

SEE
MANCHESTER'S
Advt. on Page 10

VOL. 10, NO. 8

ST. JOHN, N. B., SATURDAY, SEPTEMBER 18, 1909.

ONE CENT

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MANCHESTER'S
Advt. on Page 10

THERE'S DANGER
THE ANGLE LAMP

In the ordinary oil lamp—the lamp that sits on the table, but is hung above and because of having no under-shadow throws its beautiful, brilliant light everywhere. It cannot explode, can be filled with kerosene giving an intense, clear, soft light. Its soothing rays invigorate the skin and rest the eyes. It is always ready, easy to operate, no smoking, no odor, no glassware to remove in lighting or extinguishing. A better light at one-eighth the cost of other illuminants. Instead of the trying light and dangers and trouble of Gasoline and Acetylene use the soft, cool light of The Angle Lamp to work or play by. 20 styles.

W. H. THORNE & CO. Ltd., Market Square, St. John, N. B.

The Smile of Contentment

Is on the face of every man who is wearing one of our **DERBIES**.

In fact all the Hats we have for fall are particularly fine in appearance and texture.

If you want the newest and best for the smallest money

COME HERE.

ANDERSON & CO., 55 Charlotte Street.

Men's Black Overcoats
SILK FACED IN FALL WEIGHTS,
\$12.00 and \$15.00

You will have to pay several dollars more elsewhere to get Top Coats of equal value to the coats we show at these prices. Other lines of Top Coats, both light and dark colors, at

\$7.50, \$8.50, \$9.00 and \$10.00

American Clothing House,
11-15 Charlotte St., St. John.

A Dollar Saved Is A Dollar Made

Why pay \$5.00 for Stetson Hats when you can buy them here for \$4.00

F. S. THOMAS, Fashionable Furrier
530 to 547 Main St.

Stores close at 6 p.m. St. John, Sept. 17, 1909

Come Direct to the HARVEY STORES FOR NEW FALL CLOTHING

If we were disposed to do a little "horn tooting" we certainly have New Fall Clothing that deserves loud praise. We have sold good clothing in the past. Clothing that has by merit made this business walk rapidly to the forefront, but the stock we are showing this fall surpasses any previously shown.

We want you to inspect our new fall Overcoats, Suits, Pants, etc., early so that you will know where to buy when you need them.

Men's Overcoats	\$7.50 to \$22.50
Men's Suits	\$5.00 to 20.00
Men's Pants	1.00 to 4.50
Boys' Overcoats	3.50 to 15.00
Boys' 3-piece Suits	3.50 to 12.00
Boys' 2-piece Suits	2.00 to 8.50

ALSO NEW UNDERWEAR, SHIRTS, SWEATERS, CAPS, TIES, etc

J. N. Harvey, Tailoring and Clothing
OPERA HOUSE BLK. --- 190 to 207 UNION STREET

JUDGE CONCLUDES CHARGE TO JURY THIS AFTERNOON

Crown's Case Presented in Striking Manner by Attorney General — Knowledge of Falseness in Question

The case of The King vs. McDougall was resumed in the Circuit Court this morning.

Mr. Ritchie, K. C., addressed the Court on the count of the Kay label which alleged that the prisoner knew it to be false. He cited the case of R. Beaver 9 Can. Crim. Code 415 to show that knowledge must be proved affirmatively by the Crown. If there were no evidence of knowledge there was no offence.

Attorney General Hazen then resumed his address to the jury, saying that on the previous evening he had spoken of the introduction by the defence of the refutation that he (the Attorney General) had been influenced in this prosecution by political considerations. He did not think that the Liberals of this community would thank the gentleman from Halifax for associating their party with Free Speech and C. Bruce McDougall. In this case while Mr. Mullin and Dr. Macrae were Conservatives, both Mayor Bullock and Ald. Frink were pronounced Liberals and he believed that Judge Kay was also of that political party.

It had been suggested that these gentlemen were not injured and did not care themselves. But what would have been the effect if these charges were accepted as true? What would have been the effect upon Dr. Macrae's family life if these things had been believed?

Mayor Bullock and Ald. Frink, if the reflections upon them were true, would have been liable to punishment under the criminal law. Mr. Mullin, if these charges against him were true, would be shunned by clients as if he were a leper. Judge Kay would have to be removed from his position if the charges against him were true. But the defendant had not dared to plead truth.

Mr. Mellish—"We could not because these persons did not fill public positions. They were private citizens. The Attorney General has said—These men did not hold public positions. The label is not punishable merely because they injured the individual slandered, but because they affected the peace and tranquillity of the community. The people required restriction from a publication which slandered everyone, including the seamstresses, the stenographers, the married women of the community. Mr. Ritchie had said that the whole prosecution must be taken to be the worst that had appeared in the paper. That was not so. This paper was not so despicable as to drag the names of virtuous women from their privacy and their life into court to deal with this matter.

"As to obscenity the paragraphs set out were suggestive and would cause suspicion to attach to many persons. Such a publication would tend to demoralize the community with such suggestions and thus poison the mind of the community especially amongst the young. This publication was not in any sense a newspaper. It contained no advertisements—nothing but the suggestions of garbages which were published merely for the sake of gain to the printer at the bar. The whole stock in trade of this paper was to appeal to that which was low, indecent and impure. Was it then known to be dishonest? It was not now expected that McDougall knew what was in this paper. As a publisher he must be taken to have known what his paper contained.

The defence suggested that these libels were merely indiscretions. What did the jury think of a libel associating the name of Dr. Macrae with a woman of ill-fame? Was that a mere indiscretion?

The defence had not touched in the address of counsel upon the question of publication. Yet from almost first to last of the trial it appeared that the defence were hoping that the prosecution would not be able to make out the fact of publication. He then dealt with the publication of the Kay cartoon, showing the letter to Wesley & Co. from McDougall, connecting it with no body was secured.

It is believed the robbers climbed on the two engines of the train at Malta. The train had proceeded but a short distance when two men crawled over the tenders and compelled the engineers and firemen to march back to the express car.

Engineer Smith of the first engine was told to hammer on the door and

TEACHERS' INSTITUTE AT FREDERICTON

Large Attendance — Officers Elected — Exhibition Races Postponed on Account of Rain.

FREDERICTON, N. B., Sept. 17.—The session of the Teachers' Institute was continued this morning. The attendance was the largest held for the past fifteen years. There were twelve hundred and fifty teachers present.

The officers for the ensuing year were elected as follows:—President, James A. Hughes; Vice President, Miss M. Cadwalder; Secretary-treasurer, Miss Ella J. Thorne. Additional members of the executive, Misses Fraser and Alward.

Miss Annie Richardson, of St. Andrews, and James A. Hughes, of this city, read interesting papers which were discussed at length.

The weather today is very showery and the driving park association has announced that the races today are postponed.

BOARD OF TRADE HEARS F. C. DURANT

Several leading merchants and members of the council of the Board of Trade met F. C. Durant, of New York, in the city, read interesting papers which were discussed at length.

The weather today is very showery and the driving park association has announced that the races today are postponed.

The details of the concessions which Mr. Durant is asking from the city in order to erect the sugar plant, here have not as yet been disclosed. However, while some of the parties are non-committal, the Star learns that he is asking for certain portions of land facing on Courtenay Bay. The land, which is owned by the city, Mr. Durant desires to secure without cost. He is willing to pay for the land expropriated from private owners. As evidence of the sincerity of his intentions to erect a large refinery, Mr. Durant suggests that the land should not be handed over to him until the plant has been placed in position. Moreover, he intends to make a number of improvements to the land and unless the site has benefited during a period of years, the property will once again become the ownership of the city.

While the circumstances are peculiar, Mr. Durant declares that his company only desires fair terms to place a new industry in this city. The plant, he declares, would cost in the vicinity of two million dollars. Mr. Durant is willing to have taxation placed on any improvements which might be made to the land.

The matter of supporting Mr. Durant in the Board of Trade at an early date, when the matter will be thoroughly discussed.

PASSENGERS WOULD HAVE HAD TO SWIM

In speaking of the steamer Viking sinking at her dock at St. Stephen the St. Croix Courier says:

"When the tide flowed over the vessel the life boats filled with water, an incident that illustrates how little chances passengers would have had if the accident had occurred out in the bay."

DARING ATTEMPT BY FIVE MEN TO ROB EXPRESS CAR

LEADVILLE, Colo., Sept. 17.—A daring attempt by five bandits to rob the second section of the Denver and Rio Grande passenger train No. 3 was made about 11 o'clock last night about four miles west of Malta, a small station near Leadville. The express car was dynamited, according to the trainmen, no body was secured.

It is believed the robbers climbed on the two engines of the train at Malta. The train had proceeded but a short distance when two men crawled over the tenders and compelled the engineers and firemen to march back to the express car.

Engineer Smith of the first engine was told to hammer on the door and

order the express messenger to open it. The latter refused and a charge of dynamite was placed under it and the door blown open.

Three of the robbers rushed in, covering the express messenger with revolvers. Several charges of dynamite were placed under the safe but without result except to wreck the interior of the car.

After firing a volley the robbers fled in the darkness. One of the trainmen in the meantime had reached Malta and Sheriff Campbell with a posse at once started in pursuit of the robbers.

It is said the safe contained a large sum of money. The train was known as the Chicago and San Francisco express.

MCDUGALL FOUND GUILTY ON FOUR COUNTS; NOT GUILTY ON FIVE OTHERS JURY DISAGREED ON TWO

ACCUSES PROTESTANTS OF UNFAIR TACTICS Catholic Register Hot Over Proselytizing

Killed on Way to a Funeral—Mining Broker Arrested—Good News for Policy Holders—Vessel Burned.

TORONTO, Ont., Sept. 17.—The Catholic Register of this city is out with a hot attack on the Presbyterian and Baptist missions among the Ruthenians in the west, of whom there are 150,000. It accuses the missions named of unfair proselytizing. Father Canning and Father Roche, of Toronto, are in the west investigating conditions. The Register characterizes the Manitoba Government normal school at Brandon as a "muddy" low down proselytizing Grange institution and as "an eye sore to the whole Catholic population of the province."

DELHI, Ont., Sept. 17.—Jacob Ellis, a farmer who lived about four miles north of here, was struck by the express train yesterday while on his way to attend funeral was instantly killed. His family of ten children.

TORONTO, Sept. 17.—John F. Mill, a New York broker and mining promoter, was arrested here last night on the charge of defrauding W. H. Dingman out of a thousand dollars on a mining deal.

TORONTO, Sept. 17.—E. R. C. Clark, a legislator in Canada of the Mutual Reserve Life Insurance Company, of New York, is reaching the end of his labors. There are about three thousand policy holders in Canada representing a risk of three hundred and sixty thousand dollars. On this amount a dividend of eighty per cent. has been paid to the policy holders, and a further dividend of not less than ten per cent. will be declared soon.

ELK LAKE, Ont., Sept. 17.—While the vessel was lying at her dock, fire was discovered in the engine room of the steamer of the Upper Canada Navigation Co., and before it could be extinguished by a bucket brigade the boat had been badly damaged. Steam could not be got up in the town fire engine until after the danger was past.

POLICE STARTLED BY A LOUD CRASH But Could Not Ascertain the Origin of the Trouble—Only a Joke.

There was some excitement on North Market street last night and a couple of hundred persons blocked the street for a time. It was about 9:45 o'clock when Charlotte street was thronged with pedestrians when suddenly there was a loud crash of glass in North Market street. The police hastened to the spot and hundreds of citizens stopped to see what was the matter. All the police could find was a nail keg lying on the street partly filled with broken glass and beside the keg a man's hat. There was no sign of a man and as the windows in the market and Ellis building were closed, the many eyes which gazed skywards did not discern just where the mysterious keg and hat had dropped from. It was a mystery that was unsolved by the officers and the many others in the crowd, but it was not noticed that on the outer circle of the crowd were a few young men who were broad grins.

It was one of the party who was responsible for the excitement. He had only taken the keg that had been standing near the corner, thrown it into the street alongside an old hat, made a noise like excitement and was the cause of a puzzle to police and others.

RECORD GATHERING OF GRAIN MEN AT CHICAGO

CHICAGO, Sept. 17.—Grain men from all over the country and a few from Europe, in all more than 400, will be on the Board of Trade today. It will be the largest gathering of its kind that the grain trade has ever undertaken and is for business and pleasure. Extensive decorations have been made in the exchange hall and all is in readiness for the reception which is to last two days.

BEDLIN, Sept. 17.—It is stated that the Kaiser has ordered new regulations to be formulated regarding officers' courts of honor, to avoid such as far as possible. Some recent remarkable cases have induced his majesty to come to this decision.

SENTENCE WILL LIKELY BE IMPOSED TOMORROW—Argument on Certain Points in the Evidence—May Ask New Trial on Two Counts

The jury in the McDougall case returned to court shortly after five o'clock. The report of the foreman was that they had been unable to agree on counts numbers six and seven.

They found the prisoner guilty on the four counts in the indictment numbered two, four, ten and eleven. These were the libels against Dr. Macrae and Mayor Bullock, and the two charges

(10 and 11) of publishing obscene matter. They found McDougall not guilty on counts numbered one, three, five, seven and nine.

The prisoner will be sentenced tomorrow. Argument followed on certain points of evidence.

Mr. Hazen moved for a new trial on the two counts on which the jury disagreed.

TWO HELD ON CHARGE OF KILLING THEIR COMPANION

MONCTON CHURCH SECURES AN ENGLISH ORGANIST Prof. Ball, Who Recently Gave a Recital at the Railway City, Accepts Offer.

Peterjory Case—Little Girl Shot—Hold Mother Responsible for Infant's Death—The Canadian Club Convention

PETERBORO, Ont., Sept. 17.—As a result of the verdict of the coroner's jury in the case of Arthur Ballard, of Toronto, who died at Chemung Park on August 25 as the result of a fight over a girl, Fred and Harry Jopling, of Bridgenorth, were arrested yesterday on a warrant charging them with killing Ballard. The young men were brought here and arraigned last night before the magistrate and were admitted to bail of four thousand dollars each to appear for their preliminary hearing Sept. 24.

BROCKVILLE, Ont., Sept. 17.—Robert Service, charged with perjury in the local option contest here in January last, was acquitted yesterday by Judge MacDonald. Nellie, T. Service and Fred Stewart will receive a hearing today on charges of perjury in the same contest.

MODERN METHODS IN ARMY MANOEUVRES

60,000 Men Engaged in Mimic War in France—Using Balloons and Automobiles.

MONTREAL, France, Sept. 17.—The fall manoeuvres of the French Army, in which 60,000 men are engaged, are attracting particular attention on account of the work in the dirigible balloon Republic attached to the army of defense. Although the fields of operation are hilly and wooded the Republic ascertained and disclosed to the defenders the plan of the enemy's campings and proved them from falling into a skillful trap set by the attacking general. One army is using the new automobile service for the transportation of supplies which has proved very successful.

TAFT LAUDS THE WORK OF THE LABOR UNION

Speaking at Chicago He Declares Himself in Favor of the Unions and Promises Further Labor Legislation.

CHICAGO, Sept. 17.—At an address in the Auditorium last evening, President Taft before an immense audience spoke most favorably toward labor unions and promised to suggest further labor legislation.

He reviewed the present labor conditions, stating that although the support of that body had been divided at the time of his election, he hoped to prove himself worthy of a united support when conditions demanded it.

In speaking of the economic conditions of the American workingman, he said: "There is a higher standard of living among American laborers than in any country in the world, and while there have doubtless been a good many other reasons for this, certainly the effect of the organization of labor has been to maintain a steady and high rate of wages, making such a standard of living possible."

WHITNEY KNOWS HIS SUCCESS SAYS COOK

Reiterates by Wire His Previous Claim—Whitney May Be at Battle Harbor.

NEW YORK, Sept. 17.—The American today prints this wireless message to it from Dr. Cook: "On board S. S. Oscar II. by wireless via Malta Head, Ireland, Sept. 16: "Editor New York American:—Whitney and our belongings are on the steamer Fenice. Whitney knows as to the form of my success (that Cook reached the North Pole), but the Peary were only informed that we had been very far north."

(Signed) Cook.

Coincidentally with the arrival of this despatch the American says came a despatch from St. John's, Nfld., saying that there was a strong possibility that Harry Whitney had arrived at Battle Harbor, Labrador.