

LOCAL EVENTS.

The News of the City and Vicinity

SINCE YESTERDAY.

General, Social, Personal and Political Items of Interest.

Weather Probs.

(Special to Daily Herald)

Toronto, April 20.—Maritime: easterly winds increasing to strong breezes, unsettled, showery tonight and Sunday.

The Baptist Pulpit.

Rev. J. W. Manning of St John, will occupy the pulpit of the Baptist church at both services tomorrow.

Well Known Here

Zera Seamon, the musician who has given many entertainments in the opera house in this city, died a few days ago in the Southern States.

New Logs Running.

The first new logs of the season reached the Sugar Island boom last evening. They were from the Tobique River and have Hilyard Bros' mark stamped upon them.

Pigs for Mining Stock.

G. D. Grimmer, who is always open for a speculation, has exchanged his matured pigs for gold mining stock with F. B. Dunn, Musquash. A carload of 60 was recently exported by him.—St. Andrew's Beacon.

St. John Social Event.

Mrs. A. George Blair gave a luncheon Friday afternoon in honor of Miss Daisy Winslow, of Fredericton. Covers were laid for eight young ladies and the table appointments in every detail were perfect.—Telegraph.

Rafts Coming In.

The lumber drives are all out of the Nashwaak and Macanac rivers and are daily arriving at Springhill in rafts. Jas. M. Scott, of Dumfries, who lumbers on both streams, landed no less than 162 joints of lumber containing about half a million feet at Springhill on Friday. He

brought down forty joints on Wednesday which makes his total for the week about six hundred thousand feet. Mr. Scott expects to bring in a million feet during the coming week. All his lumber has been sold to A. F. Randolph & Sons. At the present time spruce logs are bringing \$9.25 at Springhill and most of the buying is being done by St. John millmen.

Broke His Leg.

Charles W. Whelpley, while bicycling on the highway bridge last evening, had the misfortune to fall and break his right leg between the knee and ankle. Mr. Whelpley met with a similar accident little more than a year ago, but the fracture this time is three inches lower down. The accident will probably confine him to the house for three months. A great deal of sympathy is felt for the unfortunate young man.

U. N. B. Concert.

The University Glee Club will give a concert and play in the Opera House on Thursday, April 25. Misses Palmer and Fisher and Messrs. Macleod, Macleod, Colwell, Coleman, Lagere, Morphy, Golding and G. W. Massie will represent the characters. Admission 25 and 35 cents. Plan of ball at McMurray's.

Death of Mrs. O'Dell.

The death occurred yesterday at Halifax of Mrs. O'Dell, widow of the late Hon. Senator O'Dell, formerly of this city. The deceased lady was a daughter of the late Justice Bliss, and since the removal of the family to Halifax a number of years ago, has been in the habit of spending the summers in this city at her residence "Rockwood" near Wilton Park. Three daughters survive her.

Mrs. O'Dell's sisters and brothers are Mrs. Binney, widow of Bishop Binney; Rev. John Blowers Bliss of Essex, England; Rev. John Bliss of Kent, Eng.; and Lewis Bliss, also at present in England. Her son, Major Odell of the 52nd Oxford Regiment, died in India eight or nine years ago.

Case of Theft.

Two boys, aged about fourteen years, were before the police court this morning on the charge of stealing name plates from the front doors of several up town residences. They were remanded by Col. Marsh until Monday morning.

ELECTION CASE.

Judgment of the Supreme Court in

McLEOD VS. GIBSON.

Respondent's Application for a Rule Nisi to Set Aside Order for

SUBSTITUTE SERVICE OF PETITION DISMISSED WITH COSTS.

Justices Gregory and Barker take Exception to Comments Made by Judges Hanington and Landry.

The Supreme Court this morning delivered judgment in the case of Joseph McLeod, petitioner vs. Alexander Gibson, M. P. respondent, refusing with costs the application made on behalf of the defendant for a rule nisi to set aside the order for a substitute service. Justice Gregory in delivering his judgment stated that he concurred with the action of the court in refusing to rescind his (Gregory's) order. He was of opinion that the order was proper and that sufficient facts had been brought out to warrant him in making it. The act limited the time for personal service, and when service could not be effected within the time allowed, a judge could on being satisfied of this by the petitioner, make an order for a substitute service. He had considered the matter very carefully before making the order, and he had heard nothing in the argument of counsel to lead him to the conclusion that the order was not warranted, or of a nature that could not be made under the act. There had been some discussion over the case and comments had been made by members of the bench in which he did not concur. He did not believe that the respondent was a party to or in any way responsible for the so-called trick played upon the officer who was supposed to have served the petition. He believed what Mr. Gibson had stated, and did not think the statements contained in his affidavit, in answer to the affidavits made by the petitioner—the object of which was to charge him with being a party to the trick—as unreasonable or untrue. The point the respondent wished to make was that the efforts put forth to serve him with the petition were not of such a zealous nature as could have been made.

He (Gregory) had felt that there had been a bona fide desire to serve the respondent on the part of those acting for the petitioner, but that the respondent was surrounded by a sort of volunteer guard who would give no information, and were even inclined to obstruct any effort to serve Mr. Gibson. Under the circumstances, therefore, he had felt himself justified in granting the order for a substitute service. His Honor remarked that the case was similar to the Baird case, in which the petition was served upon the wrong person, and afterwards read extracts from judgments delivered in that case by Chief Justice Allen and Judge Palmer. The latter had declared that he could see nothing wrong in a respondent seeking by lawful means to escape from being brought within the jurisdiction of the court, and the late Chief Justice had stated that Mr. Baird had a legal right to evade service of the petition if he thought proper. In the light of the judgment given in the Baird case, His Honor declared that Mr. Gibson had the sanction of the court in evading service of the petition if he thought proper. While he (Gregory) concurred in the judgment of the court, he wished to be understood as not concurring in the unfavorable comments on the respondent's action, made by members of the bench.

Justice Barker said that to a large extent he shared the views expressed by Judge Gregory. He did not however concur with the views expressed by other members of the bench that the affidavit of Mr. Gibson should not have been made. He did not propose to go into this question minutely as he did not think it was necessary for the purposes of the case. After briefly reviewing the case His Honor remarked that he thought Judge Gregory had been justified in making an order for a substitute service. Several attempts had been made to serve the respondent but without success, the papers on one occasion being handed to Mrs. Gibson, who at once dropped them. He thought that Mrs. Gibson, when she did this, must have been acting under instructions from somebody.

Whether or not the man who had personated Mr. Gibson did so with the latter's knowledge, was to his mind immaterial, the fact remains that service was not effected. Mr. Gibson certainly received the benefit of that man's action, and this, he thought, warranted Judge Gregory in making the order.

Chief Justice Tuck said it seemed to him that a reasonable effort had been made to serve the petition. The respondent in his affidavit stated that the petitioner ought to have known that the respondent's duties during the winter season necessitated his absence in the lumber woods a good part of the time. He (the Chief Justice) did not understand how the petitioner would know the respondent's whereabouts when they were not known to the people of Marysville from whom enquiries were made. He would not say that a respondent acted improperly in trying to evade service of a petition, so long as he did not violate the law, and if Mr. Gibson says he did not try to avoid service he would not disbelieve him. He did not think, however, that Mr. Gibson could be personated at his own home without members of his family having some knowledge of it, though he would not say that Mr. Gibson was personally connected with the trick. He believed that Judge Gregory's

order had been rightly made, and would therefore discharge the rule with costs.

The Chief Justice announced that the other members of the court with the exception of Judge McLeod, who took no part, concurred in the judgment.

Justice Gregory said that while he concurred in the judgment he dissented against awarding costs to the petitioner in this matter. There was a new point in the case fairly open to debate, and he thought it rather hard on the respondent to visit him with the interlocutory costs.

A J. Gregory asked if the judgment included the enlargement of the time for filing preliminary objections to five days after the delivery of judgment.

The Chief Justice replied in the affirmative and fixed the time for Saturday of next week.

The following additional judgments were delivered by the court:

McCleave vs. City of Moncton.—The judgment of the court was delivered by Judge Gregory. This was an action brought by the plaintiff to recover damages on account of improper action of Officer Belyea, a Scott Act inspector appointed by the city council. It seems that Belyea, after being refused admittance to McCleave's place, smashed in the door and carried away a quantity of liquor. The case was tried before Judge Hanington without a jury and judgment given for the plaintiff. The opinion of the court is that the council was not responsible for the action of their official, as in appointing him the council simply carried out the wishes of the ratepayers as expressed in a petition and acted in the interest of law and order. The court held that the action was not maintained and gave judgment in favor of the defendant. Judges Hanington and Landry dissenting.

Queen vs. Judge Wilson, ex parte Irving.—The court held that the county court Judge had no jurisdiction in the case and quashed the order made by him.

MISSIONARY SERVICE.

Interesting Address by Rev. Mr. Martin at the Methodist Church.

There was a large audience in the lecture room of the Methodist church last evening, when Rev. W. D. Martin of Woodstock, the well known Evangelist, preached an excellent sermon bearing upon Home Mission work of the church. His contention was that every converted man and woman was as truly called to be a disciple of the Master as was the preacher of the gospel. He was a witness to the Word, and he would allow no excuse from the most timid believer for not doing some work for uplifting mankind or bringing sinners to Christ. He emphasized this thought with the story of the faint-hearted woman who declared she could not speak in meeting, but many other opportunities were neglected. She admitted that although the milkman had called at her door every day for years she had never asked him if he was saved.

Pastor Campbell gave a brief statement of Home Missionary work in this conference, the need of special contributions to assist in enlarging the small stipend of many ministers on poor fields, and appealed for liberal support. In appreciative words on behalf of the large congregation he thanked Mr. Martin for his stirring and eloquent presentation of the gospel message.

The Up River Mail Service.

The contract for carrying the mail from Fredericton to McLeod is now being performed by John McCoy, under a temporary arrangement with the Post office inspector pending the calling of new tenders. The contract of W. E. Everett, who has been performing the service for the last four years, expired on April 1st, and his offer to temporarily perform the work until new tenders could be obtained was considered by the P. O. Inspector to be too excessive, and on Thursday he was notified to that effect. Mr. McCoy commenced work on the following day.

Mrs. McFarlane's Funeral.

The funeral of the late Mrs. Peter McFarlane took place from her late home on Charlotte street this afternoon and was attended by a number of sorrowing friends and relatives. Services were conducted at the house by Rev. Willard MacDonald and the remains were afterwards taken to Nashwaak and interred in the Pickard burying ground at that place. Bruce McFarlane, son of the deceased, who was absent in the Aroostook woods when his mother died, was unable to reach home in time for the funeral.

Suggestive Music.

At a wedding recently in Truro the bride was nearly a half hour late in arriving at the church. During the wait the organist kept the audience in good humor by playing such popular and appropriate airs with variations as "Dear, Dear, What Can the Matter Be?" and "Why do you Linger? Why Tarry so Long?"

The Divorce Court Might.

A confirmed old bachelor asks the Herald to publish the following: A young minister starting for his honeymoon preached on the preceding Sunday from the text, "He went on his way rejoicing." The text he preached from in his return was, "O, wretched man that I am, who will deliver me?"

Going to St. John.

David B. Barker, whose serious illness from cancer of the throat has aroused the sympathy of many friends, has been granted permission to enter the Home for incurables at St. John and will leave for that city on Monday.

Getting Ready for Work.

F. B. Carvell, ex-M. P. of Woodstock, was in St. John, Friday, after attending a meeting at Sussex between Hon. A. S. White, R. A. Lawlor and himself to arrange for the work of consolidating the laws.

CASTORIA

For Infants and Children.

The little signature of *Dr. H. P. Plummer* is on every wrapper.

The Season Opened.

Boston, April 20.—The base ball season in Boston opened yesterday afternoon on the National League grounds, Boston shutting out New York with ease, by batting Luther Taylor's curves in all innings but the seventh. Nicholas was in fine form and allowed New York but five scattered singles. Lowe's batting and the fielding of Selbach, VanHalten, Lowe and Long were features. The new foul strike rule caused much merriment among the spectators, but it was noteworthy. Umpire O'Day officiated very satisfactorily. Attendance, 6,500. Score: Boston.....0 0 1 1 2 0 0 3 x—7 15 2 New York.....0 0 0 0 0 0 0 0—0 5 2

Bat cries—Nichols and Kittridge; Taylor and Bowerman.

To Cure a Cold in One Day.

Take Laxative Bromo Quinine Tablets. All druggists refund the money if it fails to cure. 25c. E. W. Grove's signature is on each box.—d&w.

Card of Thanks.

I wish to thank the North American Life Assurance Company for the prompt payment through their agent, W. Egerton Everett, of \$2000, being the amount of the policy held by my late lamented husband, Charles G. Clowes.

(Sgd) CLARA W. CLOWES, Maudersville, San. Co., Apr. 20, 1901. April 18th, 1901.

Interesting Discourse.

Hear the Story of the Crimes Retold, illustrated by limelight views in the schoolroom of the Methodist church on Wednesday evening, April 24.—d.

Bicycle for Sale.

C. A. Sampson will sell his Columbia wheel for \$18. When new it cost one hundred dollars.—d21.

A P. Connolly, traveller for the Baird company of Woodstock, is a guest at Long's hotel.

Removal Notice.

The Law Offices of R. W. McLeod, Barrister, have been removed to the Burchill premises, the second building on the lower side of Carlton street from Queen. April 11—dtt-w31

HORSE, WAGGONS, PUNGS, etc.

FOR SALE

By the undersigned: one dark brown gelding, six years old, weight 1100 lbs. Clyde and Messen stock, good driver and worker, kind and sound. One double seated canopy carriage, new, Cooper make. One single driving wagon, one Sulky, one Farm Wagon, one second-hand Pung, one second-hand Pung, one set of new Single Harness, one set of Single Working Harness, Robes, Lap Rugs, etc.

JAS. FARRELL, Fredericton, April 17th, 1901—d2w-w21

BELGIAN HARES

FOR PLEASURE AND PROFIT.

The most beautiful and affectionate of all domestic animals; the finest of meat for the table, cleanly in habits, cost but little to keep, require small amount of attention and space to live in, and are THE MOST WONDERFUL LITTLE MONEY-MAKERS IN THE WORLD. We can tell you how to earn \$500 a year from an investment of \$25. If you have a small back yard, a shed, barn or an empty attic, and will devote one hour night and morning, we can start you in an easy, fascinating and profitable business. The finest home employment for boys or women. We sell healthy, fine pedigree stock by express to any point and guarantee safe delivery. Send for particulars.

BOSTON, BURLINGTON HARE CO., 10 Hanover Street, Boston, Mass., Apr 18—41

NOTICE OF SALE.

To Robert Belyea, of the City of Fredericton, in the County of York and Province of New Brunswick, Teamster, and all others whom it may in anywise concern: NOTICE is hereby given, that by virtue of a Power of Sale contained in a certain Indenture of Mortgage bearing date the twenty-sixth day of July in the year of our Lord one thousand eight hundred and ninety-three, and made between the said Robert Belyea of the one part, and the undersigned, Jeannette M. Belyea, of the other part, registered in York County Records in Book No. 100, page 419 and following pages, there will, for the purpose of satisfying the moneys secured by the said Indenture, default having been made in the payment thereof contrary to the provisions of the said Indenture, be sold at Public Auction, in the front of the Post Office, in the City of Fredericton, on SATURDAY the twenty-fifth day of May next, at the hour of twelve o'clock, noon, the leasehold lands and premises described in the said Indenture of Mortgage, as follows:—

"SITUATE, lying and being in the Town of Fredericton aforesaid, abutting and bounded as follows:—Beginning at the north-east side of Queen street in the west corner of Lot number two occupied by James Atherton, thence running along said street north thirty-three degrees and six minutes, thence at right angles to Queen street seventy-five feet towards River Saint John, thence parallel to Queen street thirty-three feet six inches, thence at right angles along the side line of Lot number two seventy-five feet to the place of beginning; being Lot number Two of the Water Lot of the City of Fredericton according to the Plan and Survey made in 1871 by A. G. Beckwith, Esquire, C. E. and on file in the City Clerk's Office, Fredericton."

Together with all and singular the buildings and improvements thereon and the privileges and appurtenances to the said leasehold premises belonging or in anywise appertaining.

Dated this nineteenth day of April, A. D. 1901.

JEANNETTE M. BEVERLEY, Mortgagee, A. J. GREGORY, Solicitor for Mortgagee. Apr 20—d11

TENNANT, DAVIES & CLARKE.

Mercerized Italian Serge.

54 inches wide. Colors—Cardinal, Purple, Royal, Old Rose and Garnet. This is a very lustrous material, either for waist or lining.

Tucked and Corded Silk Collaring.

Colors—White, Pink, White and Black, and Pink and Black.

TENNANT, DAVIES & CLARKE.

THE MISSES YOUNG Millinery Opening

ON

Thursday, 18th

At 3 30 p. m.

Our season's millinery opening is being planned on a very elaborate scale of grandeur and magnificence. We have never made the occasion anything but one of special prominence in keeping with the event, but we are not content to let past successes satisfy us.

Thursday you are entirely welcome to enjoy this rare treat of good things. We extend to you and your friends the freedom of our store that you may come and view the showing here of the world's finest and rarest creations. No cards will be sent out this season, so our friends will kindly consider this their invitation to attend.

THE MISSES YOUNG, Queen Street.—

WANTED.

A Nurse Girl or Girl for general house work. Apply to MRS. A. R. WETMORE, April 17—d11

Property Sale.

There will be offered for sale at Public Auction on THURSDAY, the second day of May next, at 12 o'clock noon, in front of the Post Office, the leasehold premises known as the Dever building, situated on Queen Street, Fredericton, together with the Indenture of Lease and all benefit and advantage thereon. For terms of sale apply to A. J. GREGORY, Esq., Executor of the last will and testament of James Machum, deceased. April 17—d11

FOR SALE.

The Lorne Hotel on Regent street. Also the building adjoining, with two shops and dwelling, fronting on Regent street 90 feet. Feb 8—d11 WM. H. SCULLY

Salt.

Coarse Salt, large full sacks
Fine Salt, sacks
Table and Dairy Salt, 10 and 20 lb boxes
Table Salt, 100 lb bags in barrel
Table Salt, 60 lb bags in barrel
Extra Fine Table Salt, 24 lb cartons in case
Low Prices.

JAMES HODGE.

SEALED TENDERS addressed to the undersigned, and endorsed "Tender for Breakwater at Dipper Harbour," will be received at this office until Friday, May 10th, 1901, for the construction of a breakwater at Dipper Harbour, St. John County, New Brunswick, according to a plan and specification to be seen at the office of E. T. P. Shewen, Esq., Resident Engineer, St. John, N. B., on application to the Postmaster at Dipper Harbour, and at the Department of Public Works, Ottawa.

Tenders will not be considered unless made on the form supplied, and signed with the actual signatures of tenderers. An accepted cheque on a chartered bank, payable to the order of the Honourable the Minister of Public Works, for four thousand dollars (\$4000), must accompany each tender. The cheque will be forfeited if the party declines the contract or fails to complete the work contracted for, and will be returned in case of non-acceptance of tender. The Department does not bind itself to accept the lowest or any tender. By order, J. S. ROY, Acting Secretary. Department of Public Works, Ottawa, April 3rd, 1901.

Newspapers inserting this advertisement without authority from the Department will not be paid for it. April 18—d31

TO LET.

From May 1st next, that desirable residence on Waterloo Road occupied by the subscriber. Good bath room and furnace. March 11—d11 A. R. SLIPP.

TO LET.

The large dwelling on Brunswick street, opposite residence of J. R. Gunter, Esq., and present occupied by Mr. Chas. Fleet. Possession in each case on May 1st. Apply to A. R. FURBES, People's Bank. Feb 4—d11

To Let.

Several Houses on Brunswick street. Apply to Feb 12—d11 LUCY & CO.

EDGECOMBE'S
New Carpets and Curtains
CARPETS
Axminster, Royal Wilton, Velvet, Pile, Brussels, Tapestry, Wools and Unions, Druggets, Japanese Matting, Art Squares, Hearth Rugs, Linoleum and Oilcloths, etc.
CURTAINS
Renaissance, Battenburg, Irish Point, Swiss Applique, Frilled Muslin, Figured Muslin, Madras Curtaining, Sash Curtains. Oriental and Bagdad Portiers, Curtain Poles, etc.
Everything up-to-date in our Furnishing Department.
FRED B. EDGECOMBE
Agent Butterick Patterns.

Latest in Frames
Just received an assortment Mouldings and Picture Frames. Latest designs at lowest prices.
JOHN G. ADAMS
Next Queen Hotel, Telephone 26.

We are Ready.
Our new Seeds (Ewing & Co's), are all in stock and opened up ready for the early garden. Remember we buy our vegetable seeds in bulk only, and pack them ourselves, thus ensuring you good, clean seed and honest measure.
We again direct your attention to our **SPECIAL LAWN MIXTURE**, Which is unsurpassed for producing an even and velvety lawn.
Hunt & MacDonald
Druggists, Queen Street.

FURNITURE Upholstered and Repaired.
Carpet Laying and Stretching promptly attended to. Tent and Awning work. Carriage Trimming, Mattresses renovated. Goods called for and delivered free of charge.
ARTHUR H. WOODS,
KING STREET, just above McGill's Wagon Factory.

Everybody G. T. WHEPLEY
is sick at some time or other. When it comes your turn to send for the Doctor, kindly bear in mind that it will be a great assistance to him in getting the best results from his prescriptions in your case, if they are properly filled:—pure drugs carefully and skillfully compounded.
New Seeds

You will run no risk
if you bring your prescription to us to be filled. We give you the best, compounded in the best manner, at the lowest cost. We try to save you money whenever we can.
Staples' Pharmacy.
Corner York and King Sts. FREDERICTON, N. B.
G. T. WHEPLEY
310 Queen Street, Fredericton.

Garden and Flower Seeds
Timothy Seed
Red and Alsike Clover Seed
Ontario Seed Oats
Daily expected—Barley and Seed Peas

Lots of..
Maple Sugar and Honey
H. C. JEWETT'S,
Telephone 338 Corner Regent and King Street

Gentlemen's Gloves At 1-2 Price.

We will offer tomorrow an English Cape Glove in Tan Shades with two fasteners, suitable for either a driving or walking glove, for 63c a pair. The regular price is \$1.25. They are a great bargain.

FARRELL BROS.

222 Queen Street opp Soldiers barracks.

Millinery For Spring and Summer.
Grand Opening
AT
MISS S. C. KELLEY'S
Thursday, April 18th,
At 3 o'clock, p. m.

Latest New York and Parisian styles. The grandest display ever shown in the city. Opposite Soldiers' Stone Barracks, Queen street.

NOW IS THE TIME To Buy Curtains

All prices from 40c up.

Curtain Poles

From 15c up.

Window Shades

35c up.

All new patterns, and a large stock to chose from.

A.A. BELMORE

190 Queen Street, Fredericton.

FIRE NOTICE.

The Imperial Insurance Company Ltd.

OF LONDON, ENG.
Established 1803.
Capital, \$5,000,000.

MR. FRANK I. MORRISON

Has been appointed agent for this company in succession to Mr. John Black. Business solicited at Lowest Rates. Special rates for 3 years.

E. L. WHITTAKER,
St. John, Resident Secretary for Maritime Provinces.