

## News Briefs

### CONDITION FAVORABLE

Mrs. Hugh Harrison of Marysville who underwent an operation some days ago at Victoria Public Hospital is doing as well as can be expected.

### CONDITION IMPROVED

The many friends of H. R. Babbitt who is ill with a severe cold at his home will be pleased to hear that his condition today is somewhat better.

### FOR X-RAY EXAMINATION

The many friends of Mrs. Lillian Albright, of Albright Corner, will be sorry to learn that she has not been in good health of late and was taken to Saint John for an X-ray examination.

### TO RETURN TOMORROW

Major W. V. Bruce, superintendent "J" Division, Royal Canadian Mounted Police, who recently underwent a minor operation in a Montreal hospital, is expected to return to Fredericton tomorrow.

### IMPROVED AFTER ILLNESS

Friends will be pleased to hear that Mrs. A. E. Mathewson is improving after an illness which has confined her to her home for the past several weeks. Mrs. Mathewson is now able to be up around the house and expects to be out before very long.

### CELESTIAL LODGE

The regular meeting of Celestial Temple, No. 19, Pythian Sisters, was held last evening. Most Excellent Chief Mrs. Walter Howell presided. Routine business was transacted and the meeting was largely attended. The mystery box, donated by Mrs. Howell, was won by Mrs. Vera J. McKen. At the close of the lodge session refreshments were served.

### NO ANNOUNCEMENT

Hon. A. A. Dysart, premier and minister of public works, stated this afternoon that no announcements will be made regarding the awarding of highway paving contracts until later in the day. The premier was busy during the day checking up conditions under which contractors will be obliged to work. The "check-up" will not be completed until late this afternoon.

### TO CORONATION

Col. Robert Dysart of Boston who recently visited this city and who has later been at his home in Cocagne, Kent Co., sailed from Saint John a few days ago for England to attend the Coronation, he will join his brother, the Premier, and other members of the Dysart family. Miss MacDonagh of Montreal niece of Mrs. A. A. Dysart in England, will return with them.

### ACCIDENT TO CHILD

Little Edward Barber, aged nine years, son of Mr. and Mrs. Edward Barber, 138 Brunswick street was accidentally run over at four o'clock yesterday afternoon by a car driven by W. G. Clark, M.P. The little fellow who was playing near the residence of the Countess of Ashburnham on Brunswick Street, was taken to the Victoria Public Hospital where it was found that he had three fractures on his ankle.

### COMMUNITY SERVICE

The Boy Scouts, the Wolf Cubs and the Girl Guides are going to make a drive for clothing, bedding, and kitchen utensils which they will turn into the Central Welfare Bureau for charitable purposes. This drive will probably take place on the 28th or 29th instant. Parties who are moving or have such articles as are required to be disposed of will do well to communicate with Capt. G. Alvah Good, Harold Dougherty or Fred Blair. This can be done by telephone.

### Y'S MEN'S CLUB

Professor Malcolm McPherson, Professor of English and Modern History at the University of New Brunswick, was the speaker at the regular weekly supper meeting of the Y's Men's Club of Fredericton last evening. In his remarks Professor McPherson made a very interesting comparison of the standing of the nations in Europe at the close of the Napoleonic Wars and at the end of the Great War, and went on to tell of European affairs and the set-up of the League of Nations.

### FOR THE CORONATION

Dr. A. S. McFarlane, Chief Superintendent of Education and Mrs. McFarlane will leave here early next week for Quebec from which place they will sail on the Empress of Australia on the 24th inst. for England to attend the Coronation. Miss Beatrice McFarlane daughter of Dr. and Mrs. McFarlane will leave a week later where she will attend the Coronation as director of the High School Girls' Contingent from the Maritime Provinces. Miss McFarlane has recently been selected to go to the Coronation as the head of this contingent.

## SEVEN JUDGMENTS DELIVERED IN N. B. APPEALS COURT

April Sitting Opened in Supreme Court Chambers Today

### Three Judges

Appeal of Maritime Transit Case Was Dismissed

Seven judgments of appeals argued last February were delivered at the opening of the April term of the Appeals Division of the Supreme Court of New Brunswick today.

Sitting are Chief Justice J. B. M. Baxter, Mr. Justice Grimmer and Mr. Justice Harrison, all of Saint John.

The appeal was allowed with costs in the County Court matter J. Lionel Couillard vs. the Provincial Bank of Canada, and others, the case being argued before the court by F. Dodd Tweedie for the plaintiff who supported an appeal from the Madawaska County Court. The plaintiff claimed for unlawful seizure of a car bought for \$125, paying partly in cash and partly in notes. J. A. Pichette opposed the appeal.

The appeal of Dr. W. Everett Gray of St. Stephen from a judgment entered against him for \$2,251.50 in favor of Mrs. Margaret Taylor of St. John for damages as the result of an operation was dismissed today with costs.

The defendant had performed a Caesarian operation on the plaintiff at St. Stephen and some months later she was operated on the second time and a set of forceps were found in her right side. W. A. I. Anglin argued for the defendant and P. J. Hughes for the plaintiff.

A unanimous judgment of the court today also dismissed with costs the appeal of the Maritime Transit Ltd. from a judgment of Chief Justice Baxter who ordered a decree restraining the defendant bus company from operating buses in competition with the street cars of the N. B. Power Co. in Saint John and the Parish of Lancaster. P. J. Hughes, K.C., supported the appeal and C. F. Inches, K.C., argued for the Power Co.

(Continued on Page Four)

## ODDFELLOWS TO CONVEENE HERE IN ANNUAL SESSION

Preliminary Plans Now Being Made --- Opens On August 9

The 80th annual session of the Grand Lodge, Independent Order of Odd Fellows of the Maritime Provinces and Newfoundland, will be held in Fredericton in August. Preliminary plans are already being made under the chairmanship of Karl A. Walker, and there is every indication that the meeting will be an outstanding success.

Opening on Monday, August 9, the convention will proceed through a four-day programme until Thursday, August 12. At the same time the 35th annual meeting of the Rebekah Assembly and the 46th annual session of the Grand Encampment will be held in conjunction with Grand Lodge.

Voluminous details have necessitated an early commencement on the part of the Fredericton lodges, who are working together under various committees. A. H. Wood, grand master, anticipates that approximately 2,500 persons, including delegates, their families and friends, will visit Fredericton during convention week.

### Executive Committee

The executive committee, under the chairmanship of Mr. Walker, includes A. H. Waterhouse, vice-chairman; Fred W. Gunter, secretary, and Miss Beatrice McCullough and Miss Marion Sterling, assistant secretaries.

The Grand Lodge officers are: Grand master, A. H. Wood, Fredericton; grand secretary, E. H. Munroe, Windsor, N. S.; deputy grand master, L. F. Moore, Grand Falls, Nfld.; and grand treasurer, J. M. Donovan, Halifax, N. S.

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## PRESIDENT OF NEW BRUNSWICK FRUIT GROWERS' ASSOCIATION ADVOCATES IMPROVED CARE OF APPLE ORCHARDS

Presidential Address Features Opening Session Here This Morning --- Apple Production Last Year Not Favorable, Report Shows

### Interesting Papers Presented Today

Nearly One Hundred Delegates Present From All Sections of Province --- Gorham Discusses History of Fruit Growing Industry

ADVOCATING improved care of orchards to protect the future of the apple industry in the province and to retain present markets, W. B. Gilman, R.R. No. 6, Fredericton, president of the New Brunswick Fruit Growers' Association, which convened in its 32nd annual meeting here today, stated that the apple crop of last year was far from satisfactory as to quantity and quality. Weather conditions and parasitism were given as reasons for the crop reductions by Mr. Gilman, whose annual report featured the opening session of the two-day convention.

Attended by nearly 100 delegates from all sections of the province, this morning's highlights included the presidential report and discussion regarding "insect control" measures. The matter will be studied by the Resolution Committee which will submit its recommendations tomorrow. Governmental regulations to effect rigid control measures were advocated by several speakers.

Other speakers this morning were C. W. Maxwell, graduate assistant, insecticide investigation, Dominion Entomological Laboratory, Fredericton, who presented a paper on "The Apple Maggot Situation," and R. P. Gorham of the same department, who delivered a paper on "The Development of Fruit Growing in New Brunswick From the Period of Discovery to 1910."

In the report of the president it was shown that the growers of small fruits had good crops last year. However, Mr. Gilman expressed concern regarding this season's crop, pointing out the open nature of the past winter likely has caused considerable injury to plantations and may result in a reduction in the 1937 production.

Referring to the apple situation in the province, the president expressed the opinion that it will only be a matter of a year or two before any province that has no compulsory maggot control measure in effect will be unable to export apples to any country with the possible exception of the United States, and interprovincial shipments may also be effected.

In connection with membership in the Association, Mr. Gilman said that although there was an increase in membership from 157 in 1935 to 191 in 1936, it is still much below the high record of figures of 305 for 1930 and 344 for 1929. He urged that all members co-operate with the view of increasing membership in the province-wide organization.

In conclusion he asked the members to extend every effort to make the convention a success, asserting that the programme was one of the finest ever arranged for an annual meeting of the association and at considerable expense and inconvenience to the various provincial and Dominion services providing the speakers.

The speakers to be heard during this afternoon and tomorrow's session will include: F. W. Wood, director of marketing, Halifax; Dr. W. S. Blair, superintendent, Experimental Station, Kentville; A. Kelsall, Annapolis Royal; L. C. Young, Experimental Station, Fredericton; George E. Howie, Fredericton; J. L. Howatt, Plant Pathological Laboratory, Fredericton.

"The Apple Maggot Situation," was the subject of an interesting paper presented by C. W. Maxwell. His address was as follows:

My remarks regarding the apple maggot are concerned with only those investigations in which I have been directly and indirectly engaged since 1925.

These investigations fall into three categories, which are directly connected and dependent of each other: (1) The biology of the insect; (2) experiments for control of the insect; (3) the inspection of orchards for the presence of the insect. The occasion for orchard inspection depends upon whether control measures have been effectively carried out. These control measures are the results of countless experiments undertaken in which those showing the most efficient results are recommended for control. Control experiments cannot even be outlined or commenced until a study of the biology of the insect has been made to find out at which stage in its life history the insect can best be attacked.

The description and life history

may be briefly stated as follows: The apple maggot (*Rhagoletis pomonella* walsh) is of American origin and has not as yet been found in Europe. The adult or parent insect is a small, two-winged fly, slightly smaller than the housefly. The general body color is grayish-black with four transverse white bands on the abdomen of the female and three in the case of the male. The wings are transparent, with black bands.

The flies begin to emerge from the soil in early July, the "peak" being realized about August 1. In New Brunswick, flies have been seen on July 4 and have been found as late as September 12. Four to seven days after emerging the female begins to lay eggs beneath the skin of the fruit, one in a place; but many eggs may be laid on one fruit. From five to 12 days later the eggs hatch into small, white maggots which tunnel through the fruit in all directions. When full-grown, the maggots leave the fruit to enter the soil where they pass the winter, emerging the following July and August as adult flies to continue the species.

Nova Scotia worked out the general biology of the insect for that province some 15 or more years ago and established a control suitable to the conditions existing at those times. More recent experimentation, and the establishing of an arsenic tolerance, has altered somewhat old standards of control. Experimentation has shown that the first maggot spray should be applied during the first of July instead of the 15th, as the flies have to be poisoned before the eggs are laid. The arsenic tolerance limits the period of time in which the second spray can be applied, as late spraying is likely to result in fruit exceeding the tolerance.

With the possibility of finding a substitute for arsenic for control measures, numerous experiments and a wide variety of materials have been tried. The greatest amount and variety of experiments were conducted (Continued on Page Five)

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## COURTS ALLOW APPEAL IN CASE WILMOT KELLY

Judgment Quashed Conviction by Local Police Magistrate

### History of Case

Accused Was Previously Found Having Stolen Goods in Possession

The conviction against Wilmot Kelly of this city was quashed when the case came up for appeal at the opening sitting of the April session of the Appeals Division of the New Brunswick Supreme Court this morning. Leo F. Cain argued on behalf of the defendant, and E. B. McLatchey conducted the case on behalf of the attorney general's department.

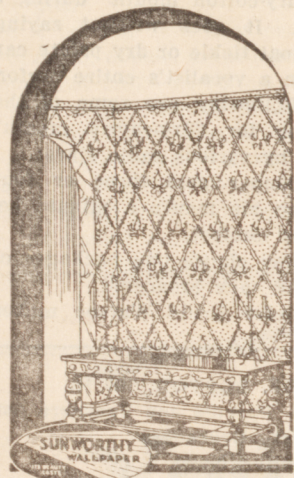
Mr. Cain was heard in the opening argument but was interrupted by the court before he had completed his brief. Mr. McLatchey, who next presented his case, was also interrupted by Chief Justice J. B. M. Baxter, who questioned him regarding the 'basis' of his argument. The chief justice asked if it was the policy of his (McLatchey's) department to oppose the appeal because the conviction was made by the police magistrate of the city of Fredericton.

Mr. McLatchey completed his argument and at the conclusion the court unanimously allowed the appeal and quashed the conviction.

The history of the case dates back to February, when the accused was convicted by Magistrate Limerick on a charge of having stolen goods in his possession knowing them to be stolen. His conviction followed his arrest by R.C.M.P. officers. The arrest was the result of a complaint by Hedley Stewart, Geary, whose car was stolen and several parts were missing at the time it was recovered. A. R. Murray conducted the case for the prosecution and Leo F. Cain appeared for the defendant.

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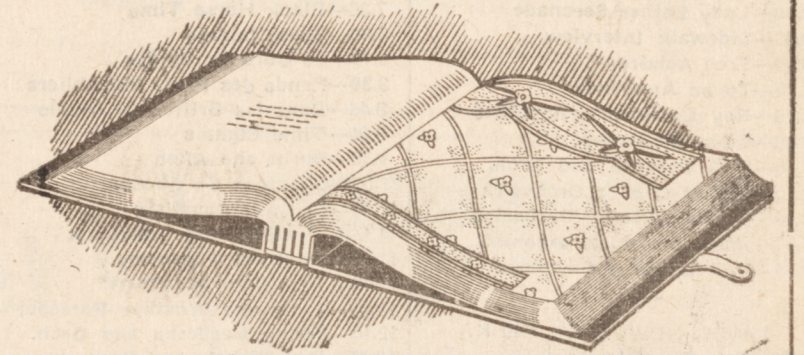
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