

THE EVENING TIMES, ST. JOHN, N. B., TUESDAY, OCTOBER 10, 1905.

THE JURY DISAGREED

After Being out Six Hours in the Cole Case They Were Evenly Divided, Six for Acquittal and Six for Conviction—Judge Discharged Them.

Portland, Me., Oct. 9.—(Special)—The Cole jury reported a disagreement shortly after midnight tonight, after having been out for more than six hours discussing the evidence in the charge of murdering John F. Steeves of Hillsboro on April 12, last. Judge Bonney expressed his disappointment, thanked the members of the jury and discharged them from the case. The jury were divided evenly, six for acquittal and six for conviction.

The closing scenes of the trial were most dramatic; the court room was crowded to the doors and the eager attention of spectators and jurymen was fixed on the counsel as they argued for or against conviction.

Mr. Wilson's presentation of his client's case was a brilliant effort. Rising to his feet at times, he never lost sight of the necessity for logic to convince the jurors. He attacked witnesses for the state and scouted the idea that people who casually saw two strangers one afternoon in the country could positively identify one of them at an interval of two weeks in which nothing had occurred to remind them of the chance encounter.

It was shown by the evidence, he said, that Steeves had but \$6 on the day he disappeared. Was this a sum to call for his murder by a close friend? Steeves was known as a spotter. What more likely than that he was killed in Falmouth by one of the men on whom he had informed? The alibi of the defense, he continued, is complete. Cole's time has been accounted for on April 12 to the last minute, and he was not at Falmouth. Assistant Attorney-General Philbrick followed in a strong argument. The case had been tried fairly on the facts, he said, and he would make no reference to the prisoner's character. If the man is guilty, the jury will deal with him. Judge Philbrick's strongest point was made in his attack on the alibi of the defense. "There is not a detail of the account of April 12," he said, "that could not have happened on Thursday at well as on Wednesday. Cole, perhaps, did go to the power house, but he went on Thursday, Falmouth, whom he met there, fixes the date because friends of his were in the city that night, and they had moved out of the city on Thursday night. It is the fact of the case. It is not the rent to have been paid on May 11. That rent, then, began on April 13, for both days are not included in the month."

WANTS TO TEST LIQUOR LAW
Charlottetown Clergyman Takes Peculiar Stand on Question of Giving Liquor.

Charlottetown, P. E. I., Oct. 9.—(Special)—Rev. James Simpson, priest incumbent of St. Peter's Episcopal church, is out tonight with a letter in the evening paper concerning the treating of the amendment of the prohibition act. He says he has secured the opinion of eminent Ontario lawyers who are of the opinion that the law is not binding on the clergy. He is taking an extreme view of the law, the restriction of which is to prevent the evading of the provisions of the act by the giving away of intoxicating liquors.

THE FAIR OF NATIONS
The executive committee of the Fair of Nations will notify the various nations and those who have been constituted to assist in decorating the various booths, that a meeting will be held tomorrow evening at 8 o'clock in the hall of the fair when all those taking part are requested to be present.

It is expected that the rink will be cleared by the time fixed so that preparations can at once be made to begin the work of erecting and decorating the booths.

Worry Habit Kills the Nerves
YOU CAN GET WELL IF YOU STOP WORRYING AND USE DR. CHASE'S NERVE FOOD

Dr. A. T. Schofield, a great English authority on diseases of the nerves, attributes the usual cause of such ailments to the "worry habit," which he denounces as an "unmistakable evil."

Headache at top or back of head, noises in the ears, sudden starting or twitching, tenderness of the scalp or spine, sleeplessness, dyspepsia, pains and cramps, timidity, irritability, melancholy, are some of the symptoms of disease of the nerves.

Assess your will power and determine that you will not worry or let little things irritate you, and keep using Dr. Chase's Nerve Food regularly and persistently week in and week out and it will not be long until you will feel the thrill of new life and energy coming back to your wasted and overworked nerves.

There is no doubt about the ability of Dr. Chase's Nerve Food to cure you, for its extraordinary restorative power has been established in hundreds and thousands of cases.

Mr. Archibald Sutherland, Principal South Bar School, Sydney, N. S., writes: "I was greatly troubled with nervous dyspepsia and tight choking feelings in the chest. After meals I often felt like vomiting and my stomach was sore. I was nervous and worried, frequently had headache and shortness of breath on slight exertion."

"Several doctors treated me, but each for a different ailment, and I finally decided to try Dr. Chase's Nerve Food. After I had used three boxes I found myself very much benefited. You can depend on me to recommend Dr. Chase's Nerve Food to all who suffer from any form of nervous disease, for I believe it has thoroughly cured me. I shall be glad to be the guest of any one who is suffering as I did."

Dr. Chase's Nerve Food, 50 cents, at all dealers, or Edmondson, Bates & Co., Toronto. Portrait and signature of Dr. A. T. Chase, the famous receipt book author, are on every box.

Bishop Casey left yesterday for Albert county.

TRAIN THE BODY WITH THE MIND

Sir Frederick Borden Talks in Favor of Physical and Military Training in Canadian Schools.

Ottawa, Oct. 9.—(Special)—Sir Frederick Borden returned to the city today, being interviewed by the press.

"I found a splendid spirit everywhere we went, without any exception. Canadian from the east end from the west and all country people seem to give an opinion on the subject of their education. There is an amount of material in the west just waiting for the opportunity to be enrolled in the active militia for the defense of Canada."

"As the mounted police are withdrawn from active duty they have been doing in the districts which have now been left to the permanent force established as a committee of the city council which he alleges provided full reinforcements for Prince Louis in the city before the war."

Mr. Simpson claims that if a poor man is fined \$100 for treating a friend then it must cost the city fathers a like amount for treating a prisoner.

"It is generally considered that Mr. Simpson is taking an extreme view of the law, the restriction of which is to prevent the evading of the provisions of the act by the giving away of intoxicating liquors."

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THE N. E. R. I. L. W. Y

Commissioners Conferred Last Night in Reference to Improvements on the Road.

The N. E. Railway commissioners, Senator King and Geo. McAvity, held a conference at the Royal last evening with reference to improvements on the road. A steel bridge will be purchased from the I. C. R. for Norton and others are being negotiated for. The work on the line is making good progress.

It has been decided to secure from the I. C. R. the steel bridge which is now in use on the main line at Sussex. It consists of two spans of 110 feet each and is the size required at Norton where many abutments are now being prepared for its reception. It is understood that the management of the Peoples' railway company plan to place a larger structure at Sussex, and the Central has closed their deal at a moderate figure.

The commissioners are now negotiating with the C. P. R. for a steel bridge to be placed at Norton. The Central has closed their deal at a moderate figure.

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TO LET

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764-765, 766-767, 768-769, 770-771, 772-773, 774-775, 776-777, 778-779, 780-781, 782-783, 784-785, 786-787, 788-789, 790-791, 792-793, 794-795, 796-797, 798-799, 800-801, 802-803, 804-805, 806-807, 808-809, 810-811, 812-813, 814-815, 816-817, 818-819, 820-821, 822-823, 824-825, 826-827, 828-829, 830-831, 832-833, 834-835, 836-837, 838-839, 840-841, 842-843, 844-845, 846-847, 848-849, 850-851, 852-853, 854-855, 856-857, 858-859, 860-861, 862-863, 864-865, 866-867, 868-869, 870-871, 872-873, 874-875, 876-877, 878-879, 880-881, 882-883, 884-885, 886-887, 888-889, 890-891, 892-893, 894-895, 896-897, 898-899, 900-901, 902-903, 904-905, 906-907, 908-909, 910-911, 912-913, 914-915, 916-917, 918-919, 920-921, 922-923, 924-925, 926-927, 928-929, 930-931, 932-933, 934-935, 936-937, 938-939, 940-941, 942-943, 944-945, 946-947, 948-949, 950-951, 952-953, 954-955, 956-957, 958-959, 960-961, 962-963, 964-965, 966-967, 968-969, 970-971, 972-973, 974-975, 976-977, 978-979, 980-981, 982-983, 984-985, 986-987, 988-989, 990-991, 992-993, 994-995, 996-997, 998-999, 1000-1001, 1002-1003, 1004-1005, 1006-1007, 1008-1009, 1010-1011, 1012-1013, 1014-1015, 1016-1017, 1018-1019, 1020-1021, 1022-1023, 1024-1025, 1026-1027, 1028-1029, 1030-1031, 1032-1033, 1034-1035, 1036-1037, 1038-1039, 1040-1041, 1042-1043, 1044-1045, 1046-1047, 1048-1049, 1050-1051, 1052-1053, 1054-1055, 1056-1057, 1058-1059, 1060-1061, 1062-1063, 1064-1065, 1066-1067, 1068-1069, 1070-1071, 1072-1073, 1074-1075, 1076-1077, 1078-1079, 1080-1081, 1082-1083, 1084-1085, 1086-1087, 1088-1089, 1090-1091, 1092-1093, 1094-1095, 1096-1097, 1098-1099, 1100-1101, 1102-1103, 1104-1105, 1106-1107, 1108-1109, 1110-1111, 1112-1113, 1114-1115, 1116-1117, 1118-1119, 1120-1121, 1122-1123, 1124-1125, 1126-1127, 1128-1129, 1130-1131, 1132-1133, 1134-1135, 1136-1137, 1138-1139, 1140-1141, 1142-1143, 1144-1145, 1146-1147, 1148-1149, 1150-1151, 1152-1153, 1154-1155, 1156-1157, 1158-1159, 1160-1161, 1162-1163, 1164-1165, 1166-1167, 1168-1169, 1170-1171, 1172-1173, 1174-1175, 1176-1177, 1178-1179, 1180-1181, 1182-1183, 1184-1185, 1186-1187, 1188-1189, 1190-1191, 1192-1193, 1194-1195, 1196-1197, 1198-1199, 1200-1201, 1202-1203, 1204-1205, 1206-1207, 1208-1209, 1210-1211, 1212-1213, 1214-1215, 1216-1217, 1218-1219, 1220-1221, 1222-1223, 1224-1225, 1226-1227, 1228-1229, 1230-1231, 1232-1233, 1234-1235, 1236-1237, 1238-1239, 1240-1241, 1242-1243, 1244-1245, 1246-1247, 1248-1249, 1250-1251, 1252-1253, 1254-1255, 1256-1257, 1258-1259, 1260-1261, 1262-1263, 1264-1265, 1266-1267, 1268-1269, 1270-1271, 1272-1273, 1274-1275, 1276-1277, 1278-1279, 1280-1281, 1282-1283, 1284-1285, 1286-1287, 1288-1289, 1290-1291, 1292-1293, 1294-1295, 1296-1297, 1298-1299, 1300-1301, 1302-1303, 1304-1305, 1306-1307, 1308-1309, 1310-1311, 1312-1313, 1314-1315, 1316-1317, 1318-1319, 1320-1321, 1322-1323, 1324-1325, 1326-1327, 1328-1329, 1330-1331, 1332-1333, 1334-1335, 1336-1337, 1338-1339, 1340-1341, 1342-1343, 1344-1345, 1346-1347, 1348-1349, 1350-1351, 1352-1353, 1354-1355, 1356-1357, 1358-1359, 1360-1361, 1362-1363, 1364-1365, 1366-1367, 1368-1369, 1370-1371, 1372-1373, 1374-1