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The Daily Herald.

THE WEATHER.
Light winds, fair and rising temperature. Saturday east winds with light snow falls.

VOL XII

FREDERICTON, N. B., SATURDAY, FEBRUARY 9, 1907

NO. 35

E. A. O'Brien & Co.

SATURDAY, FEB. 9TH

STARTING AT 10 O'CLOCK A. M.

10 Pieces Dress Goods, Double width at 10 cents per yard.

10 More pieces Heavy Cloth, better value still than our last lot, at 25 cents per yard.

12 Pieces Real Irish Lace former prices 60, 75, 90 cents per yard, on Saturday 10 cents per yard.

15 Pieces Colored Hamburg at 1 cent per yard.

You don't get these prices every day.

E.A. O'BRIEN & CO.

Valentines Valentines!

Valentines and Valentine postal cards, in latest designs. Also a new line of up-to-date Souvenir Postal Cards.

THE BOSTON 5 and 10.
R. G. LEE & Co.

Opposite Soldiers' Barracks.

Chemical

Thermometers

Direct from the New York Manufacturers.

Two Minutes. One Minute. Half Minute.

A necessity in every household.

GEO. Y. DIBBLEE,

PEOPLE'S DRUGGIST - opp. City Hall.
Fredericton's Leading Drug Store.

Chestnut
says

Imperial Cold Cream needs but a trial to convince you that it is the most delightful toilet preparation you have ever used. Soothing, healing, smoothing, softening and nourishing to the skin. Price 15 and 25c.

"THE QUALITY STORE,"

572, Queen Street.

'COMMUNITY' Silver Plated Knives,

Forks and Spoons

Made in one quality only. Guarantee for 25 years. Excellent finish and beautiful pattern for sale by

F. E. BLACKMER

Opp. Normal School

Fredericton, N. B.

UP AGAINST IT NOW.

Government's Decision in Sewerage Matter is Dead Against Fredericton.

BOARD OF HEALTH'S DECISION UPHELD BY THE EXECUTIVE COUNCIL.

Full Text of the Memorandum as Submitted to Lieut. Governor.

Fredericton has received bad news on the sewerage question.

The appeal to the local government against the decision of the Provincial Board of Health, forbidding the dumping of crude sewage into the St. John river, has been disallowed.

The full text of the government's memorandum on the question is as follows:

"This is an appeal from a decision of the Provincial Board of Health refusing permission to the City of Fredericton to discharge crude sewage into the river Saint John.

The authority of the City to construct a sewerage system is contained in the Act 59 Victoria, Chapter 52, which by section 7 provides as follows: "The Mayor, Aldermen and Commonalty of the City of Fredericton are hereby authorized and empowered to lay, put down, complete and construct in every respect, with all necessary pipes, manholes, flush-tanks, outlet, entrance, pumps, and other necessary apparatus of every description, a system of sewerage, of the best available description and plan for the purposes of sewage drainage," etc.

This section was amended by the Act 6, Edward VII., Chapter 40, by adding thereto the words, "Provided however, that no sewage matter shall be discharged into the River Saint John unless the consent of the Provincial Board of Health thereto shall be first had and obtained."

The amending section also provides that an appeal shall lie from their decision to the Lieutenant-Governor in Council, who is empowered to confirm, rescind, vary or amend such decision.

On the hearing of the appeal, in addition to the evidence given before the board of health, a number of witnesses were called, including two sanitary experts of wide experience and unusual ability, one of whom gave evidence on behalf of the city and the other on behalf of residents along the river below the city of Fredericton, who opposed the city's application. The committee also had the advantage of hearing arguments of counsel.

In view of the very great importance of the question to the citizens of Fredericton and to large numbers of people who are in the habit

of using the water for domestic purposes, as well as for the watering of stock, the committee has given the subject most careful consideration.

On behalf of the city it was urged that the water of the river below Fredericton is not potable at the present time, that it cannot be safely used for drinking purposes without being filtered or boiled, and that the additional pollution which would be caused by the construction of the proposed sewerage system would therefore not to any material degree injure or inconvenience the residents down the river.

On behalf of the residents, it was claimed, on the other hand, and the claim was supported by uncontradicted testimony that a large number of people have no other source of supply for either water or ice—that they have been in the habit of using the river water for domestic purposes since the earliest settlement of the country, that many of them have been unable to procure suitable water by sinking wells, and they have not heretofore found the water injurious to health. They contend that to permit the city to discharge the whole of its sewage matter into the river would cause danger to the public health, and would greatly depreciate the value of their properties.

In considering as to whether the decision of the board of health should be interfered with, the committee feels that regard must be had to the principles which ordinarily govern the legislature, when a public corporation is, for the public welfare, permitted to injuriously affect the property of others. In such cases, the legislature is always exceedingly careful to provide for compensation to the parties whose property is so injured. If it were reasonably possible in the present case to act upon this rule and provide a mode of affording just and reasonable compensation to cover the expense which would be caused to some persons by procuring water from other available sources, and to cover the value of the properties of others, who by reason of their inability to obtain suitable water from other sources, might be obliged to abandon their properties, the city might well be granted the privilege asked for.

The circumstances, however, are such that no principle of providing

compensation can be acted upon, and if the city were to succeed upon this appeal, the result would be that great, lasting and irreparable injury would be done to a large number of persons, without the possibility of affording to them any compensation whatever for such injury.

It seems to the committee that it is not a sufficient answer for the city to say that these people cannot with safety drink the water of the Saint John river at present. The fact is that they do drink it as they have right to do; and the committee feels that only supreme necessity would justify the Lieutenant-governor in council, in formally sanctioning the pouring into the river of vast quantities of polluted matter, which might, and frequently must contain poisonous germs which would carry disease and death to the people living below the city of Fredericton. To do so would be to assume a grave responsibility.

The committee would further observe that the Legislature has required that the system of sewerage shall be of "the best available description." It is of opinion that a sewerage system to be of the best available description, must take into account not only the best mode of ridding the city of its sewage matter, but also the best mode of providing that the disposal of such sewage matter shall cause the least possible injury to people residing below the city.

It has been shown that in the case of many cities, sewage matter is purified by means of septic tanks and filter beds, whereby it may be rendered harmless, and the committee is of opinion that under the provisions of the statute the city might properly be required to provide such a mode of purification in connection with its sewerage system.

The committee has for the above reasons, arrived at the conclusion that it would not be proper to interfere with the decision of the Provincial Board of Health, and recommends that His Honor the Lieutenant-Governor should allow such decision to stand.

His Honor the Lieutenant-Governor concurring in the foregoing recommendation, it is now ordered, that the said appeal be, and the same is hereby dismissed, and the said decision of the Provincial Board of Health confirmed.

OLD TIMES RECALLED.

A Glance Into the Local News of Fredericton Twenty-six Years Ago.

(Farmer Files, Feb 10, 1881).

PERSONAL.

Hon. J. J. Fraser has been elected president of the Barristers' Society.

Mr. William Grievies is the new Worshipful Master of York County Orange Lodge.

Rev. F. D. Crawley, who for a time conducted the services at the Baptist church here, after the death of Rev. Mr. Stevens, is among the visitors in the city.

Mr. J. Fred Harley, a University senior, is quite seriously ill.

BEREAVEMENT.

Mrs. John Gibson at Marysville has met with a sad loss in the death of her two youngest children.

PRESENTATION.

Mrs. Wesley Vanwart on Saturday evening last was the recipient of a very flattering address, accompanied by a valuable token of regard from the members of the Reform Club Band for services so often rendered to their organization. The address was nicely engrossed on parchment by Mrs. E. A. Smith. (The late Mrs. Vanwart, who was a daughter of the late Mr. John Richards, was very prominent in Fredericton musical circles.)

VERY CREDITABLE.

It is pleasing to note that Mr. Herbert M. Campbell of this city has attained a very prominent position in the Royal Military College, Kingston having passed the second highest examination among the cadets. He was complimented by Hon. Mr. Caron, Minister of Militia, who visited the college on Monday, and will be recommended by the government for an appointment in the Royal Artillery. Two other young men from Fredericton, Messrs. A. Rainsford Wetmore, and Robinson, are also in excellent standing in the institution. (Mr. Campbell subsequently entered the Royal Horse Artillery and served with distinction in the South African war. He now holds the rank of Lieutenant Colonel. Mr. Wetmore, after graduating from Kingston, was offered a commission in the R. C. R., but declined, and taking up engineering work, was employed on several large railway undertakings for several years, subsequently accepting the position of provincial engineer in Fredericton, which he still holds. Mr. Robinson entered the British army, and met his death some years ago in Africa, in a fight with the natives.)

LEGISLATIVE OPENING.

The ceremony of opening the legislature on Tuesday afternoon attracted a large attendance. In front of the Normal School building a guard of honor composed of No. 5 Company 71st battalion with band was drawn up. Punctually at three o'clock a barouche containing Hon. R. D. Wilmot, Lieutenant Governor, drove up to the entrance of the building, and beside him were seated Lieut. Col. Maunsell, D. A. G., Capt. A. F. Street, A. D. C., and private secretary, Mr. Henry Wilmot. Another barouche was occupied by Sheriff Temple, Coroner S. D. Macpherson, and members of the government. As the governor approached the entrance the guard saluted, the band played the National Anthem, and an artillery salute was fired from the bank of the river under the command of Major A. G. Beckwith. In the upper hall, where the throne was placed, were seated the members of the legislative council and a large number of ladies. The Lieutenant governor upon entering the chamber, was accompanied by his private secretary and A. D. C. Col. Maunsell and Marsh, Major Staples, Capt. Barker and Loggie, and Lieutenants Pinder and Boone. The governor then read the speech from the throne, and after routine the house adjourned until the following day. (It may be explained that the sessions of the legislature in 1881, and 82 were held in the Normal School building on account of the old parliament buildings having been burned on the night before the session was to open in 1880.)

MARRIAGES.

On January 25th at the residence of the bride's father, Yorkville, Ont., by the Rev. S. J. Hunter, Mr. Alfred G. Edgcombe of Fredericton, N. B. to Nellie, fourth daughter of Mr. J. G. Giles.

At the Manse, Nashua, N. H., February 18, by the Rev. Peter Melville, William H. Reid of Stanley, to Mary Jane McKinnon of Red Rock, York County.

DEATHS.

At Hanwell Settlement, York Co. Jan. 30th, Daniel Sweeney, aged 78 years.

At the University, Fredericton, Feb. 5th, Amelia, relict of the late Noah Disbrow of St. John, mother of Mrs. W. Brydson Jack, aged 91 years. At Macnaquac, Feb. 3rd, Mrs. Fannie Long, widow of George Long, aged 79 years.

A COMPROMISE.

Woodstock Town Council Dealt With Issue of Billiard, Pool and Bowling Alley Licenses.

Woodstock, N. B., Feb. 9.—(Special)—The local ship of state safely weathered the gale that seriously threatened at the meeting of the new council last night.

There were petitions from the United Baptists, Reformed Baptists, Methodists and Adventists re pool and billiard room and bowling alleys, asking the council to refuse licenses, and if granted making the age limit 18 years.

There were also numerous signed petitions from other citizens, saying that they deemed it inadvisable to refuse the said licenses, as the games required skill and were harmless.

The council chamber was crowded

when the knotty question came up. After Rev. R. G. Fulton was heard on behalf of the church petitioners and M. F. Sullivan and R. S. Welch addressed the Board in favor of renewing the licenses, it was decided to pursue the middle course in the matter, to issue licenses for billiards, pool and bowling, making the age limit 18 years, and have a more rigid inspection of the premises, eliminate the principle of the lowest man pays and the hour of closing to be the same as for beer, 11 p. m.

A motion to return to the ward system of elections was warmly discussed and defeated, only Couns. Hagerman and Fisher voting yea.

A GRATIFYING RESULT.

The Daughters of the Empire had no sooner announced their intention of celebrating Paardeberg Day by an entertainment in aid of the Victoria Hospital, than two prominent musical organizations at once volunteered their services showing in a very practical way their appreciation of the ladies' efforts and their sympathy with the object. Some of the city's best musicians are also giving valuable assistance, so there is no doubt of the success of the affair. The public will please bear the date in mind, Feb. 27th, as they will certainly want to countenance this movement with their presence.—d.

It is a poor kind of sympathy that exhausts itself in a sigh.

SACKVILLE DEFEATED.

The league hockey match at Marysville last evening between the Crescents and Sackville, resulted in a victory for the home team, the score standing 5 to 1 in their favor. It was a very fast game and was characterized by considerable rough play. Mr. Wilfred Black was the referee.

Two little girls were set before a plate containing two bunches of grapes—one a very large and tempting and perfect bunch, and the other small and hard and green. They looked at the two bunches for a space in silence. Then the polite child said: "No, no, no, no!"

"No," the other answered, "It's not a bit greedy."

A FATAL CRASH.

Two Men Dead and Several Badly Injured on H. & S. W. Railway at Mahone Bay Junction, N. S.

Halifax, Feb. 9.—(Special)—As a result of accident on the Halifax and Southwestern Railway this morning, two men are dead and several are badly hurt.

Train from Lunenburg for Middleton was standing at Mahone Bay Junction Station, and as the passengers were boarding the train, a heavy freight train from Bridgewater, apparently beyond control of the engineer, came forward crashing into the engine of the passenger train.

Both engineers are badly injured, the freight shed was demolished and the company's loss will be quite heavy.

Engineer Whalen had one leg taken off, and may lose the other.

Willis Lowe, a sectionman is dead. Enos Crookes, fireman of Lunenburg lost both legs and has since died. One other man unidentified is very seriously injured, and several other are slightly injured.

FAIR WAGE OFFICER.

Victoria, B. C., Feb. 9.—(Special)—J. D. McNiven, ex-M. P. P., has received the appointment of fair wage officer for the dominion with headquarters at Ottawa, vice Odonohue, deceased.

Don't fail to hear Mr. W. A. Adams in his latest local songs at the Fredericton Brass Band concert next Thursday night.—d.

DAMAGED BY FIRE.

G. T. R. Freight Train in Flames from Overturned Stove.

Belleville, Ont. Feb. 9.—(Special)—About \$10,000 damages was done by G. T. R. freight train catching fire two miles east of this station today.

The fire was caused by the overturning of a stove in a box car. A lot of valuable merchandise and six cars were destroyed.

THE STOCK MARKET.

Montreal, Feb. 19.—(Special)—It is feared that the stock market is in for another dull spell.

Certain sections of the public have had another lesson in speculative trading which will not make for activity.

Today's features were Dom. Iron 23 1/2, Rio 47 1/2, Detroit United 78 1/2, Toronto Railway 113 1/2, Havana electric 45.

Secure your seats for the Fredericton Brass Band concert tonight at McMurphy & Co. Tickets only 35c.—d.

Miss Eva Veness is able to be out again after her recent illness.