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Canada Cement Company
7 per cent Preferred Stock
AT 98 AND 25 P. C. BONUS COMMON
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It will probably advance in price. Send your applications EARLY to
J. M. ROBINSON & SONS, BANKERS.
St. John, N. B.
Members Montreal Stock Exchange

FINANCIAL AND COMMERCIAL

J. M. ROBINSON & SONS, Bankers.
American Stock Transactions.
St. John, N. B., Sept. 17, 1909.
Thurs. Pri.

Amalgamated	83 1/2	82 1/2	83 1/2
Am Car Foundry	70	69 1/2	70 1/2
Am Locomotive	100	99 1/2	100 1/2
American Ice	28 1/2	28	29
Amer Sugar	133	132	133
Atchafalpa	120 1/2	120	121 1/2
Amer Smelters	99 1/2	99	100 1/2
Anacostia	43 1/2	43	44 1/2
Brook Exp. Test	17 1/2	17	18 1/2
Balt and Ohio	118 1/2	118	119 1/2
C. P. R.	182	181 1/2	182 1/2
N. Y. Central	126 1/2	126	127 1/2
Chi and N. West	11	11	11
Ches and Ohio	83 1/2	83	84 1/2
Colo P and Iron	45 1/2	45	46 1/2
Den and Rio Grande	47 1/2	47	48 1/2
Dala and H. C.	130 1/2	130	131 1/2
Erie	25 1/2	25	26 1/2
Erie First Pfd	62 1/2	62	63 1/2
Consolidated Gas	147 1/2	147	148 1/2
General Elec	156 1/2	156	157 1/2
Gr North Pfd	133 1/2	133	134 1/2
Illinois Cent	144 1/2	144	145 1/2
Kan and Tex	41 1/2	41	42 1/2
Louis and Nash	154 1/2	154	155 1/2
National Lead	91	90 1/2	91 1/2
Missouri Pacific	72 1/2	72	73 1/2
Northern Pacific	153 1/2	153	154 1/2
Nor and West	84 1/2	84	85 1/2
Ont and West	49 1/2	49	50 1/2
Presses Steel Car	51	51	51
Pennsylvania	145 1/2	145	146 1/2
Reading	167 1/2	167	168 1/2
Rep I and S	41 1/2	41	42 1/2
Rock Island	40	39 1/2	40 1/2
Rock Island Pfd	77 1/2	77	78 1/2

JUDGE CONCLUDES CHARGE TO JURY THIS AFTERNOON

(Continued from page one.)

With the telephone message to the Advocate office, the handwriting of McDougall attached to the envelope, the receipt of the cut; its printing in the issue of 21st July; telegrams to and from McDougall to Mirre and the fact of his leaving up and advertising of this issue, also the conversation with Isaac Hayden in which McDougall admitted the drawing from which the cut was made. This issue also contained the name of Dr. Macneil, which was the Attorney General then dealt with the negotiations between Stuart and McDougall and McDougall, the sending of the issues to Moncton upon McDougall at Moncton to Mirre, the correspondence between McDougall and McDougall, pointing out that the express orders exactly corresponded to the amounts stated in the letters. The telegrams exchanged showed that there was a rush order for the issue of 21st July, evidencing the fact that a depraved taste clamored for its satisfaction by libel and obscenity.

Not much had been heard of W. C. Loggie who bore about the same relation to McDougall that the famous Mrs. Harris bore to the Salvo Gang of action. It had also been suggested that the parties affected by these libels should have brought civil actions. What use to bring action against a man who owned neither press nor type and would not have been responsible for damages recovered. It was also said that the prisoner had already suffered enough by enduring a month's imprisonment. What was this to the suffering inflicted upon the persons injured?

They asked for the benefit of the doubt to be given to the prisoner? Where was the doubt? There could be none as to publication and none as to the libel. We might have sympathy for the man who in the heat of passion might commit homicide, for the man who under the stress of business disaster commits forgery, or under other circumstances as guilty of perjury, but there could be none to the man who for the sake of gain would circulate the vilest slanders upon the characters of decent persons.

JUDGE'S CHARGE.
At eleven o'clock, His Honor Mr. Justice White commenced his charge to the jury, stating as a preliminary that they must exclude from their minds all but the actual testimony in the case. The prisoner was to be tried for the libels charged and not for any other which he might have published.

Nor should there be any introduction of political questions and the prisoner's acquittal or conviction should in no way depend upon his concurrence or difference with members of the jury on such matters.

There were 11 counts in the indictment. The first 10 referred to alleged defamatory libels. Each of these charged in two counts. The 1st, 3rd, 5th, 7th and 9th charged the prisoner with publishing them knowing them to be false which would involve a heavier punishment than those in the 2nd, 4th, 6th, 8th and 10th counts which charged the prisoner with publishing them believing them to be true. The 11th count charged the prisoner with publishing the libels to be false. Therefore the verdict must be not guilty on these counts.

As to the 11th, a Kay count, which charged knowledge, it would be left to the jury with special instructions.

On the other counts of libel, not charging knowledge the jury would say whether or not the prisoner was guilty. In ordinary cases it was for the judge to say what was the meaning of a written document, but in libel cases this was for the jury. In the case of political cartoons, for instance, while they are intended to cause a laugh and hold people up, in a sense, to ridicule, and though they might fall within the exact words of the definition of defamatory libel, yet they might not so by considered by a jury.

Defamatory libel was matter published without ample justification or excuse. If publication or excuse must be shown by the defence. The matter published must be either to the prejudice of a person by expressing him to hatred, ridicule or contempt or designed to insult the person or of conducting whom it is published.

His Honor then read the second count, containing the libel of Dr. Macneil, and explained the office of the indictment. The intent must be proved as laid. What else could the words published of Dr. Macneil mean than they had been alleged in the indictment to mean. The prisoner had had the benefit of able counsel and no other meaning had been suggested. It was not for a jury to speculate as to what was in the prisoner's mind when he published this article but he must be taken to have intended the material consequences of his act.

The fourth count related to Mayor Bullock and would be sufficient even without the imputation. It was defamatory without question. The defence said that public men were almost daily subjected in the public press to charges of all sorts of misconduct; that this was of that class and therefore not to be considered as libel. Unfortunately great libels had been taken by the press with the motives of public men. This might be a reason why many of high character abstained from public life altogether. If the jury thought this charge was intended to mean what it appeared did, this was no defence.

Uncle Walt
The Poetic Philosopher

I have studied, I have brooded, and I've just about concluded, that I will not go a-brooding for the lost Antarctic Pole; other men will have to trail it; some one else will have to nail it, some one else must gain the glory and the medals and the goal. I would like quite well to find it; I would like to get behind it, and to nail this sign upon it: "Notice to the Public—Shoo!" I would gladly cross the planet, gather up the fleeces, say: "Old chap, you have made some people happy, you have done your work so ably that it is beyond compare; everything is hunky-dory! for there is no greater glory, than in having done your duty—Therefore cease to tear your hair!"

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LATE SHIP NEWS.

Arrived Today.
Steamer Calvin Austin, Pike, Boston, pass mds. W. G. Lee.
Coastwise—Aurora, Campobello, Lunenburg, and Grand Harbor, Bonita, fishing cruise and cleared—Westport III, Westport, Telly, Digby.

Cleared.
Steamer Calvin Austin, Pike, Eastport.
Schr. Tibby's, to Johnson, fishing cruise.
Schr. Manuel R. Cruz, 233 Gayton, City Island, N. Y.
Sloop Bonita, 15 Carter, fishing cruise.
The Attorney General charged that this was published knowing it to be false, because the things charged were physical impossibilities and therefore the prisoner really intended to cause people to believe that Magistrate Kay had a bow in his head. The language was clearly derogatory. It simply meant stupidity. As a matter of law I should direct you so, but at the request of an authorized agent of the accused is sufficient publication to satisfy the statute.

HE WAS EXCITED.

And Yet He Was Making Only a Very Reasonable Request.

It was a dramatic scene, pregnant with the most tragic possibilities. Thus, the witness to the meeting of three Italians near the big express depot at Fifteenth and Market streets.

LOCAL NEWS.

A good thing. Rub it in. Bentley's Liniment.

Rev. Francis McMurray, of Woodstock, is in the city.

Your complexion as well as your temper is rendered miserable by a disordered liver. By taking Chamberlain's Stomach and Liver Tablets you can improve both.

It is now thought that the slight outbreak of typhoid which occurred a few days ago, following the case of Mr. Siding. The Board of Health officials have learned that the disease is not of a malignant type and there has been no increase in the number of cases. Typhoid is not dealt with as a contagious disease and is not placarded and cases of this disease are discharged from the hospital without the consent of the Board of Health, consequently that body has no exact knowledge of sufferers.

The funeral of the late Miss Jean Letich was held this afternoon at 2:30, from her mother's residence, 135 Princess street. Rev. Father O'Brien celebrated requiem high mass at the Cathedral, after which the remains were taken to the new Catholic cemetery.

The need of an ambulance for conveying the sick or the injured in the four towns, viz. St. Stephen, Calais, Milltown, Me., and Milltown, N.B., has been felt for some time and now the ladies of the community have determined to secure one. For this purpose Wednesday, Sept. 22nd, the second day of the big fair, will be observed as "tag day." The effort is being made by the ladies connected with Chipman Memorial Hospital, but the ambulance when secured, will be available when ever needed in this community, whether the patient is going to the hospital or not.—Courier.

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John Kenney, factory inspector, called at the Star Office this afternoon and desired to state that he found several of the mills in excellent condition, and in fact congratulated the manager of Stetson, Cutler & Co., upon the fine appearance of the plant. A morning paper conveyed the idea that Mr. Kenney had found that the mills were disregarding the regulations. This is not the case as all the owners accorded him a kind welcome. They are also anxious to comply with any suggestion which he might offer. Mr. Kenney will continue his inspection during the next few weeks and extend his operations to all the mills of the province.

TOO LATE FOR CLASSIFICATION.
WANTED—A general girl. No washing. Apply to Mrs. J. ROYDEN THOMSON, 134 German street. 17-4-17.

MAN WANTED.—A good steady sober man to drive single team delivering coal in bags, etc. JAMES S. McGOVERN, Agent, 5 Mill street. 17-4-3.

FOR SALE.—Parlor chandelier and lamp, gas fixture, shades and baby's sleigh. Apply 163 Waterloo street. 17-4-4.

FURNISHED ROOMS at 20 Horsfield street. 17-4-5.

FOR SALE.—Household furniture at private sale at the residence of the late Mrs. Hugh L. Morris, Lancaster, May 2nd, Mondays, Tuesdays and Thursdays, afternoons and evenings. 17-4-6.

TO LET.—Self-contained house 20 City Road. See Mondays and Fridays between 3 and 5. 17-4-7.

WANTED.—A girl for housework. Apply to Queen Square. MRS. J. M. BARKER. 17-4-17.

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WANTED.—Chambermaid. Apply at Edward Hotel. 17-4-10.

WANTS DOCTOR TO PAY FOR HIS FOOT

Dr. Myers, Moncton, Sued by An Italian

MAN HAD BEEN HURT

The Doctor Used the Knife—Boyles and Nesbitt Not Yet Sentenced

DORCHESTER, N. B., Sept. 16.—In the circuit court today the judge announced that sentence would be pronounced on James Boyles and Annie Nesbitt at the end of the session, after the trial of the case against Dr. Myers, brought by an Italian named Lurgi, who was injured some time ago by a car running over him while he was working on the Corbett-Fish contract on the National Transcontinental Railway, near Moncton.

In this accident Lurgi's foot was badly injured, and Dr. Myers amputated the injured member in the Moncton Hospital. Lurgi now claims that his foot should not have been taken off, and wants damages.

The first witness heard was the plaintiff, who gave his evidence through an interpreter. Harman, in the Moncton Hospital, and three of the nurses belonging to that institution were also present at the Opera House, where the trial was held.

George Harris and George W. Fowles are acting for the plaintiff, while Messrs. Chandler and Powell are counsel for Dr. Myers. Many physicians have been summoned to give evidence in this case, among the number being Dr. T. D. Walker of St. John and Dr. McQuinn of Moncton, for the defence, and Dr. Pearson of Sussex for the plaintiff.

THE BURGOMASTER.

Our local amusement managers are quite busy at present arranging their "men" for the new season. Of all the first class attractions scheduled to appear at the Opera House, none will be welcomed more generously than "The Burgomaster," with the sterling reputation of Henry Hornum.

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The date fixed for this big attraction is Oct. 7, 8 and 9.

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Annual Fall Clearance Sale
Fine French China

We are clearing out remnants of last year's decorations to make room for new fall goods and offer
Special Low Cut Prices.
O. H. WARWICK CO. LTD.,
78 TO 82 KING ST.

DIAMONDS,
Pearls and all the other "Gems" and "Semi-Precious" Stones

Mounted in Modern Artistic Jewelry, can be seen in great abundance, along with a well selected stock of Silverware, Cut Glass and novelties, at the store of
FERGUSON & PAGE,
Diamond Importers and Jewelers,
41 King Street.

LONG-LIVED FAMILY.

LONDON, Sept. 17.—In the churchyard at Worley, Staffordshire, a recently erected monumental stone records the death of six members of a family named Richardson, whose combined ages aggregate 483 years, an average of more than eighty years each.

POISONED IN A LONDON PARK.

LONDON, Sept. 17.—Several children who were playing at Bishop's Park, Fulham, on Saturday picked some red berries, and subsequently became ill. Nellie Carpenter, 2 years old, of Allentree road, Fulham, was detained at the West London Hospital, but Ethel George, 2 years old, of the same address, was able to go home after treatment.

BABY KILLED BY A SAFETY PIN.

LONDON, Sept. 17.—While the wife of a collar maker Partington, of Summerhill, near Wrexham, was dressing her four-month-old baby an open safety pin dropped into its mouth, and went down the throat. The child was taken to Wrexham Infirmary, and the pin was lodged in the stomach by means of X-rays. An operation was performed and the pin removed, but the child collapsed and died.

AUSTRALIAN MAP ON COINS.

MELBOURNE, Sept. 17.—New Australian coins, bearing the map of Australia on one side and the King's head on the other, is now being prepared for the Australian commonwealth at the Imperial mint.

PRIZES FOR UGLINESS.

LONDON, Sept. 17.—A dog and baby show was held at Hildenborough, Kent, yesterday, in aid of foreign missions. Forty-five dogs and forty-two babies were on view, and prizes were awarded by ballot for the prettiest, the ugliest, and the largest and smallest dogs.

LIVED WITH A BROKEN NECK.

LONDON, Sept. 17.—A Rugby laborer named John Rimmer is stated to have gone about with his neck broken for more than three months. He fell downstairs at Easter and fractured his neck, but did not go to the hospital until August 9, when it was found that his neck was broken. He died in hospital yesterday.

GIRLS OBJECT TO HAIRCUTTING.

LONDON, Sept. 17.—Although the Willesden medical officer circulated parents, urging them to have their girls' hair cut short, it was found when scholars returned from their holidays that the suggestion had not been adopted by a single parent.

ARRESTED BY AN ALDERMAN.

LONDON, Sept. 17.—A visitor to the Alexandra palace who amused himself by smashing fairy lamps, had the mayor of Hornsey, Alderman Elgort, who happened to be walking in the grounds.

Great Sale of Boys' Clothing
Starts Today

and will continue until every Boys' garment in the store is sold. We have decided to go out of the Boys' Clothing business and we offer
\$6,000 Worth of New Goods
at prices that will mean a saving of 10 to 15 per cent. on your purchase.

Henderson & Hunt,
17-19 Charlotte St.

Raincoats and Showerproof Coats.

We have a great selection to choose from, and our prices will suit every man's pocket.
Raincoats from \$5.00 to \$15.00; Showerproof from \$5.00 to \$15.00.
Oilclothing for Workmen—The best of American and English makes. By getting one of our Coats you can keep dry and save the doctor bill.
Come and see our stock before you purchase elsewhere.

C. MAGNUSSON & CO
THE CASH CLOTHING STORE.
73 DODD STREET, ST. JOHN N. B.
Open every evening.