

THE EVENING TIMES.

SAINT JOHN, N. B., MAY 9, 1905.

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THE MAYOR'S VACATION

It is understood that Mayor White will leave on the C. P. R. this afternoon for a vacation and will be absent from the city for some time.—The Telegram.

The mayor has chosen a busy time for his vacation. There is a quarrel on with respect to the safety of buildings. The city is in danger of losing the West India service. The question of constructing a new berth at Sand Point must be dealt with promptly. A strike of city laborers is threatened. The waterworks extension affair and the Mispic pulp mill need careful attention. The new council is just getting squared away for the year's work. There has seldom been a more busy time in the civic field.

The mayor, we are told, is to be away for some time. No doubt he feels that Ald. Lewis is competent to deal as deputy mayor with all these matters, including that relating to the safety of buildings, which is just now a storm centre. And yet, the business men who urged the mayor to accept office for another year would probably prefer to have him around City Hall when so many important matters command attention and call for wise action.

Deputy Mayor Lewis has the opportunity of his life. Mayor White, by the same token, is losing a great opportunity.

A TIME FOR PRUDENCE

The air is full of rumors concerning strikes. Unless wise counsels prevail tonight a state of affairs may develop on the harbor front that will be very bad for the port of St. John. It is said there is a likelihood of disputes and trouble at the scene of operations on the waterworks extension. There is talk of a possible strike of street laborers.

In the midst of these rumors the wise citizen will remain calm, and give to each case the consideration it may deserve, unmoved by prejudice or appeal. As a rule, strikes do not produce good results. Possibly they are sometimes justified, but it can only be under trying and exceptional circumstances, and after conciliatory efforts have utterly failed. In this country the right to strike is recognized, but so is the right to work, and if one man is protected in his privilege of quitting work another has equal protection in taking the vacant place. Of course ill-feeling is aroused in such cases, and therein lies the danger to the public peace. The people may have more sympathy in some cases with strikers than with strike breakers, but they cannot deny a man the right to work when it is offered him and he is ready to accept it.

From every point of view, it is desirable that the questions now in dispute be adjusted without resort to extreme measures. It is a time for moderation, wise counsels and conciliatory action.

CAN FIX RATES

In connection with President Roosevelt's speech on the relation of the government to the great railways, the following summary of a statement by Attorney-General Moody is of special interest. Its effects may be far reaching:—

Attorney-General Moody, in his reply to Senator Elkins, chairman of the Senate Committee on Interstate Commerce, who asked for an opinion on the right of the government to regulate railroad rates, and what limit to that right is prescribed by the Constitution, states that Congress has undoubted authority to regulate railroad operations and to prescribe maximum future rates for interstate transportation. This is given under Article 1, section 8, paragraph 3 of the United States Constitution, and the right has been affirmed by decisions of the United States Supreme Court. The right of Congress to create a commission to execute its laws and fix rates in conformity with the standard established also is plain and has been affirmed by decisions of the courts. This right applies to State legislatures and State commissions as well. But in neither case can the rate-making power be vested in a court—it being held in rulings by the Supreme Court that the functions of the government—legislative, executive and judicial—must be kept separate. On the other hand, the courts can intervene and review the rates decided upon by legislatures or Congress, and prevent such legislation from being used to destroy vested interests and resulting in their virtual confiscation. This right of the court is held under the fifth amendment in regard to interstate commerce, and the fourteenth amendment in regard to State commerce. And any law seeking to deprive the Federal courts of this power of review would, in the opinion of the attorney-general, be unconstitutional; as has been held in the case of State legislatures which have sought to bring this about. In regard to the point raised that the government regulation of rates is in violation of Article 1, section 9, paragraph 6 of the Constitution, which states that no preference shall be given by any regulation of commerce to ports of one State over those of another, the attorney-general concludes, reasoning from decisions of the courts bearing upon this issue, that the prescribing of rates on land transportation to and from the ports of the country, even though they may be preferential in their

nature, is so indirect and incidental that it does not constitute preference within the meaning of the Constitution.

DISTINGUISHED PERSONS

"How soon do you expect to sail?" another member of the gospel company was asked.

"I cannot tell you now. All of our instructions are received from God."

The question was asked by a reporter and the answer was given by a man on the Sandford yacht Coronet, now at anchor in the harbor.

The people of St. John do not appear to have taken proper cognizance of the quality of the visitors who have been with them for a week. Persons whose movements are so directly controlled by special Divine messages do not often come this way.

The school board of Winnipeg has passed a by-law providing for a pension to be paid teachers after teaching on the staff for thirty years. The fund is to be raised by taking a percentage of the teachers' salaries. The question of a floral emblem is mildly agitating Manitoba. The Winnipeg Free Press says: "Last year under the auspices of the Manitoba Historical society a canvass of the province was made to decide upon a provincial flower which should be worn during its season and particularly on Arbor Day. A large vote was cast and a great majority was given in favor of our earliest spring flower commonly called the crocus—properly the anemone patens. It is hoped that this flower will be adopted."

A headline in yesterday's Times said that the use of alcohol is steadily "increasing" in the hospitals. The word should have been "decreasing." At the end of the story of a little altercation between Ald. Lewis and Macrae the word "funerals" in cap letters, appeared. Let our readers should infer that the aldermen annihilated each other, it may be explained that a guide line in some way inserted itself without leave, and conveyed the dreadful impression of a fatal collision. These are moving days with the Times, and an occasional error is one of the results of the strenuous life hereabouts.

It will probably be found necessary to add a railway expert to the Central Railway commission, or empower the commission to employ one, if they are to report on the amount required to put that line in good condition.

The Ontario government is considering a proposal to impose a tax on stock transfers similar to that recently adopted in New York State, which Quebec is also considering.

Fourteen new companies, with an aggregate capital of \$791,000, have just been incorporated by the provincial government of Ontario.

TORONTO'S JOY

There have been numerous signs of spring, but the Toronto News brings us the first real suggestion of summer. Saturday's issue says: "There was a thin House in the Legislature yesterday, Premier Whitney and several of his colleagues, with a number of other members, having gone to the baseball match."

The premier opened the season in Toronto, and this is what the poet of the News says about it:

When all the scores of all the games Are filed away at last, And baseball "fans" of every age Are talking of the past, No common feature of the year Will stir the favored few Who followed with astonished eye The curve Premier threw.

"Twas not an "in," 'twas not an "out," To fool the batsman fly, It did not drop before the plate, Nor carom from his eye. And experts watched its eerie flight With feelings rather blue, For none of them could classify The curve Premier threw.

Ten years from now there may arise Into the light of fame A pitcher, whose amazing art Will capture every game; Then other twirlers in the league Will find it cause for rue, That none of them had tried to solve The curve Premier threw.

GEORGE HALL'S VISIT

Two of the most thrilling and realistic mechanical effects ever devised for melodrama are introduced in "A Ragged Hero," which begins a three nights' engagement at the Opera House, starting Monday, May 15th, and which presents the popular favorite, George F. Hall, in a new role. They are the rescue of a child from the upper window of a burning house by means of a swing, and a race for life along a mountain side between a girl on a hot-rod and a railroad train. Other interesting features of the drama are its absorbing story, its series of intensely dramatic situations, its wealth of comedy and its picturesque and appropriate scenic investiture.

Why Rainbow.

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PRESBYTERIAN CATHEDRAL?

(Boston Transcript.)

There is talk about Washington that Justice John M. Harlan of the United States Supreme Court, is about to leave the service of law for that of religion; in other words, that he may quit the bench to devote himself to the establishment of a Presbyterian cathedral in the city of Washington. The association of ideas in connection with such a proposed temple, sounds a little queer. What would the old covenanters have said to such a suggestion or to the coupling of their sacred designation with a term that smacked of "papacy and prelacy"? But times change, and even Presbyterians change with them, and Judge Harlan is profoundly interested in the advancement of his project. When questioned upon his intentions he announced that he was not prepared to say that he would leave the bench for the purpose of devoting himself to the movement, but he admitted that much would depend on the action of the General Assembly which meets a week from next Thursday and the early work of raising funds would involve a great amount of work in the way of correspondence. If requested to do so he would be willing to share a part of this burden. Justice Harlan has been on the Supreme bench for twenty-eight years and evidently likes the place, but leading Presbyterians at Washington think his interest in the cathedral is strong enough to draw him from it and if the matter is taken up by the assembly there is strong probability that he will be asked to direct the movement.

SERVED WITH THREE WRITS

What Happened to a New Glasgow Man in Boston.

(Boston Post, May 6).

C. A. Flaherty, a well-known promoter who lives on Howland street, in the fashionable section of Roxbury, is the manager of the New Glasgow Tramway Company of Nova Scotia, has, within the last 24 hours, been served with three different writs. In each case he has furnished security. Besides two attachments, one of which was set at the instance of C. O. Towle, a real estate broker of 16 State street, and the second of Kirby P. Smith of Lincoln & Smith, 200 Franklin street, suit has been entered at the Suffolk county Superior Court against Flaherty and others to recover \$15,000 in an action of contract. The plaintiff is Daniel D. Gile, and in his declaration, filed some months ago, he alleges that the defendant "on or about March, 1902, employed the plaintiff to interest capital for promotion of the New Glasgow Tramway Company and that the defendant agreed to pay 10 per cent. of the money which he should provide for the purpose."

The declaration further states that \$150,000 was secured to promote the company and that the defendants owe him ten per cent. of that amount, or \$15,000. Flaherty went to Nova Scotia some seven or eight years ago and has only visited the city occasionally since. He returned here before yesterday and the three attachments were served upon him shortly after his arrival.

Flaherty has a wife and two children. He is about 38 year old, of prepossessing appearance and a tenor soloist of repute.

Undoubtedly there is a difference 'twixt tweedledee and tweedledum. For instance, the young man who pretends to have been "one of the boys" and delights to tell his young lady friends of his mad freaks, would be disgusted with the fat one who matches his reminiscences with similar excerpts from his own biography.

Fuddy—"It was the tired Tennyson who exclaimed: 'Oh for a voice that is still.'" Duddy—"There is no denying that a voice that is still" is a long-felt want."

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MRS. SLAVIN IS A HAPPY WOMAN

She Lost \$8,500 Last Week But Had it Mysteriously Restored to Her Yesterday.

NEW YORK, May 9. — Mrs. Mary Slavin, a Williamsburg woman, who has been almost crazed for a week because of the loss of her life savings, amounting to \$8,500, had her missing money restored to her mysteriously yesterday. An aged man and woman called at Mrs. Slavin's house this afternoon and were met at the door by her daughter.

"Is this where Mrs. Mary Slavin, who lost her money, lives?" the woman asked. Miss Slavin answered in the affirmative and without another word the woman placed an envelope containing the \$8,500 in the girl's hand and disappeared with the man before the surprised girl realized what had happened, or was able to ask the names of the people.

Mrs. Slavin lost her money last week while carrying it in an envelope to deposit it in a bank. It was restored to her in its original envelope and had apparently not been touched by the finders.

HOW OLD WAS BESSIE TRASK?

Burckes Says He Will Prosecute if She Was Under 16.

LYNN, May 8.—"I will prosecute if I find that Bessie B. Trask was under 16 years at the time of her marriage."

"I have wired the city clerk of Yarmouth, N. S., where she was born, to send me the date of her birth," said Chief of Police Burckes today, regarding his investigation of the marriage of Superintendent John Henry Wyatt of Immanuel Mission to the daughter of Mr. and Mrs. Samuel N. Trask, of this city, who is said to be but 13 years old.

This investigation has disclosed a more romantic side to Wyatt's life than has usually flavored the careers of mission superintendents in Lynn. He has been married, divorced, betrothed, it is said, to a second girl, and finally married to a third.

On Jan. 6, 1902, Judge Stevens of the Essex Superior Court, at Lawrence, granted a decree nisi to Mrs. Sarah May Wyatt, wife of John Henry Wyatt.

ROBINSON LOSES

OTTAWA, May 9.—In the exchequer court yesterday in Robinson v. the King, petition of right to recover \$1287.50 alleged to be due the applicant as the balance of his salary as general freight agent of the Intercolonial Railway, petition dismissed. J. C. Bell for the applicant; Chrysler K. C. for the respondent.

"THE EVERLASTING DEVIL'S AUCTION"

When Chas. H. Yale originally produced his famous spectacle, "The Devil's Auction," it was called "The Devil's Auction" or "The Golden Branch." After a few years Manager Yale christened it "The New Devil's Auction." A few more and it was known as "The Newer Devil's Auction." Then came "The Newest Devil's Auction." Then "Forever Devil's Auction." Then again "The Forever and Ever Devil's Auction," and finally upon reaching the 20th edition it became "The Everlasting Devil's Auction," and as it remains "Everlasting" upon this, its twenty-third edition, it seems as if Manager Yale has reached the limit of its titles.

THE CHICAGO INSTANCE

The president of the Municipal Voters' League of Chicago, in a speech at the annual banquet of the Canadian Club of Ottawa, last week, said that Chicago, from being the most corrupt city in the American Union, had, within a few years, been raised to that of the best-governed municipality in the nation. The reform movement began by picking out one man, Mr. George E. Cole. He followed and published the record of every individual man in the council, showing that out of a council of seventy only eight or ten were honest. The two classes soon became known, and the undesirable ones were gradually but surely weeded out.

Coupons in Each Package.

Every 10c. package of Rainbow Cut Plug Smoking Tobacco contains a coupon which is valuable for premiums.

CAUGHT IN DESERT STORM

(London Mail.)

Two English ladies who left Cairo one morning recently to gather fossils in the desert had an exciting experience. The sky suddenly became black, and rain commenced to fall heavily. The tourists sought shelter in a gully in the rocks where, on either side, shelves about three feet wide had been worn away by the water. A few minutes later hail descended in sheets, and soon a roaring brown torrent was rushing down the gully, increasing in width and depth every moment. Eventually the shelf was reached, and the ladies were driven to another ledge high above the water. Lightning played incessantly. One of the pyramids was struck, and three huge boulders rolled from the top to the bottom.

THE GLOBE LAUNDRY.

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TISSUE PAPER MANUFACTURE

There are seventeen mills in Germany engaged exclusively in the manufacture of tissue paper. Germany turns out more tissue paper than any other country in the world. The exports of German tissue paper, especially those qualities used for cigarettes, copying books, artificial flowers, chimney shades, carnival articles, etc., are steadily increasing.

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