

THE WEATHER

Toronto, Feb. 9.—Pressure is low over Newfoundland, also in the Southwest States and in British Columbia and high in the northwestern portion of the continent. Snow and rain have fallen over British Columbia, otherwise in the Dominion the weather has been moderately cold.

St. John, Feb. 9.—45 20
Dawson, " " " " 46 34
Prince Rupert, " " " " 14 20
Victoria, " " " " 38 42
Yanouver, " " " " 38 40
Calgary, " " " " 41 10
Edmonton, " " " " 41 14
Medicine Hat, " " " " 0 6
Moore Jaw, " " " " 0 10
Regina, " " " " 2 9
Windsor, " " " " 2 14
Port Arthur, " " " " 6 20
Parry Sound, " " " " 2 26
London, " " " " 11 30
Toronto, " " " " 13 31
Kingston, " " " " 4 18
Ottawa, " " " " 2 16
Montreal, " " " " 2 10
Quebec, " " " " 10 10
Halifax, " " " " 14 18

Forecast
Maritime—Moderate to fresh northwest to west winds, fair, not much change in temperature.

Northern New England—Fair and warmer Thursday; Friday unsettled and warmer; fresh northwest and west shifting to southwest winds.

AROUND THE CITY

GRAIN SHIPMENTS.
Up to date this season the C.P.R. have shipped 5,000,000 bushels of grain and have in their elevators and yards about 2,000,000 bushels more. Up to the same date last year only about 4,000,000 bushels had been shipped.

STATEMENTS COMING IN.
E. M. Olive, chairman of the Board of Assessors reported yesterday that income statements were coming now in a satisfactory manner. The office in the committee room of city hall will be kept open until Friday evening of this week.

COUNTY HOUSING BOARD.
The County Housing Board held a meeting in Mayor Schofield's office yesterday morning and discussed the disposal of the houses built under their supervision through the federal housing act. Offers were submitted from real estate men to take over the houses, but no action was taken. Another meeting will be held on Thursday afternoon, when the question will be further gone into.

MEN AND WOMEN DESIRING WORK
At the St. John Registration and Employment Office, which is now located at 10 King Street, over the Bank of Montreal, six men and three women registered yesterday as desiring work. Fifteen jobs for men were listed and of these six were filled. There is no file in the office a number of applications for men and for women to work on farms and for women as housekeepers. One application for a bookkeeper with a knowledge of shorthand and one for an auto mechanic.

Halifax Hebrew Is Under Arrest
Samuel Webster Taken from Train While En Route to Frisco—Wanted in Halifax for Theft.

Samuel Webster, aged 22, a young Hebrew of Halifax, N. S., was arrested by the city detectives on a warrant for theft and taken off the Halifax train on his arrival in the city at 5:30 last evening and escorted to the Central Police Station where he will be held until the arrival of the Nova Scotia authorities who wired instructions for his arrest. The young man is said to have been on his way to San Francisco. Nothing could be learned last evening from the police as to what the young man had stolen, although it is believed that the arrest followed some trouble with his family.

Preparations For Funeral Service
Solemn High Mass of Requiem This Morning at 9.30—Many Visitors to Church Yesterday.

A solemn high mass of requiem will be celebrated at 9.30 o'clock this morning in the Church of St. John the Baptist, Broad street, for the repose of the soul of the late Rev. A. W. Mesban, D.D.

Rev. C. P. J. Carleton will be the deacon; Rev. F. K. Cormier, of Barabois, a classmate of the priest's, sub-deacon; Rev. A. P. Allen, master of ceremonies. The high priest will be one of the Redemptorist fathers of St. Peter's parish, Rev. David O'Keefe, of St. Andrew's, will preach that session.

The remains of the beloved priest were removed from his late residence to the church of St. John the Baptist at 7.30 o'clock last evening, and will lie in state there until Friday morning, when they will be taken on the morning express to Montreal, Westmorland county for interment.

All last evening sorrowing parishioners paid visits to the church and prayed for the repose of the soul of their departed pastor.

"Smile Evening" At Advertising Club

Three instructive and interesting addresses delivered—Musical Programme Was Also Enjoyed.

In addition to the regular business usually transacted at the monthly sessions of the St. John Advertising Club, the fifty members present at last night's meeting, were treated to the pleasure of hearing three instructive and highly interesting addresses, and a programme of musical and literary numbers, which all tended to make the meeting the best in the history of the club in this city. The meeting partook of the nature of a "smile evening," the addresses and other features of the programme tending to convey to those present the necessity of fostering the spirit of optimism during these times of depression in both business and social life. The speakers for the evening were W. Shives Fisher, Dominion President of the Canadian Manufacturers' Association; Mayor J. D. McKenna, of Sussex; and Horace A. Porter, secretary of the St. John Exhibition Association. R. A. Macaulay, president of the St. John Advertising Club, was in the chair.

W. Shives Fisher, the first speaker of the evening, took as his subject, "Reasons for Smiles in Business." He said that a smiling countenance counts for much in the business world and made mention of the many inspirations which come to a man for using happy phrases, in calling attention to the different commodities he may wish to sell.

Mr. Fisher said that one of the greater reasons why Canadians can afford to smile is that Canada is a very highly favored country as compared with other places where discontent reigns despite seemingly prosperous conditions. The speaker said he was surprised to learn that, notwithstanding the present stagnation of business and the difficulties encountered as the result of the unemployment question, there was very little real distress in St. John—in fact not more than there had experienced during the average winter. This was a reason why, one people should smile and be happy.

Mr. Fisher described the people of the Maritime Provinces as a happy and contented race and said that there were great possibilities in this country for the young man. He said that the people of the middle and western provinces did not fully appreciate the advantages existing in this section of the Dominion, but that the next annual meeting of the Canadian Manufacturers' Association would be held in New Brunswick at St. Andrews and it was their purpose to make a tour of the Maritime Provinces in order to appreciate the conditions existing down here.

Mr. Fisher went on to say that the idea of co-operation between the different parts of the Dominion should be fostered. He spoke of the wonderful resources in this part of the country and stressed the need of the right kind of immigration and brought his address to a close by reading a tract from a book published in the United States and describing Canada that, with these sentiments existing on the part of other countries it was not hard to understand that we, as Canadians, had every right to be proud and to wear smiles on our faces, and have cheer in our hearts and confidence for the future of the country.

Mayor J. D. McKenna
The subject assigned to Mayor J. D. McKenna of Sussex, the second speaker, was "Why Everyone in Canada Should Smile." Mr. McKenna dealt with his subject in an able manner, and outlined many good reasons why Canadians should smile and be satisfied with the country in which they are living. He stressed the conditions existing in Russia as an example why we should be content to be living in such a country as this, with all its advantages and lack of discontent.

Mr. McKenna pointed out that Canada has among other things, the richest mine in the world. The Stewart mine situated in British Columbia, worth \$50,000,000. He also cited the oil development projects, the Hydro developments, the nickel and asbestos resources, over which latter Canada has the monopoly of the world.

The speaker brought to the attention of the audience the large amount of natural resources in the Maritime Provinces, which were gradually making for the development of this part of the Dominion. He cited as one important instance the acquisition, during the past year, of large tracts of land in Kings county by the Canada Cement Company for the purpose of carrying on the manufacture of their product. Mr. McKenna stressed the importance of the people of the Maritime Provinces standing together irrespective of political differences, race or creed, for the purpose of fostering the interests of this part of the country. He concluded by making mention of the great example set by those who had made sacrifices in connection with the war and stated that, if we were to follow their example, we would make for a greater Canada and would have occasion to smile and be satisfied.

Horace A. Porter
Horace A. Porter took as his subject "Advertising Brings Smiles." He said that there were three kinds of smiles, the smile of amusement, the smile of irony and the smile of approval. The latter was the smile that advertisers should adopt in their business dealings in order to insure results. The speaker dealt with the destruction of the word advertise as meaning the art of bringing matters to the attention of the public mind. He mentioned the great amount of good done by advertising during the war and concluded the by saying that commercial advertising, if carried on properly, brings smiles to the merchant, the manufacturer and the buyer.

Refuse Application For Reserve Case

G. H. Vernon, Representing John Paris, Presented Eleven Points—Case to be Appealed to Fredericton.

Yesterday morning in chambers before Mr. Justice Chandler, G. H. Vernon, K. C. of Truro, made application for a reserve case on behalf of John Paris, sentenced to be hanged on March 30, for the murder of little Sadie McAuley on August 2, last, in Riverview Park.

Mr. Vernon made his application under Section 1014, of the code. The judge said that it was possible that he might not have jurisdiction to hear the matter in chambers and the court had been adjourned. The attorney general, Hon. J. F. Byrne, argued that the application should be made to the court while in session. The judge said that he would hear the application but he had grave doubts as to his right to hear the matter.

Mr. Vernon then stated his grounds as follows:
1st—Was the learned judge in error in recalling the jury for further instructions after the jury had retired to their room to consider their verdict, and then further instructing and recharging them when the accused, John Paris, was not present in court or represented there by counsel, and in the accused, John Paris, entitled to a new trial?

2nd—Were the instructions to the learned judge to the jury correct, and if not, is the accused, John Paris, entitled to a new trial?
3rd—Was the defence properly put by the learned judge to the jury as regards every matter in favor of the accused?

4th—Did the judge's charge and the address of the Crown attorney introduce irrelevant matters and matters calculated to influence the minds of the jury against the accused?
5th—And for other grounds appearing on the depositions, the judge's charge and papers on file therein.

In arguing the first point Mr. Vernon said that the accused should have been present and he asked leave to file an affidavit by Paris showing that he was not present when the jury was first brought back. Mr. Byrne said that the affidavit should have been served upon him.

Mr. Vernon then read the affidavit, which was to the effect that the jury was brought back about 7.50 p. m., the last day of the trial and that Paris was removed at 5.45 p. m., and not brought back to the court until 11.40 p. m. He was absent when the judge recharged the jury.

Mr. Vernon then submitted several authorities showing that the accused should have been present during the whole of the trial.
The judge was doubtful if he could deal with this point.

Mr. Vernon submitted that the re-charge to the jury was part of the trial and that the accused should have been present. He asked for a reserve question of law on this point.

In regard to points Nos. 2, 3, 4 and 5, the judge said that the grounds specified were too general and he would not allow them, but he would permit counsel to file other particular grounds.

In arguing against the points submitted by Mr. Vernon, Hon. Mr. Byrne said that the application for a reserve case should have been made by counsel while the court was in session. In retortation of the principal point, the speaker argued for the defence, namely, the fact that the prisoner had not been in court during part of the judge's charge. Mr. Byrne said that, under the law, the court might permit the accused to be out of the court at any time. He also contended that, unless according to the provisions of the Criminal Code, section 1014, some substantial miscarriage of justice had occurred, no reserve case should be granted.

At the afternoon hearing six other points were brought up by Mr. Vernon touching on the alleged miscarriage of justice in the charge and the defence, namely, the fact that the prisoner had not been in court during part of the judge's charge. Mr. Byrne said that, under the law, the court might permit the accused to be out of the court at any time. He also contended that, unless according to the provisions of the Criminal Code, section 1014, some substantial miscarriage of justice had occurred, no reserve case should be granted.

Mr. Justice Chandler, after considering the various arguments and points brought up at the hearing, refused to grant a reserve case on any of the points brought out by the defence.
According to information received last night, it is said that the case will be taken on appeal next week to the Appellate Division of the Supreme Court in Fredericton. Should the appeal not prove successful the case will, in all probability, be laid before the Department of Justice at Ottawa and a new trial asked for on the ground that new evidence has been obtained touching on the case. The Justice Department is the only tribunal that can grant a new trial on these grounds.

Paris is bearing up well in regard to the matter and is confident that he will eventually win the case. He has some confidence in the justice system and will acquit him of the heinous crime with which he is charged.

Bills Committee Was In Session

Proposed Legislation Passed on and Ordered Sent to the Next Meeting of Legislature

The bills committee of the Municipal Council met yesterday morning in the office of the County Secretary and ordered a number of bills to be printed and sent to the next session of the Legislature for enactment. Those present were Councillor J. T. O'Brien, chairman; Edgar Smith, A. M. Magee, William Golding, W. Murray Campbell, E. A. Scholfield and T. H. Bullock.

A proposed amendment of rates in the taxes act provoked considerable discussion and it was decided to make it obligatory for employers of labor to send in statements showing the number of persons employed and the amounts paid them, similar to that in vogue in the city. It also provided that every non-resident in parishes pay a tax of 25 upon entering the number of persons employed and the amounts paid them, similar to that in vogue in the city. They will also have to pay a tax of 25 upon entering a continuous residence of a year within a city, town or parish.

A bill relating to landfills was also adopted. During the year considerable discussion took place in the county council over sub-division owners collecting more taxes from a tenant or purchaser than he himself actually pays. In case of a dispute the assessors shall fix the valuation to be paid by the tenant or purchaser.

A bill authorizing the council to issue bonds to pay permanent highway work in Lunenburg amounting to \$15,172.53 was ordered to be sent to the Legislature.

A bill enabling the establishment of a sewerage district in the Parish of Simonds was ordered printed and distributed. This will enable the County Council to set apart a sewerage area and issue bonds for the construction of sewers. This act will not come into operation until a plan is taken in the district affected.

The Associated Charities Meeting
Matter of Opening Soup Kitchen Discussed—Resolution of Sympathy on Death of Mrs. Ellis—The Secretary's Report.

The monthly meeting of the Board of Directors of the Associated Charities was held yesterday afternoon at 117 Germain street, the president, W. Shives Fisher, in the chair.

A resolution of sympathy was passed and ordered sent to the family of the late Mrs. J. V. Ellis, who for many years was a valued and active member of the board.

The matter of opening up a soup kitchen was discussed at some length but no action was taken. Several matters of routine business were disposed of. The Secretary, Miss Grace O. Robertson, reported as follows for the month of January:

Applicants received 166
Seeking Employment 12
Employment found for 12
Recommended 27
Requests for meals 18
Relief procured for 30
Visits made 37
Clothing given to 12
Suits investigated 15
Seeking transportation 12

BOY SCOUTS' SLEIGHING PARTY
Trinity Scouts and Wolf Cubs Held Drive and Enjoyed Supper on Return.

The Trinity Boy Scouts and Wolf Cubs had their annual sleighing party last evening and they had one great time. About fifty of the boys started out at eight o'clock and drove out to Torryburn, carrying there they came back to the Sunday school room of the church, where the ladies had prepared an appetizing supper for them and, needless to say, to which they did full justice.

After the good things to eat had disappeared they gathered around a piano and had a real old fashioned sing-song. The guests of honor at the party were Canon Armstrong, rector of Trinity, Dr. G. B. Peat, president of the Boy Scout Association and G. S. Bishop, Charles Upham is the scout master of the troop.

The Early Pullet Lays the Early Egg
And the early egg—may late November and through December—commands the top price of the year. Start a BUCKEYE INCUBATOR
In March, or early April, raise the many chicks you'll hatch in a Coal Burning Standard Colony Brooder, and this good money is yours.
We know the Buckeye Incubator and the Standard Colony Brooder will do exactly what we say. We guarantee it, and our guarantee is backed by the manufacturer. Everybody gets a square deal. Nothing beats the "Buckeye" and the Standard Colony Brooder has no equal. Come in and see them, or write for "Buckeye" Literature.
W. H. THORNE & CO., LIMITED HARDWARE MERCHANTS
Store Hours:—8.30 to 6. Close at 1 p. m. on Saturdays of February and March.

Frost King Weather Strip
For Doors and Windows
will last 3 to 4 years shutting out the Cold, Wind and Snow.
"Frost King" is the cheapest strip on the market—will materially reduce your coal bill—easily applied—no waste—stays in place—stops rattling.
Contains no rubber—made of warm, wool felt. Sold by EMERSON & FISHER, LIMITED
25 Germain Street

STORES OPEN 9 A.M.; CLOSE 6 P.M.
New Afternoon Frocks
Effective in Color, Fabric and Style
Excellent quality material and expert tailoring characterize these interesting first Spring arrivals. High colors are in universal favor. The straight line mode is enriched by such color confections as honeydew, geranium red, canna, jade and chaume.
Sleeve styles have struck a decidedly new note. Among the most striking varieties is the aeroplane style, cut straight from neck to hem; the peasant sleeve made full and banded at wrist; the handkerchief sleeve with the under seam left open.
The new "Crepe Knit" fabric is much in demand for afternoon and sports wear and vies in popularity with the charming Canton Crepes. Paisley patterns used in combination with plain colored materials are decidedly new. Beaded designs; colored ribbons cleverly arranged, and touches of hand stitching or embroidery lend distinguishing touches as trimmings.
Such frocks as these perfectly illustrate the new modes:

A clever costume of geranium red "Crepe Knit" is made with vestee and skirt insets of oyster grey. This has a stunning red cape to match, fashioned with soft draped collar, and effective stole front.
Another beautiful frock is developed in honeydew "Crepe Knit" with blouse and half sleeves of light Paisley patterned tricolette. The wide skirt hem is finished with a row of hand embroidery in harmonizing shades. There is a narrow sash at waist and sleeves are prettily trimmed with silk cord and tassels.
Other original and beautiful combinations are seen in frocks of Black Canton Crepe with sleeves of jade; Black Point trim embroidered in American beaded and steel; Black and White pencil striped worsted with applied pattern of pumpkin color and many others. You will be interested in our line of new Canton Crepe Dresses in brown, black and navy. They are handsomely beaded and embroidered and are very moderately priced.
(Costume Dept.—Second Floor.)

Manchester Robertson Allison Limited
KING STREET GERMAIN STREET MARKET SQUARE

THE REASON Mrs. Clarke had given the property in dispute to Mr. McCaskill was a certain she did not wish it to go to a certain member of the Clarke family.
Several witnesses were examined in the morning. Their evidence had to do largely with the connection of Mrs. J. Clarke with St. Matthew's church during the pastorate of Rev. Mr. McCaskill. It was shown that she was prominent in church activities during that time and that she was received into the church during the early part of his pastorate.
G. H. V. Belyea, K.C., and M. G. Teed, K.C., appeared for the defendant, Dr. F. W. Taylor, K.C., and W. R. Scott, for the plaintiffs.

CENTRAL BAPTIST CHURCH SERVICES
The special services being conducted at the Central Baptist church by Rev. E. H. Cochrane of Moncton, are daily growing in interest, that held last evening being the most largely attended and most impressive of the series so far. The message which the speaker has and his manner of presenting it has deeply impressed the people, aroused a spirit of expectancy among them and they are looking for great results from his ministry.
During the service Douglas MacInnes sang a solo which was much appreciated by the audience. The meet-

PROVINCIAL PRESIDENT
Peter G. Petrie, of Sydney, provincial president of the A. O. H. arrived in the city yesterday after an official visit to Fredericton, Bath and Mill town. He will address the semi-monthly meeting of the local Hibernians this evening.
Regular semi-monthly meeting Division No. 1, A. O. H. Thursday evening, Feb. 9. Meeting will be addressed by Provincial President Peter G. Petrie. All members of Div. No. 1 and 5, and visiting members requested to attend.
The meeting will be continued each evening at eight o'clock.