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NO. 7.

DR. ATHERTON GIVES STARTLING EVIDENCE IN RICHARDS' WILL CASE.

Although His Signature as a Witness is on Two Alleged Testaments of the Deceased Lumberman, He Swears He Signed Only One—The Contest Commenced at Newcastle Thursday, and Much Money is at Stake.

St. John, N. B., Oct. 8.—(Special)—An interesting case came up this morning at Newcastle before Samuel Thompson, Esq., of probate, in connection with the will of the late William Richards, Esq., who died on the 15th of July last. The will was signed by the testator and witnessed by two persons, one of whom was Dr. Atherton, one of the sons, and some of the daughters and grandchildren of the deceased. The will was presented for probate on the 15th of July, and the contest was commenced on the 15th of August. The will was signed by the testator and witnessed by two persons, one of whom was Dr. Atherton, one of the sons, and some of the daughters and grandchildren of the deceased. The will was presented for probate on the 15th of July, and the contest was commenced on the 15th of August.

Dr. Atherton, the next witness, stated that, while the signatures purported to be his looked like his writing, he was positive he had only witnessed one will for testator. The case was adjourned until tomorrow. Attorney-General Pugsley, Hon. L. J. Tweedie, K. C.; A. J. Gregory, K. C., and Harold Coy appeared for contestants; Hon. H. A. McKinnon, H. A. Powell, K. C., and R. W. McLellan, solicitor for the company, in support of the alleged will. An adjourned meeting of the government is being held here tonight to consider the question of increased stampage and various other suggestions made by the lumbermen, but no conclusion will likely be reached tonight. Another meeting will be held tomorrow afternoon.

COMPROMISE VERDICT IN THE ALASKA CASE.

Lord Alverstone to Side With the United States.

Such is the Report Given Out on Excellent Authority from London—The Open Sessions of the Commission Finished Thursday—Dickinson's Closing Plea—The Americans Want a Quick Decision.

(Canadian Associated Press). London, Oct. 8.—Mr. Alverstone, speaking to the Canadian Press representative today, said: "Canada, I am confident, is indifferent to Chamberlain's plan, and with all the respect to the dominion is associated with things as they are. Only England is eager for it. Canadians feel that Chamberlain has been a grand colonial secretary, but he is keenly sensitive to the unpopularity of Chamberlain's plan. Mr. Alverstone's decision to talk of the empire. All Canada for the world has had a nervous dread that the world would go to pieces. I told Lord Alverstone that we Canadians on the tribunal should never sign any document giving up a single inch of territory we considered British. The Americans have secured for an important concession. The Canadian government has secured for an important concession. The Canadian government has secured for an important concession.

practically no spectators present. Jacob M. Dickinson, of American counsel, continued his speech for America's "ambitious claim or title" to the disputed coast. Mr. Dickinson made a forcible plea that all the evidence established the fact that the boundary should be drawn around the heads of the bays and inlets. When Mr. Dickinson had concluded this afternoon the commission will adjourn until Monday, when it will hold its first private session to consider its verdict. Mr. Dickinson, continuing, contended that the correspondence between the governments, which British counsel relied on to establish their position, showed that Canada and Great Britain had never formally or otherwise protested against the occupation of the islands by the United States. The closing moments were marked by an intensity of interest hitherto lacking in the proceedings. As Mr. Dickinson finished his argument and commended the result to international relations and the possible effect of the verdict thereon, the members of the tribunal and the other British counsel appeared to grasp the true import of the proceedings, which had almost been

lost sight of in the puzzling technical details in which they had been shrouded. "It is unique and the treaty will entirely miscarry unless at least one member shall decide against the contention of his own people. The faith thus manifested by the governments of Great Britain and America that judgment and justice will be exacted above the plane where the sympathies that move men to war, challenge the attention of mankind and distinguish this tribunal above all others. It does not follow that failure to reach a decision will show that such faith was in any degree misplaced; but, if a settlement is reached, it will be a triumph epoch in history, the struggle of humanitarian principles for the substitution of something better than war as the sole court determining international differences. What could give higher inspiration to those laboring for the peace of the world than the settlement of these issues, so pregnant of possibilities? If the tribunal should render judgment procedurally unanimous it would be the strongest assurance yet given to humanity that the Christian nations are tending toward the only practical realization of the poet's dream of a parliament of nations and a consideration of the world." Mr. Dickinson also paid a tribute to opposing counsel and Chief Justice Alverstone's fairness. Lord Alverstone said he had heard many leaders of the American bar speak in arduous and often tedious terms. Mr. Dickinson's argument qualified anything he had ever heard, and he had not suffered by the fairness and impartiality with which he had presented his arguments. Mr. Foster said: "Having approached the end of the open sessions, I desire in the name of the government of the United States and in behalf of my associates and myself, to make public recognition of the extreme friendliness and consideration with which we have been received by the British government and by its representatives. May this be an indication of the character of the decision to be rendered by this tribunal, which both nations await with so much interest." Lord Alverstone replied feelingly, saying that his majesty's government would doubtless deeply appreciate such an expression of friendship and thanks.

ST. JOHN SPEED AND MUSCLE STAND TEST WITH CRACK VISITORS

Carnival Athletic Sports Most Successful; 2500 People Enjoy Them—Eatman, With Handicap, Was Too Much for Tom Keane in the Hundred—Committee Fixes Matter of Prize Money for Four-oared Contest.

About 2,500 people witnessed the athletic events on the Y. M. C. A. grounds, Marsh bridge, Thursday afternoon. There were thirty-two entries, and the fourteen events were well contested. The sports were excellent, but people complained that arrangements for handling the large crowd were miserable. The spectators crowded along the course, and those who had seats in the grand stand at times found great difficulty in seeing the contests. Eldridge Eatman, the colored sprinter from the West End, had but four yards handicap over Champion Thomas Keane, of Boston, in the 100 yards dash, and won the event in ten seconds, giving his admirers another surprise. Last year he had a seven yards handicap and lost. J. C. O'Reilly, also of the West End, gave some of the amateurs a surprise by winning the 100 yards dash in 11:25 seconds. Fred. Boward, of Hampton, won the boys' race in 11:25 seconds. In the 125 yards professional, Fish Marsh, of Boston, took first money in 12:35 seconds. P. Curvey, of Philadelphia, won the pulling shot contest with 23 feet 11 inches to his credit. The amateur pole vault was won by W. Halpin, height 8 feet 9 inches. Capt. John McCreary, of the West End, threw the hammer 62 feet 5 inches, and won the event. J. F. Sullivan, of Halifax, won the 120 yards hurdle race in 1:34 seconds. Fish Marsh gave an exhibition of high jumping, clearing the bar at 5 feet 9 inches. The 220 yards amateur was captured by Francis of Fredericton, in 2:25 seconds. The 220 yards professional was won by John Phelan, of Waterville (Me.), in 2:25 seconds. 100 Yards Professional Handicap. Winners Only in Final. The first event on the programme was the 100 yards professional handicap, and was run in leader's order. First heat—Thomas Keane was scratch, J. Phelan, 4 yards; Wm. Gilmore, 7 yards; R. Curvey, 10 yards. Phelan led until within five yards from the tape, when he was overtaken by Keane, who won by a yard, Phelan second. Time, 10 seconds. Second heat—Wm. (Fish) Marsh, 4 yards; F. S. McDonald, 4 yards; John O'Neill, 4 yards; D. Kiley, 5 yards; Kiley and O'Neill made two false starts and were put back a yard each time. Marsh won the heat quite handsily, with O'Neill second. Time, 10:15 seconds. Third heat—H. Kinney, 4 yards; E. Eatman, 4 yards; Frank Kanaly, 4 yards. Eatman passed the others about ten yards from the tape, and won by a yard, Kanaly second. Time 10:15 seconds. The fourth heat had Humphrey, Kennedy and Gill entered, but they did not appear. The final: In this event there was considerable excitement when Eatman, Keane and Marsh got on the starting line, Keane on scratch, Marsh 4 yards and Eatman 4 yards. From the start Keane gained on

his opponents, and nearing the finish had the lead over Marsh. At the finish the tape fell, but it could be plainly seen that Eatman won by about a foot. Marsh looked like second, but it was awarded to Keane. Marsh claimed the lead won the heat, while the judges were at first thinking of calling it a dead heat. Eatman was finally declared the winner. Time 10 seconds. The St. John man was loudly cheered for his victory. 100 Yards Amateur Handicap, Limit 5 Yards. Winners only in Final. First heat—A. J. Wilton, 5 feet; Theo. Kiley, 1 yard; E. W. Ferguson, 2 feet; E. Waters, 1 1/2 yards. It was a beautiful contest. (Continued on page 3, sixth column.)

CONSERVATIVES BANQUET LEADER OF OPPOSITION.

Borden Said the Senate Might Delay Prorogation for Six Weeks.

St. John, Oct. 8.—(Special)—The banquet of the Grand Union tonight by the Conservative members and members to the leader of the opposition was a successful one. Mr. Macdonald presided with Mr. Borden on his right and Mr. Monk on his left. Mr. Lefang, M. P., and Mr. Leonard M. P., occupied the chairs. The banquet was held in the evening before Sir McKenzie proposed the health of Mr. Borden. The leader of the opposition, in reply, thanked for the banquet and said that the opposition and things said of him, he also referred the courtesy shown him in the contest and senate adjournment to permit the conservatives attending. He said that he did do so to bring the session to a close. Mr. Borden touched on Mr. Blair's resignation and said that the opposition and things said of him, he also referred the courtesy shown him in the contest and senate adjournment to permit the conservatives attending. He said that he did do so to bring the session to a close. Macedonians to Suspend Operations. (Special)—It is reported from So that the Macedonian committee has decided to suspend the operations of the new tariff in the spring in order to see that Turkey will execute the promises reform.

BRITISH MINERS STILL FREE TRADERS.

London Oct. 8.—The Miners' Federation of Great Britain, at a meeting in Glasgow today, after a heated discussion, passed a resolution by 89 to 5 votes protesting against "any limitation of the free trade policy which has existed for the past 60 years."

SOUTH AFRICA LIKES CHAMBERLAIN'S POLICY.

Cape Town, Oct. 8.—Interviews with leading men in the South African colonies, show that the general trend of opinion strongly favors Mr. Chamberlain's Glasgow programme. French Strikers Get a Warm Reception in Belgium. Paris, Oct. 8.—A number of strikes in the spinning trade are proceeding in the northwest of France, and some rioting has occurred at Tourcoing, Lille and Harbourg. At the latter place the troops had to charge the strikers several times. A body of 1,500 strikers crossed the frontier today with the object of stopping work at the new convert of Bier-Ploeghe street, at Courtrai (Belgium). The general strike who interfered were stoned by the strikers, who then charged with drawn swords, injuring a number of them. Their comrades conveyed the injured back across the frontier into France.

RESBYTERIAN SYNOD FINISHES ITS BUSINESS.

Any Questions of Importance Discussed at the Sittings—College Work, Home and Foreign Missions Take Up Much Time.

St. John, N. B., Oct. 8.—The second annual meeting of the Zion church at 100 Rock yesterday morning. Dr. Seligson, on behalf of the College, addressed the Synod. He reported the deficit of 8000 last year, and pointed out that college can never be as it should be unless it is supported by a man sound in the faith. The Irish church is generally well in the faith. Prof. McGill was originally and eminently qualified for an exceedingly useful and beneficent work. The motion was carried unanimously. Dr. Falconer introduced the subject of

the security of material for the college. The impression had gone abroad that there was an over supply. He spoke of the secular nature of the schools today, and the tendency to the neglect of the liberal arts for the sciences as partly the cause. He dealt with the situation at Dalhousie and urged rallying around the university and making it even better than at present. He moved, seconded by Judge Forbes, St. John, that the Synod approve of strengthening Dalhousie by giving another arts professor, the matter of the feasibility to be left with the board to consider. After Doctor Murray, editor of the Presbyterian Witness; Rev. T. F. Fullerton, Doctor Seligson, and others had spoken, endorsing the scheme, the motion carried. A motion that the Synod recommend Doctor Falconer to succeed Doctor Pollock was withdrawn as not in order after a unanimous approval of this suggestion had been received. Rev. Dr. McCurdy submitted a printed report of the Hunter Church Building Fund. There was a total of 8000 paid out last year against 81,100 the previous year. Judge Forbes, St. John, submitted the report of the trustees of the Century Mansie and Church Building Fund. There has this year been invested 811,708.23, and \$8,000 previously, leaving a balance of \$8,231.70. Doctor Forest, in moving that the report (Continued on page 7.)

TREATY BETWEEN CHINA AND UNITED STATES.

Document Signed Thursday—Missionaries to Be Protected, and Less Restriction on Trade.

Washington, Oct. 8.—The negotiations between China and the United States, which culminated in the treaty signed today at Shanghai, were initiated by the provisions of article XI, of the final protocol, signed by the powers at Peking on Sept. 2, 1901, terminating the anti-foreign outbreak of the preceding year. The present treaty is to extend the commercial relations between the contracting powers. Article four is the most important of the treaty. It is the Chinese government, recognizing that the present system of consular jurisdiction is a source of friction, and especially the system of taxation known as *li-hsin*, imposes the free circulation of commodities to the general injury of trade, undertaken after the ratification of the treaty and as a date to be mutually agreed upon, to abandon the levy of *li-hsin* and other transit duties between the ports and to abolish all the barriers and tax stations maintained for their collection. The United States, in consideration of this change, agrees, if all other ports having treaty with China do likewise, to pay at the port of entry on all its imports into China a surtax one and one-half times the tariff imposed by the Chinese government. Article fourteen relates to Chinese Christians and to missionaries. It inures to the former the free exercise of their religion and protects them against the injustice of native officials while not, however, removing them from their jurisdiction. To the missionaries it secures what they have sought for years, a recognition of their right to rent and lease in perpetuity such property as their societies may need in all parts of the empire. Another article of the treaty provides for the opening to international trade in the same conditions and manner as other places now opened to like trade in China of the cities of Feng Teng Fu (Mukden) and Antag, the first the capital of the Manchurian provinces of Sheng Ching, and the latter a port on the Yalu river, on the road between Mukden and Waiji.

MARCHIONESS OF DONEGAL PRESENTS HEIR TO MARQUIS.

She Was Mrs. Violet Twining, Formerly of Fredericton, N. B.—Baby Born Wednesday.

London, Oct. 8.—An heir was born on Wednesday to the Marquis of Donegal, who is eighty years of age and who married Miss Twining of Halifax (N. S.), who is twenty-two years old, at the beginning of the year. The marquis had twice previously been married without having issue. The wedding of the Marquess of Donegal and Miss Twining, who formerly lived in Fredericton (N. B.), was one of the interesting social events of last year and was read of with much interest by friends of the bride in this province and Nova Scotia. The ceremony was performed in London on Dec. 23rd, 1902. The wedding was a quiet event and the bride was given away by Lord St. Albans.

THE LADY LAURIER GROUNDS AT LOCKPORT.

The Steamer Damaged Her Bottom and Will Go in Dry Dock—Popular Military Officer Dead.

Halifax, N. S., Oct. 8.—(Special)—H. O. Francis, captain and adjutant of the Royal Garrison regiment, died today after a brief illness. He was a popular officer and has been seventeen years in service. The government steamer Lady Laurier, which returned to port last night from the lighthouse service on western coast, was ashore going into Lockport Wednesday morning and received damage to her bottom forward compartment and is leaving. She will have to go into dry dock for repairs.

THE CANADIAN MILITIA TO BE MUCH IMPROVED.

Sir Frederick Borden Announces That There Will Be a Mounted Corps in Future at Calgary—An Ordnance Branch to Be Established—Many Other Changes—More Petitions in the Senate Against G. T. P.

Ottawa, Oct. 8.—(Special)—Sir Frederick Borden, when the militia estimates were reached in the house today, made a most important speech on the Canadian militia. His friends say that it will go down to history as the best deliverance ever made in the Canadian parliament on this subject, and that he showed that he not only had a thorough knowledge of all the details of the department, but that he was looking ahead, and was determined by perfecting, organizing and extending to make the Canadian militia one of the best fighting organizations in the world. His speech was well received. Sir Frederick said that he would proceed at once with establishing ordnance branch of the engineers corps, and a corps of mounted troops of 1,000 men to be established at Calgary, and to be called the Strathcona Horse. There was to be a military secretary, such as is the case in England. Lieut.-Col. Smith, of medals claim branch, is to get this position. There is to be a contract bureau. Major Benoit is to get it. A registry was to be under Mr. Jarvis. The minister wanted a small sum for a library to improve officers. The military store branch was to be attached to the permanent corps.

If large bodies of trained men could not be maintained, the best alternative was small bodies of trained men to form skeletons, and thoroughly trained officers to lead and train men for any emergency. Sir Frederick said that he would visit England between now and next session and discuss his proposed militia bill with the imperial authorities. The house passed a motion by a half estimate and adjourned to give the Conservative members a chance to attend the Borden banquet. More Petitions Against the G. T. P. In the senate today petitions were presented against the transcontinental railway by Hon. Messrs. Landry, Perley and McDonald, Cape Breton. Hon. Mr. Scott gave notice of a motion by all on Saturday. Hon. Mr. Donville was informed that the Metal Reserve Life Insurance Company was authorized to do an assessment business in Canada. It was incorporated on 11th April, 1900. There are 9,701 persons in Canada holding policies to the value of over nine hundred million dollars. Hon. Mr. Donville wanted to call attention to the statement of their assets which he criticized. He said it was "not correct." The redistribution bill was discussed.

RUSSIA AND JAPAN STILL NEGOTIATING.

Yokohama, Oct. 8.—According to all Chinese reports today, the date fixed for the evacuation of ports of Manchuria by the Russian troops, passed without a Russian move toward the evacuation of Manchuria. Meantime, the Russo-Japanese negotiations regarding Korea and Manchuria, are proceeding at Tokyo, between the Japanese cabinet and the Russian minister, Baron De Rosen. The latter is acting under direct instructions from Admiral Alekief, viceroy of the far east. The prospect is considered doubtful unless Russia makes substantial concessions. The rumor of the Japanese rejection of the Russian demands is officially denied. The press today was officially warned against indulging in sensationalism. (China is understood to be waiting for the result of Japan's negotiations before further treating with Russia for the evacuation of Manchuria.)

NEW BRITISH MINISTERS TO TAKE OFFICE.

London, Oct. 8.—The king arrived in London from Balmoral Castle tonight and proceeded to Buckingham Palace where he will hold, tomorrow, a private council to receive the seals of the retiring cabinet ministers and transfer them to the new appointees.

BIG BARN BURNED AT FOLLY VILLAGE, N. S.

Truro, N. S., Oct. 8.—(Special)—Thomas Flanagan's barn at Folly Village, one of the largest in central Nova Scotia, was totally destroyed by fire today, with all its contents, excepting two horses, which were got out before the roof fell in. The barn contained 300 bushels of grain, all the fall harvest of hay, reaper, mower, plow, harrow, a complete outfit of farming implements. Last fall Mr. Flanagan spent \$1,500 in repairs on the barn, and had \$1,200 insurance on the building. It is stated the stock was insured for \$600. The loss will be heavy.

GERMAN TUTOR WHIPPED BY DEATH.

Berlin, Oct. 8.—The trial of Andreas Dipold, a tutor who whipped to death the son of Director Koch of the Deutsche Bank, a lad of 14 years was continued today at Bayreuth. The doctor who examined the body of the lad, Heinz Koch, testified that he had been tortured to death. Medical experts declared that the prisoner was mentally sound but of unnatural instincts.

THE REBUTION SAILS FOR HALIFAX.

Boston, Oct. 8.—The British cruiser Rebution, which came here as Great Britain's naval representative during the stay of the Honorable Artillery Company of London, today left on her return trip to Halifax.