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SEES TRADE WAR AHEAD WITH STATES Effect of the New Tariff on Wood for Pulp

THE HOME POSITION Chairman of American Publishers Says New Brunswick Can Immediate Profit - Makes Protest Against the New Duty Schedule.

New York, Aug. 2.—John Norris, chairman of the committee on paper of the American Newspaper Publishers Association, has issued a bulletin relating to the tariff on pulp and paper, in which he says: "In the proposed tariff bill publishers have secured the abolition of the duty of \$1.67 a ton on ground wood. They obtained a reduction from \$6 a ton to \$3.75 a ton on print paper, saving of approximately \$2,700,000 per annum in the cost of news print paper to consumers. "The publishers had asked for free paper. The select committee of the house had recommended \$2 a ton. The senate raised the rate to \$4 a ton, and the consumers had substantially agreed on a compromise rate of \$3 a ton when President Taft announced to congressional callers on or about Saturday, July 24, that a rate of \$4 was necessary for the application of the protection principle to print paper. "The president made this announcement without that full and impartial ascertainment of cost to which the consumers were entitled and in disregard of numerous and voluntary assurances that he had given in favor of the lower rate. In accordance with that intimation from the president, the congress reported \$3.75 a ton, which will probably be adopted. If the publishers had not inaugurated their campaign for a reduction of duty, it is likely that the paper makers would have secured an increase from \$3 a ton, \$10 a ton on print paper upon their representations that American wood had increased in cost to the extent of \$6 a ton of paper produced. "Under new schedules each province of Canada is regarded as a unit, so that Nova Scotia and New Brunswick, which have no restrictions of any kind upon exportation of pulp or paper, can immediately avail themselves of the new tariff rate. Quebec has a stumpage tax of 25 cents a cord of wood cut from crown lands for exportation from which the province obtains a revenue of \$5,000 per annum. There is no stumpage in Quebec on wood cut from other lands. "Ontario prohibits the exportation of pulp wood cut from crown lands. Newfoundland also prohibits the exportation of pulp wood cut from crown lands. "American papermakers hold leases on 12,000 square miles of crown lands in the province of Quebec, for which they pay an annual rental and, in addition, a fixed price of 65 cents for every cord cut. These leases will expire in 1910, and it is given out that within three weeks from the date of the signing of the Payne bill, the terms of the new Quebec lease will be promulgated. "It is barely possible that Quebec may regard the new legislation as the best obtainable and about its stumpage tax. If it should prohibit the exportation of pulp wood cut from crown lands, the American owners of timber rights are prepared to set up a complete blockade of the States, which has business interchanges to the extent \$250,000,000 dollars per annum."

HIS HUNT FOR GOLD ENDED Workmen have been engaged for some days filling in an excavation near the Newman Brook bridge. It is said that a north end man has been digging there for buried treasure. The owners of the land recently notified him to quit and workmen were sent to fill the hole. "It was stated that the excavation was rather dangerous, especially for cattle. The digger after wealth does not take kindly, it is understood, to the action of the owners of the property in filling in again when he had with much labor delved so long.

THE AUTOMOBILE HITS TRANSPORTATION PEOPLE Local Railway Man Says Touring Car Parties are Replacing Summer Travel by Trains and Boats to Some Extent.

"The people who formerly came down here from the States in the parlor and sleeping cars are now touring in their own automobiles," remarked a railway man today in speaking of the tourist travel to the provinces this year. The remark was brought out in response to a query by a Times man as to how tourist travel this season compares with other years. "I think it is a little lighter on the boats and trains than it was at this time last year, but there is a good crowd coming, nevertheless. "The automobile has made quite a difference in the business of the transportation companies. I have never seen so many automobiles as there were out through the country in the past few weeks. Every road you go,

ST. JOHN TOTS NEARLY LOSE THERE LIVES Willie and Ernie Haley Fall From Pier at Gloucester.

SAVED BY LAD. Fourteen Years Old James McDonald Makes Brave Rescue—Elizabeth Richmond Arraigned on Charge of Murdering P. E. Island Man.

Gloucester, Mass., Aug. 3.—(Special)—William Haley, four years old, and Ernest Haley, only two years, while playing on a pier here yesterday afternoon fell over and were rescued in a very brave manner by James McDonald, himself but fourteen years old, who leaped over and, holding a child under each arm, kept them from going down until a boat was sent out from the shore. "The children came here from St. John a few days ago, to spend the summer. "Not guilty" was the plea offered in Cambridge this morning by Elizabeth Richmond when called to answer to the charge of having murdered Stewart McLaughlin of P. E. Island. "District Attorney Higgins took personal charge of the case. He said he would be very brief, as all the government desires on or about Saturday, July 24, that a rate of \$4 was necessary for the application of the protection principle to print paper. "The president made this announcement without that full and impartial ascertainment of cost to which the consumers were entitled and in disregard of numerous and voluntary assurances that he had given in favor of the lower rate. In accordance with that intimation from the president, the congress reported \$3.75 a ton, which will probably be adopted. If the publishers had not inaugurated their campaign for a reduction of duty, it is likely that the paper makers would have secured an increase from \$3 a ton, \$10 a ton on print paper upon their representations that American wood had increased in cost to the extent of \$6 a ton of paper produced. "Under new schedules each province of Canada is regarded as a unit, so that Nova Scotia and New Brunswick, which have no restrictions of any kind upon exportation of pulp or paper, can immediately avail themselves of the new tariff rate. Quebec has a stumpage tax of 25 cents a cord of wood cut from crown lands for exportation from which the province obtains a revenue of \$5,000 per annum. There is no stumpage in Quebec on wood cut from other lands. "Ontario prohibits the exportation of pulp wood cut from crown lands. Newfoundland also prohibits the exportation of pulp wood cut from crown lands. "American papermakers hold leases on 12,000 square miles of crown lands in the province of Quebec, for which they pay an annual rental and, in addition, a fixed price of 65 cents for every cord cut. These leases will expire in 1910, and it is given out that within three weeks from the date of the signing of the Payne bill, the terms of the new Quebec lease will be promulgated. "It is barely possible that Quebec may regard the new legislation as the best obtainable and about its stumpage tax. If it should prohibit the exportation of pulp wood cut from crown lands, the American owners of timber rights are prepared to set up a complete blockade of the States, which has business interchanges to the extent \$250,000,000 dollars per annum."

CHILDREN TO PICNIC IN BIG PARADE More Than 500 March to Train for Cathedral Sunday School Outing—A Glorious Day.

The committees in charge of the Cathedral Sunday school picnic can certainly congratulate themselves upon having an exceptionally fine day for their outing. The children's parade this morning from Sydney street to the depot was a very pleasing spectacle. The parade was led by the boys and girls of all sizes were in line, three hundred girls and about two hundred and fifty boys, marching along with a happy smile on their faces. The City Cornet Band, under direction of Band Master Williams, marched at the head of the parade and played a number of good selections during the walk. Rev. Frs. Meahan, Duke, O'Keefe and O'Brien accompanied the youthful marchers to the depot. Large numbers of spectators lined the route of march, which was from St. Malch's Hall, along King Square, King street, Dock street and Mill street to the depot, where the picnicers took train for Torriburn. A large number left on the first train for the grounds and still more followed on the noon and the last train at 2.30, and the success of the outing was assured beyond doubt. The advance party, composed of members of the committees, left early this morning to have everything in readiness by the time the first train arrived.

COMPRESSED AIR SAVING WRECKS Newport, R. I., Aug. 2.—Still another triumph for compressed air as a salvor of wrecked vessels was recorded tonight when the caller Nero, wrecked in a fog July 2, was successfully hoisted from the rocks of Brenton's Reef. Pumped clear of water and buoyed up by the compressed air it was an easy matter for the five tugs and the submarine tender Nina to pull the Nero from her impaled position.

FEAR EVICTION MEANS TROUBLE Pitsburg, Aug. 2.—Fears of serious trouble are being expressed at the expected eviction of forty eight strikers and their families at their houses near the company plant at Schoenville, today.

THE TIMES NEW REPORTER VERY PROPER DECISION. There is much favorable comment on the streets today upon the action of the city council in declining to send delegates to the annual convention of the League of American Municipalities. It is felt that it is not wise to know how a municipality should be governed, let them come to St. John. The president of the League is a gentleman with considerable nerve, to ask that the council send instructors to Montreal. "I'll give him \$2,000, without leaving the

LEVELLY OUTLOOK IN DRISCOLL BEER CASE Judge Forbes Says it Was High-Handed act on Ritchie's Part Not to Send in Evidence—States His Powers, But Says Judges Should Not Be at War—Solicitor Barry to Take Matter Before Attorney General.

"It is a high-handed piece of business, and I have the power to commit the police magistrate for contempt of court," said Judge Forbes this morning, referring to the fact that Police Magistrate Ritchie had not sent in the evidence in the case of the King vs. Timothy Driscoll, fined for selling beer during prohibited hours, in which an appeal was entered by the defendant. Considerable interest has centered in this case. Hearing was set down for this morning at 11 o'clock, before Judge Forbes in the county court chambers, and John A. Barry appeared for the defendant and Dr. A. W. MacRae, K. C., was present in the interests of the liquor license commissioners. Evidence Not Received In reply to Mr. Barry, his honor said that he had been informed by Clarence H. Ferguson, clerk of the court, that he had not received a copy of the evidence from the police magistrate. Mr. Barry presented an affidavit in which he recounted the facts in the case, Driscoll being fined in each. He told of conversations with Police Clerk Henderson, and of depositing with him the amount of the fines, and \$25 to cover costs of appeal, also of having given to John B. Jones, liquor license inspector, copies of the appeal, etc. To Clarence H. Ferguson, clerk of the county court, he said he had also given copies of the papers and notified him that he was going to try one of the cases on appeal, and paid him \$1. He told of a visit to the police court and that the magistrate told him the notice of appeal was not made in time. On another occasion, when he had asked "Is Your Honor going to send the proceedings up?" he said he had received the reply: "You didn't take the necessary steps in time." The copy of a letter sent by Mr. Barry to the police magistrate calling upon him to send up the evidence and stating that it might be necessary to take steps to have a writ of mandamus issued if this was not done, was also read, and it was an affidavit from P. Emond Barry, stenographer, to the effect that he had delivered the letter to the magistrate.

Memo From Judge Ritchie Mr. Barry said he had received the following in reply to this letter: "In the conviction of Driscoll to which you refer. "I do not believe that an appeal does not lie in every case where there may be a conviction under the liquor license act. "An appeal may be had in some cases. The section governing such are not numerous. Their meaning is evident, the language being unambiguous." R. J. R., Aug. 2, '09. Judge Forbes' Statement Addressing the judge, Mr. Barry said he had approved the service of the appeal and had done everything necessary to have the case tried on appeal, and he thought it was not a matter for the magistrate's discretion. He did not know why the magistrate should set as he did in this particular case. In reply to a query from Judge Forbes as to what he wanted to do in the matter, he suggested that the case be re-tried. The judge replied that this was scarcely possible in this instance as it was not under the Dominion statute. Mr. Barry then asked that he be given time to ask the attorney general to make the magistrate to his duty. Judge Forbes—"I will say this:—The magistrate should have sent the evidence up. It does not lie within his province to withhold the evidence when an appeal is entered. I think it is a great hardship that this man should be kept waiting so long and that he should not be heard. It is a high-handed piece of business, as this man has the right to appeal. I have the power to commit the police magistrate for contempt of court, but I do not think it seems for one judge to get into controversy with another. I would advise you to see the attorney general and when you have done so we will take the matter up again." Dr. MacRae concurred with his honor remarks that the attorney general be consulted. The witness said by Mr. Barry that he should do so.

CURREY BOY ON STAND IN THE DIVORCE CASE Session Marked by Heated Passages—Application for Suit Money Leads to Warm Discussion—Decision Tomorrow—Fourteen Year Old Lad's Story of Horror.

Mr. Skinner at the re-opening of the Currey divorce case this morning submitted an affidavit from Dr. Currey in which he stated that since October he had given the plaintiff \$300 in suit money. He stated that his wife possessed property valued at \$4,000, and her father had been worth \$90,000. She had money in the bank. He further stated that the demands upon him during the suit rendered it necessary for him to borrow money frequently, and his property is situated in such a way that it could not be disposed of. In addition the illness of Julia Currey incurred expenditure of \$1,000. Mr. Skinner contended that the \$700 contributed by Mr. Currey to his wife in the name of the bank, was not the money she complied with the common law and given Mr. Currey the custody of the children. Mr. Ted argued that \$700 for almost a year was not an exorbitant amount to maintain a family. His honor remarked that the children were the bone of contention, and in this Mr. Ted concurred, but added that they were not the points of dispute at this juncture. Mr. Ted said that as money was due, and that at least twenty days' fees would be owing to the counsel. His honor should allow \$600 or \$700. Mr. Hanington, in addressing Dr. Currey, across the table, said: "Didn't you know that we were going to file a libel and filed yours before us?" Mr. Currey—"No, No," with a vigorous shake of the head. This elicited smiles from Mrs. Currey and her counsel. Mr. Skinner stated that Mr. Currey's stock in the Elaine Steamship Company would not realize one cent, and Mr. Currey was unable to obtain \$1,000 for his property at Westfield. "I'll give him \$2,000, without leaving the

SCHOONER IS LOST IN GALE IN THE GULF The Jubilee's Crew Saved—Another Has to Put to Open Sea to Save Disaster.

North Sydney, Aug. 3.—(Special)—The Newfoundland schooner Jubilee, crewed by 124 tons of coal, and was evidently caught in a heavy east-southeast gale which raged in a section of the Gulf of St. Lawrence that night. She was built at Exploits, Nfld., twenty-two years ago. Schooner Alexander, Captain Blackmore, which left here last week with coal for the fog alarm station at St. Paul's Island, returned today after a hard experience in the Gulf. After landing thirty-five tons of her cargo at St. Paul's Island, she was obliged to put to sea to avoid being driven on the rocks.

TOURING PARTIES G. W. Corey, with a party of four, arrived in the city yesterday in his large touring car and left this morning for an extended trip through the province. Another party is expected this afternoon from Nova Scotia.

SPORTING ITEM The friends of Aid. Vanwart are so confident that he could best Aid. McGoldrick in a friendly bout of 36 rounds that they have already planned a clam-bake at which this event would be the star feature. Aid. Codner has declined to meet Aid. Belyea on the ground that the latter lives close to the clam beds, and is more familiar with contests of this sort. But he will be glad to act as a second in the affair between Aid. Vanwart and Aid. McGoldrick. Spoons are barred. Aid. Christie is mentioned as referee, and Aid. Potts as medical attendant. Aid. Baxter will draw up the terms of agreement.

MONCTON WANTS TO PLAY FOR PROVINCIAL HONORS Proposes Series With Marathons and St. Peters—M. P. A. A. May Prove Egbear.

Moncton, Aug. 3.—(Special)—An movement is on foot here to organize an all-city ball team and play the St. John Marathons or St. Peter's a series of five or seven games for the championship of the province. The only difficulty is the fact that the St. John ball players have been professionalized by the M. P. A. A., and Moncton players do not wish to jeopardize their amateur standing. It is believed, however, that a strong team who will take the risk can be secured.

MARY YEARS CAPTAIN FOR TROOP & SON Capt. Arthur W. Masters is Dead in Chicago.

WELL KNOWN HERE. Later Years Spent in High Position With Insurance Company—Moncton Pythians to Halifax—Body Washed Ashore at Graveyard.

Moncton, N. B., Aug. 3.—(Special)—Captain J. E. Masters this morning received a telegram from Chicago announcing the death of his brother, Capt. Arthur W. Masters there on Monday. He was a son of the late A. W. Masters of St. John, and was born in Amherst on April 11, 1850. He was fifty-nine years of age. He married Miss Estelle Devine, daughter of the late Prof. Devine, St. John, and is survived by his wife and two children, also his mother, Mrs. Hannah Masters, residing with Capt. J. E. Masters, in Moncton. The letter and C. H. Masters, clerk of the supreme court, in Ottawa, also survive. Mr. Masters had been general manager during the last fourteen years in the United States for the London Guarantee and Accident Company. During his early years he followed the sea, and for the last few years of his life he was a captain in the employ of Troop & Son, of St. John. Moncton Knights of Pythias will be well represented at the Grand Lodge convention of the local uniform rank lodge which will be held at the Grand Hotel in Milwaukee next year. By a strange coincidence the body of a ten-year-old Charlie Kinnis, of this city, who was drowned two weeks ago, was washed ashore on the beach of a graveyard at Gray's Island, near Hillsboro, which is the family burying lot. Mr. and Mrs. John Barry announce the engagement of their daughter, Bessie Ethel Rogers, to Ezra L. Ziegler, of Winnipeg. The wedding will take place in September.

NEW HEAD OF NATIONAL LEAGUE Heydler Will Try to Carry Out Pulliam's Policy.

Ald. Potts has expressed the opinion that the use of only one mug for drinking purposes in a large school is not only dangerous, but disgusting. Whether the alleged criticism is well founded or not, a citizen remarks to the Times that the holiday season is a good time to look over all the school buildings and see that everything is done to make the sanitary conditions in the school buildings satisfactory all around. A general feeling that disease spreads from the schools, and that a medical inspector must eventually be appointed.

ABANDON HUNT HUNT FOR A DOG CATCHER The hunt for a dog catcher for the city has been abandoned, and unsuccessful carmen need now have no fear that their liberty is to be jeopardized by a man with a net. The advertisement published by the city license officer brought only one response, and as the applicant could not furnish the cash for keeping the dog, he was not given serious consideration. Halifax, where a law practically the same as in St. John is in force, the section relating to a dog catcher has been allowed to drop, and as in this city they are only concerned in getting out as many licenses as possible, Halifax, however, has a canine population of only 800, while St. John can boast of 1,200.

SENATE MAY VOTE TODAY Washington, Aug. 2.—That a vote may be taken on the tariff conference report by the senate today or tomorrow was the opinion frequently expressed about the senate chamber today, despite the new outbreak over the side and leather rebottle. It was understood that the opposing faction will agree upon a resolution which would settle the controversy over the duties on shoes and harness without jeopardizing the adoption of the conference report. An enjoyable concert was given last evening by No. 2 Salvage Corps in honor of W. M. Brown, a member, who was married recently.

PEOPLE IN THE STRICKEN ZONE SUFFER MUCH Earthquake Shocks Continue—Red Tape Holds Up Aid

RESERVOIR BURSTS, MUCH DAMAGE DONE Fort Morgan, Colo., Aug. 3.—The Empire reservoir west of here, containing more than a billion cubic feet of water and irrigating 40,000 acres of land, broke the retaining wall yesterday. The deluge cut a swath half a mile wide through the richest farming lands in this region, inflicting damage estimated at half a million dollars. No lives were lost.

BURIED TODAY The funeral of Joseph Smith, was held this afternoon from his late residence, Gilford street. Rev. G. F. Scovill conducted the burial services, and the body was interred in Cedar Hill cemetery. R. A. Estey, of Fredericton, arrived in the city on the Montreal train today.