



The Montreal Times

THE WEATHER - Moderate winds, mostly southerly; fine today and on Tuesday; Tuesday little warmer.

VOL. V. No. 295 ST. JOHN, N. B. MONDAY, SEPTEMBER 20, 1909 EIGHT PAGES—ONE CENT

SAYS DR. GREY SLANDERED HIM

James Lowell M. P. P. Has Action Against Fairville Doctor ELECTION CANVASS

Only Six Jurors in Court and Judge White Threatens Absent Ones - May Be Necessary to Open Pr o Door to Some

The circuit court was to have resumed this morning at 10 o'clock His Honor, Mr. Justice White, presiding, to try the case of James Lowell, M. P. P., vs. Dr. J. H. Gray, of Fairville, but, lack of jurors made adjournment necessary.

This case has been brought on by Mr. Lowell for an alleged slander against him by the defendant during the provincial election campaign of 1908 and is an action for damages. The plaintiff claims he lost many votes by the publication of the alleged slander.

This morning at 10 o'clock the defendant with his counsel, Attorney-General Hagan, appeared in court, as did also the plaintiff with his counsel, Dr. L. A. Curry, K. C. Several witnesses were also present, but what was probably the most requisite factor, the jury, was conspicuous by its absence, a matter which occasioned much criticism.

A misunderstanding seems to have existed in the minds of a number of those who either were accused from duty in the MacDougal case or who served, for only six answered their names this morning and five of them were sworn. These were Charles W. Baillie, Kendall Hall, J. Sydney Kaye, Edward L. Rising and Benjamin J. Dowling, Thomas H. Linton appeared and asked to be excused and was allowed aside for the present.

The remainder of those summoned did not appear and, Sheriff Ritchie was kept busy for a time with the telephone, not asking the jurymen to present themselves in court but ordering them to do so. It was 11:15 o'clock before any settlement was made in the matter.

Judge White Threatens Prison

Dr. Curry moved for trial of the defendant in view of his Honor made a few remarks saying in part: "As the close of the court, each of those jurymen who have been called and not been present will be fined unless they can satisfy me that they had a most reasonable excuse for non-attendance. I am going to see that the jury summoned in this case are present and I shall not hesitate to prosecute those who fail to appear. I am going to adjourn this court until 2:30 and if the absent jurymen who have been summoned still persist in not being present, they will answer to a charge of contempt of court and it may be necessary to imprison some of them."

It is understood that Mr. Lowell's claim for damages is based upon a statement said to have been made by Dr. Gray during the campaign and which Mr. Lowell asserts was derogatory to his character and prevented his receiving more hearty support from the adherents of his party. It is understood that the defence will claim denial.

WHITWASH FOR CHICAGO

Chicago, Sept. 20—Chicago is a much maligned city, according to Rev. John Thomas, B. A., of Liverpool, Eng., who came to Chicago a week ago full of misgivings because he had been reading the "Writings of W. T. Stead, and had come to the conclusion that Chicago was "hell on earth," to use his own expression. Other foreign writers and lecturers had helped along the same line.

After a week's search for surface indications of the existence of wholesome vice among the people of Chicago, he says that he is compelled to confess that he found none. He says that from his investigations, he believes that Chicago is a greatly mistaken, and says that conditions are not as bad in Chicago as they are in the larger cities of Great Britain.

COOK ARRIVES OFF NEW YORK; PEARY IS CLOSE TO SYDNEY

New York, Sept. 20—The Danish steamer Oscar II, with Dr. Frederick A. Cook was reported by wireless, sixty five miles east of Fire Island at 9:55 this morning.

MANY IRISHMEN IN MASSACHUSETTS

Boston, Mass., Sept. 19—The population of Massachusetts on May 1, 1908, the date of taking the last decennial census, was 2,923,080, of which 1,461,689 were males, and 1,524,901 females, according to the report of that census made public to-day by the Massachusetts bureau of statistics. This is an increase of 108,334 persons over the census reported in 1900, and compares with the total population of 978,787, recorded in 1790 when the first national census was taken.

FREDERICTON PRINTER DEAD

Robert Donovan Passes Away - Fast Trip in Auto—Settling Beach Case

Fredericton, N. B., Sept. 20—(Special)—Robert Donovan, a well known printer who lately returned from Boston, died here last night from consumption. He was aged forty, and is survived by his wife, Ernest Hutchinson, of Doogastown, and two daughters, one of whom is a musician, and was for years a member of the Fredericton Brass Band.

WELL KNOWN KINGS COUNTY MEN DEAD

David Robinson of Newton and W. Fred Gaunce of Mill Stream Pass Away

Sussex, N. B., Sept. 20—(Special)—David Robinson, a well to do farmer, of Newton, died last evening at his home aged 88 years. Mr. Robinson who was formerly a resident of Lower Cove, Sussex, was a man well known and highly respected.

HOUSES AFIRE IN MILLIDGE AVENUE

An alarm from box 124 at 8 o'clock summoned the fire department to Millidge avenue. As the Times goes to press it is learned that several houses on fire, including one owned by Mr. Jeffrey.

ABANDON GRAIN ROUTE VIA VANCOUVER

Vancouver, B. C., Sept. 20—Mayor Douglas, in a letter from A. P. Laing of Calgary, stating that on account of lack of terminal facilities here the operation of a grain route to the west has been abandoned.

REV. MR. PLUMPTRE COMES TO TORONTO

Toronto, Sept. 20—Rev. H. P. Plumptre, the new rector of St. James Cathedral, preached his first sermon in that church on Sunday. Mr. Plumptre came to Canada in 1901. For two years he was Dean of the College. For five years he was at St. George's, Montreal, with the late Bishop Carmichael. For the past fifteen months he has been stationed in England.

STRATHCONA IS TO LEAVE HALL

Hallifax, N. S., Sept. 20—(Special)—Lord Strathcona arrived here this morning and was driven to the government house. After a brief stay there he and Governor Fraser took a drive about the city. At Dalhousie College the students gave him three rousing cheers and sang "Will Ye Na Come Back Again."

GOES TO DEATH WITH BROTHER

Toronto Man's Effort to Save Ends in Loss of Life BURNED TO DEATH

Quebec Woman's Clothes Caught at Fire—C. P. R. New Line—Action Against Father Who Refuses Medical Aid to Child

BURGLAR IS JAMMED IN A CHIMNEY

Firemen and Police Rescue Him and He is Carried to Jail. Had Got Down Three Stories

New York, Sept. 20—One of a trio of burglars, who aroused the household of Capt. Charles Kohler, superintendent of the Staten Island and Perth Amboy Ferry at Richmond Terrace, Mariner's Harbor, Staten Island, early yesterday, became so tightly wedged in a chimney through which he sought to gain an entrance, that firemen and policemen were summoned to rescue him.

WINNERS OF HORSE PRIZES AT THE FAIR IN FREDERICTON

Fine weather prevails here today and indications point to a big attendance at the exhibition. Robbing Wild West show, which is to be the big open act attraction this week, arrived this morning and will perform every noon and evening. There are twenty-five people and eleven horses in the aggregation.

KERR WINS IN TORONTO RACES

Toronto, Sept. 20—(Special)—The West End Y. M. C. A. athletes made a clean sweep of honors at the Y. M. C. A. athletic meet here on Saturday, capturing the Dunclop trophy for the team race, which became the club's property. The team having won three times, the Penman trophy, which it took for the sixth time, and the Canadian Amateur Athletic League trophy.

TIMES SPECIALS IN SHORT METRE

Toronto Sept. 20—A baby, 18 months old was drowned in the bay here yesterday. North Bay, Ont., Sept. 20—The body of an unidentified man was found on Saturday in the Sturgeon River. A stab in the neck indicates foul play.

KILLED IN WOODS WHILE HUNTING DEER

Utica, N. Y., Sept. 20—Jesse Meyer of Chase's Lake, was killed on Friday last while deer hunting and it was supposed that he was shot accidentally by his own rifle while crawling under a fallen tree. It has now been discovered that his death wound came from somewhere else, for the shot which killed him was a buckshot, which struck him in the back. His own gun had not been discharged. It is not known who killed him.

GERMANY RAISES RATE

Berlin, Sept. 20—The rate of discount of the Imperial Bank of Germany was raised today from 3 1/2 to 4 per cent. This change is the first since Feb. 16 last, when the rate was reduced from 4 per cent.

GERMANY NO HAVE BALLOON LINES RUNNING NEXT MAY

Berlin, Sept. 20—If present expectations are fulfilled, Germany will have dirigible balloons and aeroplanes carrying passengers between Berlin and other principal cities of the empire in May, 1910.

REV. MR. CAMP IS CHOSEN CHAIRMAN

HERE'S A LANDLORD WHO LIKES CHILDREN

FRENCH WARSHIPS ARRIVE

BIRTHS

ALEXANDER—On September the 18th, at 5 o'clock, Mrs. M. and Mrs. Thomas, A. Alexander, a son.