

THE EVENING TIMES, ST. JOHN, N. B., WEDNESDAY, MAY 9, 1906.

"THE STORE THAT SELLS GOOD THINGS."

Puffed Rice, light, palatable, easy to digest.
You'll like it. 2 qt. package, 10c.

F. BURRIDGE, West End

DERBY HATS.

Have you seen our latest Derbys? They are a pleasure to wear. Cushioned Leathers, make them perfect fitting. Best English and American makers. Flat Set Brim for young men. The Buckley Derby has no equal. We appreciate your Patronage.

F. S. THOMAS, DUFFERIN BLOCK, Main Street, North End.



THORNE BROS.
A DOWN-TO-DATE HAT.

No "back-numbers" here. When you want a hat correct in style, of good quality and at a reasonable price, we can give you perfect satisfaction.

Thorne Brothers, Hatters, - 93 King Street

SKINNER'S CARPET WAREHOUSES

My spring stock of Squares has arrived and the variety in quality and colors is very large as follows.

Union Squares, Wool Squares, Tapestry Squares, Velvet Squares, Axminster Squares, Wilton Squares, Kashgar Squares, Turkestan Squares

in sizes from 2 1-2 yards and 3 yards to 4 yards and 5 yards.

A. O. SKINNER.

CABINET
Glenwood Ranges
Made in St. John.

A modern Range built on lines of elegant simplicity. For people desiring a first-class modern Range without nickel or ornamentation of any kind the Cabinet Glenwood cannot fail to please. Everything is accessible from the front of the range so that either end may be placed against the wall without the necessity of the user. Everything in Stoves, Ranges, Furnaces, etc., carried. Jobbing attended to promptly.

McLEAN, HOLT & CO., 155 Union Street. Tel. 146.

GILBERT LANE DYE WORKS.

LACE CURTAINS cleaned and done up EQUAL TO NEW.
Carpets cleaned and beaten. Dyeing and scouring.

MACAULAY BROS. & CO., City Agents

Hardy Garden Rose Bushes

IN RED, WHITE AND PINK.

P. E. CAMPBELL, Seedsman and Grower, 47 Germain Street, Phone 832

Property Owners, Attention!

To those using The Ramsay Paint we will loan, free of charge, Paint Burner. We will rent at half price Painters' Gear and Brushes.

Ramsay, Sherwin-Williams Liquid Paint
\$1.50 a Gallon, 20c. Pint, 10c. Half Pint.
We also Furnish Painters.

F. A. YOUNG, 736 Main Street

Worn by Those Who Know

If you are already "in the know" in regard to the exceptional merits of 20th Century Brand Clothing you will need no invitation to visit our store and inspect our showing of this line of Spring Overcoats.

But possibly you are *not yet* a convert to the 20th Century idea.

If that's the case, won't you just drop in and see us about it—*today*. We should like to show you the points of superlative excellence that constitute a *perfect* Spring Overcoat as exemplified in the short "toppers," the chesterfields, the pad-docks and long "rain-or-shines" of the 20th Century Brand. Prices \$12 to \$24.

A. GILMOUR, 68 King Street. Fine Tailoring. Tailor-Made Clothing.

WILL APPEAL TO PRIVY COUNCIL

Cushing Sulphite Company Not Satisfied with Decision of Supreme Court.

Ottawa, May 8.—(Special)—In the supreme court today the arguments were concluded in the case of the Cushing Sulphite Company vs. Cushing. The court held that the only controversy was as to the validity of the winding up order, that there was no pecuniary amount of \$20,000 involved directly, as required, to give the Supreme Court of Canada jurisdiction to hear an appeal, under the seventy-sixth section of the winding up act, from a winding up order, although indirectly hundreds of thousands of dollars' worth of property might be affected.

As the jurisdiction of the court, thus limited, was not objected to in the factum or notice, the appeal was quashed without costs.

The company proposes to take a further appeal from the judgment of the supreme court to the privy council.

Laforest vs. Babineau was then taken up. The plaintiff sued for money lent and joined a count on a promissory note based on the following instrument: "Received from Rev. M. Babineau \$1,200 for which I am responsible with interest at seven per cent. per annum upon production of this receipt and after three months' notice. (Signed) F. Laforest."

The questions raised are whether this is a promissory note, whether proper notice was given, and whether judgments entered on the money counts, and on the instrument as a note constitutes a double condemnation against the appellant for a single cause of action; Hazen, K. C., for appellant; Currier, K. C., and Stevens, K. C., for respondent.

After hearing counsel for the appellant, and upon counsel for respondent undertaking that only one judgment would be enforced, the appeal was dismissed with costs.

It was announced that no Ontario appeals would be taken up for hearing before Monday next, May 14, except by consent.

The appeal from the Supreme Court of Nova Scotia in *Lesby vs. the Town of North Sydney*, was then argued. The action was taken against the town for interference with the waters of Pottle Lake, thereby decreasing the natural flow and injuriously affecting plaintiff's rights in Smith Brook, running from the lake, and on which she is a riparian proprietor and operates a water power laundry.

The town claims the right of diverting this water without paying compensation under rights conferred by chapter four of the Nova Scotia statute of 1890, in connection with the installation of a system of water works. At the trial Justice Graham decided in favor of the plaintiff, and ordered damages to be assessed, but his decision was reversed by the full court, Justice Russell dissenting.

The appellant asks to have Judge Graham's order restored and for an injunction against further interference with her riparian rights. Attorney-General Drysdale, K. C., and C. J. Burchell for appellant; Newcombe, K. C., and W. F. O'Connor for respondent. The hearing will be continued tomorrow.

It was stated here yesterday that the action at Ottawa in the Cushing case confirms the order for liquidation made by Judge McLeod in September last, and under this order Messrs. Vroom, McLean and Blair are confirmed as liquidators of the company and the company will be wound up under the winding up act.

In reference to the reported appeal to the privy council it is contended that Ottawa is the last court of appeal in this instance, and that matters must now proceed under direction of Judge McLeod. It is further stated that there was no order as to costs, as counsel for Mr. Cushing stated they made no distinction as to costs, the same being considered payable out of the assets of the company—that all costs, except Ottawa, are such as the company and Captain Partington will have to pay and it is contended by the liquidators and Mr. Cushing that a large part must be Captain Partington's personally.

San Francisco, May 8.—Mayor Schmitz dictated applause by reading the following telegram at a meeting of the construction committee today:—

"Toronto, Ont., May 8, 1906. 'The Canadian parliament voted \$100,000 for the relief of San Francisco, which was declined by President Roosevelt. It is still awaiting his cooperation. Will you take it offered direct? Please rush answer.'"

"TORONTO DAILY STAR." James D. Phelan, chairman of the finance committee, was asked to answer the message at once in the affirmative.

Canada Still Willing. Ottawa, May 8.—(Special)—E. B. Oiler, of Toronto, on motion to go into supply, asked if it would not be possible for Canada's contribution to be conveyed to the San Francisco sufferers. He thought the president of the United States had modified his refusal of outside aid in view of the magnitude of the disaster and extent of suffering. At least the vote might be used to aid Canadian sufferers.

R. L. Borden stated that he had received personal appeals for aid from Canadian sufferers from the San Francisco sufferers. The vote passed by parliament might be used in aid of Canada, or at least to aid them in returning to Canada. He thought it would be worth while for Canada to inquire into the conditions and see if its aid could not now be sent forward in some way.

St. Petersburg, May 8.—Although there are few surface indications of the fact, an earnest duel is in progress between the police and Terrorists in the capital, alert for any opportunity to strike Emperor Nicholas or other marked men among the officials gathered here for the opening of the national parliament. Precautionary measures on an extensive scale have been taken. The police have been reinforced by the keenest men from interior cities. The railroads are being watched most diligently, but a search of the baggage of three members of the lower branch of parliament was the only public incident in a campaign today, by which several Terrorists were so quietly bagged that the general public was not aware of the arrests.

In order to safeguard the emperor in his passage up the river on Thursday, the time of his arrival and departure is being kept secret. The Nicholas Palace bridges through draws of which the imperial yacht must pass, will be closed to traffic from daylight of Thursday until the departure of the emperor. The general public is not to be admitted to a large distance view of the yacht from the palace of the admiralty or the quays lining the river front, admission to which and to the palace square, will be by ticket only. The prefect of police in an order issued today which is worded in contrast with former restrictions, in the most polite terms, asks the public to keep moving while in the streets, and concluded that "in order to avoid encounters which might cast a shadow over the solemn day processions and demonstrations will not be permitted."

According to present plans the speech from the throne will give the constitutional democrats no point for criticism in the parliament's reply. The Associated Press was informed today that the speech will not touch on politics or suggest programmes.

In substance it will simply be a greeting to the emperor's new collaborators in legislation.

ROOSEVELT ASKS \$500,000 MORE TO AID 'FRISCO HOMELESS

Washington, May 8.—The president today transmitted to congress a letter from Secretary Taft recommending the appropriation of an additional \$500,000 to meet conditions at San Francisco. The president's letter recommends that the appropriation be made at once.

Secretary Taft's letter shows that of the \$2,000,000 appropriated for the relief of San Francisco, \$2,405,333 has been expended, or contracts have been made which will consume this sum. The expenditures are divided among various departments as follows: Quartermaster's department, \$1,741,664; subsistence department, \$329,435; medical department, \$304,539; signal corps, \$15,000; mileage, \$14,800.

The appropriation is asked partly as the result of requests from the army officers in San Francisco, who state many supplies are still needed and partly for the purchase of supplies to replace those sent to San Francisco from government stores.

At Auction

THE BALANCE OF Furniture, Pictures and Carpet Squares

WILL BE SOLD AT—

Queen's Rink on Wed. 9th and Friday 11th Inst.

Sale Starts at 2.30 and 7.30 o'clock.

You Can Secure Bargains.

W. J. NAGLE, Manager. WALTER S. POTTS, Auctioneer

SWEEP TO DEATH IN PENOBSCOT

Old Town, Me., May 8.—By the upsetting of their canoe today in the turbulent flood that sweeps down the Penobscot River in the spring, Harry F. Seman of Philadelphia and Wm. B. Ramsden of Boston were drowned and Wm. B. Ramsden was saved just as he was being carried over the new concrete dam.

The three young men were returning in a canoe during the afternoon from Indian Island in the Penobscot river to the town. The current swept them gradually towards the dam and realizing that they could not paddle to safety they abandoned the canoe and leaped into the water.

Although they were all fair swimmers they could make no headway against the stream and were carried steadily down towards the dam.

Their plight was seen from the shore and workmen ran out on the walk over the dam in the hope of snatching the victims from the water as they swept under. Ramsden was the only one they could reach and as he tossed up his arms, willing hands pulled him out to safety. The other two members of the party went over the falls.

Seman was about thirty-four years old. He and Ramsden were members of the Side Tracked theatrical troupe playing here. Ramsden was about twenty years old and was a brakeman on the Bangor & Aroostook Railroad.

SAYS GRANT WILL NOT MEET EXPENSES

The finance committee of the county council yesterday afternoon recommended that the appropriation for the local board of health be \$4,000, the same amount as was granted last year. Secretary T. M. Burns, speaking to a Telegraph reporter yesterday afternoon, said the actual expenses of the board last year were \$4,000. He called attention to a paragraph in evening papers which says that in future the officials of the board will be refused their expenses when traveling on the street railway or ferry.

In this connection a member of the committee had, he said, told him the impression was that five officials had spent \$20 each for these items.

The actual traveling expenses of the board last year, Mr. Burns said, amounted to no more than \$38.53. This was made up as follows: James Howard, \$22.30; Charles E. Reynolds, \$4.50; Geo. Levens, \$3; Samuel Stubbs, \$8.25, and T. M. Burns, 85 cents. The reason Mr. Howard's account was so large was that he was for the greater part of the year doing Mr. Reynolds's work as well as his own. Messrs. Levens and Stubbs were temporary men and the former worked in Carleton and the latter in Fairville.

Besides these there were two other expense accounts of \$7 total, in connection with smallpox matter at St. Martins. "There is another recommendation in the paragraph," Mr. Burns continued, "that is about the telephone. There is one in my house which I wish they would take out as it is of very little use to me. There is one in the chairman's house, too, and I think it would be a very small piece of business to take it out. To my knowledge Mr. Reynolds has given his services for seventeen years in all kinds of weather. Besides that there are times when we wish to communicate quickly with him and it will be, to say the least, very inconvenient if the telephone is taken out."

Mr. Burns said the \$4,000 will not pay expenses. The amount they asked the council for this year was \$4,816.54.

SOME FAVORABLE FACTORS

There has been no change in general financial or commercial conditions in Canada to cause a decline in prices. The very fact that brokers find funds for call loans scarce shows the activity of general business. So far as railway earnings are an index of general business the increases of \$1,200,000 in C. P. R. earnings and \$190,000 in G. T. R. earnings for April, give no ground for anxiety. Nova Scotia Steel reports say current sales are 50 per cent. larger than a year ago. The president reported that the cost of producing steel in March had been considerably reduced. This latter point is the most important. The Dominion Steel Company's plant is more fully employed than at any previous time. The Lake Superior Company has been able to pay off some of its \$2,000,000 from current earnings. A high authority is given for the claim that the company's statement, ending June 30, will show between \$6,500,000 and \$7,000,000 gross. Prospects are for dividends on the company's output for the first four months of this year shows an increase of over 45 per cent. over the corresponding period last year, being 1,003,000 tons, compared with 700,000 tons—Montreal Herald.

F. M. Cochran and F. M. Black, councillors from St. Martins, were in the city yesterday attending the meeting of the municipal council.

GET MARRIED AND LET US MAKE YOUR

Wedding Gown

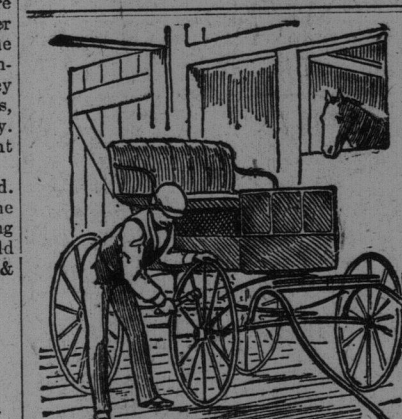
Wedding Gowns made to order, \$15 to \$35.

We make the Hat, too.

It will be up-to-date, if we get your order.

Price \$5.00 to \$25.00.

WILCOX BROS., Dock St. and Market Sq.



Ready for Driving.

You are getting ready for driving, but what about your harness? Are they in good condition? If not we can supply you with all styles of Driving and Working Harness, in single or double, made by ourselves. Remember many an accident is caused by a poor harness. We use the best leather.

Please write or call for prices.

The largest Horse Furnishing Establishment in the Maritime Provinces.

Greatest variety! Lowest prices.

H. HORTON & SON, Ltd.,

TELEPHONE 448. 9 and 11 Market Square.

YOUR AD. HERE

Would be read by thousands every evening

CLEAN YOUR TEETH

The comfort of a pure breath and wholesome saliva.

The agreeable effect produced upon others by the exhibition of a clean mouth, the preservation and usefulness of teeth until old age are plain, common sense reasons why you should give your teeth proper care and attention.

We have all the tooth powders, soaps and washes that are worth using.

W. J. McMillin

Druggist,

625 Main Street. Tel. 980



WEDDING RINGS

Engagement Rings, Children's Rings, Initial Rings, Seal Rings, Baby Rings.

W. TREMAINE GARD, Goldsmith and Jeweler, 17 Charlotte Street.

Boy Wanted.

APPLY AT ONCE

W. L. McELWAIN.

CHICKERING'S

Furniture Polish,

25 Cts. a Bottle at

Red Pharmacy

87 CHARLOTTE ST.

Telephone 232.