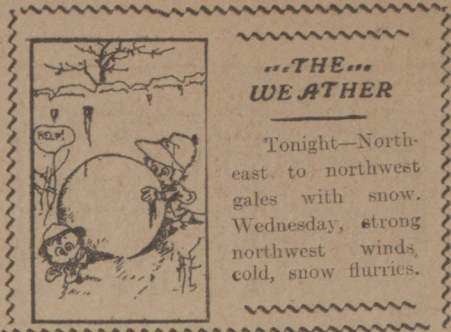




The Evening Times.



VOL. V. No. 99

ST. JOHN, N. B., TUESDAY, JANUARY 26, 1909

EIGHT PAGES—ONE CENT

WINTER PORT BUSINESS IS SURELY BOOMING NOW

Present Season to Date is Best in History

Volume of Export Traffic More Than \$1,000,000 Ahead of Any Previous Year

Cattle and Grain Shipments Phenomenally Heavy—When All Returns Are in a Further Increase Will be Shown.

This week will be a very busy one in winter port business.

Five steamships that have left port have yet to file their export papers at the customs house. With ten steamships now on their way here, and with the large freight in the warehouses, the shipments will be large. Up to the present time the export valuation is over a million dollars greater than any season since the winter port season started here. The shipment of grain has already reached the three million bushel mark, and more cattle have gone forward than ever before.

It is also expected that there will be a large number of immigrants by all the liners. The Hesperian (this week's mail boat), and the Sardinian, will have large passenger lists. The Donaldson liner Hestia is due with a large cargo, and all along the line the outlook is bright for a banner year's business out of this port.

SUPREME COURT

The Carleton Election Case Will be Further Heard Next Month

—An Appeal of Judgment in a Liquor Case.

Fredericton, N. B., Jan. 26.—(Special)—The Hilary term of the Supreme Court opened here this morning, with Chief Justice Barker and Justices Laundy, McLeod and White in attendance. The other members of the court, Justices Huntington and Gregory, being detained at home by illness.

The following common motions were made:—

Carleton election case, W. J. Owens, petitioner, and George Upham, respondent. Hon. W. P. Jones, for respondent, moved for a rule nisi, calling upon the petitioner to show cause why an order of Judge McLeod, fixing the time for the trial of the petition should not be set aside.

The ground for the application was that Judge McLeod in making the order was without sufficient proof of the publication of the petition. The act was cited to show that the notice must be published for three consecutive days in a newspaper within the county, and failing that, should be posted at either the record office or county courthouse. Affidavits were submitted to show that there was no daily newspaper published in Woodstock, and notice had not been posted at the parish house or record office as required by the law. After hearing Jones' argument, the court unanimously granted the rule, returnable on the second Friday.

King vs. John L. Marsh, ex parte. Deceased. J. H. Barry, K. C., moved to set aside a conviction against the defendant under the Canada Temperance Act. The ground on which the application was based was that Chief of Police Winter, of Fredericton, had personally served a search warrant on the defendant, finding liquor in his premises, and afterwards laid an information against him, which resulted in a conviction. Mr. Barry contended that Winter had no right to act in the dual capacity and cited a decision of the court in the case of McLeod vs. City of Moncton, in support of his argument.

Court considers.

Ex parte Stafford, Plimney, K. C., moves for writ of mandamus against the municipality of Kent to compel them to take a poll of the electors in the parish of Harcourt to determine whether or not liquor licenses shall be granted in that parish. Court considers.

In the King vs. Nichol ex parte Mitchell, the rule was extended until the next term, on motion of John R. Dunn.

At the police court this morning, Col. Marsh heard the argument in a Scott Act case against Frank Fleming of Millville, and reserved judgment until Friday. A complaint against Fleming for a second offence was withdrawn.

The Marysville Crescent, in a game of hockey last night, defeated the Charlottetown Victorias by a score of three to nothing. George Stuart played with Charlottetown and accompanied the team to St. John this morning. Len Inch played with the Crescents for the first time this season.

Norwegian steamship Talsman, of the Cuba line, will sail from Philadelphia for Boston tonight, and is expected to leave Boston for St. John next Friday, which will bring her here Saturday night. She is expected to sail from here for Havana February 1st.

UNCLE SAM IS MOVING TO INCREASE EFFICIENCY OF HIS ARMY AND NAVY FORCES

Interesting Despatches Telling of the Problems the American Law Makers Are Grappling With—The Navy Bill—Pensions to Veterans—Fleet Wanted to Protect the Pacific Coast.

Washington, Jan. 26.—The lining-up of the forces for a fight in the senate over the battleship programme contained in the Naval Bill as it passed the house, has already begun.

Supporters of the two battleships programme are depending largely upon a statement made in the senate a year ago by the late Senator Allison, that two battleships would be constructed each year, until the U. S. Naval power was equal to the largest in the world.

Mr. Allison's promise was regarded by some as a contract on the part of the senate leaders to carry out such a plan. A number of senators now declare that the statement was not binding. It is likely that the opponents of the big navy programme will confer at an early date and agree upon some plan of action.

To Change Regulations of Military Pensions

Widows of deceased soldiers and sailors of the Civil war in instances where the marriages occurred since June 27th, 1890, may be pensioned under the provisions of a bill favorably reported to the senate today from the committee on pensions. Under the existing law, widows of soldiers and sailors of the civil war are not pensionable unless their marriages took place prior to the date mentioned.

It is estimated by the pension bureau that there are about 15,000 or 20,000 women who would be benefited by the passage of this law. Last year there were between 9,000 and 10,000 deaths among widows of soldiers and sailors, and therefore it is argued in support of the measure that the annual pension budget would not be increased materially.

The report of the committee says that it cannot be assumed that these widows who married since June 27, 1890, were influenced by mercenary ideas. Opponents of the measure point out, however, that the bill furnishes a reason for designing women to seek out aged soldiers and marry them, as by the provisions they will be pensionable after the death of their soldier husbands.

Measures to Build Up the Volunteer Forces

An effort is being made to procure conclusive action by congress on Senator Dick's bill to permit the secretary of war to issue to camps of United Spanish war veterans discarded arms and ammunition as may be available for that purpose. A bill providing for this action has been passed by the senate and its friends expect it will be favorably considered by the house. In order to secure the use of these arms at least ten members of a camp of veterans must signify their intention to use them in drilling and target practice.

Lincoln's Portrait to Hang in Capitol Halls

The purchase of an oil painting of Abraham Lincoln, to be hung in the capitol in this city, is proposed in a bill, which has been introduced in the senate by Senator Carter of Montana. The work of art, which is from the brush of G. W. F. Travis, is life size and \$20,000 is appraised for its purchase.

A Protective Fleet is Wanted on the Pacific

Sacramento, Calif., Jan. 26.—There is a mysterious silence on the part of the authors of anti-Japanese bills introduced in the senate and assembly, against which President Roosevelt has entered his protest, but it is hinted by friends of the measures that this is only "the calm before the storm" that is expected to break over the assembly on Wednesday, for which day the Drew bill, prohibiting ownership of land by aliens is made a special order of business.

Senator Sanford, whose measure is similar to Drew's, is willing to change one of his joint resolutions introduced in the assembly yesterday. It is a memorial to congress asking that a fleet equal to that of other nations on the Pacific coast be sent to western waters to protect the coast.

Probate Court

Estate of Charles Raymond Read, druggist. Last will presented, which leaves the property to the executors therein named, namely James R. Cameron, retired merchant, and Henry H. Pickett, barrister-at-law, in trust, after payment of debts to pay the income in four equal proportions among cousins, Fannie E. Steeves, Mary Cameron and Frances Clark, and a sister-in-law, Charlotte E. Reed, and when the estate is converted into cash, to divide the same into four equal proportions, and to pay the same to the above named except in the case of Charlotte E. Reed, who continues to receive the income thereof until her death, and then the principal to go to a step-daughter, Minnie Bedell. Real estate \$5,500, subject to a mortgage of \$1,700. Personal estate \$200. A caveat having been filed against the will, a citation was issued to prove the will in solemn form, returnable on the first day of March next. J. A. Barry, proctor for executors. Weldon & McLean, proctor for the caveators.

Estate of John McAuliffe, laborer. Last will proved, whereby the deceased gave all his property, including household, held by him under the name of John McAuliffe, situate on Fort Howe, unto his wife, Ann, and he appoints his son, John C. McAuliffe, sole executor thereof, who is sworn in as such. No real estate. Personal \$400. Daniel Mullin, K. C., proctor.

No. 2 storm signal was ordered up at 12:30 p. m. today, indicating gales from the westward.

THOUSANDS OF PEOPLE SAW ANOTHER POOR WRETCH DIE

GETTING AFTER THE "SHARK" LANDLORDS

Ontario Finds That Money-ers are Not the Only Board-ers From Whom the Public Needs Protection.

Toronto, Jan. 26.—(Special)—The province of Ontario, according to an official view, has no power to enact laws against usury. Under section 91 of the British North America Act, the matter of "interest" is delegated to the federal authorities. Enforcement, however, rests with the province. In view of the number of cases of alleged usury which recently have come to the attention of the authorities, it is probable that Ontario may ask an amendment to the act widening the scope of its provisions, to cover "all persons," and not merely "money lenders," as at present. It is also within the jurisdiction of the province, if deemed advisable to act upon the proposal, to appoint a special inspector of chattel mortgages, or other official, with power to examine documents and enforce law. There is a strong agitation, particularly in the rural districts, for more vigorous action against usurers.

Twenty Men May Be Dead in Mine

Pittsburg, Jan. 26.—Two men dead and twenty others supposed to be dead as the result of three gas explosions in the Borwell mine of the United Coal Company, Somerset county last night and early today. The men were members of an investigating party that had entered the mine to make an inspection of suspicious traces before allowing the miners to go to work. The dead are Superintendent J. G. Logan and Andrew Stonick.

Among the supposed dead is Asst. Supt. George Morris.

Until early today signals were heard from the imprisoned men. At daylight, however, the signals ceased and it is believed that all the men had come under the influence of the deadly after damp.

At 1:30 yesterday afternoon a small explosion occurred in the mine and it was decided to make a thorough examination. Superintendent Logan and 20 men volunteered for the work. They entered the mine shortly after 5 o'clock and while they were in, second and third explosions occurred, at 6 o'clock. The explosions tore down great quantities of coal and completely preventing the men from reaching the outside. State Mine Inspector Lovelock was soon at the scene and from the miners who had not been allowed to go to work, rescuing shifts were quickly formed.

RACE RIOTS FEARED

Seven Negroes Under Arrest for Shooting at Indianola, Miss., May All be Lynched Before Night.

Indianola, Miss., Jan. 26.—Following the killing, near Inverness, Miss., Sunday night, of B. A. Bradley, a prominent planter, and the arrest yesterday of seven negroes, five men and two women, charged with having a part in the crime, the most intense excitement prevails in that vicinity and the lynching of several, if not all, the negroes under arrest before tonight is feared. Bradley was shot from ambush after visiting the cabin of one of the tenants on his plantation who, it was stated to Bradley, several persons had expressed an intention of whipping.

GARDEN GOLF

Few golfers realize how much useful practice in their favorite pastime is obtainable within the limits of a little garden. The smallest grass plot will serve as well as the green of the golf links for putting shots, while a very little ingenuity will enable the golfer who desires to increase the length of his drive to get the necessary practice at home, without endangering the windows of his house or the persons of his family.

One method is to attach the ball by a short string to a small parachute of cloth or calico, so that, however vigorously it is driven its flight is arrested as soon as the parachute opens out. The simplest plan, however, is to use a loose ball, and to fasten its loose end to a post driven firmly into the ground. In the latter case the golfer must look out for his shins, as the ball on reaching the end of its tether will probably fly round the post and endeavor to give him a nasty knock.

NEW YORK STOCKS

New York, Jan. 26.—A feature of the opening dealings in stocks was the running sale of 350 shares of Chesapeake & Ohio at 63 1/4 and 63 1/2, compared with 62 5/8 last night. A sale of 1200 shares at 63 3/4 followed. Changes in the general list had no significance outside a few specialties. U. S. Realty advanced 1/2, to 10 1/2. St. Louis and Western J. and Westinghouse Electric and American Beet Sugar large fractions.

Chesapeake and Ohio declined 5/8 before the outbreak of liquidation commenced. Consolidated Gas declined 1/2. Lowest price made since the low in its last rally when it touched 11 1/2. In the railroad list the pressure was most felt among the transcontinental stocks.

When pressure was lifted from Consolidated Gas and the stock rallied 1/2, the general list turned upward also. A large part of the decline was retrieved. There were diminishing activities with the recovery. Wabash refunding 1/4 rose rapidly on large dealings. The bond market otherwise was irregular.

PERSONALS

James Jack went west on the noon train.

R. T. Hayes was a passenger on the east-bound express at noon.

Rev. W. R. Robinson, pastor of the Ludlow street Baptist church, returned from Fredericton today.

J. H. Dooly, and F. H. Foster, came in on the Boston train this morning.

The hearings in three petitions were adjourned by Judge Forbes in chambers this morning.

NEW YORK MONEY MARKET

New York, Jan. 26.—(Noot)—Money on call easy, at 1 1/4 per cent. Prime mercantile paper 3 1/2 to 4 per cent.

Exchanges \$367,708,998; balances \$12,549,082.

Edward Sears, whose appointment as postmaster in succession to T. B. Hanning, was announced in an Ottawa despatch in the morning papers, was receiving congratulations from his many friends today. The appointment seems to be a very popular one.

TRURO CURLERS IN CHATHAM

Chatham, N. B., Jan. 26.—(Special)—Three trunks of Truro curlers arrived last night, and will play today for the McLeellan Cup. Franky Dexter, L. W. Cox and C. F. Cox will skip the visitor's rink, and D. Heckbert, R. A. Snowball and W. H. MacLaughlin will skip the local.

HEROES OF STEAMER REPUBLIC CARRIED SHOULDER HIGH BY CHEERING MEN IN NEW YORK

Captain Sealby Tells a Graphic Story of the Escape of Himself and First Officer Williams from the Sinking Ship—Held on to the Rigging Until the Water Rose to His Throat—A Wonderful Tale of Nerve and Daring.

New York, Jan. 26.—Capt. Sealby and his officers and most of the crew of the wrecked steamship Republic were given a remarkable demonstration today when they landed at the pier of the White Star line from the revenue cutter Gresham. A great throng of officers and seamen of the steamships of the White Star line in port, together with three or four hundred spectators, were on the pier when Capt. Sealby and his shipwrecked crew stepped down the gang plank. Officers and seamen alike made a rush for Captain Sealby, and lifting him to their shoulders carried him the whole length of the dock to the street, while the crowd yelled itself hoarse and stewards on the steamships blew trumpets. Captain Sealby was carried from the street to the offices of the company on the second floor of the pier where, only on his earnest protest, would the crowd cease its demonstration.

Few marine stories in recent years of marvellous escapes from the sea equal in dramatic intensity the graphic story that Capt. Sealby told today of the escape of himself and Williams and himself from the fast sinking Republic. The captain would not talk of the collision.

Capt. Sealby said: "It was about eight o'clock Saturday night, at which time the Republic was sinking, and only myself and Williams were on the bridge. There was a rumbling and cracking at the stern of the boat. The stern was settling very rapidly and the sea was pretty bad. Then I said to Williams: 'Well, what do you think of it?' Williams answered: 'I don't think it will be a long race, let us sprint for it.' I looked at

again, and saw she was going and told Williams to burn the blue light. I fired my revolver five times, to let the boats around me know that we were going off. Turning to Williams, I said: 'Let us take to the forward rigging,' and we ran from the bridge to the saloon deck, burning our blue lights as we went, and carrying an ordinary lantern.

"When we got to the saloon deck water was coming in. We saw the stern was sinking and could hardly keep on deck. The last I saw of Williams he had crossed the port rail and was hanging over the side. I took to the rigging. I rested there and took out a blue light. It was wet and would not go off and I then fired the last shot from my revolver. The water had now caught up to me, coming up under my throat and I floated. The revolver and my binocular held my coat down, acting as a sort of ballast. At this time the water was roiling, seething mass all about me.

THE RACE POSTPONED

The Longboat-Shrubh Race to Have Been Run Tonight is Postponed Because of Injury to Shrubh's Toe.

New York, Jan. 26.—(Aft.) Shrubh this morning asked P. T. Powers to have his race with Longboat billed for Madison Square Garden, postponed for two weeks. "I can't run on Tuesday," said Ali, "because of inflammation in the big toe of my left foot. My foot is in bandages, as you can see."

Powers sent a doctor to see Shrubh last night, and the medical man promised to fix up before Tuesday, but it has shown no signs of improvement.

The New York Sun says the race has been postponed until Feb. 30.

A TRAIN WRECK

Pittsburg, Jan. 26.—Train No. 44, the Pittsburg special, from St. Louis on the Pan Handle Division of the Penn., was wrecked at 4:05 a.m. today between Conestoga and Trivway, 123 miles west of Pittsburg. Several passengers and G. B. McKee, Gen. mgr. of the Vandalia lines, were injured, none of them seriously, it is said.

The train was east bound, when two private cars, jumped the track and turned over on their sides.

It is presumed the wreck was caused by a broken rail.

AN ELECTION "GIFT"

Madison, Wis., Jan. 26.—Senator Blaine filed specific charges today alleging that United States Senator Isaac Stephenson, as candidate for reelection, gave to Republican state chairman E. A. Edmunds of Appleton, a sum of money in excess of \$106,000.

TRURO CURLERS IN CHATHAM

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Great Detective Story

"A Mysterious Disappearance,"

By GORDON HOLMES

WILL BEGIN IN

THE TIMES Tomorrow