

CITY LOSES IN APPEAL COURT

Judgment in License Case Against H. C. Page Is Sustained

Damages Against N. B. Power Commission Increased in Moncton Action

Special to The Times-Star.—FREDERICTON, N. B., Feb. 19.—The Appeal Court this morning handed down judgments in a number of cases, Chief Justice Sir Douglas Hazen, Mr. Justice Grimmer and Chief Justice Barry of the Kings Bench Division, sat as the court.

In the *Klug vs. McLatchey* ex parte *Stewart* a motion to quash was refused. This was a civil action tried in the Kings Bench Division.

JUDGMENT UPSET

In *Bartel vs. Belyea* the decision rendered by Mr. Justice Crockett was upset and judgment was given for the plaintiff with costs of application.

In *Hatfield vs. Canadian Pacific Railway* the decision was affirmed with costs as set aside. This action was for damages for two carloads of potatoes shipped from Carleton county to Detroit which deteriorated en route.

H. C. PAGE WINS

In *Page vs. City of Saint John* the appeal was dismissed with costs. In this action H. C. Page brought an action to set aside a license for the sale of beer by the city. Action for recovery of the money paid as fee was brought by Page and won. The city appealed the suit but has lost in the Supreme Court.

KINGS PROBATE CASE

In the estate of Sarah A. Henderson the judgment of the Probate Court is affirmed and the appeal dismissed. This case was from the Kings county Probate Court. The appellant, Elizabeth Henderson, made a claim on the estate as the wife of her husband, who had predeceased her sister, the late Sarah A. Henderson.

In *Voye vs. McTavish*, verdict and judgment are confirmed. This action concerned purchase of land by the appellant, Mr. Voye, from the respondent, Mr. McTavish, who had predeceased his sister, the late Sarah A. Henderson.

In *N. B. Gas and Oil Fields, Ltd. v. Moncton*, the appeal was allowed and the amount of award increased to \$1,862.42, with interest. This action was an appeal from an award for damages made by the Power Commission.

In *Copp vs. Wood*, Chief Justice Hazen and Mr. Justice White concurred in dismissing this appeal, Chief Justice Barry dissenting.

In *City of Fredericton vs. Simmons* the appeal was dismissed with costs. This appeal was from a decision of the City of Fredericton in favor of the possession of all property in University avenue erected by Mrs. C. J. B. Simmons under the Housing Act, 1924, in the payment having been made. The defendant entered an appeal.

BARRISTER ADMITTED.

J. F. Winslow, K. C., moved for the admission of W. W. Seely of Woodstock as a barrister of the court. The motion was granted and Mr. Seely admitted.

Mr. Winslow also moved for the readmission of R. T. D. Aitken of Newcastle as a barrister. The motion was referred to the Bar Council for consideration.

The applicant for readmission is a brother of Lord Beaverbrook who has returned to Northumberland county after some years absence during which he practiced law in California, Calgary, Alta., and Montreal.

SUES TO BREAK WILL

NEW YORK, Feb. 19.—Papers have been filed in the surrogate's court in Brooklyn, on behalf of Mrs. Kate Hart, of Brooklyn, 25-year-old widow, to break the will of the late James Hart, her husband, who was 64 years old when he died on Jan. 28. He left an estate estimated to be worth close to \$1,000,000, to be divided among a previous marriage. Mrs. Hart was not mentioned.

EXPECTED TONIGHT.

The steamer *Birate Jensen* will arrive tonight from New York to load 1,100 pigs and 400 head of cattle for the United Kingdom.

BIRTHS

WITHER—On Feb. 18, 1926, to Mr. and Mrs. Maurice Wither, 16 Peter street, Saint John, N. B., a son, Herbert Russell.

DEATHS

RILEY—Suddenly, at the Saint John Infirmary, on Feb. 18, 1926, Constance Marion Riley, age 4 1/2 years, youngest daughter of Mr. and Mrs. J. N. Riley, 505 Charlotte street.

PATTERSON—In Somerville, Mass., at Feb. 18, Gilbert, beloved husband of Ellen (Rosa) Patterson.

KELLY—In this city, on Feb. 18, 1926, Mary Aileen, daughter of Wm. J. and the late Alice Kelly, leaving her father (Boston and Montreal papers please copy).

FUNERAL—On Saturday morning at 8.45 from her father's residence, 51 Murray street, to St. Peter's church for funeral, high mass at 9 o'clock. Friends invited.

LAMBERT—In this city, on Feb. 18, 1926, Katherine, beloved wife of William Lambert, leaving her husband, one brother and one sister to mourn.

FUNERAL—On Saturday morning at 9.15 from her late residence, 76 Broad street, to St. John the Baptist church for requiem high mass at 9.30. Friends invited.

KENNEDY—Suddenly, at Passamaquoddy, on Feb. 18, 1926, James Kennedy, leaving two brothers, one sister, niece and nephew.

FUNERAL—Saturday morning at 9 o'clock to Ophim church for requiem high mass.

IN MEMORIAM

CUMMINGS—In loving memory of William Cummings, who departed this life Feb. 18, 1922.

Oh, today we sit in sorrow,
But we know you are at rest,
It was hard to have you taken,
But our Father knoweth best.
—MRS. ANTO JAMES.

Second Pursue Helps To Solve Problem

Police Constable Leard was handed a purse by a woman while he was on duty at Woolworth's store yesterday afternoon and just as he received it another woman claimed it was hers. He passed the case over to Sergeant Detective Power. A little later Police Sergeant Dykeman found a purse on the sidewalk in front of the same store. It answers to the description given by the second claimant to the purse which Police Constable Leard received. The lady who handed the officer the purse was at headquarters this morning and Sergeant Power said that the purses would be given to those claiming them as soon as the second lady identified the one found by Sgt. Dykeman.

RAIN STARTS SNOW FROM CITY STREETS

Reports Are That it is General Along Coast—City Conditions

Rain today, following sleet of the early forenoon, is reported quite general along the coast area. In this city it is having the effect of slumping the level of the sidewalks. However, there is the resulting danger of glazed streets which it is expected will be somewhat rain cases.

The Boston train and the Montreal were practically on time in arriving here at midday but the Maritime Express was about a half hour late. Automobile traffic was further hampered by the softened condition of the roads.

A situation has arisen because of the heavy snowfalls of late, causing considerable apprehension amongst property owners, the fire department and insurance circles. This is the heaviest up condition of backyards, alleyways and courtyards in connection with large public buildings and some private residences. In a few instances owners have been notified of the risk of snow in case of fire when solid drifts of snow would greatly hamper the work of the fire department. In such cases, the passageways have been shored and other provisions made for such an emergency.

Some public buildings such as the courts, theatres, post office, etc., have had exits on the rear entrances and the fire department has been alerted to be ready in case of fire. One theatre has already spent over \$800 in keeping its exits open and the Department of Public Safety.

Car No. 74 on the North End route was towed to the barns at the mid-day with motor trouble due to the condition of the roads.

The public schools were dismissed at 1 o'clock today.

Streets and Mr. Justice White concurred in dismissing this appeal, Chief Justice Barry dissenting.

In *City of Fredericton vs. Simmons* the appeal was dismissed with costs. This appeal was from a decision of the City of Fredericton in favor of the possession of all property in University avenue erected by Mrs. C. J. B. Simmons under the Housing Act, 1924, in the payment having been made. The defendant entered an appeal.

CITY TAKES POINT TO SUPREME COURT

Appeals From Utilities Claim to Jurisdiction in Power Co. Application

Hearing of the application of the New Brunswick Power Company to the Board of Public Utilities for an order compelling the city of Saint John to give them a manufacturer's rate for the water they buy from the city and a return of \$10,000 which they claim has been overpaid, will not come on until the February meeting of the commission, the city solicitor, Hon. B. M. Baxter, K.C., having appealed to the Supreme Court of New Brunswick from the decision of the board that they had jurisdiction in this matter.

An application for a writ of certiorari has been made by the city solicitor and until the court has decided the appeal the hearing will not be held.

Sends Report To Italy's Consul General

A full report of the arrest of the cook of the Italian steamship *Perseo* by a liquor inspector is being forwarded to P. Margotti, the Italian Consul General at Montreal, by D. W. Ledingham, local consular agent. He said this morning the circumstances of the case, in his opinion, made such a report advisable.

Mr. Ledingham said it was very unfriendly treatment, in his opinion, of the subjects of a friendly foreign nation, and entirely outside the ethics of common courtesy to foreign vessels, to have a stranger go on board and endeavor to get a foreigner, who could not even speak English and was not cognizant with the laws, to violate them and then have him arrested. He said this was not a good advertisement in view of the efforts Saint John was making to secure additional foreign tonnage to use this port. He expressed the hope that no further incidents of this kind would occur again.

FREE SPEED SKATES

Tomorrow afternoon at Imperial Theatre all boy patrons will be given a ticket in the number contest for the pair of tubular speed skates and roller skates donated by Colleen Moore of First National Pictures Inc. The girls get their chance next Thursday and last night will receive their awards Saturday 27.

GET LITTLE PAY

MADISON, Wis., Feb. 19.—Only eight Wisconsin villages pay their village presidents more than \$100 a year, and only nine others pay the same or less than \$100 a year, according to a report compiled by the Municipal Information Bureau of the State University Extension Division.

STERLING EXCHANGE

NEW YORK, Feb. 19.—Sterling exchange dull but steady. Great Britain 488 1/16; France 387 1/16; Italy 401 1/16; Germany 29.80; Canada dollars 7-12 of one per cent. discount.

CARRIERS WANTED

Several reliable boys wanted for routes in various sections of the city. Apply on Saturday to Circulation Manager, The Evening Times-Star.

PERSONALS

An improvement in the condition of Hon. J. G. Forbes was reported from home this afternoon.

G. Mario Logan left yesterday for New York. He expects to be away about a week.

Friends will be sorry to learn that Rev. J. B. Ward, of Sussex, is ill. He is a patient in the Saint John Infirmary.

Friends of Maynard Denton, of Digby, will be pleased to know he is progressing favorably after an operation, performed in the General Public Hospital, last week.

Mrs. Margaret Kerr left this week for Montreal, and will spend a few weeks visiting friends before returning to her home in Fairville.

Mr. and Mrs. Harry Tippet, Manawagonish road, left yesterday for Florida. They will visit friends in Boston en route. It is hoped the change of climate will be of benefit to Mrs. Tippet, who is convalescing after a recent illness.

James Carleton, building inspector, who is confined to his home with a cold, was today reported to be improving.

Miss Stella Mackay and P. W. Fisher, of Oak Hill's staff, accompanied by H. H. Scoville, of the executive staff, returned from Montreal at noon.

Chief Tingley, of the C. N. R. police, Moncton, passed through the city from Montreal at noon.

Mrs. I. C. Murray, Leinster street, and Miss Beryl L. Blanch, 110 Carmarthen street, returned after a fortnight's vacation in Boston on today's express.

Senator P. B. Black, Sackville, returned to his home today.

Mrs. Charles H. Gibson, Wright street, has returned after a Boston trip.

CHIEF IN CITY

Chief Provincial Liquor Inspector W. L. MacFarlane, is in town again. He arrived from York county today.

NEW CHURCH ORGAN.

J. E. Ledoux left for Stellarton, N. S., today to be present at the opening of a new Casavant pipe organ in the United church there on Sunday. Mr. Ledoux superintended the installation.

MATCH POSTPONED.

The hockey match in the Intermediate League between St. Luke's and the Canucks which was scheduled for this evening has been postponed on account of so few players.

IS VICE-PRESIDENT.

At a recent meeting of the Children's Aid Society yesterday J. E. Quinn was elected its vice-president. His name was inadvertently omitted from the list of officers as printed elsewhere in this paper.

MASONIC.

The Mark Master Mason degree was conferred on three candidates last evening at a meeting of Carleton Royal Chapter, F. and A. M., in the Masonic Hall in German street. Albert C. Lemmon, high priest, was in charge.

HEAVIER HERE.

J. M. Woodman, P. R. superintendent of the eastern division, arrived here after an official trip as far as Moncton in his private car. He reports the snow conditions as very severe. The rainstorm today, he said, was worse down here than westward.

ON WAY TO THIS PORT.

The Red Head wireless station had the following steamship reports today: 10 a. m., Bellhaven and Canadian Aviator, 40 miles south; 12.30 p. m., Birte Jensen, 90 miles south, all bound for through thick snow at the time of reporting.

DOMINION AUXILIARY.

The Auxiliary of Dominion Lodge, L. O. B. A., was entertained last evening at the home of Mrs. Frank Lodge, Saint James street. Twenty members were present and a busy evening spent in quilting. Refreshments were served by the hostess, assisted by Miss Myrtle Bannister and Miss Vida Lodge. Next Thursday evening the Auxiliary will meet at the home of Mrs. Harlow, Haymarket square.

REPORT OF SUMMER HOTEL HEARD AGAIN

The activity of some parties in real estate matters near the boundary waters and McAdam Junction, is being brought to the attention of the public by the fact that a summer hotel is being projected for the location. It is being brought to the attention of the public by the fact that the city today was to the effect that at a meeting in Montreal held last week the proposition was practically decided upon, but there is no way of confirming this statement at present. Parties said to be behind the boundary-line hotel are Edward J. Parnell, locally of the New York, New Haven & Hartford Railway Corporation, who were interested in a scheme through representations of some railway officials who attended Guide Harry Allen's picnic-convention of transportation men in the Spindle lakes last June.

Project For Boundary Near Vancorbo or McAdam Said to Be Decided on

GIVES ADDRESS ON BOYS' WORK

Lou Buckley, Y. M. C. A. Official, Talks to Y's Men

Points Out Dangers—Has Busy Time Here For Few

Lou Buckley, national boys' work secretary for the Canadian Y. M. C. A., was the special speaker at the weekly luncheon of the Y's Men's Club today with Walter Pearce in the chair. There was a large attendance of members and special guests. The meeting decided to get behind a campaign for funds for boys' work.

In a practical and forceful address, Mr. Buckley pointed out that three of the dangers in boys' work nowadays were doing too much for the boy, excluding boys and developing egotism in them. He spoke of the excellent results attained in the "Find Yourself" campaign conducted in other Canadian centres. Boys were given charts to fill and with this as guide many boys had been helped to secure their life vocation. Respecting summer camps, Mr. Buckley said they were becoming popular. Good leadership, however, he added, in many cases was lacking at these camps. Mr. Buckley's address was followed with close interest by members present.

This evening Mr. Buckley will assist at the launching of the Y. M. C. A. "Find Yourself" campaign, which is an effort along the lines of vocational guidance for a group of older boys. The boys will fill in self-analysis blanks, which will be gone over by the Y. M. C. A. leaders headed by C. M. McCullough, local boys' work secretary. Feb. 23 the boys will meet again and each will have an interview with an adult. If the boy has shown some private bent his interview will be with an adult who is familiar with the requirements of that calling.

BUSY DAYS

On Saturday Mr. Buckley will be busy with detail work of the Find Yourself campaign. On Sunday he will be the speaker at the boys' service at the Y. M. C. A. at 9.45 a. m. and the evening sing song in the building after the church services. On Sunday afternoon he will assist in the meeting of the boys and men of West Saint John in the Ludlow street Baptist church at 8.45. On Monday evening of next week Mr. Buckley will attend an annual father and son banquet at the Y. M. C. A. and on Tuesday he will assist with the wind-up of the "Find Yourself" campaign. On Wednesday, Feb. 24, he will leave for Halifax.

MOVIE CONTEST WINNERS TONIGHT

Tonight at Imperial theatre, the movie contest portraits will be again shown on the curfew and correctly named as a disclosure of some of the prizes which will be awarded. The picture feature tonight and Saturday at the Imperial is "The Picture Palace Story" featuring Richard Barthelmess. There will also be a Bobby Brown reel comedy entitled "Slippery Feet."

CHIEF JUSTICE TO SWEAR IN MEMBERS

Premier, Home Today, From Fredericton, Speaks of Government Business

Preparations for the legislature opening on Thursday, March 11, were practically completed at the meetings of the provincial executive, which concluded last evening at Fredericton, Premier J. B. M. Baxter said this afternoon on his return from the capital.

Chief Justice Sir Douglas Hazen, the Premier announced that the appointment of J. A. Murray as special industrial and immigration agent for the province was formally approved by the Government.

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SCHOONER SHELLED BY REVENUE CUTTER

Captain Reports Seventy Rounds Fired at Vessel; No Casualties

LUNenburg, N. S., Feb. 18.—With decks, spars and sides bearing evidence of shell fire, the schooner *Eastwood*, Captain John Spindler, arrived here this morning reporting having undergone a bombardment off the Jersey coast a few days ago. According to the captain, a United States revenue cutter fired 70 rounds at the schooner, many of the shells taking effect. One shell passed through the after-cabin, where members of the crew were sitting, but there were no casualties. It was understood the attack occurred during thick weather. The schooner flew a British flag.

BUSINESS LOCALS

Best Broad Cove Coal landing. Phone Main 2636. J. S. Gibson & Co. Ltd.

Hats 50 cents and \$1. Ideal Millinery.

Miss Mitchell of the Murre Millinery Co. Ltd. left last evening for New York.

On account of the extremely bad weather the sale of Fujii Silk and Broad Cloth dresses at \$2.95 and \$3.95 will be continued tomorrow.—Manchester Robertson Allison, Ltd.

Woolworth's fire sale continued on Saturday. Real bargains in water damaged goods; one cent to five cents.

Lecture in St. Andrew's church by Rev. Mr. Bonnell on Dwight L. Moody, will be postponed until further notice.

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WOULD LIKE CANADA.

D. W. Ledingham, local Italian consular has received word from P. Margotti, Royal Italian Consular General at Montreal, announcing the annual trade fair to be held this year at Milan in Italy during the April and suggesting that such an exhibition should appeal to Canadian manufacturers and merchants to increase trade between the two countries by exhibiting there. He said that there was already a large list of applications as the fair had the support of the Italian Government. He urged that any who wished to exhibit there should send their applications in at once.

AT COURTNEY BAY

The dredge *Leonfield* is undergoing general overhauling at the drydock preparatory to resuming her dredging operations on March 1 after a lay off of several months. The dredge *Tornado*, now in operation and night, will also continue the work. The hopper barge *Piper* will be placed on the marine railway tomorrow for repairs.

CARD PARTY AND DANCE.

The annual card party and dance meeting in "Prentice Boys' Hall, Guilford street, West, Monday evening, Feb. 22, at 8.30 p. m. Dancing lower floor, cards on upper. Admission 50c. Special leaves for city at 2 a. m.

For Week-End Buyers

Announcing the arrival of many lines of Spring Suits and Topcoats.

The patterns are most attractive and novel. Those who have seen them have already purchased both Suits and Topcoats.

The prices are attractive, too. Topcoat values at \$20 have been a revelation to many.

Suits from \$25 to \$50. Smart patterns in Young Men's styles at \$35 with 2-trousers.

New Caps to top off with one of them would brighten up your appearance.

REDUCED PRICES

Suits at \$29.50, Men's and Young Men's, one or two of a kind—were \$35, \$40, \$45—reduced price, \$29.50. Fashionable styles and patterns, affording a Spring Suit at a great saving.

Overcoats at \$20, broken lines we don't want to carry over. Good colors, good styles, finely tailored, bargains at \$20.

GILMOUR'S

68 KING
Ready-to-Wear Dept.

FARM HELP

THE SALVATION ARMY
EMIGRATION DEPARTMENT
Brydges Street, Moncton.

Are now in a position to supply farmers with men and boys for farm work. Apply to

ADJUTANT PARSONS.

97 Brydges Street, Moncton, N. B.

EPSTEIN'S

Registered Optometrists
191 Union Street - Upstairs
Eyes Examined and Glasses Supplied. 2-28

Children Must Be Given Italian Names

TRISTE, Feb. 19.—Children born in the territories ceded by Austria to Italy after the great war must be given Italian names, the court of appeals here has ruled.

The court maintained that residents of the war-won territories should "at this historical moment, be proud of their Italian nationality" and declared that refusal to give an Italian name to a child an Italian name was an anti-national act.

Funerals

Mrs. G. M. Robinson.

The funeral of Mrs. Gilbert M. Robinson took place this afternoon from her late residence at 124 Main street to the vault at Cedar Hill. The remains will later be taken to Joggins Mines, N. S., for interment.

Mrs. H. E. White.

The funeral of Mrs. Harvey E. White took place this afternoon from her late residence at 124 Main street to the vault at Cedar Hill. The remains will later be taken to Joggins Mines, N. S., for interment.

William H. Coates.

The funeral of William H. Coates took place this morning to St. John the Baptist church, where requiem mass was celebrated by Rev. Arthur Kinella. The funeral was largely attended and there were numerous spiritual and floral offerings. The remains will be taken to Joggins Mines, N. S., for interment.

No Damage Is Done In California 'Quake'

LOS ANGELES, Feb. 19.—The coast area of Southern California from Santa Barbara south to Los Angeles, was gently shaken at 10.18 a. m. yesterday by an earthquake of the rolling variety which apparently centred in the semi-valley, 12 miles inland from Ventura. The quake varied in intensity from a sharp tremble at Santa Barbara to a light roll at Los Angeles. No damage could be confirmed on re-checking last night.

NET PROFITS MORE

Steel Co. of Canada Earns 11.8 Per Cent. on Common—9.3 in 1924

USE THE WANT AD. WAY

TO LET FLATS, OFFICES, STORES
Bright Heated Offices, suit Dentists; also Apartments, 10 Rooms; Two Bright Flats, 120 Pitt; Large House, 28 Germain St.; Heated Store, 10 Germain, suitable Hairdressing, Drugs, etc. Phone M. 789.

PHONOGRAPH RECORDS

25 Cents Each
Also Staffordshire Crockery Ware at Bargain Prices
BURGOYNE'S SALES ROOM
82 GERMAIN STREET
Open Tonight JOHN BURGOYNE Auctioneer

One More Day to Lay Away Sale

Porcelain Table

\$7

Steel Bed (Walnut)

\$7

Extension Dining Table

\$12.85

Bridge Lamp

\$9.95
Price Complete

Chesterfield Table

\$11.85

Floor Lamp

\$14.90

\$10 selects any Suite at any price for future delivery. Tomorrow is your last chance to take advantage of Furniture values never before offered in Saint John. Come any time, morning, afternoon or evening, but come in all justice to yourself.

J. Marcus

Furniture, Rugs
30-36 Dock St.

JUST RECEIVED BRETBY ART WARE

Bulb Bowls, Window Boxes, Floating Bowls
Vases, Candlesticks, etc.
Shown in a variety of colors
And a large assortment from which you can choose
Most suitable bridge prizes.

O. H. WARWICK & CO., LTD.
78-80-82 KING STREET

MORSES TEAS always please

In Parliament Today

Canadian Press
OTTAWA, Ont., Feb. 19.—In the House, the debate on the address will be continued by H. W. Kennedy, Winnipeg South Centre. Yesterday, the debate on the address was proceeded with. Those taking part were C. H. Cahan, Conservative, St. Lawrence-St. George; Hon. Lucien Cannon, Conservative, West York; Hon. James Robb, Minister of Finance; Henri Bourassa, Independent, Labelle, and W. H. Kennedy.

RUSS. WHEAT BACK TO NORMAL IN 1928

Pre-war Level of Half-billion Bushels Expected By That Time

Canadian Press
ST. PAUL, Minn., Feb. 19.—Russian grain exporters are expected to regain their pre-war level of a half billion bushels annually in about 1928, the international wheat pool conference was told yesterday by D. P. Pavlov, trade delegate of the Soviet Government. He placed 1925 grain exports of Russia at 200,000,000 bushels. Russian co-operative organizations, he said, maintain a dominating position in comparison to the government and private exporters of the Union of Soviet Socialist republics.

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