

THE WEATHER.

MARITIME—Moderate winds; cool and showery, but partly fair. Toronto, Ont., June 16.—The weather today has been fine and warm in the Western provinces and Western Ontario, but has continued cool and showery in Eastern Quebec and the Maritime Provinces.

Table with 3 columns: Location, Min., Max. Locations include Dawson, Prince Rupert, Victoria, Vancouver, Kamloops, Calgary, Edmonton, Prince Albert, Moosejaw, Winnipeg, Ottawa, Montreal, Quebec, Chatham, St. John, Halifax.

AROUND THE CITY

Business Purchased. The hardware business formerly carried on by Joseph Dyer, 195 Union Street, has been purchased by Wm. Monahan and Chas. Conway.

Borden Club Meets. The members of the Borden Club are requested to meet in the office of J. S. Tait, Canada Life building on Monday next, at 7:30 p. m.

Mary Davidson's Case. Mary Davidson was before Magistrate Ritchie yesterday and after the evidence of one witness was heard the prisoner was again remanded to jail.

Sergt. Baxter on Vacation. Police Sergeant Baxter, who is on his vacation, left on the express last night for a trip to Sydney, C. B., where he will spend a few days.

Visiting Clergymen to Preach. Rev. A. C. Crews, D.D., of Toronto, will preach at the Exmouth street church tomorrow morning and Rev. J. L. Batty, of Moncton, will occupy the pulpit in the evening.

To Attend Class Re-union. Dr. William P. Broderick, Germain street, left last evening for Philadelphia to attend a re-union of the class of 1901 of the Dental Department of the University of Pennsylvania, of which class he was president. Dr. Broderick will be absent about ten days.

New Pastor in Brussels St. Church. Rev. Miles McCutcheon, the new pastor of Brussels street Baptist church will occupy the pulpit at both services tomorrow. Mr. McCutcheon has just completed his course and graduated from the Newton Theological College. He occupied the Brussels street pulpit during the greater part of last summer and the congregation are greatly pleased to welcome him back at the present time as their permanent pastor.

S.S. Premier on Route Today. Through the efforts of Geo. B. Jones, M. P., and his colleagues in Kings county, arrangements have been completed with the owner of the S. S. Premier whereby the boat is on the Kennebecasis route today. The rush of work upon the steamboat inspectors and their business outside of the city, made it impossible for the Premier to be inspected before yesterday. This morning she goes to Rothesay, and will meet the noon suburban train and make regular trips thereafter.

THE RESULTS IN THE N.B. PHARMACEUTICAL EXAMS

The Successful Candidates Passing the Examinations in the Different Subjects were Announced Last Evening.

The results of the N. B. Pharmaceutical examinations held on the 15th and 16th inst., were announced yesterday as follows:—

- Passed in all subjects: J. M. Rouillon, St. John; Passed in Materia Medica: Fred Kennedy, Moncton; J. C. Stevens, Woodstock; Passed in Pharmacy: F. S. Compston, Hampton; T. G. Morgan, St. John; W. J. Rollins, St. Andrews; Passed in general subjects: W. J. Rowlin, St. Andrews; F. J. Rowlin, St. Mary's; A. McL. Steele, St. John; G. C. Trites, Moncton; B. A. Burden, Fredericton; J. McDannell, St. John; Vital Richard, Moncton; E. M. Staples, Fredericton; Passed in Dispensing: Henry Wilson, Milltown.

BANGOR, ME., IS RAPIDLY RECOVERING FROM FIRE

Result of Disastrous Blaze will be that Bangor will be Much Better Looking City than Before.

The city of Bangor, which was visited by a disastrous fire some time ago, is rapidly recovering from the devastation caused by the flames. A St. John man who visited the city this week says that the chief result of the fire will be a much better looking city.

To a stranger the burned area does not look large, but in the district was contained many of Bangor's most expensive buildings. Practically every structure which was burned is to be replaced by a better one, and the business district is the scene of active building operations at present. Bangor is one of the busiest and most prosperous cities in the state of Maine, and it takes more than a fire to make it pause for long.

EARLY CLOSING CASES POLICE COURT YESTERDAY

Evidence was Taken in Several of the Complaints and Adjudgment Made Until Saturday Morning Next—It is Expected City Council will Consider Law in the Meantime.

In the police court yesterday afternoon the cases against a number of merchants for keeping their places of business open after seven o'clock in the evening in violation of the by-law which went into force a few months ago were resumed. Recorder J. B. M. Baxter was present conducting the cases for the prosecution, while Daniel Mullin, K. C. and A. A. Wilson, K. C., were present in the interest of the defendants.

Those who have been reported, and whose names were read out in court, were William H. McDonald, Daniel Monahan, William A. Watson, Thomas Ritchie, Morris Jacobson, Bernard Jacobson, Robert Caples and James P. Quinn.

Messrs. McDonald, Monahan, Watson and Ritchie were reported for violation of the act on June 8th, and their cases had been before the court before. Jacobson, Clark, Caples, Quinn and Watson were for June 9th, and in all cases the defendants pleaded not guilty.

The McDonald Case. The case against McDonald was taken up first and Policeman Whittier who made the report against him was the first witness. He gave testimony that on the evening of May 19 he called on the McDonald grocery store on Sydney street, and saw groceries sold at retail by Mrs. McDonald. The store was open after seven o'clock that night. People entered the store and Mrs. McDonald said that she would serve them. The officer said he told her that he would have to report the case and that she would have to put up with the consequences. None of the people who entered the store while witness was there stated that the goods were for sickness, an accident or a case of death.

To Mr. Wilson witness stated that Mrs. McDonald told him that her husband owned the shop. He did not see any fruit there, and that night he informed Mrs. McDonald of the by-law. William McDonald the defendant, took the stand and testified that his wife was the owner of the store. He stated that he was not in the shop on the evening of the 19th and therefore sold no goods.

To Recorder Baxter the defendant stated that he had simply acted as a buyer for his wife, and that he has opened and closed the store for her. He had been an agent and had carried on business and in consequence of what he had told his wife the store had been kept open on the night in question. He had not been paid wages and the store was stockpiled out of money that his wife had taken out of the bank. It was her money that had stocked the store.

Daniel Monohan's Case. The next case taken up was that against Daniel Monohan, the Charlotte street boot and shoe merchant, who was reported by Policeman McCollom for keeping open on the evening of May 25th. The officer gave evidence that about 7:30 o'clock on the evening he saw a man trying on a pair of shoes in Mr. Monohan's retail store and when spoken to about the matter, Mr. Monohan said that he had expected to be reported. Witness said that people were served in the store after nine o'clock in the night.

To Mr. Mullin witness said that he saw people coming out of the store with parcels, but he could not say but they were coming from the store with shoes that they had been getting repaired as there was a repair shop in the rear of the retail.

Mr. Mullin stated to the court that he thought a case had not been made out against Mr. Monohan as the store being a repair shop could be kept open.

William J. Watson. The next case taken up was that against William J. Watson who was reported for keeping his store on the corner of Union and Charlotte street open on the evening of May 25th. Policeman McCollom who made the report gave evidence that on the evening of the 25th he saw a man trying on a pair of shoes in Mr. Monohan's retail store and when spoken to about the matter, Mr. Monohan said that he had expected to be reported. Witness said that people were served in the store after nine o'clock in the night.

To Mr. Mullin witness said that he saw people coming out of the store with parcels, but he could not say but they were coming from the store with shoes that they had been getting repaired as there was a repair shop in the rear of the retail.

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Thomas Ritchie. The next case taken up was that against Thomas Ritchie, a grocer, on the corner of St. James and Sydney streets was reported by Policeman Whittier, who gave evidence that on the evening of June 1st at 8:30 o'clock, he saw a lady hand some money over the counter and receive a parcel which was taken from one of the shelves. He also saw a boy leaving with a parcel and a boy leaving the store with a bottle of beer. Mr. Ritchie was not in the store at the time.

a perfect right to keep his store open until eleven o'clock at night. Morris Jacobson. Morris Jacobson was reported by Policeman Jones for keeping his dry goods store on Main street open last Monday night. The officer gave evidence that he saw people going in and out of the store and they were shown goods, but he did not notice any person getting served.

Jacobson took the stand and gave evidence that his business was principally of a wholesale nature and that he served peddlars and country store keepers. He hadn't sold retail on the night he was reported but his books showed that a girl clerk had sold \$15 worth to a person. He did not receive any cash and could not tell of the sale unless he could see his books.

This case was adjourned until Jacobson could produce his books. Bernard Jacobson. Bernard Jacobson, who is in the dry goods business, was the next one called on. This report was made by Policeman Jones and the report was made for keeping his store open on Thursday night. This case was not gone into as Mr. Mullin stated that he would like to have time to look into some of the points.

The magistrate suggested that the counsel in the case give some of their points and they could be looked into while the cases were adjourned.

Mr. Wilson's Argument. Mr. Wilson stated that he took the ground that the act was in violation of personal liberty. The grocers sell fruit and tobacco and it was unfair to close them up and allow others to sell. The law, he stated, was indeed an unfair one. The beer licenses allow the keepers to keep open and these dealers do keep open. Regarding William McDonald, he was not the proprietor of the grocery reported open and no offence had been proven against him. The same night he said about Daniel Monohan who conducts a repair shop.

Regarding Mr. Watson he kept his place open for the sale of newspapers and as for Mr. Ritchie there was no offence, as he has a license to sell beer and can keep open, and, moreover, he did not sell any goods himself on the night that he was reported.

Mr. Wilson said that he did not know according to the act who would be liable, the proprietor or the clerk. He thought that according to the act the places could be open all the time as long as there was no retailing of goods, the proprietor might take friends into his store and have a meeting or go over his books. He thought that it was a selfish act brought on by some persons who wished to close up and wanted all of the others to do the same.

Mr. Mullin's Argument. Mr. Mullin in presenting a few points said that he thought while the provincial government made the act he did not think they had the right to hand it over to the municipality to law was illegal and oppressive. He would look into the cases more thoroughly and would be more able to present the points more fully after an adjournment.

Recorder Baxter said that the common council had made the by-law according to the statute. The legislature empowered any municipality to make the by-law. The weakness was where they said "all shops," and he said that he would advise the safe course would be to have the same hours as all shops defined in the act.

The magistrate said that the legislature said that the fine was not to exceed \$40.

The Cases Reviewed. Mr. Baxter said that the supreme court of Canada decided the general act is constitutional until the privy council reverses it, thus it seems there is nothing to discuss. The reasons put forth by Mr. Wilson appeal in force to the general public. It is not about the sale, it is the store shall not be opened for the service of customers. In one of the cases there has been undoubtedly the keeping open of a store for the services of a customer. Even after looking at the goods and rejecting the services begins the moment that the dealers comply with the customer's request for the exhibition of the goods. As to Mr. McDonald it must be looked into whether he kept that store open and the person who caused the store to be kept open could be prosecuted. As for Daniel Monohan there is evidence of the selling of goods in the retail part of the store.

As for Mr. Ritchie there was no evidence of any personal sale, but that did not help him. As for Mr. Watson he could not qualify under the description of a news agent and opening for only the sale of newspapers does not help him.

His honor stated that he thought it would be well to adjourn the cases which would give an opportunity for the common council to take the matter up and for those interested to look into the points. While it was a by-law, the people must observe it. The cases were adjourned until next Saturday morning at 10 o'clock.

THE C.P.R. NOT FILLING UP A PUBLIC SLIP

It appears that the contention that the C.P.R. is filling in a public slip running from Main street along behind the buildings which faced on Mill street, is not well founded. The city engineer has investigated the matter and reports that the so-called public slip had been established by the owners of the property along Mill street north of the I.C.R. pier, and that the C.P.R. by purchasing the property in question had acquired ownership of the so-called slip. Mr. Murdoch says that the city had no rights in the so-called public slip, and that if it had been used for public purposes it was at the pleasure of the owners of the property upon which the slip was located.

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WALL TENTS For Campers, Fishermen, etc. Sizes 7 1-2 x 10, 10 x 12, 12 x 14, 14 x 16 1-2 Garden Tents Sizes 5 x 5, 7 1-2 x 7 1-2 White and Striped. All Tents Complete With Poles and Pegs W. H. Thorne & Co., Limited Market Square and King Street, St. John, N. B.

A Customer's Reasonable Wish is This Store's Pleasure DYKEMAN'S Store Closes Today at 1 p. m. NEW RAINCOATS English Make VERY STYLISH VERY SERVICEABLE Rubberized Cashmere in the popular shades of fawns, greens, drabs, and navy blue. The prices are \$6.95, \$8.25, \$10.50 and \$11.00. These goods are guaranteed not to harden and as they are wool finished materials of a fine texture, will not fade. Another big lot of those Black and White plaid Skirts have just arrived by express. The price will be \$1.19 as before. Ladies' Cotton Wash Suits. The demand for these as the warm weather approaches has been on the increase. We had these made up specially to our order and here they are at most popular prices. Duck, \$5.25, fine Repp, \$5.95, profusely trimmed, fine Repp Suits, \$10.50. F. A. DYKEMAN & CO., 59 CHARLOTTE STREET

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