

WAR CLOUD MAY YET
RISE OVER AMERICA

While Japanese Minister Counsels Peace With United States, the Californian Senate Passes Legislation Which Japan Objected to.

TOKIO, March 9.—Replying this afternoon to a sensational interpolation in the house of representatives, in which the Japanese were reported as suffering humiliation at the hands of Americans, Minister Hayashi called attention to the existence of the clause of article second of the treaty with the United States. He said that this clause was inserted in order to secure a ratification of the treaty by the United States senate. Japan, he said, was at that time revising the treaty to abrogate extra territory which was the greatest humiliation. With reference to the interpolation Minister Hayashi emphasized the necessity of approaching the negotiations with America calmly and in a peaceful spirit, as the opposite would only tend to increase the difficulty and injure the friendly relations of both nations. He also pointed out the indisputable good-will of President Roosevelt and his government toward Japan.

California's Defiance

Sacramento, Cal., March 9.—The senate last night unanimously passed two bills bearing on the Japanese question. One bill limits the age of admittance of all children when first entering the primary schools to ten years, except when the superintendent of schools, boards of edu-

cation and parents of trustees, who may grant older children the privilege of entering primary grades for the first time, consent. The bill amends the present statute authorizing the establishing of separate schools for Asiatics and Indians by including the word Japan. The other bill provides for the expression of the will and sentiment of the voters of California at the next election on the question of Asiatic immigration. A place is provided in the bill where voters can vote for or against "Asiatic immigration."

The Japanese Loan

LONDON, March 9.—In the opinion of the morning newspapers the Japanese conversion loan of \$115,000,000, the prospectus of which was issued yesterday, is not likely to get such an enthusiastic reception as the previous issues. The Morning Post in its financial article voices the disappointment of the market that the new loan is merely a charge on the general revenue and is not secured by the customs, as is the case with the previous Japanese loans. This paper says:

"It is generally felt that Japan will have a very heavy task in establishing its finances on a sound basis. Investors would have been better satisfied to see specific revenues assigned to the security of the new loan."

TO HALIFAX OR
THE HOSPITAL

This Is the Choice Which Will Be Given Patrick Kelly --- Police Court News.

In the police court this morning James Massey given in charge by Capt. J. H. McNeil, of the S. S. Montreal for absconding himself from the steamer without leave, promised to return to the steamer and was allowed to go with the captain. The prisoner got a promotion last night on the vessel and when he heard of it he got drunk. He will now perform his old duties.

John Carlson, Carl B. Lane, Fred Hearst, Hugh McAdam, George Hill and Ernest Robichaud were fined \$4 each for drunkenness. William Whiter was fined \$2 for drunkenness and Wm. Driscoll forfeited a deposit of \$8. When arrested Robichaud had a revolver on his person. He was told this morning that he had no right to carry one and it was confiscated. Patrick Kelly was arrested this morning between 12 and 1 o'clock by Officer Gosline on King street, Carleton, and charged with being a common vagrant with no visible means of support. Last night about 12 o'clock Officer Gosline saw Kelly in Carleton and asked him where he was going. He replied that he was going to bunk with the Dows on the schooner. About one o'clock the officer found him on King street and Kelly said that the Dows had refused to shelter him. He then started to get people up in Carleton and Officer Gosline arrested him and charged him with being drunk and with being a common vagrant. This morning Kelly was carted to Central station. He was very sick and Dr. Berryman attended him. For some time he reposed on the floor in the guard room and will be either sent to Halifax or to the hospital.

The unfortunate man had his right foot half cut off some years ago and was charged with vagrancy some months ago. He promised at that time to return to Halifax from whence he came, and did so but has returned again.

The steamship Manchester Trader, Captain Fisher, will sail at 6 o'clock this evening for Manchester, England. The Trader has a large general cargo on board, including 346 cattle. Shipping master Purdy signed on his articles this morning 14 cow punchers.

AN ABSOLUTE DIVORCE FOR
IDA LOTTIMER, FREDERICTON

Judgment in Divorce Court This Morning--- Big Fire at Crock's Point.

FREDERICTON, N. B., March 9.—(Special)—Judge Gregory delivered judgment this morning in the case of Ida M. Lottimer vs. Robert M. Lottimer granting the plaintiff an absolute divorce on the grounds of adultery and unfaithfulness to the marriage vows.

The couple were married in this city in 1889 by Rev. A. J. Mowatt and lived together for little more than one year. The defendant left his wife because she refused to accompany him on a picnic and soon afterwards removed to New York where he has since resided.

The plaintiff called at his home in this city in December 1905 and found him living with another woman whom he said was his wife. They said they had been

married twelve years and two children were born to them. The court held that a charge of adultery had been proven and granted the divorce. The plaintiff resides here and has supported herself and child by working as a dressmaker.

In the case of Holmes vs. Holmes, according to his evidence, was in no hurry to marry, the court again postponed judgment until July.

Two barns belonging to Goodrich Sloat who lives at Crock's Point, parish of Bright, were destroyed by fire at an early hour this morning. Five horses and four head of cattle were cremated. The fire had made great headway before being discovered and owing to the scarcity of it was found impossible to either rescue the live stock or remove contents of the doomed buildings. Large quantities of hay and farm implements went up in smoke. There was no insurance. Two years ago Mr. Sloat's dwelling was destroyed by fire.

Fredericton civic elections take place on Monday but very little interest is being taken in the contest.

University freshmen defeated Moncton High School in basketball game this morning by a score of fifteen to twelve.

CITY COUNCIL AT SPECIAL
MEETING DISCUSSES MANY
MATTERS OF IMPORTANCE

Mispec Pulp Mill Lease Referred to Water and Sewerage Board---Proposition to Erect \$100,000 Cold Storage Plant Here Goes to Board of Works---The Telephone Bill Discussed.

At a special meeting of the common council held this morning the matter of renewing the lease of the Mispec Pulp mill was referred back to the water and sewerage board and the time for giving notice extended to May 15.

A number of resolutions dealing with the new telephone bill were passed and will be presented to the government. The cold storage proposition was referred to the board of works.

There were present at the meeting the mayor (chairman) Ald. Baxter, Lantlume, Rowan, Tilley, Holder, Lewis, Willett, Hamm, McGoldrick, Christie, Sproul, Rickett, Lockhart, Vanwart, Recorder Skinner and the common clerk.

The mayor in calling the meeting to order said the main matters to be considered were the telephone bill, the Mispec Pulp mill lease and the Cold Storage Company's proposition.

The Pulp Mill Matter

The Mispec Pulp mill matter was first taken up. Ald. Baxter read the report of the committee of the water and sewerage board. The proposal was to renew the lease for a period of ten years at the present rate with the option of the company renewing from year to year. The city would guarantee no stated quantity of water from the Mispec stream.

A telegram from Mr. Cutler, in Boston, was read, in which he offered to continue the lease of the mill for five or ten years at an annual rental of \$2,500 a year, and in case of the company wishing to purchase that the price be fixed by arbitration.

The mayor said Mr. McAvity had informed him this morning that whatever the rental agreed upon, he was dropping out of the company and the matter was in the hands of Mr. Cutler. Mr. McAvity claimed the company could make more money by selling their pulp wood to the McAvity mill than they could by making it into pulp at their own mill.

Improvements at Mispec

In the course of the discussion that followed, the mayor stated that, he was informed that the company expected to spend some \$70,000 in new buildings and improvements at Mispec.

Ald. Pickett thought it would be bet-

ter for the matter to be referred back to the committee that they might confer again with Mr. McAvity, and they could present a recommendation to the council at a meeting to be held early next week. He moved in amendment that the matter be referred back. Ald. Lockhart seconded the amendment.

Recorder Skinner pointed out that the company wanted the clause regarding the right of purchase to be included in the agreement. If the matter was referred back the time should be extended from March 15 to April 15, to give time for full consideration.

Mr. McAvity arrived at the meeting at this point and was consulted. He pointed out that the insurance expired on Tuesday next. He suggested that the time for giving notice under the lease, be extended to the 15th of May.

On motion of Alderman Baxter this was decided and the matter of making arrangements left to the water and sewerage board.

Cold Storage Plant

The mayor then brought up the matter of the communication received from L. S. Macnam of Ottawa, representing the Canada Lands, Produce and Cold Storage Co. The proposal was to erect cold storage warehouses at a cost of \$100,000. The site necessary for the building would have to be 150 x 125 feet.

The mayor asked Mr. McAvity to give his views on the matter as he was interested in a cold storage company himself. Mr. McAvity said he was president of the New Brunswick Cold Storage Co., which intended in the coming spring to erect a cold storage warehouse near Long wharf. The company which Mr. Macnam represented, intended to erect a warehouse on the west side for export trade.

He assured the members that the company was a bona fide company and would go ahead with the work. They would probably also again take with the N. B. company. Regarding sites, he said, the company talked of the site where the Union Ice Company building now is and also of a location near the car sheds now building on the west side.

After some discussion, Alderman Baxter

ter moved that the matter be referred to the board of works.

This was seconded and carried.

The Telephone Bill

The matter of the telephone bill was then taken up. The recorder pointed out that Hon. Mr. Pugsley was introducing a government bill that would probably cover the points they wished to guard. He thought the council might well wait and see what this bill provided for.

Ald. Baxter read a number of resolutions which he had prepared on this matter and he thought it would be well to send them to the government as a memorial, as showing the feeling of St. John. The memorial set forth that care should be taken in granting an increase in capitalization, that the government should regulate tolls, define the power of companies in the matter of absorbing other companies; to protect municipalities and give them power to regulate the laying of conduits and the placing of wires above and below the streets; to fix terms and conditions of making connections with other companies; to enable cities and towns to compel companies to put wires under ground if they deemed it necessary; requiring companies to submit books, etc., and have a government audit each year.

Ald. Baxter moved the adoption of the resolutions, which was carried.

Ald. Baxter moved that the mayor be added to the bills and by-laws committee and that he be empowered to go to Fredericton when the telephone bill is brought up. Carried.

The Civic Election Bill

A communication from the board of trade, was read, in which they outlined their system of civic election by a district system, as proposed to the ward system adopted by the common council.

There was considerable discussion on the communication. Ald. Christie was in favor of filing it. Ald. Pickett wanted it left to the bills and by-laws committee. The mayor thought the matter was one of necessity on or about the first of next month. The main hall, where services will be held, measures 65 by 35 feet, and a gallery 35 by 16 feet will be erected at the upper end. Off this compartment will be a measuring 33 by 28 feet, which will be used as a school, or class room. The architecture throughout, Mr. Rourke adds, will be of gothic design.

A "TIN SHOWER"
NORTH END
SYNAGOGUE

Pleasant Event at Mr. and Mrs. F. H. Foster's, Union Street, Last Evening.

The popularity of Mr. and Mrs. F. H. Foster was clearly manifested last night when their boarders congregated in the house at 121 Union street, and gave them a "Tin Shower."

Mr. and Mrs. Foster have given up the boarding house and it will be conducted after boarders and all expressed their deep regret at their decision in giving up the house.

A very pleasant time was spent by all until an early hour this morning.

FUNERALS

The funeral of Mrs. J. J. Hanlon took place at two o'clock this afternoon from her late residence, 24 Britain street. Rev. W. W. McMaster officiated and interment was made in Cedar Hill.

The funeral of Mrs. Samuel Dalzell was held at 2:30 o'clock this afternoon from her late residence, 8 Castle street, to Cedar Hill cemetery.

AUCTIONS

At Chubb's corner, today, auctioneer Lantlume sold at auction ten shares of the St. John Street Railway stock at \$108.50 per share.

THE TIMES NEW REPORTER

THEY WERE SOMEWHAT PUZZLED

There was considerable excitement in the country market yesterday morning when one man read to a group the report of yesterday's meeting of the water board. The reader had just read the statement that in the Corey hydrant the valve is seated against the pressure and held by a toggle joint, when one of his listeners threw a fit and required medical assistance. This man had not been accustomed to hearing about water systems, and the toggle joint and the valve seated against the pressure got him where his brain was weak. Indeed several of the listeners developed symptoms of grave mental disturbance, and when the reader had completed his task there was a violent dispute as to whether a "water hammer" was made of wood or steel. "We'll send for an alderman," suggested

JEROME TO RECALL
HARRY THAW'S WIFE

Almost Certain That Will Use Her as Witness for Prosecution --- She May be Confronted With Testimony of Her Brother.

NEW YORK March 9.—Another week end gap in the Thaw trial brought on by the sudden determination of the defense to end its case with the picture of the grief-stricken mother on the stand fresh in the minds of the jurors, was a welcome relief to jurors, lawyers and others who have to wrestle with expert testimony for many days. Harry K. Thaw, the defendant, was displeased over the decision to adjourn as he thinks all delays rob him of so many days of freedom which he feels sure will come as a result of the jury's verdict.

District Attorney Jerome is spending the recess in preparing his plan of rebuttal. It seems almost certain that he will recall Mrs. Evelyn Nesbit Thaw to the stand and thus make her a witness for the prosecution as well as for the defense. He caused her to be served with a subpoena yesterday. Mr. Jerome wants her to produce certain letters which Stanford White wrote her, and which he believes are still in her possession. When she was on the stand she was doubtful whether the letters were still in existence. Mr. Jerome may confront her with the testimony of her brother, Howard Nesbit, and may ask her to explain how she forgot to mention posing for certain photographs and a statue which are said to be not so conventional as those she spoke of in her previous testimony.

In just what order the witnesses for the prosecution will be called in rebuttal has not been fully decided upon. The probable witnesses besides Evelyn Nesbit Thaw are Dr. Francis A. McGuire the Tomba physician, who has maintained an almost constant surveillance over the prisoner during his confinement, Drs. Flint, MacDonald and Mahen, F. W. Longfellow, who was Thaw's confidential counsel, May Mackenzie, and Mrs. C. J. Caine, friends of Mrs. Thaw, and probably Abe Hummel, Howard Nesbit and Charles Hartmut. The latter was for years confidential secretary to White and,

as such, knew much of what took place with Evelyn Nesbit and other girls. Hartmut, can tell about the trust funds established for the benefit of Mrs. Harry Thaw and her mother.

When the trial resumed Monday it will be five weeks since the actual taking of testimony began, and seven weeks since the case was first called in court. The expenses, both to the State and the defense, has been heavy, particularly to the defense.

Dr. Britton D. Evans, the principal alienist, is reported as receiving \$200 a day. Dr. Charles G. Wagner, \$150 a day, and Dr. C. M. Hammond and Dr. Smith E. Jeliffe, \$100 a day.

Beyond a doubt the record breaking day in the Thaw trial from a standpoint of attendance will come when Delphin M. Delmas sums up for the defense. Apropos of this a writer in the New York American makes the following observations: "While I was being 'held up' in the corridor the other day, to pass the time of waiting I chatted with the police, who will match gossip with any sewing circle, and I chatted them for their needless numbers in that otherwise empty place, and excitedly one cried out: 'Ah, today is nothing, I know, but if you want to see a crowd that'll make these here walls bulge and will call for thirty more men in uniform, you want to be down the day this 'ere man Delmas is going to sum up.'"

"At that very moment a friend hailed me, and as he shook my hand said, 'The case goes well, doesn't it? Say, half the lawyers in Pittsburgh are coming on to hear Delmas sum up.' As he spoke he opened a telegram and exclaimed, 'Good Lord! here my nephew says he's on the way from Denver to hear Delmas sum up.'"

"The policeman had heard. He grinned and remarked, 'That room will only hold about two hundred, and I've heard almost as many New York lawyers say they had to be on hand.' And the court doors opened."

SECOND TIME IN
LESS THAN YEAR

Burglars Visit J. Everett Waters' Drug Store in West End

While patrolling his beat this morning at 2 o'clock, Officer Gosline found the glass broken in the door of J. Everett Waters' drug store in Carleton, and the door itself partly open. The officer entered and could readily perceive that a burglar had done a night's work. He immediately communicated with Thos. Waters by telephone as the proprietor is in Paris studying medicine. He was found that the cash register had been ransacked and two five dollar gold pieces, twelve shillings and other English coins taken as well as a quantity of liquor which was in a jug in the store.

The robbery was committed while Officer Gosline was arresting Patrick Kelly, a vagrant.

Only last fall Waters' drug store was broken into in exactly the same manner and \$29 was taken.

HILTON BELYEA
AT CAMPBELLTON

St. John Skater Easily Defeated Three Fastest Men in North Shore Town.

(Campbellton Events.) That Campbellton people appreciate an evening's fun was clearly demonstrated on Thursday evening of last week by the large number who gathered at the skating rink to witness the various races. Hilton Belyea, the famous St. John skater and skater, delighted the people. Belyea called here as a substitute for Logan and we feel sure that the people were satisfied with the visitor's performance.

The mile and a half relay race between Belyea and Barclay, Moore and Thompson was an interesting feature. The evening Belyea skated against the three fastest skaters we have, each of the local men skating a half mile. The first man lost a little but the second man to skate against the visiting flyer did not have to pick up what the former skater had lost but started even with the St. John man. The third skater did the same and still Belyea won the race by three-quarters of a lap.

The North Wharf hockey players do hereby challenge the players of the South Wharf to a game of hockey in the Marathon A. A. rink any night next week. A prompt reply is requested through this paper.

Fred Robson, who recently underwent an operation at the hospital, as a result of a coasting accident, is reported as making steady progress.

Duncan Cameron, of Sackville, is receiving congratulations upon his promotion as inspector of the Royal Bank of Canada. —Moncton Transcript.

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