POOR DOCUMENT

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Semi-Weekly Telegraph

ST. JOHN, N. B., NOVEMBER 30, 1904.

POLITICS VS. PROHIBITION

In his address to the great Liberal convention in Toronto on Wednesday Premier Ross, dealing with the temperance question, made the speech of a practical politician. For example:—

"I might (in 1901) with the approval of my colleagues, have brought down a bill in favor of prohibition. I have reason to believe that such a bill would not have carried in the legislature. I might have forced it in the legislature and have gone to the country, and I might have been defeated. The question that confronted me as leader of the party was: What was my duty? A dictator might have said, 'We will force this question through, be the consequences what they may.' The history of dictators is very brief. Mr. William Jennings Bryan tried to force free silver coinage on a Democratic party, and he failed, and his leadership came to an end. Sir Charles Tupper tried to force his remedial legislation on the people of Canada, and his leadership failed and came to an end. Gladstone tried to force home rule on the people of England, but though advances have been made, home rule failed and his leadership came to an end. Charles I. tried to force Episcopacy on Scotland, and his kingship came to an end.

"Let us be reasonable. I ask our temperance friends, I ask the Conservative party, I ask every man who has the genius for leadership, if it would have been a wise thing in the interests of temperance—if you choose to take that ground—or in the interests of the position which I occupy as leader of the party, if I had prepared a measure and tried to force it through, or if it was not better to wait, as we did, until we had further consultation as to what we ought to do?"

After referring to the events of 1902 and 1903, Mr. Ross continued:—

"That brought us to the close of last session, and still we were confronted with this temperance question. It was growing upon us, from what we learned in the country, and from the tidings brought to us, that we could not under any circumstances fulfill to the letter the promise made by Sir Oliver Mowat. And so we had to endeavor to find some middle course, a course that would do justice to the public interests and moral interests involved, and a course that would be worthy of the Liberal party. I am not going to outline what is in my own mind in detail, nor perhaps need I outline it at all. You are here to advise us what ought to be done in this question. In the multitude of counsellors there is wisdom. I think we should have on every moral question, as on electoral purity, as on social reform, as on public ownership, as on the development of Ontario, I think we should have on the temperance question also a progressive policy. Don't let us wrangle as to the pound of flesh. Shylock is dead long ago. Don't let us set up our own individual preference over some mere matter of detail, but let us be big enough to see what in the temperance field will be progressive legislation, what will mitigate effectually or to some extent at least the evils of intemperance, which will satisfy the good men—and God be thanked for the large number of good men in the best sense of the term that belong to the Liberal party—what good men can support as a step towards the overthrow or at least the curtailment of the influence of intoxicating liquor, for the protection of the lives and homes of the sons and daughters of Ontario.

"Now, if you will strike that line—and I hope you will not be afraid to aim pretty high—you will gladden my heart. If you strike that line wisely you will still keep the Liberal party where it always was, on the temperance question—in advance of the Conservative party—and you will give to the great moral forces—and let me tell you there is no other force in politics worth having—you will give to the great moral forces a confidence in the stability, in the fundamental power, and in the purpose of the Liberal party that will help us materially in presenting our case to the electors when the time comes."

It is evident from this address that Premier Ross fully recognized as a politician the difficulty of making a direct declaration for or against prohibition. His policy is to be a little "in advance of the Conservative party," and to hold his own party together. His views prevailed in the convention, which contented itself with outlining what was termed a "progressive temperance policy."

Interest will now centre in the deliverance of the Conservative party on the same question.

A TIME TO TALK BUSINESS

A significant article which appears elsewhere in this morning's Telegraph deals with some preliminary surveys, for another bridge across St. John river or harbor, which are being made by the C. P. R. company. The company's plans are not yet complete and the officials make no announcements as to the future, but from the facts in hand it is clear that the railroad finds the Cantilever bridge tolls a heavy burden and proposes to find out where it could build a bridge of its own to advantage and how much it would cost. Presumably if we take the sum paid annually to the bridge company by the C. P. R., and capitalize it, we should find that the company could build a bridge of its own, in a more useful place, and save money by the transaction. There has been some talk about building between the Cantilever and the Suspension, but a more common idea is that the C. P. R. contemplates a bridge across Navy Island, say from the Union depot to a point near the present West Side ferry landing, a plan which would give direct connection with Sand Point over the company's own rails.

Enough is disclosed here to awaken the lively interest of the Common Council, the Board of Trade, and citizens generally. For while the C. P. R. needs a railroad bridge, the city certainly needs a bridge for teams and street cars. The city does not feel like building independently. But that the city, the Street Railway Company and the C. P. R. can get together to advantage, and serve all interests, appears plain enough. Previous failure of the three parties interested to agree upon a common plan does not necessarily argue failure in the future. Nor does the fact that a new ferry is to be afloat next summer extensively lessen the city's interest in a bridge plan; for a bridge is the final solution of the problem in hand, if a tunnel be regarded as out of the question. In any event the definite decision of the C. P. R. to build—a decision we may expect upon the heels of the surveys—should lead to deliberation and inquiry by the city with a view to business.

The C. P. R. and the Street Railway may ask the city to pay too large a share of the bill. In all human probability each party interested will exaggerate the benefits to be derived by the others. But while a certain amount of haggling is inevitable, a satisfactory agreement which would ultimately be of immense benefit to all, can surely be reached. As a matter of fact the cost of the sort of bridge required, divided by three, would not be such as to really dismay anyone, although we may expect dismay to be affected by some. If any bridge is to be built it should be one to serve the city and the Street Railway as well as the C. P. R.

THE INTERCOLONIAL

We must confess that we would not be surprised to be told that the Intercolonial is likely to be transferred within the next few years to the Grand Trunk Pacific to be operated as part of the Eastern section of the transcontinental system. Such a move would necessitate the varying of the contract, but the G. T. P. would likely be pleased to consent to such a variation, even although the restrictions imposed may not be quite as liberal as the company would prefer.—Fredericton Gleaner.

No doubt the Grand Trunk Pacific company would be glad to lease the Intercolonial—on its own terms. The recent attitude of the government press toward the government road, and the freedom with which reports prejudicial to the line have been sent out from Ottawa, indicate that the public is being either tested in regard to or actually prepared for some shift of I. C. R. control. Any proposal to alter conditions in this respect will be narrowly watched by Maritime Province people. The people of Ontario and Quebec cannot justly claim that they are supporting the I. C. R. for the benefit of the Maritime Provinces. They do share a growing and in a sense unnecessary loss. But the Maritime Provinces do not monopolize the benefits arising from the Intercolonial. Moreover these provinces have contributed a share of the cost of some enterprises—canals for instance—which are of more direct benefit to Ontario than to some other provinces. And they are not disposed to complain. The country must go ahead and it must have the tools to work with.

We shall know more about the fate of the I. C. R. presently. The delayed surveys for the G. T. Pacific in Quebec and New Brunswick will illuminate the situation. We do not yet know whether a road with low gradients and easy curves, a short line commercially profitable, can be built by the route proposed. The contract is for a road having no ascent greater than twenty-five feet in the mile and no curve great enough to prevent good speed with moderate power. The taxpayers should have known long ago just what the possibilities of the route were—before they were asked to vote upon any railroad plan involving the territory now in question. The information in detail must soon be forthcoming.

The position respecting the I. C. R. taken by certain administration newspapers may indicate that the preliminary surveys disclose greater obstacles than were thought to exist by those who entertained rose-colored views of the G. T. Pacific programme from the first. The Intercolonial could be improved; the deficits could be lessened; partisan control could be done away with, without leasing it to the Grand Trunk Pacific. Where formerly there was a tendency to present the best case for the government road there is now an obvious disposition to emphasize its drawbacks. This change of front is too sudden and too general not to be regarded with a certain degree of suspicion. The colored gentleman has not yet emerged wholly from the woodpile, but evidently he is coming out before long.

THE JAPANESE PREMIER

The Japanese are doers rather than great talkers, and the utterance of Premier Katsura, foreshadowing the work of the Diet, will be accepted as entitled to due consideration in the European capitals, and chiefly in St. Petersburg. One naturally contrasts it with the recent broadside from Count Cassini, the Russian minister at Washington, who presents a bad case adroitly but is widely suspected of protesting too much. Cassini, who but repeated the official Russian view, said Russia would fight on and win at all hazards. Katsura says as much for Japan. But the world will see more facts behind Katsura's words than are discernible behind Cassini's. The Japanese says his people are a unit in supporting the war and in their determination to fight a just quarrel to a victorious issue. The Russian cannot truly say that his people as a whole are committed willingly to the war or to the bureaucratic aims which caused it and which sustain it in the face of grave reverses.

One feels that the Japanese, as a people, will pursue their way despite the heaviest individual sacrifices. They knew from the first that the task was terrible. They were told that it was a fight for existence. In Russia, to some extent at least, the war accentuated differences. In Japan it cemented warring political factions. The Japanese did not underrate the enemy. The Russians did. The Japanese were and are ready. The Russians were not ready and their preparations are not yet complete. The Russians build upon the possibilities of next year. The Japanese point to an unbroken series of successes, and, admitting an unexpectedly long resistance at Port Arthur, still face the future with confidence.

Cassini impressed the world as one seeking to hide the truth from the nations. The facts speak with and for Katsura.

UNCLE SAGE'S WINDFALL

It is encouraging to those of us who are young to learn that Russell Sage at 87 is still able to make a dollar. He went into Wall street the other day and cleared up $555.55 in half an hour.

All this talk about the need of young blood, and of retiring men from active life at fifty or thereabout is put out of court by the achievement of Mr. Sage. There are many young men who do not earn the 55 cents in half an hour, to say nothing of the $555.

Mr. Sage, it appears, earned this money by calling $20,000,000 of loans. A very simple process indeed. The market went to pieces, and call money advanced from 3 to 4 per cent. Mr. Sage put out his money again at 4 per cent, and went home to dinner. In recognition of his success he may have added a little broiled chicken or something of the sort to his usually frugal repast. There is every reason to believe that if Mr. Sage should live to be 97 he will never become a public charge. His St. John and Charlotte county friends will learn with much pleasure that Mr. Sage is doing so well.

PORT ARTHUR'S STRENGTH

The correspondent of the Chicago News who is with the Japanese troops at Port Arthur sends his paper an interesting interview with Gen. Kodama, chief of staff, who asserts that the Japs will winter inside the fortress. Discussing the operations at Port Arthur, Gen. Kodama says:

"This is a question of strategy, tactics and engineering. I have an army large enough to take Port Arthur. The enemy has about 20,000 troops. We have about 60,000—three to one— a sufficient force, even considering their defences. It would be impossible to use more men. The outcome now depends on ammunition and generalship. The Russian forts are well built on the Belgian model. The general situation of the forts also is similar to the Belgian forts. They are iron plated toward the sea; toward the land there are only earth-works, with some masonry and a little concrete. A clever engineer designed them. We find them absolutely changed since the China war, when we took Port Arthur in one day. Then one fort, Itseshan, was the key to the whole position. Once that had been taken, all the others fell. Now we cannot say that any single fort is the key. All are so arranged that we must take them in detail. The capture of one means only the capture of that individual fort, not of a series as formerly. Study as we may, we find it difficult to locate their weakness, they have carried fortification to such an extent."

MR. FOSS' NONSENSE

Two letters, from Canadians living in Boston, were received by The Telegraph yesterday, the object of both being to warn this country that a reciprocity scheme is hatching in the United States, the chief purpose of which is the ultimate acquisition of Canada. While The Telegraph believes both writers exaggerate the importance of a movement in their own region, and fail to see that it is local rather than national, the letters are of interest, proving as they do how cursed are politicians across the line with a tendency to make their dearest plans offensive to all Canadians at the outset. Both writers refer in particular to an interview with Mr. Eugene N. Foss, printed by the Boston Herald after Mr. Foss returned from Washington, where, we are asked to believe, he and Mr. Roosevelt had put their heads together to our undoing. The Herald's article was reproduced by The Telegraph last Saturday. In brief Mr. Foss said: "We are at the parting of the ways. Canada is to go with us or with England." By this sentence alone Mr. Foss surely antagonizes Canadians of every class. He said also:

"To my mind, Canadian reciprocity means much more than an exchange of commodities; there is something broader and larger than that underlying it. It means the good will and the friendship and all that this implies (and, of course, the trade), not only of Canada, but, we trust, of Great Britain as well.

"When we consider that two-thirds of our foreign trade is with England and her colonies, we should see the importance of not permitting the Chamberlain propaganda to go into effect against us.

"Now, the only way that we can head off Chamberlain and his growing movement is by taking the initiative and making a reciprocity treaty with Canada, for without that great colony the late colonial secretary's scheme must fall to the ground.

"America has not yet realized what a blow this preferential scheme, with a consolidated British empire, could inflict upon the United States. Our farmers, in particular, would be badly injured in the important matter of wheat, and still greater throngs of our people would flock over the border into the rich lands of western Canada. That country would be built up at the expense of our own."

Mr. Foss appeals to the expansionists in his own district—an element now firmly in the saddle in the United States. He has found, no doubt, that dry facts and figures alone are not sufficiently attractive to gain a hearing. He adds Canadian acquisition to the prescription. But had Mr. Foss desired to strengthen Mr. Chamberlain's hands in Canada, and manufacture here sentiment against reciprocity with the United States, he could scarcely have employed language better suited to the purpose than that quoted. Mr. Foss had been warned; but he will not learn. Before the presidential election the Canadian-born voters of Boston sought to impress upon him and others that the mere hint that reciprocity meant more than a trade bargain would damn the scheme beyond redemption in this country. And it ever did take two to make a bargain.

The gentlemen who write to The Telegraph from Boston have been advocates of reciprocity, meaning thereby a fair exchange, mutually advantageous. One of them quotes from the Foss interview, and says of it:

"You will notice that the design of the movement is largely political and predatory. It also aims to put Canada up at auction between Great Britain and the United States. It is needless to say, of course, that I am opposed to this kind of reciprocity, which goes far beyond reasonable limits. I wish you would make some comment on this because I think it should be pointed out to your people. * * * No doubt Mr. Foss means well himself, but the uses to which his ideas are put by the press of this country as well as other large elements of a colonizing nature, are such as to fill the problem with great danger."

The second correspondent writes, in part:

"It has been apparent to students of the political attitude of the United States toward Canada in very recent times that this impulsive hue and cry for reciprocity with Canada is based upon something more than commercialism. The political intrigue at the bottom of it was detected almost at the outset, or at any rate suspicions as to the real motive were entertained from the start.

"Enclosed herewith I beg to hand you a clipping from the Boston Herald of this morning that leaves no doubt as to the real import of 'reciprocity' as meant by the Yankee Empire and its 'Rough Rider' Dictator. I hope you will give it prominent publicity in your paper with such comment on your part as you think it deserves.

"This announcement, coming right off the fire, and immediately following a lengthy conclave at Washington, is the first that the propaganda has made public. Although publicity is a hobby with President Roosevelt it is a safe guess that great urgency, alone, would justify it in this case. My own conviction is that it was not meant for the public; in other words, it is a leak."

Mr. Foss may be as mad as a hatter; indeed his campaign gives much reason for the belief that he is; but we have no idea that President Roosevelt either shares or encourages his delusions. Mr. Foss, who was recently defeated in the race for Congress, has been successful in achieving fresh publicity, but in doing so he has, we suspect, but exposed himself and his scheme to a long series of jibes from the Canadian newspapers. At present reciprocity is a seemingly dead duck both at Ottawa and Washington. Mr. Foss and all like him are doing yeoman's service in preventing sensible efforts at resuscitation. The United States can get better trade relations with Canada after it reduces its tariff to the level of ours. Meantime we might discuss a dicker about coal and grain. But we are not disposed to worry over the idea that the United States will expand northward either by guile or by force. That danger is not coming. It is receding and never was more distant than at present.

Hon. George E. Foster, at last night's Canadian Club banquet in Boston, made use of some plain language which will be widely echoed in Canada and which should prove an effective antidote to the Foss nonsense. This country learned a valuable and lasting lesson when it sought repeatedly, and in vain, for fair terms at Washington.

THE SHIPS WITHDRAWN

If accurate, the cabled report that Great Britain has ordered the withdrawal of three protected cruisers and two sloops of war which have been on the North Atlantic station, is one which will lend fresh impetus to the discussion about Canadian contribution to the defence of the Empire. One does not readily discover any convincing reason against the decision to order these vessels to European waters. Those which remain will suffice for all purposes which we can now foresee. There is no present reason for the presence of a British battleship squadron in these waters, and the cruiser squadron to which we have been accustomed is not formidable. Without a ship of the line, the cruisers which it is said have been ordered home, could oppose nothing heavier than ships of their class and number. They are not needed for mere police duty here. Sir John Fisher is quoted as saying that the Admiralty plans sending several flying squadrons of cruisers to the North Atlantic, one after another, and that a battleship fleet could arrive here in a week or so if it were needed.

The fact is the Admiralty cannot now conceive that a heavy squadron is at all likely to be needed here.

Growing friendliness with the United States may explain the new distribution of the cruisers. In reality they are of inconsiderable value in Britain's naval plans. It may be that Germany's strenuous naval progress makes it desirable that the showing of British forces on the various European stations be increased. Or it may be that there is some purpose to cause Canada to consider more carefully and more speedily the question of Imperial defence.

JUST SO

We greatly sympathize with the Canadian view that Canada must reserve to herself the right of consultation on the proposed Anglo-American treaty of arbitration. A Canadian minister is reported as taking up the position that it must be stipulated that when Canada is involved her government shall have something to say as to the composition of the tribunal constituted under the general treaty. A controversy with the United States may arise at any time on the subject of Hudson's Bay, and Canada will not tolerate another such exhibition of magnanimity with other people's property as Lord Alverstone arranged and Lord Lansdowne connived at in the Alaskan affair.—Canadian Gazette, London.

That is about right. We do not cry long over spilt milk, but we do not wish to be understood as encouraging the practice of spilling it. Just now they say a New Brunswick firm is making the brass posts which are to be Lord Alverstone's monument at the boundary. Since posts are necessary, there is no reason why we should not make them; but we have a decided objection to setting them up so far away from the true boundary. We are willing to make the posts, and even to pay for them, but thereafter when there is a line-fence commission it must be one which finds according to the law and the facts. That's fair.

NOTE AND COMMENT

Northwest autonomy is the first question of importance with which politicians expect the coming Parliament to grapple.

* * *

Premier Parent's attempt to stifle free speech in Quebec has started a train of events that may force him to retire. He is a singularly bad judge both of what is right and of what is expedient.

* * *

The bogus ballot boxes were made in the United States and came into Canada duty paid. There is no eager desire to have "made in Canada" stamped on wares of that kind.

* * *

The action of the City Council in voting a million dollars for the purchase of gas stock shows that there is no weakening in the sentiment in favor of government ownership.—Toronto Globe.

* * *

The reciprocity flurry in New England is interesting, but one cannot escape the significant fact that neither at Ottawa nor at Washington does the subject command more than languid attention.

* * *

It is to be feared that the principals in the bogus ballot box crime at Belleville have been permitted to escape. The voters may be expected to deal sharply with the party that stood to profit by the steal.

* * *

Interest in the situation at Port Arthur and Mukden has been greatly stimulated by the news of the last twenty-four hours. The correspondents apparently look for vigorous fighting at both places within the next few days.

* * *

The Telegraph speaks of the "delayed G. T. P. surveys in Quebec and New Brunswick." When and how have the surveys been delayed?—Fredericton Herald.

Does the Fredericton Herald believe we should vote first and survey afterward?

* * *

Sackville is talking about appointing a Scott Act inspector. Chatham has one, but it makes little difference. What Sackville needs to decide is whether or not it is ready to enforce the act and abide by the consequences. There are few places where that is done.

* * *

When a house is placarded for a contagious or infectious disease the doctors say members of the family must not leave it. Some Board of Health officials say members of the family may go about the streets as usual. Somebody is blundering, and the odds are that this someone is connected with the Board of Health.

* * *

A St. Petersburg cable says: "Prominent members of the municipal town councils are arranging a meeting of representatives of all the principal cities of Russia in order that the municipalities may take action in support of the representatives of the rural population. Authorization for such a meeting will be asked. If refused, the meeting will be held privately."

* * *

The Fredericton Gleaner leans toward the opinion that the spread of diphtheria in York county should not be discussed, lest one may seem to be attacking the local government. Members of the government would never commit themselves to the Gleaner's view. The Gleaner should assist the government in fixing the responsibility. The government, no doubt, will look into the matter.

* * *

Speaking of the Liberal convention the Toronto News of Wednesday says: "There was a straw vote taken last night at the King Edward Hotel by 75 of the delegates who were staying there. They submitted to the impromptu convention, which was representative of all parts of the province, the question, "Shall the bar be banished?" The result of the vote was affirmative 3, negative 72. This result, of course, may or may not be indicative of the general feeling, for it is an easy guess that it is not the prohibitionists who would be sitting around the King Edward all evening."

* * *

Passengers by the C. P. R. from Montreal have been annoyed recently by demands for keys to their trunks or valises, on reaching the Maine boundary, in the middle of the night. An investigation indicates that the usual custom has been disregarded. Passengers should be warned upon leaving Montreal that the examination is to be expected. They could then unlock their grips before retiring. But as a matter of fact the through baggage could be inspected at a reasonable hour, after leaving Montreal. The inspection is but a matter of form at best. As now practiced it has become an unnecessary hardship.

* * *

A light is thrown on the vastness of the resources of the west by the following statement made in Montreal this week by Inspector West, of the Mounted Police: "At Fort Vermillion, 600 miles north of Edmonton, the Hudson Bay Company have now an up-to-date flour mill, which gives promise of being of much benefit not only to that district, but also farther south. Already 1,000 sacks of flour have been shipped from the fort to Arthabaska landing, and the settlers in the district are hopeful of being able to raise sufficient wheat to supply all demands of the residents. Grain can be as successfully raised there as in the Edmonton district. The Hudson Bay Company pay $1.50 for wheat, and occasionally have difficulty in getting what they want at that figure. There are extensive flats all along the Peace river, and the Inspector has never seen better vegetables than are grown there."

LAKE OF THE WOODS

The stock of the Lake of the Woods Milling Company is now listed on the local stock exchange and already there has been some considerable trading in the bonds and preferred stock. The common has not been listed and there is no indication of it being offered on the market at an early date. The present company has been incorporated with a capital stock of $2,500,000 common stock, less $500,000 held in treasury, leaving the outstanding capital stock of $2,000,000. The seven per cent. preferred stock, amounting to $1,500,000, has all been put on the market. The bonded debt of the company amounts to $1,000,000. The profits of the company for the year ending Aug. 31, 1904, were $500,374.82, less interest on bonds for year, $80,000; dividend on preferred stock for year, $105,000, and dividend on common stock for year, $100,000, leaving a balance of $235,374. The assets of the company are, of course, largely represented in real estate buildings, machinery, tools, fixtures, etc., to the amount of $3,082,940.89. Good will, trade mark, etc., are valued at $993,354.55, while what might be called the liquid assets amount to $1,191,251.67, comprised of wheat, flour, etc., bags, barrels and mill supplies, open accounts receivable, and inclusive of $170,865.41 cash on hand. The bond interest and preferred dividend could be covered by a profit of only $165,000, which looks very nice on the strength of last year's profit of $500,000. The bonds at 110 will give a return of 5.45 per cent., and the preferred stock at 118 would give a return of 5.93 per cent. The executive of the company remains the same, and as they have proved themselves to be the right men in the right place, there should be no misgivings as to the future earning abilities of the company.—Montreal Witness.

REV. C. D. SCHOFIELD IN HIS NEW CHARGE

Former Rector of Hampton Preached First Sermon at Sydney Yesterday--Induction Dec. 11.

Sydney, N. S., Nov. 27—(Special)—Rev. C. D. Schofield, of Hampton (N. B.), who has been appointed rector of Christ Church, this city, preached his opening sermon today to a large audience.

The induction services take place Sunday, Dec. 11th.

MISTRIAL IN NAN PATTERSON'S CASE

JURYMAN STRUCK WITH PARALYSIS AND JUDGE DISCHARGES THE REST

Defendant Much Disappointed Over the Result--Would Have Taken the Stand in Case She Had To--Rumor That Morgan J. Smith is Under Arrest.

New York, Nov. 28—The jury in the Nan Patterson case has been discharged. No application was made to set a date for re-trial.

New York, Nov. 26—Because of an attack of paralysis which affects all the left side of his body and may prove fatal, Edward Dressler, who was juror No. 9 in the trial of Nan Patterson for the murder of Caesar Young, was unable to go to court today, and it was announced by Assistant District-Attorney Garvan that a new trial would probably have to be called.

This is a serious setback to the case which has been brought so prominently before the public for some time past because of its original features and the fact that a young woman was fighting for her life, came as a severe blow to judge, jury and lawyers alike. Nan Patterson herself was greatly depressed by the news, as it means that she will have to withstand the strain of choosing a jury and another recital of facts in her case, which has already been gone over exhaustively.

The trial was adjourned today by Judge Davis until Monday, when the situation will be considered and the future of the case be decided upon. Judge Davis has made all the necessary preparations for a speedy trial and had decided to hold night sessions beginning today until all the evidence should have been brought in.

It would be impossible for Mr. Dressler to attend the trial within a month's time at the least, even if he recovers. This is the third attack and the most serious.

The choosing of a new jury would hurt the defence more than the prosecution, it is thought by many. The jurors had all been to the liking of Nan Patterson and her lawyers, and they were confident that she would be acquitted. It has been noticeable during the trial that the prosecution and the jury were not in sympathy with one another, so that Assistant District-Attorney Rand will probably insist upon his rights and call for the discharge of the eleven men who are left.

This is the fourth trial of any import where the illness of a juror has caused a serious setback and long drawn out delays. The Molineux trial was put back two weeks from that cause and the trials of Buchanan and Dr. Meyer for similar reasons.

Despite denials by Assistant District-Attorney Garvan and at police headquarters, it is reported that J. Morgan Smith, the brother-in-law of Nan Patterson, is a prisoner at headquarters. A man answering to his description was arrested in Nyack and brought to this city on a warrant issued by Judge Newberger, charged with contempt.

Smith has been a fugitive since June 8 last, when he was served with a subpoena to appear before the grand jury to affirm or deny the story that it was he who had purchased the revolver with which Young was killed. Pictures of him have been identified, it is alleged, by the district attorney and by Hyman Stern, the pawnbroker from whom the weapon was purchased on the evening preceding the tragedy.

Information that Smith, under an assumed name, was in Nyack, came to the office of the district attorney the first day of the trial, and Inspector McCluskey dispatched Detective Judge, who returned late that night with the prisoner.

It is said today at the district attorney's office that nothing was known of the report that $12,500 was missing from Young's funds after the shooting. According to a rumored story, Young borrowed $15,000 in cash on endorsement of his wife, three days before he was to sail. Only $2,400 was found in his pockets after the shooting, and according to the story his relatives and friends wonder what became of the remainder.

It was announced today by her counsel that if Nan Patterson has to put in a defence, she will take the stand. If a formal motion to dismiss the indictment is denied by Justice Davis, a defence will be made and she will testify.

NOVA SCOTIA CASES BEFORE SUPREME COURT

Ottawa, Nov. 28—(Special)—In the supreme court today the hearing of appeals from the maritime provinces was commenced, the first case taken up being Stevens vs. Brookfield. The plaintiff (appellant) sued the respondent for damages caused to his stock of tobacco in his shop on Hollis street in Halifax (N. S.) on account of the negligence of respondent's servants employed in making alterations in the upper stories of the same building in leaving a water tap open and flooding the premises. The damages were appraised at $2,153 but at the trial the jury on finding in favor of the plaintiff assessed the damages at $1,000 only. The Supreme Court of Nova Scotia granted a new trial asked for by the defendant and plaintiff now appeals claiming that the new trial should be restricted to the question of amount of damages. Judgment was reserved.

George vs. the King was next taken up. The appellant was convicted of stealing property of the crown and sentence suspended until the decision of a reserved case submitted to the Supreme Court of Nova Scotia as to whether or not the charge was bad by reason of omitting to charge the offence as having been committed fraudulently and without color of right, and if so, was the conviction therefore bad although the accused did not make the objection until after the close of the evidence.

The full court decided that the charge was good, Justice Weatherbee dissenting. On this appeal objection is also taken to the jurisdiction of the court in Banco, consisting of a quorum merely, to hear and decide a criminal case reserved. J. J. Power appeared for the appellant, Hon. Attorney-General Longley for the crown. The appeal was dismissed.

The first meeting of the military council was held today. Sir Frederick Borden presided.

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