

MUCH DAMAGE BY FOREST FIRES

Various Sections of County Would Welcome Down-pour of Rain

BLAZE CLOSE TO CITY DYING OUT

More Serious Reports from the Vicinity of Sussex, Where Some Heavy Losses Are Reported—One Man Has Large Tract Swept—Hay Burned in the Fields.

Forest fires are still causing much destruction in various sections of the county. A telephone message from Sussex last evening reported that a house and barn had been destroyed in the district of Millstream and the conflagration, which had been on for ten days, had consumed an immense amount of lumber. In the neighborhood of Penobscot it is said that many families have been compelled to leave their homes, and much produce has been destroyed. An attempt to communicate with Norton by telephone last evening failed. It was learned that no message had been sent through the fire area. It is thought it may have been destroyed.

All along the line of the Central Railway the residents are reported to have been fighting the fire day and night with but little success. W. C. Hunter, the manager of the Central road, has taken every precaution to prevent the bridges and men are constantly on the watch to protect them from the flames.

Word comes from Westfield that a fire had been raging at Spruce Lake since Monday, and another at Kepple Lake, but no houses had been destroyed.

The fire near Lock Island is reported to have practically burnt itself out. In this neighborhood on Monday four fires were visible, one towards Black River, another in the direction of Golden Grove, a third near Outer Lake and a fourth on the hills in the distance.

Rain has been badly needed for some weeks in the country districts and the conditions enable a fire once started to spread with great rapidity. It is urged that much of the loss and distress has been caused through carelessness in burning land without proper precautions being taken.

The following despatch was received at midnight:

Sussex, N. B., Aug. 15.—The forest fires are still raging in this vicinity at Spruce Lake and Penobscot. The flames have been fighting fire for the last three days. Between Belleisle and Cole's Island, where the fire are destroying much valuable timber.

It is rumored that a well known merchant of this place has lost 500 acres of timber land. The conflagration was started by some boys burning a horse's nest.

At Dingle Cough the hay was burned in the fields. More disastrous results may be expected yet if the dry weather continues. The smoke hung so heavily in town this morning that objects 200 yards away could not be distinguished.

Weddings.

Darling-Godfrey.

St. Mary's church was the scene of a happy event Wednesday afternoon, when Miss Georgina G. Godfrey was married to Henry Darling, of Manchester, by Rev. W. O. Raymond.

The bride party entered the church to the strains of Mendelssohn's Wedding March. The bride was given away by her father. Her sister, Miss Edna Godfrey, was bridesmaid, while C. Lionel Hanington was groomsmen. The bride was dressed in white with a white sash. After the ceremony a reception in honor of the newly married couple was held at the residence of the bride's parents, 28 Garden street, and Mr. and Mrs. Darling left on the 7 o'clock train on a wedding tour, which will include various points in the province.

The numerous presents testify to the regard in which they are held. Among them is a Limoges tea service from the choir and Sunday school of St. Mary's church, and a hall clock from some of the clerks in the N. B. R. The staff of the public works department (dominion) gave the bride a cream and sugar bowl.

Bookwater-Mahood.

A very pretty wedding was celebrated at Niagara Falls at 2:30 p. m. the 5th inst., when Miss Augusta S. Mahood, of Peterborough, Queen's county (N. B.), became the bride of Wm. H. Bookwater, of Lovellville, Ohio. The nuptial knot was tied at the M. Episcopal rectory by Rev. Orville C. Polard. After the ceremony was performed the happy couple left on a wedding trip, which will include Toronto, Lewiston, Buffalo, Jamestown and Chateaus (N. Y.). Mr. and Mrs. Bookwater will be at home to their friends in their new home, Lovellville, Ohio, after Aug. 22.

Are Now Priests.

Sydney, N. S., Aug. 16.—The following graduates of St. Francis Xavier College were raised to the priesthood at Antigonish yesterday: Adrian Butts, Sydney Mines; J. J. Mackinnon, Bailey's Brook, Antigonish; Donald Weston, Maton; W. J. Ryan, Canso, and Patrick LeBlanc, Margaree.

The consecration ceremony was performed by Bishop Cameron, assisted by several priests from the diocese. The ordination was the largest at one time in the history of the college.

Carleton County Celebration.

Centerville, Carleton County intends holding a grand gala day on Thursday, August 17. There will be aquatic sports, horse racing and a military and polymorphous parade. The parade will start at 1 a. m. from the mill pond. There will be a representation of "Neptune" besides a large number of Indians in costumes. Magdalen, formerly of St. John, is secretary to the carnival committee.

P. E. Island Schooner a Total Wreck.

Charlottetown, P. E. I., Aug. 15.—(Special)—The schooner P. E. Small, loaded with coal for the Portland Packing Company, grounded on Grand Entry bar, Magdalen, went to pieces. The vessel was owned by Garrett Hubley and John Hubley, of Southport (P. E. I.).

HAZEN ESTATE IN SIX PARTS

Judge Barker's Judgment Recognizes the Western Claimants.

THEY MUST SHARE IN DISTRIBUTION

Strange History of Case Reviewed in Judgment Delivered in Equity Court Tuesday—Wisconsin Descendants of Charles George Anderson Get Share of Estate.

As a result of a judgment delivered Tuesday by Judge Barker in the equity court the Hazen estate case is closed and a division into six parts ordered. A sixth share in \$80,000 goes to certain recently discovered heirs of the late Charles George Anderson, a half brother of the late Margaret Hazen, who was a daughter of Col. Anderson. The case turned on whether the late George Anderson was or was not legitimate. After hearing the evidence the court decided the former and a share in consequence goes to the descendants.

The suit disclosed several features of interest. It was brought for the administration of the estate of the late Margaret Hazen who died intestate on December 8, 1902. Originally the suit was among Mrs. Hazen's two brothers, Daniel and George, Mrs. Latta, a sister, and the representatives of two deceased sisters. A settlement in this suit was arranged between the parties, and a decree in accordance with it was made by the court.

Soon after the decree was made certain parties residing in Wisconsin applied to be made parties to the suit on the ground that they were next of kin of one Charles George Anderson, who they alleged was a half-brother of Mrs. Hazen, and that consequently they were entitled to a share in the estate. It was set up by the Wisconsin parties that Col. Anderson was married twice and that Charles George Anderson was issue of the first marriage. For other parties to the suit it was contended that Charles George Anderson was an illegitimate child.

There was clear evidence that Col. Anderson was married at Halifax in 1839 to Elizabeth Chisholm. He was then about forty-one years of age. His previous marriage, in which Charles George Anderson was born, was said to have taken place in the late of July where Col. Anderson was a non-commissioned officer in the 8th regiment and that his wife died in Egypt while he was on active service there.

There was, however, no evidence of the date of this marriage. David Anderson gave evidence that he remembered Charles Anderson when he was about four or five years old that Charles was then about fifteen years of age; that the family were living at Dipper Harbor, that Charles lived in the family and was treated as a member of it, and addressed Col. Anderson as "father." A few years afterwards Charles Anderson removed to the States and the family never saw him afterwards. Mrs. Latta gave evidence that Charles was treated by the family as a son and by her father as a son. The court held that the evidence was sufficient to establish the kinship of Charles Anderson, and that the Wisconsin claimants were entitled to share in the estate.

H. H. DRYDEN WINS IN SUSSEX ELECTION

Defeats J. M. McIntyre for Alderman by 24 Majority.

Sussex, N. B., Aug. 15.—(Special)—The election held today to fill the vacancy in the town council caused by the death of Alderman Langforth resulted in the return of H. H. Dryden over J. M. McIntyre by a majority of 24.

The Late Francis Porter of St. Martins.

Francis Porter, of St. Martins, St. John county, died at his residence at 2:30 o'clock Friday morning.

Mr. Porter was in his 80th year, having been born at Sussex in the year 1826. He moved to St. Martins when he was about twenty-seven years of age, therefore having been a resident of that place for more than half a century.

He was a man of marked ability—when young a farmer, a school teacher, and a school education and while working hard at the development of his farm made himself one of the best educated men of his day. He was able to discuss very intelligently almost any subject that might be presented.

He was a Conservative in politics and was at all times interested in his party's welfare. He was a man of honor and none was respected more than he.

He was one of the directors of the St. Martins & Upland Railway in its early history. Besides owning and developing a farm of 400 or 500 acres, of late years he had gone quite extensively into the lumbering, making quite a success of this enterprise and old as he was at his death was preparing for this winter's operations and no doubt in this way received the credit that caused his death. Mr. Porter never married. He leaves two sisters—Mrs. Geo. B. Patterson, of West St. Martins, and Mrs. J. V. Roberts, of St. John north, and one brother, D. S. Porter, of Worcester (Mass.). His funeral took place on Sunday, Aug. 13, at 2 o'clock in the afternoon. Services were held in the Baptist meeting house, Hanford Brook. Rev. Mr. Shanklin presided the funeral, sermon from the text found in Hebrews, Chap. 9, vs. 27. The church building was crowded to the doors to pay the last tribute of respect to so worthy a man.

S. H. Powers of Houlton, (Me.), has a chair made from the bones of a whale captured 20 years ago off the island of Mr. Desert. After being harpooned the whale roared for 20 miles without showing signs of giving up the fight. The seat of the chair is formed from a section of the backbones and the back is made from ribs.

THREE DROWNED; RIVER CASE GOES INTO NEXT MONTH

Penobscot on Way Into St. John Passed What Seemed To Be Corpse

BODY SEEN AFLOAT

No Doubt That Joseph Doherty, Geo. Atchison and Patrick McGill Met Death in Bay of Fundy Sunday Evening—It was Their Boat Picked Up Off Mispeac.

It is accepted as beyond doubt that three young St. John men—Joseph Doherty, Geo. Atchison and Patrick McGill—were drowned Sunday evening in the bay. The boat picked up off Mispeac Sunday night, was the one in which they sailed from here Sunday for Mahogany Island.

Body Seen from Penobscot. The deck hands of the steamer Penobscot, which arrived from Boston Tuesday, say they saw what looked like a human body floating off Negro Head Tuesday afternoon.

This information coming so soon after the supposed drowning of Doherty, McGill and Atchison, led some to suppose the body was that of one of the unfortunate youths. On the other hand, it is maintained that as a body would not come to the surface so soon after drowning, and this lends support to the supposition that the body, if such it was, may have been that of Charles Lord, the Carleton young man, who perished in the falls just a week ago last evening.

The deck hands say the object was floating well in shore. The steamer did not slacken speed and within very few minutes the supposed body could no longer discerned.

As the Penobscot went past, the steamer Lansdowne was met outside harbor, and she appeared to slow up, when approaching the vicinity where the body had been observed. Those on the Penobscot, however, could not determine whether the officers of the Lansdowne made any investigation or not.

It is thought hardly possible that Messrs. McGill, Doherty and Atchison are not drowned. The former was about twenty-eight years of age, a longshoreman, unmarried, the son of Henry McGill, of St. John. The latter, Joseph Doherty, was the father of the second victim, who was about thirty years of age, a longshoreman, and unmarried.

Shore and the main U. S. bank and entire there were 8,000 Y. S. White & Co. logs taken into the St. John Lumber Co.'s bins and converted to their use. It was held that the works less the value of the crown lands. An injunction restraining the company from attaching its bins and converting the logs removed from New Brunswick territory was asked for.

An affidavit by J. D. Colwell, of this lumbering territory, was asked for.

The Company's Side.

The application for an injunction was met by affidavits Arthur W. Brown, manager of the St. John Lumber Co., Allan E. Hammond, manager of the Van Buren Co., James Poirier, foreman of the works, and the American Lumber Co., James V. Parker, treasurer of the defendant company, Robert J. Potts, lumberman, and Holmes Morris, lumberman. The main affidavit was that of Mr. Brown. He stated there are a number of islands about the centre of the St. John river at the point of dispute and the boundary is between these islands and the Canadian shore, much closer to the Canadian side than to the islands. The defendant's mill and storage booms are between one of these islands and the main U. S. bank and entirely in U. S. waters. The defendant's mill and sorting works are between another of these islands and the bank and also in United States waters. The only erection in the Canadian waters is part of a sheer boom which sheers all the loose logs coming down the river into the defendant's sorting works. Section four of Mr. Brown's affidavit states that the navigation of the St. John river where it forms a boundary is almost exclusively limited to floating logs, boats, canoes and bateaux used in connection with the driving of the logs. The logs coming down stream, he said, are driven without regard to ownership and the sorting works are for the purpose of taking the logs from the mass. The logs for down river, he said, are pushed to the New Brunswick side, and float down the channel into the main stream. Those owned by the company are pushed through the opening of the U. S. States side of the boom and as sorting works and float down into the defendant's storage boom.

Mr. Brown states the method of ascertaining where they are used elsewhere, including the Douglas boom, Frederickton. He further says that it is impossible to sort logs in any other way. No ascertaining takes place at night, and the logs they accumulating are almost always assorted during the day following. The company intends to install a electric light plant and thereby be able to sort logs as fast as they come down stream, and thus cause no delay in their passage. Mr. Brown said the sheer works are sorting works in no sense an obstruction to a boundary portion of the St. John. The sheer booms are provided with gips allowing craft to pass, and ample provision for logs and rafts floating down stream; also that if the erection of these booms is prohibited it will be absolutely impossible for any saw mill to be operated on either the N. B. or U. S. banks of the boundary portion of the river from the company's dam down the corporation drive.

Mr. Parker says that by owning \$100,000 of the \$238,000 stock in the company, he

knew of forty million feet of logs being assorted in the defendant's works and with less difficulty than in any other case with which he was acquainted. He says that it is not necessary for purposes of navigation to go out of the main channel. Not more than one craft of any description on an average goes up or down stream within a week.

As to the Injunction.

When Mr. Powell had completed reading the affidavits the judge inquired of the case is that it is an attempt to take advantage of a technicality that does not exist." He further said that he considered that the attorney-general of New Brunswick was not the proper one to move in this suit, but it should come from the minister of justice or the attorney-general of Canada. Mr. Powell stated that he would argue that point later.

Dr. Pugsley in reply said that there was not only a violation of the treaty, but also an obstruction of river which is a public highway and provided for by the statutes.

Mr. Powell said it was not a meritorious information for a mandatory injunction, and he did not think that his honor would grant a mandatory injunction in the face of the statutes of a foreign country. He suggested that the pleadings be put in. Dr. Pugsley thought that he was entitled to a mandatory injunction on the undoubted facts of the case.

The court set forth that there didn't seem to be any great necessity for it but added, "I would like to see some one get a mandatory injunction for experiment sake."

The matter was then set down for hearing here on the third Tuesday in September. Attorneys-general of New Brunswick, Alex. Logan, formerly of this city, son of the late James Logan, was taken suddenly ill and on removal to the hospital died there.

One of the best known men along the St. John river, Solomon Cameron, fisherman and boatman Woodcock's son, died at his home there last Tuesday, after a tedious illness. He was aged seventy years. The body was taken yesterday to Queenstown for burial.

The following officers of St. John Lodge, No. 22, Canadian Association of Stationary Engineers, were installed last night: E. W. Graham, president; F. Hayter, vice-president; S. Dunham, R. S.; W. F. Watson, F. S.; W. McHarg, treasurer; D. E. McKeus, conductor; P. Binvil, door keeper.

Wendall P. Ferris, son of Hon. L. P. Ferris, has decided to discontinue his course in engineering at the U. N. B., and will take up the study of law. Mr. Ferris will enter one of the law offices in the city and study in the St. John Law School.

Mrs. Whelpley, wife of Frank Whelpley, formerly the Main street furniture and member of the Royal Kennebec Yacht Club, is home from Sinclair (Man.) visiting her father, George Moway, North End, also brothers and sisters. Mr. and Mrs. Whelpley have been in the west about three years. Mr. Whelpley is succeeding in business there. Their boat is about 200 miles beyond Winnipeg and is destined to be quite a large place in a few years.

The sluice gate at Lake Latimer was opened at 4 p. m. Tuesday and the water is now in process of finding its way to Little River reservoir. Care to prevent any flooding of the pipe line has been taken and it is not thought the contractors will suffer any inconvenience. Owing to the winding course and the slight grade it will take two days for the water to reach its destination. About 2,000,000 gallons will be released each day unless rain should fall, in which case the supply will be reduced or discontinued.

Some days ago mention of an action for \$5,000 damages for assault, to be brought by Mrs. Michael Herlihy, of Brunel street, against James McGivrey was made. It is now learnt that another suit against him is pending in which Mrs. Herlihy is the plaintiff. This charge is also assault, and damages are claimed. The defendant is now in the Provincial Hospital for Nervous Diseases, having been placed there since the alleged assault. Dr. Silas Alward K. C., has been retained by the claimants, and Daniel Mullin, K. C., will appear in both cases, representing the defence.

St. Martins Notes.

St. Martins, Aug. 15.—On Tuesday evening, on the beach, Miss Minnie Vaughan's Sabbath school class offered ice cream and candy for sale with the object of obtaining money for the Grand Ligue Mission.

A beautiful and costly grey granite monument has recently been erected in the Baptist cemetery, to the memory of the late David and Rachel Vaughan.

Miss Maud Fowles, trained nurse, who spent her vacation with her parents, Mr. and Mrs. H. A. Fowles, has returned to Boston.

Mr. and Mrs. R. M. Campbell and daughter Jennie and Hazel, of Fredericton, are guests at the Kennedy house.

Miss Annie Baisley and Mrs. Arthur Baisley, who have been visiting friends and relatives here, have returned to their home in St. John.

Mr. and Mrs. Charles Metz and baby, of St. John, are the guests of Mr. and Mrs. W. H. Moran for a few days.

Miss Susie Moran, who has been visiting in St. John, has returned to her home.

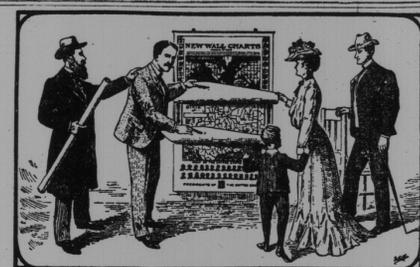
Mrs. F. McLean, accompanied by her mother, Mrs. W. H. Rourke, returned to her home at Woodstock on Tuesday.

Miss Annie Lamb, who has been visiting at the home of Captain A. Pritchard, returned to her home in Millville on Tuesday morning.

Mrs. William Calhoun, accompanied by her daughter, Miss Ina Calhoun, returned home from a visit of several weeks in Sherburne, Houlton (Me.), and other places.

St. Martins Man Injured.

St. Martins, Aug. 16.—While working this morning in the O'Neill Lumber Company's mill here, Joseph Black had the fingers and fore part of his right hand cut off. Black was working on the boiler of the lathe machine. A bolt lying on the table fell across the saw, carrying the hand with it. Dr. Gillmor dressed the



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CEDING OF SAKHALIN BONE OF CONTENTION

(Continued from page 5.)

The Associated Press can state authoritatively that neither the question of making Vladivostok an "open port" or the Amur river an international waterway as some papers have stated, is included in the Japanese terms which, as developments have demonstrated, were given correctly by this Associated Press the day they were submitted by Japan.

Japan will make a stiff fight for the possession of the interned Russian warships. Mr. Denison, the American legal adviser of the Japanese Mission, spent most of the day in his office looking up the precedents on the subject. Japan is exceedingly anxious to obtain these ships and in her argument will quote several international precedents in support of her

demand. One reason why the Japanese are so insistent upon this article is because of their intention not to apply the indemnity, in case one shall be obtained, to the increase of the navy. The indemnity will be used first in paying off financial obligations incurred during the war, the granting of pensions and in the development of the Japanese educational system. To replace the losses to the fleet incurred in the war and to maintain the fleet up to a standard of strength and efficiency sufficient to defend her interests.

Japan needs additional battleships and cruisers. If she obtains all of the recorded ships now interned in neutral harbors and succeeds in raising a number of those sunk in battle she will be saved the necessity for the present at least of a large naval budget for new construction. The London government is strongly in favor of insistence upon this article, and Japan seems to have set her heart upon the surrender of the ships by Russia.

Great Fishing on Restigouche.

There is an attested fish story that comes from the north. John Porteous, of Norwich (Ct.), and Charles Brown—"C. B."—of New York, arrived Tuesday from the Restigouche, where they have been enjoying a three-weeks' paradise about the salmon ponds and streams owned by Fred W. Ayer, of Bangor (Me.), and Archibald Mitchell, of Norwich.

The camp is on the Restigouche just above the Metapedia. Mr. Brown exhibited a piece of paper that recorded thirty-nine salmon and twelve grise as his own catch, and forty-two salmon and ten grise for his friend, Mr. Porteous. For the present the record for a large catch was broken by the two fellows. There were ten in the party and the aggregate is 221 salmon and twenty-eight grise, a total of 3,102 lbs. of fish. Many of the others fished only a portion of the time.

One day they say, tired of taking the bigger fish, they took their fishing rods and went toward Campbellton. There are fifty-two trout marked down for that day's trip.