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THE GORMIER CASE

Supreme Court of Canada Refuses Applica-
tion for Habeas Corpus to free Scott
Act Violator from Prison

OTTAWA, Dec. 13.—(Special.)—In the Supreme court in re Henry Gormier, in prison at Dorchester, on conviction for violation of the Canada Temperance Act at Moncton, an application was made for a writ of Habeas Corpus by way of appeal from an order of the Chief Justice, Sir Charles Fitzpatrick, refusing to issue the writ upon an application in chambers.

The grounds of the application were that the amendments to the Canada Temperance Act was enacted in the parliament of Canada, giving magistrates authority to impose imprisonment without option of a fine for

a first offence, did not apply in the county of Westmorland where the votes introducing the operation of the statute had been passed, while the act was in force before the amendment, and allowed a penalty by fine only for a first offence.

MacMaster, K. C., and Hanington supported the motion. W. B. Chandler, K. C., opposed the motion on behalf of the city of Moncton.

After hearing the full argument in support of the motion and calling upon the counsel for the city of Moncton for a reply, merely on the question of costs, the court retired, and on re-assembling rejected the application, without costs.

ST. JOHN DELEGATION

Mayor and Aldermen at Ottawa Interview
Government on need of Increased
Terminal Facilities

OTTAWA, Ontario, December 13.—(Special.)—The St. John civic delegation waited on Dr. Pugsley this morning and presented their views in writing.

This is an outcome of the meeting which the delegates had with the Minister of Public Works last evening in the New Brunswick room at the House of Commons.

The expenditure which the delegation asks the government to assume in the meantime for giving the neces-

sary wharf accommodation which will be required for next winter's business will be about \$200,000. This is urgently wanted.

Of course there are others and larger improvements contemplated.

The proposition which the delegation will submit to the government will be discussed at the luncheon to be given the delegates by Mr. Pugsley to-day.

During the day the delegation will call upon Sir Wilfrid Laurier and other ministers.

THAT RAILWAY DEAL

General Belief that C. P. R. will
Secure Control of the Boston
and Maine

TORONTO, Ontario, December 13.—(Special.)—"Just newspaper rumors, without any foundation," said E. B. Osler, M. P., last evening concerning the New Haven, Conn., report, confirming another report that Canadian Pacific Railway Company were negotiating for a block of 159,994 shares of stock of the Boston & Maine Railway now held by the New York, New Haven and Hartford Railway.

NEW HAVEN, CONN., Dec. 13.—It is stated on high railroad authority here that negotiations between the Canadian Pacific and the New York, New Haven and Hartford railroad companies are still proceeding with the Canadian Pacific a favoring party to the purchase of the Boston and Maine holdings of the New Haven. Apart, however, from any question of the attitude of the federal government or the state of Massachusetts trolleys of the New Haven company, is regarded as a serious obstacle to the carrying through of the sale. What, however, is a considerable important matter is that another large railroad interest has approached the New Haven management with the suggestion of a sale to it of the Boston and Maine shares. The whole matter has not advanced to a point where it will be more than discussed at today's meeting of the New York, New Haven and Hartford directors.

An officer of the New York, New Haven and Hartford Railroad Company yesterday called attention to the fact that should the New Haven Company decide to sell hereafter to any railroad interest that the 110,000 shares practically controlling the Boston and Maine road will go in hereafter be separated and will go in a block to any interest which may acquire it.

MONTREAL, Dec. 13.—High officials of the Canadian Pacific Railway absolutely refused to discuss the report that negotiations are now under way whereby this corporation would secure practically a controlling interest in the Boston and Maine Railroad now under control of the New York, New Haven and Hartford.

The report is neither confirmed nor denied here, and when Sir Thomas Shaughnessy, the president of the company, was asked concerning the story, he merely said: "We have absolutely no statement to make in the

matter," and would not discuss it at all.

MORAL REFORM

Delegation Representing Various
Churches want Improved Con-
ditions in Yukon

OTTAWA, Dec. 13.—(Special.)—Bishop Hamilton of Ottawa, Canon Tucker, Toronto; Rev. Dr. Chown, Toronto; Dr. Cameron, Ottawa; Dr. A. S. Grant, Toronto; and Rev. Dr. Shearer of Moral and Social Reform department of the Presbyterian church, waited on Sir Wilfrid Laurier and Hon. Mr. Oliver this afternoon in reference to Moral and Social reform in the Yukon.

The delegation waited on the government some time ago in connection with this matter. It is an outcome of certain charges preferred by Rev. Dr. Pringle, and to investigate which the government proposed a court of inquiry. Col. White, representing the Mounted Police, was present.

NEW PROFESSORS

TORONTO, Ontario, December 13.—(Special.)—These appointments were made at a meeting of the Board of governors of the University of Toronto:

Assistant professor of physiology, Dr. Abbott.
Professor of physical chemistry, Dr. W. Lash Miller.
Professor of Greek and Roman history, Professor W. S. Malner.
Assistant professor of Latin, Dr. G. W. Johnston.
Associate professor of Astro-physics, Dr. C. A. Chant.
Associate professor of botany, Dr. J. H. Full.

THE STOCK MARKET

MONTREAL, P. Q., December 13.—(Special.)—The conditions on the stock market were unchanged today and there was very little trading, and few changes in prices. Features were Richelieu Company, Twin City 81; Dominion Steel Bonds 70; Montreal Power 85.

It takes little money to get rigged out at Lucy & Co.'s big red figure sale.—d.

Some men hit the pipe when really they should kick it.

A MARE'S NEST

Mayor McLeod Unearths a Mammoth one at
Perth---What Mr. Whitehead M. P. P.
has to say of the Government's
Land Purchase---The Law Quoted

The Gleaner last night under scarce head lines published a report of a speech delivered at Perth by Mayor McLeod of this city in which he endeavors to make it appear that the recent purchase of fifty thousand acres of land by the government from the New Brunswick Railway Company was a questionable transaction that there is a mortgage of \$513,000 against the property, and that settlers who make homes for themselves on this land would do it subject to the mortgage and would be liable therefore. We are told by the Gleaner's headlines that the discovery was made by Mr. McLeod, although on this point there appears to be considerable room for doubt. The oft-defeated Tifus J. Carter, has in the past enjoyed a monopoly of the business of searching out opposition mare's nests for the County of Victoria, and the Herald is inclined to think that in this case he prepared the bomb and put the less cautious Mr. McLeod up to explode it. It will be remembered that Mr. Carter sprang a roorback just prior to the last election, when he was an opposition candidate in Victoria, and it fell so flat with the electors that he was able to save his deposit by only half a vote.

It is not surprising therefore, that on this occasion he should be content to remain in the background and allow another to set off his fireworks.

The opposition work on the principle that if a lot of mud is thrown some of it will be sure to stick and Mr. McLeod is hopeful that his "mare's nest" will work injury to the government cause in the county of Victoria. Mr. McLeod's knowledge of provincial politics is entirely superficial, and it is not surprising therefore that his whole speech should be a mass of glaring inaccuracies. Referring to the purchase of 50,000 acres of land by the government for settlement purposes he is reported to have said:

"The government had paid \$38,000 for this land, and after the titles had been placed on the records, an examination showed that upon this land, in the parish of Gordon, there still stands a mortgage for \$513,000 sterling in favor of the Central Trust Company of New York, so that any settlers who erects buildings or hews out a home plot, would do it subject to this mortgage, and would become liable therefore. And more, the taxes now standing against that land amount to \$347.84 and Mr. Whitehead, M. P. P., who is manager of the New Brunswick Railway Company says that they are rid of the land and are not interested in the matter of taxes."

THE ANSWER

This morning a representative of the Herald waited upon Mr. Whitehead, M. P. P., at his office, and showed him a copy of the Gleaner containing a report of Mr. McLeod's speech, and also some editorial comments on the same. "I am too busy a man," said he, "to follow up and explode all the political yarns that the Gleaner and Mr. McLeod can manufacture, but perhaps a word of explanation is due in this case. It is true and a matter of public record, that when the C. P. R. took over by lease the New Brunswick railway, the property, which consists of 167 miles of railway, and more than sixteen thousand acres of land was bonded for \$513,000. These bonds bear interest at the rate of six per cent, and will not fall due for ten or twelve years yet. When the company obtained the power to lease the railway, they also got power to issue debenture stock for the purpose of retiring their bonds. The payment of this debenture stock is to be guaranteed by the Canadian Pacific company, which ought to make it a fairly safe issue. The company is ready at any time to retire the bonds, for

which the Central Trust Company holds the mortgage, but they are so scattered that it is a difficult matter to get hold of them.

"In giving a deed of 50,000 acres of land to the government we also gave the guarantee of the Canadian Pacific Railway Company and the New Brunswick Railway Company that the mortgage bonds would be redeemed at maturity. I don't think there is anybody doing much worrying over the matter, with the exception of those looking for a chance to play to the galleries and at the same time manufacture a little cheap political capital. There is not the slightest question in regard to the legality of the title of the land sold to the government. I am giving away no secrets when I say that the lands of the New Brunswick Railway Company are regarded as a valuable asset, and could be disposed of at any time at a good price if the company wished to do so.

"There is one point I wish to make clear, and that is that the company sold the 50,000 acres of land to the government, not because they wanted to do so, but because it was compulsory on their part. Under the terms of the original grant made to the company, authority as reserved by the crown to buy back any portion of the land at a price not less than 75 cents an acre. But for this saving clause rest assured the government would not have got the land. If the bargain made was not an advantageous one for the government, as Mr. McLeod alleges, the company stands prepared to take back the land at any time.

"It is simply nonsense for any newspaper or politician to try to make it appear that the government was taken in on this transaction. I know something of the land that was purchased, and am firmly of the opinion that the stumpage alone would reimburse the government for the amount of the outlay in two years, if they chose to sell it.

"In regard to the taxes being unpaid, I guess it will not be denied that the company has been a pretty generous contributor to the municipal revenues of Victoria county. The sale of land to the government will make a difference of about \$100 to the company in taxes, therefore the Gleaner's statement that there are taxes amounting to hundreds of dollars standing against the property is incorrect, and scarcely worthy of serious attention."

If Mr. McLeod gave more attention to his law books and less to slandering his political opponents he would discover that the law fully protects the government and whoever else may be concerned in purchasing the property.

On page 111. Acts of the Legislature for 1907, he will find the following:

CAP. XXXVIII.

An Act to amend the Act 5, Edward VII, chapter 30, intitled "An Act to amend the Act 3 Edward VII, Chapter 13, intitled An Act to facilitate the opening up to settlement of lands of The New Brunswick Railway Company."

Passed 13th April, 1907.
Be it enacted by the Lieutenant-Governor and Legislative Assembly, as follows:

The Act 5 Edward VII, Chapter 30 is hereby amended by adding thereto the following as section 3:

"3. The conveyance by the said company to His Majesty the King, of the said lands, or of the said company's right, title and interest therein, shall vest the said lands, and the complete title thereto in His Majesty, his successors and assigns, in fee simple, and freed and discharged from all incumbrances of any nature or kind."

VALUABLE ESTATE

TORONTO, Dec. 13.—(Special.)—The will of Father Cyrcille Dods-worth, a Roman Catholic priest, who died in Toronto on July 26 last, has been filed for probate.

The estate totals \$81,667.89. Testator's sister, Mrs. A. M. Drummond, Mrs. Drummond, die without issue of Maidenhead, Eng., receives an income from railway stocks, valued at \$781. The residue goes to the rector of St. Patrick's Toronto. Should her stocks go to the rector of St. Patrick's.

The management of the Arctic Rink have started to make ice for the season. Season tickets are for sale at McMurray's Book Store, Golden's confectionary store and Chestnut's Drug Store.

CURLING NEXT WEEK.

Mr. R. S. Barker, chairman of the managing committee of the curling club, is having the rink flooded, and is hopeful of making a good sheet of ice by the middle of next week. The rink was flooded during the last cold snap, but the subsequent soft spell put a damper on the work and postponed the commencement of the curling season.

BEAN SUPPER.

The Women's Auxiliary will serve a bean supper at the Y. M. C. A. Saturday night from 5 till 7 o'clock.—d.

If a young man makes dates with his boss and his girl, he may have to fall back on prunes.