POOR DOCUMENT

MC 2033

WANTED.

The History of the War

Between Russia and Japan, by the renowned war correspondent, Hon. Murat Halstead, is now ready and we want Agents to handle this book in every locality. It is a large volume of over 700 pages and covers the whole field of conflict, ending with the signing of the peace terms on the 5th September. An honest comparison of this superb volume with any other war book published will show its great superiority. We will guarantee agents who act at once extra special terms. Full particulars on application to R. A. H. Morrow, 59 Garden street, St. John, N. B.

WANTED—A first or second class female teacher, or second class male teacher, to teach in School District No. 2, Wilson's Beach, Campobello. Apply to James L. Savage, secretary to trustees, stating terms. James L. Savage, Wilson's Beach, Campobello (N. B.)

WANTED—Female teacher, first or second class, for school district No. 12, parish of Lancaster. Apply at once to David McCavour, secretary school trustees, Lorneville, St. John county, N. B.

WANTED—A second class female teacher, for coming term. Apply, stating salary, to Geo. T. Nutter, secretary, Upper Greenwich, Kings county (N. B.)

WANTED—A first or second class male teacher for Lancaster school district, No. 3, St. John county, to take a school at the beginning of the term in the new year. Apply at once to Amador Anderson, secretary to the trustees, Fairville.

WANTED—A first class male teacher for school district No. 13, La Tete, St. George, Charlotte county N. B. Apply, stating salary, to W. R. Wentworth, secretary to trustees, La Tete, St. George, Charlotte county, N. B. 12-6-sw.

SALESMEN WANTED—For "Canada's Greatest Nurseries." Largest List of Hardy Specialties in Fruit and Ornamental Stock, suited for New Brunswick. Spring season now starting. Liberal inducements. Pay weekly. Exclusive Territory. Write for terms and catalogue. Stone & Wellington, Toronto, Ont. 11-13-261-sw

WANTED—A good respectable girl for general housework; references required. Apply to S. J. McGowan, Daily Telegraph. w-tf

WANTED—A second or third class teacher for school district No. 7, parish of Musquash. Apply, stating salary wanted, to Stall Hargrave, Dipper Harbor, West St. John county, N. B. 7-29-sw

WANTED—Gentlemen or ladies—$80 per month and expenses; permanent position; experience unnecessary. M. A. O'Keefe, 157 Bay street, Toronto. 2-2-1y-w.

WANTED—A Second or Third Class Female Teacher at the beginning of the next term for District No. 6, Pennfield, District poor. Apply, stating salary, to Matthew Harding, Secretary, Seeley's Cove, Pennfield, Charlotte County (N. B.) w

Ambitious young men for large Insurance Company as agents. Experience not necessary. Men of character, energy and push can make big money and position. A few good country districts open for the right parties. Address at once. AGENT," P. O. Box 13, St. John, N. B.

FOR SALE.

FOR SALE—A two story building and lot, situated in the village of Norton; also the undertaking business connected with the same. Apply to T. H. Cassidy, Norton.

FOR SALE—Dominion Orchestral Organ. Two Manual Cabinet (Swell Organ and Great Organ). Made at Bowmanville, Ontario. In good order. Cost about $275. Will be sold cheap. Apply Carleton Methodist church, St. John West (N. B.) 1-13-1mo-w

FARM help supplied free of charge. Grant's Employment Agency, West St. John. 1-10-1mo s w

FOR SALE—Property belonging to Rev. R. W. J. Clements, about one and a half miles from Norton Station, consisting of half an acre of land, on which there is a good dwelling-house. Will be sold cheap. Apply to R. T. Hayes, 12 King street, St. John, N. B. sw-3w

A DIPLOMA

May be harder to get at the Fredericton Business College than at some business colleges, but it is EASIER to GET and HOLD a good position after you get it. Send for free catalogue of this large, well equipped, well conducted, up-to-date school. Address.

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INTERCOLONIAL RAILWAY

ON AND AFTER SUNDAY, OCT. 15th, 1905, trains will run daily (Sunday excepted), as follows:—

TRAINS LEAVE ST. JOHN.

No. 2—Express for Halifax, Sydney and Campbellton.... 7.00
No. 6—Mixed train to Moncton.... 7.30
No. 26—Express for Point du Chene, Halifax and Pictou.... 12.25
No. 8—Express for Sussex.... 17.10
No. 134—Express for Quebec and Montreal.... 19.00
No. 10—Express for Moncton, Sydney, and Halifax.... 23.25

TRAINS ARRIVE AT ST. JOHN.

No. 9—From Halifax and Sydney.... 6.20
No. 7—Express from Sussex.... 9.00
No. 133—Express from Montreal and Quebec.... 13.45
No. 5—Mixed from Moncton.... 16.00
No. 25—Express from Halifax, Pictou, Pt. du Chene and Campbellton.... 17.40
No. 1—Express from Moncton.... 21.20
No. 11—Mixed from Moncton (daily).... 4.00

All trains run by Atlantic Standard Time. 24.00 o'clock is midnight.

D. POTTINGER, General Manager.
Moncton, N. B. Oct. 12, 1905.
CITY TICKET OFFICE, 3 King street, St. John, N. B. Telephone 270.
GEORGE CARVILL, C. T. A.

Prince Arthur Off for Tokio.

LONDON, Jan. 11—Prince Arthur of Connaught attended by Armiral Sir Edward Simmons and other members of the Royal Commission appointed by King Edward to present the order of the garter to the Emperor of Japan started today for Tokio.

Prince Arthur is also the bearer of three orders of merit for Admiral Togo, Field Marshall Oyama and Field Marshall Yamagata.

There is no Headache that cannot be cured by Bowman's Headache Powders, whether caused by Feverishness, Billousness or Colds. Bowman's are always reliable and act promptly. At all reliable dealers.

It has been decided to open a branch of the Bank of New Brunswick in Moncton.

MARRIAGES

COREY—McALLISTER—At Iron Bound Cove, on Dec. 27, 1905, by the Rev. D. McD. Clarke, Burpee Corey, of New Zion, Sunbury county, to Mable B. McAllister.

DEATHS

McGOWAN—Fell asleep Jan. 5th, John Baird McGowan, in the 86th year of his age, a native of County Antrim (Ire.), leaving a sister, two daughters and a circle of friends to look forward to a joyful reunion.

MORRELL—In this city on the 5th inst., after a short illness, Stephen A. Morrell, leaving a wife and two children to mourn their sad loss.

CROSS—In the 33rd year of his age, at Altadena, California, on Saturday, 6th inst., Noel, fourth son of Rev. Henry Cross, formerly of this city, leaving his parents, one sister and four brothers to mourn their sad loss.

AKERLEY—At the North End, on the 8th inst., Henry Akerley, in the 88th year of his age, leaving a beloved wife to mourn her sad loss.

McCART—In this city, on the 8th inst., Ann, widow of Charles McCart.

DAVIES—Suddenly, in this city, on the 11th inst., Helen S., only daughter of James R. and Annie Davies.

GIVAN—At 8 King street, on the 11th inst., Edwin B. Givan, in the 54th year of his age, leaving wife and five daughters.

DENNETT—At St. John, West, on Jan. 10, Mrs. Louisa Dennett, in the 82th year of her age, leaving one son and two daughters.

McNULTY—Suddenly, at Ashland (Me.), on Nov. 9th, Frank, youngest son of Miles McNulty, in the 26th year of his age.

SHIP NEWS.

PORT OF ST. JOHN.

Arrived.

Tuesday, Jan. 9.

Str Athenia, McNeil, Glasgow Schofield & Co.

Str Louisburg, 1,182, Peters, Louisbourg, R P & W F Starr, 2,045 tons coal.

Str Restigouche, 463, Sears, North Sydney, Wm Thomson & Co, coal.

Sch Roger Drury (Am), 309, Cooke, Mount Desert Ferry, R C Elkin, bal.

Coastwise—Strs Granville, 49, Collins, Annapolis; Aurora, 182, Ingersoll, Campobello.

Wednesday, Jan. 10.

Stmr Athenia, McNeill, Glasgow, Wm Thomson & Co, mdse and pass.

Coastwise—Stmr Bear River, 76, Woodworth, Digby; tug Lord Wolseley, 49, Wiley, St Martins; schrs H A Holder, 94, Smith, St Martins; F and E, Givan, 98, Melvin, St Martins.

Thursday, Jan. 11.

Stmr Calvin Austin, 2,850, Pike, from Boston via Maine ports, general.

Stmr Lake Michigan, 5,340, Webster, from London and Antwerp, C P R, mdse and pass.

Stmr Orinoco, 1,550, Bale, from West Indies, etc, Schofield & Co.

Coastwise—Tug Lillie, 49, Fardie, from Musquash.

Cleared.

Tuesday, Jan. 9.

Coastwise—Sch Rex, Walsh, St Martins.

Wednesday, Jan. 10.

Schr Emily F Northam, Alcorn, New York, Alex Gibson Ry & Mfg Co.

Coastwise—Schr W C Clark, Joy, Grand Harbor; Adelia, Faulkner.

Thursday, Jan. 11.

Stmr Restigouche, Sears, for Sydney, Wm Thomson & Co.

Schr Orizimbo, Britt, for City Island, f o, J R Warner & Co.

Barge No 7, Wadman, for Rockland, master.

Sailed.

Tuesday, Jan. 9.

Str Manchester Importer, Parry, Manchester, Wm Thomson & Co.

Thursday, Jan. 11.

Stmr Evangeline, Heeley, for London via Halifax, Wm Thomson & Co.

Stmr Calvin Austin, Pike, for Boston via Maine ports, W G Lee.

CANADIAN PORTS.

Halifax, Jan 9—Ard, strs Dahome, Liverpool via St John's (Nfld); Florence, St John.

Cld—Bark Fanny Breslauer, Santos, Brazil.

Sld—Str Oruro, Seeley, Bermuda, West Indies and Demerara.

Halifax, N S, Jan 10—Ard stmrs Harlow, from St Pierre (Miq.); Pouyer Quertier (French cable), sea.

Sld—Stmrs Freke (Nor), Freeland, Jamica, via Santiago; Prince Edward, McKenzie, for Yarmouth.

BRITISH PORTS.

Manchester, Jan 8—Ard, str Manchester Shipper, St John.

Glasgow, Jan 8—Ard, str Tritonia, St John via Liverpool.

Inistrahull, Jan 9—Passed, str Salacia, St John for Glasgow.

Bristol, Jan 9—Sld, str Montfort, St John.

Tor Head, Jan 9—Passed, str Parisian, St John and Halifax for Liverpool.

Liverpool, Jan 10—Sld stmr Majestic, for New York.

Liverpool, Jan 9—Ard stmr Parisian, from St John and Halifax.

Glasgow, Jan 9—Ard stmr Salacia, from St John (N B.)

Kinsale, Jan 10—Passed stmr Dunmore Head, from St John for Dublin.

Liverpool, Jan 9—Sld stmr London City, for St John's (Nfld), and Halifax.

Queenstown, Jan 11—Sld, stmr Majestic, from Liverpool for New York.

Liverpool, Jan 11—Sld, stmr Corinthian, for Halifax and St John via Moville.

Dublin, Jan 10—Ard, stmr Dunmore Head, from St John.

London, spoken—Bark Valkal, from Hamburg for Annapolis (N S), Jan 4, lat 49, lon 12.

FOREIGN PORTS.

Portland, Jan 9—Ard, str Nanna (Nor), Naero, Parrsboro; Earl of Aberdeen, Walworth (N S) for New York; Joseph Hay, St John for New York; tug Underwriter, Windsor, towing barge Bristol.

Boston, Jan 9—Ard, sch Arkansas, Souris (P E I) (lost jib in gale Monday).

Cld—Strs Dominion, Louisbourg (C B); Carisbrook, Philadelphia; sch Valdare, Bear River.

Sld—Strs Boston, Yarmouth; Unique (Nor), Louisbourg.

Havre, Jan 9—S'd, str Sarmatian, from London for Halifax and St John.

Salem, Jan 9—Ard, sch Clifford I White, Sand River (N S) for New York.

Saunderstown, Jan 9—Passed, sch Romeo, St John for Fall River.

Portsmouth, Jan 9—Passed, schs Edna, Kingsport (N S) for New York; Clifford I White, Hantsport for do.

Calais, Jan 9—Sld, sch Maple Leaf, Parrsboro.

City Island, Jan 9—Bound south, schs John G Walter, River Hebert; Wandrian, Walton; Emma McAdam, Calais.

New York, Jan 9—Cld, str Rosalind, Halifax and St John's Nfld.)

Antwerp, Jan 9—Sld, str Montezuma, from London for Halifax and St John.

Rosario, Dec 9—Ard, sch Maritana, Bridgewater (N S) via Buenos Ayres.

Buenos Ayres, Dec 13—Ard, bark Enterprise, Bear River.

Pernambuco, Dec 28—Sld, bark Aureola, Sydney (C B.)

Boston, Jan 11—Ard, stmr Boston, from Yarmouth (N S).

Sld—Schr Lucia Porter, for St John.

Chatham, Mass, Jan 11—Passed north, brtn Shawmut, from Elizabethport for St John.

Passed south—Tug Gypsum King, towing two barges, from Windsor (N S) for New York.

Havre, Jan 9—Ard, stmr Pomeranian, from Halifax for London.

New York, Jan 11—Ard stmr Duncan, from Sydney (C B).

Cld—Schr Millie, for St John.

Portland, Jan 11—Ard, stmr Grane, from Parrsboro (N S).

Sld—Stmr Nanna, for Parrsboro (N S).

Boston, Jan. 10—Cld schr Lucia Porter, for St John.

Delaware Breakwater, Jan. 10—Passed out stmr Geestemunde, from Philadelphia for St John and Halifax.

Portland, Me, Jan 10—Ard stmrs Calvin Austin, Pike, from Boston for St John, and sailed; tug Gypsum King, from Windsor for New York, towing two barges, and sailed.

Philadelphia, Jan 10—Ard stmr Buenos Ayrean, from Glasgow and Liverpool via St John's (Nfld.), and Halifax.

Salem, Mass, Jan 10—Sld schr Klondike, for St John.

Fall River, Mass, Jan 10—Ard schr Romeo, from St John.

Sld—Schr Georgia Pearl, for St John.

Vineyard Haven, Mass, Jan 10—Ard and sailed barquentine Shawmut, from Elizabethport (N J), for St John; schrs Norman, from New York for Boston; Moana, from New York for St John; St Bernard, from Bridgeport for Parrsboro (N S.)

Sld—Barquentine Alina, from Elizabethport for Halifax; schr Wm L Elkins, from New Bedford for St John.

ENGLISH RACE REUNION PREDICTED BY LAURIER

(Continued from page 1.)

two races were separate for a time but the time was coming when the gap would be bridged and they would make the standard for righteousness, civilization and peace for all the world. As their guest they made him particularly happy. This was not strange. Canada was a little more English than France and he had French blood in his veins. Sir Wilfrid had done much to bring these races together and his name was as well known in the United States as in Canada.

Mr. Schenk also replied.

Forestry Convention.

When the Canadian Forestry Convention met this morning, Sir Wilfrid Laurier was in the chair and Lord and Lady Grey were on the platform. The large railway committee room of the house of commons was comfortably filled.

Dr. Saunders, director of the experimental farms, was the first to address the convention. The subject was Forestry on the Experimental Farms. There were 20,000 trees planted in all. Measurements were taken each year of the growth. White pine has done well, the annual growth has been good. In 1890, 131,600 packages of 100 trees each were sent to the northwest, and in 1891, 200,000 were distributed in a similar way. In 1891, 4,654 one pound bags of tree seeds were distributed to the settlers in Manitoba and the northwest. Since 1893 arrangements have been made to supply young trees as far as practicable to settlers in Manitoba.

The number of trees sent out since the establishment of the Central Farm was about 800,000 and about 10,000 pounds of tree seeds.

Norman M. Ross, assistant superintendent of forestry, gave a paper on tree planting in the provinces of Canada. He said that from Regina to the hills of the Rockies, a distance of four hundred miles, there was not a tree or bush of natural growth to be seen from the railway cars. The most immediate need of settlers is shelter. Growing trees on prairie was no longer a matter for speculation. All that is required is to follow out certain methods of cultivation. A good custom for a farmer would be to set aside ten or twenty acres for tree planting. Until a few years ago tree planting in the west was not very rapid. After next spring's distribution there will have been sent out by the forestry branch 7,347,700 seedlings and cuttings, besides considerable quantities of maple and ash seed.

Rev. A. E. Burke, of Prince Edward Island, gave an interesting address on farm forestry for the eastern provinces. No system of forestry has yet been taken up by New Brunswick, although it was one of the staple industries of the people. Prince Edward Island was stripped of everything worth taking away long ago, and the people had now to purchase wood in Nova Scotia for fuel. Nova Scotia was largely a mining province.

E. J. Seavitz, lecturer in forestry in Ontario Agricultural College, gave an address on forestry in an agricultural country like Ontario.

Senator Edward's Views.

At the afternoon session of the forestry convention Senator W. C. Edwards spoke as a practical lumberman. He said that the lumbermen were the real friends of the forest and the railways the enemies. The lumbermen aided settlement, but the real destroyers of the forest were the illegitimate settlers. If illegitimate settlement were stopped Canada would never be short of an adequate supply of timber. Government regulations and careful cutting on the part of the lumberman and the timber lands would be almost inexhaustable.

Then there was the small lumberman who got a small holding and cut off the timber from it. He did not refer to those who began lumbering in a small way but to the speculator who destroyed what they got. Timber lands which belonged to his company four or five years ago got into the hands of others and now his firm was cutting timber on these lands and paying these parties for it. For a patch of five acres of potatoes an illegitimate settler destroyed $2,000,000 in lumber. Large holdings on the part of lumbermen were the very best way to preserve the forest, in that way the lumberman would build his mills according to the size of his limits, and the limits would never disappear.

He suggested the reservation of areas in Quebec, which were not fit for any other purpose. In his opinion it would be the best thing if the forests were entirely in the hands of the lumbermen. In concluding, he said that the west was going to build up the east and Ontario and Quebec were to be the great manufacturing centres of the dominion. But this could not be done if our forests were to be denuded.

Hemlock Destroyed for Its Bark.

J. B. Miller, president of the Ontario Lumbermen's Association, addressed the convention on Forestry from the Lumberman's Standpoint. He said the policy of the Ontario government was such as to leave no encouragement for the lumberman to attempt the preservation of his timber. He has been forced to cut it off to save it from the timber farmer or pirate. He condemned the way in which hemlock had been destroyed for getting the bark. In this way he said that 50,000,000 feet of hemlock were destroyed for this purpose.

SAYS OUR TIDES CAN BE HARNESSED

Robert Williams, who now resides in Milford, having lately returned to this city, is interested in the question of harnessing the tides. He said to the Times today that power enough can be obtained from the tides to turn the wheels of all the city's industries. He has studied the tidal power for some time and tested it.

"I can prove or explain it in a very short time," said Mr. Williams, and I claim St. John could be made the most attractive town in the country."

Power can be obtained winter and summer, Mr. Williams says, to run any amount of machinery continuously. He says that Courtenay Bay can be made the most wonderful manufacturing place in the country, samply by utilizing its tidal power. There are fine shipping facilities and facilities for wet and dry docks at low cost. He first began to study the tides there when the Belgravia went ashore below Red Head, and invented a device for floating such vessels. He says he will this year give an exhibition of his skill with photographs of the device.

TO CURE A COLD IN ONE DAY Take LAXATIVE BROMO Quinine Tablets. Druggists refund money if it fails to cure. E. W. GROVE'S signature is on each box. 25c.

DR. PRESTON ACQUITTED; "NOT GUILTY," SAYS JURY

Verdict Reached After Less Than Two Hours' Deliberation

Prisoner Discharged and Leaves Court Accompanied by His Wife—The Addresses of Counsel—Chief Justice's Summing Up of the Evidence.

Dr. Edward A. Preston, on trial on charge of manslaughter in connection with Miss Edith F. Clark's death, has been found not guilty.

As the foreman of the jury arose and made the formal announcement Tuesday afternoon, the defendant outwardly seemed without apparent concern. He looked even disinterested.

The words "not guilty" had barely been pronounced ere B. L. Gerow, who sat by Dr. Preston, seized his hand and shook it warmly. Then Hon. C. N. Skinner, senior counsel for the defence, leaned across the corner of the table to add his congratulations.

Mrs. Preston, gowned in black and with gaze on the floor, smiled when she heard the verdict, then looked at her husband, who was whispering back his acknowledgements to Mr. Skinner and his colleagues.

The members of the jury retired at 3.20 o'clock. At precisely 5.07 they returned. The chief justice and lawyers were in their places, and the spectators who had been loitering about the corridors, hurried in, stepping cautiously, and obviously displaying a fitting respect for the majesty of the law.

"Bring in the prisoner," ordered the chief justice.

Dr. Preston entered in charge of Constable Wiley. His heavy dark overcoat was buttoned securely about him, and in one hand he carried his silk hat and cane.

He seated himself easily in his accustomed chair, by the side of Mr. Gerow, and without trace of emotion glanced at the jury.

Upon return of the jury the foreman, James Seaton was asked if a verdict had been reached. He answered "Yes," and on being requested to name it, stood up and said:

"The verdict reached by this jury is that the prisoner is not guilty."

It was possible that on the part of the audience there was an inclination to demonstration but the clerk of the court took instant steps to suppress any such by rising to his feet and stretching his arms toward the crowd.

His honor then made brief comment. In effect, he asked the jury if they believed the defendant not guilty, and the foreman answered that they did. A few moments later Judge Tuck discharged Dr. Preston, who left the court with Mrs. Preston.

Argument for Defence.

Hon. C. N. Skinner, for the defence, expatiated upon the operation performed by Dr. Roberts and Dr. Scammell on Miss Clark. It was in evidence, he said, that the blood poisoning was not acute, and when the physician had his attention called to the fact that there was blood poisoning he dropped his treatment for pneumonia and devoted all his attention toward combatting the effects of the poisoning.

Mr. Skinner dwelt at considerable length upon the delay between the discovery of decomposed matter and the operation for its removal. It was in evidence that Dr. Roberts called up by the telephone Dr. Scammell's residence, but it was not in evidence that he endeavored to search for him further. Dr. Roberts was content, he said, to let the whole matter rest until the following forenoon. There was a delay of twelve hours, and the point desired to be brought out was that such a delay was responsible for the girl's death—not the operation, for the doctors did the best they could, but the delay when every minute was, he contended, of vital importance.

The operation was thought to be successful. An operation was successful only when the purpose for which it was performed was accomplished. A man might do the best he could, but if he failed, then he was unsuccessful.

The post-mortem examination showed that something had been retained. The patient lived for ten days after the operation. The physicians, although under the impression that they had not failed in the operation, neglected, he said, to give regular antiseptic treatment to further fight against the poisoning, and remove all possible chance of the patient's system being further poisoned.

The surgeon, he said, had been groping blindly. He read part of Dr. Addy's testimony, setting forth that in his opinion death had resulted because of decomposed tissue. Where there was such a delay as was in the case of Miss Clark, the minutes were like hours, the hours like days, and the days like weeks. The germs of poison were actively at work conveying infection, and the physicians had failed utterly to fight against the presence of such contamination.

As to Dr. Preston.

Mr. Skinner took up the question of Dr. Preston's connection with the case, saying that the jury had evidence that the girl had attempted an operation, but that there was absolutely no evidence that Dr. Preston had either attempted or been successful in bringing on abortion.

Mr. Skinner here sketched the underlying principle of trial by jury, and commented with eloquence upon the struggle perpetually going on in society, and the frailty of human nature. He pictured the supreme depth of sorrow a girl would experience under certain circumstances, and touched upon the position into which physicians were more than frequently forced. Nothing had been proven against his client, who was an old resident of the city, and whose family had for many decades been known in the city as eminently respectable. He believed it to be but natural for one to conclude that a man coming from good stock would himself be a good man.

His client was entitled to all reasonable doubt, and it was not the duty of the jury to be influenced by circumstantial evidence. They should not be governed by inference. He believed that he had fully presented the three great branches of the case—let, the connection of Dr. Roberts and Dr. Scammell with the case; 2nd, the proof of what the girl had attempted; and 3rd, that Dr. Preston swore he had not committed the act, and the total lack of evidence against him. These were the leading features of the case, and would warrant the jury, he believed, in returning a verdict of acquittal.

The Crown's Argument.

Solicitor-General Jones, opening for the prosecution, defined the duty of the jury, and laid special stress upon the fact that no element of sympathy should influence. It was the duty of the jury to render a verdict in accordance with the facts. The jury had no pardoning power. The jury represented the people, was expected to simply determine the guilt or innocence of the defendant. He drew attention to a fact that already had doubtless been fully recognized—that the counsel for the defence had presented his case powerfully and with eloquence. He was noted throughout the province for his ability as an orator, and the speaker in presenting his side of the case, realized his own inadequacy to equal the learned recorder. But the jury ought not to be swayed by eloquent passages. It was their duty to carefully and impartially consider the evidence.

Under the law, when a person committed a bodily injury on another person, and the latter died as a result of that injury, the person inflicting it was responsible for the other's death. He laid down this general proposition. If treatment was administered, whether successful or not, the first party was just as responsible for the death. Mr. Jones here quoted evidence, that Dr. Roberts and Dr. Scammell in not applying the antiseptic treatment were acting skillfully. It was in evidence that by such treatment they were not liable to censure.

It being 1 o'clock, adjournment was made to 2.15, and at the resumption of the session Mr. Jones again took up the thread of his argument.

Afternoon Sitting.

He said it would not be necessary to speak at length on the operation of the doctors, for everybody was familiar with what had been given in evidence. The witness, whose evidence he was quoting, was peculiarly in a position to have especial weight given his words. It had been said that the operation was not a success, but from what had been gathered from reliable evidence, the contrary had been shown.

The solicitor-general would give his reply to another charge of the defence. It was in connection with the antiseptic treatment, and he referred to the evidence of Miss Maxwell.

Dr. Addy had performed the post-mortem examination. He had sworn that, in his opinion, death resulted from blood poisoning, due to the presence of decomposed matter. The jury would take the evidence as they found it.

The counsel for the defence had said that there was more evidence to show that the girl had committed an abortion on herself than there was to show that Dr. Preston had committed the offence. But there was the evidence of the girl herself—her statement to the effect that a doctor had previously treated her; his charge was $25. The jury would bear in mind that this statement, as a dying declaration, had been ruled out, but nevertheless there was evidence that the girl had done such.

It had been given in evidence that Howard Camp and Edith Clark were engaged to be married. If such a marriage had taken place two lives would in all probability have been saved and another home set up—an addition to the institutions upon which civilization depends.

The crime charged in this case was a distinct menace to the state and it was extremely important to stamp upon such an offence the strongest possible disapproval. It should not be excused or winked at—it should at all times, and under all circumstances, be condemned. The learned counsel for the defence had recommended that the jury view the evidence from the standpoint of their own experience. They should take into consideration human nature. The speaker agreed with this. He was of opinion that the jury should give the evidence this kind of attention and look at all the facts which had been adduced from the view point of common sense.

The evidence was before the court but it still left something to be said. He wished to impress upon the jury his belief that if the jury would disbelieve the story told by the defendant it would therefore be essential to convict him.

Dr. Preston's Position.

The solicitor general then sketched the position into which Dr. Preston had been placed. The defendant in order to make his story fit in with the evidence, must tell falsehoods. Howard Camp had said, and the witness was most unwilling to tell anything that he could possibly prevent himself from telling, that he had gone to Dr. Preston's office, that he had told the physician he wished him to get the girl out of her difficulty—meaning practically that both he and she wanted a certain thing done. The witness swore that he had inquired the charge and was told $25 and that such a sum was paid over.

The defendant, on the stand, had sworn Saturday that when Camp left his office he discovered $25 lying on his desk or table. On Monday the same witness swore that he saw Camp place $25 on the desk or table. Both times he swore that not once had he any conversation with Camp respecting payment of the money. Then when questioned further he said he could not remember certain happenings. Now, contended the solicitor general, was seen the necessity for employing common sense in regarding the evidence. Unquestionably Dr. Preston knew the nature of the young woman's trouble and when Camp left it was under the impression that the defendant knew of what was troubling Miss Clark; that he would relieve her and that the money had been paid in view of the prospective operation. Camp called on the girl, told of what had ben done, and she said, "All right." This was as far as Camp's evidence went. Then subsequently the girl became ill, he went to her home, received from her a note, read it to Dr. Preston, who wrote prescriptions and dictated instructions. Then, continued the solicitor general, there were

Camp had not been cross-examined, but had he been, more manifest would have appeared the incredibility of the defendant's story. Was it not a most remarkable thing that if Preston's story was true, there was absolutely nothing about it to fit in with what had been told by Camp? Did it not seem strange that subsequent to the visit of Miss Clark on Oct. 1 she and Camp wanted an abortion prevented?

The defendant had said that he distinctly pointed out that he would do nothing unlawful, but there was strong reason for believing that when Camp left the physician's office on the evening of Oct. 1 he left believing that he had paid $25 for the accomplishment by Dr. Preston of some specific purpose. The defendant was in a corner—there was but one thing that he could say. There was but scant likelihood that he was treating his patient for threatened abortion. Was it likely that he, as a serious physician, would undertake to treat a girl so afflicted, without instructing her that she must remain quietly at home and that he would attend in person, otherwise she would have to find another physician? Her home was a mile away, yet he attempted to cure her of that so called trouble by consenting to have her call at his office from time to time. It was in evidence that absolute rest becomes essential. Any reputable physician, when called on to treat a woman, would not permit her to take frequent journeys on foot and by stret car. If he could not attend to her at her home he would have nothing to do with the case. Such exertion would undo all that might be done.

The defendant's story, while limited, was ingenious, but what he told was absurd. It was the duty of the jury to accept the circumstantial evidence. There was no living witness of what had taken place in Dr. Preston's office. The girl was no more. Her dying declarations had been shut out. The circumstances, which were extremely strong, must be taken into serious consideration and there was ample reason for the jury to disbelieve what the defendant had said in his own behalf. Outside of his story the prosecution had presented an absolute case. The counsel for the defence had made reference to the excellence of Dr. Preston's character, and to the fact that his family was old and respected. The law, continued Mr. Jones, assumed all of this and anything that Mr. Skinner might say along such lines should in no wise influence the jury. The remark had been made that the story told by the defendant had not been contradicted. It had been contradicted, held the solicitor general, by the whole of the circumstances, by the reasonableness of the evidence, and by the unreasonableness of the defendant's own narrative.

The Former Occasion.

It would rather seem to the ordinary observer that Camp had brought the girl to Dr. Preston's office the first time under circumstances similar to the second time, and that the treatment given was also of a similar character. Was it natural to conclude that if the doctor had treated deceased previously and had been paid $25, that the treatment given in October was treatment similar to the first?

The solicitor-general here touched on a few more salient points of the evidence, and said that it now remained only for the jury to do what they believed ought to be done. They should not be influenced by preconceived opinion, by the hearsay of what had been said outside, or by press comments. He believed that the jury would not fail to discharge their duty, strictly in accordance with the evidence, and that a verdict of conviction would be returned.

The Judge's Summing Up.

Chief Justice Tuck, in commencing his charge, said the time he would occupy would be but brief. Whatever doubt existed in his mind as to the innocence of guilt of the defendant, there was no doubt whatever in his mind that the case had been conducted with marked ability. The solicitor-general, who had conducted but few criminal cases in the court of St. John, had displayed unusual ability in handling the present case. His honor also referred eulogistically to Recorder Skinner.

Passing on to a consideration of the evidence, his honor said that the case was one within narrow compass, and recommended to the jury that they determine upon a verdict solely through a thorough consideration of the evidence. As a matter of law, a man who did an injury to another man, whereby death ensued, was responsible for that man's death. Physicians, treating for the injury could not be held responsible. In regard to the changing of the charges, it was within the province of the solicitor-general to change just as he saw fit. His honor was of the opinion that the solicitor-general had acted with wisdom, on the point.

Judge Tuck then briefly reviewed the history of the case. The young woman, Edith Clark, lived with her father and step-mother in the North End. At this point a telegram arrived for one of the jurors, and while it was being read, his honor paused.

Continuing, he sketched what had been done by Drs. Roberts and Scammell, the subsequent details, and Dr. Preston's connection with the case, as presented in evidence. His honor said that to his mind the delay in operating had but small effect on the case. There might have been circumstances which would have made it difficult to make preparations for the operation at such a time of night. At all events, this point had been put forward by the defence. The doctors finally performed the operation, and his honor was firmly convinced, and he also expressed his belief, that the jury was also convinced, that the physicians had done the very best that they could. His honor said he doubted if any surgeon would have been more successful.

As to the retained matter the charge that it could have and should have been removed, there was evidence to the contrary. His honor would remind the jury that the evidence adduced at the previous examinations, at which the girl's statements were heard, must be excluded when they retired to arrive at a verdict. His honor also would have the jury recall Mrs. Clark's statement about what had been told her on Monday by the deceased, and the fact that the doctors had told the girl that they wished her to make a statement which in the event of her death would protect themselves.

His honor, in referring to the crime charged, remarked that it was too common.

The defendant had sworn that Camp called at his office, and had said he wished him to get a young lady out of trouble. This was agreed to. From the evidence it was clear that both Camp and the defendant knew of her condition. The evidence disclosed that Camp left $25. The evidence showed that the young woman came to the office, that there was a man with her. The defendant said he could not perform any service that was illegal. In the witness box, the defendant said he had attempted to prevent an abortion, not to bring one on. If the doctor's evidence is to be believed then the jury would not find him guilty. The defendant had said absolutely in fact that when he treated her it was to prevent abortion. When being questioned on points respecting the girl's previous appearance at his office the defendant had said he could not remember.

The jury must either believe or disbelieve. The jury had presented to them rather extraordinary circumstances. The evidence had all been heard. The jury must not be at all swayed by feelings of sympathy. The defendant's guilt would not only be hurtful, but be disastrous to himself and family. The jury must take the law as it was given to them from the court, and reach a verdict such as the facts would warrant. His honor would now leave the case in their hands, in the full cofidence that honest and fair duty would be performed.

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CAN TALK WITH TONGUE CUT OUT

CHICAGO, Jan 11—Frederick Power, actor and stage manager who had his tongue cut from his mouth in an operation for cancer five weeks ago is again able to talk.

The case is said by physicians to be a remarkable triumph for surgery. With his tongue gone he is able to articulate, uttering some words quite distinctly.

For several days Mr. Power has been attempting to sing, and the hospital attendants say that while the efforts were not entirely successful, they have encouraged the patient and made him quite hopeful.

There is still some paralysis in Mr. Power's lower lip, due to the operation, and there is a heavy gold bridge in his mouth. His jaw is still held in a heavy plaster cast, and when these impediments are removed it is expected he will be able to articulate fairly well.

Weddings.

At 5.45 o'clock Wednesday morning in the Cathedral, Rev. A. W. Meanan united in marriage Hugh F. Murphy, of Carleton, and Miss Mary L. Fray, of this city. Miss De Forest was bridesmaid and the groom was supported by John A. Kelly. After the ceremony, which was witnessed by only relatives of the happy couple, the bridal party drove to the residence of the bride's aunt, Mrs. Kate Millet, Brussels street, where a tempting repast was enjoyed, and hearty congratulations and good wishes offered. At 7 o'clock Mr. and Mrs. Murphy left by C. P. R. on a honeymoon trip to Boston and will be away about two weeks. Among the many presents received were a handsome chair and marble clock from the employes of the J. Pender Company, Ltd., where Mr. Murphy is very popular, as indeed he is wherever known. Many friends will wish the newly married couple a happy journey through life.