

Decree of Chief Justice Sir Ezekiel McLeod Amended---Defendant Company Can Use Name "Palmer" as Part of Corporate Name as Trade Mark or Part of Trade Mark or in Advertising or Selling --- Other Judgments.

Among the judgments given by the [further insertion of the words "except Appeal Division of the Saj.reme Court as aforesaid," between the words "com- will be glad to know of this. yesterday one of great local interest pany and" and "from selling, adver-

was that in the case of the John Pal- tising, etc." mer Co., Ltd., vs. The Palmer-McLellan Shoepack Co. By the original de- declaration in the latter part of the decision of Chief Justice Sir Ezekiel cree that the use of the word "Pal-McLeod the claim of the plaintiff com mer" in the corporate name of the depany that the defendant company was infringing its trademark was sus- and mistakes, etc., be stricken out. tained but there was no infringewas heard by Chief Jusice McKeown, upon this motion. Judge White and Judge Barry, all of

whom read judgments yesterday. The decree of Chief Justice Sir Ezekiel day were as follows: McLeod was amended so as to permit the defendant company to use the Sewers for the Parish of Hopewell, are concerned and there are no costs Rosenburg vs. Rich. The Chief Jus- been decided upon.

to either party on the appeal.

terday in the case was as follows: That that part of the decree which the county court scale.

contains the words "that the defend- This was a question of costs. In a a separate peace was planned by the ant company be and is hereby re- suit for slander the plaintiff was court party. These documents will strained from using the name "Pal- awarded one dollar damages and un- include one dated March 15. mer" as a trade mark or part of a der an old act passed in the reign of trade mark upon any of its shoepacks, James I. it was claimed that the plain- Westmorland county and held for ex moccasins, larrigans, or other oil tiff was entitled to no more costs than tradition upon instructions of the Mas tanned footwear similar to those man- the amount of the damages. The ap- sachusetts district attorney, the pris ufactured by the plaintiff company and peal court did not sustain the conten-from selling, advertising, or etc." be tion. I be to b

amended by inserting the words "ex- Ex parte Thomas. Judge White, corpus was made on the ground that cept as a component part of plaintiff Judge Barry and Judge Grimmer. Ap- the warrant of committal did not sufcompany's corporate name," between plication for the discharge of the pris- ficiently state the offense under the the words "Palmer" and "as a trade oner was refused! mark" as above written, and by the Charles E. Thomas was arrested in not been upheld by the appeal court.



Hospital records show that ever me you cut a corn you invite lockjaw blood poison, which is needless, says

Cincinnati authority, who tells you at a quarter ounce of a drug called ezone can be obtained at little cost m the drug store, but is sufficient to l one's feet of every hard or soft corn

You simply apply a few drops of coming into office? reezone on a tender, aching corn and oreness is instantly relieved. Short have been paid

ly the entire corn can be lifted out, root and all, without pain. This drug is sticky, but dries at once and is claimed to just shrivel up any orn without inflaming or even irritat-ng the surrounding tissue or skin. wife wears high heels she

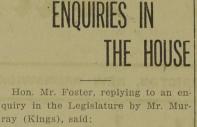
## And it is further ordered that the CZAR TO HAVE **PUBLIC TRIAL**

fendant company has led to confusion London, June 22 .- Former Emperor That the order of the court below as Nicholas of Russia will be placed on ment of patent process. The appeal to costs of suit therein do stand, and public trial, according to a statement from the decision of the Chief Justice that there be no costs to either party made by William James Thorne and James O'Grady, labor members of parliament, who were members of the The other judgments given yestermission sent to Russia by the labor

Levi Downey vs. Commissioners of party. The two labor members addressed a word "Palmer" only as a component etc. The Chief Justice, Judge Grim- meeting in London last night at which part of its corporate name, as a trade mer and Judge Crocket. Judge Grim- they said that M. Kerensky, the Rusmark or part of a trade mark and in mer read the judgment of the Chief sian minister of war, had told them advertising and selling. The order of Justice, who was absent, dismissing that the trial of the former Emperor and a number of reactionaries had and a number of reactionaries had

re concerned and there are no costs re either party on the appeal. The order made by the court yes-arday in the case was as follows: Rosenburg vs. Rich. The einter das tice, Judge White and Judge Grimmer. Judge White read the judgment of the court that costs be taxed according to reada

extradition act. This contention has



1. What amount has been paid to each Member of the present government for travelling expenses since

Answer - The following amounts have been paid:

Hon. C. W. Robinson. \$ 60.00 Hon. L. A. Dugal...... Hon. J. P. Byrne ..... 50.00 Hon. W. F. Roberts ... In the Legislature on Thursday a

message from His Honor the Lieuten-\$590.00 ant-Governor was read by Mr. Speaker 2. Were itemized bills rendered by and was as follows: each member of the government for "The Lieutenant-Governor transmits" the amount of his expenses?

Answer-No, members of government do not render itemized accounts for expenses, but are allowed the sum of \$5 per day while travelling on government business. In answer to further inquiries by

Mr. Murray (Kings), the following replies were given: . 1. What travelling in connection

with the St. John and Quebec Railway has Mr. E. S. Carter done since the 17th of May last?

Answer-Such travelling as was necessary between St. John and Fredericton in connection with his duties as Secretary-Treasurer of the St. John and Quebec Railway, including settlement of rights of way, interviews with

change of plans for Nerepis bridge,

2. What amount has been paid E. S. Carter for expenses in connection with his position as secretary to the Premier since his appointment to that position?

Answer-No amount.

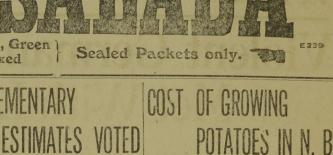
3. Has any amount been paid to Mr. Carter on account of salary, either in connection with his position of sec-retary to the Premier, or as secretary to the board of directors to the St. John and Quebec Railway Company? If so, what amounts, and when of \$3 a week or less.

of Teachers, after forty years of exist- salaried woman in financial circles. high-priced seed, higher-priced fernce, is to have a woman president, She is treasurer of the E. F. Haughton tilizer ingredients and very dear Miss Elsie R. Conway having been ap- Company and receives a salary of copper sulphate. \$12,000 a year. pointed to the position.

THE FUEL SITUATION

Present Difficulties Attributed to a Number of Causes---An Important Statement

HE following statement is sent received per day of 1.68. They are out by Mr. A. D. MacTier, Gen-cral Manager of the C. P. R.: is realized in most quarters, more than others, that this fifty-two cars have been out of It is realized in most quarters, some more than others, that this country is face to face with a coal shortage of very alarming propor-tions, and that by next winter, if con-ditions under which fuel may be obtained do not alter in the mean-time, a great many industrial con-cerns and householders will be un-able to supply themselves with suff-cient coal to carry them through the severe weather.  $\epsilon$ The present and prospective difficu-ties in the way of bringing coal into a number of causes, principal amongst which are dearth of mining labor and shortage of coal carrying caupment at the mines. The situ-ation in some of the mining terri-tories at the present time, is that even with the labor shortage, mine operators are able to turn out coal at a greater rate than they can ob-tain cars to carry it away. It, there-fore, naturally follows, that more coal can be brought into Canada if the car-supply is increased. can be brought into Canada if the car supply is increased. supply is increased. Unfortunately, it is out of the ques-tion to obtain any number of new cars at this time, and the situation can be met only by obtaining more service from the present rolling stock. To do this cars must be moved promptly between the mines and destination. and must be un'oaded as soon as they reach consignees. There is also the man who has al-wars called for open top cars for the between the mines and destination, and must be un'oaded as soon as they reach consignees. The consignees. The discharge their obligations to the to discharge their obligations to the country, and for their own preserva-tion, as well as for the benefit of their patrons, they are putting forth their utmost enorts to minimize de-lay to cars while en route to and from the mines. All efforts in this direction, how-ever, will be of little avail without the whole-hearted co-operation of the man who unloads the coal and re-leases the car after it gets to its destination. Some consignees, who thoroughly appreciate the situation, have almost a hundred per cent, re-cord in the prompt unloading of coal cars, but there are others who are helping to create the prospective shortage of coal by keeping the equip ment out of active service. Today there are in one town of compara-tively small size fifty-two coal cars there are in one town of compara-tively small size fifty-two coal cars are such as pread over a period of their patrons and employees to do their utmost to fight of the impeding shortage of fuel by hereing coal cars continuously in the proper service, which is the trans-porting of coal.



Nearly a Quarter of a Century 7

of giving highest possible value for your money

has been the enviable record of

Black, Green )

SUPPLEMENTARY

estimates to the House."

voted, as follows:

Departmental salaries-

Supplementary estimates were then

Agriculture.

Stenographer (omitted from

raising .....

Technical education of voca-

Colonization Roads.

Crown Land Department . . . 2,000.00

Education.

Immigration.

Provincial .. .. .. .. .. .. .. 3,000.00

Legislative Assembly.

Extra allowance to acting clerk

The House adjourned at 12.40.

Extra allowance to acting clerk 200.00

assistant .. .. .. .. .. .. 100.00

Miss Birdine Bright, factory in

Encouragement of Poultry

or Mixed

# POTATOES IN N. B.

(Agricutural Gazette.)

With a view to getting actual figures on the cost of growing potatoes under average conditions in New Supplementary Estimates of sums re- Brunswick, a careful record has been made at the Dominion Experimental quired for the service of the Province Station, Fredericton, for the past two not otherwise provided for, for the seasons with an acre of land set apart current year, and in accordance with for this particular purpose.

the provisions of "The British North Neither rent of land nor deprecia-America Act, 1867," recommends these tion of machinery was included in the calculation, for these two are items that are largely in the hands of the individual grower. As a general rule, however, it would be fair to charge as rent, 10 per cent. of the value of the land, and special potato machinery will depreciate from 25 to amount authorized).. .. ..\$ 350.00 50 per cent. per year if used steadily for ten days each season. In 1915, 500.00 the depression of the potato digger Bonus to wheat mills..... 1,000.00 alone, used at the Experimental Station, was \$6 per acre.

In 1915, the acre was planted with Green Mountain, Irish Cobbler and Empire State. Seed, cultural operaions and harvesting cost in all \$67.93. tional school, surveying.... 2,500.00 Eight barrels of 165 pounds each, of marketable potatoes were obtained and sold at \$1.75 per barrel, making a profit over cost of production of 90 cents per barrel. Seven barrels of culls were sold for \$3.50, so that the total profit for the acre amounted to

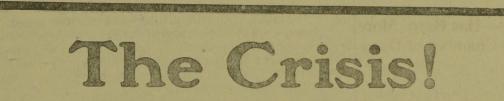
This land was rather wet naturally and during the very rainy weather of June and July was several times spector for the Board of Public Wel- flooded, causing missed hills and in-

In 1916 an acre was planted with

Miss Katherine M. Haun, of Phila- The total cost amounted to \$82.33, delphia, is said to be the highest the increase over 1915 being due to

> of marketable potatoes were vested and could have been sold at \$2.25 per barrel, market price when dug, making a profit per barrel over six barrels of culls sold for \$3, mak-

> his land is on a slope, fairly well drained and except for washing out.



Other Judgments.

Untold sacrifices are being made in defence of the world's liberty, assailed by the Hun, who declares he fights for "existence." Let us not forget that other crisis in which the fate of the dread Liquor Traffic, subdued just now by the necessities of war, is also fighting for existence.

Prohibition must be impregnably fortified now by means of proper enforcement in readiness for the struggle to come when Prohibition must be finally ratified or lost by the votes of the people in many provinces, including New Brunswick.

Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia and New tion during the war. Prince Edward Island has enjoyed its benefits since 1901. The great majority of districts I hat is the situation to-day, but remember, the crisis comes after the war.

parties interested in connection with

attendance upon investigations, negotiations for rails and other materials necessary to complete the work, and other matters requiring personal at

The total value of foodstuffs destroyed by the liquor traffic in 1916 was approximately \$4,244,090.22. Add to this the immense waste of transportation facilities, clogged and hindered by carrying the grain to destruction, and again conveying the product of the breweries and distilleries to make precious men less efficient in this solemn hour !

## **Ontario's Splendid Record**

Since September 16, 1916, Ontario has enjoyed good enforcement of Prohibition in all but a few districts. Not the most daring anti-prohibitionist hopes for a return of the curse of the traffic in Ontario. Here are some figures showing results in Ontario's largest cities for the last three months of 1915 and 1916:

#### ARRESTS FOR DRUNKENNESS

		Under License	Under Prohibition
		1915	1916
	Toronto	2,908	953
	Ottawa	286	234
	Hamilton	498	61
	London	367	144
TT	Brantford	152	16

Note.—"It will be noted that Ottawa has not much reduction in arrests for drunkenness. It is perhaps strange that it should show any reduction in the drunkenness record, inasmuch as it is separated only by the river from the license city of Hull."—PIONEER, Toronto.

SIR VICTOR HORSELEY AND HEREDITY "That alcohol affects dis-astrously the minds and bodies of innocent, unborn children must be the undoubted con-clusion of those who weigh the Evidence."

Whether your district be under the new Provincial Prohibitory Law, or under the Canada Temperance Act, help us to arouse the full force of public opinion for vigilant enforcement of province-wide Prohibition.

W. G. CLARK Treasurer Fredericton, N.B.

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## **Dominion Temperance Alliance**

#### NEW BRUNSWICK BRANCH

DONALD FRASER President Plaster Rock, N.B.

**REV. THOS. MARSHALL** Vice-President Fredericton, N.B. REV. H. C. ARCHER, Executive Secretary Fredericton, N.B.

Miss Clare Lamplugh, who came ago, has opened an animal hospital in: San Franciso to care for the dumba companions of the society-elect

### WAS ANAEMIC FOR OVER A YEAR

Anaemic, or blood turning to water, is caused by the heart becoming de-ranged, and if the heart becomes weakened it cannot pump the blood as it

As a result the blood becomes impov-As a result the block becomes hippy erished, and it loses its nourishing: qualities. The face becomes pale and thin, and the lips bloodless. There is a weakness, tiredness and loss of weight.

weight. When those suffering from thin or-watery blood start taking. Milburn'ss Heart and Nerve Pills, they can so as change from the outset. Every dose introduces into the \_.ood: those vital elements necessary to make-it rich and red. The pale cheeks take-on the rosy hue of health, the weight, increases, and the whole being thrills with a new life. with a new life.

Mrs. R. J. Grey, Fredericton, N. B., Mrs. R. J. Grey, Fredericton, N. B., writes: "When I was a girl working: at general housework I overtaxed my strength and became completely run don. For over a year I was very bad with anaemia. A friend told me to try Milburn's Heart and Nerve Pills so I rot a box and when it was done I sol got a box and when it was done I felt and looked so much better I decided to tet six more. When I had taken them, had gained not only in strength, but in flesh and color, and best of all was good health."

Milburn's Heart and Nerve Pills are 50c. a box; three boxes for \$1.25, at all dealers, or mailed direct on recover of price by The T. Milburn Co., Limited, Toronto, Ont.