

The Semi-Weekly Telegraph

VOL. XLVI

ST. JOHN N. B., SATURDAY, FEBRUARY 16, 1907.

NO. 48

LOCAL HOUSE IN FULL SWING

Opened Thursday Afternoon; Good Progress Was Made on Debate

Premier Tweedie Answers Mr. Hazen's Criticism of Bill of Fare, and Announces an Advanced Immigration Policy, More Money for School Teachers and Other Judicious Measures for the Welfare of the Province.

Fredricton, Feb. 14.—The legislature was opened this afternoon with the usual ceremony. Lieut-Governor Snowball came into the assembly chamber at 3 o'clock, took his seat on the throne, and read the following speech: Mr. Speaker and Gentlemen of the Legislative Assembly: It affords me great pleasure to welcome you on again assembling for the performance of your legislative duties, and to congratulate you on the general contentment and the many evidences of progress and prosperity to be seen throughout the province. While the crops have in some sections been below the average, the good prices for farm produce which have prevailed throughout the year have in large measure made up for the deficiency in this respect. The lumber industry is prospering, good prices have been realized, and the outlook for the present year is exceedingly good. Our fishery has again reaped a bountiful harvest from the sea. There is abundance of work at remunerative wages for all who are willing to labor. The great development which is taking place in the Canadian West is having a most beneficial effect upon many sections of the province, not only by reason of the increased business which it brings in the winter season to the chief commercial city of New Brunswick, but also by reason of the remunerative markets which it gives for farm products. It is hoped that the increase which has taken place in the export and import business through the port of Saint John during the past few years will be maintained, if not exceeded, in the present and future. As a result of the just and reasonable demands of the governments of the several provinces, in which my government earnestly and persistently took part, the Prime Minister of Canada summoned a conference of representatives of all the provinces to meet the federal government at Ottawa in October last, to discuss the important subject of a re-adjustment of provincial subsidies. The conference was attended by the premier and attorney general. The deliberations of the conference will, I have reason to believe, result in an amendment of the British North America Act, by which the amounts of the subsidies will be fixed on the basis of population, while at the same time, increased allowances will be made to meet the cost of civil government and legislation. Upon such amendment being made, the annual subsidy to this province will be increased by the sum of \$130,000. A report of the proceedings of the conference will be laid before you. There are still the fishery question and the claim to a portion of the Halifax Fishery Award outstanding between the province and the Dominion. My government has for several years been steadily urging an adjustment of these important matters, and will continue to do so, until a satisfactory settlement is effected. More Money for Teachers. You will, I am satisfied, agree with me that there is no subject of more vital importance than the education of the youth of our country. The province is fortunate in having a large number of well qualified and zealous teachers, whose abilities and faithful labors call for greater recognition by the state than the revenues of the province have hitherto warranted. In the opinion of my government, however, the amount of the subsidy is insufficient. (Continued on page 7, fourth column.)

THIRTY FEET AT I. C. R. BERTH SAYS MANAGER POTTINGER

Hon. Mr. Emerson Says Dredging Was Completed at the Government Wharf Here

Does Not Know That Allans Have Been Allowed to Cut St. John Nor Has the Cabinet Taken Any Such Action— Mayor Receives Reply from the Minister—The West Side Dredging Matter.

(Special to The Telegraph.) Moncton, N. B., Feb. 14.—General Manager Pottinger of the I. C. R. pier when today said there was thirty feet of water at the I. C. R. pier in St. John. Dredging had been done by the marine department last fall, "But," he said, "we have no record here of the quantity excavated by the dredge. "We only know that as a result of the dredging there is a depth of thirty feet at the I. C. R. wharf. "The dredging was done for the accommodation of the government and anybody who comes to do business, but not for the Allans particularly." Mayor Sears Thursday afternoon received a reply to his telegram of Tuesday night asking Hon. H. R. Emerson for particulars as to the report that the Allan turbine steamers were to be withdrawn from St. John. The minister replied that he was not aware of any variation in the contract. The dispatches are: St. John, Feb. 12, 1907. Hon. H. R. Emerson, Minister of Railways and Canals, Ottawa. Despatch to Telegraph states Allan turbine steamers to be withdrawn from St. John. The minister replied that he was not aware of any variation in the contract. The dispatches are: St. John, Feb. 12, 1907. Hon. H. R. Emerson, Minister of Railways and Canals, Ottawa. Despatch to Telegraph states Allan turbine steamers to be withdrawn from St. John. The minister replied that he was not aware of any variation in the contract. (Continued on page 7, fourth column.)

DEATH HALTS THAW TRIAL

Juryman's Wife Dead of Pneumonia, and Case Goes Over Till Monday

Court Discharges the Twelve Men from Bailiffs' Care, and They Are Free to Go Where They Please, But Mustn't Read the Newspapers—Much Speculation Whether There Will Be a Mistrial or Not.

New York, Feb. 14.—Another tragic chapter in the history of the Thaw-White episode was written today when grim death stepped in to halt the famous trial in its fourth week. The wife of Juror No. 11, Mrs. Joseph B. Bolton, passed away this afternoon soon after her husband had reached her bedside. He had been summoned from the court room where the trial had been in progress for less than 15 minutes. The formal announcement of Mrs. Bolton's death was made in court shortly after 2 p. m., the hour set for the afternoon session and Justice Fitzgerald immediately ordered an adjournment of the case until next Monday morning. The court also ordered, with the consent of counsel that the other eleven jurors be given their liberty and no longer be held together. He admonished the jurors to be guided by their honor and their oaths and not to read the newspapers or discuss the Thaw case with anybody. Juror Bolton is 57 years of age and a clerk. When court again convened at 2:23 p. m., there had been a conference of the attorneys with Justice Fitzgerald and an agreement had been reached to release the remaining jurors from further confinement, in taking this action, Justice Fitzgerald took pains to state that the rule keeping them together had not been adopted upon the separate recommendation of either side but was the result of an agreement based upon reasons which appeared excellent alike to the interests of the defendant and of the people. There was intended not the slightest reflection upon the jury in any way. It would have been well, Justice Fitzgerald remarked, if the rule could have been adhered to until the close of the trial, but the sad occurrence had brought about a condition which must be confronted. It would be manifestly unfair, the court said, to keep the jurors further from their homes during the delay. In announcing the adjournment until Monday, Justice Fitzgerald expressed the hope that the trial might then proceed. It is realized, however, that this will depend largely upon the condition in which Juror Bolton may be at that time. If he feels that he can put aside all personal considerations and continue to do his sworn duty to the state as a juror, the trial will be resumed. If he feels that his condition of mind is such, or that his personal affairs are such as prevent his giving his whole attention to the case during the remaining days of the trial, some other solution of the difficulty must be looked for. The statements in court that counsel for the defence and prosecution had considered the proposition of taking the depositions of Doctors Eganman and Desmar, the Thaw family physicians, during the recess was endorsed by Justice Fitzgerald, but subsequently was modified according to statements made after recess. Mr. Hartridge, of counsel for Thaw, said that the defence had decided that it would be of great advantage to have the physicians testify in court. Mr. Hartridge said that what they have to say would be of materially greater advantage if told to the jury by word of mouth than if depositions were read.

N. S. OPPOSITION MUSTERS FIVE

The Only Independent Member of the House Voted With Government

NEW LEGISLATION

Central School of Engineering to Be Established With Subordinate Branches in Industrial Centres—Mackenzie & Mann Likely to Build Line Halifax to Strait of Canso.

(Special to The Telegraph.) Halifax, N. S., Feb. 14.—The Nova Scotia legislature was opened this afternoon, the first session since the general elections. Instead of an opposition two in the old house, there are now five, as was shown on the vote for speaker, and there is one independent. The opposition this afternoon objected to the selection of E. M. Farrell on account of his connection with the proceedings, which led to Hon. W. S. Fielding being unseated for bribery by agents Mr. Campbell, the union reform representative of Kings county, voted with the government on this question, but there were five to vote against the government. The speech, with which the legislature was opened, referred to extensive surveys that had been made for a line of railway from Halifax and also from New Glasgow to the strait of Canso, through Guysboro. The speech expressed regret that the company had been found unwilling to enter into a contract on the terms of the present legislation. This company was one headed by Sir Montague Allan and one idea they were acting on was that it would be utilized to haul the output of the Acadia Coal Company to the Atlantic seaboard as well as carry traffic between Halifax and the East. This project now seems to be abandoned, and the Allan survey parties have been disbanded. It is generally understood that Mackenzie and Mann, who built the line in the western part of the province, will take up the contract of the eastern road, and new legislation on the subject is promised. The speech from the throne also announced that the government proposes to introduce a bill to establish a central school of engineering, of university grade and subordinate schools in several industrial centres. A measure will be introduced to bring to Nova Scotia, a class of immigration suited to its resources and conditions.

STRONG PLEA FOR COLLINS

Mr. McKeown's Argument for New Trial Impresses Judges

(Special to The Telegraph.)

Fredricton, N. B., Feb. 14.—Argument in the case of King vs. Thomas Collins, now under sentence of death at Hopewell Cape on a charge of murder, occupied the attention of the court all day today and will be continued tomorrow morning. Mr. McKeown, counsel for Collins, had the ear of the court this morning and presented a strong case for his client which immediately made a favorable impression on the court, but whether or not the learned judges were sufficiently impressed to grant the application for a new trial, time alone can determine. Mr. McKeown in his argument dwelt upon that part of the judge's charge relating to direction of the jury to the effect that the axe used by the prisoner in battering down the doors was the same axe with which the murder was committed. He contended that there was virtually a direction to the jury that the prisoner had been guilty of the crime of murder. It was a misdirection inasmuch as it was the sole province of the jury to determine either by direct testimony or by reference drawn by parts proven whether the prisoner was guilty. All the members of the bench took part in the discussion, and Chief Justice Tuck and Judges McLeod and Hanington seemed to be quite outspoken in their opinion that the trial judge had gone a little too far in his charge to the jury by assuming that Collins was guilty of theft and had the axe in his hand while he was pilfering Father McAulay's house. Judge Barker thought that if Mr. McKeown had been able to prove to the jury that the axe was not behind the commode when Killen searched the room it would have justified the jury in giving Collins the benefit of the doubt as to his guilt. Mr. Skinner, who argued for the crown this afternoon, considered that a fair construction of the judge's charge was that inasmuch as no defence had been put in the judge's charge was simply a fair comment on uncontradicted testimony. He submitted that the whole defense for the prisoner rested not upon facts tending to dispose of the prisoner's guilt, but upon attempts made by Mr. McKeown to raise a fictitious doubt in the mind of the jury. Judge Hanington—"That was right wasn't it?" Mr. Skinner—"The prisoner had no defence, his defense was Mr. McKeown's address and his address was a remarkable one in point of ability." Judge Hanington—"And I have no doubt a remarkably ingenious one, and that was what he was there for." Mr. Skinner—"But Mr. McKeown drew a vivid picture to the jury of their death and held up to them that when they came to die this verdict would stare them in the face and disturb them." Judge Hanington—"But you had the reply." Mr. Skinner continued his argument on this point until 8:10 o'clock when court adjourned until tomorrow morning.

BILL TO ESTABLISH IRISH COUNCIL

Chief Secretary Birrell Gives Notice of Such a Measure—Majority of Members to Be Elected.

(Special to The Telegraph.)

London, Feb. 14.—Following his announcement yesterday of the government's intention to introduce a measure to improve the government of Ireland, Augustine Birrell, chief secretary for Ireland, gave formal notice today that a bill to establish an Irish council for Ireland, and purposes connected therewith, would be introduced. This is the Liberal government keeping its promise to the Nationalists to place Irish legislation to the forefront of present session of parliament. One of the most difficult details which faced the government was whether the council should be elected or nominated. In the original draft of this bill, an entirely nominative body was proposed, but John E. Redmond, the Irish leader, rejected this as useless and a proposal which he and the other Irish leaders could not support. The bill of which Mr. Birrell has now given notice will provide for a council in which the elective element will predominate. A number of nominative members are retained in order to placate the Liberals, who are opposed to an entirely representative body. It is understood also that this council will have extensive administrative powers, but its rights to legislate will be limited. This feature has been accepted by the Irish leaders. Halifax Pastor Resigns. Halifax, N. S., Feb. 14.—(Special)—Rev. C. L. Ball has resigned the pastorate of the Universalist church in Halifax and will return to his home in Somerville (Mass.)

WEST INDIA DELEGATION SAILS

Three delegates of Canadian Boards of Trade sailed at midnight by the steamer Olenia on a visit to the boards of trade and business men of the West Indies.

The delegates are: Mr. Allan, representing Toronto; H. B. Schofield, representing St. John, and A. E. Jones, representing Halifax.

MOTHER AND FIVE CHILDREN REPORTED FROZEN TO DEATH

Logger at Hampton Tells Story of Terrible Tragedy in the Woods

Hampton, Kings Co., Feb. 14.—A rumor has been in circulation here today, brought, it is said, by a logger named Harvey Wileston, that a small camp located on the rear of the farm lot of Albert Perkins, Midland, and occupied by Joshua Braman, his wife and family, was destroyed by fire on the night of Tuesday, February 12th, and that the woman and five children traversed the woods in search of shelter, until becoming exhausted they lay down in the snow and froze to death. Braman is a carpenter by trade and in summer lives in a small house on the Belleisle, at Erb's Cove, but in winter goes into the woods and lives the life of an Indian, making axe handles, brooms, etc., and traps small animals for their pelts. His shack this winter has been a light board structure covered and lined with paper, and was situated between the Piquet Road and Butler Lake. Diligent enquiry by telephone at Long Point and Amherst has failed to elicit satisfactory statements of such a catastrophe, and the operator at Long Point this afternoon reports that some of the children were seen yesterday afternoon by a man who drove past the camp, which, if true, would indicate the falsity of the current story, and it is to be hoped that further enquiry will show this to be the case. The place is about five miles from Hampton, not easily accessible at this season.

NATURAL HISTORY MUSEUM FOR MONCTON SCHOOLS

Moncton, Feb. 14.—The operators of the local Western Union Telegraph Company staff have been advised of a ten per cent increase in wages.

This afternoon the Moncton school board purchased from L. C. Daigle a very nice collection of native animals and birds, which is to form the nucleus of a natural history museum for the Moncton schools.

QUEBEC JUDGE RESIGNS

Ottawa, Feb. 14.—(Special)—Judge Hall, of the court of appeals of Quebec, has sent in his resignation, on account of ill health.

QUEBEC JUDGE RESIGNS

Ottawa, Feb. 14.—(Special)—Judge Hall, of the court of appeals of Quebec, has sent in his resignation, on account of ill health.

QUEBEC JUDGE RESIGNS

Ottawa, Feb. 14.—(Special)—Judge Hall, of the court of appeals of Quebec, has sent in his resignation, on account of ill health.