

CURRENT PRICE OF CODFISH

Lorenzo Noseworthy vs William A. Munn
Supreme Court

Lorenzo Noseworthy, examined by Mr. Morine K.C. on behalf of the plaintiff having been first duly sworn, said as follows:—

I am the plaintiff herein. I live at Spaniard's Bay. I carry on business at the Labrador at Sandy Islands and have done so for a number of years. I have been fishing there for about 22 years, and have been doing business there 8 years. I am 44 years old. One way and another I have been connected with the Labrador fishery for about 26 years. Last year I did business for Mr. Munn, the defendant, through his brother, Mr. R. S. Munn. I sold fish of my own to Mr. Munn last year. I had bought fish for Mr. R. S. Munn for three or four years before this. He resides in Harbor Grace and is a brother of the defendant.

Before 1914 when I bought for R. S. Munn, I could not say whether it was for himself or for W. A. Munn through him. I just bought it for himself so far as I know; 1914 was the first year I bought for W. A. Munn. W. A. Munn sent a schooner to me to collect the fish at Sandy Islands. The schooner was named the "Procyon." She was the only schooner I loaded last year at Sandy Islands. I loaded her only once last year; the rest of the fish was carried across in boats to Flat Islands and loaded aboard a steamer for Mr. Munn. The Procyon went across to Flat Islands to put her fish aboard the steamer, the S. S. Dernes. All the fish bought by me for Munn, or sold by me to Munn, went away on the "Dernes" on the one trip. The amount of fish put aboard the "Dernes" was 2023 qtls. Of that amount 576 1-2 qtls. was my own from my own room; that was caught by men in my employ on my own room. The remainder was obtained from various persons. All the persons I bought from were eventually paid, except one man named Richard Neal. R. S. Munn paid him. I gave him his receipt and I preferred that Mr. Munn should settle with him specially.

That fourteen hundred odd quintals was purchased from a number of per-

sons. I obtained money from Mr. Munn to pay these men, and I paid the men. I received the money with which to pay them in two sums; Mr. W. A. Munn gave me \$1000 and Mr. R. S. Munn in Hr. Grace gave me the balance. I was given the money to pay the men at the rate of \$3.60 per qtl. I paid that \$3.60 per qtl to the various persons I had bought from. With regard to my own fish I obtained from Mr. Munn the same amount, \$3.60. Out side that \$3.60 allowed for the price of fish I further obtained from Mr. Munn a commission of 15 cents a quintal. For that commission I bought all the fish that was in the "Procyon;" carried it across to Flat Islands in the "Procyon;" took the weight of the fish out of the Procyon into the "Dernes," and then weighed it out again for Munn; and settled up with the men and gave them their receipts. This 15 cents was arranged for in advance between me and R. S. Munn.

It was arranged for at the beginning of the season between the 10th and 17th September. Mr. Munn just arranged with me for 15 cents a quintal for taking the trouble and doing the work for him, clear of the price of the fish; that is for the class of work I afterwards performed. A few days after giving me the money to pay men off and for the price of my own fish he gave me 15 cents a quintal. He paid it to me separately from the other amount. So far as the 15 cents is concerned we completely settled the matter between us. Our dispute now is over the price of the fish.

At the beginning of the season I was given printed forms of receipts. When I made the arrangement with Mr. Munn about buying the fish he gave me receipt books. I first made the arrangement with R. S. Munn between the 10th and 17th September. On the 17th I bought the first fish. When I went to the Labrador first I had no arrangement with R. S. Munn. When I went down there first I had a vessel of my own for Franklin which was afterwards cancelled. The arrangement between me and Munn was entirely made on the Labrador. Last year R. S. Munn was acting through his brother, W. A. Munn. I have a specimen of the bank form of receipt supplied to me.

I was given a couple of books of printed forms, each form having a stub and a part to be detached. The detached part would be given to the men from whom I got the fish and the stub retained in the book. This I now produce is a specimen of the

blank receipt. (Put in as Exhibit L.N.I.) I now produce another receipt "Received from Nathaniel Coombs, 18 qtls." "Current price" is marked on it. It is signed per L. Noseworthy. That is my signature, in my handwriting. That is a good specimen of the form which I gave to people from whom I bought fish.

There may be a few forms on which "current price" was not marked in the hurried writing. If there are any on which such words did not occur it is a mere omission, because I was ordered to put the words "current price" on all receipts. (This receipt is now put in marked L. N. 2.) I now produce another form issued by me, received from myself for 13 qtls. The words "Current Price" are also marked on that. This is a correct specimen of the way in which the receipts to myself were issued in every case. I was ordered to put the words "current price" on all receipts. If there are any found without those words it is an unintentional omission.

R. S. Munn ordered me to put the words "current price" on all receipts, at the time he made the arrangement with me. He told me to put the words "current price" on the receipts. I asked him for a figure, and he said he expected it would be \$4.00 but to use "current price," and he would pay me as much as the Labrador merchants would pay and to use it among the public. He told me he would give me as much as was given on the Labrador by any supply merchant expecting the price would be \$4.00. R. S. Munn did not remain at Sandy Islands. He stayed at Flat Islands. He was there all the time. He followed the "Dernes" from different parts of the shore. His home port was Flat Islands. The "Dernes" moved up the shore and down the shore as far as Indian Tickle and R. S. Munn was at Flat Islands most of the time. As the "Dernes" moved he would go with her. He gave me my instructions at Sandy Island. Later he came to Sandy Islands. When he would come back in the steamer he would run over to see how things were working. The distance between Sandy Islands and Flat Islands is about 1 3-4 miles. He was at Sandy Islands several times and I saw him several times at Flat Islands in the "Dernes."

(To be continued)

"The hand that wields the cradle rules the world," is the version of a parodist who pokes fun at the Zep-

Fishermen in Peril

Dense Fog Cause of Boats Going Astray—Occupants Out All Night—Suffer Much and Cause Friends Anxiety

Wednesday morning early Rd. Kenny and three men and Kenny's little son, aged 9 years, left Petty Hr. for the fishing grounds. The fog was thick but Skipper Kenny was often out in similar weather and knew the road well so that he anticipated no danger. However when he did not turn up yesterday and last night there was much anxiety amongst his family and friends which fortunately was relieved this morning when he returned safe with 7 qtls. fish.

So dense was the fog Wednesday evening and night that the men completely lost their bearings, the boat evidently drifted away South with the heavy current and after a most anxious time the trio made Bay Bulls. The little boy had an experience he will not soon forget.

Yesterday some five dories with two men in each left Witless Bay to go fishing and had a similar experience to Mr. Kenny. They 'lost completely their whereabouts and evidently drifted South with the current and made into Tors Cove and Lemonche this morning. They suffered much last night and were drenched with the downpour of rain.

All along the Southern Shore a very heavy sea is running.

Banker Arrives

Report 2 men missing; gales, rain and fog prevails on Banks.

Capt. Walter Kennedy, of Holyrood, in his banking schooner, the Rostand, arrived at Bay Bulls this morning from the Banks, and came here by the train. Capt. Kennedy hails for 250 qtls. on this writing, and has to his credit to date 1,500 qtls. for eight dories. Capt. K. tells us that terrible weather prevails on the Banks. Of late there has been a succession of gales torrents of rain, and dense fog and a mountainous sea and he would not be surprised if bankers sustained heavy losses in gear, while fishing is attended with great risk to the men owing to the storms and fogs. When the Rostand was making the land this morning so dense was the fog that Capt. Kennedy could not tell for a long while what part of the Southern Shore he was on, but later made out Great Island and that he was in the mouth of Witless Bay. A couple of days ago he was on board the American schr. Mary F. Curtis, whose captain was very anxious about two of his men who had gone astray in their dory, but he was hopeful that they would either be picked up by other vessels fishing in the neighbourhood or make the land. If not their lot will be a terrible one indeed.

Stephano Arrives

The S.S. Stephano, Smith, master, arrived at 6.30 a.m., bringing a full freight and a quite a number of passengers from New York and Halifax.

Fishery News

A message dated the 19th inst., from T. Soper to the Board of Trade gives the total catch to that date between Channel and Port aux Basques as 6014 qtls of cod and 27900 pounds of halibut with 20 qtls and 100 lbs for the week just ended. There is bait enough for use but prospects are poor and the weather so far has been very unfavorable, S. E. winds with fog and rain prevailing all the time.

Ask your dealer for Wallace's Souvenir box chocolates. Three pictures of 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th.

A Clever Musician

Miss Flora M. Pike, daughter of Mr. Mark Pike, of Steer rBos. arrived here today by the Stephano on her vacation. Miss Pike has been studying at the Boston Conservatory of Music the past 2 years and has made a name for herself as an accomplished musician, even in the exclusive musical circles of the Athens of America. She has done splendidly in her exams, and returns to Boston after her vacation.

Ice Conditions North

Pogo Wireless Station reports the following to-day to Marine and Fish-eries:—
Yemson Island—Fresh N. E. wind, heavy open ice everywhere.
American Tickle—Fresh North, cloudy, loose ice.
Battle Hr.—Light East wind, fog banks distant, heavy open ice everywhere; good sign salmon.
Robert's Arm—Strong N. E. wind, no ice to be seen.

SHIPPING

The schr. Lief is loading codfish at Grand Bank for Oporto.

S.S. Argyle arrived at Placentia at 4.30 p.m. yesterday, from the west, and sailed this a.m.

S.S. Clyde left Change Islands at 3.35 p.m. yesterday, out.

S.S. Dundee left Blandford at 2.25 this a.m.

S.S. Ethie left Clarendville at 5.05 a.m. today.

S.S. Home is at Lewisporte from the north, but no report received, the lines being interrupted.

S.S. Erik arrived at Battle Hr. at 7.30 p.m. yesterday, coming south.

S.S. Kyle left Basques at 10.30 p.m. yesterday.

S.S. Meigle left Norris Point at 4.15 p.m. yesterday, going north.

Capt. Strong had a message from the Ingraham saying that she had left Seldom last evening for this port. S.S. Portia left Fortune at 4.15 a.m., coming east.

S.S. Prospero left Conche at 7.30 p.m. yesterday, coming south.

S.S. Beothic finished discharging last evening and leaves first chance for Tilt Cove to load ore for New York.

S.S. Adventure, after being delayed several days by ice conditions, got away from Tilt Cove on Wednesday evening with a cargo of ore from New York.

R.C. Church Dignitaries Come By Bruce

The S. S. Bruce arrived at Port aux Basques at 7.50 a.m. today. She brought the following dignitaries of the Catholic Church:—Rt. Rev. Monsignor Stagni, Revs. Monsignor O'Leary, Geo. Daly, A. A. Sinnott; Drs O'Rielly and M. J. Ryan. The other passengers were P. Thomas, T. Fortune, Mrs. P. Young, H. H. Ridley, Miss R. Monitor, E. K. Gosse, C. P. Gosse, Jr., Mrs. W. R. Evans, Mrs. N. Bennett, Sisters M. Dale, M. Joseph and M. John, R. T. Murphy, J. J. Crowdis, Mrs. M. Bexter, Mrs. J. L. Small, S. O'Driscoll and W. Cook.

Fishery Report

Messages to Marine and Fisheries to-day:—

King's Cove—Fishery improving, one trap got 15 qtls yesterday, others 2 to 3 qtls; no caplin.

Lawn—Yesterday traps 10 to 20 qtls, too rough for dories, wind continues S.E., blowing gale to-day; no chance haul traps.

Lamaline—Wind East, fresh, and has been for weeks, fish scarce, caplin fairly plentiful.

Fine Arches Erected

Yesterday the residents of New Gower and contiguous streets determined to build an arch at the foot of Barron Street on New Gower and a fine structure is being raised there for the consecration festivities. The arch on Patrick St. is a beauty, 32 feet high, and will be embellished with very handsome electrical and other decorations.

Came With Lunatic

By the express last night Const. Eason arrived from Bay St. George with a man named Louis Young, who is insane. The man who has very violent periods was taken to the asylum.

Passengers who, and by the Bruce express last night say that good work is being done at Courroy and other places West, with adsh, caplin and salmon are also very plentiful.

Train Notes

The Bruce express arrived here at 12.30 this morning with several passengers.

The express which left Port aux Basques yesterday morning is due here at 8 to-night.

The express which left there this morning is due here at 1 p.m. tomorrow.

Yesterday's Westbound express left Quarry at noon.

Glencoe's Passengers

The S.S. Glencoe, which left Placentia this morning going West, took out Revs. Eady, How-ell, Way, Maffien and W. Smith, J. R. Grou, Conr. Kelly, Stan Bond, Misses F. and W. Ryan, Mrs. McGrath, Mrs. W. M. Morris, Master Guy Morris, Mrs. Fitzpatrick, Mrs. B. Cluett, Mrs. Dixon, Miss C. Dixon, Mrs. A. Searnett, V. Cluett, Mr. Chesman, and Mr. Cunningham.

Smart Neckwear For Men

ON your way down town drop in and look over our splendid stock of Men's Ties. We have them in the leading shapes, in the newest fabrics and designs.

Before the GREAT FIRE that destroyed MacGregor's Stock, Mr. MacGregor had contracted for goods to be delivered during March and April, and we have purchased from him all his new goods to arrive.

Today we received a shipment of Silk Scarfs, each one stamped

"Macgregor's, St. John's"

These are certainly distinctive, hand some, refined and entirely correct—the wide-end slip-easy band of a rich quality.

You owe it to yourself to see them and buy a variety. MacGregor's regular 95c. Scarf. OUR SALE PRICE 75c. EACH.

Come in today and see our general stock of Neckwear, we can surely please you in varieties, styles, qualities and prices.

Anderson's, Water Street, St. John's

Table Butter

Very Choicest Shipment now in Stock of
30 POUND TUBS
14 POUND BOXES
28 POUND BOXES
AND ONE POUND BLOCKS
OF "ENNIS KEAN" IRISH

To meet the shortage in Fresh Vegetables we have imported a large supply Cans of
CARROTS PARSNIPS
BEET SPINACH
SAUER KROUT, Etc.

W. E. BEARNS HAY MARKET GROCERY
PHONE 379

"THE FACTORY THAT IS TURNING OUT SUCH SPLENDID WORK"

This is what President Coaker wrote in a recent Editorial in The Mail and Advocate of the BRITISH CLOTHING CO. LTD. and if you insist on your dealer supplying you with one of their suits you will agree with him that for distinctiveness of style, perfect fitting, qualities and superiority of goods they cannot be equalled in this Country.

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Made by
THE BRITISH CLOTHING Co., Ltd.
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We Aim To Please

And we hit the mark every time with good work at honest prices.

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Genuine Tailor and Renovator.
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Specially Low Prices in LUBRICATING OILS.

Up to the 15th June, we will deliver "POLARINE" Oil at the following prices:—

5 Gal. Can POLARINE OIL, Imperial Measure, for \$3.60. Original Price, \$4.50.

2-5 Gal. Cans POLARINE OIL, Imperial Measure for \$7.00. Original Price, \$8.80.

This is strictly Non Carbon, Non Freezing Oil and is strongly recommended for Motor Cars and Motor Boat engines.

TESTIMONIALS:

From The Acadia Gas Engine Co., Ltd.

"We consider "Polarine" Oil to be the best and most suitable for our engines and recommend it to our customers.

(Signed) N. Ritcey,

From Swim Bros.,

Fish Merchants.

We have used all kinds of Cylinder Oil in our Motor Boats and are now using "Polarine" which gives us better satisfaction than any oil we have ever had.

Yours truly, (Sgd.) SWIM BROS.

A. H. Murray
ST. JOHN'S