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MANCHESTER'S
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The Star

LATEST WEATHER REPORT
FINE

VOL. 9, NO. 305

ST. JOHN, N. B., THURSDAY, SEPTEMBER 9, 1909.

ONE CENT

AMMUNITION.

DOMINION
KYNOCHE

WINCHESTER

Kynoch Loaded Shells, 10, 12, 16 and 20 gauges, are giving splendid satisfaction. Black or Smokeless, whichever you prefer. Have you tried them?

W. H. Thorne & Co. Ltd
MARKET SQUARE, ST. JOHN, N. B.

The Smile of Contentment



Is on the face of every man who is wearing one of our Stylish and Elegant DERBIES.

In fact all the Hats we have for fall are particularly fine in appearance and texture.

If you want the newest and best for the smallest money

COME HERE.

ANDERSON & CO., 53 Charlotte Street.

Boys' School Suits

In Great Variety For All Ages

BOYS' SUITS \$1.90 to \$4.50

SEPARATE KNEE PANTS, 50c, 60c, 75c, \$1

BOYS' SHIRT WAISTS For 35c to 75c

American Clothing House,
11-15 Charlotte St., St. John.

MEN'S HATS.

Is not our wonderful growth in business proof enough for you, that we certainly give value for your money. When you buy here you get the three essential things to the hat buyer, namely: Style, Quality and the lowest POSSIBLE PRICE. See our big value in

\$1.50 and \$2.50 Stiff Hats.

F. S. THOMAS 539 to 545 MAIN STREET

Stores close at 6 p.m. St. John, Sept. 9, 1909

More New Clothing

Furnishings Arrive

We have just received another new lot of Fall and Winter Overcoats, Suits, Pants, Sweaters, Mufflers, Collars and Ties. These goods have been bought direct from the very best manufacturers in the business, and are being offered at very low prices. They are brim full of style, service and comfort.

- Men's Overcoats \$7.50 to \$22.50
- Men's Suits 5.00 to 20.00
- Men's Pants 1.00 to 4.50
- Men's Coat Sweaters 1.00 to 3.75
- Boys' Overcoats 3.50 to 15.00
- Boys' 3-piece Suits 3.50 to 12.00
- Boys' 2-piece Suits 1.49 to 8.50
- Boys' Coat Sweaters 75 to 1.35

J. N. Harvey, Tailoring and Clothing
OPERA HOUSE BLK. --- 199 to 207 UNION STREET

EVERYONE HAD EXPRESSED OPINIONS REGARDING THE McDUGALL CASE

Only Eleven Jurors Secured Out of Two Panels, One of Fifteen and the Other of Thirty---Additional Panel Summoned This Afternoon---McDougall Pleaded "Not Guilty"---No Plea of Justification

The case against C. Bruce McDougall was commenced this morning in the Circuit Court before His Honor Mr. Justice White. Attorney General Hazen and J. B. M. Baxter, K. C., appeared for the crown and J. J. Ritchie, K. C., J. J. McNeil and J. C. Sherren for the defense.

When the court adjourned at noon a full jury was not obtained. Eleven out of the twelve, the requisite number, were sworn and the last one will be obtained this afternoon. His honor instructed the sheriff to summon an additional panel.

Mr. Ritchie, for the accused, presented an able argument to support his motion to quash the indictment. His honor, however, disallowed the motion and the prisoner was called upon to plead. Some surprise was caused by the fact that a plea of "not guilty" was the only one made, as it was expected that a plea of justification would be made. However, the time for such a plea is past.

Mr. Ritchie in supporting his motion claimed that no count in the indictment contained the elements necessary to constitute an offense of criminal defamation. After quoting the definition of criminal defamation as laid down in the code, the learned counsel submitted that the indictment did not state that the alleged libel was published without legal justification. He cited the case of the Queen vs. Cameron (2 C. C. 170), a Scottish case, in support of his contention. He claimed that "thereby subjecting him to public hatred, ridicule and contempt" was the gist of a criminal offense. In order to found a criminal action the indictment must allege in their demand and challenge the jurisdiction of the court. He contended that the indictment was defective in that it failed to state the name of the person whose name was defamed and informed the court that he was dead. His Honor excused him.

Mr. Sherren challenged Simon A. Jones.

Mr. Ritchie challenged Charles D. Trueman, general road, and "the jury" were then empanelled.

The jury were then empanelled. Mr. Sherren challenged J. Hunter White. The Attorney General was about to stand, when Mr. Campbell, sitting beside Mr. Ritchie, objected on the ground that in a libel case the crown in a case of this kind has no right to stand a juror aside.

Mr. Ritchie—"Oh, that is in a case of a private prosecution."

Mr. Sherren—"Well, was it the complaint laid by a private person?"

Mr. Ritchie—"It was laid by Office Lucas acting under instruction from the Attorney General."

His Honor after reading the law said that he agreed with Mr. Ritchie, and the demand and challenge the jurisdiction of the court.

Mr. Sherren challenged Simon A. Jones.

Mr. Ritchie challenged Charles D. Trueman, general road, and "the jury" were then empanelled.

By the consent of counsel for the crown and for the defence, Fred C. McNeil was stood aside.

Mr. Sherren challenged J. Robert Thorne.

The crown challenged Kendall Hall. Charles Bailey informed the court that he had an objection to the case. Mr. Sherren—"I challenge Mr. Bailey that he does not stand indifferent."

G. Wilford Campbell and Benjamin J. Dowling were sworn as jurors. Charles W. Bailey was sworn. Examined by Mr. Ritchie, Mr. Bailey said that he had expressed an opinion, but could do his duty according to his oath. He did not believe that he would be doing a duty to himself.

(Continued on page 7.)

WILL LIGHT PORT ELGIN AND SHEDIAC

Sackville Electric Co. Almost Ready for New Business

Rev. Geo. Jackson Will Speak in Sackville—Dr. Jabez Rogers Accepts Call—Funeral of Abel Carter.

SACKVILLE, N. B., Sept. 9.—Before the snow flies the Sackville Electric Light Company will be supplying electric light in Port Elgin as well as here and in Shediac. Arrangements for the installation of the necessary plant at Port Elgin have been going on for some time and are now nearing completion. The placing of poles for street lighting and the work of wiring is about to be begun. This week or the first of next week will see the poles of the Sackville company being placed on the streets of Shediac. The temporary delay has been due to the fact that a Shediac company has also sought the installation of the necessary plant at Port Elgin and the two companies are now in a dispute as to the location of the poles. The company is about to begin the erection here of a new boiler house. The building will be of brick and stone.

Rev. George Jackson of Toronto, who is a notable controversy with Rev. Dr. Carman, will be in Sackville next week and will speak before the preachers' union.

Word has just been received of the death of Murray H. Croker recently in the Winnipeg hospital. He was a son of the late Captain Henry Croker and Mrs. Croker of West Sackville. He is survived by one brother and one sister, who are living at West Sackville and he had been in the West but a few months.

At Belle Verie on Tuesday John Lancaster passed away after an illness of several months. The deceased was one of the oldest residents of the Belle Verie section of the county.

Rev. Dr. Jabez Rogers of Sussex has accepted an invitation to become the pastor of the Methodist church here in June next. His acceptance, of course, is subject to the approval of the New Brunswick and Prince Edward Island conference. Rev. C. W. Corri, Wolfville, has declined a call to the pastorate of the Baptist church at Middle Sackville and Middle.

The funeral of Abel Carter, who was killed on the I. C. R. on Tuesday, took place on Wednesday afternoon, and was one of the most largely attended in Sackville in years. Included in the funeral procession were the deceased's former employer, Enterprise Foundry, Rev. C. F. Wiggins officiated.

J. R. BRADLEY REFUSES TO EXPLAIN DISCREPANCIES

Says Statements are Getting Too Much Mixed Up—Peary Still at Battle Harbor—Sad News of Death of Members of His Party

POINT AMOUR, Labrador, Sept. 9.—The steamer Roosevelt with Commander Peary on board, is supposed to be still at Battle Harbor, Labrador. The weather here is fine.

ROME, Sept. 8.—Commander Cagni, who was with the Duke of the Abruzzi on his Polar expedition, said yesterday with reference to the respective claims of Cook and Peary, "That Peary would reach the Pole one day I never doubted, nor have I doubted the sincerity of the affirmations of Dr. Cook, but of Peary's I am more than convinced."

The doubts with regard to Dr. Cook, he continued, "are from the vagueness of his first statements, the misunderstandings regarding the Polar temperature, the position of the newly discovered land and his apparent lack of preparation for the expedition. In judging the two explorers the fact that geographical and astronomical observations have been taken from floating ice, the position of which alters daily, increases the difficulty. The observations remain, however, and if both have reached the Pole much divergence is impossible but final judgment cannot be handed down until we have exhaustively compared their diaries and reports of the results obtained by both travellers."

NEW YORK, Sept. 9.—John R. Bradley, who financed the Cook expedition party, declined yesterday to give any statement that would reconcile the conflicting statements made by him and by Dr. Cook in his lecture Tuesday night in Copenhagen as to the objects of the Cook expedition, saying that matters were becoming so mixed up that he would have nothing more to say in the controversy that had arisen.

Mr. Bradley said in this city on Sunday that the plans of the start were carefully laid, then exhibited checks paid out for supplies to show, as he said, "we were doing something more that fitting out for a fishing trip."

Mr. Bradley further said that no one was told it was a Polar expedition on the ship until it reached Etah, Greenland.

Dr. Cook said in his lecture that "about the middle of 1897 when we started, the Pole was no part of the programme which aimed altogether at one of the oldest residents of the Belle Verie section of the county."

A small army of newspaper men sought to interview Mr. Bradley yesterday at his home, but he resolutely refused to see them, though he sent word that he would talk to the Associated Press over the telephone.

Speaking of the contradictory statements with reference to the purposes of the Cook expedition, Mr. Bradley said over the telephone:

"I am not going to make any more statements. Things are getting mixed up and I don't care to do it. It seems that newspaper men are continually misquoting us and even a ten word cablegram which I have just received is not clear. I am not going to say anything more and won't talk of Peary, if I have any statement to make later about this controversy that has de-

LADIES' TOURNAMENT AT THE TENNIS COURTS

Competition Commenced This Morning and Will Conclude This Afternoon.

An interesting tournament of ladies doubles was started at the tennis courts about 11.30 o'clock this morning. There was a large attendance and keen competition was afforded.

The drawings in the sets were played with few exceptions. The prizes will be presented by Mrs. H. C. Schofield at the conclusion of the sets this afternoon.

The results at 1 o'clock were as follows:—

Miss N. Barnaby and Miss L. Kimball won from Miss McKenzie and Miss Gilvan, 4-1.

Miss F. Hazen and Miss Kingdon won from Mrs. H. Robinson and Miss E. Taylor, 4-1.

Miss M. Barnaby and Miss MacLaren won from Miss V. Barnes and Miss L. Gilvan, 4-1.

Miss F. Hazen and Miss N. Kingdon won from Miss K. Hazen and Miss V. Fairweather, 3-2.

Mrs. H. Robinson and Miss E. Taylor won from Miss F. Hazen and Miss Kingdon, 4-1.

Miss D. Sears and Miss R. Plender won from Miss F. Hazen and Miss Kingdon, 3-2.

Miss L. Raymond and Miss D. Brown won from Miss F. Hazen and Miss Kingdon, 4-1.

Miss E. MacLaren and Miss J. White won from Mrs. H. Robinson and Miss E. Taylor, 4-1.

Mrs. Outram and Miss E. Taylor won from Miss K. Hazen and Miss V. Fairweather, 3-2.

Miss F. McKenzie and Miss L. Gilvan won from Miss E. MacLaren and Miss J. White, 4-1.

Mrs. Thomson and Miss G. MacDonnell won from Miss E. MacLaren and Miss J. White, 4-1.

Miss E. MacLaren and Miss J. White won from Mrs. Outram and Miss G. Fairweather, 3-2.

TODAY'S WINNERS AT SUSSEX EXHIBITION.

Says New Brunswick Could Become Famous for Its Ayreshire Cattle.

SUSSEX, N. B., Sept. 9.—Dr. Andrew E. Elliot, of Ontario, who has been acting as live stock judge at the exhibition here, delivered an address last evening on Pasture Lands. In the course of his remarks he referred to the exhibition of Ayreshire cattle as the best he had ever seen and said that if New Brunswick farmers paid sufficient attention to their development they could produce a breed that would be famous all over the continent.

On the way to the exhibition Dr. Elliot was forced to discontinue his remarks before he had given half of his address.

Judging was continued this morning and the following winners were announced:—

CLASS 18, BERKSHIRES.

Boar, under 6 months—1st, J. E. McAlauy, Lower Mill Stream.

Sow, under 6 months—1st, J. E. McAlauy.

Yorkshires, Class 19.

Boar, 2 years and upwards—1st, S. J. Goodliffe, Sussex.

Sow, 2 years and upwards—1st, 2nd, S. J. Goodliffe.

Cow, 1 year—1st and 2nd, S. J. Goodliffe.

CLASS 20.

Hagan, 3-2.

Miss K. Trueman and Miss N. Bridges won from Miss E. MacLaren and Miss J. White, 5-0.

Mrs. Outram and Miss G. Hagan won from Miss J. Trueman and Miss Best, 3-2.

Miss E. MacLaren and Miss White won from Miss L. Raymond and Miss Brown, 2-2.

Miss F. Hazen and Miss N. Kingdon won from Miss K. Hazen and Miss V. Fairweather, 3-2.

CLASS 21.

Chester white boar, 2 years or upwards—1st, W. A. Erb, Sussex.

Boar, under 6 months—1st, W. A. Erb, 2nd, J. T. Barnes, Sussex.

Sow, 2 years or upwards—1st, W. A. Erb.

Sow, 1 year and upwards—1st, 2nd and 3rd, W. A. Erb.

Sow, under 1 year—1st, W. A. Erb.

Sow, under six months—1st, W. A. Erb.

Grade 22.

Grade swine, sow or barrows bacon over 1 year—1st, J. K. King, Smith's Creek.

Sow or barrows "heavy" over 1 year—1st, John H. King, Smith's Creek.

Special prize by W. B. McKay.

Best herd of pure bred boar and two sows any breed—1st, S. J. Goodliffe; 2nd, W. A. Erb.

CATTLE.

Continued Class 10.

Hereford, bull any age—1st, 2nd, 3rd, McIntyre Bros.

Class 11 Grade.

Ayreshire, cow, 4 years and upwards—1st and 4th, McIntyre Bros; 2nd, S. J. Goodliffe; 3rd, Chas. McFarlane.

Cow, 3 years—1st and 3rd, McIntyre Bros; 2nd, J. E. McAlauy.

Cow, 2 years—1st, McIntyre Bros; 2nd, Jas. McElroy.

Dry cow, 4 years—1st, Robert Robinson.

Heifer, 2 years—1st, Robt. Robinson.

Heifer, 1 year or yearling—1st, Robt. Robinson.

Heifer, 1 year or yearling—1st, Robt. Robinson.

Heifer, 1 year or yearling—1st, Robt. Robinson.

Heifer calf under 1 year—1st, Robt. Robinson.

Heifer calf under 6 months—1st and 2nd, Robt. Robinson.

CLASS 13—SWEEPSTAKES.

Herd 5 milch cows for dairy purposes—Grade 1st, McIntyre Bros; 2nd, Robt. Robinson.

CLASS 14.

Fat cattle and breed cow or heifer, 3 years or up—1st, McIntyre Bros.

Heifer, 2 years—1st, S. J. Goodliffe.

Special prize given by Sussex Mercantile Co. for grade Ayreshire, three females, one year and up—1st, 2nd and 3rd, McIntyre Bros.

Special prize given by Geo. B. Jones for best exhibit of grade Ayreshire for four winners in 1908—1st, Chas. McFarlane.

POULTRY—CLASS 23—FOWLS.

Barred Plymouth Rock cock—1st and 2nd, Glenview poultry yards, 2nd, Seth Jones.

(Continued on Page Seven.)

CHARGED WITH ROBBING BAGGAGE ON C. P. R.

Geo. Ross, of McAdam Jet, Arraigned at F'lon—Geo. Beach Also Accused of Stealing From Railway.

FREDERICTON, N. B., Sept. 9.—This morning arraigned before Police Magistrate Marsh charged with the theft of a quantity of jewelry valued at \$100. The charge is that Ross stole the jewelry while acting as a baggage handler of the C. P. R. at McAdam Junction. Ross was arrested last evening by Detective Killen of St. John and brought to this city.

George Beach, also charged with misappropriation of property belonging to the C. P. R. at the Fredericton station, was arraigned at the same time. Cyrus Inches of St. John appeared for the C. P. R. while Mr. Percy Guthrie, of the firm of Crockett & Guthrie, represented Mr. Beach. Mr. Ross was unrepresented. The proceedings were very short. The counsel stated to the court that they were not prepared at present to go on with the hearing, and the magistrate remanded both men until Monday morning next. There was a large attendance at the court this morning. There was no request made for bail.

Roman Catholics in the city will observe tomorrow as a day of fasting and intercession for God's blessing upon the deliberations of the Plenary Council, which convenes in Quebec next week. The ass-nibals will be the leading Canadian Catholic conceals for a number of years. His Lordship Bishop Casey informed The Star this morning that he would leave on Wednesday evening next for Quebec. He will be accompanied by his theologian, Rev. W. F. Chapman, V. G., and Rev. Dr. O'Reilly.

The condition of Rev. Charles Condon remained unchanged this morning.

WANTED—A girl for general housework. Apply 169 Charlotte St. 2-2