

BANK SUES FOR \$30,000 CLAIM

Action Against St. John and Quebec Railway Company on Old Valley Railway Contract

The case of the Bank of British North America against the St. John and Quebec Railway Company was continued before His Honor Judge Chandler in the Chancery Court rooms on Tuesday and Wednesday of this week. F. Taylor, K.C., and Colonel Hibbard of the Montreal bar, represented the plaintiff, and W. P. Jones, K.C. and T. A. Jones were the counsel for the defence.

The action arose out of a contract between the Hibbard Company and the Railway Company, made in 1912, for the construction of the railway between Fredericton and Woodstock. The bank claimed that the directors of the Railway Company in January, 1916, under the chairmanship of F. W. Sumner, of Fredericton, had settled with the Hibbard Company and paid the balance due under the contract of the Hibbard Company, when in fact the claim had been assigned to the bank and settlement should have been made with the bank.

An assignment was produced, dated September 2, 1914, from the Hibbard Company to the bank of all monies then due and to become due under the contract and it was proved that notice of the assignment was served upon Dr. Landry, then provincial secretary, treasurer of New Brunswick. Evidence was also given of certain correspondence with the Railway Company prior to January, 1916, in which mention was made of the bank's claim.

The bank also claimed that there was collusion between the then directors of the Railway Company and their solicitors with the solicitor of the agent of the Hibbard Company, whereby the agent was enabled to secure for himself some \$15,000 on his claim against the Hibbard Company out of monies which should properly have been paid to the bank.

The plaintiff claims some \$30,000. The plaintiff's case was closed and Senator Todd, who was once president of the Railway Company; Arthur R. Gould, also once president of the Railway; Ross Thompson, once manager; R. B. Hanson, A. R. Slipp, W. Shivers Fisher, Edouard Girouard and Richard O'Leary were called as witnesses on behalf of the defence.

The further hearing of the case was postponed until September 23, owing to the absence of Mr. Sumner in England, he being required by the defence as a witness.

GEORGE J. GOULD IS OUSTED AS TRUSTEE

New York, July 17.—A formal order removing George J. Gould as executive trustee of the estate of his father, Jay Gould, has been signed by Supreme Court Justice Whitaker.

As a result of the order Frank Jay Gould, brother of George Gould, on whose petition the latter was removed, becomes executive trustee if the court approves his appointment as provided for in the Jay Gould will.

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NURSES' CONVENTION

The annual convention of the New Brunswick Association of Registered Nurses came to a conclusion last evening with a banquet in Bond's restaurant given by the local nurses to their visiting sisters.

The afternoon session was largely occupied with the election of officers, and the following were elected for the ensuing year: President, Miss Margaret Murdoch; vice-presidents, St. John, Miss Ada Burns; St. Stephen, Miss McMillin; Fredericton, Miss Mabel Richards; Westmorland and Albert counties, W.

S. Jones; Newcastle, Miss A. White; corresponding secretary, Miss D. C. Malcolm; recording secretary, G. L. Dunlop; treasurer, Miss Mitchell, and registrar, Mrs. Richards. Members of the council: Miss Brophy, Miss Kate Holt and Miss Malby.

In the evening the members of the convention attended a banquet in Bond's restaurant, which was given by the local nurses. Much credit is due to Mrs. F. L. Dunlop, the convener of the entertainment committee, who did so much to make it a success. There were about seventy nurses attending the sessions of the convention, of whom quite a number are from outside points, including Sisters Mary E. Barry, Durham Bridge,

York (N. B.); Elizabeth U. Groom, Ethel L. Kee, Elizabeth Sanson and Mabel O. D. Richards, Fredericton; Anne A. Whyte, Donkstown; Mabel M. McMullen and Matilda Drummond, St. Stephen; Florence E. Coleman, Hampton; Grace E. Myles, Moncton; Marguerite S. R. Lee, Bloomfield; Frances J. Keith, Walkerville (Ont.); and Belle M. Likely, Duluth (Minn.).

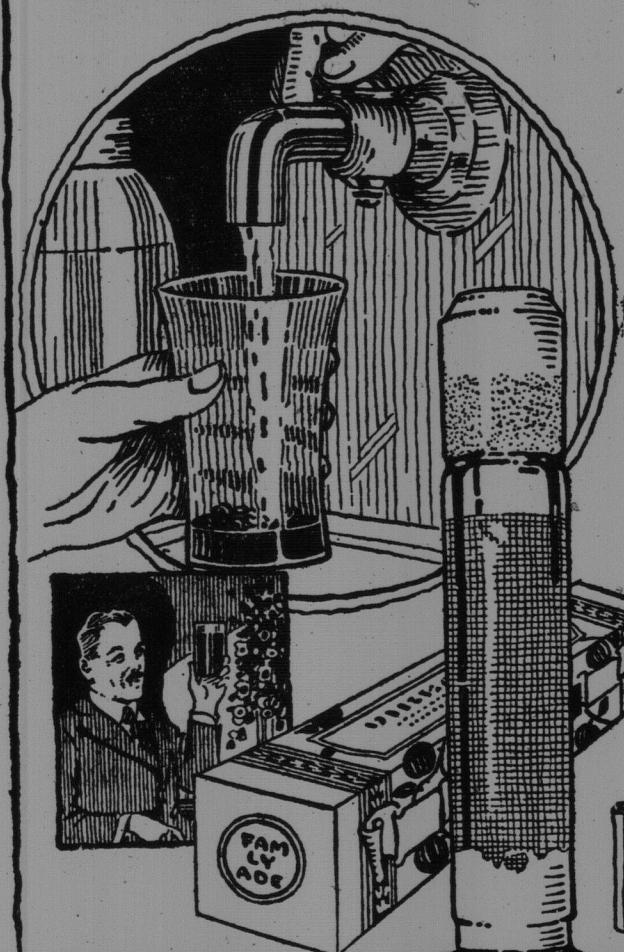
POLICE COURT

The Brayley Drug Company was fined \$200 yesterday in the police court for filling prescriptions without a retail license. Inspector Merrifield gave evidence and asked that their wholesale license be cancelled.

The four girls and three young men who were arrested on Tuesday night at 12 o'clock were brought up and charged with being together on board a pilot's boat at the Sugar Refinery wharf at that time and not being able to give a satisfactory explanation. His honor decided to send the four girls for a term to the Good Shepherd's Home, and the three men were told that they were liable to a fine of \$100 each under the Dominion act.

One lobster made a dinner for a Rockland, Me., family of five and a few remnants were left over for another meal. The lobster weighed fifteen pounds and was three feet long.

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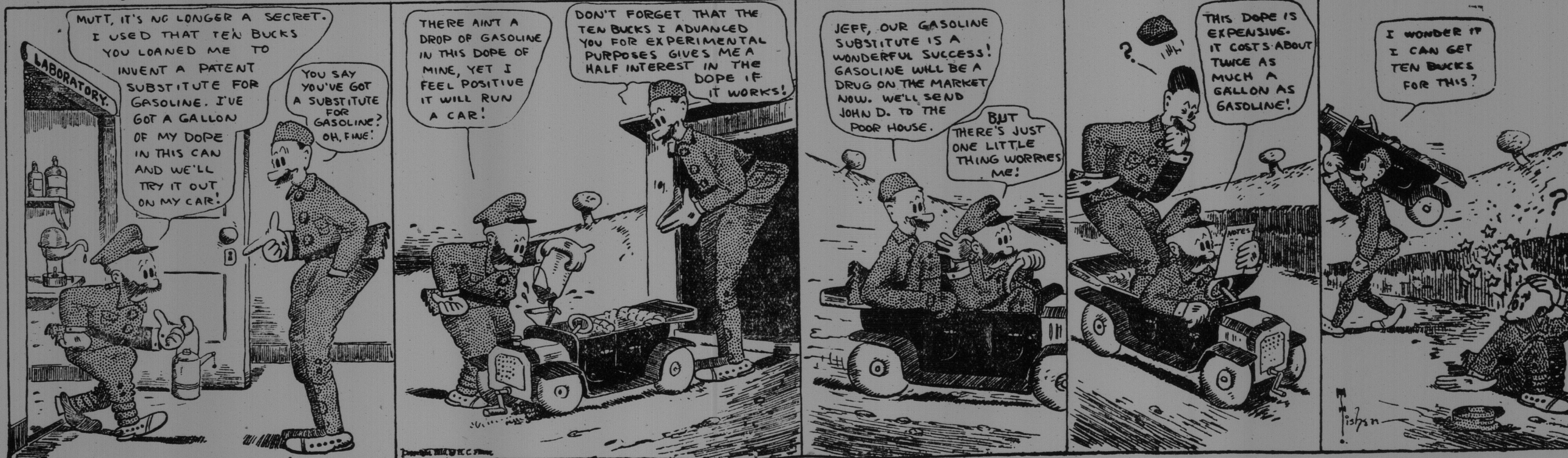
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