POOR DOCUMENT

THE SEMI-WEEKLY TELEGRAPH, ST. JOHN, N. B., SATURDAY, JANUARY 23, 1904.

MUNICIPAL COUNCIL PAYS THE BILL FOR COLLECTING VITAL STATISTICS.

But There is a Long and Keen Debate on the Question--After Delinquent .Taxpayers in the County -- Report of the Finance Committee--Some Amendments Proposed--An Interesting Session.

where passed and action taken more prompt collection of cre was a long and sharp dein this province are of very little value.

Warden Lowell presided, and there were present Couns. White, McMulkin, Lewis, Hamm, Millidge, Tilley, Long, Gregory, Lee, Horgan, Cochran, Fownes, Kelly, Macrae, Christie, Hilyard, Bullock, Allan, McGoldrick, Baxter and Robinson.

adopted and the recommendations were adopted on separate motions.

With regard to the hopital bonds, Coun. Christie explained that this was the same \$5,000 discussed at the last council meet. ing. The county secretary said that of \$16,000 of the previous issue, \$11,000 had been sold at par, and of the balance of \$5,000 all but \$500 was practically disposed of at par. The county had no other bonds unsold.

tional \$5,000. Coun Kelly wanted to know if there would be any more demands on hospital improvement account, but nobody could give him the information.

With regard to the legislative changes,

concerning the collection of taxes, proposed in another recommendation of the report, Coun. Kelly and White held that any proposed amendments should be submitted to the whole council, and such power as proposed should not be delegated to a committee. It was now too late in this case, as the legislature will meet before the council meets again. Coun. Christie said that it was important county secretary gave some illustrations to prove this statement, and added that there was much delay, and there were also am-biguities in the law, which should be remedied. Coun. Kelly declared that to remedied. Coun. Kery declared that to adopt the recommendation would be to establish a bad precedent. Coun. Christic agreed with this statement, but added that it was not the first time. After furtherdiscussion the recommendation was adopted without dissent.

A bill from John B. Jones for \$145.50 registering births, marriages and hs, was read and recommended for ment. Coun. Baxter moved that it be id. He referred to the recent action

accurate as far as they are kept, and there is no question of their utility. The records are used continuously by the legal profession, and accepted by the ports. As to the the privy council. The council got in the records a quid pro quo, and the bill should be paid and the system continued until he question was otherwise decided by a upreme court of judicature.

Coun. Millidge declared that if it should

abandoned action to compel civic servants to pay taxes. That did not prove their contention wrong. They simply abandoned it because of the cost of continued suits. that matter because other large causes re-used to join them in the test case. If

council.

Coun. Fownes said that if a man did his work he ought to be paid. Mr. Jones should be paid first and then decide whether the system is to be continued. He moved that Mr. Jones be paid and that the question of future liability be referred

did come in with a report that they be-lieved the act ultra vires, that would not make it so. He agreed that Mr. Jones' bill should be paid. Lawyers differ in their views of the act. The burden of testing its constitutionality should not be thrown on Mr. Jones.

Coun. Kelly observed that if the doctor

bill will be very small next year. If it were not right for Mr. Jones to get his pay now, then he should give back all he had been paid in the past. Either that, or pay the present bill.

Coun. Lee held that what is done in Ontario cities should be done here also. Such statistics were collected there.

Coun. McMulkin thought this bill should be paid, and Mr. Jones informed that his refuse to give the information, Mr. Jones' bill will be very small next year. If it

should not refuse to pay this bill because a few doctors had refused to do their duty. If the council fought Mr. Jones in this case they would be aghting the local government. He censured the course of the doctors and urged for the payment of the bill

the bill.

Coun. Baxter argued that there would be no earthly use in sending this question back to the committee. They could not settle it. Only the privy council could do that. The burden of the records was not an unreasonable one, and they were of great value. He dwelt at length on the importance of such statistics, and said that this generation owes it to the next to hand down such records. He argued strongly against the city taking a course that would lead to litigation.

Coun. Christie's amendment was voted down and the motion to pay the bill adopted, only Coun. Christie and Millidge

Other Business. C. H. Peters' Sons protested against an increase in the valuation of their Torryburn property (Hornbrook property) from \$6,600 to \$9,000. They had made no improvements on it, and asked for a reduction. Referred to the Simonds councillons with the accessors to report back lors with the assessors, to report back.

The county secretary stated that Registrar McLellan had paid into the treasury \$397.15. The total receipts of the office

were \$3,147.15.

A bill of \$14 from S. C. Osborn, of St. Martins, for conveying a lunatic to the asylum. The lunatic was out on proba-Coun. Baxter moved that the bill be pai bills and by-laws committee to inquire into the question of who should pay for taking a man back the second time. He believed the expense should come out of the asylum funds. If the asylum authorities let a man go on probation and he had to be taken right back, the county should not have to pay the bill.

Coun. Kelly and Fownes said that the

man was out only two or three weeks.

His wife had said when he got home that he should not have been liberated at all.

The man was sent to the asylum as a

Coun. Christie wanted to know if the taken egainst the physicians, and held that the withdrawal of proceedings did not mean that the provincial government had abendoned the act. He dwelt upon the legal value and convenience of the registry, and stated that Attorney-General Pugsley told him the government had no intention of abandoning the law, but would introduce some amendments at the next and the legislature. Mr. Jones had

The motion then passed.

Coun. Cochrane reported that the committee having the matter in charge had received two offers for school lot No. 22, St. Martins. F. M. Anderson offered \$20, and Philip Black \$22. The offer of Mr.

SHAW AND LAWRENCE

Victims of the Awful Marine Disaster Near Victoria, B. C.

"N. P. Shaw, of this city, held the con-trolling anterest in the N. P. Shaw Com-pany. He was born in Victoria, New Brunswick, but has lived for many years athough a young man was occupying an important place in the commercial interests of this city and province. He was about thirty-seven years of age and seven years also this city and province. He was about thirty-seven years of age and seven years ago was married to Miss Lugrin, of this city. He leaves besides his widow, a son, six years old. His father is also living at victoria, New Brunswick. Mr. onaw left victoria on Sunday last and proceeded to portland on business. He had intended to continue to Sacramento to visit a brother, who resides there, but changed his mind and returned by the fated trip of the Clallam.

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of this port, having been in command of the tugs Lorne and Pilot, and he was mate of the steamer Danube and other vessels of the C. P. N. Company for years. He was married. Mrs. Lawrence is a resident of this city. He had been to Seattle on business.

Of Captain Lawrence's death the Times says: "In the first boat Captain Lawrence had charge and with him as passengrs were several ladies. The boat swamped alongside the Clallam. All soon disappeared except Captain Lawrence. He was thrown a line, to which he clung for a few minutes. Those holding the line called for assistance in order to save him, but the wind being high and the seas wugh, the calls could not be heard, and the captain, after holding on as long as

Dr. John Davidson, who is in a sani tarium at Norach-on-Dee (Scot.), receiv-ing treatment for throat trouble, is no

Such statistics were collected there.

Coun. McMulkin thought this bill should be paid, and Mr. Jones informed that his services would not be further required so long as the county's liability is not established.

Coun. McGoldrick said that the council should not refuse to pay this bill because a few doctors had refused to do their duty. If the council fought Mr. Jones in

sued for a dance to be given on Thursday evening by Mrs. R. W. L. Tibbits, of Fredericton, when her daughter, Miss Milie, will make her debut.

Henry Wilmot, of Lincoln, whose engagement to Miss Toogood, an English ady, was announced in thees columns a short time ago, is to leave for the old country early in February to claim his bide. The marriage will be solmenized in London.—Herald.

Miss Beatrice E. Duke, daughter of Rev.

James Duke, Hampton, left on Wednesday's C. P. R. train for Panoka (N.W.

The engagement is announced of Duane Reed-Lewis, eldest son of William Reed-Lewis, of Nannan Farm, Lincoln, to Miss Beatrice E. Sergeant, eldest daughter of the late George Sergeant, M. R. C. S. and L. S. A. (London), of Launceston, Corn-wall (Eng.), and at present residing in Fredericton.—Gleaner.

Judge Wilson sustained a severe shaking on Monday from a fall off the roof o the residence next below his, occupied he Miss Thompson. Had it not been the his honor fell into some deep snow, the accident would have undoubtedly proved more serious.—Fredericton Gleaner.

The Baird Company's Wine of Tar

A lubrical to the Throat.

A lonic to the Yocal Chords.

The Bair Co., Ltd., Gentles. The Bairland, I.d. Gentlemen,—You Wife of Let, Honey and Wild Chern as the baselling cough medicine we can get. It gives an additional every time. Please send me 3 dozen A. D. LeBLANC.

OBITUARY.

Sussex, N. B., Jan. 19—Margaret, daughter of Dr. D. H. and Mrs. McAllister, died Monday evening, of meningitis, aged community. The funeral will take place Wednesday afternoon at Kirk Hill ceme

News was received yesterday of the death in New York of Robert S. Besnard, Marshall. He was about sixty-five year of age. Mr. Besnard had been resident in New York for some years, and former-

At Charlottetown, on Monday morning, after a lingering illness, Mrs. Donald Macleod, of Richmond street, died. The late Mrs. Macleod was born in Hampton (N. B.) She leaves a husband, three daughters and five sons: Mary and William, in Georgetown; James, in Halifax; Jersie, in Boston; Archibald, in British Columbia; Julia, in St. John, and John and Daniel,

Miss Jennie F. Hodson.

Miss Jennie F. Hodson, adopted daughter of Mr. and Mrs. Thomas Hodson, died

Mrs. George Robblee died at her he and two children, one sister and one brother. The sister is Mrs. Harvey Steeves, and the brother S. H. Bishop, of Moncton. Deceased leaves two daughters, Grace and Sadie.

Thomas Esgan.

E. G Nelson.

Edwin G. Nelson, one of the best known citizens of St. John and for many years a prominent bookseller, died Wednesday of Mr. Nelson's death was received by Mrs. Nelson, and arrangements have been made for bringing the body to St. John. Mr. Nelson, who was fifty-five years of age, had been quite ill for seven or eight months with congestion of the brain.

E. G. Nelson, was a son of the late V.

H. Nelson, at one time a prominent King street bookseller. He worked for some years with T. H. Hall and later with W. K. Crawford. About 1874 he moved to Prince Edward Island and remained there for three years. Returning to St. John just after the fire of 1877, he started in business as a bookseller in part of the Trinity block on King street, and some few years later moved to the present store on the corner of Charlotte and King

Mr. Nelson was married upwards of twenty-three years ago to Miss Isabelle Armstrong, of Greenhead. He leaves, beside his widow, four children, Edital, Walter, Kenneth and Bertha, all living home. Two sisters survive, Mrs. Thomas Reid and Miss Nellie Nelson, of Pitt street. Mrs. Young, mother of Fred Young, was also a sister. Mr. Nelson was connected by marriage with Mrs. William Murdock, Mrs. John Goddard and Mrs. Charles F. Tilton.

Through Canada Mr. Nelson's name is Through Canada Mr. Nelson's name is familiar by reason of his authorship of the patriotic songs, My Own Canadian Home, Up With the Union Jack, and Raise the Flag. For these he wrote the music as well as the words, though the air to which My Own Canadian Home as usually sung is by Morey McLaughlin. Mr. Nelson was one of the founders and charter members of the St. John branch of the Imperial Federation League, and a member of the executive of the New Brunswick branch of the British Empire League. He was also a member of the executive of the executive of the Canadian League. T.), to accept a position as school at that place.

Ottawa Journal: Mrs. Fielding and Miss Edith Fielding left on Thursday for New York, accompanied by Miss Beatrice Lindsay. They will be absent for two or three weeks.

League. He was also a member of the executive of the Canadian League.

In his young days, Mr. Nelson was a regular contributor of short stories to Stewart's Quarterly, and he also wrote for the Maritime Monthly.

Rev F. J. Tomkins. Rev. Frederick James Tomkins, M. A., LL. D., a barrister of Lincoln's Inn, who was professor of mathematics at Dalhousie College in 1856-57, died at No. 23 Almon street, Halifax, on Tuesday, aged eightynine years. He was born at Rupert street. St. James, London, December 11, 1814 After an exhaustive course as a studen

he entered the ministry.

Dr. Tomkins' first pastoral charge was in Yarmouth (N. S.) He visited the province in 1846, and returned after taking his M. A., to become first minister of th ongregationalist church there. In 1850, he became principal of Gorham College, Liverpool. In July, 1856, Gorham College united with Dalhousie, and in October of that year Dr. Tomkins came to Halifax professor of mathematics in the united institution. While in Halifax he lived institution. While in Halifax, he lived where Pine Hill College now stands. The college, however, was not supported, and in 1857 Dr. Tomkins resigned, returning

in 1857 Dr. Tomkins resigned, returning to England in 1858.

A new period of his life now begins. In 1859 he went to Paris, and thence to Heidelberg, where he took up the study of law. In 1861 the university granted him the degree of doctor of laws, praeclare cum laude, an honor never before conferred on an Englishman. He remained in Germany until 1862, studying theology and philosophy, then returned to London, where he was admitted to the bar as a member of Lincoln's Inn Society. He continued in active practice till 1898.

His studies in law resulted in the publication of three books—The Institutes of

the legal profession. In 1865 he preached in Toplady's church, for three years he m Toplady's church, for three years he lectured on religious and scientific subjects in Sir Isaac Newton's house, he has written for the London Times to which he has contributed since he was eighteen, and has been at Brussels and Berne in the interests of the London Standard. His music has not been neglected, and a few years ago he published a text-book on the subject.

Throughout all these busy years Dr.
Tomkins did not lose interest in Nova
Scotia, and after the death of Mrs. Tom try. For the past five years he has been living in Halifax.

Word was received on Tuesday morning of the sudden death of Rev. Thos. G. Johnstone, of Newcastle, at Doaktown. G. Johnstone, of Newcastle, at Doaktown. The reverend gentleman was visiting at Harvie Doak's, where he died Monday night. Mr. Johnstone was one of the best known clergymen in Northumberland county. For upwards of forty years he ministered to the congregations of Derby, Chelmsford and Blackville, and was beloved by all. He was a prominent Mason and was about seventy-seven years of age. Only a few weeks ago his wife, who was an invalid for years, died.

Samuel Stockford, who was for some years a policeman in the old town of Portland, and afterward drove a carryall for some years, died suddenly on Tuesday night of paralysis. He was sixty-nine years old

River, Long Island, and came to St. John twenty-five or thirty years ago. He leaves a widow and two daughters. Mrs. Stockford is a sister to William, Samuel and Daniel Dunham, of this city. One daughter is Mrs. W. H. Kelly, of Believue avenue, North End, from whose residence the funeral took place on Friday afternoon. The other daughter is Miss Alberta Stockford. The late Mr. Stockford is the last of old Stockford family. He will be kindly remembered by many, especially the older residents of the North End.

The news of the death of Owen Jones, in London (Eng.), was received in the ity by cablegram yesterday. John, was born in St. Andrews, and resided there for many years. He married a daughter of the late Zachariah Chipman,

Mr. Jones was a obtained in law of Lady Tiley, J. D. Chipman, St. Stephen, and Mrs. Toller, of Ottawa. He moved from New Brunswick to New Zealand, where he built the present dry dock.

Universal sympathy will be felt for Schofield and family on account of the death of Mrs. Schofield, which occurred Wednesday afternoon, after an

The late Mrs. Schofield was the eldest daughter of the late T. W. Daniel, of the old firm of Daniel & Boyd. Fred W. Daniel, of this city; Rev. Allan Daniel, of Rothesay, and Rev. Edwin Daniel, of Port Hope (Ont.), are brothers, and Mrs. (Rev.) S. Weston Jones, of Windsor (N. S.), a sister.

Mrs. Schofield leaves, besides her hus

Mrs. Schofield leaves, besides her husband, who is the head of the well known firm of steamship agents, S. Schofield & Co., two sons, Harold and Henry, who are in their father's office, and one daughter, Miss Florence Schofield.

Mrs. Schofield's death will be regretted by a wide circle of friends.

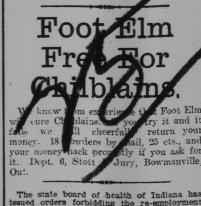
Halifax, Jan. 20—(Special)—The death occurred here this evening of John Dennis, aged seventy, father of William Dennis, manager of the Herald, Pneumonia was the cause.

Mrs James Keohan.

Josephine, wife of James Kohan, died Thur day at her home in Coldbrook. She was thirty-four years of age and leaves be-side her husband one child, two sisters and two brothers. She was the daughter of Wm. McKeevers, of Rothesay, where the funeral will take place.

Mrs. A H Sawyer. Mrs. Eliza A., wife of A. H. Sawyer one of the leading lumber merchants of Calais, died Monday evening from pleuro-pneumonia. The deceased was the eldest daughter of the late Hon. John M. Adams, of Milltown (N. B.)

Henry J. Walsh, Halifax. Halifax, Jan. 21-(Special)-The occurred here today after an ...ness of two days of pneumonia, of Harry J. Walsh, son of the late Col. T. J. Walsh, and a nember of the firm of Walsh



ener and florist, is dead at his home in Fish-kill Landing, on the Hudson, aged seventy

member of Lincoln's Inn Society. He continued in active practice till 1898.

His studies in law resulted in the publication of three books—The Institutes of Roman Law from Earliest Period to the Fall of the Western Empire, Translation

of Gaius' Commentaries, The Modern Roman Law—and numerous papers in the Law Review. He was a member of the American and German Bar Societies, corresponding member of the Historical Society of New York, and in 1898 took part in the council of international law at Buffalo. EQUITY SUIT AGAINST HIM

Cushing Sulphite Company Are Mulcted for All the Costs--Judge Barker, in Lengthy Judgment, Finds That the Defendant Was Not Guilty of Any of the Many Charges Made by the Plaintiff.

in the suit brought by the Cushing Sulphits Company, Limited, against George S. Cushing.

The suit was heard during August and speember and the first part of October last. The judgment declares that the plaintiff company wholly failed to substantiate any of the during so of the during and the first part of October last. The judgment declares that the plaintiff company wholly failed to substantiate any of the during so of the during and the first part of October last. The judgment declares that the plaintiff or the content of the during the period of the development of the fact that it appears by the correspondence in evidence that Captain Partington was disposed to saddle the sole responsibility of this unexpected outlay upon the defendant. He should, however, not forget that during the period which disposed to saddle the sole responsibility of this unexpected outlay upon the defendant. He should, however, not forget that during the period which disposed to saddle the sole responsibility of this unexpected outlay upon which he age of the machinery I think Captain Partington seems himself eventually to have been persuaded.

"In the case of the machinery I think Captain Partington seems himself eventually to have been persuaded."

The contention of the machinery in some cases, managed matters so badly that the cost was materially increased. Of their inefficiency captain Partington, seems himself eventually to have been persuaded.

Mr. Cushing's contention that the wood was to be allowed for pulp and fuel on the basis of its value, as compared with respect to the company, they were open to the officers of the company, they were open to the officers of the company was content on the officers from the defendant is possible to the content of the during the period which dispose the period which dispose the period which dispose the period which di

commenced and there is no evidence to support it."

Mr. Cushing is declared to have strictly adhered to the arranezments made by the company with Captain Partington and to have been careful in all cases to carry out captain Partington instructions and that if these instructions were disregarded by any one it was by those whom Captain Partington and to have been careful in all cases to carry out captain partington is very exhaustive and covers about forty pages of legal cap, and the following is a summary:

Portions of the machinery sent out by Captain Partington gave, constant trouble and caused constant loss. If it was sought to think the defendant is partington gave, constant trouble and caused constant loss. If it was sought to think the defendant is partington gave, constant trouble and caused constant loss. If it was suight abandoned because the evidence does not support that view,

That the defendant did not interfere with any of Captain Partington's experts is abundantly proved.

It is a little remarkable that while the plaintiff's bill changes the defendant with a great number and variety of fraudulent and illegal dealings it contains no mention of the claim as to the fuel house. Neither was it put forward in any of the discussions that have at various times taken place between the parties. Mr. Cushing cannot be charged with the expense incident thereto.

The use of the mill wood from the defendant with a great number and variety of fraudulent and the expense incident thereto.

The use of the mill wood from the defendant with the contemplation of the parties when the mill was built. The evidence gives no support to the contention that the use of mill wood for fuel was not a novelty in this country, neither was its use for the manufacture to fall on his shoulders. The use of mill wood for fuel was not a novelty in this country, neither was its use for the manufacture to fall on his shoulders. The use of mill wood for fuel was not a novelty in this country, neither was its use for the manufacture to the c

his Weather Breeds Fever and Pneumonia

OF END OF THE FIGHT Maginniss Stock, Basis of Amal. Litigation, Sold to New Yorker.

ant bit of news that has come from Mon-tana of late in connection with the its ownership by Maginniss, who is or of F. Augustus Heinze's aids, an injun

money from accruing to the Amalgamated Company, which owned all but the 100 shares involved. The despatch stated that Mr. Roche The despatch stated that Mr. Roche was not known in Butte, but was said to be ealthy importer of diamonds and one of the owners of the Hoffman House of New York city. The deal was consummated in Butte, and while the price paid could not be definitely ascertained it was said to be in the hundreds of thousands of dollars.

ands of dollars. State Street was inclined to interpre the above as meaning that important progress had been made toward the settle ment of the Amalgamated-Heinze difficul-ties. That Mr. Maginniss should sell his stock at this stage of the game was cer-tainly significant. Unless all present signs and predictions fail the chances are more relopments in connection with a settlement of this long litigation far beyond any that have been had since the same vas undertaken and this it is that will indoubtedly prove the basis for the broader and much more stronger copper share market that is now being foretold among people who are well informed concerning

spect St. John theatres and other public buildings with reference to fire escapes pected some radical changes will be recom-mended in some cases.

Thousands of Sick People Seeking Admittance to Overcrowded Hospitals-Take Warning and Keep up Your Strength.

adian cities show a surprising number suf-fering from different complaints brought on by the present unhealthy weather. The winds are full of searching dampness waiting for a favorable opportunity to fly down your throat. If your vitality is lo these germs are sure to break out in s

your strength. Increase yo Get as much nourishment in as possible. Store up a reser How can it be done? Very Ferrozone which revitalizes tions of the body, stimulates to of pure, rich blood, invigora-and renews the endurance of run down. I suffered aches and felt so co

zone just what I me stronger. The feelappetite and mi weeks I felt like a new me as strong and healthy.

Far better to take Ferrozone than let your health run down. Get it today. Look out for substitutes and insist on having nothing but Ferrozone. Price 50c. per box or six boxes for \$2.50, at all drugists or by

mail, from N. C. Polson & Co., Kingston, Ont., and Hartford, Conn., U. S. A.