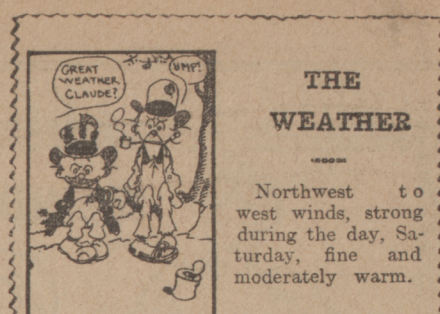




The Evening Times



VOL. V. No. 277

ST. JOHN, N. B., FRIDAY, AUGUST 27, 1909

EIGHT PAGES—ONE CENT

SENSATIONS IN COURT TODAY

Juror Scammell Discussed Greek Case Out of Court CAUSES A FUSS

Decided, However, to Go On With Trial — Morning Paper Censured by Judge Forbes — Crown Case Against Merissis Closed.

Hearing in the second trial of George Merissis, charged with selling Free Speech, was resumed this morning before Judge Forbes. The courtroom was crowded. A number of sensations were sprung by the attorney-general and the proceedings for a time were very lively.

Before the case was commenced, Attorney-General Hazen told the court that he had been informed by the chief of police that one of the jurors, S. W. Scammell, had discussed the case in a street car after leaving the court yesterday and had positively expressed his sentiments in sympathy with the accused Greek. Mr. Scammell was called on to explain by Judge Forbes, and admitted talking about the matter, but denied saying that he would vote to find the prisoner not guilty.

J. M. Truman was the gentleman with whom Mr. Scammell had spoken regarding the matter, but he was not the chief informant. "I don't remember of stating that the jury would disagree," said Mr. Scammell.

His honor was very much displeased, and expressed his opinions strongly regarding the matter. It would be optional with the court, whether the case would be allowed to proceed or not, and Mr. Hazen could decide for himself.

The attorney-general asked for a few minutes to consider the matter, and then decided to allow the trial to proceed, as it would necessitate considerable delay in empanelling a new jury and it would be ten days before he could again be present.

Serious Offence by Sun, Says Judge
Regarding a paragraph in the Sun this morning to the effect that the new jury would disagree, his honor was highly incensed, and called the paragraph a serious offence—contempt of court—and said he would deal with the paper when the trial was over.

Mr. Hazen wished to ask Juror Scammell whether or not, at the conclusion of the trial when the evidence was all in, he could decide in his mind as to the guilt or otherwise of the prisoner.

Mr. Mullin objected but was told by his honor that he had no right to interfere.

"Probably, Mr. Mullin, you had better take charge of the court yourself," said his honor.

The question was asked and answered to the effect that he would discharge his duties according to his oath.

Postmaster Seals Called

Edward Sears, postmaster of St. John, was the only witness examined for the prosecution. He stated that he had received a letter from the postmaster general to the effect that Free Speech was prohibited through the mails. He at once went to Merissis and warned him of the danger in selling the sheet in question.

This evidence was objected to by Mr. Mullin but the objection was overruled.

The Greek, in his reply, said the postmaster, seemed doubtful as to what course he would pursue. The witness saw the prisoner again and urged him to stop selling Free Speech but was told that he (the prisoner) thought it would be all right. The witness then told Merissis that he would probably be arrested if he did not stop selling the paper. The prisoner seemed very irresolute as to what he would do. He told the witness that he made about \$80 a month from the sale of the paper.

Cross-examined by Mr. Mullin, as to the "friendly interest" witness took in the prisoner Mr. Sears said he acted in the interest of his office and thought that it was every citizen's duty to help prohibit the sale of the Free Speech. This concluded the case for the crown. Mr. Mullin asked for a few minutes' talk with the prisoner and his request was granted. On returning to the court room the prisoner appeared to be ill and was seen to shiver frequently and in walking to his seat tottered against a table.

Mr. Mullin told the court that he proposed to call the defendant to the witness stand. He stated that Merissis was a foreigner and had not a thorough knowledge of what he called "high-class language" and also that the meaning of obscene and immoral was unknown to him. Continuing Mr. Mullin said that it must be proven, which as yet it had not been, that the Greek had sold Free Speech (which he admitted was a filthy sheet) knowing it to be detrimental to the moral standing of the community.

(Continued on page 3.)

PREDICTS WAR AGAIN, RUSSIA AND JAPAN, TABLES TURNED

San Francisco, Cal., Aug. 27.—Dr. G. Coulthard, who was with Lord Kitchener in the memorable Karthoum campaign, has arrived here from the Far East, on his way to his home in England. He visited Japan on the way to this country and spoke interestingly of his observations concerning the empire.

"There is not the slightest danger of any trouble between Japan and the United States," he remarked, "but there will be war again between Russia and Japan. Both countries are getting ready for the

RICH WOMAN IS HELD AS SMUGGLER

Jewels in Concealed Pocket—When Found, Says She Had Them When She Left Home

New York, Aug. 27.—When the second cabin passengers of the liner Oceanic were coming down the gang plank yesterday two women inspectors who were stationed on the pier to keep an eye on women passengers noticed a peculiar "hang" to the skirt of a genial looking, middle aged woman dressed in black.

"It looks as if she had something concealed under that skirt," they whispered to Deputy Surgeon Conrow, who thereupon halted the woman.

She told them she was Miss Catherine M. McKee, of Harrisburg, (Pa.) and that she had been abroad on a pleasure trip. "No I haven't anything dutiable, aside of the \$100 worth that I am allowed to have," she said, in response to a question. "I'm sorry, madam, but you will have to submit to a search by the women inspectors," Conrow said, and he led Miss McKee back on board the Oceanic, where the inspectors, Miss Ellsworth and Miss Darrah, took her into a stateroom.

The Harrisburg woman protested so vigorously that scores of passengers who had not left the ship crowded about it. It was a most unusual procedure, suspected smugglers are seldom taken back on board ship to be searched.

"This is an insult and an outrage!" Miss McKee stormed. "I am an American citizen and the owner of real estate and other property in Harrisburg. You have no right to treat me like a criminal."

But she was searched, nevertheless. Beneath her skirt was found—so the inspectors say—a long, wide pocket, basted against the underskirt. And in this were two diamond rings, wrapped in paper; a pair of diamond earrings, and a number of corals, all worth between \$1,000 and \$1,500. Besides there was a pair of French gloves.

Miss McKee was arrested at once and taken before Commissioners Shields. An attorney advised her to waive examination which she did. She was held in \$1,500 bail which was furnished by Miss Annie M. Shaw, of No. 82 Elliott place, Brooklyn.

Miss McKee when released, went to Miss Shaw's home for the night. "I never dreamed of smuggling anything into the country. When I went away in the Spring I had all those jewels with me. Returning, I suffered from rheumatism of the hands and was obliged to discard my diamond rings. I put them, with the earrings and the corals, in the pocket for safe keeping. It was merely an ordinary pocket, too, such as many women have attached to their undershirts."

The customs officials, however, said they felt certain Miss McKee was trying to smuggle the jewelry in.

FREDERICTON WANTS CRICKET TEAM VISIT

Lively Election in Prospect—Speedy Trials Act Case

Fredricton, N. B., Aug. 27.—(Special)—The Fredricton cricketers, who returned from St. John last evening are receiving many congratulations on their victory. They hope to have the St. John team here early next month.

Coun. A. Grass, William Patterson, Abner Smith, and J. Duff Mitchell are candidates for Sunbury county council for the parish of Lincoln. The contest promises to be lively.

The Fredricton tennis club will hold a tournament on Labor Day, when mixed doubles will be played for two valuable prizes offered by Charles F. Randolph.

Dr. James Hannay who has made his home here for some years, intends removing to St. John next week.

Herbert Green, of Blissville, was arrested a couple of days ago on a charge of stealing goods from a man named Hersey of that place. He was examined by Squire Smith of Blissville and committed for trial. He will be arraigned before Judge Wilson at Burton tomorrow under the Speedy Trials Act.

The Hassam Paving Company have finished paving the block in Queen street towards the bridge.

KUEZEL SOLD TO CUBS

Saginaw, Mich., Aug. 27.—Pitcher Kuezel of this city, the leading pitcher of the Southern Michigan League, has been sold to the Chicago Cubs. He has a record of 19 victories out of 25 games.

SPENDING MILLION A MONTH ON STEEL PLANT AT GARY, IND.

REJECT SOME SITES FOR A SANITARIUM

Commission Will Not Say Which, However—May Go Afield to Visit Institutions

The commission appointed by the provincial government to decide upon a suitable site for a sanitarium for persons suffering from tuberculosis, held a meeting last evening in Fredericton, when they further considered the matter of a site, but reached no definite decision.

Dr. McAvenny and Dr. Borsford reported having visited sites at Weisford, Keswick Ridge and near Fredericton Junction.

Dr. J. R. McIntosh, who returned from Fredericton today, after attending the meeting, said that while the sites referred to had been considered, there were also other sites, which had not yet been visited, that the commissioners were desirous of seeing before they made a decision. Some of the proposed sites had been eliminated altogether, but which ones he was not prepared to say.

Another meeting will be held in the near future, he said, and in the meantime some of the members would probably visit institutions abroad to see how they were situated, and get information that would assist them in coming to a decision. Several other sites not as yet examined would also be visited and probably when they met again a definite decision would be reached.

HAD TO LET BOYD'S WIFE GO

In the police court this morning James Boyd was charged with intoxication and resistance. Patrolman Alex. Crawford testified that he took Boyd and his wife into custody at the corner of Brunswick and Brussels street for intoxication, that both resisted and endeavoring to look both man and woman up without assistance proved so strenuous that he was compelled to devote his energies entirely to the husband and release the wife. Both, he said, kicked, scratched, butted, struck and struggled violently. A fine of \$24 or ninety days were imposed. Boyd's wife was in the corridor of the court when the penalty was imposed.

ROBERTSON WILL CASE

In the equity court this morning, before Chief Justice Barker, argument was heard in the case of Smith et al., trustees of Hon. John Robertson vs. Eliza Robertson et al. An application was made to the court for directions as to the construction of the late John Robertson's will.

Under the will, certain funds are now payable to the heirs, among whom are the children of the late D. D. Robertson, a son of the testator.

The trustees contend that the word "heirs" means simply the children. It is contended on behalf of Mrs. D. D. Robertson that the widow is entitled to share with the children.

Bowyer S. Smith appeared for the trustees, M. G. Test for Martha M. S. Robertson, widow of D. D. Robertson, and W. A. Ewing for the daughters of D. D. Robertson. His Honor reserved judgment.

FUNERALS TODAY

The funeral of Stanley Lewis took place at three o'clock this afternoon from 164 Britain street where Rev. W. Camp conducted the services. Interment was made in Fernhill.

The funeral of Hugh McLaughlin took place at 2:30 this afternoon from his mother's residence, Brookville. Interment was made in the old Catholic cemetery.

The funeral of Charles McGraw took place at 1 o'clock today from his late residence 23 Murray street to the steamer Hampton. Rev. R. P. McKim was the officiating clergyman. Interment will be at Whitehead, Kings county.

MONTREAL STOCKS

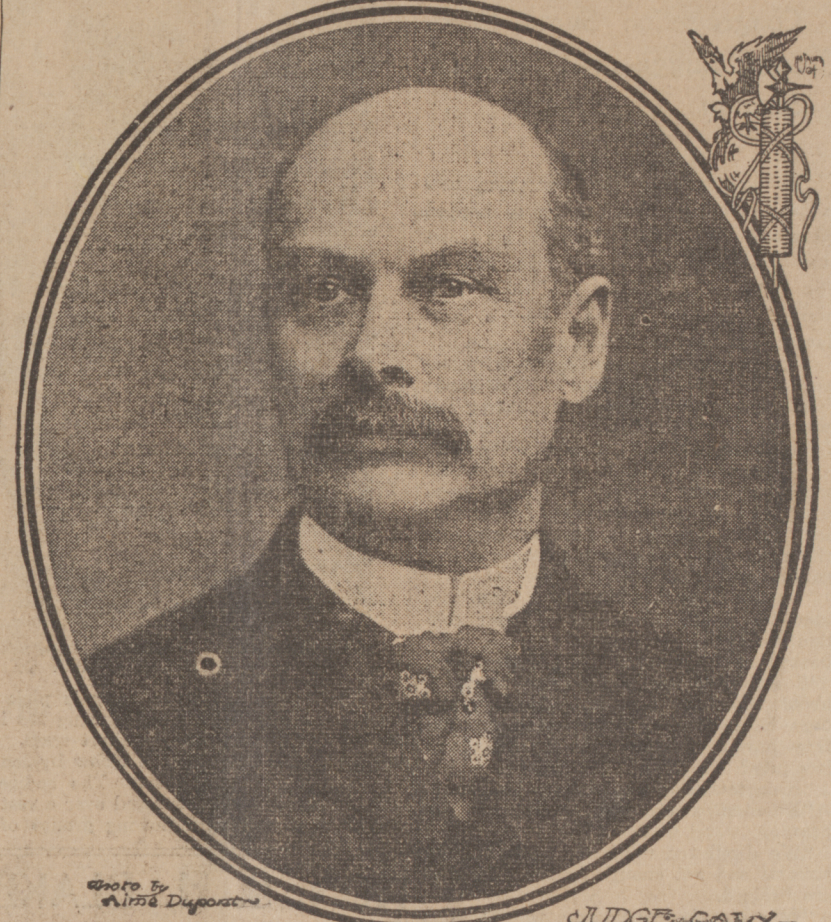
Montreal, Aug. 27.—(Special)—A break in Portland cement, eight points, from 187 to 180, was the feature of the stock market today. Dominion Steel sold at 41-1/2 to 45, with preferred at 133 to 132-1/2. Other features were Penmans 54-1/4, Richelieu 82, Converters 42-1/2, Mexican 68-3/4, Twin City 107, Textile 74-1/2, Soc 142-1/2, Duluth Superior 63-1/2.

RUSSIA OUT OF THIS ONE

St. Petersburg, Aug. 26.—Russia has been dropped definitely from the competition for a share on the Hankow-Sze-Chun railroad loan of \$50,000,000 but she has been given assurance at Peking that she will have a portion of the next loan for railroad construction made by China.

A FATAL COLLISION

Seituate, Mass., Aug. 26.—In the confusion of a sudden meeting of two automobiles, a carriage and three pedestrians at North Seituate today, Richard Brown, son of J. Brown, of Brookline, was run over and killed and a companion, R. L. Creasy also of Brookline, was severely injured.



London, Aug. 27.—Judge Elbert H. Gary, chairman of the United States Steel Corporation, has arrived in London, accompanied by Mrs. Gary. They have been touring in France and Spain for several months in their automobile. When seen by your correspondent Judge Gary was just preparing for a run into the country to spend a day or two with some friends up the river, near Kingston.

Speaking of steel affairs, Judge Gary was altogether hopeful for the future. "The prospects for good business were never brighter," he said. "We are showing our faith in the country and its returning prosperity by spending more than a million dollars a month at the present time on our new plant at Gary, Ind. This when completed will be the largest, finest and most economically working plant in the world."

"I can say, without exaggeration, that at present we are employing more than five thousand men there, and as the plant is increased and becomes able to take care of more orders we shall increase the number of employees. In the near future

GRAND FALLS POWER CASE

Argument Begun This Morning—May Have Fredericton Session

The hearing before J. N. Winslow, the commissioner appointed by the provincial government to determine the amount of the bond to be furnished by the Grand Falls Power Co. in expropriating lands at Grand Falls, was resumed this morning in the admiralty court chambers.

H. A. Powell, C. C., and Chas. F. Sanford, appeared for the expropriating company, and Col. H. H. McLean, K. C., and Fred. R. Taylor in the interests of Sir Wm. Van Horne and others who formed the old company and claim certain rights and leases which the expropriating company seek to acquire.

It was agreed between counsel that Mr. Powell should start his argument first, to be followed by Col. McLean, and then Mr. Powell to close the argument. It was also agreed that if any new matter was introduced by either counsel, the opposing ones would have the right to speak again on the subject.

Mr. Powell, in opening his address, cited the acts of assembly under which the expropriating company claimed they had rights for storage purposes, for erecting a dam and to expropriate lands at Grand Falls. He then reviewed the history of the Hayes lease and submitted a plan, which was, however, objected to by Col. McLean, as it was not a certified plan from the crown lands office.

Mr. Taylor also objected, claiming that the plan was not a copy of the one attached to the Hayes lease.

There was considerable discussion, and finally Mr. Powell said he would continue his argument on the basis of the plan submitted and a meeting could be held later in Fredericton to examine original plans in the crown lands office, together with the officials.

Mr. Powell was still speaking when adjournment was made at one o'clock, and he will continue this afternoon.

THE WARSHIPS THAT CANADA WILL BUILD

Bristol, Eng., Aug. 27.—(Special)—The type of cruiser which it is understood Canada will build, establishing a shipyard for the purpose, is the second-class protected vessel of 4,800 tons burden, and capable of developing a speed of 26-knots an hour. The cruisers which Great Britain will loan Canada for training purposes will be of the Apollo type of second-class cruiser of 3,400 tons and carrying 8 large guns.

HELD AS KIDNAPPER

Kansas City, Mo., Aug. 27.—Mrs. Stella Barclay, of Buffalo, N. Y., held for kidnapping Marian Bleakley, the "incubator baby," was released on bond late last night and left for Jefferson City to fight a requisition for her return to Kansas.

FINDS FATHER AFTER YEARS

BERESFORD ON CANADA'S SOIL TODAY

Virginian at Quebec With Distinguished Passengers—Killed on Railway — News of Dominion Points.

Toronto, Ont., Aug. 27.—(Special)—The Allan liner Virginian from Liverpool, having more personages of distinction on board, among them Admiral Lord Charles Beresford, G.C., V. C., who is coming to Canada on invitation to open the Canadian National Exhibition at Toronto, arrived in port at 5 o'clock this morning. Among others on board the Virginian were Hon. Dudley Carleton and Viscountess Cantelupo.

North Bay, Ont., Aug. 27.—(Special)—The mangled body of M. Bussan, a prominent citizen of St. Constan (Que.), who was taking advantage of a cheap excursion west, was found on the railway near Ridout, 216 miles west of North Bay. Bussan had a ticket for Brandon, but left the train at Rideout, where he telegraphed his wife to send him fifty dollars. Mrs. Bussan telegraphed the money, but before it arrived, Bussan started to walk east along the tracks.

Smiths Falls, Ont., Aug. 27.—James Davidson in attempting to board a car here yesterday, was run over and injured.

Kingston, Ont., Aug. 27.—Forty-five recruits have entered the Royal Military College.

Quebec, Aug. 27.—The mayor has received six medals to distribute to prominent participants in the Quebec tercentenary.

Quebec, Aug. 27.—John Fitzgerald, of East Hereford, fell from the fourth storey of a boarding house at midnight and was instantly killed. He and relatives were here on a pilgrimage to Ste. Anne de Beauspre. He was 72 years old.

Winnipeg, Aug. 27.—Plans for the organization of a third foot regiment for Winnipeg have been completed. They will be either fusiliers or grenadiers, and will be commanded by Lieut. Col. Rutland, formerly of the 90th Regiment.

Regina, Aug. 27.—An agreement has been arrived at by the Grand Trunk Pacific and Canadian Northern for a union station here. It is to be owned by a company in which all the railways are equally interested.

Montreal, Aug. 27.—Montreal is again to have a Windsor Hall. The directors of the Windsor Hotel have decided to turn the old main dining room into a first class concert hall, with a stage capable of holding 100 people and with a seating capacity of 1,000.

Toronto, Aug. 27.—Eight consignments of liquor destined for illegal traffic in the Elk Lake district, have been confiscated by provincial license officers.

Montreal, Aug. 26.—A local branch of the Royal Life Saving Society has been arranged. Classes will be organized in the local swimming clubs and schools and it is hoped by next spring members will have become sufficiently expert to qualify for the badge of the Royal Life Saving Society.

Saskatoon, Sask., Aug. 26.—The Traders Bank of Canada have opened a new branch at Forget, (Sask.) with E. W. Bradish as manager.

FORMERLY OF THE BAPTIST BOOK ROOM

Halifax, N. S., Aug. 27.—(Special)—George A. McDonald, formerly manager of the Baptist book room, was elected assistant city assessor by the city council last night. He was one of the strongest candidates were, E. J. Griffin and J. L. Bornhill. This election has caused considerable interest in civic circles.

WILLARD IN TORONTO WITH HIS AIRSHIP

Toronto, Ont., Aug. 27.—C. Foster Willard, who is to try to fly across Lake Ontario in an airship, arrived here last night and began putting together his airship. This arrived last night, but too late to be passed through the customs.

Willard is accompanied by his own mechanics. He says he may be ready to test it Saturday evening.

CARNEGIE GIVES \$30,000

Bloomington, Ill., Aug. 26.—President Theodore Kemp, of Illinois Wesleyan University today received notice that Andrew Carnegie had given \$30,000 to the University for a new science building. Wesleyan having raised an endowment fund of \$80,000.

MRS. GEO. GOULD AND OTHERS ROBBED WATCHING THE AIRSHIPS

Rheims, Aug. 27.—During her excitement over Blériot's flight at the aviation contests, Mrs. Geo. Gould, of New York, hurried from her box to congratulate the aeronaut, leaving her handbag on the seat, unguarded.

A few moments later she returned to find the bag gone. Its contents were money and jewelry to the value of \$8,000, and included one ring set with diamonds, given Mrs. Gould by her husband during their recent stay in Paris. This ring alone was worth \$4,000. Mrs. Gould reported her loss to the police.

Russian Boy's Search Brought Him at Last to Canada.

Board of Works 30th Aug. BECAME A PASSION

Through Austria, Germany and America Trace Was Sought—Father Had Disappeared from Home — Heroic Struggles of Lad to Find Him.

New York, N. Y., Aug. 27.—The World today says: August Linde, cashier for the Athens Hotel, has found his father after a search that lasted years and extended half way around the world.

The father was a merchant in the Russian government of Volynst, in the year 1888, possessed of property, a wife, a little boy and girl. One day the father disappeared when August was two years old. Year after year the mother searched Europe for traces of her missing husband. When August was ten he set out to realize a day dream of a home in which his father was restored to the chief place, a dream that became a haunting passion.

His first travels took him in Austria, where he went from town to town, asking every postmaster and every official of the older line. Then he went through Germany from place to place. His mother, in the meantime, with her little girl had sought a new home in New York. After searching Germany, young August searched Scotland in vain.

Finds Him in Canada

The lad sailed from Glasgow to New York to join his mother, who had landed in 1893 and was continuing the search for her husband. There came hard times for the little boy. He sold papers in the street of New York, picked up what scanty pennies he could find, and spent what he had made buying postage stamps to write to every postmaster of every capital city in the union. The letters came back with the same monotonous information: "No such Linde was recorded in the city directory."

Eight years ago the boy turned his attention to the Dominion of Canada. He wrote to the postmaster-general and his letter brought the reply that mail had been delivered to a man named Linde, and an address was sent. To this address the lad wrote. No answer ever came, and the youngster was on the verge of suicide. He debated the question of life and death with the seriousness of the very young.

Hope won the battle, the boy struggled along and had become comfortably situated when last October he learned that his father was in Dorchester (Ont.). A letter to that address found the man for whom August had searched for years.

Keeps a Hotel

In 1897, the mother had died. Her daughter had married a Brooklyn man. As a result of correspondence between the son and the father, August went to Dorchester. He returned on Sunday.

He said last night that he found his father, a man of fifty, with another wife and a family of two. His father, he said, owns a hotel, and has considerable property.

Linde says his father besought him to stay, and share in his business, but that he refused.

HER HUSBAND DROWNS; WIFE LOOKS ON HELPLESS

The Weirs, N. H., Aug. 26.—While returning from a reunion of Grand Army Veterans, with his wife, in his private motor boat, J. E. Randlett, a prominent architect and contractor of Concord, N. H., fell overboard and was drowned in Lake Winnepesaukee, late today.

Mrs. Randlett, who was with the handling of the boat, was compelled to suffer the agony of having her aged husband go down before her eyes, while she tried to manipulate the boat to reach him.

GRAIN MEN TO MEET IN CHICAGO

Chicago, Ill., Aug. 27.—Grain merchants, millers, dealers and brokers from every section of the United States and Canada will be the guests of the Chicago Board of Trade on September 17 and 18. Invitations have been issued by the board of directors to the members of the exchange in all cities.

The purpose of the meeting is to discuss matters of general interest, to formulate a uniform policy with reference to the larger operations of the exchanges and to extend their influences.

MRS. GEO. GOULD AND OTHERS

ROBBED WATCHING THE AIRSHIPS

Rheims, Aug. 27.—During her excitement over Blériot's flight at the aviation contests, Mrs. Geo. Gould, of New York, hurried from her box to congratulate the aeronaut, leaving her handbag on the seat, unguarded.

A few moments later she returned to find the bag gone. Its contents were money and jewelry to the value of \$8,000, and included one ring set with diamonds, given Mrs. Gould by her husband during their recent stay in Paris. This ring alone was worth \$4,000. Mrs. Gould reported her loss to the police.