THE DAILY MAIL, FREDERICTON, N. B., THURSDAY, OCTOBER 4, 1928. PAGEFIVE

STEEL RANGES

Perhaps you need a new range or your old one is worn out and needs replacing. Come in and make a selection from those on display in our sales room-THE BEST IN VALUE, PERFORMANCE and APPEAR-ANCE.

FAWCETT FURNACES, CIRCULATORS, **HEATERS of all types, Etc.**

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Until further notice the Mail will give with

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scription

A HIGHWAY SUPERVISOR WAS FOUND NOT GUILTY IN A CASE TRIED AT DORCHESTER, N. B.

fore Magistrate C. G. M. Chapman at tinguished geographically or political- stunt flyer. Dorchester today.

the Province of New Brunswick, for ing as a servant of the Crown in the down flying. that he did in the Parish of Dorches- handling of the goods. Further it was ter on the 13th day of August, A. D. contended that unless the act, under ter on the 13th day of August, A. D. contended that unless the act, under 1928, keep a quantity of dynamite in which the prosecution was proceeding MAIL ROBBER the same store with a quantity of de- expressly stated that His Majesty was tonators and not so separated from bound by the provisions contained one another as to effectually prevent therein, the act only applied to subfire or explosion in one communicat- jects of His Majesty acting in their ing with the other, contrary to and in individual capacity, and to take away violation of the provisions of the Ex- that prerogative that has attached to plosive Act.

The facts of the case were not dis- Constitutional Government precise defendant is in the employ of the Pro- rights heretofore enjoyed. vincial Government as a Road Supernamite and caps were in the same cided that after perusing the decision building and according to the Ex of our Supreme Courts felt that he plosive Act should have been kept in should follow the precedents laid separate stores, These facts were ad down by the New Brunswick Courts mitted by Mr. McMonagle, counsel for and dismissed the information against the accused.

However, he contended that inascused by Mr. McMonagle that the Brunswick.

SETTLEMENT IN **CHANCERY CASE** WAS SURPRISE

(Continued From Page Eight.)

Paris was called to the stand during New York Yankees, who at the he had purchased 3000 shares of the for the world's championship with he had purchased 3000 shares of the stock at the time Sir James Dunn had secured option on 2000 of them. Re-cess had been called at one o'clock with General Brutinel still on the secured been called at one o'clock with General Brutinel still on the secured been called at one o'clock sam Jones, Fred Hofman, Eddie defence attorneys.

The case has aroused considerable

Dorchester, Oct. 2-The old maxim Crown was indivisible and His Majes- young Swiss pilot flew his plane up handed down from time immemorial ty, in the right of the Dominion of side down today for eighteen minuthat the "King Can Do No Wrong", Canada and His Majesty in the right tes and fifty six seconds exceeding was successfully pleaded as a defence of the Province of New Brunswick by more than four minutes the reby W. E. McMonagle, Barrister, be- was His Majesty and could not be dis- cord of Gerhard Fieseler, a German

His Majesty through long years of

James C. Sherren who appeared for visor in the Parlish of Dorchester. In the Federal Government contended been recovered, John Gibbs, 20, was the course of his employment as such that the act was such as to apply to behind the bars of the Kent county supervisor he had occasion to have in the accused that he was liable for jail, charged with the theft. He was rehis possession a quantity of dynamite punishment. Magistrate Chapman who ported to have confessed to the authand dynamite caps the property of the is considered well versed in law and orities who arrested him last night a Department of Public Works. This dy- a great reader in legal subjects de- few hours after the robbery as he at the accused.

James C. Sherren appeared for the much as the accused was a servant informant, Fred Lucas and the Federof His Majesty in the Province of al Government; and W. E. McMonagle Court this afternoon. He was not ask New Brunswick that the prerogative appeared for the defendant, Adolph ed to plead and was remanded upon of the crown extended and excluded LeBianc and the Department of Pub. request of the crown attorney for him. It was argued on behalf of the ac. lic works of the Province of New

> CAPITAL TO SEE MAJOR LEAGUE PLAYERS AGAIN

> > (Continued From Page Eight.)

with General Brutinel still on the Sam Jones, Fred Hofman, Eddie stand. During the noon hour the two Collins and a few others with probprincipals got together and arranged ably a noted sports writer accomfor settlement. P. J. Hughes, K. C., panying the players. Plans are being was counsel for the plaintiff and F. R. made here for the entertainment of Taylor and R. B. Hanson, K. C.'s were defence attorneys

them during their brief stay in this

SWISS PILOT FLIES PLANE

ly. He referred to the case decided by Clardon circled his plane over An information was laid before Mag- the Supreme Court of New Brunswick, Kassel Flying Field at Waldau, and istrate Chapman by Fred Lucas of the wherein it was pointed out by Chief was almost unconscious when hel Federal Government against Adolph JJustice Barker that a servant of the roused himself to a final effort and LeBlanc, Road Supervisor in the Par- Intercolonial Railway then operated righted the craft for a safe landing. ish of Dorchester in the employ of by the Crown was immune from vio- His mark is said to have set a the Department of Public Works in lating the Temperance Act when act- world record for duration of upside

IS REMANDED FOR EIGHT DAYS

Chatham, Ont., Oct. 3-While check-up was being conducted by polputed. According to the evidence the words must be shown to limit the ice and postal inspectors to determine whether the whole amount stolen from a C. N. R. mail car last night had tempted to make his way into the United States at Detroit. At the time of his arrest the police recovered \$6,500 in loose bill sof various denominations and two unopened packages of money.

Gibbs was arraigned before Magis trate S. B. Arnold in Chatham Police eight days. Bail was not set. The police court proceedings occupied but two minutes.

H. O. McVey of Chatham is in the city today.

TENDERS

Sealed tenders for fourteen cords of wood for Morrison School and marked the morning session and stated that present time is engaged in the fight as such, will be received by the undersigned until twelve o'clock noon, Mon-R. D. HANSON.

Sec'y Board of School Trustees.



Sealed tenders addressed to the un

HereandThere

effort is being made to es tablish an airport at Banif, Alberta Government officials have inspected a site near the present golf links and the prospect that a f.eld will be prepared within the next year is

A further supply of airplanes and airplane parts arrived in Montreal recently when the Canadian Pacific freighter "Beaverford" brought two De Haviland Moth planes, one case of wings and two cases of spareparts.

A call for tenders for a large elevator with a capacity of 1,500,000 bushels has been sent out by the Saint John Harbor Commission. The new structure is to be erected or the Celeval West G on the Colwell Fuel Company's site, in West Saint John, the work of construction to be got under way as soon as possible.

A Cadillac sedan equipped with rubbber insulated sterl flanged wheels has been specially equipped by the Angus Shops of the Canadian Pacific Bullmers of the Canadian Pacific Railway at Montreal for the use of the engineering department. of that company on inspection trips. The machine has an extra. braking system operated by the steering wheel and can make as great a speed on the rails as it can on the highway. Over seventy miles an hour was made on a trial run.

A big black bear tried to stop a Canadian Pacific freight train the other day near Arndale station in Northern Frontenac county in On-taria tario, and when the encounter was tario, and when the encounter was over there was not enough of the bear left to make a pair of mitts. Bruin evidently wandered on to the tracks during the night and was blinded by the glare of the head-light. Black bear are found throughout Eastern Canada but are not often seen, except during the berry season, as they are night prowlers

Addressing the Board of Trade of Vancouver, recently, E. W. Beatty, Chairman and President of the Cancharman and President of the Can-adian Pacific Railway, stated that present prosperity in Canada is clearly indicated by four main fac-tors: Record of railway car load-ings (showing the volume of busi-ness), employment returns, reports of financial houses, and building ness), employment returns, reports of financial houses, and building construction. These indices were of special value, he remarked, be-cause of the wide range of activity which they reflect. The gross earn-ings of the company, he added, had been greatly decreased, how-ever, by reduced freight rates.

A unique piece of railway equipment, a dynamometer car, has been constructed by the Angus shops for the Canadian Pacific Railway. The apparatus is intended to test the efficiency of locomotives at various speeds and is placed between the tender and the train during opera-tion. The forces excited on the coupler of the car are transmitted hydraulically to an instrument known as a chronograph, which known as a chronograph, which records upon ... moving sheet of paper. It is stronger by far than any of its predecessors and is said to be the finest car of its kind on the continent. One of its first duties will be the testing of the new "3100" passenger locomotive of the C. P. R., the largest engine in the Reitich Empire the British Empire.

DOROTHY GISH



These spoons are made of a new white metal and can scarcely be distinguished from silver.

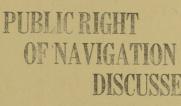
The Daily Mail Delivered Costs \$2.00 for 6 Months and will be sent by mail for \$1.50.

Guests at Barker House Mass.; John T. Daley, Newton, Mass.; Among the guests at the Barker P. J. Beaugie, Montreal, Que.; N. A. and incidental rights. The point arises was Manuel Portes, chief of the Santa House today are: J. W. Wilson, St. Brown, St. John; C. B. Horton, St. on the series of questions before the Rosa Indians. John; H. B. McMann, St. John; L. A. John; James O'Brien, St. John; A. W. Landry, Boston, Mass.; H. A. Camp- Covey, St. John; E. A. Kennedy, Yar- vincial control over navigation and mountain retreat when he became critbell, St. John; A. W. Brien, Ridgetown mouth, N. S.

Ont.; Stanley Wood, St. Stephen, N.

B.; George T. Watters, West Newton, Age is the brake that slows down Mass.; W. F. Watters, West Newton, the fast liver.

interest in these parts and has been followed sharply throughout the province of New Brunswick. The original action was the plaintiff's attempt to secure damages for \$110,000 for the defendant's selling of shares which the plaintiff claimed was his by op-

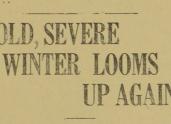


Ottawa, Oct. 3-"We do not ask but a short way; fur bearing animals Your Lordships to determine what riv- are growing exceptionally heavy ers are navigable in fact. That would coats of fur; migratory birds nestinvolve an investigation of each sep- ed and hatched early. These, with Lordships to decide is what rivers in

each province navigable in fact are subject to the public right of naviga- INDIAN CHIEF

Drawing toward the close of his argument that every river in Canada capuble of navigation was subject to the servitude of a public right of way, Hon. N. W. Rowell, K. C., counsel for court in respect to dominion and pro- Portes was brought here from his water powers.

M. S. Smith of Montreal is in the children and 40 great-grandehildre city today.



of a long, hard winter were made here by pioneers who have observed

arate river from the Atlantic to the the unusually wet spring indicate at this Department by depositing an some years at school after which accepted cheque for the sum of \$20.00, D. W. Griffith put the sisters on

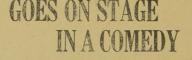
130 YEARS OLD

the Dominion, made this declaration Vallevista, Cal., Oct. 3-An Indian before the Supreme Count of Canada chief whose age was given in tribal today. This public right of navigation records as 130 years, was mourned Mr. Rowell proceeded, was for all pur- here today by four sons, each of whom potes of navigation, trade, intercourse is over 90 years old. The aged leader

ically ill two weeks ago. He died yes terday. Besides his sons, 13 grand survive him.

ed and endorsed Pier, Lameque, N. B.", will be received until 12 o'clock noon, Thursday, October 18, 1928, for the construction of a Pier, at Lameque, Gloucester County, N. B.

Plans and form of contract can be seen and specification and forms of tender obtained at this Department, at the offices of the District Engineer, Old Post Office Building, St. John, N. who has hared success with her St. John Association of Building famed sister Lillian in O'Neil, Neb., Oct. 4—Weather prophets are at it again. Predictions of a long, hard winter were made less made on printed forms supplied here by pioneers who have observed conditions for the past 20 years. It seems the husks of the corn in the field are heavy this year: vogetation field are heavy this year; vegetation bank payable to the order of the Min- the actress appeared build the on the north side of the plants and ister of Public Works, equal to 10 per footlights when a mere slip of a trees is thick; plant roots go down but a short way; fur bearing animals bonds of the Canadian National Railway Company will also be accepted as years she was constantly before the security, or bonds and a cheque if re-quired to make up an odd amount. Breadburst meledrames Theorem payable to the order of the Minister of Public Works, which will be returned if the intending bidder submit yearned to return to the footlights a regular bid.



which is billed for

stage. For Note.-Blue prints can be obtained Broadhurst melodramas. Then came and her wish is now being gra-

By order, S. E. O'BRIEN, Secretary.

Department of Public Works, Oktawa, September 27, 1928. legger who does a credit busi.

