MC2289

POOR DOCUMENT

THE PAPER The Times THE PEOPLE READ

The Evening Times.

THE WEATHER.

Variable winds, cloudy, with light local snow or sleet. Saturday, southerly winds increasing to gales, sleet or rain before night.

VOL. V. No. 108 | ST. JOHN, N. B., FRIDAY, FEBRUARY 5, 1909 | EIGHT PAGES—ONE CENT

MONCTON AGITATED OVER LIQUOR SPOTTERS BILLS

The Spotter System Not Very Popular With Moncton Aldermen

One Sleuth Who Agreed to Secure Convictions for Violation of the C. T. A. at $5 Each is Now in Jail Himself on Charge of Selling Liquor.

Moncton, Feb. 5—(Special)—There was a lively discussion at the meeting of the police committee yesterday afternoon over the question of Scott Act spotters.

Two bills were presented aggregating over $50 for the services of two men Jones and Allan who were paid at the rate of $5 per case for securing convictions. Jones is now in jail himself, serving a term for selling liquor. Some aldermen thought men of better character should be employed, while Mayor Willett objected to such methods and thought the act could be enforced without them. The bills were finally passed on the deciding vote of the chairman.

Two rinks of local curlers went to Springhill this morning to play in the district league.

Anthony Gallant went to Amherst this morning to appear against his wife, who has been arrested there at the instance of her husband. She left the city yesterday taking with her, so Gallant says, $21 of his money.

The police authorities of Oldtown, Me., have written here asking for information concerning John E. Carroll, a resident of Greenbush, Me., who disappeared in December and was last heard from in St. John on December 6th. He is not wanted for any criminal offence, but relatives are greatly worried over his absence.

A delegation from the River-du-Loup division of the grievance committee of the O. R. C. headed by Conductor Areand was here yesterday interviewing the railway officials regarding the suspension of a train crew in connection with the recent collision at St. Valiere-du-Michele.

LONG ISLAND RECTOR IN FAVOR OF LICENSE

Rev. William A. Wasson Starts a License League—Says Proper Regulation of Liquor Business is Better Than No License.

New York, Feb. 5—Two thousand circular letters, headed "Grace Church Rectory, Riverhead, Long Island, January 30, 1909." were sent out by Rev. William A. Wasson, rector of the church, in the interest of saloons and their licensing. He wants the people to join the Riverhead License League.

"The sole object of the league," says Mr. Wasson, "is to convince our fellow citizens that the licensing of liquor business and its proper regulation under a reasonable and practical law is a far better plan than that of no license, which has always caused law-breaking, perjury, hypocrisy and all manner of corrupt practices."

He wants to form an organization to carry the town for license next fall.

OTTAWA NEWS

Ottawa, Feb. 5—(Special)—Col. McLean left for St. John this morning to be absent for a few days in attendance at a meeting of the railway arbitration board there. F. B. Carvell will also attend. Senator Costigan, chairman of the board, leaves here Monday for St. John.

Business before the house this afternoon will be the estimates in the public works department. Judging from the opposition begun at midnight last night, the opposition will be disposed to criticise every item. The salaries of officials item which stood over last night will be the first taken up today.

WANT TO PUBLISH TOLSTOI'S WORKS

Moscow Publishing House Planning to Give the World the Complete Writings of Russian Author.

Moscow, Feb. 5—A local publishing house is planning to bring out the long Premier Stolypin, the censored works of Count Leo Tolstoi, an undertaking that up to the present time has been impossible in Russia, because of the censorship and the difficulties in the matter of paying royalties. Under the present arrangement royalties to the amount of $250,000 will be paid in annual installments of $25,000. It is declared that with the approval of Premier Stolypin the censored works of the count will be included in this edition, which will number about 25 volumes.

ASKS RECONSIDERATION OF THE JAP. SCHOOL BILL

President Roosevelt is Very Anxious to Block Drastic Legislation Passed in California.

Sacramento, Calif., Feb. 5—Gov. Gillett will send a message to the assembly today asking that body to reconsider the vote by which it yesterday passed the bill compelling Japanese children to attend separate schools. This intended action is the result of a message received from President Roosevelt yesterday, appealing to him to devise some means of blocking the measure in the legislature.

The governor's message to the assembly will be a strong appeal to the members to stand by the administration and will deal with the question of treaties with Japan and other nations.

PARTRIDGES AND DEER FOR GRAND MANAN ISLAND

Fredericton, N. B., Feb 5—(Special)—The local government this morning considered an application to have two dozen partridges and a dozen deer placed on Grand Manan Island for breeding purposes, those kinds of game having become extinct there. The mater was referred to the Surveyor General.

The first monthly report of A. B. Wilmot, immigration agent, was received.

It was decided to grant the application of the Canadian Antimony Co. for exemption from royalties under restrictions which it is thought will safeguard the interests of the province.

FIVE HUNDRED CATTLE AND 1,500 SHEEP DROWN

Marysville, Cal., Feb. 5—Five hundred cattle were drowned by the flood waters on the Stanford ranch near Tehama Wednesday night and 1500 sheep perished near Colusa. It is estimated that the damage from the flood in Colusa county will be in the neighborhood of $1,000,4000. The loss in Butte county is estimated at about $60,000 and in Glen Tehama, Sutter and Yubba counties,the loss approximately is a quarter of a million.

A DISASTROUS FIRE IN VIRGINIAN TOWN

Charlottesville, Va., Feb. 5—The most disastrous fire here in 24 years early today destroyed property valued at $220,000. The blaze originated in the building of the Charlottesville Hardware Company on East Main St. The Peoples' National Bank building had a narrow escape from destruction, the two upper stories being gutted.

EUGENE AZEF IS IN SORRY PLIGHT

He is Being Hunted by the Russian Government, as Well as by the Fighting Socialists.

St. Petersburg, Feb. 5—Eugene Azef is now being hunted by the government as well as by the fighting Socialists, the organization that has declared him a traitor and condemned him to death. He was for a long time one of the leaders of the Socialists but at the same time he acted as a spy for the government. He is now a fugitive and recently has been reported in Switzerland. The government has decided on account of the revelations concerning his terroristic activity to withdraw its protection and make every effort to apprehend him.

The secret police, deeply compromised in the Azef revelations also will be thoroughly investigated. Premier Stolypin in a statement to his colleagues at a private sitting of the cabinet, declared that although secret agents abroad were indispensable and the employment of renegades a regrettable necessity, the work of provocative agents as set forth in the Azef case would under no circumstances be countenanced. He expressed himself in favor of the ventilation of the affair in open court as the only way of vindicating the government and satisfying public opinion.

DOES NOT REMEMBER WHERE HE GOT LIQUOR

Dave Hennessy's Memory Suddenly Failed Him When Questioned in Police Court This Morning.

Where did David Hennessy procure the liquor? That is the problem which Police Judge Ritchie today earnestly requested the police to aid the inspector in solving. Hennessy was arrested on Charlotte street between 10 and 11 last night, for inebriation. Patrolman Perry stated in court that Officer Bowes, who is his partner on the King Square route on night patrol this week, noticed Hennessy entering the Red Ball barroom on King Square, managed by Herbert Nice. His honor observed that the investigation will be diligently pursued, and the services of Detective Killen may be requisitioned. Hennessy emphatically declared that he was not furnished with intoxicants in the saloon, but refused to give any information which would incriminate any other saloonkeeper, asserting that he did not remember where he was served. His honor's tone of voice boded ill for the dealer who is convicted of dispensing his ardent to intoxicts.

Norman McDonald was undecided whether to plead guilty to fighting, intoxication and shouting. He said he was proceeding along Mill street yesterday afternoon, when John Johnson, a Norwegian, suddenly reached from the side of the street and decamped with a parcel of dry goods he was carrying. In the morning he had encountered Johnson for the first time, and the latter was insistent in persuading him to exchange overcoats, and offered the inducement of 25 cents in addition.

Johnson said he was intoxicated, and the incident had left his memory. Sergt. Caples stated that when Johnson was arrested, the parcel containing the clothing was concealed from view under his coat. John McMulkin gave evidence of perceiving two men fighting near the Grand Union Hotel, and seeing the smaller man strike his antagonist. Johnson is charged with fighting and petty larceny.

A "DRY ZONE"

Dominion Police Commissioner Announces a Prohibition Belt in Algoma and Thunder Bay

Winnipeg, Man., Feb. 5—(Special)—W. A. Quintell, Dominion commissioner of police, announces that prohibition will be enforced between the Canadian Pacific Railway main line and 20 miles north of the National Transcontinental Railway in the districts of Algoma and Thunder Bay. A rigid prohibition of fire arms also is to be enforced along the entire line of construction work.

TWO CHILDREN ARE BURNED TO DEATH

Another Instance Where Parents Are Bereft of Their Children Through Carelessness.

Wickham Station, Que., Feb. 5—(Special)—Another case of parents leaving children alone at home has resulted seriously. While Mr. and Mrs. Dubreuil were away from home fire started in their house and before assistance could be rendered their two children, aged two and five years, were burned to death. The origin of the fire is unknown.

CAN'T GRANT MEDALS

Pittsburg, Pa., Feb. 5—The Carnegie Hero Commission announces that it will be unable to grant hero medals to Captain Sealby of the Republic, and Jack Binns, his wireless operator, as their gallant deeds were performed beyond the three mile limit, consequently outside of the United States. The American body will try to have its associate, the British Hero Commission, grant the medals.

MONTREAL STOCKS

Montreal, Feb. 5—(Special)—Stocks continued mostly strong today, with Twin City the heaviest trader at 105 to 106. Detroit was also higher at 58 1-4. Richelieu was fairly active, but did not maintain its gain of yesterday, losing half a point at 81. Other features were Mexican 84 1-2, Penman xd 48 1-2, Ogilvie 116, Sco 142 1-2, Montreal Street Ry 207, Power 116 1-2, Quebec Ry 41.

ANOTHER CASE OF UNSUCCESSFUL MARRIAGE

Churchill Parker in Police Court Today Charged With Assault on His Wife.

For the third time within two weeks, the searchlight of justice was focused on a mismated couple this morning. The first resulted in a fine of $20 or two months, on a cruel bridegroom; the second in the imposition of a two months' sentence in jail, and intimations of the inauguration of a whipping post, and the third is pending.

Churchill Parker, a middle-aged man, pleaded not guilty to assaulting his wife, before Police Judge Ritchie this morning. The woman was sworn, and deposed that on the 13th of January he blacked her eye and bruised her face in their home at 26 Brook street. She asserted that for six or seven months he has failed to contribute one iota to the maintenance of herself and two children, and the entire family including himself, subsisted on her earnings. According to her, this winter he engaged in manual labor for the first time since they were married. At intervals he has absented himself from home for months and refused to divulge his whereabouts. She further claimed that he never properly provided his family with the necessities of life. He had been residing at home for several weeks prior to the alleged assault, and since that episode she had removed the children to apartments occupied by a Mrs. Cook.

In reply to queries from Parker, the woman said she decided to lay information against him only yesterday, as she alleged that he threatened to request the police to eject her from Mrs. Cook's premises if the proprietress did not refuse to continue to shelter her. She said that their marital relation would terminate forever, as reconciliations had been effected too frequently, and in each case he did not alter his proclivities for illtreating the bread winner of the domicile.

After cross-examining her at length, Parker observed, "well, I don't see no need of chewing the rag any more, yer honor." The oath was not administered to Parker and he made a statement to the judge in which he contradicted his wife's testimony regarding the alleged assault, and asserted that he was the victim, she having struck him over the face with a toy rifle.

He recited in detail his woes, and accused his wife of misbehavior in receiving the attentions of other men. He stated that until Christmas she invariably arrived home between eleven and twelve at night after attending dances in the west end and returning via Suspension bridge. From bad to worse she descended, for after Yule-tide she "came rolling home in the morning" between two and three o'clock. He could not prevail on her to desist, and eventually instructed her to seek other lodgings. She has been gradually decreasing the household equipment, and if permitted to remain, prospects indicated that the furniture in its entirety would vanish. Mrs. Parker admitted that she attended three or four dances in west end, and asserted that his version of their wedded life was an absolute exaggeration. In remanding him to jail his honor caustically advised him to ventilate his pugilistic prowess on a man. Parker was informed that a term in jail, without the alternative of a fine, was imminent unless he could furnish corroboration for his accusations.

John Torrens, a New Zealander, who arrived in port yesterday on the steamer Canada Cape, and Charles Thompson, a Scotchman, pleaded guilty to drunkenness, but neither could recall using insulting epithets to ladies on Dock street last night. Patrolman Cavanaugh testified that Thompson and Torrens and a companion walked boisterously down Dock street to the corner of Market Square. At the junction two ladies were compelled to hasten out of their path, and another was jostled against the brick building at the corner, one of the trio exclaiming, "are you there, Nellie." Both men were promptly fined $8 or two months each, and will in all likelihood serve the term, as by pooling their funds the meagre sum of $1.32 was the limit.

GERMAN FLOODS DOING GREAT DAMAGE

Berlin, Feb. 5—the floods in Germany arising from several day's heavy rains and a spell of warm weather, are today taking on a most serious aspect in many parts of the country. The first fatalities are reported from Norhausen, where many bridges have been swept away, and ten people drowned. Along a number of small streams, however, the freshets are subsiding. At Nuremberg, the Pegnitz rose twelve feet last night, and this morning it is raging through the lower streets of the city. The water is higher than it has been for 33 years. The newspapers of Nuremberg have suspended publication, and enormous damage has been caused.

Frankfort-on-the-Main reports the highest water in fifty years in some of the streams of Oldenwald. The situation is growing more threatening in the territory adjacent to the city. The town of Hirdlicke is flooded and a number of dams in the vicinity of Hagen have been carried away. At Dormund the floods are increasing and the fire department was called out last light to rescue a family from the second story of their dwelling. Several railroads over the confluents of the Rhine, on the north side, have been swept away and all trains from Cologne up the river are being sent over the tracks on the south bank. At Gissen the river Lahn ns sixteen feet above the normal, the highest in 30 years. The valley between Gissen and Wetzelar appears as an immense lake. The rivers of Silesia are also very high and many miles of territory are flooded. The waters are falling at Chemnitz, but the Rhine and the other larger streams are rising steadily. A special signal service has been put in operation along the Rhine where it is expected that he danger point will be reached in a day or two.

Nicholis Dascolin, an Austrian, was arrested this afternoon by Detective Killen on suspicion of being connected with the break in the Moncton Post Office.

HON. GEO. E. FOSTER IS MILDLY SURPRISED

At the Announcement That Newspapers Are Still Published Here—'Are They as Wicked as Ever' He Asks.

Hon. George E. Foster arrived in the city from Ottawa on today's Atlantic Express. To newspaper men he stated that he was down this way on private business. He intended to be in the city but a few hours, as he was going further up the line. Of the Conservative leadership, of which he was asked, the member for North Toronto, who on many occasions has been refered to as having his eye on the position, repeated the denials already published of the Borden resignation. The choice of Mr. Borden, he said, was unanimous. Mr. Foster, however, let it go at that and did not debate to any extent upon his leader's qualifications.

The newspaper situation here seemed to occupy his interest more. "You still have newspapers here?" was almost his first question on greeting the newspapermen, and two, children, and the entire family including himself, subsisted on her earnings. According to her, this winter he engaged in manual labor for the first time since they were married. At intervals he has absented himself from home for months and refused to divulge his whereabouts. She further claimed that he never properly provided his family with the necessities of life. He had been residing at home for several weeks prior to the alleged assault, and since that episode she had removed the children to apartments occupied by a Mrs. Cook.

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It is reported today that Mr. Foster's visit at this particular time has to do with the establishment of the Conservative paper.

THE POULTRY SHOW

Quite a Large Number of Poultry Fanciers Were in Attendance Today.

The poultry show was visited by a large number of bird fanciers today. The judging was completed at noon, but had not been made up, so was not available for publication. Dr. Grant, of St. Stephen who is the judge, said that the show was one of the best that he had ever seen. The strongest class, he said, were the Brown Plymouth Rocks and White Leghorns, and there were some very fine Silver Wyandottes. The best individual bird in the show was a bantum. Dr. Grant suggested the attention to Barred Plymouth Rocks, Wyandottes and Orpingtons. The highest number of points was secured by John N. Scott, with a silver winged bantum.

The second highest number of points was awarded to Mr. O'Leary, with White Leghorn, Silver Spankled and White Leghorn plain, 96 each.

THE TAG DAY

Ladies Interested in the Free Kindergarten Are Laboring Hard to Make it a Success.

The Tag Day on the 13th February in aid of the Free Kindergarten promises to be a big success and is something very novel in this part of Canada. Great preparations are being made and much interest is being created in the plans. There will be a meeting of all interested in Keith's Assembly Rooms tomorrow afternoon from 2 to 6 o'clock, when all the tieing of the tags will be completed.

Some time ago tag day proved a great success in Los Angeles, California, when it was in aid of the Associated Charities. The system there was to continue tagging with each donation, but this will not be carried out here, those who give will only be tagged once. The ladies in charge have given much time and have labored zealously for the successful outcome of the free kindergarten tag day and success is bound to crown their efforts.

MAINE MAN FINED FOR SMUGGLING POTATOES

Portland, Me., Feb. 4—This afternoon in the United States district court, James Welch, 18 years of age, indicted for breaking and entering and larceny from the West Farmington post office, December 26, was fined $500 and sentenced to eleven months in the Portland jail.

Sanford Thompson and Chas. Fortier, for smuggling potatoes, pleaded guilty and Thomson was fined $100, and Fortier was fined $100 and given thirty days in the Portland jail.

Charles E. Barker, of New York, against whom a secret indictment was found on a charge alleging the conduct of a lottery scheme, is to appear in court tomorrow to answer to the indictment. Barker is alleged to have conducted a premium gold bond association and that he offered to patrons in Hallowell, premium bonds to purchasers of fifty cents worth of goods, and the holder of the lucky number to receive a chair.

FREDERICTON NEWS

Fredericton, N. B., Feb. 5—(Special)—Spotter Belyea, who is under arrest for perjury in the Scott Act cases, was before Justice Boon this morning, and remanded to jail until next Tuesday. The witnesses mostly reside at Millville, and it was not convenient for them to come today and remain over Sunday.

At one of the banks today, a tramp who recently sought and obtained free treatment at the Victoria Hospital, and was subsequently recommended by the trustees for shelter at the alms house, was seen cashing a cheque for his fairly fat account.

The local government has not yet announced the date of the legislative session, and it is believed the matter is being held in abeyance until after the Supreme Court decides the Carleton election case.

Washington, D. C., Feb. 4—An increase in battle efficiency, the greatest yet made during any one year, is shown by the score of battle fleet practice in Manila Bay, although the conditions of the practice last fall were more difficult than heretofore. The improvement with heavy guns was over 100 per cent. greater than that of last year.

MR. REID WAS MISLED BY FAKE NEWSPAPER YARNS

CLEARS AWAY THE POLITICAL MISTS

Hon. Chas. Langelier's Political Memoirs From 1878 to 1890 Throw Light Upon Some Thing in Quebec Politics.

Montreal, Feb. 5—(Special)—Hon. Chas. Langelier's long expected political souvenirs from 1878-90 have appeared, and clear up some political matters of that period. Mr. Langelier repudiates, for instance, the Conservative accusations that George Brown planned the Letellier coupD'etat in this city. He declares that Governor Letellier dismissed the deBoucherville government without any advice from Ottawa or elsewhere. He also claims that had deBoucherville recommended it the lieutenant governor would have called upon Chapleau to form a new government. Regarding the appointment of Archbishop Taschereau as cardinal, the memoirs state the nomination was brought forth by Vicar General Legarie, seconded by Mayor Langelier of Quebec.

York County Man Meant Well But Had His Trouble for Nothing

The Millionaire Averill Yarn Was Proven to be a Myth Some Months Ago—Question if There Was a Shred of Truth in the Whole Story.

Boston, Feb. 5—(Special)—That L. Hamilton Reid, president of the York County Agricultural Society, Fredericton, has been misled by the glowing accounts from California of the "huge fortune" left to one Averill in Massachusetts, is evident from that gentlemen's search in the cities of New England for the supposed heir to millions.

Mr. Reid recently wrote to the chief of police of Worcester, asking him to aid in his search for C. W. Averill. He also wrote to the postmaster of Boston for information. The chief of police of Springfield was also asked to hunt for the mysterious prince of lucre. But all without avail.

"C. W. Averill" was proven sometime ago by Boston newspaper men to be a myth. Perhaps somewhere in the wide world a man may be found with that name; but in the realm of heirdom he is an unknown quantity.

Mr. Reid undoubtedly garnered his original information concerning Averill from the press dispatches that were flooded over the continent from Los Angeles last June. Glowing accounts were printed of the munificence of this "heir to ten millions of Massachusetts money." Interviews were freely distributed among the newspapers, all telling of the "great good in the world" the new millionaire would perform.

"Averill" declared that he didn't need the money. Yes, he had enough to support himself without this added burden. He was rather annoyed, in fact, that this "aunt" in Massachusetts should die and leave this roll for him to take care of.

So therefore, in order to rid himself of the bothersome money, he laid "plans" to give it away in bunches. Oh, no, he wasn't particular who he gave it to. He wouldn't concern himself much with the details. All he would do would be to hire an office, receive applications for $500 chunks, and dole it out "to good and bad alike." On the latter point he waxed eloquent, giving as his opinion that the "bad" deserved as much as the "good." He would hurry through with the distribution, so that he could rest easily.

All this weird dream was too good to be true. In order to give color to it, he stated that he was a native of Farmington, Maine, and that he would at once repair to "the old home" and arrange matters. However, the aunt was a "Massachusetts woman."

While the close-fisted Yankees burned the midnight oil discussing the news that ten millions had slipped through their fingers without their knowing it, and while records were eagerly sought of dead aunts who might possibly have had the 10 million roll concealed somewhere, Boston newspaper men hunted down the claims of "Averill" and burst the bubble originated in Los Angeles. Promptly "Averhill" disappeared and, naturally enough, he failed to show up at Farmington or at any other point in New England. He probably went back to the orange groves, and his ladder and basket.

No one by the fanciful name of Averill could be found in Farmington, and no ancestral mansion could be discovered with the naked eye that would accord with the descriptions given by the gentleman on the Pacific coast. No ten-million bundles of greenbacks could be found lying loose in or near Massachusetts.

ORPHANAGE BURNED; THREE BABIES LOST

Out of Thirty-seven Children in Battle Creek Home, it is Believed Three Have Been Burned

Battle Creek, Mich., Feb. 5—The Haskell Memorial Home, a three and a half story brick orphanage, located on the western boundary of this city, was destroyed by fire early today. Three of the 37 little inmates were missing when the roll was counted in a cottage on the orphanage grounds, after the fire.

In the panic that ensued when the children were awakened by the first alarm, eeveral little girls jumped from a third story window, but it is not thought that any of them were fatally injured. James Armstrong, 12 years old, stood on a shed under the window from which the girls jumped, directing how to make their fall as easily as possible, and catching two of the smaller girls in his arms. The fire started in the north wing, and spread rapidly through the entire structure. The property loss will be about $30,000.

GERMANY THREATENED WITH SERIOUS FLOODS

Berlin, Feb. 5—Heavy rains, accompanied by warm weather, are causing a rapid melting of the snow in central and western Germany, and as a result the rivers are rising and serious freshets and inundations are threatened. Great damage has been reported from Freiburg, Saxony; the rivers in this vicinity are out of their banks.

Eisenbach is partly flooded and the water has entered houses in the lower part of the city. The railroads in the vicinity of Harz and Thuringian forests have suspended traffic. Some towns in the vicinity of Cologne are threatened with inundation, and manufacturers' establishments and electrical works at Solingen have shut down. The Rhine also is rising and the cities along this and other rivers are in danger, as high water has not yet been reached. Heavy snows have been reported in Bavaria during the past two days and floods are expected in this section of the country.

Judge Hanington's condition was reported to be about the same this afternooon.

EMPRESS OF IRELAND IN AFTER A RECORD PASSAGE

Big C. P. R. Liner Arrived This Morning After a Splendid Trip—Broke All Records for Trip From Liverpool to Halifax.

After a remarkably fine trip for this time of year and establishing a new record of five days and nineteen hours from Liverpool to Halifax, the C. P. R. royal mail steamer Empress of Ireland, in command of J. V. Forster, R. N. R., arrived in port this morning. The Empress left Liverpool last Friday at six p. m. and arrived on Chebucto Head, Halifax, at 9.45 yesterday morning, thereby establishing a new record. From the time she sailed from Liverpool until she arrived off the Grand Banks, the Empress met with remarkable weather, it being more like summer than the middle of winter. When off the Banks she encountered a stiff westerly wind which kept her back.

The Empress sailed from Halifax at 11.45 a. m. yesterday in charge of Pilot Doherty, and arrived off the island this morning, about 3.40, and docked at No. 2 berth, Sand Point, at 10.30. In going into her berth a hawser became entangled in her propeller, and as a result the tugs Cruizer and Lord Kitchener had to dock her, without assistance.

The total number of passengers on board was 682, of which 49 were saloon, 181 second cabin and 452 steerage. The saloon passengers were as follows:

V. N. Armstrong, Mrs. Armstrong, Miss A. V. Bayard, R. B. Bennett, P. St. John P. Berryman, Dr. James Bruce, Master R. N. Bruce, Mr. Bishop, Allan Cameron, Mrs. Cameron, Mrs. F. E. Coney, Miss Coney, J. H. Conway, J. S. Dennis, Mr. De Wolf, J. Digo, Dr. and Mrs. W. H. Eagar, G. A. Elliott, H. J. A. Evans, Mr. and Mrs. A. J. Ferguson, A. Gow, Col. W. G. Gwatkin, H. J. Harfner Mrs. and Miss Harland, G. M. Holbrook, Major A. M. Jarvis, C. M. G; C. O. Masdonald, G. Plunkett Magann, H. Marshall, F. G. Moore, R. H. Noble, Miss A. Nordin, L. C. Prime, Mrs. Punter, Miss V. Punter, B. Rubenstein, W. P. Ryrie, H. A. Smith, Major H. C. Thacker, G. Trevor Turley, Mrs. and Miss Townsend, J. A. Virtue, manager of Hotel Victoria, B. C.; W. A. Williams, Mr. and Mrs. Woods.

Twenty-six of the passengers landed at Halifax and the balance left the west side shortly after the arrival of the steamer, in three special trains. Of the total number of passengers, 292 were bound for the United States.

L. C. Prime, manager of L. C. Prime & Co., flour and feed merchants, was among the passengers. He has been in England for about six weeks and reports having had a most delightful time, both in England and on the passage. Weather conditions coming across, he said, were ideal and he was greatly pleased with the splendid arrangements on the steamer for looking after the comfort of the passengers.

Allen Cameron, general traffic agent of the C. P. R. in London, was also on board. He is accompanied by Mrs. Cameron and they are on their way to Montreal. J. A. Virtue, manager of one of the leading hotels in Victoria, B. C., was also a passenger, returning from a visit to the old country.

The daily runs of the Empress were:—Jan. 30, 337; Jan. 31, 447; Feb. 1, 450; Feb. 2, 415; Feb. 3, 444; Feb. 4, 402.

There were five steamers at the Sand Point berths this morning, the Empress of Ireland at No. 2; Hesperian at No. 3; Hestia and Parthenia at No. 4 and the Lake Erie at No. 5. The Hesperian sailed about 1 o'clock for Liverpool, via Halifax with a good general cargo and a fair-sized passenger list.

Clarence D. Robinson, of the South Shore S. S. Co., was among the passengers He is going to London on a business trip.

The C. P. R. steamer Lake Erie will sail tomorrow about 1 o'clock.

SUPREME COURT REFUSES A NEW TRIAL IN HARRIS CASE

Famous St. John Elevator Case Which Has Been Tried Three Times Was up Again Today and Verdict for Plaintiff Was Confirmed—Other Judgments Given.

Fredericton, Feb. 5—(Special)—The supreme court met this morning pursuant to adjournment and delivered judgments in the following cases.

F. E. Sayre Company vs. Rhodes Curry & Co., Ltd. This was an application to set aside a verdict obtained by the plaintiff in a suit to recover the price of a quantity of oak timber sold to the defendants. It was claimed by the defendants that the timber did not come up to the specifications and could not be used. The court, after reviewing all the facts in the case, unanimously decided that a new trial should be refused.

Wm. Fisher vs. the Town of Woodstock. This was an application to set aside a verdict for the defendant in a suit to recover for a quantity of curbing stone sold to the town. The court set aside the verdict for the defendant and ordered a verdict to be entered for the plaintiff for $160.80.

Bartlett, administrator vs. Salastis. This was an action to recover damages for the death of the plaintiff's husband which occurred in a mill owned by the defendant at Balmoral, Restigouche. It was alleged the accident was due to negligence on the part of defendant, but the jury found in his favor.

The court saw no reason for disturbing the verdict and refused a rule for a new trial.

Crocket vs. the Town of Campbellton. The plaintiff in this case secured a verdict for $1200 against the defendant for negligence in shutting off the water supply to his printing office. The court unanimously granted a new trial on the ground of excessive damages and also that there had been no finding by the jury on material facts involved in the case.

Harris vs. Jamieson.—This was an action for damages resulting from a fatal accident on the Intercolonial Railway grain elevator at St. John. The case was tried three times and in each case the plaintiff recovered a verdict. Twice before the case has been before this court on appeal, and on the last occasion it was carried to the supreme court of Canada, which reversed the decision of the New Brunswick court and ordered a new trial. At the third trial, before Judge Landry, the jury returned a verdict for the plaintiff for $2,800. This verdict was appealed from, but the court today unanimously refused to grant a new trial.

Harris vs. Sumner et al.—The court unanimously refused the plaintiff a new trial. This case had to do with the sale of stock by the directors of the Moncton Exhibition Association.

McKenzie vs. McLeod.—Appeal allowed without costs.

Hopkins vs. Brannen.—Appeal dismissed without costs.

Murray vs. Ayer.—Appeal allowed, and a new trial ordered without costs.