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THE ST. JOHN EVENING TIMES

WEATHER:—Moderate winds, fair and cold are predicted for tomorrow.

VOL. I., NO. 88.

ST. JOHN, N. B., FRIDAY, JANUARY 13, 1905.

ONE CENT.

GOT A VERDICT OVER G. T. R.

Assize Court Condemns Mr. Hays' Road to Pay \$3,800 to Driver Phibbs.

London, Ont., Jan. 13.—(Special)—The assize court jury in the suit of Phibbs vs. the Grand Trunk, yesterday, brought in a verdict of \$3,800 for plaintiff being three years' wages the full amount permissible. The verdict was rendered after an hour's deliberation, the Grand Trunk being found guilty of negligence and the deceased Phibbs being declared not guilty of contributory negligence. The driver of the express which struck the engine in which Phibbs was, was found to have neglected to give a proper signal.

THE RAMBLERS' WON.

New Glasgow Hockey Team Met Decisive Defeat at Amherst Last Night.

Amherst, Jan. 13.—(Special)—The third game in the Nova Scotia hockey league series, and the first played in Amherst, took place here last night, between the Ramblers, of Amherst, and the New Glasgow team. The visitors were completely outclassed and the game was too one-sided for fast hockey. Brown, of Ontario, who is playing with the New Glasgow team, is a star, but lacked support. Williams, of the Island, also with the visitors, is a splendid skater. The New Glasgow boys are weak in combination work and in checking. The Ramblers team are in better condition than last season and put up a star game. The score stood 11 to 0 in favor of Amherst. Dr. Campbell, of Halifax, refereed the game, most satisfactorily.

M. R. MCKENZIE DIES IN WINNIPEG.

Young Man Who Went West on Harvest Excursion.

Word has been received of the death in Winnipeg yesterday of Merritt R. McKenzie, son of Postmaster M. O. McKenzie of Nerepis. He was about 26 years old. Mr. McKenzie went west on the harvest excursion last fall, and returning homeward decided to spend the winter in Winnipeg, where he was employed in a dry goods store. He was taken ill, and was removed to St. Boniface hospital. Word came that he was dangerously ill and his father started on Tuesday for Winnipeg, but was too late to see him alive as death came yesterday. Mr. McKenzie was a very fine young man and will be sadly missed. He was a past chief Ranger of Court Welsford, I. O. F. His body will be brought home for burial.

BIG MINING FIGHT.

Butte, Mont., Jan. 13.—Two complaints against the Montana Ore Purchasing company and associated interests have been filed in the federal court here by the Butte and Boston Mining Company for claims aggregating \$1,740,000. The complaints claim a four-fifths interest in ore extracted from the Michael Davitt mine by the Ore Purchasing Company. These suits are in addition to a number of others filed from time to time which aggregate millions of dollars and is a continuation of the fight between Heinz and the Butte and Boston company for valuable copper mining property in the vicinity of this city.

TO LEGALIZE BOXING.

New York, Jan. 13.—It is announced according to the world, that Senator James J. Frawley, who fathered the boxing bill that was considered by the legislature last year and killed by Governor O'Dell, will make another attempt to legalize amateur boxing in this state. Senator Frawley will next week introduce a bill in the Senate permitting amateur boxing bouts to be conducted under the supervision of the Amateur Athletic Union.

RUSSIA HAS BIG SURPLUS.

London, Jan. 13.—The Standard's St. Petersburg correspondent learns that the Imperial budget for 1905, which curiously contains no expenditure connected with the war in the Far East, will show \$37,500,000 surplus obtained by taxes on alcohol and cotton.

PROMINENT MAN DEAD.

Barrie, Ont., Jan. 13.—(Special)—Hon. Chas. Drury, Ontario's first minister of agriculture and sheriff of the county of Simcoe since 1894, died at his home, Cedar Lodge, Barrie, last night aged 61 years.

A BRITISH VISITOR.

West Point, N. Y., Jan. 13.—Major General Sir Thomas Fraser of the British army, visited West Point today. The cavalry detachment acted as escort and a salute of thirteen guns was fired in his honor.

TO REGULATE BANKS.

Washington, Jan. 13.—The comptroller of the currency today issued a call for reports of the condition of national banks at the close of business on Wednesday Jan. 11.

CLAIMS CHINA IS BUTTING IN.

Russia Alleges That Chinese Have Been Secretly Aiding the Japs---In a Note to the Powers Czar Sounds a Warning---Japs Capture a British Steamer.

Paris, Jan. 13.—The Associated Press learns authoritatively that Russia's note addressed to the powers relative to China's breaking neutrality gives, what Russia claims to be absolute proof of the Chinese breaches. The three main complaints are:

First—That the Islands of Miaotao in the Straits of Pechili opposite Port Arthur have been constantly used by the Japanese without Chinese interference as a strategical base and as a harbor for Japanese torpedo boats. Second—That the Chinese army on the border has accepted the command of Japanese officers. Third—That Chinese firms have been constantly working in behalf of the Japanese supplying them with provisions, military accoutrements and general war stores. The note lengthily sets forth the details and complains that China has not given satisfactory explanation of the breaches of neutrality and that therefore Russia advises the powers that she intends to use complete liberty of action in regard to the future abuse of neutrality.

China's Alleged Violation.

St. Petersburg, Jan. 12.—The Russian government has issued a circular to the powers calling their attention to the alleged violation of Chinese neutrality and citing numerous instances during the war in the Far East, tending to prove that China is unable to fulfil her obligations. This state of affairs, the circular says, is calculated to bring the country into perilous paths and it concludes by saying that Russia claims the right to act in her own interests.

Russian Cavalry Repulsed.

General Oku's headquarters in the field, Jan. 12.—4 p. m. via Fusan;—A small party of Russian cavalry near Hsichen attempted to cut the railway, but were driven back by the Japanese guard. No details have yet been received. It is the first time that the Russians have attempted to use cavalry along the line of communications.

A Small Skirmish.

Tokio, Jan. 13.—Noon.—A report received yesterday at imperial military headquarters from the Japanese army headquarters in Korea says that the Japanese garrison at Ham Heung recently defeated a de-

MR. BORDEN WILL STAY.

Ottawa, Jan. 13.—(Special)—The adjourned caucus of the conservative members and senators, met at 10 o'clock today and sat until 12.30, Senator Debouchere was chairman. R. L. Borden was present and was persuaded to remain leader of the party providing that he secured a seat. Edward Kidder, M. P., of Carleton county, Ont., said that he offered, when he heard that Mr. Borden was defeated, to resign in his favour. He was of that opinion still and would lay the latter before a mass meeting of his constituents at once and get permission to resign his seat. In his speech, Mr. Borden referred to the suggestion made to him that there should be a convention of the party within a year. To this he agreed. The suggestion was made to him in Montreal on his way to Ottawa. He referred to the importance of carrying on the work of organization and of his having the support of his followers. Speeches were made by Mr. Foster and others.

THE WEATHER.

Forecast—Fresh to strong northwesterly winds and much colder. Saturday moderate winds, fair and cold. Synopsis—Moderate gales have been general in the maritime provinces, attended by considerable snow and rain. Winds to Banks and American ports, fresh to strong northwesterly. Local Weather Report at Noon, Jan. 13th, 1905. Highest temperature during past 24 hours..... 24. Lowest temperature during past 24 hours..... 16. Temperature at noon..... 18. Humidity at noon..... 93. Barometer readings at noon..... 30.09. Sea level and 32 deg fah 29.94 ins. Wind at noon, N. W. Velocity 25 miles per hour. Clear.

D. L. HUTCHINSON, Director. Point Lepreau, Jan. 13.—9 a. m.—Wind north west, strong, clear. Therm. 21. The lady hockey players will have a practice tomorrow afternoon at the Queen's rink.

tachment of Siberian Cossacks near Honan. The date of the engagement is not stated. The Russians retreated in disorder leaving nine men dead on the field. The spoils taken by the Japanese included two horses and a number of rifles and swords.

Nearing Its Destination.

Suez, Egypt, Jan. 13.—The division of the Russian second Pacific squadron commanded by Rear Admiral Botovsky, sailed south this morning, presumably for Jibuti, French Somaliland.

Prisoners Are Satisfied.

Nagesaki, Jan. 12.—3 p. m.—The steamer Kaga and Sunuki have arrived here with 1600 Russian prisoners of war, and fifty officers. All the prisoners have been quartered at Inasa, a village nearby, where has also been prepared a lodge for General Stoessel, who will arrive next Saturday. The Russian officers are allowed much liberty within the bounds of the town, but they are under police escort. General Stoessel and staff will sail from here for Europe on a French mail steamer, Jan. 16. These Russian prisoners are unfeignedly pleased at the end of the hardships of the siege and the considerate treatment of their victors.

Doubosoff Is Silent.

Paris, Jan. 12.—Admiral Doubosoff, was today requested to indicate whether his recent interview in the Echo De Paris which attracted so much attention, owing to the fact that the Admiral was looked upon as having indicated that peace between Russia and Japan was probable, in the near future, was correct. He refused to furnish the slightest indication concerning the correctness of the interview and said: "I do not wish to provoke a press controversy. Consequently, I neither deny nor affirm the words attributed to me. All I can say is that in order to deny the Echo De Paris interview a newspaper should have serious reasons."

Another Steamer Captured.

Tokio, Jan. 13.—The Japanese armored cruiser Tokio, captured in the sea of Japan, Jan. 11, the British steamer Rosely, loaded with coal consigned to Vladivostok.

Nevin Cameron and Ernest Wilson are mentioned as possible germanic candidates in Dukes ward. Ald. Barker will retire at the end of the present civic year.

THE TRIAL AT HAMPTON

Several More Witnesses Were Examined This Morning.

NEARING A CLOSE.

Case For Prosecution Will Probably Be Concluded Tomorrow---Nothing Sensational in the Evidence Given Today.

Hampton, Jan. 13 (Special)—In connection with the Oscar Wright trial the examination of Samuel Keith was resumed this morning. He told about figuring in the row, hitting somebody and being hit himself. He spoke of how Mrs. Wright figured in the affair. Mrs. Wright is the mother of Oscar Wright. The use of the word "robbery" was referred to, and the insinuation that Oscar Wright had come at some earlier time and taken something was made. The witness was subjected to a severe examination along these lines by Mr. Curry. There was considerable bartering between the opposing counsel. George Cusack, of the Havelock Mineral Springs Co., was examined by Dr. Pugsley and cross-examined by Mr. Fowler, but no evidence of importance was adduced. Mrs. Olive Wright, step-mother of the prisoner, was put on the stand. She told about the part that she had taken in the disturbance. She gave a reference to her past history. A number of years ago she was married to Jesse Keith. They lived together for a while and finally he went away. She has not seen him since. Subsequently she married David Wright, who died during the past summer. The witness told about the prisoner going to Havelock and trying to get the stuff that he claimed belonged to him. She further told about him taking provisions from her home. As this stage in the proceedings the witness asked to be temporarily excused, and her request was complied with by his honor. She will probably be put on the stand again this afternoon. Frank Petersen, son of Petersen who testified yesterday was then put on the witness stand. His evidence was almost precisely a repetition of that of his father. Wm. Young was next examined but nothing of importance was adduced. Court then adjourned until 2.15 o'clock, fifteen minutes earlier than usual. It is understood that the remaining witness for the prosecution will be examined this afternoon, and that tomorrow morning the defence will be taken up.

MRS. WILLIAM MOORE.

Fredericton, Jan. 13.—(Special)—Mrs. William Moore, died at her home at Scotch Lake yesterday aged seventy-six years. She leaves a family of seven daughters and four sons one of the latter being Adam Moore the celebrated Tobique guide. The funeral of the late Mrs. J. S. Covert took place this afternoon and was largely attended. Rector Roberts conducted the services at St. Ann's church. Interment was at Forest Hill.

A SACRED SONG UNNERVED HIM

And He Abandoned Suicide For the Gallows.

Lexington, Jan. 13.—J. W. Bess, who murdered Mrs. Martha McQuinn Martin, two years ago, was hanged here to-day. Shortly before the execution, the condemned man confessed that he intended to commit suicide with a knife blade which he carried concealed in his mouth, but upon hearing a Sacred song sung by children near the jail had changed his mind. He said he intended to cover his head with the bedclothes, pretending to the death watch that he was asleep then open a vein and bleed to death.

MISSIONARIES NOT MURDERED.

Brussels, Jan. 13.—The authorities of the Congo Independent State deny the report circulated Wednesday by the Tagliche Rundschau of Berlin of the massacre of whites and Catholic missionaries in the upper reaches of the Congo river. They suggest that the rumors arose from troubles in the neighborhood of Luabo, where missionaries and traders were threatened as a result of the agitation of Fetish priests.

THE TIMES' NEW REPORTER.

Editorial note.—The Times has engaged the services of a new reporter. He is a young man of great and varied talents, but a remarkably vivid imagination, as will be seen from the following items which he handed to the news editor this morning.

The statement that the lady curlers will wear ringlets is authoritatively denied.

The many friends of Jamesy Jones will regret to learn that he is no better today. The large red boil on his neck is very painful.

Ald. Holder asserts that all the snows of winter cannot whiten the record of the officials in connection with the warehouse on the McLeod wharf. The popular north end alderman declares he is not done with that affair, but will defend the rights of the people. We predict that Ald. Holder will make things hum.

SENT HIM TO JAIL.

A sensational affair occurred in the police court this morning. Police Magistrate R. J. Ritchie summoned the Hon. R. J. Ritchie before him to answer the charge of not keeping his sidewalk clear of snow. "I have no doubt," said the police magistrate, "that you are acquainted with the law?" "I am," replied the Hon. Mr. Ritchie. "Then why have you not obeyed it?" "I can't find my shovel." "Do you regard that as an excuse?" "I do, your honor. Owing to a lack of police protection, my shovel has been stolen. The city owes me a shovel." "I decline to believe," said the magistrate, "that your shovel has

been stolen. There is not a particle of evidence to show that any man has been seen with a shovel in his possession in this city since the last big snowstorm. I will not accept your excuse."

"All right, your honor," said the Hon. Mr. Ritchie. "Will you lend me a shovel?" "This court," replied the magistrate, "will not lend shovels, nor will it lend its countenance to a violation of the law. You must clear that sidewalk."

"Shovelling snow," said the Hon. Mr. Ritchie, "always gives me a lame back." "Failure to shovel it may give you thirty days," replied the magistrate. "I'll take them," said the Hon. Mr. Ritchie. "They're yours," said the magistrate. Summoning Chief Clerk, Police Magistrate R. J. Ritchie gave the Hon. R. J. Ritchie in charge, and sent him below for thirty days.

A MILD WINTER.

In the country market this morning the habitues were talking about the severity of last winter and the terrible weather of the past week or two. A man from Saddleback unloaded six coils of muffer from his neck to secure freedom of speech, and made the remark that there are no winters now like the old winters. Once, in his father's time, out in Saddleback it snowed for a week and then blowed for a week; and he had often heard his father say that they had to make tunnels to the

TO REGULATE AUTOMOBILES.

Bill to be Submitted to Municipal Council Providing For Registration, License, Speed Limit and Penalties For Infraction of the Law in St. John City or County.

On next Tuesday the quarterly meeting of the St. John municipal council will be held and various matters appertaining to the municipality will receive consideration.

The committee on bills to be submitted to the council with recommendation for presentation to the provincial legislature met this morning at 11 o'clock in the office of the county secretary, G. R. Vincent. Those present included Councillors Lowell (presiding) Lee, Jones, Corcoran, Long, Frink and Holder. They decided to recommend a bill for the regulation of automobiles in the city and county of St. John. Under the provisions of this bill all automobiles and motor cycles must be registered by the owner or person in control thereof in accordance with the provisions of the act. The name and address of the applicant and a description of the machine must be given. The fee is \$2 and the applicant gets a certificate. A record of all applications and certificates will be kept, and the certificate must be carried in the machine. It is further provided that all autos

or motor cycles must be registered and the registered number plainly shown in large letter Licenses shall be issued by the Secretary. Special licenses for machines for hire will be issued. The license term is one year and the fee \$2. There is provision for suspension of license. Before getting a license the operator must pass an examination, and all operators must be licensed. Machines owned or operated by non-residents are subject to the speed limit and any other regulations made by the council. Caution must be exercised to prevent frightening horses. The limit of speed in the county is 15 miles an hour, and in the city 10 miles, with a slowing down to 8 miles or less at curves or corners. The fines for violation of the law are not to exceed \$25 for a first or \$50 for a second offence. Any person operating a machine after suspension will be subject to a fine of \$100 or imprisonment for not more than twenty days, or both fine and imprisonment. Machines must have brakes, bells and lights. The receipts go into the contingent fund of the county.

THE INDUS IS STILL ASHORE.

Big Sugar Steamer Has Been Lightened and it is Expected She Will be Floated.

New York, Jan. 13.—The tramp steamer Indus, which struck on Fire Island, bar during the fog, on Wednesday, was still hard and fast aground today, and at half tide this morning she had a bad list to starboard. All night long, the wreckers, assisted by the steamer's crew, were working to remove the cargo. In an effort to lighten her sufficiently to allow her to float at the next high tide and today practically everything movable was being taken off. Hundreds of bags of sugar and even the wooden hatch covers were thrown over into the sea. In addition to the two big wrecking tugs and a barge the revenue cutter Mohawk was standing alongside today, and during the forenoon the life saving crews from Fire Island and Point of Woods were called to the steamer by signals. One of the signals set for the life savers read: "You are to deliver," the exact meaning of this had not been determined when the life-savers started out for the stranded steamer. The wind is north-west and a moderate sea is running. The tide is high about noon.

BURNED IN HER STORE.

Montreal Milliner Dying as the Result of Fire---Two Others in Critical Condition.

Montreal, Jan. 13 (Special).—As a result of a fire which started in a millinery store early this morning, the proprietor, Mrs. Lafrance, was so badly burned that she will not likely live more than a few hours. Her son and daughter are also in a critical condition. The many friends of the fire insurance companies, who have cheerfully paid high rates and mourned over the terrible losses sustained by the companies last year, will learn with great pleasure that despite its heavy losses the Hartford Fire Insurance Co., paid thirty-five per cent. in dividends in 1904. Virtue has its own reward.

MUST NOT DIE ON A FRIDAY.

Brantford, Ont., Jan. 13.—(Special).—The Paris Presbytery meeting at Paris, passed a resolution calling on the people to avoid arranging for funerals on Sunday, and also requesting that ministers be consulted as to the time of funerals before final arrangements are made. Kamloops, B. C., Jan. 13.—(Special).—Joshua Bell, murderer of Annie Allan, at Greenwood, B. C., was executed this morning at 9.30.

REPORT DENIED.

London, Jan. 13.—The report from Montreal that King Edward and Queen Alexandra will visit Canada some time this year is declared to be unfounded.

THIS CITY IS HEALTHY.

Board of Health Reports Very Little Sickness at Present---Colds are Plentiful.

Since January 1st, eight cases of diphtheria have been reported to the Board of Health. During the last few days these cards have been removed so that at present there are only five cases, two in Fairville, two in Carleton, and one on Douglas Avenue. Outside of the usual number of colds, there are very few cases of sickness in the city at present. The two inmates of the deaf and dumb asylum who were afflicted with scarlet fever, and were taken to the epidemic hospital, have recovered and were sent back to the institution. During the year 1903, there were 219 cases of infectious disease. In 1904 there were 228 cases. The reason that there was such an increase in 1904 was, that 32 of these were from St. Vincent's Convent. There were five cases of diphtheria at Loch Lomond, Jas. Stackhouse Sr., and his son's family were the ones afflicted. Two of these have recovered, and the others are gaining rapidly. Dr. G. O. Baxter is attending them.

RUSSIANS ARE REPULSED.

Tokio, Jan. 13.—The Japanese repulsed the Russians with heavy loss near Liao Yang Wednesday.

HOTEL ARRIVALS.

At the Duferin—John W. Elmaine Weymouth; F. M. McBade, Boston; Fred L. Wright, St. Stephen; A. R. Lagarde, Montreal; R. R. Goulding, London. At the Victoria—Wm. H. Hankin, Charlottetown; H. T. H. Fenoty, Fredericton; E. W. Cockrane, St. Martins; W. C. Buckley, Montreal; R. D. Livingston, Montreal. At the Clifton—W. Caldwell Woodstock; H. T. Bailay and wife, Fredericton. At the Royal—H. S. Crowell, Yarmouth; H. I. Harding, Sherbrooke; Jas. W. Grant, St. John's; L. C. Haley, Windsor; D. G. Kirk, Antigonish; Mrs. J. L. Tweedie, Chatham; Jen. G. Tweedie, Chatham. At the New Victoria—Jas. Steele Halifax; E. J. Joyce, Halifax; Capt. Craft, Mac's Bay; N. Spain, Halifax; J. S. Macomber, Portland.

COUNTRY MARKET.

The country market was well supplied with produce this morning. Poultry, meats and vegetables can be had at very reasonable prices. Prices quoted were as follows:—turkeys, 22 to 24 cents; ducks, \$1.50; chickens 50c.; \$1.50; geese \$1.40;—\$1.75; moose steak, 20c. venison, 10c. western beef, 18c.; lamb and mutton, 7c.-10c.; pork, 12c.; dried beef, 20c. corned beef, 10c.; hams, and bacon 14-18c. Vegetables are in good supply and are quoted as follows:—Carrots, beets and parsnips, 30c.; potatoes, 20c.; cabbage, 6-15c.; squash, 3c.; parsley, 5c.; tomatoes, 30c.; cucumbers, 20c.; mushrooms, 48 cents per can. Butter in tubs, 18-20c.; roll 18-20c.; case eggs, 20c.; henry eggs, 35c.

POLICE REPORTS.

The door of Clark's photo supply store was found open last night by the police. They notified the owner who secured it. The police found the door of Clark, Miller & Co., office open last night. They notified the janitor who secured it. A sign board was removed from the head of King street to the central police station. Steamer Sellaasia sailed from Algiers last Wednesday for Boston. Steamer Mantinea left Matanzas for Philadelphia yesterday. Steamer Nencia sailed from St. Lucia yesterday for New York. Steamship Eretia left New York yesterday at 2.30 p. m. for Boston. Steamer Himeira sailed from New Orleans yesterday for Aarhus via Norfolk. Steamer Dahome sailed from Halifax this evening for this port. Steamship St. Helens which discharged coal at Halifax is delayed there on account of crew claim for discharge, the trouble is being decided by the court. She came to this port to load lumber for the Canary Islands. Counterfeit \$10 bills of the Canadian Bank of Commerce, issue 1871, are in circulation. A well-known business man of this city had one passed on him this morning. The man who did so claimed it was done in a joke, so it is probable no more notice will be taken of it. At 8.30 the public will be admitted to the teacher's meeting to hear Mr. Kinger and to examine samples of the work done in the manual training departments of provincial schools. The Sun Fire Insurance Co., has issued a very neat and attractive calendar for 1905. W. H. T. Tenby of Fredericton is registered at the Victoria.