

JURY GAVE VERDICT IN PLAINTIFF'S FAVOR

Awarded Damages for \$325

Plaintiff However Must Pay Costs of Nearly Thousand Dollars.

HAMPTON, N. B., Jan. 23.—The Kings County circuit court opened at 10 a. m., when His Honor Judge Gregory, addressed the jury in the McLeod-White case. He said from his own standpoint the case was simple so far as his and their duty was concerned, although for them there was wide room for difference of opinion as to the value of the evidence. It was for them to decide what and how much was good and reliable. His honor read the guarantee of defendant to pay for all logs delivered by plaintiff to Godard. No limit was set as to size quality, number or description, whether pine, spruce or hemlock, and simply guaranteed payment. The question was whether the number of logs delivered at \$4.25 per thousand. The burden of proof is on the plaintiff, but no method of proof is provided for in the guarantee. Each party took his own way. McLeod relied on the quantity of logs and an estimate of their contents, Godard on the mill survey of managed lands. The character of the plaintiff's testimony is interested and in so far as it would be the first duty of the jury to agree upon the number of pieces delivered, whether as claimed by plaintiff or as reduced by conditions stated by defendant. They had no right to increase the plaintiff's stated number of 643 thousand.

Next comes the basis of computation of contents. Plaintiff relies on his son's average of seven inches diameter, by sixteen feet in length. Some of the evidence casts doubt upon these figures and the jury must decide upon how far this can be relied upon. The calculations of John McLeod were based on such as are approved the usage of the crown lands department. The defendant relies on the number of pieces, which reaches a very much smaller total of superficial feet. Further, the plaintiff says many logs were carried off by the defendant, which is denied by the defendant's statement that they were nearly all recovered and included in the total mill survey.

The jury must go among these differences for facts as will enable them to estimate the truth as near as they can reach it. There is no exact data, but they may find ground for a fair estimate. The plaintiff has paid for 555,000 feet of lumber at \$4.25 per m. If the jury is satisfied that the defendant covers the amount delivered they will find for the defendant. The jury retired at 10.45.

The next case, The Bay Shore Lumber Company against Simon H. White and Walter J. C. Berrio, was called. White was then called, and his honor urged that the interested parties try to reach a settlement without coming to trial. Messrs. Moore and King, respective counsel and principals, referred to the judge's room at once. At 11.15 they returned and informed his honor that they had reached a general agreement except so far as the amount and value and asked for further time for the principal defendant to reach Hampton by train. His honor decided to adjourn the court until 2 o'clock.

Circuit court resumed its sitting at 2 p. m., when the jury in the McLeod-White case came in and advised the plaintiff, and placed the damages at \$325. This is \$40 less than the amount which the defendant offered to suffer judgment on. The trial, which puts all costs from the date of the offer upon the plaintiff, and these probably will reach in the vicinity of a thousand dollars.

In the case of The Bay Shore Lumber Company v. Simon H. White and Walter J. Mills, the parties interested in their counsel had a long conference and finally came into court with a proposition for settlement, which was accepted by the court. By this agreement the matters in dispute are to be referred to Arthur Mays and John Armstrong, who with a third man to be appointed by them or failing this, in the judge of the court, who as a board of arbitrators, are to go on the grounds where it is claimed the trespass and damage was committed, count the stumps and tops down to four inches, estimate contents according to the government sale and values at the rate of 60 per thousand superficial feet, and report conclusions to the clerk of the Kings county circuit court on or before May 24th next, which shall be entered on the postees as the verdict of the jury in settlement of all claims in this case, to which all the parties concerned bind themselves. The arbitrators are to be sworn before a commissioner for taking oaths to be read in the Supreme Court. In case the arbitrators do not agree, the verdict of any two of them to be entered on as before provided. The document in detail was drawn up and signed by White & King, attorneys for plaintiff company, and by Fowler & Jones as defendant's attorneys. The rehabilitation of Frank Crosscup, member of the bar, as a British subject, was completed by the filing of the required certificate by W. A. Ewing, clerk of the court.

The court adjourned at 4.30 p. m., this date.

The January term of the Kings County court opens tomorrow morning before Judge Woodburn, when the following appeals will be again considered.

NOVA SCOTIA BOY MERCHANT PRINCE

Has Been Citizen of Massachusetts for Half Century

BOSTON, Jan. 13.—The life story of William Whitman, the Nova Scotia boy who left his home at the early age of 12 years, and is now the foremost industrial leader and merchant in New England, is a striking example of high ambition, sturdy habits and correct habits. Young men ambitious for preferment and of a noble and enduring fame, will do well to pass lightly by the story of this boy and aspiring mountebank and student, who studied the far-reaching results achieved by a man of the Whitman type. They will discover that this commanding position was due to intense devotion to principle, to absorbing love of truth, to integrity of mind, and to a staunch moral courage, as well as close attention to business.

William Whitman has been a citizen of Massachusetts for nearly fifty years. He is a son of John Whitman, an English descendant in the eighth generation of John Whitman, who came from England prior to 1688 and settled at Wrentham, near Boston. His great-grandfather, also named John Whitman, was born in Massachusetts and went to Nova Scotia to take possession of the fruitful lands of Acadia. His mother was Rebecca Cutler, a direct descendant of Ebenezer Cutler, a conspicuous Loyalist, whose attachment to the British cause was the reason of his banishment during the war of the revolution, and of his settlement in Halifax, Nova Scotia, in 1775.

William Whitman was born at Round Hill, Annapolis county, N. S., May 8th, 1842. He spent the early years of his childhood there and in the neighboring town of Annapolis, being brought up in the Church of England faith and acquiring the rudiments of education in a small country school, and at the Annapolis academy and through the training of his father's house. At the age of eleven, however, his school days were over, and circumstances compelled him to start out and make his own way in the world. He acquired early a good legible handwriting, an accomplishment which will never be out of date in business. The early age at which he was thrown upon his own resources developed in him that self-reliance which has been one of his most conspicuous qualities in later life. He left home May 13th, 1854, to take a position in the office of a wholesale dry goods store in St. John, N. B. He was dismissed from the position after a few weeks, and two years later went to Boston and secured a position as entry clerk in the firm of James M. Beebe, Richardson and Company, successors to James M. Beebe, Morgan and Company. He remained with that house eleven years, until the firm was dissolved.

In 1867 Mr. Whitman became associated with R. M. Bailey and Company as treasurer. He bought an interest in a woolen mill at Ashland, New Hampshire, and there devoted himself to the manufacture of goods on his own account. But six months later the Arlington Mills were reorganized and Mr. Whitman was asked to resume the position which he had resigned.

From 1867 until the exception of this brief interval until the present time, Mr. Whitman has been continuously associated with the Arlington Mills until 1902 as treasurer, and since that date as president.

Mr. Whitman was married on the 18th of January, 1866, to Jane Dele Hallett. She was born in Boston, but is a descendant of distinguished Loyalist families which left New York in 1783 with the dose of the revolution, and settled at St. John, N. B. Mr. and Mrs. Whitman have had eight children, of whom four sons and three daughters are living.

GIBSON, N. B., Jan. 15.—The preachers' meeting which was postponed owing to the illness of the chairman, Rev. J. C. Berrio, was held this week, when matters of importance in relation to church work were discussed. A union meeting will shortly be held in Fredericton.

Members of the choir of the Methodist Church are preparing for a concert to be held on the 28th of this month. An excellent programme is being arranged and some of the best local talent will take part.

Lorenzo Gilmore died very suddenly on Sunday and was buried on Tuesday afternoon. Deceased is survived by two sons and three daughters. Heart trouble was the cause of his death.

Mrs. John Hill and son Erick arrived here from Hampton this evening, where they were visiting the parents of Principal Hill.

Rev. J. C. Berrio has organized a Bible class at Nashwaakias.

PLOT TO DESTROY U. S. FLEET FRUSTRATED

Sensational Story From Rio Stirs American Government.

Melodramatic Attempt by Germany and Japan to Blow Up American Warships in Magellan Straits

PARIS, Jan. 20.—The reports cabled from Rio Janeiro that the Brazilian authorities were warned from Paris of a possible attempt to blow up the American battleship fleet while in the harbor there are true.

Some time ago certain suspicious indications of the existence of a plot to destroy the whole or a portion of the fleet either in Rio Janeiro or in the Straits of Magellan, were received here, and naturally commingled to the attention of the American government. A chartered steamer was reported to have conveyed explosives for the use of the conspirators of Rio Janeiro, arriving there about the middle of December, and John Fisher, whose name is mentioned in the Rio dispatches, was one of the men whose names were revealed here as interested in the conspiracy. The alleged plot is supposed to have been rather startling ramifications, but the evidence along this line is far from conclusive and rests chiefly upon the statement of an individual whose record was subsequently proved to be anything but creditable. Consequently the whole affair is regarded with much skepticism and indeed the presumption has been raised that it may have been a deliberately concocted scheme in any event it is believed here that if the plot actually did exist, the timely warning and precautions taken have completely frustrated the plans of the conspirators. Rio Janeiro and compelled them to transfer their operations further south, if not to abandon them entirely. The latter hypothesis is considered here to be most probable.

Only a few people here treated this story seriously, other regarded it as fantastic, while many dismissed the whole affair as a myth.

The reports today from Rio Janeiro have been characterized as another weird chapter of the fantastic recital it is believed here that the action of the Rio Janeiro police grew out of the information forwarded to Rio Janeiro from Washington and this city.

The story in brief as given by those responsible for it, is substantially as follows:

A young man of good family, residing here claims to have overheard snippets of a telephone conversation which, vague references were made to the cruise of the American fleet, and of plans concerning the fleet which were being hatched at a certain cafe. The young man communicated his information to an American official in Paris, and also established a surveillance of the cafe. It is claimed that the conversation at the cafe disclosed several suspicious characters holding mysterious meetings. Their movements are said to have been traced by their plans in part learned as to the shipment of explosives to Brazil. When the suspicious parties were surprised they are said to have shown fight, and in a scuffle which ensued the young man claims to have snatched a portion of the paper over which they were poring containing the cabalistic words: "blow up the fleet," supposed to mean "blow up the fleet."

Meantime, the official to whom the young man had confided the secret made inquiries as to the shipment of explosives to Brazil. This inquiry showed that a small steamer discussed by the suspects had actually sailed from a North German port with certain suspicious boxes. It is claimed that the testimony of the men who loaded the boxes shows they contained explosives. The steamer reached Rio early in December. This appeared to fit in with the disclosures at the cafe and with the cabalistic writing, which is said to have shown that the plotter designed to plant submarine mines off Esclavo Island, the narrowest point in the Straits of Magellan, using the island as their base of operations. The existence of the island at this point in the straits, where the currents run almost ten miles an hour, was duly verified. How the explosives were to reach this island from Rio is not disclosed. There were many other "details" unearthed in the course of the inquiry set on foot.

It was said that the mysterious strangers were Germans, but vague references were made to Japanese names which were said to be figuring in the affair.

Those fantastic details were received with incredulity in most quarters, but, as stated, the precautionary step was taken to acquaint the authorities at Washington and Rio of the general character of the story.

WASHINGTON, Jan. 20.—That the American government was cognizant of the existence of the belief of ulterior designs against Admiral Evans' battleships in the harbor of Rio Janeiro was admitted today in administration circles. The news first reached here by way of Paris, where somebody communicated to the American embassy at Rio and also forwarded it to the navy department. The intimations contained were vague and indefinite as to details, yet in view of the great importance of the matter and the possibility which might develop were the officials on the scene not informed, no news was lost in transmitting it to Rio.

The date forwarded to Washington this afternoon, three Italian laborers were severely injured and two others more or less hurt.

MIDDLETON, Conn., Jan. 19.—By the explosion of a quantity of dynamite this afternoon, three Italian laborers were severely injured and two others more or less hurt.

matter pointed out how difficult this would be in the absence of the most approved apparatus in mine laying operated by skilled persons.

Only a Tea Kettle of Hot Water



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Don't boil or scald the clothes. It isn't necessary. The suds come out of the wash clear white, perfectly washed. The dirt drops out, is not rubbed in.

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LIQUOR NOW BARRED FROM EIGHTY CITIES

Mighty Anti-Saloon Movement Strikes Every Section of the Country

CHICAGO, Jan. 18.—Under the strong tide of prohibition, which has so impressively demonstrated its power in southern states, the "dry" area in America has been doubled in the last twelve months.

Eighty cities in seventeen states are now enforcing prohibition laws on their 2,200,000 inhabitants, and of these eighty municipalities, thirty-five "went dry" in 1907.

Some come under general prohibition statutes, as the Georgia cities, but many of them have voted dry under the provisions of a local option law.

Additions to the list of dry cities during 1907 include: Alabama, Atinston, Birmingham, Huntsville, Mobile, Montgomery and Selma; California, Berkeley, Georgia, Athens, Atlanta, Augusta, Brunswick, Columbia, Macon and Savannah; Illinois, Champaign, Jacksonville, Urbana; Indiana Territory, Durant, Muskogee, Tulsa, Wagoner; Massachusetts, Haverhill, Lynn, Worcester; North Carolina, Asheville; Raleigh; Ohio, East Liverpool; Oklahoma, Guthrie, Oklahoma City, Shawnee, Enid; Tennessee, Clarksville, Jackson, Knoxville, Memphis, Burlington.

Particular watch has been kept on Atlanta to discover just how the much-discussed Georgia law operates there. This watch was kept by the Atlanta Constitution, which did not favor prohibition, and that paper's testimony is believed to be unbiased.

In a special story the Constitution admits that the elimination of whisky has "worked a revolution in the city's worst quarter, and as is almost invariably the case, the police records show that the public is actually saving money by the operation of the 'dry' statute.

In Atlanta on January 4, 1907, when the high license law was in effect, there were sixty-three police cases, thirty-two of which were connected with drunkenness.

On January 4, 1908, just eight days after the dry-law went into effect, there were just seventeen police cases in Atlanta, not one being for drunkenness.

These facts will be used in arguments being brought to bear on congress for legislation to make the District of Columbia dry and to forbid such interstate commerce which will dump "original packages" liquor into prohibited territory.

The brewers are already busy in the Washington lobbies, and they have gone so far as to write to members of congress demanding that federal appropriations be withheld from those states where prohibition is in force.

SCHOONERS IN TROUBLE ON NOVA SCOTIA COAST

PORT DUFFERIN, Jan. 20.—With her flag at half-mast the Gloucester schooner Elmer E. Gray came into port this morning and reported that while reefing the mainsail on Thursday, off Liscomb, George Botten, one of the crew, was washed overboard and never seen again.

Unknown to the schooner on ledges at Whitehead. Sea too rough to get assistance.

IS MAKING A TOUR

HAMPTON, Jan. 20.—Yesterday the Rev. S. Bartlett, assistant superintendent of the department of Sunday schools an Epworth Leagues of the Methodist church of Canada for the provinces of the Dominion east of Ontario, preached two sermons in the Methodist church here and produced a profound impression of the importance of the work and the fitness of the man to present its claims. He is on a tour of the circuits of the St. John district, and proceeded to St. John today, where he will present the subject of his mission to the churches, winding up with a convention in Centenary church on January 30th and 31st.

FREDERICTON GIRL RUN OVER BY TRAIN

FREDERICTON, N. B., Jan. 20.—The York County Council meets here tomorrow morning. Most of them arrived in town this evening. It is generally conceded that Byron McNelly, of Kingsclear, will be unanimously elected warden.

Mary Murphy, daughter of Martin Murphy, Beaton street, was run over this afternoon on her return from school by a horse and sleigh driven by Mr. Jewett, which, it is said, was being driven at more than the ordinary rate. The little girl was picked up in an unconscious condition and conveyed to her home. On examination it was found that the accident was not serious and the victim was more feared than hurt.

INSANITY IS PLEA IN BROWN CASE

Prisoner Not Able to Conduct Affairs of His Trial

CHARLOTTETOWN, P. E. I., Jan. 20.—The Supreme Court today witnessed the preliminary legal skirmishes in the trial of Edwin O. Brown, barrister, against whom the grand jury found seven true bills for forgery and who is known to have committed other offenses of a like nature which were not brought before the court, the whole amount of his transactions aggregating over twenty thousand dollars. As was generally anticipated, counsel for the defense raised the plea of insanity, suggesting to the court that the prisoner is incapable of conducting his own defense.

Dr. Goodwill, superintendent of Fallowood Hospital for the Insane, Dr. Conroy, Dr. McLaughlin of Charlotte-town Henderson, Union Road, testified that they had personally examined the prisoner on various dates during the four months of his confinement and concluded that he was suffering with paranoia, characterized by a delusion that he was being subjected to persecution by a certain attorney who had taken action against him on behalf of the creditors. All the physicians were severely cross-examined by H. J. Palmer, acting for Attorney General Peters, but all maintained that Brown at present is incompetent of conducting his own defense. After all day had been taken up with the evidence of the doctors, Chief Justice Sullivan stated that while the evidence did not convince him that the prisoner was insane it remained for the jury to decide this question. The jury will be empanelled tomorrow, and the case will then develop with a battle between doctors as well as lawyers. The prosecution have retained Dr. Hattie, superintendent of the Dartmouth, N. S., asylum, Dr. McNeill and Johnston, Charlottetown. No evidence was brought out that the prisoner was insane before his imprisonment, but one doctor swore he was on the borderland of insanity, only needing such an incident as this to topple him over. The testimony of the crown doctors is awaited with great interest.

FOOLING THE FOX

The expression "as cunning as a fox" has passed into the language, but, as is the case with most extra quiet gentlemen, there are occasions when Master Reynard overreaches himself. Any visitor to the country who has ever examined a chicken house in the middle of a field has probably noticed two or three short pieces of chain hanging over the hole by which the fowls enter. Although they form no obstacle to the birds, who push their way in without the faintest difficulty, they will infallibly prevent a fox from raiding the house. The latter in his superior wisdom takes them to be a trap for his capture, and although he may sit outside hungrily "licking his chops" nothing will induce him to put his head through the chains. Truly a case of a little learning being a dangerous thing.—Pearson's Weekly.



PRINCE VON BUELOW.

BERLIN, Jan. 20.—Among the names of those gazetted for decoration on the anniversary of the coronation of the first King of Prussia and the first Emperor of Germany are several of the leading radical members of parliament in this way is almost without exception that the government is planning to hold the radicals to the coalition formed by Chancellor Von Buelow in 1906.

There is considerable dissatisfaction in the radical constituencies over Chancellor Von Buelow's declaration concerning the Prussian election system. Meetings have been held in the provincial cities at which resolutions were passed against the radicals supporting the chancellor in the Imperial parliament so long as he refused to support the idea of election reforms in Prussia.

HAD BOX BEARING A ST. JOHN LABEL

NEW YORK, Jan. 20.—Finding among her effects a box with the label of G. E. Barbour Co., Ltd., St. John, which had evidently contained fancy goods or confectionery and a bottle with the same firm's label that contained cordial, detectives here believe they have found a clue to the home of "Miss" or "Mrs. Virginia Campbell," apparently a wealthy woman of about forty-five elegantly dressed and wearing a profusion of diamonds, who after a week's stay at the hotel, had completely disappeared on the afternoon of Christmas Day shortly after telling the hotel people she was going for a walk in the park. The hotel manager reserved her room for nearly two weeks, as she had paid her bills promptly and had plenty of money, believing she would return. She left her baggage at the hotel, a large outfit of elegant and expensive clothing. The police have searched the Central Park and dragged the lakes there, fearing suicide or murder.

G. E. Barbour was seen by The Sun yesterday regarding the above box, but no information of importance could be obtained. The name Campbell is undoubtedly assumed, for no such name appears on the books of the firm, and nothing has ever been sold to anyone of that name. The Barbour Company, Ltd., ship goods to several towns in Nova Scotia and New Brunswick, and it is probable that the box could have been secured from any of these customers. Mr. Barbour stated that boxes shipped containing confectionery do not bear his label and the bottle mentioned must have contained lime juice or fruit syrup, for the company do not handle cordial. The clue is somewhat remote and will be difficult to trace from the information furnished.

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BEAUTIFUL NIHILIST COMMITTED SUICIDE

Characteristics of Girl Whose Passion Was to Take Human Life

PARIS, Jan. 20.—An astounding discovery has been made in connection with the young Russian pianist, Catherine Mill, who committed suicide recently.

Catherine Mill was not her real name. It was Rachel Louritz, and she belonged to the nest of her misery, Moscow family. She was a very beautiful girl only twenty-three years of age, and received \$50 a month from her family.

Of this she only used \$2.10 a month for her personal expenses, living with the utmost frugality. She distributed the rest of her money among the Russian students and nihilists in Paris. This beautiful young Russian was an ardent Terrorist.

She wrote a number of letters in the course of the last few weeks, begging the Terrorist committee, of which she was a member, to give her some mission of peril. The committee refused, and ordered her to remain quietly in Paris until further orders.

The day before she committed suicide Rachel Louritz distributed all her money down to the last penny, lay down on her bed, and then shot herself through the head.

She left a letter for the friend who has given the most information, in which she says that she is taking her life because the Terrorists will not let her make use of it to destroy others.

SAY CHAINING WOMEN WAS A GREAT THOUGHT

Suffragettes Exit Over Locking Themselves to the Premier's Fence

LONDON, Jan. 18.—There is suffragette exultation over what is considered yesterday's triumph of the chained Andromeda. "Idea," "several women before policemen were able to remove them; but this is only one of our schemes. We have many up our sleeves."

It is pointed out that the suffragette leaders who planned yesterday's move did not consider that opposite the cabinet minister's house, where the fracas took place, lay the Herbert Gladstone, who was just operated upon for appendicitis, and who must have heard the screaming women.

The general public has received the latest suffragette freak with huge amusement. Nothing is so good in the current pantomimes, in popular estimation, as "the heroic Andromeda" and with policemen persecuting and unable how to liberate them.

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If You Have a Big Wash To Do

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It takes all the work out of wash day. Improved Roller Gear makes washing quick and easy.

The "Puritan" is a reliable, honest and durable machine. It is made in America and is guaranteed by David Maxwell & Sons, St. Mary's, Ont.