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THE EVENING TIMES

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HENRY HILYARD ON THE LOG SITUATION

St. John Lumberman Talks on Conditions on the Tobique --- Says Nearly All Logs on That Stream Are Now in Safe Waters.

FREDERICTON, May 19—(Special)—Henry Hilyard of Hilyard Bros., St. John, returned last night from a trip to the Tobique where he has been superintending his firm's lumbering operations. He reports all the Tobique logs in safe waters except the Fraser drives on the Bisson branch and the Meet branch. The Fraser logs are to be manufactured at Plaster Rock and they delayed driving operations to allow other lumber to be got out of the way. J. J. Hale, who operates for Mr. Hilyard on the Serpentine got his drive out on Wednesday and N. H. Murchie finished work on the same day. There was a race between the two operators to see which one would finish first and Hale won by half a day. Archie Fraser commenced work on the corporation drive Thursday at the Forks. The total cut on the Tobique is about twenty-six million feet. Mr. Hilyard says that the St. John River Log Driving Co. are rushing the work along as rapidly as possible.

Contractor Moore brought in one drive and yesterday started from Grand Falls with another. The company have posted men at different points along the river to prevent the owners of Jack Knife mills from purloining logs. He says if the company can procure evidence against them they will prosecute to the full extent of the law.

The water in the river here is still falling and there is a good run of logs. Rafting operations at Douglas Boom will be begun on Tuesday.

Charles Cremin arrived last evening from Adams Burns & Co's camps at the head of the Nepisiquit river to attend the funeral of his mother, the late Mrs. David Cremin of Scotch Lake. He left camp at noon on Thursday and travelled 120 miles to Andover, partly on snowshoes and partly by canoe, arriving in time to catch the down train for Gibson. He says the Nepisiquit river logs are coming along well.

Word comes from the Restigouche that all drives on that stream are in safe waters.

FOUR HUNDRED WOMEN DEMAND RIGHT TO VOTE FROM BRITISH PREMIER

Small Army of Women Suffragists Invades Foreign Office--- One Woman Says They Are Prepared to Die for Their Rights---Premier Counsels Patience.

LONDON, May 19—Escorted by forty members of parliament nearly four hundred women suffragists representing organizations from all parts of the country interviewed Premier Campbell-Bannerman at the foreign office today and presented their claims that women be allowed to vote. Only eight of the members of the numerous deputation were allowed to speak and each was limited to 5 minutes. Bue in the aggregate of 40 minutes the Premier heard about all there was to hear in favor of female suffrage. The immediate grant of women's rights was the unanimous demand of the speakers, some of whom presented to the Premier their "minimum demands", claiming that immediate legislation bestowing on women the right to vote was necessary and declaring that a promise to take the matter up at the next session of Parliament would not satisfy them.

One speaker menacingly declared that the women were prepared to sacrifice their lives in behalf of their demands.

The gathering included ladies of title, side by side with factory employes.

The premier said he sympathized with the object of the deputation but asked his visitors to be patient until the government became more united in favor of the extension of the franchise of women. Personally he believed that women were as well qualified as men and perhaps better to exercise the right to vote and in his opinion the deputation had made out a conclusive and irrefutable case.

Speaking for others, however, as well as himself, the premier pointed out that it was necessary to preach the virtue of patience. Only harm would result, if because of his own sympathies and convictions, he gave a pledge regarding the time and method of achieving the object they had in view. No party or govt. was entirely united on this subject. He warned the women against indiscreet action which he said probably would check the flowing tide, and advised them to leave the matter confidently to the growing strength of their case.

The premier wound up his remarks with saying that he believed it would not be "many years" before the desired change was brought about. This reference to "years" was met with hissing from the members of the deputation, who left the foreign office evidently greatly dissatisfied.

The arrival of the deputation at the foreign office was preceded by a street demonstration, contingents of women from various localities, marching with banners flying and bands playing to the Victoria embankment, whence accompanied by an interested crowd of inlookers, the women marched to the foreign office.

WHICH IS TO BLAME? WATER OR BAD MILK

Diversity of Opinion as the Cause of Typhoid Cases---Some Say Bacteria Comes in Impure Milk---Dr. Gilchrist Blames Water.

There are now thirty cases of typhoid fever in the city, one having been reported this morning, and the opinion of the board of health and some of the medical authorities seems to be that the cause of the disease will be traced to impure milk. An examination of the milk is now being made but it will be some days before the result will be known.

Out of the thirty cases reported, twenty-three are in the south end of the city and the majority of them receive their milk from the same dealer, which is a suspicious circumstance. There are two families, in which there are seven cases of the disease in the north end. Of the total number afflicted thirteen cases are being cared for in the hospital and the balance are receiving attention in their homes.

In talking with a physician this morning he expressed the opinion that he could not think there was any need of a scare over the water. If it was in the water that the typhoid bacteria came, he said that the disease would have been noticed in all parts of the city, instead of only two sections as at present. He inclined to the milk theory.

Dr. Gilchrist's Views

Two more cases of typhoid were reported to the board of health yesterday morning; making twenty-eight in all. Some attribute the outbreak of the disease to infected milk, while many are inclined to think the water supply is to blame.

Dr. J. D. Gilchrist, of the north end, while talking with the Times this morning said the last test of the city water showed that it was not first-class, adding that at one time the water may contain the deadly bacilli at another time it may not.

"The last time the test was made," said Dr. Gilchrist, "may have been before the deleterious matter was washed into the water or after it had been washed in and distributed by the service pipes, as it happened none appeared.

"The best sanitary engineers," continued the doctor, "recommend the frequent inspection of the water shed of all water supplies. I told some of the aldermen, last fall, that as soon as the spring water washed the excreta from the camps, we would have more cases of typhoid fever in the city than we have had before; and this is being verified."

With reference to the milk supply Dr. Gilchrist went on to say "Until they find this typhoid among those supplying milk and the men handling milk are in close contact with cases at home, and the milk vessels are washed out with water containing typhoid excreta or discharges, the milk should not be held accountable for the epidemic.

"The board of health and some of the medical societies were having a shy at the milk men that finally was not justified by facts."

Referring to the Barker house Dr. Gilchrist said. "It is to be hoped that we will not be forced to drink the diluted sewerage from there after the expense to which we have been put for pure water. Assertions were made to the effect that it would not be prejudicial to the public health. It may not be amiss at this point to draw attention to the action of the New York water commissioners when enlarging the water shed of the Croton supply. Not only did they buy the lands, but tore down all houses and barns, cleaned out all cellars and vaults and carted away every particle of earth about the buildings that could possibly be saturated with any deleterious matter."

When asked his opinion with reference to the drinking of polluted water by the people of Sunbury and Queens and its effect on the public health. Dr. Gilchrist said:- "It is not in keeping with the results in other places where diluted sewerage was allowed to run into the rivers and reservoirs." Dr. Gilchrist then read the following quotation from Sojou's Cyclopedia of Practical Medicine: "Many local epidemics have arisen from the drinking of polluted water,—one especially which occurred in Plymouth, Pa., in the year 1865, demonstrated positively the introduction of bacilli into the human system. Plymouth was supplied by a reservoir into which several small streams ran. During January and February cases of typhoid occurred in houses on the banks of these streams. The dejecta was thrown out when the snow became frozen. About the end of March a thaw and rain-fall took place which carried the impurities into the reservoir, typhoid occurred in several parts of the city supplied from the reservoir; and twelve hundred cases occurred in a town of a population of eight thousand. The Maidstone epidemic was caused in a similar way."

Continuing, Dr. Gilchrist said: "While Fredericton's intake is from the river St. John, anywhere for five miles above that city, and while the drainage and sewerage of Woodstock and the tanneries are allowed to discharge into the St. John Fredericton will have its annual crop of typhoid; and everyone residing below Fredericton and using the water of the river will be taking in their drink typhoid bacilli, and as it requires only a few of these to generate an attack of the disease it is an easy matter to understand the situation, notwithstanding what engineers and interested parties may say to the contrary."

AMBURG WAS REMANDED

Man Charged with Assaulting Constable Heffer Before Court Today.

This morning in the police court, Patrick Kelly was charged with begging from door to door without a certificate. Kelly pleaded not guilty, but Officer White said that he heard the prisoner begging on Union and Mill streets for food. The Officer said that he had seen Kelly during the last few days about the city, as did also Sergeant Baxter.

Kelly said that he had arrived from the old country five years ago, and had left this city and had gone to Halifax about seven months ago. While in this city he worked as a longshoreman. While in Halifax he had his right foot frozen, and had it amputated in the public hospital there. The prisoner asked that he be given a chance to go back to Halifax, but he was remanded as he had no money to procure a ticket to the sister city.

The judge remarked that it was very queer that St. John was made a dumping ground for other places.

A John Collins was before the court this morning and was charged with wandering about the street and not giving a satisfactory account of himself to the police.

Collins said that he had entered into an agreement to be sent to Montreal. He said he was a cattleman from the Hestia, and stated that he had been taken from the St. John county jail to go to work on the Hestia. Collins said that he had been in the city with the other cattlemen for three days, and yesterday word was received by Schofield & Co., from Montreal, that but seven of the men were wanted, and he was one of the three left in the city. Collins was remanded for the present.

Frank Brodin got drunk last night and rode around the city about an hour and a half on the electric cars. Acting Sergeant Marshall was called by one of the conductors and the officer arrested him. He was fined $4.

Joseph Amburg, arrested for being drunk and assaulting Constable Heffer, pleaded guilty and agreed to be tried by Judge Ritchie instead of going before a jury. Amburg said that he was drunk at the time and Heffer said that he did not know that he was intoxicated when he made the arrest. He was arresting him for a debt of $11, and had six executions against him.

Judge Ritchie told Constable Heffer that it was not a prudent thing for him to arrest a drunken man. Amburg was remanded.

WALL STREET

NEW YORK, May 19—Opening prices today showed but a slight change from those of last night. Gains and losses were mixed. Advances of about a point in Baltimore & Ohio and Locomotive and a decline of as much in Consolidated Gas were the only conspicuous changes. Dealings were small and many usually active stocks were not quoted at all in the first few minutes of the trading. The market opened irregular.

CANNED FRUIT AND SALMON

The Earthquake in California Has Seriously Affected the Market.

Facts collected by the Napa Valley Packing Co. show that seven canneries were totally wiped out by the San Francisco earthquake and fire. The output of these plants is estimated in the vicinity of one and a half million cases, and as a consequence the output of California fruit for 1906 will be practically reduced by that quantity. In a letter to their friends the company above quoted says: "Of canmaking plants there were three in this state previous to the fire. Of these three the United Can Co. is the only one that escaped without any damage. The American Can Co. have lost their largest plant, and their other plant has been put out of commission, but possibly may be repaired prior to the opening of the canning season, so that one-half of its usual capacity may be manufactured for the use of canners during the coming season. This, of course, will cause another large shortage in the output. All spot stocks have either been destroyed by fire or seized by the government for feeding the hungry and homeless, which practically wiped out all carry-over.

Speaking of the report of the recent estimate of the quantity of red Alaska salmon destroyed in San Francisco by fire, the Kelley-Clarke Co. say: "It has taken us some time to get this information. In fact we are not yet thoroughly satisfied as to the quantity mentioned (200,000 cases) being large enough to cover the actual loss. You are aware that a good many of the middle west jobbers have a habit of leaving their goods in San Francisco until spring, and while some of this was in the warehouses on Brannan and Townsend streets, which escaped destruction, considerable of it was confiscated by the government for the relief of the inhabitants. The San Francisco jobbers' stocks were entirely destroyed, as everyone of them suffered a complete loss.

SYDNEY'S GROWTH

Revision of Voters Lists Shows Slight Increase Over Last Year.

SYDNEY, May 18 (Special)—The final revision of the voters'list for this city gives a total of 3651 names as against 3,515 for 1905. There is a slight increase in all the wards except number five, in which there is a decrease of eight votes.

HOW HAVE THE MIGHTY FALLEN!

CHICAGO, May 19—Zion's Watch Tower, the first structure erected by John Alexander Dowie, in the city he founded has been torn down. The lumber is being used to repair sidewalks.

ARTFUL WILL NOT START

NEW YORK, May 19—Harry Payne Whitney notified the press yesterday at Belmont Park, that his mare Artful will not be a starter in the Brooklyn Handicap on Monday.

HAMPTON RY. SOLD TODAY

Bid in for $1500 for the Bond Holders by St. Martins Man

HAMPTON, N. B., May 19 (Special)—Under a decretal order issued out of the supreme court, the Hampton and St. Martin's railway, together with all its plant, buildings, rolling stock, and franchises, was sold at public auction at noon today at the court house, H. J. Fowler acting as auctioneer. Previous to the sale N. M. Barnes, tax collector of the municipality, notified all present that the municipal claim of eleven dollars and twenty-five cents assessed on the property within the Parish of Hampton would have to be paid by the purchaser. The first bid of one hundred dollars was made by C. N. Skinner, and in five minutes it had run up to and was sold for fifteen hundred dollars, which bid was made by George Vaughan, of St. Martins, for the bond-holders. The terms were ten per cent. down and balance in ten days.

FUNERALS

The funeral of the late Thomas B. Foley was held this afternoon at 2.30 o'clock from his late residence, 19 Sewell street, was largely attended.

The remains were taken to the Church of St. John The Baptist, where the burial services were read by Very Rev. W. F. Chapman. There were no pall-bearers and interment took place in the new Catholic cemetery.

The funeral of the late Patrick Crowley was held this afternoon at 2.30 o'clock from his late residence, 19 Sewel street. The body was taken to the Cathedral, where Rev. J. W. Holland read the burial services. Interment took place in the new Catholic cemetery.

The funeral of the late George E. Fitzgerald was held this afternoon at 2.30 o'clock from the residence of the deceased on Harrison street. Rev. Mr. Howard conducted the burial service and interment took place in the Methodist burial ground.

The funeral of the late Agnes McPeake will be held tomorrow afternoon at 2.30 o'cock from her mother's resilence, 478 Main street. The body will be taken to St. Peter's church for the reading of the burial services and interment will take place in the new Catholic cemetery.

N. Y. BANK STATEMENT.

New York, May 19.

Reserves decreased	$3,765,325
Reserves other than U. S. decreased	5,185,600
Loans increased	15,071,600
Legal tenders increased	1,305,500
Specie decreased	1,001,900
Circulation decreased	366,900
Deposits increased	12,276,500

W. H. GOADBY & CO.

A quantity of brass and other metal stolen from the river tugs Hope and Daniel has been recovered and the matter has been settled. Messrs. Tapley, when seen this morning, declined to discuss the matter beyond the facts given above.

John Sydney Rodgers, the agent of the Singer Manufacturing Co., who is charged by Manager McDonald with theft of $227, had a private conversation with Judge Ritchie and Mr. McDonald this morning, but Mr. McDonald stated this afternoon that no settlement had been effected. Rodgers was remanded to jail.

HE PADDLED TO LIBERTY

How Young Howard Fooled the Cop in the Marsh Creek

Young Howard, who was sent to the Alms House for vagrancy, on the 12th inst., ran away from that institution the following morning after he had been supplied with new clothes, boots, etc. Nothing was heard or seen of the lad, who is but 12 years of age, until yesterday afternoon, when Officer Silas Perry saw him and started in pursuit. The lad ran and reached the marsh creek first. He then jumped in and so did the officer. Young Howard, however, got out first and ran so fast that the policeman could not catch him.

It is not known where the youth is located.

CHILDREN ARE NOT YET FOUND

Creamer Babies Are Still Missing--Several Rumors Denied

CAPE TORMENTINE, May 19—(Special—The Creamer children have not yet been located. A report reached here this morning that they were found near Sackville in the home of a relative. Inquiry was made from here and the story was denied. Sheriff McQueen will pass through Sackville on his way here this afternoon and will look into the matter. Another rumor from Port Elgin is to the effect that the children were found hanging to a tree in this neighborhood. It is not true.

FREDERICTON NEWS

FREDERICTON, May 19— (Special — Rev. T. W. Street received from a former parishioner at Keswick, yesterday, a letter congratulating him on his jubilee and enclosing a substantial sum in gold.

Dr. Walter J. Irvine has gone to Toronto to purchase an automobile.

There was a fairly good supply of country produce in the market this morning, and butter and eggs were plentiful. The prices, however, show little or no change. Native rhubarb has made its appearance and is selling at 6 cents a pound.

The concert given last evening in Union Hall, under the auspices of the North End Church League, was most successful. The programme was one of the best that has been given in North End this season, and the attendance was large.

A barrel of tar, while being hoisted into one of Joseph Galbraith's salmon boats, about 12.30 p. m. today, fell and went through the bottom of the boat. One of the men working on the boat was slightly injured by the accident, which occurred in the market slip. Mr. Galbraith belongs to Lorneville.

Senator Yeo, of Cape Breton, passed through the city today en route home from Ottawa.

FIFTY HOUSES GONE IN COBALT

New Mining Town Swept by Fierce Fire---An Awful Explosion.

COBALT, May 19—(Special)—There were about fifty houses burned in the fire which swept this town yesterday afternoon. A small fire in a shed ignited a nearby powder house containing 7 1-2 tons of dynamite which caused the catastrophe. The explosion wrecked a score of houses and smashed the glass in every window in town. A number of people were hurt by the glass, but only one was seriously injured, a woman who had her leg broken. This despatch is interrupted by the wire breaking down when the whole male population was fighting the fire, with hopes of getting it under control.

REXTON

REXTON, N. B., May 18—Thomas Girvan, one of the oldest and most respected residents of the county passed away at his home in West Galloway yesterday, after two hours' illness, at the age of 87 years. He is survived by a widow, three sons and three daughters.

The funeral of Frank McLeary, son of Patrick McLeary, of Main River, took place here today. Interment was made in the Roman Catholic cemetery after high mass was sung by Rev. Fr. La Pointe. Deceased was drowned while log driving near Greenville, Me.

SHERRING IN NEW YORK

NEW YORK, May 19—Among other passengers who arrived here today on the steamer Campania from Liverpool, was William Sherring, the Canadian who won the recent Marathon race at Athens.

ELECTRIC STORM IN CHATHAM

CHATHAM, N. B., May 19 (Special)—Chatham had the first thunder storm of the season early this morning. It rained very heavily and the lightning was very sharp.

There were twelve deaths reported at the board of health office during the present week, resulting from the following causes:—consumption 3, senility 2, diphtheria, peritonitis, cardiac dropsy, locomotor ataxia, inflammation of lungs, cerebral spinal meningitis, and erysipelas and blood poisoning, one each.

Battle line steamship Arcola, Captain Grant, sailed from Sydney, N. S., today for Preston, England, with a deal cargo from Pugwash, N. S.

There were eight marriages and twenty births, 12 female and 8 male, reported to Registrar J. B. Jones during the past week.

F. W. Daniel returned on the Boston train today.

Rev. A. W. Meahan arrived from Boston and New York this morning.

POPE PIUS IMPROVED

Pontiff Passed Restless Night But Was Somewhat Better This Morning.

ROME, May 19—When Dr. Lapponi visited the Pope this morning he found his patient's condition better than yesterday, though he passed a somewhat restless night as the result of his attack of gout.

Owing to slight rise in his temperature Dr. Lapponi ordered him to remain in bed for several days.

DIED AT SOUTH BAY

Samuel Gault, a well known and esteemed resident of South Bay, died quite suddenly at his home Friday evening. He had been in his usual good health till the past few days, when he complained of feeling sick. The late Mr. Gault was a justice of the peace and was a familiar figure about South Bay. He was a son of the late John and Catherine Gault and leaves one brother, James, of Indiantown, and three sisters—Mrs. Alex. Moyer, of Halifax; Mrs. B. F. Baker, of Randolph, and Miss Eliza, at home. He was born at Randolph but had made South Bay his home for the past twenty years.

ANOTHER STAR DOPE YARN

R. S. Orchard, manager of the Star Line Steamship Co., when asked today regarding a report published recently in the Star, to the effect that the Majestic would be placed on the Fredericton-Gagetown route, and the Victoria would run between Fredericton and St. John, on alternate days, said that to his knowledge there was nothing in it; adding that if anyone would know about it he would.

RECORD DRIVE ON MIRAMICHI

NEWCASTLE, May 19—The record lumber drive of the Miramichi waters was made this season by Con. Regan and his crew of stream drivers, having driven from Fowler Lake to Indiantown, a distance of fifty-one miles, in five days and a quarter.

Last year he drove the same stream from Drake's Falls, a distance of forty-seven miles, in ten days, with exceedingly low water.

It has always been said that James Robinson, ex-M. P., had a competent foreman, but Mr. Regan has, beyond a doubt, proven himself to be one of the best, and worthy of all the praise he has received since his return.

AUCTIONS

This morning at Chubb's corner Auctioneer Lantalum sold a double freehold lot, situated at Crouchville, and known as the Charles Potter property, to John Cullinan for $51.

The Sutherland property, situated on Brussels street, under a decretal order out of the Supreme Court in Equity, was sold by Auctioneer Lantalum to Stuart Fairweather for $3,000.

St. Peter's church will be the scene of an interesting event at 6 o'clock on Wednesday morning next, when Miss Josephine Kervin, fourth daughter of Joseph Kervin, will be married to James B. Power of the St. John Street Railway. The young couple have many friends who will wish them every prosperity in married life.

Battle line steamship Eretria, will be on her berth at Liverpool to receive freight for this port.

ONE HUNDRED THE LIMIT NUMBER OF BEER LICENSES

About seventy beer licenses have already been issued for this year, and it is probable that there will be in the vicinity of thirty more granted. Last year there were about 150 licenses issued, but it is thought 100 will be the limit this year.

All who are anxious to obtain licenses should get them now, as they will not be able to get them after the 30th of this month.

Those who apply for licenses this year must have a good record, otherwise they are liable to be left off the list. In considering applications from persons who are not known to the inspector to be of good character and repute, he has made efforts through the police to obtain some knowledge of their past record, and has usually acted upon their advice.

It may be of interest to all holders of beer licenses to know that should the commissioners have any reason to know of any licensees not complying with the provisions of the act, they may be summoned before the board and if the imputations against them can be proven, the commissioners have the power to cancel their licenses.

The law relating to beer licenses was passed in 1897, and since then there have been some few changes, but there are still a number of people who thing the act should be still further amended. A prominent citizen, speaking of the matter this morning, contended that the act should compel the beer shops to close at ten o'clock at night, instead of 11, as at present. He spoke of the great evil from pool gambling and beer drinking in these places after the liquor stores had closed.

The practice in many, (in fact nearly all) of the beer shops of selling to minors should be stopped, as young boys were frequently seen in an intoxicated condition from the effects of beer, which they procured in these places. He also thought that a higher license fee should be charged, say $20, $30 or even $50, and so lessen the number of these places. All poolrooms whether selling beer or not, should also be put under license.

THE TIMES NEW REPORTER

MAY END IN A DUEL.

With regret it must be recorded that there is once more bad blood between the mayor's clerk and the city engineer.

The feud arose, more's the pity, on Loyalist Day, over the moose head presented to the mayor.

In the office of the mayor's clerk, after the echoes of the eloquence of the presentation speeches had died away and the usual reposeful calm of City Hall had been restored, the city engineer said:—

"That head looks exactly like the head of the moose Ward Chipman shot on King street in 1810."

"Ward Chipman!" ejaculated the mayor's clerk. "He never shot a moose in his life. You mean Chris. Billop."

"No, I don't" rejoined the city engineer. "I mean Ward Chipman. I remember it well."

"You remember it!" shouted the mayor's clerk. "Why, you were only a kid. I saw that moose head. It was sent by Chris. Billop to his cousin in England. Ward Chipman was in Fredericton at the time."

"You're talking," said the engineer, "about the moose that Benedict Arnold shot in 1789."

"Nothing of the sort!" roared the mayor's clerk. "I remember that moose, too. It was shot on Fort Howe."

"Young man," said the city engineer gravely, "you should not contradict your elders. It was Major Studholme that killed the moose on Fort Howe, I was there."

The mayor's clerk arose and opened the door of his office.

"Boy," he said majestically," run along home. You may be wanted for something."

The city engineer got on his feet, went out into the corridor, and hurled back this parting shot:—

"If you were a little older I'd call you out, you impertinent young scalawag."

The mayor is endeavoring to patch up the affair, but thus far with little success.

◈ ◈ ◈

The Ludlow is to be put in dry dock for repairs after her fierce battle with the freshet. The Ouangondy, which has been kept under steam at Sand Point, will once more be put in commission. If anything should happen to her, the walking is still good.

◈ ◈ ◈

News received by Mr. Peter Binks from Full Moon Lake today is to the effect that the trout and black flies are both biting well. Tomorrow is Sunday.

◈ ◈ ◈

A child lost on Prince William street this morning was discovered sitting in a hole in the pavement playing with her doll.

SAY HE USED PITCHFORK TO CHASTISE HIS HORSE

Joseph Riley was charged in the police court this morning with using insulting language to William Watters and also with cruelty to his horse on Brittain St.

Watters said that late on the night of the 17th inst. he was awakened by his wife, who requested him to go out to Riley's barn as the defendant was sticking a pitchfork in his horse and the animal was prancing about the barn.

Watters said that when he went to the barn he saw Riley beating the horse and and he interfered. Riley threatened to stick the pitchfork into him.

In answer to Mr. Wetmore, of the S. P. C. A., Watters said that Riley stuck the pitchfork in the horse.

In answer to E. S. Ritchie, who appeared for Riley, Watters said that he was on the third story of a house over 40 feet away from the barn where the horse was, when he saw Riley beat the animal. The complainant said that he and Riley used to be bad friends but were not on the 17th inst. The witness said that Riley accused him of sending a letter which caused trouble. Watters said that it was raining and foggy on the night in question.

Mrs. Watters said that she saw Riley beating the horse with a pitchfork and also that he used bad language to her.

The defendant said that there was bad feeling between himself and Watters and that it was a case of malicious prosecution.

In answer to J. King Kenny, who appeared for the S. P. C. A. Riley said that he did not strike the horse but later admitted to Judge Ritchie that he had but stated that there were no marks on the animal. As Watters said there were, the case was stood over until 2 o'clock this afternoon, when the horse will be examined outside of the court.