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RAPID PROGRESS MADE IN THE COOMBS TRIAL

Crown Case Was Closed Last Night and Coombs' Fate May be in the Hands of the Jury by Noon -- Three Witnesses Examined at Yesterday's Session.

The case of the King vs. Harry Leslie Coombs was commenced before Judge Forbes and a jury in the County Court yesterday morning at ten o'clock.

When the court arose last evening at five o'clock the crown had concluded its case and the defence had just commenced theirs.

The features of yesterday's proceedings were the absence of tilts between opposing counsel, usually one of the characteristics of criminal and civil trials in St. John, and the rapidity with which the case is proceeding notwithstanding the strong technical objections taken by the counsel for the defence. In less than four hours the jury were sworn and the crown had concluded its case.

Three witnesses for the prosecution testified but the most important witness was Alexander Warrell, one of the investigating committee appointed by the directors to probe the affairs of the St. John office.

It is probable that the case will go to the jury at noon, however, if it does not, his honor has announced that he will sit until it is finished and an afternoon session is not improbable.

Judge Forbes presided and Attorney General Hazen appeared for the crown. D. Mullin, K.C., appeared for the accused.

When the court opened at ten o'clock His Honor requested the Sheriff to take charge of the accused, his bail having expired, as the grand jury had indicted him.

Mr. Mullin asked to have the bail renewed. His Honor with the consent of the Attorney General, said he would allow the accused out providing the bail be increased.

Out of the twenty-one members of the petit jury answered to the roll call. The Sheriff phoned the delinquents.

Mr. Mullin—"With regard to the first count upon which the jury returned a true bill, I expect that your honor order the crown to furnish particulars."

Mr. Mullin acted from a section of the code and quoted an authority in support of his arguments.

The Attorney General said that the particulars were sufficiently set out in the depositions.

His Honor agreed with the learned Attorney General.

Commenting on the absence of the jurors, His Honor observed that the Attorney General will have to introduce legislative enactments drastic punishment to the delinquents.

Mr. Hazen said that St. John was the only county which contained disobedient jurors. He intimated that legislation would be introduced to meet cases such as this.

The Attorney General moved for trial. On the indictment being read Coombs in a strong, clear voice, pleaded not guilty.

After some difficulty the following were empanelled to try the accused: Francis Walker, Ernest C. Wilson, Thomas McMaster, Norman L. McGloan, James Wilson, Michael J. McGrath, Arthur J. Nagle, Walter H. Bell, Norman Hornbrough, James W. Morrison, Fred R. Patterson and Charles T. Nevins.

The Attorney General briefly outlined the case for the prosecution. After reading the indictments he referred to the absence of Richard Daniel Isaacs, and said that the Crown has been unable to find out his present whereabouts.

Mr. Warrell Sworn. Alexander Warrell, a promoter, and the committee appointed to investigate the affairs of the company when the directors became suspicious that things were not straight in the St. John office, was the first witness.

Mr. Mullin contended that there was no evidence of the company being incorporated.

Mr. Hazen offered in evidence the letters of incorporation.

Mr. Mullin raised a number of strong technical objections.

His Honor allowed the letters to be put in evidence.

Witness said he was present at a meeting of the directors of the company on April 14, 1910, at St. John, at which meeting witness represented the stockholders. Mr. Warrell was appointed on committee to investigate the affairs of the company.

The minute book of the company was allowed in evidence subject to objection.

The crown produced a cheque book containing a number of cheques, the contents of which were read in court. One was dated October, 1909 and related to a transaction between one B. R. Madden, of Boston, and Isaacs, the sum involved being \$4,000. The cheque corresponding to the stub was produced and showed that it was given to Isaacs and not to Madden.

Another cheque dated November last for \$1,750 paid to Madden for asbestos lots. The cheque was produced and was signed by Coombs. It was in his favor and Madden's name was not written on it.

The cash book was referred to and witness read transactions involving \$4,000 and \$1,750 paid to B. R. Madden for "railway equipment," not for "asbestos lots." Witness said these entries were in the hand-writing of the accused.

The Disappearing Locomotive. A receipt found in the office dated October, 1909, purported to be signed by B. R. Madden, Old South Building, Boston, for a locomotive, \$3,500 and 16 cars at \$2,400.

Witness said that on April last he went to Sherbrooke and to the mine and could find no locomotive or the cars, or learn of any having been there. There was about a mile and a quarter of track laid. Witness then went to Boston and did not find B. R. Madden. The janitor of the Old South Building and the rent collector and mail distributor said there was no such man as Madden there. Witness saw the chief inspector of police and could not learn anything of a Mr. Madden. The bank book was put in evidence and four thousand dollars was charged against the Asbestos Company on October 27th, and on November 20th, \$1,750 charged against the company.

R. D. Isaacs was called managing director, Coombs took part in the directors' meeting and voted and worked in the office.

Mr. Mullin witness said that at the company's inception he sold a couple of shares on commission. He was given a share but gave it back. He now holds one share and obtained this share on April 16th, at a meeting of the company when he was appointed one of the investigating committee.

Witness was then subjected to a cross-examination as to what took place at the meeting held on Wednesday.

Adjournment was made until half past two.

Afternoon Session. The court was kept waiting some time owing to the absence of Juror Charles T. Nevins.

At 3.45, fifteen minutes after the hour set for resuming the case, Mr. Nevins was announced.

His Honor—"You will have to do better than this, Mr. Nevins."

Juror Nevins—"Well, my own business needs some attention."

Witness—"Understand that you cannot do two things at once. When you are required here you must not allow your business to interfere."

The cross-examination of Alexander Warrell was continued by Mr. Mullin.

Counsel for the defence cross-examined the witness as to the proceedings of the recent meetings held by the directors.

His Honor ruled that such evidence was irrelevant.

Mr. Mullin—"Was not criminal action threatened against the present management unless they returned the treasury stock which they allotted to themselves?"

Witness—"I do not know."

Mr. Mullin—"What remuneration did you receive or expect to receive for acting in the capacity of one of the investigating committee?"

Witness—"I had no understanding whatever."

Mr. Mullin—"Did not Mr. Coderre promise you a block of stock?"

Witness—"No."

Mr. Mullin—"Did you take legal advice before commencing proceedings against Coombs?"

Witness—"Yes."

Mr. Mullin—"Who did you see?"

Witness—"E. P. Raymond."

Mr. Mullin—"Isn't it a fact that Coombs was the most active man in laying information against Coombs?"

Witness—"We were all active."

Mr. Mullin asked if the Quebec contingent were not very active, but this was objected to and the objection was sustained.

Re-examined by the attorney general, witness said he did not know where Isaacs was, he had not seen him since last autumn.

This concluded Mr. Warrell's evidence.

The Auditor Testifies. Paul Blanchet, of Rothesay, an auditor, was the next witness. Witness said he was retained by L. P. D. Tilley to audit the books of the company. He gave evidence that in speaking to Coombs concerning two cheques amounting to \$5750, one for \$400 and the other for \$1750, the defendant had told him that Isaacs had given the money to Madden. The voucher for these cheques only showed \$5700. Coombs promised to explain to witness what became of the other \$50. Coombs did not know but would tell him later on, Coombs never gave the explanation.

Witness said salary was drawn weekly. He did not know who had charge of the books, but thought Healy had.

Cross-examined by Mr. Mullin witness said Coombs paid him for his services as a company cheque.

Miss Edith Cumings was the next witness. Witness was employed with the Asbestos Co. up to the last of April. Witness said that Isaacs, Healey and Coombs had charge of the office but that Coombs gave her most of the work. It was customary when Healey and Isaacs went out of town for them to leave blank checks for use in the office.

These checks would have to be endorsed by Coombs. Witness identified the writing in the body of two checks as that of Coombs.

An invoice was produced and witness said she had a faint recollection of having seen it, but she had no knowledge of a man called B. R. Madden having been in the office on business while he was there. She remembered writing one letter for Banks to Madden. She heard that it came back. Witness identified the writing in the cash book as that of Coombs.

Cross-examined by Mr. Mullin witness said that Isaacs was the boss of the office as he was vice-president and general manager.

The court took recess for a few minutes pending the arrival of A. P. Hazen, manager of the Bank of B. N. A. After waiting sometime and Mr. Hazen not appearing, the attorney general said the case for the Crown was closed.

Mr. Mullin Outlines Defence. Mr. Mullin asked the right of calling Mr. Hazen which was granted.

Mr. Mullin contended that the crown had not made out a case on the first and second counts. They had not proved conspiracy as alleged and he therefore moved that these counts be withdrawn from the jury. Referring to the last two counts charging the accused with making false entries in the books of the company, the counsel for the defence said that the indictment charged Coombs with falsifying the books between October 26 and November 1st. There was absolutely no evidence that the entries were made between those dates.

The attorney general contra contended that proof of the conduct of the defendant was sufficient. The parties need not come together.

Mr. Hazen contended that there also was sufficient evidence to warrant the case being sent to the jury. His Honor ruled accordingly.

Mr. Mullin outlined the case of the defence to the jury.

S. S. CONFERENCE TO OPEN MONDAY

Sunday School Workers of Diocese of Fredericton Will Convene at Rothesay--Bishop of Fredericton to Preside.

The summer school and conference in the interest of the Sunday school work of the Church of England Synod opens at Rothesay on Monday evening. Forty-five persons have signified their intention of going into residence and it is expected that a large number from the city will attend the daily sessions. Arrangements have been made to supply them with meals at Rothesay.

The Bishop of Fredericton will open the school at 7.30 p. m., with a short address, and afterward Rev. Principal Rexford of the Montreal Diocesan College will deliver a lecture upon the child as a determining factor in Sunday school work. Principal Rexford has recently returned from the World's Sunday School Convention at Washington, and it is expected his address will prove of great interest. The sessions will continue till Friday evening.

AGREES WITH PLAN OF MONCTON CLUB

Canadian Club Endorses Idea of Wider Celebration of Dominion Day and Names Committee for Next Year.

At a meeting of the Canadian Club yesterday afternoon Frank Casey, R. J. Walsh and James B. Daly were elected to membership and several others were proposed.

A communication from the Canadian Club of Moncton relating to a wider observance of Dominion Day was received, and while the club decided that it was too late to make any arrangements this year the secretary was instructed to write a letter of congratulation to the Moncton Club and endorse their idea. Rev. G. A. Kuhring and Dr. R. F. Quigley were appointed a committee to consider the possibility of a celebration for next year.

A committee was also appointed to solicit caterers for the club as the King's Daughters who look after the catering at present have given the work up.

No speakers will be brought here by the club during July but there are several who will come later, among them being the Bishop of London and Henri Boncompagni. Not date has yet been set for their visit.

Will Wage Bloodless War.

Today the stalwart defenders of the City of the Loyalists, will engage in a bloodless war upon each other, and the town will be in a state of military turmoil. The direct cause of the disturbance will be the holding of a "field" or "tactical" day by the 62nd regiment. The men will line up at the barracks at 2.30 in the afternoon. Three companies of the Fusiliers under command of Major Perley will be despatched to defend the city against the attack of a division commanded by Major Frost. The attack will endeavor by strategy to find a weak spot in the line surrounding the city, and effect an entrance. Although nothing definite can be learned of the course mapped out by the defence the proceedings will doubtless prove interesting.

In opening he scored the tactics of the Quebec stockholders, which he termed the "Quebec contingent."

Continuing he said that this contingent got hold of convenient tools and space allotments to many parties would have to be reduced in order to provide extra accommodation. "The problem of accommodating all the exhibitors is going to be as difficult of solution as squaring the circle," said Manager Good, "but we hope to manage it."

A special meeting of the executive of the Exhibition Association was held last evening, at which it was proposed that arrangements should be made to hold a Marathon race and other athletic games under the auspices of the association, during the week of the big fair. The matter was referred to President Skinner and Manager Good to report on later.

Owing to the superabundance of exhibits, the executive decided that the space allotments to many parties would have to be reduced in order to provide extra accommodation. "The problem of accommodating all the exhibitors is going to be as difficult of solution as squaring the circle," said Manager Good, "but we hope to manage it."

The "Quebec Gang."

Mr. Mullin said the defence would prove by resolutions that Isaacs' exploits were backed by the Quebec contingent. "We will show that Isaacs was authorized by this gang to purchase Asbestos lots."

"We will show that in the ordinary course of business this money was paid to Isaacs."

The counsel for the defence sarcastically referred to the action of the Quebec men in receiving Isaacs to their bosoms after that man had been committed for trial on a serious charge in Quebec.

In conclusion Mr. Mullin termed this a vindictive prosecution of the accused because he had the courage to oppose the gang's move to transfer the head office of the company to Quebec.

Mr. Mullin put in evidence the minutes of several meetings.

At 5 o'clock adjournment was made until 9.30 o'clock this morning.

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"China-Lac" is the ideal finish for Furniture, Floors, Doors, Scratched Woodwork, Oil Cloth, Linoleum, Porch Chairs, etc.

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BRANDRAM-HENDERSON LIMITED.

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Home For Holidays.

A large number of St. Joseph's students returned home from College Bridge on the C. P. R. last evening.

WOMEN'S \$2.50 SHOES

Our assortment at this price comprises a number of styles in Vici Kid, Velour Calf, Tan Calf and Patent Leather.



Calf Blucher Oxfords
Price \$2.50



Patent Blucher Oxfords
Price \$2.50

Cuts show two of the styles now displayed in our women's window. Look them over and see if there isn't something that will appeal to you.

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For making SOAP, softening water, removing old paint, disinfecting sinks, closets and drains and for many other purposes. A can equals 20 lbs. Sal Soda. Useful for five hundred purposes.
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NEW OFFICES

FRANK R. FAIRWEATHER has moved to 12 Canterbury Street, Insurance, Fire Prevention Apparatus, Typewriters and Supplies.

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MARATHON RACE AS FEATURE OF SHOW

Proposal Made at Meeting of Exhibition Association Last Night—Space of Some Exhibitors to be Reduced.

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HATS THERE WERE BUT NONE TO FIT

And That is Why Well Known Man About Town Came from Carleton Bald Headed in the Rain.

A well known man about town, paid a visit to Carleton one rainy and windy night recently, and as he was proceeding homeward bound, towards the ferry, his hat blew away and disappeared in a vacant lot. Possibly he had been sitting into a West Side poker game; at any rate when he felt his pockets for money to purchase a covering for his head, he found that he only had his ferry fare.

So when a well known politician who resides in Carleton was running to catch the ferryboat about 10 o'clock that evening, he observed a fat man with a florid face, tacking around Chubb's corner, with his bald head gleaming in the rain. Stopping in amazement, the West Side politician exclaimed:

"What—what the dickens is the matter, old man? Why are you going around bareheaded in the rain?"

"Rub, there's enough the matter," growled the heavy waisted and hatless man. "My hat blew away in Carleton, and though I tried in every store in the blooming town, to get a new one—what do you think—I couldn't find hat or cap big enough for me. If you ask me, it's a poor kind of heads you have over in that town of yours."

Home For Holidays.

A large number of St. Joseph's students returned home from College Bridge on the C. P. R. last evening.

R-E-D R-O-S-E FLOUR

Is GOOD FLOUR

MARRIED

DEATHS.

Haley.—In this city, on 15th inst. John Haley, in the 85th year of his age, leaving a wife, two sons and six daughters to mourn.

(Boston, Concord, N. H., and Los Angeles papers please copy.)

Funeral from the residence of his daughter, Mrs. R. Beers, No. 35 Gilbert's Lane, on Saturday at 2.30 o'clock. Friends invited to attend.

Compton.—In this city, June 17th, at the residence of his brother-in-law, William J. Hunter, 193 Waterloo St., James E. Compton, son of the late William and Hannah Compton, leaving four sisters and one brother to mourn.

Notice of funeral hereafter.

Members of the Irish Literary and Benevolent Society are requested to attend at their rooms Union street this Saturday evening, to make arrangements for the funeral of the late James Dillon. By order, FREDERICK WATERS, Rec. Sec.

BOYANER OPTICIAN

If your present Glasses fail to give you ease and comfort, there is something wrong. Glasses are either good or bad—there's no middle station. See D. BOYANER, Optician, 35 Dock St.

THE COUNCIL OF PHYSICIANS AND SURGEONS OF NEW BRUNSWICK.

The Professional Examinations for Registration in Medicine will be held in the ODD FELLOWS HALL, St. John, on Wednesday, Thursday, Friday and Saturday, (June 22nd, 23rd, 24th and 25th.)

By order, STEWART SKINNER, M. B., Registrar.