

N. S. COAL CO. VICTORY FOR STEEL CO.

Receiver for Coal Co. Threatened Judge Longley Says Coal Co. Broke Contract Orders Referee to Assess Damages—Will Appeal

HALIFAX, N. S., Sept. 18.—Judge Longley's long-expected decision in the celebrated Coal-Steel case was made public this evening, having been transmitted to prothonotary at Sydney. The decision is in all points a complete victory for the Steel Company, upholding the contention of that company, finding that the Coal Company committed a breach of contract in not supplying coal suitable for operating an iron and steel plant in sufficient quantities to fulfill the requirements of the contract. Judge Longley decides that the section of the Steel Company in refusing to take in large quantities unsuitable coal furnished by the Coal Company between August and November was justifiable, and did not constitute a breach. He holds that the contract is still in force and orders specific performance of its terms. He recommends the appointment of a referee to determine damages by reason of failure of the Coal Company to supply sufficient coal to operate the plant during August, September and October, and additional cost thereof, also the cost of coal above contract price since November 1st, and damages suffered by temporary suspension of plant. He orders the issue of a decree compelling specific performance, which he declares can be enforced in the event of the Coal Company attempting to evade the performance by appointment of a receiver.

This is in short the substance of the decision, which marks the climax of the first stage of the legal battle which opened in Sydney in July. The trial of this celebrated case lasted sixteen days. Ninety witnesses, including many experts from Great Britain and the United States, were examined. A great array of eminent counsel were engaged and the cost of trial, one of the most expensive in the history of Canadian courts, was not less than a hundred thousand dollars. Judge Longley's decision was ready several weeks ago, but filing was withheld pending efforts to bring about settlement. The latest proposition submitted to president of the respective companies by the governor general is that the whole matter in dispute should be referred for arbitration and adjustment to some capable and impartial tribunal. Following up this suggestion his excellency has suggested the names of E. S. Houston, general manager of Bank of Montreal, and Byron E. Walker, president of Canadian Bank of Commerce, as persons to whom the matter might be referred for adjudication. It is further understood that this view has not found favor with either of the parties, and it is altogether unlikely that any action will be taken.

A Lengthy Review.

Judge Longley's decision, which amounts to fourteen thousand words, gives clear and succinct review of parts from date of organization of steel company in 1897 to date of rupture in November, 1906. He finds that the new contract of October 20, 1905, in its terms makes it clear that coal for operating of iron and steel plant was the basis of bargain and that this was the spirit breathing through contract which gave efficacy to transaction. He found that the coal company was in default in deliveries and that rejected coal was effective in sulphur and ash and entirely unfit for metallurgical purposes. It was established No. 6 was on Phelan seam and its coal was commercial coal, but that coal tendered between Nov. 1st and 9th was not reasonably free from stone and shale within the meaning of the contract. In rejecting the coal the Steel Company did not intend to terminate the contract.

NEW WATCHWORD FOR GERMAN SCHOOL BOY

BERLIN, Sept. 16.—The Colonial Department here is corresponding with the government of the various federated states with the object of bringing colonial affairs more prominently before the public authorities throughout the empire, and of establishing regular and defined courses of instruction on the German colonies in all the public schools. Authoritative textbooks for school use have already been compiled, and these are recommended for general use. It is further suggested that this instruction should not end with the elementary schools, but be continued in a more advanced form in the universities and other high schools. The suggestion also is made to the various federal governments that they should devote considerable sums of money for the establishment of traveling scholarships to German colonies, and that these scholarships should be especially available for school teachers and university professors. Such endowments already exist for persons wishing to prosecute research in Rome and Athens, and for modern men it is contended that the study of colonial affairs is equally necessary, if the coming generation is to be instructed regarding the importance of colonial expansion.

CLOCKS AND MUSIC.

Camille Saint-Saens, the French composer, boasts that, like Mozart, he chose his relatives with the greatest discretion. His mother was an artist, his aunt an accomplished musician. The child showed very early an extraordinary susceptibility to musical sounds, and he delights to tell how when he was a tot of three or four his great-aunt would get all the clocks in the house and set them striking, making him tell her the differences in the vibrations and imitate them with his voice. To this early training he attributes much of his remarkable memory and faithful ear.

FATAL EXPLOSION ON JAPANESE WARSHIP

Men Were Working With a Loaded Shell

When it Burst—Forty Persons Were Killed or Injured—Details Not Available.

TOKIO, Sept. 17.—Forty of the crew were killed and injured on board the iron-hulled Japanese battleship Katsuragi, by the explosion of a twelve-inch shell within the shield, after target practice near Kure, at 4 p. m. on September 8. The Katsuragi under the command of Captain Kotsuimi reached Kure at 8 p. m., where the wounded were placed in the hospital. The fatalities included a lieutenant, two cadets and one staff officer. The exact details regarding the effects of the explosion are lacking, but it was terrific and the ship is badly damaged. The explosion followed an attempt to remove an unexploded shell from the gun. A majority of the bystanders were fearfully mutilated.

STUDYING JAPAN'S HIGH EXPLOSIVE

'Shimose' Shell Will, It is Said, Destroy Almost Any Kind of Metal Plate.

WASHINGTON, D. C., Sept. 18.—Officials of the Bureau of Ordnance, Navy Department, have been directed by the Secretary of the Navy to make a special study of the high explosive used by the Japanese in their Russian-Japanese war and report to the department. The tremendous damage done by 'shimose' has prompted this action.

It is realized by ordnance officers that high explosives are as important to naval warfare and go as far toward deciding a battle as heavy guns, and as the Japanese seem to have had more experience in this line than any other nation, the Bureau of Ordnance is taking their work as a basis of carrying out their experiments. Tests recently conducted at Indian Head impressed the chief of ordnance that even the heavy armor of our battleships was no protection against the Japanese 'shimose.' Shells of this high explosive fired at thick armor plate completely annihilated it and that even the heavy armor plate would completely wreck any of our battleships. It was decided that the United States must adopt the use of some similar material to the 'shimose' or that our armor plate be printed with any other material using this powerful means of wreckage in warfare. Read Admiral Newton E. Mason, Chief of the Bureau of Ordnance, does not wish to comment on the recent experiments conducted by his bureau with the Japanese 'shimose.' Before the tests at Indian Head, however, sections of armor plate of varying thickness were ordered sent to the proving ground. There was little left of them when the 'shimose' shells had finished their work.

FAREWELL, SAYS PASTOR AND DIES

BERLIN, Sept. 18.—A tragic incident occurred at the Evangelical Holy Cross Church today, and it was followed by a panic, during which thirty fainting women had to be carried to the street. The Rev. Albrecht Stage, seventy-eight years old, who had served the congregation for more than half a century, had preached his farewell sermon in the presence of many dignitaries of State, the church and representatives of royalty. He reached his climax in the last sentence of the oration and his hearers were in tears when he said "Amen!"

With a farewell gesture the aged minister was about to leave the pulpit when he fell to the floor of the church. A trustee who rushed to his pastor's aid announced that he was dead. Women became hysterical and a general panic ensued. After the congregation had been dismissed without further ceremony a physician gave his opinion to the effect that the pastor had died from heart disease. For hours the church could not be cleared. The pastor was a favorite of the Emperor, and was chosen by her to promote several benevolent societies in which she is interested.

Castoria. The Kind You Have Always Bought. Bears the Signature of J. C. Ayer & Co., Lowell, Mass., U.S.A.

CHINESE REGARD AMERICA AS FRIEND

Look to United States to Prevent Encroachments by Japan

LONDON, Sept. 16.—The Chinese are again turning toward America as their only friend among the nations who can be expected to take their side against the threatened territorial aggressions of Japan and European Powers. According to the statements, contained in letters which have been received here from an exceptionally well-informed American who has been travelling in Manchuria and Northern China. The writer has lived some years in the country, speaks the language and has a wide acquaintance with Chinese officials. President Roosevelt's proposal to renounce the indemnity appears to have effected the resentment caused by the exclusion policy, and the preparations made by Chinese mercantile guilds of Shanghai, which a year ago were actively promoting a boycott, to give an enthusiastic reception to Secretary Taft appear significant of the changed trend of Chinese feeling toward the United States. One letter says: "The Franco-Japanese entente is regarded with much suspicion by the Chinese, who consider that France and England are not so much interested in the Japanese policy—distinctly an aggressive one—in Manchuria. Should Japan sign a similar agreement with Russia (from which the Japanese government has been signed since the writing of the letter quoted), strengthening her position, China will have to turn to America for assistance should such be needed."

ANOTHER CUNARDER ON HER TRIAL TRIP

The Mauritania Having Her First Tests Today

SHELDON, Eng., Sept. 17.—The Cunard Line Steamer Mauritania, sister ship of the Lusitania, and the largest ship ever built on the Tyne side, left her moorings in the river Tyne this morning and started on her preliminary sea trials, which will last three days. Immense local interest was manifested in the new liner's departure. All the available space overlooking the Tyne from Wall's End to the Mouth of the Stream, was occupied by spectators, while many thousands of persons accompanied the monster excursion boats, yachts and tugs, and gave her hearty cheers as she passed out clear of the Tyne and into the North Sea.

HARRY THAW'S TRIAL MAY BE IN DECEMBER

His Counsel Will Ask an Earlier Hearing But Will Scarcely Get It.

NEW YORK, Sept. 17.—When the criminal branch of the Supreme Court opens next month and the case of Harry K. Thaw, charged with the murder of Dr. J. P. Morgan, is called, Martin W. Littleton, senior counsel for the defendant will demand immediate trial of the accused Pittsburgher.

ARCTIC EXPLORERS HAVE PROBABLY PERISHED

BERLIN, Sept. 17.—A telegram from Arant, via Hammerfest, states that nothing has been heard from the William Bruce expedition which left the base of supply almost one month ago with the intention of returning on August 28.

SCISSORS AND LIGHTNING.

Small articles of steel, such as scissors, cannot attract lightning out of its course, as commonly supposed.

CHANGE FOOD.

A man who has always been a "skinny chap" although hardly ever ill, tells of the way he put on flesh and reduced his irritability and nervous condition.

DESPERATE SWIM FOR LIFE OF FREEDOM

Russian Refugees Jump Overboard at Sea to Escape Military Service at Home.

CARDIFF, Sept. 18.—The Greek steamer Ecaterina Coupa arrived at Cardiff yesterday morning with two young Russians on board, who had been picked up at 5 o'clock that morning in the sea off Start Point.

LOT OF BAGGAGE STOLEN FROM CUNARD PIER

Thieves Changed the Addresses, and it Was Claimed by Junk Dealers.

NEW YORK, Sept. 17.—Thousands of dollars worth of baggage have been stolen in the last three months from the Cunard Line steamship pier No. 54, at River Street, the plan of the thieves being to change the owner's labels on the baggage and to substitute for them labels bearing the names of junk dealers. The local police have made three arrests which they declare bear on the case.

HAMLET IN JAPANESE WITH SOLILOQUY OUT

'To be or Not to be' Too Difficult of Translation Into Language of Mikado.

LONDON, Sept. 15.—The Japanese are beginning to introduce western ideas into the dramatic art of their country, and the fine national theatre which is to be built at Tokyo will be constructed on the lines of European playhouses in many respects.

THE FIRST MOOSE SHOT IN CHARLOTTE COUNTY

ST. STEPHEN, N. B., Sept. 17.—The first moose of the season to be shot in Charlotte county fell before the rifle of George Maxwell, of St. George, Monday morning. The carcass was brought here on the Shore Line last evening and is now on sale at Irvin's market. It weighed 730 pounds dressed.

THE RULING PASSION.

A celebrated musical critic was married in church some years ago, and after the ceremony, as the wedding procession marched down the aisle, the organist played the wedding march from "Lohengrin." When near the door, the bridegroom stopped in the march and addressed the wondering assembly thus:

"I know I am committing a breach of etiquette as well as propriety in doing this, but I am not to blame. It is my mental organization which has become inebriatedly sensitive by reason of the critical nature of my duties."

DESPERATE SWIM FOR LIFE OF FREEDOM

Russian Refugees Jump Overboard at Sea to Escape Military Service at Home.

CARDIFF, Sept. 18.—The Greek steamer Ecaterina Coupa arrived at Cardiff yesterday morning with two young Russians on board, who had been picked up at 5 o'clock that morning in the sea off Start Point.

LOT OF BAGGAGE STOLEN FROM CUNARD PIER

Thieves Changed the Addresses, and it Was Claimed by Junk Dealers.

NEW YORK, Sept. 17.—Thousands of dollars worth of baggage have been stolen in the last three months from the Cunard Line steamship pier No. 54, at River Street, the plan of the thieves being to change the owner's labels on the baggage and to substitute for them labels bearing the names of junk dealers. The local police have made three arrests which they declare bear on the case.

HAMLET IN JAPANESE WITH SOLILOQUY OUT

'To be or Not to be' Too Difficult of Translation Into Language of Mikado.

LONDON, Sept. 15.—The Japanese are beginning to introduce western ideas into the dramatic art of their country, and the fine national theatre which is to be built at Tokyo will be constructed on the lines of European playhouses in many respects.

THE FIRST MOOSE SHOT IN CHARLOTTE COUNTY

ST. STEPHEN, N. B., Sept. 17.—The first moose of the season to be shot in Charlotte county fell before the rifle of George Maxwell, of St. George, Monday morning. The carcass was brought here on the Shore Line last evening and is now on sale at Irvin's market. It weighed 730 pounds dressed.

THE RULING PASSION.

A celebrated musical critic was married in church some years ago, and after the ceremony, as the wedding procession marched down the aisle, the organist played the wedding march from "Lohengrin." When near the door, the bridegroom stopped in the march and addressed the wondering assembly thus:

"I know I am committing a breach of etiquette as well as propriety in doing this, but I am not to blame. It is my mental organization which has become inebriatedly sensitive by reason of the critical nature of my duties."

Dr. J. Collis Browne's

Chloroform

THE ORIGINAL and ONLY GENUINE

Acts like a charm in DIARRHEA and is the only Specific in CHOLERA and DYSENTERY.

Contains Medical Certificates accompanying each Bottle.

Sold in Bottles by all Chemists. Prices in England, 1/4, 1/2, 4/6.

Wholesale Agents: LYMAN BROS. & CO. LTD., TORONTO.

CAMP ALDERSHOT IN FULL SWING

NOW—SIR FREDERICK BORDEN A VISITOR—SOME CHANGES

Wickwike, is as usual doing good work. Sir Frederick Borden, Minister of Militia came down from Canning on Friday and inspected the camp. Col. Vidal, Inspector general, will be here on Wednesday and Thursday.

DESPERATE SWIM FOR LIFE OF FREEDOM

Russian Refugees Jump Overboard at Sea to Escape Military Service at Home.

CARDIFF, Sept. 18.—The Greek steamer Ecaterina Coupa arrived at Cardiff yesterday morning with two young Russians on board, who had been picked up at 5 o'clock that morning in the sea off Start Point.

LOT OF BAGGAGE STOLEN FROM CUNARD PIER

Thieves Changed the Addresses, and it Was Claimed by Junk Dealers.

NEW YORK, Sept. 17.—Thousands of dollars worth of baggage have been stolen in the last three months from the Cunard Line steamship pier No. 54, at River Street, the plan of the thieves being to change the owner's labels on the baggage and to substitute for them labels bearing the names of junk dealers. The local police have made three arrests which they declare bear on the case.

HAMLET IN JAPANESE WITH SOLILOQUY OUT

'To be or Not to be' Too Difficult of Translation Into Language of Mikado.

LONDON, Sept. 15.—The Japanese are beginning to introduce western ideas into the dramatic art of their country, and the fine national theatre which is to be built at Tokyo will be constructed on the lines of European playhouses in many respects.

THE FIRST MOOSE SHOT IN CHARLOTTE COUNTY

ST. STEPHEN, N. B., Sept. 17.—The first moose of the season to be shot in Charlotte county fell before the rifle of George Maxwell, of St. George, Monday morning. The carcass was brought here on the Shore Line last evening and is now on sale at Irvin's market. It weighed 730 pounds dressed.

THE RULING PASSION.

A celebrated musical critic was married in church some years ago, and after the ceremony, as the wedding procession marched down the aisle, the organist played the wedding march from "Lohengrin." When near the door, the bridegroom stopped in the march and addressed the wondering assembly thus:

ING REASE

CONSTRUCTION

The Trade of Japan

CAMP ALDERSHOT IN FULL SWING

NOW—SIR FREDERICK BORDEN A VISITOR—SOME CHANGES

Wickwike, is as usual doing good work. Sir Frederick Borden, Minister of Militia came down from Canning on Friday and inspected the camp. Col. Vidal, Inspector general, will be here on Wednesday and Thursday.

DESPERATE SWIM FOR LIFE OF FREEDOM

Russian Refugees Jump Overboard at Sea to Escape Military Service at Home.

CARDIFF, Sept. 18.—The Greek steamer Ecaterina Coupa arrived at Cardiff yesterday morning with two young Russians on board, who had been picked up at 5 o'clock that morning in the sea off Start Point.

LOT OF BAGGAGE STOLEN FROM CUNARD PIER

Thieves Changed the Addresses, and it Was Claimed by Junk Dealers.

NEW YORK, Sept. 17.—Thousands of dollars worth of baggage have been stolen in the last three months from the Cunard Line steamship pier No. 54, at River Street, the plan of the thieves being to change the owner's labels on the baggage and to substitute for them labels bearing the names of junk dealers. The local police have made three arrests which they declare bear on the case.

HAMLET IN JAPANESE WITH SOLILOQUY OUT

'To be or Not to be' Too Difficult of Translation Into Language of Mikado.

LONDON, Sept. 15.—The Japanese are beginning to introduce western ideas into the dramatic art of their country, and the fine national theatre which is to be built at Tokyo will be constructed on the lines of European playhouses in many respects.

THE FIRST MOOSE SHOT IN CHARLOTTE COUNTY

ST. STEPHEN, N. B., Sept. 17.—The first moose of the season to be shot in Charlotte county fell before the rifle of George Maxwell, of St. George, Monday morning. The carcass was brought here on the Shore Line last evening and is now on sale at Irvin's market. It weighed 730 pounds dressed.

THE RULING PASSION.

A celebrated musical critic was married in church some years ago, and after the ceremony, as the wedding procession marched down the aisle, the organist played the wedding march from "Lohengrin." When near the door, the bridegroom stopped in the march and addressed the wondering assembly thus: