50

100 only Ready-to-Wear Felt Hats, all with latest trimmings American and Canadian shapes, Browns, Blues, Greys and Castor shades, \$2.25, \$2.50 and \$3.00 lines for \$1.50

Men's Overcoats \$10.00.

None better in fit, style or quality for the money in this town. We are leaders in the Men's Ready-to-Wear Garments. None can pass into this stock unless they are of the right sort. We buy and sell good clothing.

Men's Long Length Grosvenor Overcoats made of Oxford Grey Cheviot; this cloth is an all wool English make, collar of velvet, linings of the most serviceable quality; every detail of the coat has been looked into and finished perfect, sizes start at 36 and run up to 46, price \$10.00

Dundas & Havelle Bros.