

News Briefs

FIRE FROM KINDLING WOOD
A fire which started from a pile of kindling wood, occurred at the home of Gordon Israel, King street last evening. No damage resulted.

HOUSIE, HOUSIE
Housie Housie on Monday evening at the Knights of Columbus rooms, Regent street. Games start at 8 p.m. Two cards for five cents. Prizes for special game is 95-pound bag of flour.

POPPY DAY
Remember tomorrow is Poppy Day, with poppies on sale at Karl A. Walker's, the Maritime Electric Company, and other stores. Poppies for Remembrance Day!

LEAVING FOR MONCTON
Ald. Fred S. Mundle and Mrs. Mundle are leaving tonight by automobile for Moncton to join Mayor T. H. King and Mrs. King of that place, and from there they will proceed to Amherst where they will be guests at the opening of the Maritime Winter Fair.

ATTENDED OTTAWA MEETING
Dr. William Warwick, chief medical health officer of the province, returned last evening from Ottawa where he attended the regular sessions of the Dominion Health Council, which took place last week. The meeting was attended by the chief medical health officers or deputy ministers of the various provinces.

PREMIER TO BUCTOUCHE
Premier A. A. Dysart who has been engaged in departmental duties here for the past day or two is leaving this afternoon or early evening for his home in Buctouche to spend the week end. The premier will be accompanied by his brother, G. A. Harrison Dysart, who is a barrister in Winnipeg at the present time, and who is on a visit to this province this week.

ABLE TO LEAVE HOSPITAL SOON
Improvement is reported in the condition of Rainsford Foss, night watchman on the McNamara Construction Company's highway operations at Oromocto, who was burned severely several nights ago when an explosion of a stove occurred in a small shack which Mr. Foss used along the roadside. Mr. Foss will be able to leave the hospital within a few days it is expected.

SPOKE AT SUSSEX
Among those from this city who were present at the convention of the New Brunswick Dairymen's Association at Sussex this week was J. K. King, deputy minister of agriculture, who gave a short address on the best manner in which to promote the dairy industry in all its branches. Mr. King stated that last year's production of butter was the highest in the history of the province and that of cheese was 43 per cent greater than in the previous year. Hon. A. C. Taylor, minister of agriculture for New Brunswick, spoke at the evening session.

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CITY COUNCIL TAKE ACTION RE NEW C.N.R. BRIDGE

Committee Interview Messrs. Clark and Ryan, M.P.'s

Promised Support

Telegrams Between the Hon. Mr. Michaud and Alderman Forbes

When the city council met on Tuesday night a committee composed of His Worship Mayor Kitchen, Ald. Ray Forbes and Ald. W. R. Crewdson were appointed to find out within three days from W. G. Clark, M.P., for York-Sunbury, W. M. Ryan, M.P., for Saint John, and Hon. J. E. Michaud, cabinet minister from New Brunswick, just what was to be done regarding the construction of the C. N. R. bridge.

This was the same committee which had previously gone to Ottawa and which had been informed by Hon. C. D. Howe that the erection of the bridge would be started before the close of the present calendar year.

Yesterday this committee got in touch with W. G. Clark, who promised to do the best he could regarding the bridge. They also got in touch over the telephone with W. M. Ryan, M.P., Saint John. Mr. Ryan stated that he remembered the conversation which took place at Ottawa when Hon. C. D. Howe promised the Fredericton delegates that the construction of the Fredericton-Devon bridge would be commenced during the summer (just passed) and would be completed "before the close of the present calendar year." Mr. Ryan also told Ald. Forbes who was acting for the delegates, that he would get in touch with Ottawa at once and would do his best to have some action of a definite nature started in regard to the bridge. Mr. Ryan further stated that in his opinion the construction of the bridge was of the utmost importance, not only to the city of Fredericton and to the winter-port at Saint John, but that it was the keystone of the whole railway situation in this part of the country.

Ald. Forbes then wired to Hon. J. E. Michaud, Minister of Fisheries, and cabinet minister from New Brunswick, requesting Mr. Michaud to use his influence with the Transport Department in regard to the erection of the bridge and to wire the committee representing the Fredericton city council just what was being done in regard to the matter. Last night at six o'clock the following telegrams, which speak for themselves, were exchanged between Ald. R. T. Forbes, chairman of the city of Fredericton committee, and Hon. J. E. Michaud, Minister of Fisheries:

The Telegrams
R. T. Forbes, Chairman, City of Fredericton.
Your wire received re Railroad Bridge going over Saint John River. Consider matter of too important public interest to take part in controversy which is in my own opinion detrimental of Fredericton interest. Am pleased to be able to assure you that this important question has received the attention of the government with full appreciation of our duty and responsibility.
(Sgd.) J. E. MICHAUD, Minister of Fisheries.
(Continued on Page Five)

THE BEST

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IMPROVEMENT RAIL SERVICE IS DISCUSSED

W. U. Appleton, Vice-Pres. C.N.R. Confers With Board of Trade

Need of Better Service

Stanley Request For a Daily Winter Service is Considered

The Transportation committee of the Board of Trade have been requested to meet with W. U. Appleton, of Moncton, vice-president of the C. N. R., and superintendent of the eastern division of the Canadian National Railways, this afternoon at three



W. U. APPLETON Vice-President of the C.N.R., Confers with the Board of Trade Members Here This Afternoon

o'clock at the City Club. The members of the Transportation committee include R. L. Phillips, George W. Hodge, J. T. Jennings, C. L. Dougherty, G. S. Armstrong and J. L. Neville. S. S. Miller, president of the Board of Trade also will be present.

Mr. Appleton arrived in the city today shortly after one o'clock and was met by members of the Board of Trade.

It is understood that the matter of better railway service, both regarding freight and passenger service, will be taken up. Included in matters up for discussion are a requested daily train service to Stanley, and also the matter of railway service in an out of Fredericton. It is also felt that owing to the loss of the bridge that there should be a daily truck service put on by the railway to supply the missing link between this city and Devon. This service has already been inaugurated to some extent by the rival organization, the Canadian Pacific Railway, who have a station to station service, and which has been found to be of a great convenience to the merchants of the city of Fredericton, who appreciate the action of the C.P.R. in this regard.

Dresses regular \$8.98 reduced to \$3.98. Dresses regular \$5.98 reduced to \$1.98. Mrs. J. E. Johnson, 608 Queen Street. Phone 531-21.

FICTION

In the Steps of St. Paul By H. V. MORTON

Cities of Refuge By PHILIP GIBBS

Great Aunt Lavinia By JOSEPH LINCOLN

Whiteoak Harvest By MAZO DE LA ROCHE

Fire Over England By E. W. MASON

Gone With the Wind By MARGARET MITCHELL

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—: OFFICE HOURS —: 10-12 a.m. 2-4 p.m. 7-8 p.m.

606 QUEEN ST. PHONE 415

NEW BRUNSWICK APPEAL COURT SITS TUESDAY; 8 CASES DOCKETED

Appeal Court Will Adjourn on Tuesday Afternoon Until Thursday Because of Remembrance Day on Wednesday --- Moncton Liquor Case of Especial Interest---Saint John City Assessment Case Also a Feature.

The New Brunswick Supreme Court, Appellate Division, will meet in its November session, commencing on Tuesday, with a docket of eight cases, one of which is a special appeal in which the city of Saint John is the respondent in an action involving assessment charges.

Court is expected to adjourn on Tuesday evening until Thursday, because of the intervention of Remembrance Day on Wednesday, a public holiday.

The first case on the Crown Paper is that of the King vs. William F. Lane, police magistrate of the city of Moncton, ex parte William Gould, in which G. F. G. Bridges will show cause against rule nisi to quash.

An Important Case

The second Crown Paper case is a celebrated and involved one from Moncton city, that of the King vs. Arthur Jones, in which Mr. Bridges for the defendant, will support an appeal under the Intoxicating Liquor Act from conviction made by the police magistrate of Moncton.

Jones was sentenced to six months in Dorchester with a fine of \$500 and costs and in default of payment a further term of imprisonment in Dorchester, when he was convicted of unlawfully and without permission from the Board, in possession of liquor which had not been obtained from a Liquor Control Board store.

The appeal from conviction is on five grounds, namely, that the said police magistrate, W. F. Lane, erred in holding that the provisions of the I.L.A. are more restrictive than the provisions of the Canada Temperance Act; second, that police magistrate Lane erred in holding that the I.L.A. was in force in the country of Westmorland on January and is in force at the present time; thirdly, that the police magistrate erred in failing to hold that the Canada Temperance Act and amendments were in force in Westmorland county on January 8 and at the present time; fourth, that the said I.L.A., 1927, and amendments, thereto is ultra vires the legislative authority of the legislation of the province of New Brunswick in that it contravenes section 121 of the British North America Act; and fifth, that there has been a substantial wrong and miscarriage of justice.

None of the cases on the present docket are from York County.

Special Appeal

In the matter of the Turnbull Real Estate Company and the City of Saint John, C. F. Inches, K.C., for the company will move for review of the decision of the Court of Revision, under

the Saint John City Assessment Act, 1918. The appellant company claims under Section four, sub-section three of the Saint John city Assessment Act, that it was over-assessed for 1935 inasmuch as where it had placed a document, exhibit two, dated September 9, 1935, allegedly binding themselves to reformation of cases, it has not been considered by the city as having done what the Act required of the Company to do in order to receive the benefits of the above sub-section.

The sub-section says in part: "Every tenant holding land within the city of Saint John under a lease containing a covenant by his landlord to renew the same or pay for the tenant's improvements shall be assessed and rated on his interest in the land, if any, over and above his improvements thereon, until the expiry of the current term of said lease, and thereafter the landlord shall be assessed and rated at the true and real value of said land."

Court did not think that there has been sufficient proof offered by the company to warrant the conclusion that the company has come within the ambit of this sub-section. There has been no reformation as contemplated by the wording of the sub-section... the leases must be reformed before the landlord may have the advantage claimed.

Other cases on the present docket are the King vs. William J. Currie; Litwin vs. Municipality of Rostigouche; Price vs. Dominion of Canada General Insurance Company; Hourston vs. Brown-Holder Biscuits, Ltd., and Donnelly vs. Morrissey, et al, both in the Chancery division.

In the Hourston vs. Brown-Holder Biscuits, Ltd., action the plaintiff is appealing a decision of Mr. Justice Harrison in a case in which the plaintiff appellant charged that the erection of a factory across the street from appellant's residence caused so much noise that "appellant couldn't sleep at night because of the noise."

In Donnelly vs. Morrissey, et al, the action was to set aside a deed made by Sarah Donnelly to one Bridget Agatha Jesseau and for accounting of all rents and profits received by Bridget Jesseau in respect to property conveyed, on grounds that the executor of such deed had been procured by the undue influence of one Annie V. Morrissey, daughter of said Bridget Jesseau and her husband, Thomas Morrissey.

Alfred Page of Woodstock is a registered guest at the Queen Hotel.

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