



The Evening Times

WEATHER
Fresh east to south winds; unsettled today and on Thursday, with occasional rain.

VOL. III, NO. 264

ST. JOHN, N. B., WEDNESDAY, SEPTEMBER 4, 1907.

ONE CENT

EIGHTY-ONE WITNESSES IN HALIFAX ELECTION CASE

The List Includes Bankers, Railway Kings, Journalists, Capitalists and Smaller Fry

Case Has Been Further Adjourned Pending the Result of an Appeal to Ottawa—Unlikely That Verdict Will be Reached Before Parliament Opens.

HALIFAX, Sept. 3 (Special).—For three years the election petition against Wm. Roche and Michael Carney has been before the courts. The case made its appearance again today in the supreme court and as a result of what took place the conclusion of the trial is apparently further off than ever, if, indeed, it has not become practically certain that the case will not be concluded within the life of the present parliament.

Twenty-three times since the petition was filed, in November, 1905, has the case been before the judges, and yet it is not terminated. An interesting feature of the litigation is that, so far, the petitioners have been called on practically for no costs, but the respondents' bill amounts to several thousand dollars. The costs today for subpoenas alone will amount to about \$10,000, which the court decided shall be paid by Roche and Carney.

The decision of the court today is that the trial set down for this date cannot proceed, pending an appeal to Ottawa. By the time the appeal is heard, the present parliament will likely once more be in session. The court had set down the trial for today, but counsel for Mr. Roche had taken an appeal to Ottawa that the case could not proceed because the petitioners had been guilty of neglect in not going on between October 30 and the opening of the November term last year. The supreme court ruled against this and set the trial down for today.

The question was argued before Townsend and Russell, election judges. The result is that it is accepted as a fact that the appeal to Ottawa stays proceedings here. In the meantime, the costs are given to the respondents for witnesses' fees, subpoenas and service.

The list of witnesses subpoenaed in the cross petition of Roche vs. Borden is a long and interesting one. It embraces railway kings, capitalists, bankers, journalists, professional men and Halifax ward workers, big and little. It numbers eighty-one, and includes the following: Sir Thos. Shaughnessy, Montreal; Alex. Murray, Montreal; D. Russell, capitalist, Montreal; W. B. Torrance, Montreal; H. A. Powell, K. C., St. John; R. O'Leary, Richibucto; H. Y. Meredith, manager, Bank of Montreal, Montreal; B. A. MacNab, Montreal Star, Montreal; Wm. Mackenzie, capitalist, Toronto; E. F. Hobden, general manager Bank of Montreal, Montreal; H. C. McLeod, Toronto; James Greenfield, Montreal; Thos. Fyche, Montreal; W. P. Hunt, manager Bank of Nova Scotia, Montreal; Hon. D. MacKeen, Halifax; M. C. Grant, Halifax.

Counsel for Roche and Carney argued that an appeal having been entered at Ottawa there was nothing new before the court here. There was no petition or anything else on which the case can go on.

Mr. Justice Russell—"Then the officers of the court who accepted and forwarded this appeal decide the case."

Mr. Justice Townsend—"If true I would feel inclined to put the officers in contempt for a day or two."

Mr. Roscoe—"Your lordship would first have to go to parliament to find out why it had been done."

Mr. Justice Russell—"I would not like to take the officers' chances."

The court, however, inclined to the view that the controverted elections act allowed the appeal as it had been taken, and there was no case in Halifax. J. J. Ritchie for the petitioners, said that while declining fully to accept this interpretation he thought it would be unwise for him to take the responsibility of going through a trial that might last ten days and incur heavy expenses, when only a short time would elapse when the case would be put on firm ground. He would state that he did not care to assume the responsibility of a long trial which in the end might be abortive and large expenditure would then be thrown away. He therefore agreed to the motion, but he asked for costs for the day, for subpoenas and witnesses' fees, which had all been incurred before the notice. This was agreed to by the court. It was also directed that an order be drawn up that the case be not proceeded with pending the decision in the appeal to Ottawa, but that thereafter either party shall be at liberty to move to have a day for the trial set down.

FROG CATCHING PAYS

Young Toronto Student Made \$700 During His Vacation.

PETERBORO, Ont., Sept. 3.—A young student of Toronto University is spending the vacation at the Kawartha Lakes, but he is making his stay here a profitable one. When he returns to resume his studies he will have cleared \$700, enough to pay his expenses at college during the coming year. He is earning this money catching frogs, which he sends to New York and Chicago. They bring 35 cents a pound there. He catches the frogs by a simple method, the only bait used being a piece of red flannel on an ordinary fly hook. The frogs' legs are shipped in cans containing eighty pounds each.

BIG FIRE IN SKOWHEGAN

\$75,000 Damage Done by Blaze in Maine Town Early Yesterday Morning.

SKOWHEGAN, Me., Sept. 4.—A fire which broke out early yesterday morning burned six wooden business blocks within an hour in the centre of the town. It is estimated that the loss on the buildings and stocks of goods in the stores will exceed \$75,000.

The fire started in the millinery store of Mrs. L. M. Withee, at the corner of Water and Madison streets, and spread rapidly, fanned by a high wind.

The Skowhegan fire department, consisting of an engine, a hose wagon and a hook and ladder truck worked desperately to subdue the flames. At the start the firemen were hampered by delay because of the failure of the electric fire alarm system to work, and much valuable time was lost while the alarm was being given by the ringing of church bells.

For more than two hours the fire raged in this section bounded by Water and Russell streets and Madison avenue.

For a time there was talk of calling for outside assistance, but it proved unnecessary.

The list of the principal losses and individual insurance is as follows:

J. P. Merrill, four two-story wooden buildings, loss \$15,000; stock of boots and shoes, \$15,000 to \$20,000. No insurance on buildings or stock.

Griffin & Sampson, two-story wooden block; loss \$8000, fully insured.

Sampson & Avery, stock of drugs, stationery, etc; loss \$4000, insurance, \$3000.

Dr. W. F. Stanchfield, physician's office loss \$1000, insured.

C. R. Vilas, dentist's office, loss \$500, insured.

CAUGHT HIM IN THE WOOD PILE

Boy Who Broke Out of Ontario Jail Recaptured and Sentenced.

WHITBY, Ont., Sept. 4 (Special).—James Wells, a young boy was sentenced yesterday by Police Magistrate Harper to four years in Kingston Penitentiary for stealing \$18 from a bedroom in the Windsor hotel last July. Wells is the boy who escaped from jail here on August 19th, while awaiting sentence and was apprehended in Hamilton. Last Friday he again made a break for liberty. He smuggled hammers and a piece of iron to his cell and succeeded in breaking a hole through the wall, through which he got into the yard. His absence was noticed and a search being made, he was found hiding behind a wood pile.

A QUIET MARKET

MONTREAL, Sept. 4 (Special).—There was little change in prices on the stock market today. Judge Longley's decision in the Steel-Steel case was expected in some quarters but that did not stimulate any interest in either stock. Steel common sold at 23 and quotations for pig were slightly easier. Twin City was easier 91 to 92 3/4. Other transactions were 91 1/2 to 92 1/4; 70; Nova Scotia Steel 65 1/2; Toledo 24 and Soo common 105 to 103.

FUNERALS

The funeral of Margaret Bell, the ten-year-old daughter of Mr. and Mrs. William H. Bell, was held at noon today from her parents' residence, 215 King street east. Services were conducted by Rev. A. B. Cohoe and the body was conveyed to Hampton for interment.

The funeral of Alexander Y. Patterson, sr., was held at 2:30 o'clock this afternoon from 29 Harker street, Rev. R. P. McKim officiating. Interment was made in Fernhill.

The funeral of Luke Brown was held at 2:30 o'clock this afternoon from his home, 30 City Road, to the Cathedral where prayers were read by Rev. Father O'Brien and interment was made in the New Catholic cemetery.

The funeral of George Way was held from his late residence, corner of Tower street and City Line, Carleton, at three o'clock. Rev. H. D. Marr and Rev. Mr. Heaney officiated and interment was made in Cedar Hill cemetery.

SCHOONER AGROUND

While attempting to come up the harbor at about three o'clock this morning in a stiff wind and heavy sea, the little Wolfville schooner Annie Blanche, Capt. Scoville, ran on the eastern end of Partridge Island. The weather was thick at the time. The little vessel remained on the rocks for about five hours during which time she pounded considerably. At about eight o'clock this morning the tug Verid put a hawser on board and hauled her off and towed her up the harbor to Long Wharf. The schooner is not damaged to any extent. She is owned by R. E. Harris, of Wolfville, N. S.

Rawlings-Carrier

St. George's Anglican church, west end, was the scene of a pretty wedding yesterday afternoon when Arthur Rawlings, son of Captain Rawlings, west end, and Miss Jennie Carrier, also of St. John west, were married by the rector, Rev. W. H. Sampson.

There will be a meeting of the executive committee of the Neptune Rowing Club Friday night to consider the date for the single scull harbor championship. It is said to be altogether likely that Saturday week will be agreed upon.

INTERESTING CASE IN CIRCUIT COURT

Edgecombe vs. McArthur Up This Morning

A DAMAGE SUIT

A. G. Edgecombe Claims \$10,000 Damages, Because He Alleges That Geo. McArthur Assaulted Him and Spat in His Face.

The case of A. G. Edgecombe against George McArthur, which was taken up at this morning's session of the circuit court, caused a decided sensation.

In this case Alfred G. Edgecombe, proprietor of a local carriage manufactory, alleges that on the 29th of April last George McArthur, contractor, in the course of a dispute which took place in the Queens Rollaway, assaulted and assaulted him, called him a thief, and spat in his face, for which he is suing the defendant for \$10,000 damages.

Mr. Edgecombe was on the stand this morning and in the course of his evidence stated that the defendant told him he would bite his nose off.

The plaintiff's case was finished this morning, and adjournment was set for 2:15 o'clock this afternoon. Col. Frank Gregory left this morning for St. John en route to Quebec, where they take passage on Friday by the steamer Empress of Ireland on an extended trip to the old country.

Provincial Normal School reopened this morning with about 100 students in attendance. Two new teachers, Dr. D. W. Hamilton and Miss Margaret Lynds have been added to the staff.

WANT A LONGER RACING SEASON

Yacht Owners and Sailing Committee of R. K. Y. C. Will Meet Tonight to Consider It.

Tonight the yacht owners and the sailing committee of the R. K. Y. C. will meet to discuss the holding of another race this season and the giving of a cup to be known as the members' cup. A number of the racing men think that the racing season here is too short and that it should be continued into September, and at their request, this meeting has been called to consider the proposition. It is expected that there will be a large number of yachtsmen present, and the probabilities are that a race for class A, B, and C sloops will be arranged.

On Saturday next, the 7th inst., the motor boat race for the 1906 Executive cup, postponed from July 27th, will be run off. But three entries were received for the original race, and this is all that are eligible to start on Saturday. Marconi and Idler are very evenly matched, for in last year's race there was but five seconds between these two at the finish. Data is smaller than the other two and gets a time allowance from them. Last year in a race on the harbor she took first place over Idler and time allowance. The course, conditions and officers are the same as the original race.

Mr. McArthur Kept His Word

"Mr. McArthur then said: 'I'll spit in your face, I'll spit in your face, I'll spit in your face,' and so do."

Witness also declared that defendant intended to strike him with his fist and struck him two blows in the ribs and one in the back and said to him: "All you've got you robbed from other people. If you're worth \$25,000 I'm worth \$125,000. You had a fire down there that you got \$1,000 out of the insurance. You're brother Fred has got some money but you've got nothing."

Witness made no reply, and made no attempt to retaliate, merely holding up his umbrella to defend himself.

Cross-examined by Mr. Mullin witness said he had business transactions with defendant during the year previous to the conversation referred to and had always been on friendly terms with him. He had had some conversation relative to Mr. Campbell's stock in the roller rink worth about \$1,000, but had not said to Fred Fleming or J. V. Russell that he would purchase that stock.

Witness denied having told the defendant that he would never get a cent of the balance due him on the rink at Quebec, or of having said in the office that Mr. McArthur had not spat in his face but might as well have done so.

W. G. Scoville on the Stand

W. G. Scoville was next sworn and stated that he knew both parties to the suit and on the night of April 29th, last was with the plaintiff in the Queens Rollaway. He went out for a few minutes and on returning to the roller rink saw Mr. Edgecombe and Mr. McArthur. Witness said he heard Mr. McArthur call the plaintiff a liar, after which he spat at him. Mr. Edgecombe rubbed his face as if to remove something. Mr. McArthur also said to the plaintiff: "I'll bite your nose off."

Witness was then cross-examined by Mr. Mullin, and stated that the syndicate owned nothing to Mr. McArthur for work he had done on the rink at Quebec, and declared it had been paid.

He saw Mr. McArthur touch the plaintiff twice, but he would not swear whether with his fist or his open hand. He repeated during that defendant spat

NEWS FROM FREDERICTON

Bishop of St. Albans a Guest at the Capital—Additional Election Returns.

FREDERICTON, N. B., Sept. 4.—(Special).—Fredericton had a distinguished visitor yesterday in the person of Right Rev. Dr. Jacob, Bishop of St. Albans, London, England. His Lordship arrived in Canada last week and proceeded to Ottawa where he was the guest of Earl Grey at Rideau Hall. His Excellency gave him a most glowing account of his recent trip to New Brunswick, dwelling especially on his trip up the St. John river to Fredericton, and it was at his suggestion that the bishop decided to make the trip. He arrived from Ottawa by the noon train and in the afternoon enjoyed a drive about the city in company with Canon Montgomery. He had a letter of introduction from the governor-general to Mayor MacLeod, but the latter being out of town he did not see him. The bishop went to St. John by boat this morning and will go from there to Halifax, where he will preach on Sunday.

Additional returns from York municipal elections came to hand this morning. In Dumfries the vote stood Carson 69, Gilman 68, Simmons 52. In Southampton Graham secured 186, Akeley 176 and Masten 107. Simmons and Masten were members of the old council.

Principal assessor Johnston has recommended that the new assessment law be applied to that in future bank stock held by individuals can be assessed. He claims that bank stock to the value of half a million is held in Fredericton.

Chief Rutter and members of the fire department who attended the tournament in St. John, returned home by this morning's train.

A copy of the New Brunswick law report was handed to Judge Barker at the opening of Equity Court yesterday, and it is now ready for distribution. For the first time in many years the report is right up to date, taking in all the cases disposed of at the last Trinity term.

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HON. WM. PUGSLEY PROMISES TO HELP

Says He Will Try to Pass Appropriation for Harbor at Next Session

Advices City to Continue Work of Harbor Improvement and He Will Try to Get Government to Do the Dredging Necessary.

The joint committee of the board of trade and common council on harbor matters met this morning in the mayor's office. The special harbor board appointed by the committee had met previously when Hon. Dr. Pugsley's resignation was accepted and John Sealy appointed in his stead.

The following were present at the meeting: Ed. Sears, who was made a member ex-officio, W. E. Vroom, John Sealy, Col. J. R. Armstrong, T. H. Estabrooks, R. B. Emerson, J. H. McRobbie, Ald. McGoldrick, Bullock, Baskin, Holder, Pickard, Baxter, George Robertson, M. P. P. D. J. Purdy, M. P. P., Hon. Dr. Pugsley and Eugene Lefleur, chief engineer public works department, E. T. P. Shewen and J. R. Scammell. As a result of the meeting the city will push the work which the government will pay for out of an appropriation for this purpose the coming session, as the minister of public works assured the committee that he would use his influence to that end.

In answer to the minister's question as to what was the most important work at the present time, Mr. Lefleur replied the cleaning up of the berths, the removal of the old wharf and the cleaning up of the channel between the new wharves.

The work projected at the meeting was the dredging of the existing berth sites Nos. 1, 2, 3 and 4, the removal of the small wharf, wharfway to Sand Point slip, so that the Empresses might move in at all times of tide. The minister suggested that the city should proceed with the clearing of the berth sites. He would, he said, impress upon the government the desirability of providing for it in next year's appropriation.

Hon. Dr. Pugsley asked the citizens' committee with the new members, go over and outline the plans of the harbor administration which had already been agreed upon, and to change, and submit it to the council for the approval of the citizens. He thought it desirable that a complete scheme of harbor management be placed before him, so that he might have a bill prepared.

It was suggested that Ald. McGoldrick, chairman of the public works department, and John E. Moore, chairman of the harbor committee, confer as to the dredging of the new 600 foot wharf and let Hon. Mr. Pugsley know the result of the conference. This dredging would be on the southerly side of the new wharf and northerly side of Sand Point slip.

It is understood that Mr. Lefleur has expressed a hope that the plans as projected at today's meeting be carried out at once as among other things he may desire to confer on, is the condition of Rodney wharf from time to time. He has expressed the opinion, however, that there is little likelihood of the wharf sliding.

SALVADOR AND GUATEMALA

PANAMA, Sept. 4.—The correspondent here of the Associated Press has information from an authoritative source that the alliance between Salvador and Guatemala is a complete fact. During the month of August Guatemala sent 12,000 rifles and several pieces of artillery to Salvador.

Mrs. Richard Beamish

The death of Mrs. Richard Beamish occurred today at her residence, 27 Gilbert's Lane. She was in her 67th year and is survived by her husband.

Mrs. Sarah A. Mahoney

Mrs. Sarah Augusta Mahoney died this morning at her residence, 61 Brussels street. She was in her 61st year and leaves one son and a daughter.

THE "FLOATING RUM SHOP" AND HER LIQUID CARGO

A ST. JOHN MAN MAY BE VICTIM

Robert Carr Believed to Have Met Death in Yesterday's Railway Accident in Ontario.

Mrs. Edward Hart of River street, Inlandtown, believes that her brother, Robert Carr, is one of the six men killed in the wreck of the Toronto exhibition special train on the C. P. R. yesterday morning.

The train, which was crowded with passengers from Markdale to the Toronto fair left Markdale yesterday morning and when about 42 miles from Toronto, Caladon and Caldwell Junction, the train was derailed through some unknown cause and the cars telescoped. There were five cars in the train and the killed and many of the injured were in the smoking car, which turned completely over. Two other cars were telescoped and the last two cars did not leave the rails.

When seen this morning Mrs. Hart, who was much affected, said she was almost certain that the Robert Carr whose name appeared in the list of dead, was her brother. In the account of the accident Carr's residence is given as Shelburne, Ont.

Mrs. Hart says her brother, who was about 40 years of age and unmarried, had been employed in the Union Foundry here. He went to Toronto 14 months ago and obtained work as a moulder. From Toronto he went to Hamilton, and his address in the latter city was 129 1/2 Bay street north. From this address Mrs. Hart had a letter from her brother. Last week she received a card from him saying he was leaving Hamilton and would send his address later. That was the last communication she had from him.

Carr was born in St. John and has many friends here.

POSTMASTERS DISSATISFIED

Ontario Postmasters Say Government is Starving the Service for the Sake of a Surplus.

TORONTO, Ont., Sept. 4 (Special).—The postmasters of Ontario are not satisfied with the revision of salaries and allowances announced by the department at Ottawa, and the dominion government received some strong criticism at a meeting of the Ontario Postmasters' Association held here yesterday.

President G. H. Bugar of Welland declared that the raise announced was not in accordance with the promises made by the postmaster-general on the floor of the house, neither did it agree with the sentiment as unanimously expressed at the Liberal caucus at Ottawa. "We thank goodness for small mercies," he said, "but people are getting tired of promises. However, we shall keep at our post till we get what we require." Mr. Bugar thought the room rent allowed for the post offices was too small. In his opinion, however, it would be better to leave the matter of salary for another year, when they could press for their rights, as all people in Ottawa," he concluded, "are starving the service for the sake of a surplus."

PROCLAIMS A HOLY WAR

New Ruler of Morocco is Courting a Swift and Sudden Dissolution.

PARIS, Sept. 4.—The Petite République prints the text of a letter today which it alleges Mulzi Haifig, the brother of the Sultan, who has been proclaimed ruler of Morocco, sent to the governors of all the towns in the empire, proclaiming a holy war under his leadership. Mulzi Haifig takes this step, he declares, on account of the incompetence of his brother, Abd-el-Aziz, whom he declares to be sunk in ignoble pleasures.

EVERYBODY WILL BE EATING GRAPES

ST. CATHERINES, Sept. 3.—The grape crop of the Niagara Peninsula will be five times greater than last year, according to reports received, said George Barnes, of the Ontario Wine and Grape Growing Company yesterday. Grape-growers tell me they never saw such a crop of grapes before, added Mr. Barnes. According to the estimates received, the year's output will be around thirteen thousand tons.

POLICE COURT

Two cases of drunkenness were disposed of in the police court this morning. John Honbran, Michael Holan and Alex. Brayley were fined \$4 or ten days each; James Peck forfeited a deposit of \$8 and John Donovan was fined \$8 or thirty days in jail.

A quarrel between tenants was also heard and his honor instructed the interested parties to settle the dispute among themselves.

The police were called into Jeremiah Sullivan's house on Sheriff street last night to quell a disturbance between him and his wife.

The police also quelled a disturbance in Edward McConnell's house, Sheriff street.

THE TIMES NEW REPORTER

THE LUDLOW SONG.

We're aloft! we're aloft!
And the booze is on the boat,
Then away up the river steer the way.
For the Ludlow is a beauty,
And each boozier knows his duty,
And there's not a single cent for us to pay.

Let the Parson take his text,
But never could get next
Such a layout if he lived a thousand years.

Let him stay in his pagoda;

Have another—pass the soda,
And we'll drink another health to Mayor Sears.

Here's a health to Mayor Sears,
May he win (loud cheers)
When he dons the gloves with William in the ring.
May he give William his—
What's the matter? Pass the fiz!
For we won't go home—we won't go home till m-o-r-r-NING!

What Ludlow Took up

Over on the Famous Excursion Last Thursday

Including Temperance Drinks

There Was \$23.75 Worth of Liquor on Board and Some of This Was Returned Unopened—Rev. Mr. Jenkins Criticism Criticized.

Dr.

1 1/2 dozen assorted liquors at \$12 per dozen \$18.00
4 dozen ginger ale (non-alcoholic) at 1.00 4.00
1 dozen ginger beer (non-alcoholic) at 1.00 1.00
at say 40c.40
2 1/2 dozen ale at say \$1.00 2.50
1 1/2 doz lager at say 50c.75
1 dozen soda water (non-alcoholic) at say 50c.50
..... \$23.75

Cr.

By 4 bottles liquor returned 4.00
..... \$19.75

While it may not always be regarded as good taste to let our guests know just how much it cost in dollars and cents to extend to them our hospitality, yet in view of criticisms and strictures made by the Rev. E. C. Jenkins in a rather exaggerated pulpit utterance in Ludlow street Baptist church on Sunday evening last, the Times presents to its readers today what is believed to be an accurate statement of the quantity and cost of the "liquid refreshment" taken up river on Thursday last when the visiting British journalists were entertained by their fellow craftsmen in this city and the corporation of the city of St. John.

Rev. Mr. Jenkins in his deliverance took particular exception to the quantity and cost of liquor carried. On this subject he is quoted as saying:—

"This had lately taken on an excursion a party of visiting journalists. Let me describe to you a little scene before her departure where a sloven was backed up at the wharf and keg after keg of liquor was placed on board, until even one of the visitors from Scotland remarked that the men who were arranging the excursion must be planning a drunk for the usual Citizens of Carleton had to be carried home on that occasion and your very representatives were drunk. Are you satisfied with this expenditure of your money?"

In the St. John Sun of this morning's issue Rev. Mr. Jenkins' utterance is set to a remarkable letter in which he says:—