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GREAT VICTORY FOR STEEL COMPANY

Judge Longley Decides Strongly Against Dominion Coal Concern

Declares the Fuel They Furnished Was Not Fit for Use of Plaintiff, and Not Accepting It Did Not Cancel the Contract--Are Entitled to All Damages Put To--Suggests Drastic Remedy to Enforce His Judgment--An Appeal Likely.

(Special to The Telegraph.)

Halifax, Sept. 16--Judge Longley rendered his decision in the Steel-Coal case today. The decision is in favor of the steel company in almost every particular, and sustains all their contentions. His lordship finds that the contract is binding, that the coal company must pay damages for its violation, and he suggests a way for enforcing the finding of the court and making his decision effective. This, of course, is subject to appeal within ten days after the order given by Judge Longley is taken notice of appeal may be given. This appeal might then be argued at the November term of the supreme court on a date at Halifax.

The Dominion Iron & Steel Company and the Dominion Coal Company, the two greatest industrial concerns in eastern Canada, have been engaged in bitter litigation over the supplies of coal from the latter to the former company. When the steel company was organized some time ago a contract was made by them with the coal company to supply all the coal required suitable for making iron and steel, the price to be \$124 per ton.

Recently the steel company alleged that the quality of the coal offered was not up to contract requirements, that it was unfit for making iron and steel, and after a protracted controversy the coal offer was refused by the steel company. This the coal company construed as a repudiation of the contract, which they then declared was at an end.

Then the steel company brought suit for damages, claiming the difference between \$124 per ton and the amount they had since been paying, which was \$2.25 per ton. For one year this amount was about \$800,000. The steel company sue for damages for stoppage of the works; and they ask that the coal company be compelled to fulfill the terms of the contract in Canada. The trial lasted three weeks, and the legal fees so far aggregate \$120,000.

A Sweeping Victory.

Judge Longley, who tried the case at Sydney, filed his decision today. It goes in a sweeping victory for the steel company. The judge finds for them in every particular. He decides that the contract is still in force, that they shall pay the steel company the difference between what they contracted to furnish coal and what the steel people were called on to pay to obtain supplies elsewhere.

Judge Longley also suggests that if the Dominion Coal Company attempts to evade the performance of the contract in the future a receiver be appointed to see that its provisions are observed and he directs that a referee be appointed to ascertain the damages to be paid by the coal company to the steel company.

This contract runs for ninety-nine years, subject to readjustment by arbitration every five years, and in the aggregate it means \$15,000,000 or \$20,000,000 from the coal company's coffers to those of the steel company.

It is believed that an appeal will be taken, or that possibly, using this decision as a basis of negotiation, a settlement will be reached between the two great companies. Efforts have frequently been made in this direction.

H. H. ROGERS TOO ILL TO ATTEND COURT

Physician Declares Standard Oil Magnate Suffered Stroke of Some Sort Last July, and Has Been Laid Out Since.

Boston, Mass., Sept. 16--Upon the evidence of members of the family of Henry H. Rogers, and the family physicians, that the well known Standard Oil magnate suffered some sort of a stroke last July and has since been unable to transact any business, Judge Hammond, in the Supreme Court today announced that it would be cruel to compel his attendance in court, and dismissed a motion to that effect.

REDUCTION OF CANADIAN POSTAL RATES BENEFICIAL TO THE BRITISH PEOPLE

(Special to The Telegraph.)

Montreal, Sept. 16--A London cable says: Sydney Buxton, the post-master-general, in his annual report of the post office department for the year, says the reduction in the Canadian rates has been of considerable advantage imperceptibly, commercially and otherwise. Already there has been a large increase in the number of periodicals and magazines sent to Canada.

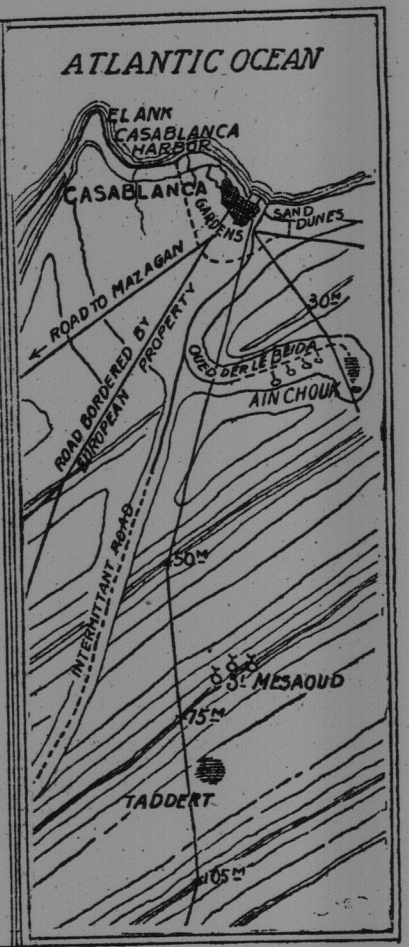
AMERICAN NAVY BUYS 100,000 TONS OF WELSH COAL

London, Sept. 16--The U. S. navy department, has, according to a despatch from Cardiff (Wales), to a news agency, contracted with Welsh firms for 100,000 tons of the best steam coal, the delivery to extend over 1908. The price agreed upon has been kept secret.

FRENCH GENERAL PLANS TO STRIKE CRUSHING BLOW AT MOORS



GENERAL DRUCE



MAP SHOWING CASABLANCA AND SCENE OF BATTLE AT TADDEBT

Paris, Sept. 14--The plans of the rival sultans, Abd-el-Aziz and Mulai-el-Hafid, are shrouded in mystery. The latest advice from the interior of Morocco state that Mulai-el-Hafid with an army of about 8,000 men, recently left Morocco City for Rabat, on the coast, and that his uncle, at the head of a second army, will soon follow him. Mulai-el-Hafid, it is added, has announced that he will pay his uncle, at the head of a second army, on condition that France evacuate the country. Only two columns of tribesmen are reported to be under arms in the Casablanca district. The other Moors apparently have disappeared far inland.

The latest advice received from General Druce, the French commander at Casablanca, said that if the delegates from the tribes suing for peace did not appear at noon today he intended to immediately assume the offensive again and, with the assistance of the guns of the French cruiser Gloire, destroy a camp of hostile Moors situated near Fedala.

The Matin this morning publishes a special despatch from its correspondent at Mazagan. It says the news of the departure of Abd-el-Aziz, the sultan, from Fez for Rabat has had an immediate reaction there. "This news has inspired the tribesmen with a degree of fear," the correspondent goes on, "that will force them into the arms of the legitimate sultan; but if Mulai Hafid also decides to march the Europeans in Mazagan would become impossible, for they would be accused of having caused all the trouble. A hostile movement against the Europeans here might arise at any moment. If it came suddenly we all would inevitably be massacred and the ships are powerless to protect us. Mazagan is now calm, but the vanquished tribesmen and they are fully capable of seizing any good opportunity to avenge their defeat on the Christians at Mazagan."

OPPOSITION NAME MEN FOR QUEENS

H. W. Woods and A. R. Slipp Chosen in Convention Monday

MUCH ENTHUSIASM

Leader of Opposition and R. Maxwell Address Public Meeting in Evening--Candidates Chosen Accept--County Organization Formed, With S. L. Peters President.

(Special to The Telegraph.)

Gagetown, Sept. 16--(Special)--At one of the best attended and most representative political conventions ever held in Queens H. W. Woods and A. R. Slipp were today chosen to contest the county in the next provincial election. The convention assembled in the court house, in the interests of the local opposition. Every parish was represented and 75 delegates answered to their names on the roll call. S. L. Peters was chairman of the meeting. During the convention and at a public meeting in the evening addresses were delivered by J. D. Hazen, M. P. P., and Robert Maxwell, M. P. P., in which they pointed out the hopeful situation of the opposition party in the province. The candidates, at the evening meeting, accepted the nomination.

During his speech at the convention Mr. Hazen strongly urged his friends to be ready for an election and not put too much faith in the statement of the premier, Hon. C. W. Robinson, that he was entitled to another session. The leader of the opposition reviewed the position of affairs in the various counties, and spoke of strong hostility to the government in constituencies where they had hitherto been supreme.

The nominating committee in the afternoon, reported unanimously in favor of Councillor H. W. Woods, of Welsford, and Arthur W. Slipp, a native of Hanstead, and now residing in Fredericton. Messrs. Woods and Slipp briefly thanked the convention for the honor done them, and promised an answer at an early date. A county organization was formed with S. L. Peters president and Fred C. Davis secretary, and vice-presidents were elected for all the parishes. Resolutions condemning extravagance and mismanagement and expressing confidence in Mr. Hazen and his party were carried unanimously. Among those present was R. D. Wilnot, M. P., for Queens-Sunbury, who also addressed the meeting.

In the evening an enthusiastic public meeting was held, at which Mr. Woods and Slipp accepted the nomination of the convention and briefly addressed the meeting, their remarks being received with much applause. Messrs. Hazen and Maxwell also spoke at length on matters of provincial interest. Much enthusiasm prevailed.

WILL AUCTION 2300 BRANDON LOTS AT MANCHESTER, ENG.

(Special to The Telegraph.)

Montreal, Sept. 16--A London cable says: Twenty-three hundred building lots in the city of Brandon are to be auctioned at Manchester on Oct. 1. It will be the first time that the property has been sold here, and may prove an effective method of stimulating small British capitalists to make Canada their home.

TELEGRAPH STRIKERS APPEAL FOR AID

Washington, D. C., Sept. 16--As a result of conferences here yesterday with President Small, of the telegraphers' union, and other labor leaders, President Wilson today issued a proclamation that the American Federation of Labor will issue tomorrow an appeal for aid for the striking telegraphers.

Discussing the address, Mr. Gompers said today that the document had been completed and would be given to the public tomorrow. "It will be," he said, "a general appeal to organized labor for assistance, both financial and moral, in accordance with the pledge made at the present meeting of the executive council of the federation."

"I hope some agreement will be brought about," Mr. Gompers added. "There will be no unconditional surrender by the men."

TO RUN LABOR CANDIDATE IN LONDON BY-ELECTION

London, Ont., Sept. 16--(Special)--The labor men will probably nominate a candidate for the dominion parliament at the forthcoming by-election and it is reported a despatch was received from the Dominion Trades Congress at Winnipeg approving the local men of the support of the congress when they agree on a man.

RECORD CROWD FOR FIRST DAY

Over 2,000 People at Fredericton Exhibition Monday

BEST EXHIBITS YET

Management Expect Banner Attendance Today--Cheap Excursions from Various Places--How a Smart Boy Got Free Admittance.

(Special to The Telegraph.)

Fredericton, N. B., Sept. 16--The total attendance at the exhibition today was 2,083, against 1,502 for the first day two years ago. The city is crowded with visitors and all are greatly pleased with the exhibits. There was a parade of homes in the show ring this afternoon in the presence of a large crowd of spectators, and many fine animals were shown, including Percherons, hackneys, Clydesdales and French coach horses.

The royal Tokio Japanese troops gave their first performance in amusement hall this afternoon, and made a decided hit. The intercolonial authorities have decided to hold the Maryville suburban train over until 11 o'clock each night while the exhibition is in progress.

Several excursion parties are expected here tomorrow and the management looks for a banner day at the exhibition.

Although there were many visitors in the city they have experienced no difficulty in finding excellent accommodations thus far.

Yesterday afternoon several young boys were very anxious to get into the fair grounds to have a look around. They were refused admittance several times at the entrance for wagons and stock on Smythe street and finally they got in by an ingenious device.

Geo. Beatty, the local butcher, has a slaughter house not far from the fair grounds and they the boys went and got an old sow and her litter of six or seven little pigs and drove them up to the entrance and demanded admittance, saying that they had an exhibit. Once inside the grounds they put the sow and the young pigs in a pen and hustled off to the sights.

In the meantime Mr. Beatty went out to the slaughter house to see how the pigs were getting along and to feed them. He was surprised to find that they were hot in the pen. After driving about town for several hours he was told that they might be in the exhibition grounds and in that way the story leaked out.

Mr. Beatty has decided to keep the sow and pigs in the exhibition and Chairman Thomas of the ticket committee has expressed a willingness to give the boy who started the scheme a ticket which will admit him to the grounds at any time.

30,000 ORIENTALS NOW IN CANADA

Six Hundred Japanese Coolies Arrive Since Saturday

It is Reported That Vancouver People Are Arming and Will Shoot Down Asiatics if Invasion is Not Stopped--Mikado's Envoy Tells Laurier That Treaty Cannot Be Amended at the Present Time.

Victoria, B. C., Sept. 16--(Special)--The third steamer, specially chartered to bring Japanese to this coast arrived here last night with 238 coolies. She was the British steamer Woolwich, of the Watts, Watts Company, and was under charter to the Kobe Emigration Agency. In view of the anti-Japanese feeling in Vancouver all coolies debarked here and they will be sent to their destination in small batches. Tomorrow the steamer Indiana, also under charter, is due from Honolulu with 300 Japanese coolies. They also are bound for Vancouver, but arrangements have been made to land them at Moodyville, several miles from that point.

Oriental Population 30,000 Now

Ottawa, Sept. 16--(Special)--The returns of oriental immigration to Canada for the past seven years, as shown by the immigration department, gives a total of 12,229. Of these, 8,882 were Japanese, 641 Chinese and 2,996 Hindus. These figures include those who have arrived up to the end of July last.

The census of 1901 showed the number of Chinese in Canada to be 16,875 and Japanese 3,612. Then there were only about a score of Hindus.

The total oriental population of Canada at present is therefore approximately 30,000.

For the four years preceding 1905 there was practically no oriental immigration. In the five years only nine Chinese and no Japanese or Hindus were reported in the annual immigration figures. During the fiscal year ended June, 1905, the Japanese immigration totalled 254, Hindus 45 and Chinese, nil.

Next year the figures were 1,922 Japanese, 387 Hindus, and 18 Chinese. The influx of which British Columbia complains has taken place almost wholly within the last thirteen months. During that period the arrivals have been as follows: Chinese, 614; Japanese, 6,666; Hindus, 2,474, making a total of 9,494.

The total number of Japanese now in the country is about 10,000, not enough in themselves to very seriously affect the labor situation in the west. But the rate at which they have been arriving lately is the cause of the recent protest and points to most serious consequences if it continues to continue for some years to come. It is this aspect of the case that Sir Wilfrid Laurier pressed upon the attention of Mr. Ishii.

Cannot Amend Treaty.

Ottawa, Sept. 16--(Special)--The Japanese envoy, Mr. Ishii, along with Japanese Consul General Noose, had

half an hour's talk this afternoon with Sir Wilfrid Laurier on the Japanese invasion of the Pacific coast. The position of the Canadian government is already well understood, but may be repeated. It is that the old arrangement in regard to Japanese immigration into Canada should be maintained. In effect this arrangement was that not more than 600 persons should arrive in Canada from Japan in one year. The importations from Honolulu greatly exceed this number, and Japan says she is unable to control the arrivals from a country under the United States flag.

To Mr. Ishii Sir Wilfrid Laurier presented the Canadian case. Mr. Ishii explained that Japan was still carrying out the old arrangement, as far as it was possible for her to do so, although he was forced to admit that the spirit of the bargain was being violated by the arrivals from Honolulu. The premier suggested that a change be made in the treaty so that the same power would be given to Canada, as was now contained in the United States treaty with Japan, in so far as controlling immigration was concerned.

Mr. Ishii showed that there would be great difficulty in the way of obtaining amendments to the treaty at the present time and the first minister admitted that a thorough understanding on both sides, if lived up to, would prove better than a written bargain. Mr. Ishii was very much of the same opinion and will report to his government to that effect. Personally Mr. Ishii has no power to make any arrangements with Canada; all he can do is to report to his government.

To Arm Vancouver People.

Toronto, Sept. 16--(Special)--The Evening Star publishes a Winnipeg despatch saying: On the train from Toronto carrying the delegates to the National Conference and Labor Congress of Canada in Winnipeg, was a man who holds a good financial position in Vancouver. According to his own admission, he is one of 400 revolvers to dispose of among the citizens of Vancouver for the purpose of shooting Asiatic immigrants, if found necessary. He also intimated that he intended to stop off at Winnipeg and purchase more firearms to take along to Vancouver.

"Do you think you will need to use firearms?" he was asked.

"We certainly will, unless the government does something to relieve the situation," he replied.

"Who is back of the movement against the Asiatics?"

"All classes of citizens."

NOVA SCOTIAN AMONG TWENTY-FIVE VICTIMS OF B. & M. DISASTER

H. D. Stevens of Musquodoboit Killed--All the Dead Identified--Trying to Fix the Blame.

Concord, N. H., Sept. 16--The investigation by the officials of the Boston & Maine railroad, of the collision of trains on the Concord division, near Canaan early yesterday morning, by which 25 passengers of the Quebec express lost their lives and nearly 30 were injured, occupied the entire time of the heads of the system today. General Superintendent C. E. Lee and Assistant General Superintendent G. H. Folger, of Boston, with William F. Ray, superintendent of the Concord division, examined the records in the train despatcher's office here and also made a careful investigation at Canaan and other stations along the line of the Concord division, in an effort to determine just who was responsible for the blunder by which the two trains were brought together.

The proceedings of the examination were secret, but it is known that J. A. Browley, the train despatcher in this city, accompanied by Operator Greeley, left for the scene of the accident in a special train.

All the victims of the wreck have been identified, the final identification having been made tonight. The list of 25 is as follows:

Miss Annie Barrett, Manchester (N.H.) Domenick Benoit, Lowell (Mass.) Mr. L. C. Blake, Somerville (Mass.) Mrs. Adolph Bolser, Concord (N. H.) Mrs. E. S. Briggs, West Lebanon (N.H.) Leon S. Cady, West Lebanon (N. H.) Richard F. Clarkson, Lebanon (N. H.) J. M. Congdon, Bethel (Vt.), and Boston.

Mrs. Alice Cunningham, Hamilton (Mass.) Derby, Boston. Mrs. Vena Gagnon, Sherbrooke (Que.) Della Hould, Manchester (N. H.) F. H. Lower, Barton Landing (Vt.) Fred M. Phelps, Oshlitz (Texas.) Auguste Royer, Manchester (N. H.) Miss Annie St. Pierre, Isle Verte (Que.) Timothy Shaughnessy, Manchester (N. H.) Mrs. Timothy Shaughnessy. George L. Southwick, Worcester (Mass.)

MRS. CASSIE CHADWICK STRICKEN BLIND

Columbus, Ohio, Sept. 16--While engaged in conversation with her son in the female department of the Ohio penitentiary, where she has been confined for the past two years serving a ten years' sentence for swindling the Oberlin National Bank, Mrs. Cassie Chadwick, former wife of finance, suffered a nervous collapse that almost cost her life and left her temporarily, at least, stone blind. Physicians believe that the blindness is only temporary, but they have in oculists who are administering treatment.

ANOTHER MAN RAN OVER AND KILLED BY AUTOMOBILE

South Norwalk, Conn., Sept. 16--Russell Frost, Jr., the seventeen-year-old son of General Russell Frost, was brought before Judge Lockwood today on the charge of manslaughter and after a brief hearing he was held in bonds of \$7,500 for the superior court. Young Frost was driving his father's automobile Saturday night when he ran over and killed Street Commissioner Martin Killogg.