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THE EVENING TIMES

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VOL. III, NO. 96. ST. JOHN, N. B., WEDNESDAY, JANUARY 23, 1907. ONE CENT.

CROWN CASE IS FINISHED

This Morning's Session in Collins Trial Was Brief

CHIEF CLARK ON STAND

Mr. McKeown Says Defence Will Call No Witnesses---Court Will Sit Tonight to Hear Argument and Case Will Finish Tomorrow.

HOPEWELL CAPE, via Hillsboro, N. B., Jan. 23 (Special)—At this morning's session the crown closed its case in the Collins murder trial.

Two witnesses were examined, Chief Clark of St. John, and Fred F. Burton, of Albert.

Chief Clark told about the incidents which followed the capture of Collins, and identified the telescope valise in court as the same one which was handed to him in Dean's hotel, at Musquash.

Mr. Burton, a house and carriage painter, painted the closet doors in Father McAulay's house during the winter of 1903. He described the composition of the color and gave it as his opinion that if one were striking an axe into the door in warm weather some of the paint would adhere to it.

Mr. McKeown said that the defence proposed to call no witnesses in the case. He asked the court and counsel what they thought of section 664 of the Criminal Code, which gives counsel for the defence the right to address the jury last with a right of reply where they summon no witnesses.

His honor ruled adversely to the request, and the court took recess at 11.15 till two o'clock.

Judg Gregory announced that a night session will be held tonight to allow counsel to finish their addresses. The case will be finished tomorrow.

COLD SNAP IN FRANCE

Temperature From 10 to 17 Degrees Below Zero Results in Considerable Suffering.

PARIS, Jan. 23.—The cold prevailing in eastern Europe has extended its grip westward. In France today the temperature is 10 to 17 degrees below zero, resulting in considerable suffering, and a number of deaths from freezing. The river Seine and the lakes in the parks of the capital are frozen and the Parisians are enjoying the unusual sport of skating in the open.

The Marathon Club is in receipt of two communications, one from the U. N. B. and the other from Maine. The U. N. B. boys want to play the local boys home and home games in basket-ball and the contests will probably be arranged. The crack Machias, Me., team also want to come here and throw the leather with the Marathons but a match with them has not been decided upon as yet.

Factory Inspector McMulkin returned today from Woodstock and that vicinity where he inspected about six mills. He states that there is not so much snow in that vicinity as there is in St. John yet considerable logging is going on. He reports that lumber has dropped about $1 in price. While there Mr. McMulkin inspected about six factories and found them all in first-class order.

Coroner Kenney has definitely decided that no inquest will be held in connection with the death of the late Wallace Brown, who was killed at Sand Point on Saturday last.

LOST—BETWEEN VICTORIA SKATING Rink and 289 Union street, by way of City Road, Garden, Peter, Waterloo and Union streets, large ebony brooch, oval shape, with white wedgewood Cupid on it. Finder please leave at this office.

1-23—1t

THE CHARGE IS CRUELTY

Donaldson Line is Summoned to Court

BY THE S. P. C. A.

Charge that Donaldson Line Employes Abused a Stallion While Landing it From S. S. Marina - - - Evidence Was Heard and Case Adjourned.

The case of the S. P. C. A. against the Donaldson line for cruelty to a Clydesdale stallion while it was being landed from the steamer Marina, at the McLeod wharf, occupied considerable time at this morning's session of the police court.

J. King Kelley appeared for the prosecution and Edmund S. Ritchie acted for the defence.

John Miller, the cattle foreman of the Donaldson line, against whom the information was laid, pleaded not guilty.

The witnesses examined were S. P. C. A. Secretary S. Merritt Wetmore, Milton Porter, of Simcoe, Ontario; William Mason, Duke Fox, William F. Fox.

In the evidence it developed that on Monday afternoon Secretary Wetmore went to the McLeod wharf and saw the stallion referred to lying on the ice and snow at the edge of the wharf. He had measured the opening in the vessel through which the horses were taken ashore, and found it to be 5 feet 5 1-2 inches high, one inch shorter than the stallion. The animal was taken later to the shed and veterinaries were unable to state just what was wrong.

It also appears from testimony that the animal was beaten and probed in an effort to get it through the opening, which it is alleged, was too low, considering the position of the gang plank.

Rebuttal evidence was heard and the case adjourned till 5 o'clock.

WILL FIGHT TO A FINISH

NEW YORK, Jan. 23—A despatch from Chicago says: "Kid Herman and Young Corbett signed articles yesterday for a finish fight under Marquis of Queensbury rules for the best purse offered and side bets of $5,000. Both Ted Richard, of Goldfield, and Manager Riley, of Tonopah, have signified their willingness to hold the battle."

MONTREAL STOCKS

MONTREAL, Jan. 23.—(Special).—Dealings in the stock market were limited today to a dozen issues, some of which are not included in the active list. The only prominent issues which figured in the dealings were MacKay 73½ to 73, Rio 47¾, Detroit United 80½, Dominion Iron bonds 80 to 79⅞.

BUTTER AND CHEESE

MONTREAL, Jan. 23.—(Special) — The cheese market was unchanged today, prices ranging from 13 to 13¼. The butter market is steady, 25 to 25½ for choicest creamery, 24 to 25 for other grades.

Mrs. Helen L. McRoberts

The death occurred this morning at 5.30 o'clock of Helen L., widow of the late John McRoberts, at her residence on Crown street.

The deceased a few days ago contracted a cold, which resulted in congestion of the lungs. Heart failure, however, was the cause of death.

The late Mrs. McRoberts was born in this city and was a daugater of the late Captain Charles Petch. She is survived by two brothers, A. W. Petch, of this city and Alex. Petch of Lynn; one daughter, Miss Edith, and J. S. Coughlan and Fred Coughlin, half brothers.

The funeral of the late Lloyd Corkery, who died as the result of injuries sustained by falling from a railing leading up to St. Peter's school, was held this afternoon at 2.30 o'clock from the residence of his parents, 132 Douglas avenue. Interment was made in the new Catholic cemetery.

Robert Baxter, the gas expert from Halifax, who is to be employed in making an investigation into the gas plant in this city, is expected to arrive here tomorrow to commence his work.

CONSIDERABLE DISORDER AT TRIAL OF HARRY THAW STARTED THIS MORNING

Clashes Between Police and Newspaper Men Enlivened Proceedings Before Court Opened---Countess of Yarmouth and Thaw's Wife and Mother in the Court Room---The Line of Defence.

NEW YORK, Jan. 23—The trial of Harry K. Thaw, for killing Stanford White, will begin today before Justice Fitzgerald in the criminal branch of the supreme court. Two hundred talesmen have been summoned and it is expected that it will take a week to fill the jury box.

Criminal lawyers generally have taken an interest in the case, and it is their opinion that the unwritten law and emotional insanity will play a large part in the efforts of Thaw's lawyers. This being so, it is thought that Thaw's counsel will endeavor to obtain only such jurymen as would be influenced by the pleas indicated. Thaw is said to have been studying up criminal trials during the last few days. It is understood that he intends to take an active part in the election of a jury.

Thaw will be seated beside his counsel, at the head of which will be Mr. Hartridge, Mr. Deltas, the California lawyer, will play an important part later in Thaw's defence. On the prosecution's side there will be District Attorney Jerome and Assistant District Attorney Garvan. The latter will attend mostly to the selection of the jurors, while Mr. Jerome will cross-examine the defendant's witnesses and conduct the direct examination of most of the people's witnesses.

Of Thaw's family there will be in court his mother, his wife, his two sisters, Mrs. Carnegie and the Countess of Yarmouth, and his brother Edward. The Thaws will occupy seats behind the defendant.

It has been suggested that women be not allowed in the court room at all, except the women of the Thaw family, and those that are there on duty for the newspapers.

Great preparations have been made to report the trial. A telegraph company has strung wires into the court house and a telegraph office has been erected temporarily on the main floor.

Many out of town newspapers will have reporters present and even London and Paris have sent correspondents, so, widespread is the interest in the remarkable tragedy.

NEW YORK, Jan. 23—Scenes approaching absolute disorder attended the opening of the trial of Harry K. Thaw in this city today on the charge of murdering Stanford White. Most of the clashes were between reporters and correspondents and the police.

Of the newspaper men there were perhaps 200 and there was a policeman for each. The great squad of bluecoats was commanded by a police inspector. Only about 50 newspaper writers finally were admitted, the remainder of the space in the court room being reserved for the 200 talesmen, summoned on the special jury panel. The trial before Justice Fitzgerald, in part on trial term for the supreme court was scheduled for 10.30 a. m.

Before that time the police lines had been extended for the corridor adjacent to the court room to include the entire first floor of the criminal courts buildings. When the newspaper men had been disposed of there seemed to be more policemen than any others in the neighborhood of the big building. The public had been warned in advance not to attempt to get into the court room and few appeared.

The quarrels with the police, which had filled the hour preceding the trial were quickly forgotten at 10 o'clock when Mrs. Wm. Thaw, of Pittsburg, the mother of the young defendant, appeared in the court room. She was dressed in her customary black and was veiled. Following her came the Countess of Yarmouth and Mrs. George Lauder Carnegie, her daughters.

Mrs. Evelyn Nesbitt Thaw, wife of Harry, came next and was closely followed by May McKenzie, the actress, to whose home Evelyn Thaw fled the night of the tragedy, on the Madison Square roof garden, June 25 last. The party of relatives was completed by Edwin Thaw, Harry's brother, and George Carnegie, his brother-in-law.

The Countess of Yarmouth wore a modest brown cloth gown, a brown fur hat and brown veil. Mrs. Evelyn Thaw was dressed all in gray, with a hat and veil of the same color. The veils were worn throughout the morning. District Attorney Jerome appeared in court at 10.20 o'clock and at this time most of the talesmen had arrived and the room was crowded.

Justice Fitzgerald took his seat at 10.26 o'clock and the trial was on.

There was a decided stir when two prominent alienists, Dr. Charles McDonald and Austin Flint, were brought into court and given seats inside the clerk's rail. They were soon in consultation and it was said they had been engaged to give testimony whenever it might be required. These doctors represented the defence at the Terra Nova trial.

LAST NIGHT'S FATALITY

Coroner's Jury Viewed Body This Morning--Inquest Starts Tomorrow.

The inquest in connection with the death of Roy Nobles, who was burned to death at Sand Point last night, was begun before Coroner Kenney this morning. The following jurymen were empaneled: J. Leslie Smith (foreman), John Leonard, Henry Rowley, John M. Christopher, Fred Fullerton, George Reid, Samuel McClelland.

The jurymen viewed the body at Beatteay's undertaking establishment and also viewed the scene of the fire. An adjournment was then made until tomorrow morning at ten o'clock.

Coroner Keneny gave permission for the removal of Mr. Nobles' body to Chamberlain's undertaking rooms.

The four rinks of St. Andrew's curlers who played at St. Stephen last evening, returned home at noon today. The local men won the match by 7 points, the score being 69 for St. John and 62 for St. Stephen. An error in the dispatch which appears in the sporting columns on page 7 gives the results as being in favor of St. Stephen by 2 points. The error was in crediting Skip Klein of St. Stephen with 19 points instead of 10.

A very pleasant surprise was experienced last evening by Miss Clara McGow, when a number of her friends and fellow workers in White's restaurant, King street, called on her at her home, Paradise Row, and presented her with a handsome case of silverware and an address. Miss McGow has severed her connection with White's and tomorrow will become the wife of Arthur Cassidy, of Brookville. Her many friends will wish her every happiness.

A special meeting of the Y. M. S. of St. Joseph will be held this evening to discuss the proposal of entering a team in the local hockey league. In all probability the society will enter a team.

The outward cargo of the steamship Manchester Trader, now on her way to Manchester from this port, is valued as follows: Canadian goods, $91,298; foreign goods, $25,287; total, $116,585.

RICHMOND HAS $300,000 FIRE

During Its Course 500,000 Rounds of Ammunition Exploded and Made Fire Fighting Dangerous.

RICHMOND, Va., Jan. 23. — The Williams Building, located in the retail sections, was burned today, estimated loss $300,000, insurance unknown. For a time the fire assumed threatening proportions, and it was feared much valuable property would be destroyed. Two other fires followed that in the Williams Block, the loss being heavy.

The principal losers are the Surburg Tobacco Company, Adams Express Company and the Richmond Light Infantry Blues, whose armory was located in the building. The Blues lost their entire outfit and a visit to the Jamestown Exposition, which had ben planned, will have to be abandoned.

The fire was a spectacular one and attracted great crowds. The explosion of 500,000 rounds of ammunition, stored in the armory, made the work of fighting the flames dangerous. Captain Kaake of Truck Co. No. 2, was seriously injured by falling walls.

POLICE COURT

In the police court this morning Edward O'Kane, aged 15, who was yesterday found helplessly drunk by Acting Detective Crawford, pleaded guilty and was remanded.

O'Kane told the court he belonged to Chatham and was working at Mispec, where he said he got the whiskey from a friend in his boarding house. He said he was not in the habit of drinking and his honor remarked to him "You're making a good beginning."

John Cook, who was also found drunk by Officer Crawford, was fined $4 or ten days.

John Caffery was fined $4 or ten days on a similar charge, and paid up.

Wm. Seabury, who has been in on remand for using abusive language to his better half, was at her solicitation allowed out on a suspended sentence of $8 or two months.

A meeting of the Algonquin Club will be held this evening at eight o'clock.

NEWS FROM FREDERICTON

Church Had a Prosperous Year ---Presentation to J. W. V. Lynn.

FREDERICTON, N. B. Jan. 23—(Special)—Reports submitted at the annual business meeting of the Fredericton Baptist church last evening show that the organization enjoys continued prosperity. The membership is now 570 and total receipts during the year for all purposes was $4,292. Organist, W. A. McKee, had his salary increased by $50. Church is to be enlarged in the near future and incandescent electric lighting will be adopted.

J. V. Lynn, who is to leave this week for Calgary to become director of manual training in the public schools of that city, was last evening presented with a farewell address by the congregation of the Baptist church in which he has been an energetic worker. This evening he will be banqueted by friends at the York hotel.

Six inches of snow fell here last night.

Daniel Elliott and Mrs. Alice Fraser were married at St. Dunstan's church last evening by Rev. Father Carney.

The announcement in this morning's Telegraph that the American consular agency here will be closed March 31st, created considerable surprise here. It is likely that a delegation will be sent to Washington to urge the state department to reconsider the matter.

The Marathon Athletic Club received word today that the Wanderers, of Halifax, could come to this city to play hockey between February 4th and 14th. Games will likely be arranged.

John "Tip" O'Neill, expects to leave for Chicago in a short time. At present he is suffering with an injured ligament in the right leg.

Frank Black, of Indiantown, and Joe Paul, of Pleasant Point, raced half a mile on Miller's pond last night and the match proved very exciting. Black won by two seconds.

Director Wisely will probably pay a visit to No. 8 engine house on the west side today with the idea of seeing what arrangements can be made to allow the Seamen's Mission to use the premises as a meeting place for the seamen on the west side.

IMPROVEMENT AT SAND POINT

Shelter for Longshoremen and Employes Advocated

THAT OIL SHACK

Where Roy Nobles Lost His Life---Citizens Say it Should Never Have Been Built of Wood---Should Have Been Fireproof.

The shocking fatality at Sand Point last night, when Roy Nobles, a well known young man was burned to death in a shack, was the principle topic of conversation on the streets today.

Attention has been directed to the fact that the shack should never have been allowed to have been built of wood. After the disastrous fire at the Point a few years ago it was decided that all oils should be kept in a shed outside the building, and the lamps filled there. Accordingly this shack was built at a point about midway between No's 3 and 4 sheds and the elevator, but instead of building it of brick or sheet iron or other fireproof material it was built of wood, which when it became soaked with oil, burned like a torch when the fire was applied to it. It is also argued that the door of the building should have been kept locked, and no one allowed in but the man whose duty it was to be there.

A prominent west side resident speaking of the matter this morning said that while the young man's life might not have been saved, even though the shed had been of brick or other material, yet it should have been made as near fireproof as possible on account of the valuable property in that vicinity. It is understood that when the shed is rebuilt it will be made of fireproof material.

A shelter for the use of the 'longshoremen and freight handlers, where they could get warm and could eat their meals, is also advocated. At present the men have no place to which they can go if they are cold, and in eating their lunches they have to sit around on bags or boxes in the sheds, no matter how cold the days may be.

KINGS CO. COUNCIL

Business of This Morning's Session---Scott Act Matters to Come Up This Afternoon.

HAMPTON, N. B. Jan. 23—(Special)—The lists of parish officers were submitted to the council on the opening of the second day's session of the municipal council this morning. A dispute arose between the councillors of Norton as to an assessor to succeed Daniel Robertson which the council had to settle, each of the Norton councillors standing up stoutly for their man. Finally a vote was taken which resulted in the appointment of Oscar R. Patriquin by 16 to 9 over Richard J. Huggard.

J. W. McKee, of Studholm, was refunded $4.21, over assessment of 1906.

Sundry parts of the county were on motion brought under the regulations for the restriction of cattle running at large. It was decided to appoint a committee of three to co-operate with the Palmer Lumber Company of Palmer's Point, in the parish of Kars, in securing legislation for exempting the John Palmer mill and plant from taxation. The parish lists as amended were confirmed. A number of bills reported on formally by the finance committee were passed and ordered to be paid. The Scott Act report and discussion thereon comes up this afternoon.

BANQUET FOR HON. G. W. ROSS

OTTAWA, Ont., Jan. 23.—(Special). — Hon. G. W. Ross, the new senator, will be banqueted by his friends in the commons and senate on Wednesday, Jan. 30, in the senate restaurant.

CHAMPLAIN MONUMENT

Collectors Had Poor Success This Morning

MADE SEVERAL CALLS

But They Were Unable to Find Men in Their Offices---Hamilton MacCarthy and Mayor Sears Are Out Again This Afternoon.

Board of Works 3 dec 06

Champlain Monument Fund:

Dominion Government	$5,000 00
The Daily Telegraph	250 00
The Evening Times	250 00
Senator Ellis	100 00
Hon. A. G. Blair	100 00
D. Russell Jack	100 00
Kendall Hall	5 00
Robert Thomson.	50 00
W. E. Earle	50 00
John O'Regan	10 00
George Robertson, M. P. P.	5 00
R. W. W. Frink.	10 00
T. D. Walker	5 00
Manchester, Robertson Allison Ltd.	50 00
Dr. A. A. Stockton, M. P.	10 00
Rev. W. O. Raymond,	15 00
Rev. W. C. Gaynor,	15 00
Total to Date	$6,025 00

As the total amount required is $10,000, less than $4,000 is now left to be raised.

The Telegraph and Times will gladly acknowledge subscriptions.

This afternoon the mayor will again accompany Hamilton MacCarthy, the sculptor, on a visit to some of the citizens in the interests of the Champlain monument fund.

This morning Rev. W. C. Gaynor accompanied Mr. MacCarthy and several establishments were visited but as the proprietors were absent practically nothing was done.

Mr. MacCarthy was in consultation with the mayor this morning and a list was made up of those who would be visited this afternoon.

It is probable that within a few days an effort will be made to induce the provincial government to make a grant towards the project.

(Continued on Page 5.)

AWEUL FATE OF WEALTHY HERMIT

Daniel Heaston was Evidently Murdered Because He Would Not Give Up His Money.

EAUCLAIRE, Mich. Jan. 23—The body of Daniel Heaston, a wealthy hermit, was found late yesterday frozen in his own blood in a small hut near the house where he had been living alone. There was evidences that the old man had been tortured to make him reveal the hiding place of his money. Amputated fingers and toes lay scattered about and the appearance of a heavy rope and of a beam over which it hung, coupled with marks on the victim's neck indicated that he had been strung up to the rafter for a time. Apparently a blow in the head with a hatchet finally ended his sufferings. It is thought that the murderers secured the booty they sought as no money was found.

SWETTENHAM'S EXPLANATION HAS REACHED THE GOVERNMENT

LONDON, Jan. 23—The government here has heard from Governor Swettenham of Jamaica concerning the incident involving the withdrawal of the American warships from Kingston. Absolute secrecy is maintained with the colonial office but the fact was elicited that during the night a good many telegrams were received from Swettenham, some of which deal with the incident. These it is understood confirm the main features of the affair as already published. It is not the present intention of the colonial office to make the telegrams public, the official view being that it is a personal matter between a government department and an official which is properly adjustable between them, and the authorities incline to the view that general interests will be best served by having the replies appear in a blue book at some distant period, in the meantime being dealt with through the usual diplomatic channels for intercourse between powers and power.

At the foreign office it was admitted that there were telegrams from Swettenham relative to the incident but it was added they are not regarded as being the governor's reply to the request of the Earl of Elgin for his explanation. The foreign office officials say no statement can be made, as they desire to have the facts before shaping their course.

A Canadian Opinion

OTTAWA, Jan. 22—(Special)—In the house today W. F. MacLean (S. York) on a motion to go into committee of ways and means said: "I take the opportunity of this motion to say for myself, perhaps for many of my fellow Canadians, that I regard certain incidents of the Jamaica earthquake as a distinct loss to Imperial prestige on this continent a thing all Canadians took pride in. The British naval stations on the Atlantic are no more. There is a lesson in it for us. Intimations were given us some time ago. We may have failed to apprehend them although they were distinct. The lesson is to have a care for ourselves. If we are to be continental in our aspirations we must have means of expressing it ourselves, even as our neighbors have. We may yet find need for a more Canadian flag on a Canadian ship in seas that are as much ours as others."

THE TIMES NEW REPORTER

THAT JAMAICA JOKE.

The announcement by Governor Swettenham that he was only joking in his letter to Admiral Davis has caused a profound sense of relief, although several prominent persons have gone off their heads and had to be confined in lunatic asylums as a result of their efforts to see the joke.

Mr. Peter Binks, discussing the question this morning, said that he could quite appreciate the governor's humor, because the governor had lived long in the east, and he (Mr. Binks) had read of one eastern potentate who was in the habit of calling one of his subjects before him, cutting off his head with one blow of his sword, and then assuring the decapitated person that it was all a joke. No doubt Governor Swettenham was familiar with pleasantry of this nature, and had modified it to suit the conditions and opportunities of his own less absolute authority.



"I think," said Mr. Binks, "that I can see Admiral Davis chuckling over the joke."

The theory that too much Jamaica was the cause of Governor Swettenham's action is not credited on Prince William and Water streets, or at the Club.

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THE SNOWSTORM.

Director Hutchinson informed the Times new reporter this morning that the meteorological department was in no way responsible for last night's snowstorm. It was entirely unexpected, and he had no idea where the snow came from, as the west had sent in a requisition weeks ago for all that could be secured, in order to teach maritime province people, who are rushing to the prairies, to stay at home in the east and be comfortable. Director Hutchinson said that he was personally pleased, however, to see the snow, as Miss Birdie McWhat had kept the telephone busy day after day enquiring when there would be enough snow for her snowshoe party. Birdie, he said, was quite vexed that he could give her no encouragement.

E. TENNYSON SMITH OPENS CAMPAIGN IN WOODSTOCK

WOODSTOCK, N. B., Jan. 22—(Special)—A seven days' campaign against the liquor traffic was opened in the opera house by E. Tennyson Smith, the temperance orator, last night before a crowded house, and will conclude with the Trial of Alcohol in the same building on Monday night. Rev. Dr. Kierstead, pastor of the United Baptist churches was chairman and introduced the lecturer, who recently conducted a campaign in Rockford, Illinois, in the church of which Rev. Mr. Kierstead was pastor.

Mayor Munro welcomed the distinguished lecturer to the town. He said he was proud to be there as the representative of the town to extend a welcome to the world renowned temperance lecturer, E. Tennyson Smith, who stands alone and far above any such lecturer, who ever came here.

Mr. Smith congratulated the town on having a temperance mayor. He said he never feels like a stranger in any town for he is always favored by having many friends. War was declared on the liquor traffic and if he did not hurt somebody there would be no war. It would not be his fault if he did not hurt somebody in Woodstock. He told of his work throughout the world.

He explained his crusade in St. John and Fredericton. In the latter city the temperance people were downcast before his visit; now the whole city was stirred and $500, had been raised for Scott Act purposes, notwithstanding the claim of a certain druggist there that rum was on top and would continue to be on top. He read selections of the most pathetic kind from letters written telling of the ruin caused by rum.

He said after getting information of the local conditions, likely tomorrow night, he would be hot, the next night hotter and before the end of the campaign, he would be apt to say things that would hurt some people's feelings.

Mr. Smith's address was well received and he came up to the anticipations of his many friends and helped the W. C. T. U., which organization brought the gentleman here.