REMARKABLE

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#### CHANCE FOR THE BOYS

corporations in Canada, head MALE STENOGRAPHERS who raduated from

ericton Business **College** may enter at any time as w AND SUMMER VACATIO

could have placed many more ites during the past year had te for Catalogue. Address:

W. J. OSBORNE. Principal, Fredericton, N. B.

UMMER VACATION THIS YEAR. demand for proficient bookkeep-nd stenographers surpasses all we ever known in our long experi and we are ready to do our part ualifying earnest young men and en to profit by that demand. regular staff of teachers will be ned, individual instruction will be

and all who have brains and stry are assured of success. d today for catologues, giving STJOHN S. KERR & SON

## Oddfellows' Hall NOTICE OF SALE

Charles E. Pengilly, Herbert H. ngilly, and all other heirs of Rob-Pengilly, and to George S. Fisher,

OTICE IS HEREBY GIVEN that r and by virtue of the power of contained in a certain Indenture Mortgage, dated the Twenty-sixth of February, A. D., 1880, and made een Robert Pengilly, of the City aint John and Province of nswick, Trader, temporarily residat Washademoak in the County of en's, and Province, aforesaid, and ry, his wife, of the First Part, and othy Cusack, of the City, afore-Contractor, of the Second Part, duly recorded in the Office of the strar of Deeds in and for the City County of Saint John as Number 9 in Libro X No. 7 of said Records, 326, 327, 328 and 329, on the Sixth of March, A. D., 1880, THERE LL BE SOLD AT PUBLIC AUC-ON AT CHUBB'S CORNER, (80 led), in the City of Saint John, in City and County of Saint John and nce of New Brunswick, ON SAT-DAY, THE TWENTY-EIGHTH OF SEPTEMBER, NEXT, at elve o'clock noon, the lands and ises by said Mortgage conveyed being described as follows:-"All t certain lot piece and parcel of d situate at Reed's Point in Duke's ard in the said City of Saint John, ving a front on Prince William eet of Twenty-five feet and running ck continuing the same width eighty or thereabouts, adjoining on the ith property owned by Thomas Reed on the north property owned or merly owned by John Clarke, being southern half of lot number on sand one hundred and fifteen

rogether with all buildings and im rements thereon for the purpose of ying the principal and interest sered by said Mortgage; default havg been made in the payment thereof, ording to the terms of said Mort-

Dated this Twentieth day of June, G. FREDERICK FISHER, Assignee of said Mortgage

T. LANTALUM, 21-6-3 mos.

ig the libel knowing the same to be lse, in which case evidence of the uth may be given in order to negave the allegation that the accused new the libel to be false. The accused may, in addition to

uch plea, plead not guilty and such eas shall be inquired of together. 5. If, when such plea of justification pleaded, the accused is convicted, court may, in pronouncing sen nce, consider whether his guilt is agravated or mitigated by the plea. R.S.C., c. 174, ss. 148, 149, 150 and 151. (Continued on Page 7.)

eamer Alexandria sailed last night or Kingston, with some 50 members the New York State Chess Associaon who will hold their mid-summer neeting on board. Other members will oin the party at Kingston, after which he Alexandria will sail down the St. awrence river to Montreal and Que-

Bears the Signature Charff Fletchore,

LATEST PORTRAIT OF KING

OSCAR AND QUEEN SOPHIA



June 6 was a gala day at Stockhol m, and, in fact all over Sweden, for it was the golden wedding jubilee of K ing Oscar and his venerated queen. All day the city was en fete and everywh ere was rendered manifest the devotion which the Swedish people, especia lly the middle class and poor, have for the most democratic sovereign in Euro pe. At the palace, King Oscar, who attended by all the members of theroyal family, received a large number of addresses including one from the municipality and one from nearly every pub-

#### JUDGE LANDRY REFUSES, ETC

(Continued from Page Six.)

FREDERICTON, N. B., June 24. -Judge Landry this morning refused to grant leave to appeal to the Supreme Court his decision rendered by him against the crown on demurrer, but on application agreed to reserve a case. Mr. Barry, acting on behalf of Dr. Pugsley, moved for a postponement of the trial, which was strongly oppose by Mr. Hazen, the latter asking for Mr. Crockett's discharge. After

lively argument, His Honor deferred his decision until the morning. On the opening of the court today the audience outside of the petit jury legal profession, there were few spec-tators. Among the lawyers present were J. H. Barry, K. C., represe the crown and Mr. Emmerson, J. D Hazen, H. F. McLeod and O. S. Crock-Powell, F. B. Carvill, J. D. Phinney,

occupied a seat alongside of his counsel, His honor on taking his seat, said that he would deliver his decision in the case referred of King vs. Crockett, which was as follows: "I have considered the matter of referring the decision of the demurrer to the court and practice is not to do so. Did I believe that there was no appeal from my decision I would refer the question, but believing that the court at the next term will probably be asked to rescind order, and that the matter can thus be brought up, I will make no reference to the court. Yet so far as I that leave is granted. The practice to

and to much unnecessary and vexainvoked and followed, the proceedings at circuit would have to be stopped and off to another circuit and we can readily see how often recourse would be had to such a practice if once es-Mr. Barry-"I understand that His

refer to the court important questions

Honor refuses the arguments for the full bench." Judge-"Yes, that is my judgment." Mr. Barry then entered upon a lengthy argument in support of his application

to have his honor reserve a case for the

ABSOLUTE SECURITY.

Genuine Carter's Little Liver Pills.

Must Bear Signature of Breutspood See Pac-Simile Weapper Below

Very small and as easy to take as sugar. CARTER'S FOR HEADACHE. FOR BILIOUSNESS. FOR TORPID LIVER. FOR CONSTIPATION FOR SALLOW SKIE FOR THE COMPLEXE

CURE SICK HEADACHE.

full court on the ground that the point is one of the greatest importance. He cited different sections of the criminal

His honor said that Dr. Pugsley had stated that if the decision were against allowing the demurrer to go to the full court, there could be no appeal. Mr. Barry said that this had been Dr. Pugsley's view but since then he had changed his mind. The application was now for a reserved case.

He said it was an entirely new one. The question in demurrer had been decided and it is now asked that a case be reserved. It was impossible, he claimed to get a case reserved without the tria having been gone on with. The crown had stated it would not now proceed and under these circumstances it was mmoned to hear civil cases and the too late to come in now. If the application had been made before he would have compelled the crown to go on with

the crown could ask for a reserve case ett, in behalf of the defense, H. A. at any time and said it would be absurd to go on with the trial for if the M. McMonagle, J. W. McCready, A. J. full bench upheld Judge Landry's de-Gregory, J. C. Allen, J. F. Winslow, cision the trial would have been so much waste time as the crown would

Mr. Hazen said the point of reserving a case does not arise. His honor had refused the point taken and he would, therefore, now move that Mr. Crocket

have concluded that the more regular Mr. Barry's contention was right, that The fact of reserving does not internot prevent the crown from asking the have power to grant leave to appeal, today comes up in a different form and arising on circuits might lead to abuse

> postponed until the law question be decided by the court of appeal. There is no use in trying out any issue of fact if the law decision is going to upset them. Under the circumstances he would ask for an adjournment. Mr. Hazen contended that the trial should not be postponed. A case reserved is no legal ground for post-

serving a case is not sufficient reason.

the crown is not ready. Mr. Barry-Well I will put it that

The defendant is not in custody and no injustice can be done him by a post- rails.

tion throughout the entire case as most and his statements are borne out by injustifiable. They had endeavored by every rossible means to delay the case from coming to trial and after each attempt had failed had jumped to some other refuge. It was plain that the rosecution did not intend to try the ase. There had not yet, to his mind, een given any valid reason why the truth of the so-called libel should not have been enquired into, Mr. Crocket ponement. had had all his witnesses here for days and was prepared to establish his justification. Now this morning another step

code in his argument.

Mr. Hazen opposed the application

Mr. Barry, in reply, contended that

Judge Landry said that he thought at any time a case could be reserved. fere with the trial going on or stopping it. Dr. Pugsley stated that my decisionwould prevent power of appeal and I have given my decision but that does bench to rescind my order. The point I would not like to refuse a reserve case. This I will do, The trial can now go on. I know Dr. Pugsley said that they did not intend to proceed now, but of this I have no official knowledge. The case is now to proceed with,

Mr. Barry moved that the trial be

ate positions.

wounds on his face and head.

There are three unofficial versions of

the manner in which the wreck oc-

curred. One is that the passenger train

for New Britain went out on track No.

is that the work train had the right

of way until seven o'clock, and should have had a clear track, that the pas-

ed to close it, thus making the collision

possible, but the version is generally

discredited. It is understood that all

the trains on the divisions today op-

erated on track No. 1, thus leaving the

other track to the work train whose

crew have been employed repairing the

At the office it was stated that the

The engineer of the work train

claims that he had the right of way

formal report had not been made.

2 instead of track No. 1. The second

oning trial. Judge Landry-I entirely agree. Re-Mr. Barry again pointed out how utile it would be to try the cause before the bench had given its decision on the legal points. Besides the crown is not now ready with its witnesses to Judge Landry-Better reason to say senger train opened a switch and fail-

way. The crown is not ready until the point is decided, also the witnesses

Mr. Hazen made a vigorous address and became quite eloquent. He denounced the action taken by the prosecu-

25 INJURED IN COLLISION

THE EVANS VACUUM C ir is a practical inven

free and normal circulation is restored throughout the scalp.

minute blood vessels are gently stimulated to activity, thus allowing

ried to the hair roots, the effects of which are quickly seen in a healthy

icals of whatsoever kind are employed, there can be nothing to cause irritation. It is only necessary to wear the Cap three or four minutes

60 Days' Free Trial!

THE COMPANY'S GUARANTEE

An EYARS YACUUM CAP will be sent you for sixty days' free trial. If you do not see a gradual development of a new growth of hair, and are not convinced that the Cap will completely restore your hair, you are at liberty to return the cap with no expense whatever to yourself. It is requested, as an evidence of good faith, that the price of the Cap be deposited with the Chancery Lane Safe Deposit Company, of London, the largest financial and business institution of the kind Ja the world, who will issue a receipt guaranteeing that money will be returned in full on demand without questions or comment, at any time during trial period

The eminent DR. I. N. LOVE, in his address to the Medical Board

on the subject of Alopaecia (loss of hair) stated that if a means could

be devised to bring nutrition to the hair follicles (hair roots.) without resorting to any irritating process, the problem of hair growth could be solved. Later on when the EVANS VACUUM CAP was submit-

ted t him for inspection, he remarked that the Cap would fulfil and

onlirm in practice the observations he had previously made before

upon which the Evans Vacuum Cap is founded, is absolutely correct

An illustrated and descriptive book of the Evans Vacuum Cap will be sent, post free, on application.

THE SECRETARY, EVANS VACUUM CAP CO., LTD., REGENT HOUSE, THE SECRETARY, EVANS VACUUM CAP CO., LTD., REGENT STREET,

DR.W.MOORE, referring to the invention, says that the principle

the food supply which can only be derived from the blood, to be car

vigorous growth of hair. There is no rubbing and as no drugs or chem

and nygrenic principles by the simple means of which a

Terrible Disaster on New York, New Haven and Hartford--Harrowing Scenes-Passenger Train Crashed Into Rear of Work Train.

HARTFORD, Conn., Arie 23.-Eight others on the same train, Engineer Wilrkmen were killed and 35 injur when a passenger train on the High-time to escape injury. The passengers land division of the New York, New however, were badly shaken up and Haven and Harrford railroad crashed some were cut by flying glass.

into the rear end of a work train that The four o'clock express from New was backing into the city from New Bri- York was held up about half an hour tain tonight at Sigourney street cross- directly abreast of the wreck. The 7.10 ing. Of the injured two are not expect- express, north, passed on an adjoining track soon after the accident and "side

The wreck is one of the worst that swiped" the wreckage. has occurred here in years. Dead and When the news of the accident reachdying were strewn along the sides of ed the city, a squad of police were dethe track, while unfortunate victims tailed and they had hard work keephorribly mutilated were beneath the wreckage, some pinned amid a mass of from all directions, from the scene. tangled iron and wood. Their groans There was danger all of the time beand appeals for aid moved the rescuers cause the wrecked cars had to be mainto desperation, and brave men worked tained in an upright position by stays, till prostrated in an attempt to extri- while the rescuers were underneath cate the sufferers. Some of the victims battling to save the lives of the vic-

within easy reach were dead, and after tims. this fact was definitely ascertained they During the excitement fire broke out were left while the rescuers united in and the department was summoned. getting the living out of their desper- After quenching the flames, the fire-In one instance it took an hour and and saws worked hard until the ar at Fredericton 3 p.m. Received with a half to rescue one workman who was rival of a squad of fifty railroad guard of honor. Mayor and Council pinned between the trucks. His head wreckers. A half dozen priests were will meet His Excellency on arrival and was hanging down backwards, he suf- early at the scene and administered the party will drive to the Opera House fered untold agonies, but the rescu- the last rites to some of the sufferers. ers kept encouraging him while doctors Soon after the wreck, while an invest reached between the framework which tigation was being made to ascertain party will be driven to different places held him a prisoner and treated the the whereabouts of the living victims, of interest about the city. Public re

one man underneath several tons of ception at Parliament buildings at 9.30 debris was seen waving a red flag. p. m. Supper with Mayor and Council Some one reached in with a bottle of after recotion Friday, Aug. 16th. Leave whiskey and gave him a draught. He for St. John. After luncheon a visit to renarked: "The first drink in twelve Mrs. Close's children home at Nauhad a terrible gash in his neck and is automobile (weather permitting). one of the hospital patients who is in Evening, fireworks, etc.; not yet fully a critical condition.

victims tonight. The doctors say that His Excellency. two of them cannot live, and they are unable to give any detailed information regarding the condition of the rest. At the Hartford Hospital there ar four injured, and none of them fatally. Automobiles, wagons of all descriptions, together with all the ambulances in the city were used to hurry the injured to the hospitals. The names of the victims by reason of their all being Italians, could not be learend,

Why isn't it ready? Mr. Hazen referred at length to the Moncton meeting and the loud call made for an early vindication. He would ask that his Congressman J. Adam Bede, "and the konor refuse the application for a post-

Judge Landry said that the situation was a most embarrassing one for him. A reserve case was not suffiis taken to delay matters and under a cient to rostpone and there were no new application asking that this indict- affidavits before him for him to take ment hang over for six months. notice that the crown was not prepar Is this British justice? Is it fair ed. At the same time he could not to a British subject? he asked help seeing that if his decision was rethat indictments should hang over his versed it might work an injury to the head for such a period. The request crown and at the same time he did not made for a commission was shown to think Mr. Crockett should be kept unbe most absurd. There has been no der an indictment. The situation was the case, and now resort is taken on the ground that the crown is not ready.

ON THE FATHER'S SIDE. for the first time out in Utah." relates teacher asked them their names "'John and William Smith,' the boy replied.

"'Ah, then you are brothers! How old are you?' "'Each ten years old, ma'am.

"'Indeed! Then you are twins?' 'Please, ma'am,' replied one of the boys, 'only on our father's side.' "

BALTIMORE, Md., June 23 .- United States Senator Eugene Hale, of Maine, who has been a patient at the Johns Hopkins hospital, following a surgical bona-fide intention of going on with as he had said, most embarrassing, operation performed upon him some

ENTHUSIASTIC

**Emphasizes Great Advantage** of All-Red Project

in World's History—Fast Mail Service Will Greatly Assisi

MONTREAL, June 23.-Lord Strathcona's direct association with the all red fast mail project is again attested by a long interview in the Chronicle. Lord Strathcona emphasizes the enormous advantage to Canada when a steamer leaving a British port every Saturday reaches Canada the following Wednesday. Three twenty-five knot boats would thus suffice for the service, and London would be brought within eight days of the Pacific, and with the desired twenty-knot boats on the Pacific, the journey from London to Australia would be lessened by eight days. He believed the part Canada is destined to play in the history of the world would surpass all expectations. The fast service would greatly

the vast benefits accruing to both, An influential committee, including eight peers, two Irish Roman Catholic bishops and forty members of parliament, including Wyndham and Long, two ex-Irish secretaries has been formed to support the Black Sod Bay route in connection with the proposed and Canadian ministers are, however, dealing with the project on a subsidy basis alone, leaving contractors, who-

PROGRAMME FOR EARL GREY'S VISIT

ities to all Canadian railways.

FREDERICTON, June 22. The following is the programme of entertainment for His Excellency Earl Grey, Governor General of Canada, on the occasion of the visit of St. John and Fredericton in August, 1907, as approved by His Excellency.

Governor. Guard of Honor and salute. Drive to Royal Hotel. Presentation of mentioned. address by His Worship the Mayor and Council at the Court House at 4.30 p. weeks ago on a trip through the West m. Drive around the city and visit public institutions. 8.30 p.m. state din-

ner by His Honor the Lieut, Governor at the Union Club. Wednesday, Aug. 14-Quiet morning. 1.30 luncheon at Canadian Club. Address by His Excellency. 4.30 p. m., inspection of Boys' Brigade and Cadet Corps. 3, public reception at York Theatre. 10.30, supper by the Mayor and Council at the Union Club. Fredericton - Headquarters at the Queen Hotel. Thursday, August 15th. leave St. John for Fredericton by men became rescuers and with axes steamer. Luncheon on board. Arrive where address will be presented by His Worship the Mayor, after which the

years, and God knows I need it." He wigewauk. Transportation to be by

arranged. At St. Francis hospital there are 31 A staff of five people will accompany



CAUSE OF HER JOY. Edith-"So you are really engaged at

Gladys-"Yes, I was sure you would BOSTON, June 23.—A total of 1,799 Over a hundred Foresters turned out boys and girls were graduated from the high schools of Boston the present St. John's Presbyterian church, Rev. Bears the Signature Cartiflutation.

STAND MUST

B. F. Smith, M. P. P. Com mitted by Magistrate

Canada Destined to Play a Great Part He is Accused of Fraudulently Receiving Logs Without Owner's Consent -Bail Accepted

WOODSTOCK, June 22.-Police Magistrate Dibblee rendered judgment this afternoon in the case wherein B. Frank Smith, M. P. P., is accused of fraudulently receiving logs without the consent of the owners. Mr. Smith was Canadian Engineer'S Heroic sent up for trial at the term of the county court which will be held on the second Tuesday i n July. J. C. Hartley and George E. Balmain went bail for the accused, the recognizances being fixed at \$200 personal and \$100 each for His Story a Thrilling Tale of Endurance the sureties. Mr. Dibblee in giving his decision spoke in part as follows: "As there seems to be quite a desire on the assist this expansion and the sum part of some persons in this town to asked from the British and Canadian make this matter appear partly politiexchequers was not too great, seeing cal and partly a case of malicious per secution on the party of the deputy sheriff against Mr. Smith, and believing as I do that the administration o justice is often injuriously affected by misrepresenting the motive of public officers in the performance of their duties, I wish to call the attention of all concerned to the facts as disclosed fast mail service. Both the British in the evidence and not in any way contradicted. Mr. Foster was appointed an inspector of the St. John River for the Log Driving Co. on the eighth ever they may be, to settle ports and day of May. Some time about the routes, subject, of course, to rigorous middle of the month he was at Bristol, onditions as to time and equal faciland that day after tea he received information that one Tize Dyer picking up logs. Foster immediately laid information against Dyer, arrested him and took him to his own house him to the home of Smith and allowed and physical wreck, paralyzed in After this the deputy permitted Dyer use of his limbs and with only a fracto have an interview with Mr. Tompkins, without in either case hearing what took place, and in answer to Mr. Hartley on cross-examination Foster had said he had been willing to have Dyer plead guilty to stealing the logs. Right here it must be noted that while

> state that after a careful reading examination, he was forced out of re-

nped in Hotel. Tuesday, Aug. 13th, His Excelistrate in reply said he had no reason to istrate in reply said he had no reason to istrate in reply said he had no reason to impose irksome conditions, and would dred medals of the Humane Society— John at 3 p. m. Lieut. Governor and even be prepared to accept the destaff will call on His Excellency on the fendant's personal recognizance, but on S.S. Minto, Call by His Worship the the suggestion of the defense that the Mayor immediately after the Lieut, statute had better be strickly observed, sureties were entered into as above

> C. J. Tabor, who left here is reported to have purchased a large hotel in New Westminister

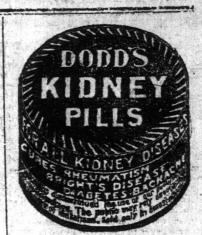
MOI CTON YOUTHS GOT BAD SCARE

Bold Highwaumen Flourished Revolver and Demanded Their Money—City

MONCTON, June 22.—Held up at the point of a revolver, behind which stood have the use of his lower a man who demanded their money, His mind was also found to have lost two young West-Enders received a bad its balance. There is always pictured scare about half-past twelve last of the banked up waters beginning to night. They were going home when rush through the yielding embankthe young man, flourishing a revolver, ment, and he at times loses control of stepped out from the shadows surrounding the West End United Baptist church and ordered sharply "Hands vocation for help and a yell of agony up." Four hands shot into the air without hesitation, and then the man behind the revolver demanded two dollars, "and I want it quick," he added.
One of the young men said they had no money, but an oath and a threatening gesture with the weapon was the only response. Just then an I. C. R. call boy with a lantern over his arm rounded the corner, and glancing around the would-be thief saw him and

took to his heels. Because the presence of numerous industries has tended to increase the have refused to work longer under the Maine manager of the ice company, and granted an increase to \$1.50, which capacity of \$40,000 tons of ice, but were the I. C. R.'s new shops or the sewer fire and telegraph wires were burned, siderable in the city at present. last? I'm awfully glad to hear it, last night Conductor McFadgen fell off fire is not Fnown. the top of a box car, but was not seri-

ously hurt. He will be laid up for a D. MacOdrum preaching.



SAVED DAM BUT LOST REASON

Deed at Panama

With Terrible Results

MONTREAL, June 22.- A sight that inspired sentiments of pity and sympathy and a story full of melancholy pathos were revealed at Bonaventure station yesterday evening. They were associated with the home-coming of Albert Houston of Toronto, who left an engineering establishment in the Ontarto capital two years ago to take a position in connection with the Panama construction works, which are being carried out on the isthmus under the auspices of the government of the United States.

Two years ago Mr. Houston left Canada strong, robust, vigorous, keen-a first class mechanical engineer, thoroughly equipped mentally and physically. Yesterday he returned a mental mind and body, with but the slightest gans, his stiffened limbs, curiously distorted features and periodic exclamations attracted the attention of many people, some drawn towards him by something more than curiosity, for despite the fact that he appeared to be an utter wreck there was something about him which proclaimed him a man of superior education. He was respectathe company hired Deputy Sheriff Foster as an inspector and had him make arrests they put the prosecution in the ably dressed and his voice had in it a

hands of their legal adviser, who was willing to take all responsibility for refusing to allow a formal plea of guilt to be entered by Dyer."

The story he told in his calmer moments was one of genuine heroism such After some further exoneration of the deputy sheriff, the magistrate went on to state that after a careful reading to individual effort and suffering on of the evidence as brought out at the to individual effort and suffering on the part of the humbler workers. In a sense what Mr. Houston said

was disjointed and rambling; but in Mr. Hartley stated that bail to any amount would be furnished. The magnitude and rambling; but in the main it was made clear that he had performed an act worthy of a listrate in reply said he had no reason to an act of great courage and noble endurance. It appears that about three months ago while he was superintending a dam on the Charges river, that had been built to divert the current while the permanent waterway was being formed in the old channel, a portion of the embankment gave way and but for his springing forward and exerting his strength to keep the yielding piles in place in this critical spot, the waters would have poured through a leak and in all probability carried a large part of the structure, with the drowning in all probability of about two housand workmen who were busy be-

> Mr. Houston applied his body to the break and shouted with all his might, but for long shouted in vain. At last, after remaining two hours in a position of positive terror and great pe succeeded in getting help. The engineers and workmen on learning of the terrible danger in which the locks were placed rushed to the support of falling fabric and it was saved, but the man who had been instrumental in saving nearly two thousand lives was carried away helpless and was taken in charge by the doctors. His body was paralyzed and he will never in his mental vision the horrible scene himself and gives utterance to a weird and unearthly kind of scream. It was this scream, something between an inthat attracted so much attention at the station yesterday, evening.

GARDINER, ME., SURNED

GARDINER, Me., June 22. - The Great Falls houses of the American Ice Company at South Gardiner were burned today together with the old wages of laboring men in the city, a Johnson homestead which is also ownnumber of men in the civic employ ed by the ice company. L. C. Ballard, former laboring wage of \$1.25 per day. estimated the total loss at \$10,000 with The Board of Works met this morning no insurance. The buildings had a will probably prove satisfactory. A empty. As the houses were situated number of laboring men had left the close to the Maine Central frack, the city's employ to go to work either on train service was interrupted by the construction, of which there is cen- cutting off telegraphic service south and west of Gardiner tonight, over While shunting cars at Buctouche the railroad wires. The origin of the