

Average Daily Circulation... 10,325

THE EVENING TIMES

10 Pages

VOL., III NO. 60

ST. JOHN, N. B., TUESDAY, DECEMBER 11, 1905.

ONE CENT

LIQUOR CASE DISMISSED

Magistrate Believes James Miller's Story of Whisky Used for Medicine Miller Produced a Witness who Swore that Liquor Found in Miller's House Belonged to Him--Case Dismissed and Liquor Ordered Returned

The case against James Miller, charged with keeping liquor for sale without a license, which was postponed from yesterday afternoon, was resumed this morning in the police court, and after Judge Degan, one of Miller's boarders, was examined, Judge Ritchie reviewed the evidence and dismissed the case.

Argument of counsel was heard from both sides. E. S. Ritchie appearing for the defense and Police Clerk Henderson for the prosecution.

In the course of his argument Mr. Henderson referred to the fact that older residents of the city would remember how Miller came to the city in very different circumstances and through his unfortunate habits had come down to Mullin and Degan being in the house, Mr. Henderson said that it was an unfortunate combination of persons.

His honor in reviewing the evidence observed that since at yesterday's hearing Miller had declared he was taking the whisky found in his home as a medicine, under Dr. Barry's orders, and had sworn to the fact he himself testified, there being no reason to doubt his statement, he was inclined to believe that fact be held that case had been dismissed the case, ordering that the liquor be returned to the owners.

WORK ON THE WEST SIDE What is Being Done on the New Wharf and the Union Street Roadway.

Though but little has been heard lately of the work of building the new wharf on the west side, good progress is being made. Contractor D. C. Clarke has been engaged in building up on the No. 1 and 2 ribs and ballasting at No. 3, for sinking about 200 men to do the work. Labor there is scarce all over the province. He says, however, that headway is being made with the men available and despite the cold weather considerable work has been done.

NEWS FROM FREDERICTON FREDERICTON, N. B. Dec. 11--(Special)--O. E. Bennett, of Portland, Me., has arrived here to accept the position of manager of the business of Lemons & Sons Limited, furniture dealers.

ASHORE AT LIVERPOOL N. S. HALIFAX, N. S., Dec. 11--(Special)--The Allan liner Aqueduct arrived this morning from Liverpool after a rough trip. She landed 275 passengers, the majority foreigners, Belgians, Assyrians, Russians and Chinese. She has also 1200 tons cargo to discharge here. She leaves for St. John tomorrow evening.

WALL STREET NEW YORK, Dec. 11--Wall street. Opening prices of stocks showed wide advance over last night and the level was not fully up to the London party. Gains of substantial character were general. The market opened strong.

WALL STREET (Continued) There are two ocean steamships due today, C. P. R. steamship Monks Temple from Antwerp, Nov. 28, and the Donaldson from Glasgow, from Glasgow, Dec. 1. Both steamers come direct.

The engagement of Rev. Alexander D. MacKinnon, P. D. pastor of St. Andrew's Presbyterian church, and Miss B. Edna L. Tucker, of Parrsboro, N. S., is announced. The marriage will take place before winter is over. Boston Transcript.

FINED \$20 FOR AN ASSAULT

Row on the C. P. R. Liner Empress of Britain Aired in the Police Court.

Considerable interest was manifested in the case of E. J. Simpkins, sixth engineer of the Empress of Britain, against Patrick Madlan, one of the grocers in the refrigerating room, whom he charges with assaulting him on the voyage from Liverpool to St. John. Several witnesses were examined, including the plaintiff, Frederick Steen, second engineer, and other members of the vessel's crew.

From the testimony it appears that on the morning of December 3rd, Simpkins, at the request of Steen, accompanied him to the refrigerating department. Empress and on entering the room found the defendant asleep and awakened him. Later, the same day, the plaintiff, in the course of his performance of his duty, was again obliged to enter the refrigerating department. On this occasion the defendant asked him what he wanted there.

EXPLOSION WAS FATAL One Man Killed and Two Injured in an Explosion in Mining Camp.

KENORA, Ont., Dec. 11--(Special)--As the result of an explosion at McParlane's Camp, a mile and a half west of Kenora, one man was killed and two others were seriously and three slightly injured.

SHE SWALLOWED LIVE CHAMELION And Now the Doctors Say Her Body is Alive With the Little Reptiles.

OMAHA, Neb., Dec. 11--As a result of swallowing a live chameleon, as an advertisement, Louise Douglas, formerly a woman named Stetson, died here today.

ANOTHER BIG DRY DOCK AMHERSTBURG, N. Y., Dec. 11--The contract was let yesterday for the erection in this city of a dry-dock and shipyard carriage barge enough to handle any vessel that can pass through the Welland Canal. Boston parties secured the contract for the work at \$300,000.

LAURENTIAN AT HALIFAX HALIFAX, N. S., Dec. 11--(Special)--The Allan liner Laurentian arrived this morning from Liverpool after a rough trip. She landed 275 passengers, the majority foreigners, Belgians, Assyrians, Russians and Chinese.

ROCKEFELLER GIVES \$100,000 PHILADELPHIA, Dec. 11--John D. Rockefeller announced to the Board of Foreign Missions of the United Presbyterian church, whose headquarters are in Philadelphia, that he would give \$100,000 to the church for the purpose of building a school for young men, and part for a school for girls.

STRIKE IN SCHENECTADY SCHENECTADY, N. Y., Dec. 11--It is estimated that 5,000 men walked out of the general electric works this morning. The first head line steamer, Imshoven, Head, left on Saturday last Saturday for port direct.

TODAY MARKS BREAKING OF BOND UNITING STATE AND CHURCH IN FRANCE

By Refusing to Make Required Declaration Under French Law Public Catholic Worship, Except by Schismatic Organization Becomes Illegal Tomorrow --- Touching Scenes in the Churches.

PARIS, Dec. 11--This is a historic day for France. The struggle which began in 1880 with the banishment of the Jesuits ended today with the legal rupture of the bond which for practically a thousand years has united church and state. By refusing to make the required declaration under the public meeting law of 1881, public Catholic worship, except by schismatic organization, tomorrow becomes illegal.

The scenes in some of the churches were touching. Not in years had there been such a attendance at Mass. The number of women was especially conspicuous indicating the religious feelings of the female population. Although seven-eighths of the inhabitants of this city nominally are Catholics, in no parts of the city were the churches crowded. Even at Notre Dame Cathedral, where a solemn high Mass was celebrated, the edifice was only half filled.

The government continues to present a calm front. Receivers have been appointed everywhere to assume charge of the sequestered property and three police men will be stationed tomorrow at the doors of all the churches to report law violations as they occur. The penalties are only 15 francs fine and 15 days imprisonment with the right of appeal, sterner measures are necessary.

TIMOTHY COLLINS SERIOUSLY HURT While Working at Hilyard's Blocks This Morning a Heavy Crane Fell on Him--Is Now in the Hospital.

Timothy Collins, 51 Lombard street, met with a very painful and serious accident today shortly before noon and now lies unconscious at the general public hospital.

THAT LIVE CATTLE SCHEME LONDON, Dec. 11--The British government has refused its sanction to a scheme proposed by a party of American and Canadian agents to slaughter and distribute the carcasses in Great Britain.

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MR. MACKAY WILL SEE IT THROUGH Nothing has yet been done in the matter of the extension of D. L. Mackay by the United States immigration authorities.

CREW ABANDON THE SCHR. WM. MARSHALL She Drifted Ashore Off Highland Light and is a Total Loss

The three-masted schooner William Marshall, owned by Winkler & Sons of Boston, is reported ashore off Highland Light. This information was conveyed in a despatch to Peter Melnykoff of the north coast of Alaska.

FUNERALS The body of Wm. McLehane, who died of heart failure at Vancouver, was brought to this city on the Montreal train this morning by the daughter of the deceased.

JAMES NELSON HONORED JEHATHAM, N. B., Dec. 11--James Nelson's many friends on the North Shore had an opportunity to testify their warm esteem at a supper given in the Canada House on the eve of his departure for the states.

BURGLARY AT STEWACKE STEWACKE, N. S., Dec. 11--(Special)--A burglar entered the Lower Stewacke station this morning and blew open the safe. The building was wrecked inside.

KILLED IN ONTARIO TORONTO, Dec. 11--(Special)--Allan MacKinnon, said to come from Nova Scotia, was killed by a premature explosion of dynamite while tamping a charge on the Canadian Northern construction at Still River, Ont.

WAS FROZEN TO DEATH Terrible Fate of an Old Man in Hog Lake, Ontario.

MADDOU, Ont., Dec. 11--(Special)--An old man, whose name is unknown, and who lived alone in a shanty on the shore of Hog Lake, near Madoc Village, perished from the cold on the ice of the lake while on his way home from the village.

THE SHAH WILL DIE CONSTANTINOPLE, Dec. 11--An official despatch from Tehran, Persia, dated yesterday, says that the German specialist who is attending the Shah has pronounced the latter's condition to be hopeless.

THE BIG SIX DAYS GRIND

Last Night an Uneventful One --No Change in Positions of Teams. NEW YORK, Dec. 11--There was no change during the night in the number of teams contesting or in their position in the bicycle race now in progress at Madison Square Garden. Now and again the thousand or so of spectators who remained all night were enlivened by an occasional spurt but on the whole the night was uneventful. A few spills occurred but all the riders were able to continue the unceasing grind.

WORK PROGRESSING AGAIN AT SYDNEY SYDNEY, Dec. 11--(Special)--The work of starting again in operation all departments at the big plant of the Dominion Iron & Steel Co., has been taken up and is being pushed with vigor.

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STORM SIGNAL NO. 3 WAS HOISTED LAST NIGHT AT 12 O'CLOCK AT THE SIGNAL STATION IN THE CUSTOMS HOUSE. The total snow fall last night and this morning was four inches on the level, with moderate to fresh winds from the northwest and north.

WASHINGTON, Dec. 11--Forecast: Eastern states and northern New York--Fair tonight and Wednesday, colder tonight, warmer Wednesday, diminishing northwest winds. Western New York, occasional snow flurries tonight and Wednesday; colder tonight, warmer Wednesday.

The Parsons schooner Ronald, Captain Wagner, cleared the custom house today for Key Francisco, Cuba.

ONLY EIGHT DAYS MORE

Before Some One Wins that Purse of Gold TODAY'S BALLOTING Scot's Boys Brigade Still in First Place with St. Mary's Band Second and Court La Tour Third -- Voting is Heavy.

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THE TIMES NEW REPORTER HIRAM ON CHRISTMAS. He has done well. And ordinarily he is content, for he overshies the dream that some day he will be an editor and carry six dollars.