

Obituary.

The chronicling of the awfully sudden death of Mr. Pius McDonald, of Mount Stewart, recorded in our obituary column today, is one of the very saddest duties we have ever found ourselves called upon to perform. He, with his son, John A., were in the woods on the 12th felling trees. A large old tree that had been broken, about twenty feet from the ground some time ago, but had not been entirely detached from the stump, remained with its top on the ground. Deceased commenced cutting down this trunk, when suddenly the top crashed down on the unfortunate man, striking him on the head or back of the neck, bearing him to the ground and killing him instantly. He never articulated a word. His son, who was close by giving the alarm, and Mr. Daniel Brndrahan, the only other person within hearing, who was chopping not far away, came on the scene at once. Life was extinct, and nothing remained but to convey the remains to the home he had left, shortly before in the fullness of health and manly vigor. Deceased was a brother of his Lordship Bishop McDonald, and lived at the old homestead with his family of three daughters, one son and an elder brother. His other and older son lives at Grandbrook, B.C. His wife predeceased him some eight or nine years, and her sister, who took charge of the young family on their mother's death, died a little over a year ago. Deceased was a genial, upright and honorable man; the son of honor, whose word was his bond, and who enjoyed in an eminent degree the respect, esteem and love of the whole community in which he lived, and of every one with whom he was acquainted. He was a warm-hearted true friend, of the most gentle and unassuming manners. He was a charter member of the local branch of the C. M. B. A., had passed through the Presbytery chair, and, at the time of his death, was filling another term of the Presidency. His Lordship, the Bishop, had been absent at Halifax and left there on Friday for home. At Pictou the sad intelligence reached him. The funeral took place at the parish church at St. Andrew's, on Sunday afternoon, and was very largely attended. There must have been at least one hundred and fifty sleighs. St. Andrew's is across the river, almost opposite the home of the deceased, and the house of the cottage had hardly left the house when the van had arrived at the church. A special train went out from Charlottetown conveying a large number of friends. The pall-bearers were members of the C. M. B. A. In the Sanctuary were his Lordship in cope and mitre, Rev. A. P. McEllan, P. R., Rev. A. J. McIntyre, Rev. F. B. A. McDonald and Rev. D. B. McDonald, all present and assisting the chair included Rev. A. J. McDonald, Very Rev. Dr. Morrison, Rev. Dr. Curran, Rev. R. J. McDonald. Before the elevation, a short and most appropriate exhortation on the sad, with special reference to the death occasioned by delivery together those present, was delivered by Rev. Dr. McMillan. His Lordship, the Bishop, officiated, and in accents trembling with emotion, he intimated the solemnity of the service at the grave was performed by the pastor, Rev. A. P. McEllan. R. I. P.

The Law and Trusts.

(Montreal Gazette.)

According to the decision of the United States Supreme Court rendered on the 8th, the courts cannot be employed to collect a debt due to a trust. Such obligations, it was held, ranked precisely as gambling debts and are beyond the pale of the law. The decision was handed down in the case of the Continental Wall Paper Company against the Louis Voight & Sons Company of Cincinnati, Ohio. The defendants purchased goods valued at \$300,000 from the wall paper concern, on which there remained a balance due of \$56,762, payment of which was refused. The company entered suit, and the Voights filed a demurrer, pleading that its creditor was a trust, that as a jobber the Voight Company had been compelled to sign an agreement on a threat that if it did not do so it would not be allowed to purchase paper and that as a consequence the Voight Company had been compelled to pay 50 per cent, more than it would have been compelled to pay if it had been free competition. In its answer the Continental Company admitted that it was a trust, and the majority of the court in the decision rendered by Justice Harlan did not consider the remaining grounds. The court held that "the plaintiff cannot have a judgment for the amount of the account sued on because such a judgment would in effect be aid of the execution of agreements constituting that illegal combination." A dissenting decision, signed by four judges out of the nine sitting, held in effect that "a lawful purchase is not made unlawful merely by being the fulfillment of an unlawful contract." The importance of the decision can hardly be underestimated. It means either that the trusts must go out of business or do a cash trade only, a restriction which would place them at a disadvantage. The greater operation of the "trusts" now operating in the United States, however, owe their existence to their efficiency, and not to control of the market, though for all practical purposes they actually do control it. Viewed in this light the decision may be more a display of legal fireworks than a destroyer of efficient trade organizations.

Beware Of Worms.

Don't let worms gnaw at the vitals of your children. Give them Dr. Low's Pleasant Worm Syrup and they'll soon be rid of these parasites. Price 50c.

Animal Extermination.

While the country is stirred with the various reports and addresses upon the important subject of the conservation of natural resources, it has occurred to but one man, Dr. Rudolphe Ornan, to write the sad story of the poverty of the continent in wild animal life, in which only a century ago America was so fabulously rich. The most shocking example of reckless destruction is the way in which the American bison has been made to disappear. Up to the beginning of the nineteenth century the buffalo still roamed the great plains of the West, and in the United States the number is estimated to have been 40 millions. Today there remains but 1,600, scattered in small herds in the Yellowstone park and zoological gardens. In Canada we have a few that are objects of curiosity on their range near Regina. The buffalo were slaughtered ruthlessly and in out of season for mere sport and for the value in the hides. After the buffalo, the two animals to suffer the most from the persecution of men were the moose and the elk. Antelope, once plentiful, have practically disappeared. Of the smaller species of deer, the otter, the beaver, the muskrat and others whose numbers ran up into the millions, the same story of extermination holds true. Even the alligator, Dr. Ornan states is being hunted out of existence. The destruction of birds is another painful story. The waste of animal life was the result of a civilization in which individualism ran riot. The poor attempts to stay the hands of the hunter have resulted in some legislation, but the inevitable "free and independent" business man has to a great extent neutralized its effects through evasions of the laws which he would not have tolerated in any of the known and conventional forms of crime.—O. Tawa Citizen.

Steel Company Wins.

The Privy Council judgment in the trial between the Dominion Coal and Steel Companies has been delivered. The decision sustains the judgment of the Nova Scotia Court, in favor of the Steel Company.

Wallace Nesbitt, K. C. of Toronto who fought for the Dominion Steel Company before the privy council was highly elated over the judgment. "The judgment is most remarkable, and in handing down their decision their lordships have used my arguments at almost word for word. The court has fully justified Judge Longley's decision has completely affirmed his finding," said Nesbitt, "and it triumphantly establishes the contention of Plummer and his co-directors that they were right when they refused to accept coal which was not fit for steel making. 'The damage will necessarily be very heavy and they will include the difference between what the Steel Company has paid since November 1906 between \$2.75 and \$3 per ton, and will of course, be refunded. The company is also entitled to get a large sum for short delivery prior to 1906 and for the shutting down of works. These are but fleabites, however, to what comes next, when damages are assessed for 99 years for breach of contract. The tonnage used is about a million a year which at contract price, would make it about a million and a quarter dollars. The Coal Company said it would not supply coal for steel making at less than \$2.50 per ton, and I believe that the simple sum in arithmetic will bring damages payable to Steel Company to between seventeen and twenty millions of dollars." The news of the decision of the Privy Council in the great legal battle between Cape Breton's two great industries, the Steel Coal Companies in favor of the Dominion Iron and Steel Company, was received in Sydney on the 11th. C. S. Cameron, comptroller, when asked as to the probability of a merger said that would depend solely upon the humor of the parties concerned. However, he thought such a thing was not probable until the damages had been assessed.

St. Pierre Schools Settled.

Private letters received at North Sydney from D. Gauvin, attorney at St. Pierre, Miquelon, and also from other parties in the colony, throw some light on the probable final settlement of the vexed school question at that place. It is stated that well grounded rumors are circulating to the effect that at last the home government in France has yielded to the demand of the people of the colony to grant the permission to re-open denominational schools, the refusal of which permission was the cause of the trouble in November last. The people are confident that the next issue of the official gazette will chronicle the decision of the home government. The conference which M. Viellot, professor of Fort Christopher College (denominational school) announced would be held at the cafe Du Midi to further consider the school question was afterwards cancelled. The postponement of the in ended indicated some radical changes in the situation, and some of the head parties of the schools are authority for the statement that messages has been received from France from Louis Legasse, member of the Chamber of De-

puties for St. Pierre, to the effect that the re-opening of the denominational schools would shortly be authorized. Further and more serious trouble would undoubtedly have followed the holding of M. Viellot's conference as a second and much larger demonstration was on foot to enforce on the government the request of the people. St. Christopher College has been closed since December 19th last, and proceedings against the professors have not yet ceased. The correctional court which met on January 15th deferred judgment in these cases. It is further reported that a commission has been appointed by the Government to inspect and report on the premises of the denominational school. This decision has raised the hopes of the people who are now convinced that a satisfactory settlement is in sight.

LOCAL & OTHER ITEMS

The C. P. R. Roundhouse at Portage LaPrairie caught fire here shortly before midnight Friday and was destroyed. Three locomotives were badly damaged. The loss is estimated at \$20,000.

In consequence of snow storm there was no crossing at the Cape Monday or yesterday; consequently no foreign mail. Both steamers effected a crossing on Monday but carried no mails.

There was a small attendance at the market yesterday. Pork was up to 9 cents a pound and mutton high as 44 cents, other prices remained about the same as previous quotations.

At Cote des Neiges, Montreal, on Monday two men, who were working in a trench, in connection with the Montreal Power Company were killed and a third was badly injured, by a pile falling on them.

Two brothers, named Sbarry, working in the iron mines here, Saturday night, were fatally killed, by the overturning of a tub in which they were ascending from their work. They fell 200 feet.

Five firemen were killed and a dozen injured—two fatally—by the toppling over of a brick wall, while fighting fire in the Manville Manufacturing Co. Milwaukee. A number of the employees suffered burns in their attempt to escape from the burning building, which resulted in death. Loss \$250,000.

Fifty-two bodies have been recovered from the wrecked steamer Penguin, of the Union Company, which went on the rocks Friday night off Cape Terawhiti near Wellington New Zealand. Passengers and crew numbered about 100. The ship struck about ten o'clock Saturday night, but the captain remained on the bridge and after the vessel slid into deep water was able to steer her closer into the shore.

The Spanish Cabinet has decided to accept the tender of Vickers Sons & Maximo, the British ship-builders, for the construction of the ships of the new Spanish squadron, on condition that the firm consents to certain modifications. The amount of the contract is \$40,000,000. The squadron will consist of three battle ships of 15,000 tons displacement, with a speed of nineteen knots; three destroyers, twenty-four torpedo boats and four gunboats.

Between 250 and 300 persons were hanged to death, and many more were injured in a fire which destroyed the Flores Theatre at Acapulco, Mexico on Monday night last. The theatre was a wooden structure and over 1000 were crowded into it to witness a special performance given in honor of the Governor. A film in a moving picture scene caught fire and the blaze was quickly communicated to some hunting used for decorations.

Great weight was lent to the political significance of King Edward's visit to Berlin in consequence of the long private conference which Sir Charles Harding had with Von Bismarck. The subjects under discussion then were made public, but the fact that the British Under Secretary was closeted with the Imperial Chancellor is regarded as highly significant. It indicates that the royal sojourn is not a mere visit of courtesy, but intended to influence future political developments between Great Britain and Germany.

Shepherd and McDonald, recently sentenced here for stealing and larceny, are free once more. On Tuesday the 9th, Sheriff Coombs and constable McKinnon of this city went on board the steamer at Georgetown on their way to Dorchester Penitentiary, with the prisoners. The steamer was detained in the ice and the officers and their charges did not reach Pictou till Wednesday afternoon of the 10th, after the train had left for Dorchester. Under these circumstances it became necessary to detain the prisoners at Pictou over night. For purposes of safety they were placed in the town lock up, as the County jail was some distance away. Jailer William Jones had charge of the institution and to his watchful care the prisoners were confined, after having been securely locked in their respective cells, the sheriff and the constable went to a hotel to have a well-needed rest, but about 7:30 next morning they were aroused by a messenger from the donjon keep, to the effect that the birds had flown. It appears that Shepherd managed to remove an iron bar across an opening in his cell door and was thus enabled to get his hand out. In this hand he held a piece of board taken from the bottom of his bunk, and with it unfastened the pad-lock of the cell door. He then performed a like act on the pad-lock of McDonald's door. Both prisoners then found themselves in a large outside cell. Here they crouched until the good-hearted jailer came early in the morning, with their breakfast. As soon as he appeared they seized him and attempted to put him in one of the small cells just abandoned by themselves. They failed in this; but threw him into a corner of the larger cell, rushed out and locked the door on him, and then helped themselves to a couple of overcoats in the corridor and skipped for the open country. At latest accounts they had not been recaptured.

Minard's Liniment cures Dandruff.

DIED

At Pictou Station on the 10th last Joseph A. beloved child of Mary and James Murphy aged two months. "Suffer little children to come unto me, and forbid them not: for of such is the Kingdom of Heaven."

In this city, on the 10th inst, after one week's illness, of Pneumonia, John Connolly, Grocer, aged 39 years leaving a disconsolate widow and five children to mourn. Deceased was the son of the late James Connolly of Anburo and besides his widow and children leaves one brother, Rev. Father Connolly and aged mother and several sisters. His funeral on Friday was largely attended. May his soul rest in peace.

Suddenly, by the accidental falling of a tree at Allisary, near Mount Stewart on the 12th last Pius McDonald, aged 57 years, leaving two sons, three daughters and a large circle of friends to mourn. May his soul rest in peace.

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DOMINION OF CANADA,

Province of Prince Edward Island.

In the Surrogate Court, 8th Edward VII., A.D. 1908.

In re Estate of George McAnulty, late of St. Peter's Bay, in the County of Kings, in said Province, trader, deceased, Intestate.

By the Honorable Richard Reddin, Surrogate Judge of Probate, &c., &c.

To the Sheriff of the County of King's County, in said Province, or any constable or literate person within said County,

GREETING:

WHEREAS upon reading the petition (on file) of Margaret McAnulty, of St. Peter's Bay, aforesaid, Administratrix of the estate of the said George McAnulty, deceased, praying that a license be granted to sell the real estate of the said deceased, or to sell such part thereof as may be sufficient for that purpose, the personal estate of the deceased being insufficient to pay the said debts. You are therefore hereby required to cite all persons interested in the said estate to be and appear before me at a Surrogate Court to be held at the Court House in Charlottetown, in the said Province, on Saturday, the twelfth day of February next coming, at twelve o'clock noon of the same day, to show cause if any they can why a license to sell the real estate of the said deceased to pay the debts due by him in his lifetime, or to sell part thereof as may be necessary for that purpose, the personal estate of the deceased being insufficient to pay the said debts should not be granted to her, the said petitioner as prayed for in the said petition, and on motion of James A. McDonald, Esquire, Prosecutor for the said petitioner, a certified copy of the inventory of real and personal estate of the said deceased as filed in the said Court pursuant to the statute being annexed to the said petition. And I do hereby order that a true copy of this order be forthwith published in some newspaper published in Charlottetown, in the said County, in the said Province, once a week for four consecutive weeks from the date hereof, and that a true copy hereof be forthwith posted in each of the following public places, namely: In front of the school houses situated at St. Peter's Bay and at Mount Mary (Morell), both in the County of Kings, aforesaid, and in the Hall of the County House in Charlottetown in the said County of King's County, so that all persons so interested as aforesaid may have due notice thereof.

Given under my hand and the seal of the said Court this Fourteenth day of January, A.D. 1909, in the eighth year of His Majesty's reign.

(Sgd.) RICHARD REDDIN,
[L.S.] Surrogate Judge of Probate.

Jan. 20, 1909—41

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