

## ALL APPEALS DISMISSED

**Important Judgments by Supreme Court—Pugsley Loses Case for Accounting—John McKane Awarded Interest.**

Frederick, Mar. 3.—The supreme court delivered a number of important judgments this afternoon including several cases heard this term. The first decision rendered was that of a county court appeal, Culbert vs. McCall, the court dismissing the appeal with costs.

Shaw vs. Robinson. This case concerned the question of the right of owner of timber land. The surveyor general decided it in favor of Robinson and on an appeal the chief justice upheld the surveyor general's ruling. It was taken to the full bench, M. G. Teed, K. C., arguing in favor of the appeal and the solicitor general opposing. The court today gave judgment standing four to one, Judge Landry being the dissenting judge, dismissing the appeal with costs. The chief justice taking no part. All the judgments in this case were very lengthy.

Pugsley vs. N. B. Railway Company. The plaintiff had brought an action for an accounting from the company. The defendant demurred to the action on the ground that the plaintiff had not the power to call for such an accounting. The chief justice upheld the defendant's contention and from this the plaintiff appealed to the full court. W. B. Wallace, K. C., supported the appeal. M. G. Teed, K. C., contra. The court per justices White, Barry and McKee were unanimous in dismissing the appeal with costs. The other three judges took no part, the chief justice having heard the case below. Judge McKee being a relation of the plaintiff and Judge Landry as one of the railway commissioners, they were debarred from acting on the appeal.

Fairbanks Appeal Dismissed.

Canadian Fairbanks Company Limited (plaintiff) appeal and Edward Edgett (defendant) respondent. Mr. Teed, K. C., supported appeal from St. John county court. Recorder Baxter, K. C., objected. This case was a mere interlocutory order. The chief justice read the judgment of the court dismissing the appeal with costs.

McKane vs. O'Brien. This case was a special one, and had been referred by an order of the justice Landry to the full bench. The point at issue was as to whether the plaintiff, McKane or the defendant O'Brien, who is sheriff of Northumberland County, was entitled to a certain interest money.

It appeared the plaintiff in a certain action had deposited a large sum of money with the sheriff by way of bail. The sheriff placed the money in a bank at interest. The action was afterwards settled and the deposit money returned to McKane. The latter also claimed the bank interest on the amount, but the sheriff did not think he was entitled to the same. It was this point the court was asked to decide upon.

H. A. Powell, K. C., argued on behalf of the plaintiff, and R. A. Lawlor, K. C., argued for the defendant. Court ordered that verdict be entered for the plaintiff McKane for the amount of interest and the costs be taken on the county court scale.

St. John River S. S. Company Limited vs. Star Line S. S. Co. Ltd. The case was tried at the St. John Circuit for a breach of contract and the plaintiff was awarded one hundred dollars damages. The case was appealed, the defendant contending that the contract was against public policy and in restraint of trade and that the plaintiff had misdirected the jury. Mr. Teed argued for the appellant, Dr. Currie supporting the finding of the jury. The court gave judgment dismissing the appeal with costs. The court adjourned sine die.

**A NOTED LECTURER HERE.**

We are pleased to make announcement that the good people of St. John are to be favored with a Bible lecture by A. H. McMillan of New York City. The lecture will be given in the Nickel Theatre, tomorrow afternoon at 3 o'clock. The purpose is to stimulate a deeper interest in Bible study and to this end the lecture will be entirely free, not even a collection will be taken. The subject of the lecture will be "How Shall God Save the Heathen?"

Mr. McMillan is associated with some business men of New York

who also have a deep interest in Bible study and religious work. Mr. McMillan is recognized as an able Bible lecturer and has been heard with great interest by large audiences throughout the United States and Canada. He presents his arguments in a clear and forceful manner, interposing the same with pathos and humor of which he has an inexhaustible supply. No one can listen to him without being deeply impressed with the wonderful things contained in the Bible and the great blessing God has in store for those who obey Him. He comes highly recommended, the press reports throughout the country being very complimentary to him and his lectures. The lecture is entirely free—not even a collection.

## Beauty and the Beast!



FREDERICK WILLIAM AND THE ELEPHANT.

The Crown Prince of Germany has achieved the hunter's supreme desire. He has killed his first elephant. It happened the other day in India where he is on a big hunting trip and he was so proud he sat on the elephant for a photograph.

## Jealousies Arise Under Commission

**Cedar Rapids Commissioner Himself Tells of Difficulties Encountered in Working Out of Plan—Scramble for Some Particular Departments—Best Feature Already Adopted in St. John.**

Much interesting information as to the working of the commission plan in Cedar Rapids is supplied by Mr. W. H. Stepanek, one of the commissioners, who was interviewed by Mr. H. V. Mackinnon on behalf of The Standard as set forth in the following letter.

Mr. Stepanek, like many others who have had practical experience of the plan, has no special liking for it. Its chief merit in Cedar Rapids lies in the fact that it enabled the city representatives to be elected at large—a privilege the citizens of St. John already possess under the present system.

One of the great weaknesses of the system, Mr. Stepanek states, is in the method of election. The men elected decide among themselves what offices they will hold. When it is realized that each commissioner not only legislates as a member of the commission, but is the executive head of a department, it is not difficult to see where the weakness lies. Two or three of them may have a preference, for instance, as Mr. Stepanek points out, jealousy may result. As a matter of fact in Des Moines there has been constant friction between the commissioners from this cause. Mr. Mackinnon gives many other details of the system including recall, the appointment of election officers, the purchase of supplies, and the management of the schools. His letter follows:

Cedar Rapids, Iowa.—Discussing the commission plan in general and its application to Cedar Rapids in particular, Mr. Wm. H. Stepanek, commissioner of finance, expressed the following opinions:

"You must elect your administration by the at-large system. I am not in favor of a commission form of government any more than any other form, excepting that in our case it has given us the privilege of electing representatives from the whole city and this is a great advantage. Personally I have not made a cent out of my position. The demands upon me are heavy and the work requires more attention than we are paid to give."

**No Qualifications.** "Under our charter there are no qualifications necessary for mayor or commissioners. Any one may nominate himself for a commission form of government, no deposit is required and no penalty is applied if the candidate fails to secure any votes. The names of all candidates go before the primaries, those nominating for mayor being specifically designated, while the others are merely nominated as commissioners."

In the primary results, the two who have received the largest numbers of votes for the mayor and the eight highest on the list for commissioners are selected as the candidates for election. All the others drop out. In my opinion there is a great weakness in this system in that we fail to designate each nominee for the particular position he desires to fill in the commission. This leaves to the commissioners themselves, when elected, the task of deciding who should take each particular office. I believe the people should make this decision for it is easy to see that jealousies may arise in the Commission from the distribution of departments."

**Nominations.** In nominating for this election each candidate must prepare a petition with a certain number of signatures requesting his nomination. I truthfully say that no nominee in Cedar Rapids in the past, who has actually become a candidate for election, has sought class or society support. Our men have been inclined to run on their own merits and it is on their own merits alone that our people have accepted them. I, for instance, am a Bohemian. Our people thought at first that they would be deprived of their own representation, such as they had previously enjoyed under the ward system.

As a matter of fact they were deprived of this representation for two years, but at the end of that time they found that they did not need it, that the commissioners elected from the whole city gave to the Bohemian element in our city just as generous and as fair treatment as to any other section. I was elected but not because I was a Bohemian, nor because my candidate at the last elections defeated because he was not a Bohemian. The cost of elections to us varies from \$2,500 to \$3,000. The last election cost us \$2,987.

Replying to a number of questions put to him, Mr. Stepanek gave the following information, which may, perhaps, appear disjointed.

There are no secret sessions of the Commission, all meetings of whatever nature being open to the people. (\*See Note) The renewals or extensions of franchises are not in the hands of the commissioners, but must be settled by referendum."

So far as Mr. Stepanek is aware there have been no changes in the laws relating to violation of election regulations since the introduction of the Commission plan, nor is there any reason to believe that the penalties now imposed should be made more heavy. No bonds are required from the commissioners nor from any civic officials other than those who handle cash. There is no provision in the charter for putting a candidate in the field to fill the place of one who is recalled nor is it possible to elect any person to fill a vacancy arising from any reason whatever. Under the charter the commissioners are in practically the same position as the directors of a stock company and when a vacancy occurs in their ranks they simply appoint a man to fill the vacancy until the next general election. This was done in the case of Mr. Reid, who is the first commissioner to be appointed.

**Election Officers.** Full provision is made for the registration of voters previous to the primaries under the ordinary United States election laws, the commission appoint all election officers, but as the secret ballot is in operation, it is claimed there is no advantage to any candidate in this process.

The city, by vote of the people, has full power to grant any franchises without recourse to the State Legislature, and it is a matter of satisfaction to the commission that this authority is left to the people, because it relieves the commission of any suspicion which might otherwise attach to them of accepting bribes for the distribution of franchises.

The heads of departments, aside from the commissioners, are permitted to make small routine purchases without first securing orders. Civic work is all done by labor. Contractors and improvements are carried on under contract under the supervision of the city engineer. All supplies are purchased through the auditor, and not by public tender.

The city furnishes and supports all public schools, which are open to everyone. In addition to these the Catholic denomination operates two schools for three years, these elections taking place in March. Two or three of the members of this board drop out each year. The members of the board are not paid, and control their schools aside from any supervision by the commission, excepting in the matter of the annual financial grant, which is fixed by statute.

"Note—Mr. Stepanek is not quite accurate where he says all meetings of the commission of whatever nature are open to the people." On the evening of Tuesday, February 14th, a meeting was held announced, for the purpose of conducting an investigation into matters connected with the police department. No one but the commissioners and interested parties was present.

H. V. MACKINNON.

**German Street Improvement.**

The German street improvement association met last evening in the board of trade rooms with L. G. Crosby in the chair. There was a good attendance of members. The secretary reported that he had obtained the signatures of nearly all the residents of German street as members. There was a general discussion as to the planting of trees on the boulevard and a committee was appointed to wait upon the board of works regarding the preparation for planting grass and trees. In the matter of removing the telephone and electric light poles progress was reported and it is hoped that the poles will be removed in time for the planting of grass and trees.

## NEW CRANK SHAFT FOR FERRY STEAMER

**Provision Made by Committee to Have Extra Parts Ready in Case of Accident—Repairs Finished Today.**

There was a short session of the ferry committee yesterday afternoon when the monthly report of the superintendent was received and several recommendations made by him referred to the council.

Ald. Potts presided and the other members present were Aldermen Wigmore and Sprout with the superintendent and common clerk.

The superintendent asked for authority to obtain a new crank shaft for the ferry steamer and also that Frank Theall be paid for time lost through illness.

Asked as to the cost of a crank shaft the superintendent said it would reach about \$700.

Ald. Potts explained that when the Ludlow was built she was not provided with extra parts as she should have been. It was the only steamer he ever saw where provision was not made for spare parts. It would be necessary to procure a crank shaft, for in the event of an accident, with no provision made, it would take three months to get the boat ready and she would be laid up for that time.

Ald. Wigmore moved that the council be recommended to procure a crank shaft for the steamer. The motion carried.

The superintendent recommended that Frank Theall be paid half time for illness, amounting to about \$125.

Ald. Sprout thought that as Mr. Theall had been in the employ of the department as a ferry gateman for many years and had lost little or no time, an exception might be made in his case and he might be paid full time.

Ald. Wigmore said he did not think the board could make a decision in the case of Mr. Theall and moved that the recommendation for half time be carried out. This was decided.

**Ludlow Repairs.** Ald. Wigmore said there had been complaint that the Ludlow had been taken out of the route for general repair during the winter port season, and asked if it could not have been arranged to have the repairs done in time in exception might be made in his case and he might be paid full time.

Supt. Waring said that the Ludlow would be placed on the route on Saturday. This would be three weeks earlier than usual. She had gone on the route on June 20, and had run until February 20, with only forty-eight hours of a break, during which time she had been inspected and had her boiler overhauled. Ordinarily the general repairs could have been made on November 20th, before the winter port business started, but this could not be done last year. When she goes on Saturday she will be in shape to run until the repairs to the Western Extension are completed.

Ald. Potts reported that it had been arranged to put the Western Extension on J. S. Gregory's blocks for repairs, and that R. MacDonald would be foreman in charge of the work. Inspector Dalton will make an inspection of the boiler at the same time, and it is hoped that the boiler can be repaired, and thus avoid the expense of a new one.

Supt. Waring reported that he desired to have the repairs done on a minimum. The boiler in the boat had been in her for 23 years, but he believed it could be repaired to last for ten years more, and by that time the boat would be done.

Ald. Potts asked what had been done with regard to the coal pocket on the West side floats, and the superintendent reported that it had been enclosed and a canvas placed over the coal pocket was not on city property but on property of the C. P. R.

The board then adjourned.

**S. P. C. A. Changed.**

An important decision was reached at the annual meeting of the S. P. C. A. when it was agreed that the name of the society should be changed and the scope of its work enlarged. The society will be known as the Society for the Prevention of Cruelty to the word Animals being dropped from the title. Under the new name the society will engage largely in the work of a children's aid society. It was decided to refer the matter to County Secretary J. King Kelley to prepare a bill authorizing the change and it will be brought before the legislature at the present session. The attorney general is in favor of the proposed change and there is little doubt that the bill will receive the support of the legislature. When the change is effected the society will be able to greatly enlarge the scope of its usefulness.

## JAP SEIZES WRITES LETTER

**Bible Reader Has Many Interesting Observations on Generally Accepted Doctrines—Theories of His Own.**

LETTER 15.

There are one or two points I wish to call attention to in this letter. Going back briefly to the Garden of Eden story—supposed to begin six thousand years ago—it is stated as part of Christian theology, that the Jewish sacrifices were all symbolic, pointing to a great sacrifice that was to come, and alone for the sins of the whole world. But it is not explained what effect this would have on the countless millions who lived and died during the four thousand years that passed before the Atoning Sacrifice made His appearance. This great blank has never been touched upon.

There is another strange feature. It is this. That the Jews, who were represented by the specially selected people, through whom the great atonement was to be accomplished, never knew anything about it, never knew their sacrifices were symbolic of some great atoning event that was to come; never believed in it. And now, after 1900 years of Christian effort to convince them, will not recognize or believe a word of it.

Another Feature. There is yet another strange feature about it: The great event, that was foreshadowed by sacrifices for more than a thousand years, was to atone for the sins of the whole world, yet when it was actually accomplished, the only ones to be benefited and redeemed were restricted to those who should believe in Him as their Redeemer. He alone could give them a happy everlasting future, and all others were to be damned. Even the Jews, through whom He came, must all be lost. Surely this is a strange culmination to such a long course of symbolic preparation. Could such a state of things be possible with infinite wisdom organizing and controlling it?

Coming down to plain, stubborn, common sense, throwing aside all man made creeds and dogmas, is it for a moment conceivable that the great, wise and loving Father, who has given us such a beautiful world to live in, would give us a religion for our benefit and guidance, and leave it so thoroughly misunderstood by those through whom it was sent and by those who received and believed it, that the most degraded specimens of humanity in their self-made religious theories, never committed greater crimes or more diabolical proceedings, than various Christian sects have practiced in attempting to force their different views upon each other?

There is not a crime in the catalogue of crimes they have not committed wholesale and retail in this connection. And even today, with all our boasted intelligence, enlightenment and liberality of thought, there are professing Christian bodies who hold each other aloof as unfit to associate with in public worship.

**Some Other Origin.** I cannot conceive the possibility of the kind and loving God I believe in, establishing a religion that could produce such results. If this is the outcome of a religion specially designed for the good and elevation of mankind here and hereafter, its origin must be traced to some other source besides the most ordinary man must see of the universe.

In my humble efforts in search of Bible truth, I will remark I have not a word to say against any religion of any kind that will raise the human race to a higher standard of morality, justice and right, and I might add, of honest truthfulness in their dealings with each other. But when it is claimed that a religion of which the infinitely wise Creator is the author, contains such terrible contradictions and glaring inconsistencies, the most ordinary man must see it cannot be the product of the great Eternal, infinite in wisdom, knowledge and power. It must be of human growth, and based on human prejudices and ambitions. As intelligence advances, superstitions, ignorance and selfishness will fade away. There will come a change in the religious aspects of the mind, and as more human, natural, common sense religion will take its place, based upon the principles laid down by the Great Teacher.

## AMUSEMENTS

**MYRKLE-HARDER COMPANY.**

Presented Lost River to Crowded House Last Evening—Repertoire For Next Week.

The Myrkle-Harder Company produced Lost River, a sensational scenic melodrama in the Opera House last evening to an audience which taxed the capacity of the theatre. The scenic effects in connection with the play, particularly the bicycle race effect at the close of the first act, were exceptionally well worked and received with rounds of applause. Miss Myrkle was seen to particular advantage in the role of Ora, while the other members of the company were adequate in supporting roles. The specialties between the acts were of the usual high order. Lost River will be repeated this afternoon and tonight.

Next week will be the last week of the Myrkle-Harder Co. at the Opera House. For this occasion Mr. Harder has retained some of his most attractive plays, opening Monday with Capt. Clay of Missouri, a political race horse comedy play. Wednesday matinee and night. Texas, The play Texas has several musical numbers. Lena Rivers, an adaptation from the novel, Thursday matinee and night. Friday, Pals or College Chums, a lively comedy play. Do you remember the big fight in the last act? It's a hummer. Saturday matinee, Capt. Clay of Missouri. One Girl in a Thousand on Friday night. A special feature after the performance is the amateur contest for which there are three valuable prizes given away to the lucky winners. These are on exhibition at M. R. A. Ltd. The Girl in Pink is the headliner. Who is she?

Have, March 3.—Sailed steamers: Danial, Halifax and St. John.

## Your Mail Orders

In response to many inquiries from all over Canada, The John Murphy Company, Limited, of Montreal, has decided to issue, about March 15th, a catalogue, which in a unique sense will be

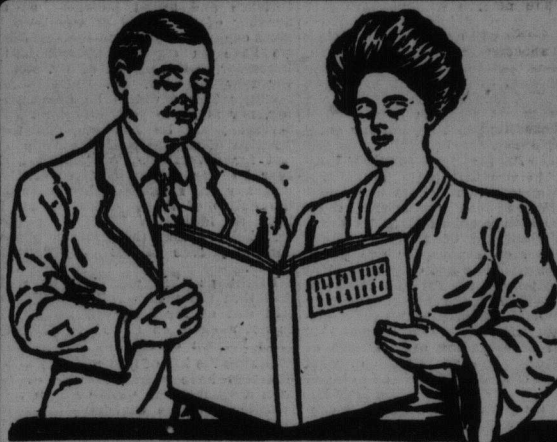
### The Catalogue of a Woman's Store

It will include a list of practically everything that Women, Misses and Babies wear or carry, whether fully made up, partly made up or not made up at all, in Woollens, Silks, Linens, Cottons or Notions, as well as Table Linens, Household Cottons and Bed Comforts.

In order that customers will know exactly what the goods will cost delivered to them, we propose to pay all freight, express or mail charges on all articles illustrated or described in the catalogue.

Please address applications for copies to Department K.

*The John Murphy Company Limited*  
MONTREAL, QUE.



## Doctors Book Free.

To any man who will mail me this coupon I will send free (closely sealed) my newly illustrated book regarding the cause and cure of diseases. This book is written in plain language, and explains many secrets you should know. It tells how you can cure yourself in the privacy of your own home without the use of drugs.

Don't spend another cent on doctors and their worthless medicines. Nature's remedy cures to stay cured. You should know about it. If you suffer from weakness of any kind, rheumatism, lame back, sciatica, lumbago, debility, drains loss of power or stomach, kidney liver or bowel troubles, you must not fail to get this book.

Don't wait another minute.

Dr. McLaughlin:  
Dear Sir:—I write to let you know that I am doing very well with your treatment. It has done more for me than all the doctors ever did. My bowels work well; my nervousness is all gone, and my womb trouble is a great deal better. I met the doctor the other day, and he remarked how well I looked. With best wishes for your continued success, I remain yours very truly,  
Mrs. John Aulenback,  
Liverpool, N. S.

The reason so many men neglect to use my Belt is that they fear it will fall like other things they have tried. Now, the security that I offer to the doubtful man is that he need not pay for my Belt until it does for him what I say it will do, if he will in turn give me reasonable security that he will pay me when cured. Put aside these testimonials. Don't make any difference whether you know that Dr. McLaughlin's Belt cured them or not. Give me reasonable security. I will arrange the Belt and send it to you and you can

## Pay When You Are Cured

Cut out this coupon now and mail it. I'll send the book without delay, absolutely free. Call if you can.

**A. M. McLAUGHLIN**

214 St. James Street, Montreal, Can.

Dear Sir—Please forward me one of your Books as advertised.

NAME . . . . .

ADDRESS . . . . .

Office Hours—9 a. m. to 6 p. m. Wednesday and Saturday till 5.30 p. m.

Office Hours—9 a. m. to 6 p. m. Wednesday and Saturday till 5.30 p. m.

## THE BRAND OF QUALITY



**WM. E. MCINTYRE, Limited,**  
St. John, N. B., Agents.

Madrid, March 3.—An aviator today lost control of his machine and drove into a crowd in the aerodrome, killing one woman and seriously injuring four other persons, including Colonel Villar Y. Villar, brother of former Minister of War, General Villar. The aviator himself was unhurt.