

ST. JOHN STAR

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ST. JOHN, N. B., FRIDAY, OCTOBER 5, 1906.

EIGHT PAGES.

ONE CENT

COAL HODS



Soon be time to start the stove. Better be all ready. 16, 17 and 18 inch Japanned Coal Hods. Extra large Furnace Hods. 17 inch Funnell Mouth Hods, Galvanized. Coal Scoops and Shovels.

W. H. THORNE & CO., Ltd., Market Sq., St. John, N.B.

A POPULAR RANGE



Why has the Enterprise March proved so popular? Because it has merit! It is made to wear! It is made to bake! Care and thoroughness in construction are the features that have been kept in view, and no expense is spared to have each one perfect in fit, finish and operation. Have you seen the range?

EMERSON & FISHER, Ltd., 25 Germain Street.

Clothes To Wear For Men Who Care.

ORDINARY CLOTHING is not good enough for us to sell people who come here. You come because you know you'll get something to be depended upon, and no more to say. We are showing a splendid range of

New Fall Overcoats at \$7.00, \$8.50 and \$15.00 Every garment guaranteed as represented or your money back.

American Clothing House, 11-15 Charlotte St.

Stetson Hats, \$4.00.

Sold by all others at \$5.00

F. S. THOMAS, Dufferin Block, 541 Main St., N. E.

WESTMORLAND FARMER'S GHASTLY DISCOVERY

Found the Skeleton of an Old Man on His Farm—An Inquest to be Held—Peacherina May be Sold.

MONCTON, N. B., Oct. 5.—William Steves, a farmer on the McLaughlin road near Ogilvie Brook about twelve miles from the city, made a ghastly discovery while wandering in the woods near his farm yesterday when he came upon the skeleton of a man lying full length on a clearing next to a large tree. The skeleton was found in a hole in the ground, and it appeared to be that of an old man evidently slain where it was found for a long time, the skull being separated from the head while the bones of the arms had fallen away. Clothing still covered the frame of what had once been a good sized man six feet in height. Seven cents in money was found in a pocket, some trinkets

and a small amount of writing paper, the writing on which could not be deciphered. Inquiries are being made and an inquest is to be held. Nat. McNair, the well known horseman, is negotiating for the purchase of Peacherina, the fast mare which was carried on a very successful campaign in the Maritime tracks this summer under the management of S. A. Rockford, St. John. It is understood that the latter will sell the mare for six hundred.

The members of Branch 134, C. M. E. A., will hold three private assemblies in their hall, Union street, the first will be on Oct. 10 and the others Oct. 21 and Nov. 25. The committee in charge of the entertainments is composed of Hon. R. J. Ritchie, A. S. Goddard, O. P. O'Neill, W. J. Magee, J. Nicholl, T. McCourt and E. E. Fitzgerald. The members intend providing other attractions for the winter season which will consist of a series of lectures and concerts.

CHRONICALLY. Oct. 4.—The nineteen sailors sentenced to death for participation in the mutiny of last August, were executed yesterday morning.

Harvey's Special \$10 Suit CAN'T BE BEAT.

Our Fall and Winter stock of SPECIAL TEN DOLLAR SUIT FOR MEN is by far the most attractive we have ever shown. They include fancy worsteds, mixed tweeds, Oxford Tweeds, as well as blue and black worsteds, and are equal in every way to those being sold from \$12 to \$15 elsewhere. Try one.

Ask to See the Harvey Special: \$10.00 Suits

J. N. HARVEY, Clothing and Furnishings, 199 to 207 Union St.

CLARKE'S DEFENCE IN ASSAULT CASES WILL BE AN ALIBI.

Evidence to Show He Was at Work When the Various Crimes Were Committed. His Wife in Court Today.

At the afternoon hearing of the Clarke case yesterday Dr. Corbett swore that he had examined the tracks after the alleged assault and found no traces of violence but that his clothing was covered with blood. Clarke thought that he had been the victim of an external violence had been used. Sheriff Ritchie told of having conducted Ebel's train and May Short through the jail and both girls had recognized the prisoner immediately although there were several others with him at the time. Mrs. Tuttle gave evidence regarding the condition of her daughter after the attempted assault. John Green and Geo. P. Anderson swore to seeing Clarke on the border of town on the afternoon when the alleged assault of the Tuttle girl took place. Deputy Chief Jenkins, Sergt. Caples and Officer Greer gave evidence concerning the arrest of the prisoner and produced some of the clothing which had worn at the time. Isaac Erb swore that the photographs of the place of assault, offered by the crown, were not the photographs which he had seen at the time. Jennie Adams swore to having seen the prisoner on the Millville road on the afternoon in question. Sergt. Kipparick and Chief Clark told about being present when the prisoner was pointed out by the two girls in the jail as the one who attempted to assault them.

MAGISTRATE MARSH STATES HIS POSITION. He Will Not Act Differently From What He Has Been Doing.

Does Not Intend to Be Both Prosecutor and Judge—Would Refer Inquirers to the Attorney General.

FREDERICTON, N. B., Oct. 5.—At the police court this morning Colonel Marsh answered at length his accusers, of not enforcing the Canada Temperance Act. After citing the law Judge Marsh said: "Under the act I was never appointed chief of police, my whole duty was to receive complaints and having received them then to try them. I defy any man to say that during the thirty-five years I have occupied the position of police magistrate I have ever refused to accept and hear any charge or complaint whether such was laid under the Canada Temperance Act or any other act and I challenge any one to say that I have ever refused and I think that the Rev. Mr. Cotter, who is present, will bear me out in the statement." After stating his duties the magistrate said: "The police requires no power of order from me to act and if any citizen feels that a policeman is not doing his duty he should make the complaint to me and I can hear it as I am always willing to try every charge." "Some years ago a committee from the Women's Christian Temperance Union, accompanied by the Rev. Dr. McLeod and Rev. Mr. Blandford, called upon me in regard to this very matter, and the attorney general, who at that time was Mr. Bligh, asked me to hear them. I told them that I could not act otherwise than I had done, that I had no power to refer the matter to the attorney general, that if any citizen would refer to me a complaint I would be acting wrongly and he should refer to the attorney general. I had no just cause for complaint, I was not a policeman, I was a magistrate and I should not allow myself to be used as a policeman. I am informed that a short time ago the mayor called out to Ald. Kelly, who is chairman of the administration of justice committee, that he wished to refer to me a complaint. I told Ald. Kelly that if that old obstructionist (meaning myself) did not act, that he Kelly as chairman had full power and to go ahead. By the way I wish that the mayor has become a temperance man. 'I am sure,' he added, 'I am very glad to hear it. All I can say is that I am willing to submit my case to the attorney general and I am wrong in the position I have taken I will resign. I say again, my duty is to prosecute any particular person, it would be a disgrace to interpret the law, but I have in the past, feeling that by doing so I am acting in accordance with my oath of office and that the law will bear me out in my position.'

The evidence for the crown in the Clarke case was concluded this morning and the evidence for the defense began. Mr. Baxter gave a brief outline of the defense, stating that he would be able to prove that the prisoner was working at the time of the different assaults. The evidence of Mrs. Clarke was heard this morning. This was the first time she had seen her husband since his arrest. While apparently very much shocked and nervous she was in a straightforward manner. When leaving the witness stand she asked leave to speak to the prisoners which was granted. An affecting scene followed. As she neared the prisoner's box she started sobbing, and she turned her face to her husband and kissed him. After a few moments whispering Mrs. Clarke was led from the room sobbing bitterly. Robert E. Baxter was the first witness. He said he was a resident of Adelaide street. He was having on the 2nd of August on the Connor street, on the Millville road, about a distance of a mile from Scott's corner. He remembered hearing on that day of Grace Tuttle being assaulted. He was in the barn milking when he heard the assault. This was a little past five o'clock. He had helped him Mr. Morgan, Mr. McKenny, and Mr. Morgan. Mr. Baxter was when he was informed of the assault he took no part in looking for the man. Mr. Morgan stated that on the day in question he was working for Mr. Baxter. About five o'clock he saw people running up yelling. He thought out to see what the trouble was. "He told me what the trouble was, and I started running up. He said he could see anything of the man, but could not."

Mr. Baxter briefly addressed the jury. He said that the case was a particularly difficult one to try because of the extreme range in point of time. It is a hard position for a man to be placed in, to be asked to give off-hand an account of his doings for three months back. He would be able to prove where Clarke was for the time mentioned in most of the charges. He would prove that Clarke was lost a quarter of a day, and consequently that the prisoner could not have been at the place where Mrs. Tuttle was assaulted. As regards the Tuttle charge he said he would show clearly every movement of the prisoner from 4:30 o'clock until six o'clock, and as it was shown by the evidence that the assault was committed at about five o'clock consequently the prisoner could not have been at the place where the assault took place. As regards the Train case he would put the prisoner on the stand himself to show what he did that day.

ESKIMOS LOOTED A DISABLED SCHOONER

KING'S COVE, Nfld., Sept. 25.—The schooner Nicobar, Captain White, of Labrador, Saturday with 150 qts. of fish taken from a Bay Roberts schooner, wrecked in the recent storm. Sixty Eskimos came aboard the wrecked vessel at Margford Tickle, and took charge, and towed her up the bay, and looted her, taking the fish out of her, compelling the captain and crew to leave her at the mouth of the bay. Nearly all the sixty Eskimos were armed with muskets, and the crew feared for their lives. It is rumored that the Fionn has been ordered to proceed at once to arrest the looters, who are a fierce and lawless tribe, known to fishermen as the Okak crowd who have done the same on a smaller scale several times in the past. The Fionn will need to carry an armed squad of police, as the Okaks are known to be desperate.

SAYS BAY OF FUNDY LIGHTS SHOULD BE BETTER

Allan Line Official Declares Improvement is Needed at the Entrance to St. John—The Requirements of the St. Lawrence Route.

MONCTON, Oct. 4.—Before the grain commission today D. A. Watt of the Allan Steamship Company was asked if he could give any suggestions to reduce the cost of transportation. He replied that there always was the question of improvement of the St. Lawrence route and the route to St. John. In the St. Lawrence what was needed was deeper water between Montreal and Quebec, improvements in lights and other aids to navigation. He found that the pilot system below Quebec was a close corporation and he thought that ship masters and competent navigators should be allowed to take licenses to take their vessels in and out. At present this was a license but fees had to be paid just the same. Asked about St. John, Mr. Watt said that lights and aids to navigation in the Bay of Fundy required improvement. St. John is a difficult port to make and he considered that the disabilities of the port should be taken up by the Dominion Government.

LEADING CANADIANS TO BE PROSECUTED

Charges Arising Out of the Collapse of a Boom Company. Directors of the International Mercantile Agency are Charged With Defrauding the Public.

NEW YORK, Oct. 5.—The World today says: "It is an echo of the sensation attendant upon the collapse of the International Mercantile Agency, a year ago, was heard yesterday in the Supreme Court by the McClure Adjustment Company against sixteen prominent business men in the United States and Canada, and also against Thomas E. McCauley, the Canadian who organized the organization. Each of the defendants was a director of the agency and it is alleged by the McClure Adjustment Company that each conspired with McCauley, who disappeared soon after the failure, to sell to the investing public its stock, which they knew to be worthless. The defendants are Henry K. Tomphey, President of the New York Stock Exchange; Milo M. Belding, the silk importer; S. F. McKinnon, a merchant of Toronto; Robert McKay, a capitalist of Montreal; John MacFarlane, a wholesale paper manufacturer of Montreal; George W. Sadler, and James Robinson, of Montreal; W. K. George, of Toronto; Leroy W. Baldwin, M. M. Belding, Jr., Duncan D. Furnly, and Charles A. Henderson of New York; Edward L. Gould, of Bradford, John Fleet, of Toronto, and Deios P. Phelps, of Chicago. The McClure Adjustment Company, the plaintiffs, was organized a little while ago to undertake such cases as that of the International Mercantile Agency. It holds now \$1,200,000 worth of stock of the defendant named. This stock has been assigned to it, and the complaint in the case sets forth in substance that each one of the defendants who were directors of the International Mercantile Agency became a director of the McClure Adjustment Company, and by their respective assignments of stock ranging from \$10,000 to \$50,000 shares, further the charge is set up that the replication and promissory notes of these men were the means by which McCauley defrauded the public and the directors of the McClure Company. In this stock \$1,200,000 is sought to be recovered from the defendants. 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