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POOR DOCUMENT

THE EVENING PAPER The Times MOST PEOPLE READ

The Evening Times.

THE WEATHER

East and south winds, fair.

VOL. V. No. 297 ST. JOHN, N. B., WEDNESDAY, SEPTEMBER 22, 1909 EIGHT PAGES—ONE CENT

BROOKLYN CROWD IN OVATION FOR COOK

Explorer's Welcome Continued Far Into Night—Bridgman Says Peary's Friends Back Him Up in Keeping from Public Functions Till Dispute is Settled

New York, Sept. 22—The crowds about the Bushwick Club in Brooklyn did not dwindle until late last night, though it was fully understood by the thousands who packed the streets that there would be no further chance to meet Dr. Cook, who was at a table with forty-eight picked friends. All the throng asked was a chance to see him when he left the club house for the Waldorf Astoria where he spent the night, and they were perfectly willing to wait.

This loyalty without and enthusiasm within the club from the friends and fellow citizens among whom Dr. Cook had lived, so moved him that when he rose to thank his hosts, after a Brooklyn singing society had given the noble old German hymn, "This is God's Day," tears stood in his eyes. He has never been described as an emotional man, but no one who saw him could doubt that he was deeply moved.

"You have shown me," he said, "that it is good to go to the North Pole. In returning, the cheers of other peoples have been a delight, but there is no human ecstacy to compare wit hthe heartfelt tribute of my own people. I cannot adequately describe it, but it dispels in one instant all the long drawn discomforts of the Arctic quest."

To the waiting throngs outside, the doctor shouted from the window, "I thank you for the honor of this cordial and musical welcome."

At 9.30 he took an automobile for the Waldorf and cheered by the crowd, slowly plowed his way through the crowds. At the Waldorf, the explorer retired early for much needed rest, to await further greetings today. His plans for the day have not been announced.

New York, Sept. 22—Herbert L. Bridgman, secretary of the Peary Arctic Club, who accompanied Mrs. Peary northward to join her husband, said last night, when informed of Commander Peary's refusal to appear at any public function until the polar controversy shall have been settled: "I expect this despatch and Commander Peary's action will meet the approval of his friends. Only tentative plans for his reception have been made, and even these were held in abeyance, because it was believed he would prefer his friends should await word from him before they committed him. This announcement will therefore cause no inconvenience."

There is disappointment in the city at large, however, and particularly in the Hudson-Fulton commission, which had placed Peary's name on the naval parade committee before he sailed north, and had eagerly hoped for his return in titme to add glory to the celebration.

FRIDAY FATEFUL DAY, CRUST OF EARTH PEELS OFF

Members of Sect Assemble in Duxbury, Mass., to Await Upheaval

Providence, R. I., Sept. 22—True to their belief that a great upheaval is about to occur whereby the crust of the earth will peal off, carrying the wicked to destruction and leaving the "elect" in undisputed possession of the world, several Rhode Island families belonging to the sect known as the Latter Reirn of the Apostle Church, nave gone to Duxbury, Mass., an appointed place, to await for the cataclysm.

The time set for the triumph of the faithful is Friday next at 10 a. m. Leaders of the sect from Rhode Island and elsewhere are now at Duxbury, and it is said that many o fthem have disposed of all their worldly goods and abandoned their various occupations.

The prediction that the earth would be rended asunder on September 24 is said to have been made first by Frank N. Doughty, an East Providence member of the Apostolic Church in this city.

WORCESTER TEAM HERE THIS WEEK

Will Play Marathons on Friday and Saturday Afternoons

The Marathon baseball team have secured a banner attraction to wind up the ball season on Friday and Saturday. During the past week they have been corresponding with the management of the management of the Worcester team. This team demonstrated its baseball ability by winning the championship of the New England League. Several of the players who are now on the team have been drafted for the season of 1910 by the American and National leagues.

The manager, Jesse Burkett, was for some years a leading player with the Boston American League team. St. John has never had the pleasure of seeing such a fast aggregation of ball players since the visit here of the Montreal and Portland players, and, in fact, the Worcester team at the present time is playing much faster ball than those teams did at that time.

In this last attraction, which means a big financial venture, the Marathons look for the hearty support of the public, and whilst they recognize the great superiority of the Massachusetts team, yet they will do their best to furnish gilt-edged ball.

BARGE SWAMPED, ONE MAN GOES DOWN TO DEATH

Victor Chatigny, I. C. R. Fireman, Struck by Ocean Limited and Killed

Toronto, Sept. 22—(Special)—A coal barge was swamped in the bay yesterday afternoon, and William Hornsnell, a young unmarried man was drowned. Other occupants escaped. The barge was carrying coal to the island, in tow of a tug when a big wave swamped it.

Quebec, Sept. 22—(Special)—Victor Chatigny, employed as a fireman on the I. C. R., received such injuies by being struck by the Ocean Limited at St. Joseph de Levis about midnight Monday that he died yesterday morning.

LIEUT. COL. HENDRIE RESIGNS COMMAND

Hamilton, Ont., Sept. 22—(Special)—Announcement was made today that Lieut. Col. Hon. B. S. Hendrie, C. V. O., had resigned command of the second Canadian field artillery division. Col. Hendrie has been connected with the artillery for twenty-six years. He is past president of the Ontario Artillery Association, and was honored with the command of the detachment of Canadian artillery which attended the diamond jubilee celebratiton of Queen Victoria.

ROBERT HOE, OF PRESS FAME, DEAD

London, Sept. 22—Robert Hoe, head of R. Hoe & Co., printing press manufacturers of New York and London, died here today after a short illness. Mr. Hoe had been in London several weeks on his annual business visit. He suffered an acute attack of kidney trouble ten days ago and his death resulted. Mr. Hoe was seventy years old.

TIMES SPECIALS IN SHORT METRE

Winnipeg, Sept. 22—Attorney General Campbell says he is powerless to prevent the Metropolitan Racing Association from holding a meeting under their federal charter.

Quebec, Sept. 22—The superior court has dismissed the Bank of Montreal's plea of exception in the suit of Carrier Laine & Co., for $65,000.

In the equity court yesterday afternoon the Carleton county case of Michael Welsh vs. James Love was stood over at the request of counsel, until the next sitting of the court in Fredericton on October 5, and in the meantime steps will be taken to see if a settlement can be effected.

TIDAL WAVE ON LOUISIANA COAST CLAIMS BIG TOLL OF LIVES

New Orleans, Sept. 22—Scores of lives are reported to have been lost as the result of a tidal wave which swept a considerable portion of the Louisiana coast during Monday's tropical hurricane, pouring its resistless volume on the defenceless denizens of the coast.

It is believed that the water has swept away perhaps a 100 people. Reports indicate that the fatalities were the most numerous along the gulf bordering the shores of Terrebonne parish. News of the disaster was brought into Houma, the parish seat of Torrebonne, by half clad men and women who managed to save some kind of craft by which they succeeded in reaching shelter. They related stories of great havoc. Relief expeditions were last night sent out of Houma to the stricken section.

Pensacola, Fla., Sept. 22—The storm, attained its greatest velocity at 2 a.m., when it reached 65 miles an hour from the southeast. Two small schooners were driven ashore on the west beach. At the Navy Yard the coal wharf was damaged and five large coal barges beached. At Fort Barrancas, a launch was sunk and [illegible]

Two men are reported drowned in attempting to cross the big lagoon eight miles west of the city, while endeavoring to reach Fort McRae in a small boat.

New Orleans, Sept. 22—It was impossible this morning to estimate the loss of life in Terrebonne parish, and it is probable the restoration of communication with other parts of Louisiana may bring the knowledge of further casualties.

It is impossible to give a correct estimate of property loss, as reports of damage are coming in hourly. Many towns suffered from the storm and numerous plantatitons felt its disastrous effects. The cane and cotton crops of Louisiana sustained serious damage.

Many towns of Louisiana sustained great losses in property. In Baton Rouge and vicinity the damage will exceed $2,000,000. The state capitol is unroofed, and a considerable part of the building flooded. Tidings from Grand Isle, La., where it is feared great damage has been done, with possible loss of life, are still lacking. Relief expeditions which left for the island yesterday have not returned. Grand Island in former storms has been a heavy sufferer.

WILL BE AS THE LIGHT OF DAY TIME

Two Billion Candle-Power Battery of Searchlights at New York Celebration — Hotels Crowding, Will be Record Crush

New York, Sept. 22—A two billion candle-power battery of searchlights will be one of the features of the Hudson-Fulton celebration. It will be placed on the viaduct of Riverside Drive at One Hundred and Fifty-third street, overlooking the Hudson River at a height of 120 feet. By them the river will be lighted as brightly as if by sunlight for several miles in either direction. As the point on which the battery is located projects farther into the river than any point south of Spuyten Duyvil, except Fort Washington, the sheen will be thrown down the bay and up the valley.

The scintillators of the searchlights are of the usual variety, but of enormous size. There will be huge circular disks, subdivided into sections containing colored gelatine screens, by the use of which beautiful color effects more gorgeous than those of a rainbow will be produced.

In front of the searchlights there will be a standard of steam pipes with a horizontal crosspiece which is pierced, and through which will escape immense plumes of steam. This steam will form a curtain upon which the line of scintillators will be thrown as a moving picture is thrown on a canvas screen. To give body to this curtain, immense quantities of black powder will be burned and bombs exploded close to the steam. By combining various colors with the gelatine screens, tints of the most exquisite beauty will be obtained. There is no limit to the range of color or fantastic forms.

The steam will be generated by a 200-horsepower boiler, through pipes that jut out for more than 100 feet beyond the line of searchlights, so as to allow for the light projections and also afford an excellent opportunity for everybody within miles to see the most beautiful lighting that has ever been devised.

New York city will have, during the coming celebration, the largest hotel crowds in its history. In the great hostelries there are few if any rooms which have not been reserved. Many of the managers have bought cots, which they are placing in spots never before economized. The crowds during the Dewey celebration will pale into insignificance beside those expected and already arriving.

WINS FREEDOM FROM ASYLUM

James T. Walker Released After Nine Efforts Had Failed

New York, Sept. 22—After failing nine times on habeas corpus proceeding to obtain his release from the Willard State Hospital for the Insane, James T. Walker, sixty-three years old, of Palmyra, N. Y., who was declared insane twelve years ago, has been given his freedom by Judge Marean, in the Supreme Court, Brooklyn.

Walker was not represented by counsel, although a lawyer for the Willard State Hospital and another appearing for his family, opposed the application for release. Avidavits by physicians who stated that they believed Walker to be still of unsound mind were presented, but Judge Marean overruled them after listening to Walker's plea for freedom.

Walker talked calmly about his comitment and told of the many times that the courts had refused his application for release. He denied that he is insane at the present time or ever had been. Judge Marean asked him many questions, to all of which Walker returned satisfactory answers.

"Mr. Walker, you impress me as being the most sane man in this whole affair," Judge Marean said, after listening to the arguments of the two lawyers who opposed his release.

They had declared that Walker, before his admission to the asylum, had been constantly involved in numerous lawsuits, and that he had been violent and threatened his family. He was also a close student of aviation and had a mania for inventions, the lawyer said.

After Judge Marean announced his decision Walker, who was so happy and excited that he could hardly utter his words of thanks, moved that the cost of the proceedings be placed on the state and his relatives. Judge Marean granted that request also. One of the physicians from the Willard State Hospital(who had accompanied Walker to court, gave him money to return to Palmyra.

WILL NOT BAR OUT LIQUOR MEN

Oddfellows' Sovereign Grand Lodge Votes Down Proposal—No Boys Under Eighteen

Seattle, Washn., Sept. 22—The Sovereign Grand Lodge of Oddfellows yesterday voted down an amendment to the constitution providing that no one directly or indirectly interested in the manufacture, sale or distribution of liquor in any form shall be admitted to membership. A proposal to admit boys of 18 to membership was also defeated.

FALLS 75 FEET IN CHIMNEY

Rochester, Sept. 22—After he had climbed the inside ladder of an abandoned chimney seventy-five feet high, to the top, at Webster, near here, Walter Wackowskia, of Buffalo, became dizzy and fell to the cement base at the bottom. He died before a doctor reached him.

OFFICIALLY DECLARED TO BE DEAD

Kingston Man Missing Seven Years—Prisoners Escape—Durnan Cannot Get Race Before Next Year

Toronto, Sept. 22—(Special)—Chas. Bicknell, who left Kingston, where he has been engaged in business as a storekeeper, for the western states in 1901, was declared officially dead by Chancellor Boyd yesterday. Bicknell was last heard from by his wife in March, 1902, when he said he was starting on a mining expedition. The death declaration was made in order that the Canadian Home Circle might pay Mrs. Bicknell $1,000 life insurance held by Bicknell.

Toronto, Sept. 22—(Special)—Word has reached here that three prisoners escaped from jail at Blind River a week ago, and that three others under sentence escaped a few days later. Persons outside are said to have had a hand in the escape and the provincial secretary's department will take up the matter.

Eddie Durnan, the oarsman, says there is no chance of a race for him this year. Arnot, the world's champion, wanted to row him here on October 15, but Durnan declined because of the late date. Then Greer bucked up when a race with a side bet was offered. Durnan says he is ready to row anybody, but his first race probably will be with Arnot next July.

Chancellor Boyd yesterday granted an order for the arrest of John Campbell, a farmer of Esquesing township, defendant in an action for $10,000 for seduction. The order was granted upon affidavits of Mr. and Mrs. Mark Law, of Georgetown, parents of the girl concerned to the effect that Campbell is preparing to leave the country.

PRISONER GETS BLOW AT WITNESS

Scene in Hamilton Court—The Robinson Murder and Incest Case

Hamilton, Ont., Sept. 22—(Special)—David Irvine was convicted before Judge Monk yesterday on charges of attempted highway robbery and assault on Fred Porteous, the conviction being made on the evidence of J. Robinson, proprietor of the Dominion Hotel. The judge reserved judgment, and as Irvine was being led back to the cells he created a scene by turning on Robinson and striking him in the face.

Sudbury, Ont., Sept. 22—(Special)—After six hours' deliberation the jury in the case of Mrs. Annie Robinson, charged with the murder of the infant child of her daughter found the woman guilty with a strong recommendation to mercy, it being shown that Mrs. Robinson was laboring under great mental strain when she committed the deed. The defence was one of temporary insanity.

The father of the murdered child was the girl's own father and he will now be put on trial on a charge of incest.

MONCTON GROOM, ANAGANCE BRIDE WEDDED TODAY

Sussex, N. B., Sept. 22—(Special)—A very pretty wedding was solemnized at 12 o'clock today at Anagance station, when Miss Inez Victoria, only daughter of R. W. Scribner, station agent of the I. C. R., and Mrs Scribner, was united in marriage to Seymour V. Powell, of Moncton. The ceremony was performed by Rev. B. H. Thomas, of Dorchester, and was witnessed by upwards of 100 guests.

The parlors were nicely decorated. The bride, who was given away by her father, was beautifully gowned in white organdy princess style, and carried a bouquet of carnations and roses. Her going away costume was of green broadcloth, with hat to match. The bride and groom were unattended.

At the conclusion of the ceremony a dainty luncheon was served, after which the happy couple left on the C. P. R. to visit towns in Maine. Mr. and Mrs. Powell will reside in Moncton.

The bride is well known along the line of railway between Springhill and St. John, as she has been living with her father, who has been station agent at many of the places between these points, and she has made hosts of friends. Mr. Powell is a well known machinist of Moncton, and in that town has a large circle of friends. The groom's present to his bride was a shirtwaist set of pearls.

HEBREW WEDDING AT CHATHAM, RABBI AMDUR OFFICIATES

Chatham, N. B., Sept. 22—(Special)—The wedding of Miss Sarah L. Rich, daughter of Mr. and Mrs. Charles Rich, of Water street, to Louis Flam, of Grand Falls, was solemnized last evening at the bride's home by Rev. Rabbi Amdur, of St. John. The house was crowded with guests and friends, and the ceremony passed off with much eclat. Miss Lizzie Hoffman and Miss Esther Hoffmon, were bridesmaids, and Mrs. Louis Hoffman matron of honor. The groom was supported by Louis Hoffman and James Harris.

After the ceremony supper was served and speeches made by Rabbi Amdur, Messrs. Hoffman, Feinbrook, Flam and others, and it was after midnight before the happy gathering dispersed. The bride was the receipient of many beautiful gifts, that of the groom being a gold watch and chain. Mr. and Mrs. Flam will leave on Monday on a trip to the States.

HARRIMAN'S DAUGHTER TO MANAGE FARM

Miss May Controls 33,000 Acres—Railway King's Fortune Proving to Total About a Hundred Millions

New York, N. Y., Septemeber 22—Under an arrangemient now being effected for the management of the E. H. Harriman estate, Miss Mary Harriman, the dead magnate's eldest unmarried child, will become the greatest woman farmer in the United States, if not in the world. She now virtually has control of Arden Farm, consisting of 26,000 acres.

Close by Arden her father quietly acquired before his death other tracts, amounting to 19,000 acres. The exact locations of these tracts is not publicly known, as title to them passed in the name of a corporation with which Mr. Harriman was not known to have been connected. For reasons of their own, members of the family do not care at this time to reveal the holdings. This information, however, will necesarily be made public with the appraisal of the estate.

There are now under actual cultivation at Arden approximately 3,000 acres. The bulk of the huge farm is waste land. Most of this, or about 12,000 acres, will be donated by Mrs. Harriman, as was the wish of her husband, to the State for a great public park.

These acres are heavily wooded and contain several lakes of marked natural beauty. This will leave Miss Mary Harriman at Arden alone a farm of 14,000 acres to care for. Altogether she will have supervision of a farm of 33,000 acres.

Already she has taken hold of the task with characteristic Harriman energy and skill. She is directing personally the unfinished work of road-making, the terracing of hills, landscape gardening, etc., just as had been planned by herself and father jointly. In a smart trap drawn by a high-stepping cob, she daily drives over the farm, giving instruction in detail to the foreman of nearly four hundred men now at work.

Mrs. E. H. Harriman, widow of the railroad king of America, has learned that the estate left by her husband to her exclusive control and use totals in value about $100,000,000. This makes Mrs. Harriman the world's richest woman. She has received an almost complete inventory.

About half the estate is represented by railroad securities. Another large part is in bank, trust company and insurance company holdings. The remainder is in real estate. The latter consists of forty-five thousand acres in Orange county, New York, and the two Fifth avenue residences owned by Mr. Harriman.

POLISH WRESTLER SEEKS NEW FIELD

Champion Arrives in New York With Challenge for Everyone

New York, Sept. 22—Among the passengers who arrived on the steamer Carmonia yesterday was Zbyszko, the champion wrestler of Poland, who intends to challenge everybody in the heavyweight wrestling class, including Frank Gotch, the world's champion.

He has defeated every person whom he has met in Europe, including Ivan Padoudney, the Russian wrestler who defeated Hackenschmidt in two straight falls, each of which was secured in less than ten minutes.

Zybszko is booked to make his first appearance in this country in Buffalo on October 7, when he will meet three of the best heavyweight mat experts in that section.

CROWD APPLAUD AS GUILLOTINE DOES AWFUL WORK

Valence, Drome, France, Sept. 22—A triple execution by guillotine took place in this city at daylight today. Three men were decapitated for a series of atrocious crimes in the department of Drome, which created a reign of terror.

No less than twelve murders and 200 robberies are laid to the doors of these men. They often tortured their victims with red hot irons. A great crowd witnessed the executions and applauded wildly every time the knife fell.

JAIL INMATE TRANSMITS SIGHT OVER 'PHONE WIRE

Mexico City, Sept. 22—Alberto Sanchez, an electrical engineer, at present an inmate of Belem prison, claims to have invented an appartus whereby vision as well as voice may be transmitted over an ordinary telephone wire.

He calls his invention a telerdiopticon, and the prison officials admit that successful tests have been made with models.

It is said the contrivances resembles short opera glasses attached to a battery.

GRAND JURY SUMMONS RAILWAY OFFICIALS

Cincinnati, O., Sept. 22—Subpoenas commanding the presence of about twenty leading officials of several railroads before the federal grand jury here the first week in October, were issued yetserday.

Considerable mystery surrounds the issuing of the summons. These ordered to appear are to bring with them certain papers. Several o fthose summoned are officials of the Michigan Central Railroad, which is not within the jurisdiction of the Ohio Federal District.

United Staes District Attorey McPherson, when asked last nigtht concerning the subpoenas, declined to give any information.

LOWELL-GREY CASE TO JURY THIS AFTERNOON

Judge White States Matter Clearly in Charge to Jurymen—The Question of Politics—Amendment Proposed By Dr. Currey But Later Withdrawn

The case of James Lowell, M.P.P., vs. Dr. J. H. Grey, was resumed in the circuit court this morning.

Dr. Currey Moves to Amend

Dr. Currey—"May it please your honor, the defendant has practically admitted the facts set out in the declaration of the plaintiff. I would move that an amendment be made to the declaration under section 323 of the Supreme Court Act to the effect that at the time of the slander the plaintiff was a member of the municipal council and the chairman of the highway board of Lancaster, and as such a member was charged with commission of the crime, that is accepting bribes from a corporation."

Dr. Currey then quoted from the Criminal Code to show that the offence was indictable, and liable to a term of imprisonment not exceeding fourteen years.

Mr. Hazen interrupted, asking His Honor if the plaintiff's counsel had any right to interpose while he was making his address to the jury.

His Honor allowed Dr. Currey to go on.

Dr. Currey—"I am sorry I had not time to supply my learned friend with a copy similar to this, but I told, after adjournment yesterday, what my intention was."

Mr. Hazen—"My learned friend told me nothing of the sort."

Dr. Currey moved that his amendment be received.

Mr. Hazen objected to this. The case of the plaintiff was that Mr. Lowell, according to Dr. Grey, had been bribed while a member of the legislature, and it would be improper, without a payment of costs, to make an amendment at this stage. This was practically adding a new declaration.

Mr. Hazen then moved for postponement of the case.

Dr. Currey submitted that in opening he had mentioned all three offices of Mr. Lowell. In no sense could the defence be surprised. They knew what would be sworn in evidence.

His Honor said that he would not suffer judgment. The suit had been defended on one charge, and now practically another case was being made against them.

Dr. Currey said that if new subject matter were being brought out, it would be different, but as it was now the whole counts were almost as one.

His honor had allowed the evidence given on the grounds of damages, but the arising of this application had not been foreseen.

His Honor—"I will allow this amendment. I have no alternative, but it will be subject to terms. The defendant will have the right to plead demur, which includes the right to demur, and have the right to plead with ten days after the delivery of the propsed amendment. As to costs, if the defendant succeeds, he will receive his costs; if the plaintiff succeeds, I shall not interpose any costs."

Mr. Hazen—"There should be no necessity of costs in thesce proceedings. The plaintiff has rendered the whole trial abortive by making this amendment at the last moment."

Dr. Currey — "Rather than waste time over discussion of costs, I would not accept terms for my client, as your honor intimates that the matter will stand over for another court." He then withdrew the amendment.

Mr. Hazen at this point asked on behalf of Messrs. Ewing and Hannington what time the case of Peters vs. Barbour would come up, and 2.30 o'clock was set.

Mr. Hazen Continues

Mr. Hazen then continued his address: The evidence of Mr. Masson, he said, showed that he understood from Dr Grey's words that the plaintiff had been bribed as a member of the highway board. The inuendo to be derived was not that he was a member of the legislature. This evidence was given in cross-examination. The evides of Mr. Mills was to the effect that the words applied to Mr. Lowell as a member of the highway board and also of the assembly. The defendant had stated that his statements had referred to Mr. Lowell as a member of the highway board. It must be remembered that the street questions had to be decided by the highway board. The jury would be justified under the evidence in concluding that these words referred to the plaintiff as a member of the highway board and, further, from Dr. Gery's evidence, he had not said the words attributed to him.

Even these words would not amount to slander. If Masson had held his tongue no one would have heard about it. Mr. claimed a verdict for the defendant on the grounds of denial by his client; the words referring to Mr. Lowell as a member of the highway board, and lastly that there was no justification for damages. Mr. Lowell had blurted something about his wife and family, but there was nothing to support his statements. If it should be decided that a verdict be found for the plaintiff it should be for a small, exceedingly small, sum of money.

Mr. Currey

In reply, Dr. Currey stated that he would refer to the attorney-general's observations as treating the case trifling. He was surprised to hear that this case would bring out others and make a demand for more counts—this statment from the premier of the province. The attorney-general referred to the matter as trifling, but if true, the defendant could be sentenced to fourteen years in the penitentiary. Criticism was one thing, observations another.

Dr. Grey had said it was "politics." If no man could enter the political arena without being accused of crime, it would be difficult indeed to get good men for office.

The jury should not regard this case as a trifling matter, but one that would purify politics and not degrade them. Criticism referred more to principles set forth. Mr. Hazen had never been in a hotter fight than for the last seat he had contested. Irrespective of politics, however, the jury should decide the case.

As a member of the legislature Mr. Lowell had partial control of legislation. He was trusted to a great extent when the

(Continued on page 3.)

ROBBERY AT BAY SHORE

Cottage Entered — Occupants Badly Scared, Leave in Night Clothes With Lighted Lamp

Two young men who occupy a cottage at Bay Shore, near Seaside Park, evidently were pretty badly scared on Monday night last. Hearing a noise, after they had retired, one of them went downstairs and discovered that someone had entered the house through one of the windows and had stolen $15 from a pocket-book lying on a table.

Becoming alarmed, he and his companion hastened from their cottage in their night-clothes, carrying a lighted lamp, and sought refuge in the home of a nearby resident, where they stayed for the balance of the night. No clue to the robber has been discovered up to the present.

AEROPLANE TURNS OFFICER IS KILLED

Boulogne, Sept. 22—Capt. Ferber, an officer of the French army, was killed near here this morning while testing an aeroplane. While in the air the machine turned completely over and then dashed to the ground. Capt. Ferber was crushed to death by the motor.

Four years ago Capt. Ferber was in the United States to examine the Wright Aeroplane on behalf of the French government. He opened negotiations for the purchase of the American machine, but without success.

CHILD RETURNED; MOTHER HAPPY

Habeas Corpus Proceedings in McManus Case Ended This Morning

Mrs. Bridget Humphrey, of South Lawrence, Mass., will leave for her home this evening, accompanied by her daughter, Rita. Mrs. Humphrey came here some days ago seeking her child, who had been left about a year ago in the care of Mrs. James McManus, of Hampton, to bring up. On going to the McManus home Mrs. Humphrey was informed by Mr. McManus that his wife and the child had gone away, and he did not know where they were. Mrs. Humphrey, apparently, had doubts about this statement, for she had a writ of habeas corpus issued against Mr. McManus, and the case came before Mr. Justice McKeown in Supreme court chambers on Monday afternoon.

After some argument by counsel the case was adjourned until this morning. Daniel Mullin, K. C., and E. S. Ritchie appeared for the plaintiff, and J. B. M. Baxter K. C., for the defendant.

When the case came up again this morning Mr. Baxter announced that Mrs. McManus and the child were in his office. Mr. Mullin, thereupon, made a demand that they appear in court. This was ordered and on their appearance the child was delivered to her mother, who was overjoyed at the reunion. Mother and daughter will go to South Lawrence this evening.

SPANIARDS ATTAIN BRILLIANT SUCCESS OVER THE MOORS

Madrid, Sept. 22—The Spanish forces in Morocco, according to the latest despatches received here were eminently successful on Sept. 20 and Sept. 21 in in attaining their offensive object, the turning of Mount Gurugua, and the surrounding of the ferocious Beni-sicar tribesmen. The governemnt is today publishing broadcast, accounts of the many gallant deeds, and war fever is at a high pitch.

Near faxdir, four battalions of Spanish troops were deployed over a front six miles long. They were charged suddenly by 200 Arab horsemen. General Toner, perceiving that the enemy threatened to break the line, sent out a strong detachment of chasseurs and cavalrymen to check them. The two parties encountered each other with a terriffic shock. At first the Moors broke, but they returned several times before they were finally dispersed, leaving many dead on the field. The Spanish infantry then feinted a retreat and the Moors, reinforced, swept down upon them. The Spanish line then about-faced and fired repeatedly point blank into the enemy, putting them to flight. The despatches report thta the Moors left 100 dead men on the field.

Madrid, Sept. 22—A total of 5500 Moors, including 1500 cavalrymen, took part in the fighting of Sept. 20. The Moors lost 400 men. The Spanish troops under General Orozco have occupied Aograz.