

THE EVENING TIMES-STAR, ST. JOHN, N. B., THURSDAY, SEPTEMBER 20, 1923

### SAYS CITY NOT LIABLE FOR HYDRO UNTIL FIRST CURRENT DELIVERED

City Solicitor's Opinion Given to Council; Mayor to Confer Again.

The City Council, in committee this morning, had before it the opinion of the city solicitor on the matter of liability for the bill of \$40,150 rendered by the New Brunswick Electric Power Commission, and the reported building of a line by the City Power Commission for the Provincial Commission and the loaning to them of two of the city transformers. In the former it was decided to have the Mayor take up the matter further with the city solicitor for the purpose of having a resolution drawn which would safeguard the interests of the city, and in the latter to have His Worship take it up with the City Commission.

Relative to the \$40,150 Bill. The city solicitor advised that under the contract the Provincial Commission was bound to give a thirty-day anticipatory notice, and the notice of May 18 did not carry out the terms of the contract, but the city might waive this provision by taking current from the commission, and in that event would be liable from the time they commenced taking the current. He said the city should go over the books and accounts of the provincial commission to find out if they were actually in a position to supply the city with current during the period for which it was charged.

He also repeated the verbal opinion that it was not enough for the commission to say they could obtain current, but it must be under their control at the time. It closing, he advised the city to pay, assuming that Musquash was capable of supplying the current from the time current was first taken by the city.

Mayor Fisher then presented the following resolution for the consideration of the council:

Whereas, The city solicitor has advised this council:

(1) That the notice received by the city from the N. B. Electric Power Commission on 18th May last of readiness to supply current was not sufficient to comply with the terms of the contract;

(2) That the receiving of current by the city from the said commission on 28th July constituted a waiver of the said notice and an undertaking to pay for current from the date of commencement to receive it;

(3) That the council should, before paying for current on the basis of the amount contracted for, ascertain that the commission was in a position to supply the contract amount; therefore

Resolved, That the city waive notice from the N. B. Electric Power Commission with respect to ability to supply current for the months of May, June and July, provided that the commission will render a statement of the amounts of current which it was in a position to supply to the city in each of those months, and, for the purpose of verifying such statement, the engineer and accountant of the city power commission of the city to examine all books and records, papers, etc., of the said N. B. Commission, and also provided that the city will not be called upon to pay for more current in any month than the commission was in a position to supply.

Commissioner Thornton said this looked as though the Mayor wanted to disregard the advice of the city solicitor, and Commissioner Frink pointed out that, according to the advice, the city was only liable from July 28. Mayor Fisher thought that was standing on a technicality, but the commissioner said he did not see how language could be plainer. The Mayor said he meant that going strictly according to the law was a technicality.

It was suggested that the Mayor take the matter up further with the city solicitor and find out from him just

### KINGS COUNTY SCHOOL LEAGUE PLAN ARRANGED

At a meeting of the Kings County Public School Football League held at Hampton last evening the schedule of games for this season was drawn up. Delegates were present from Sussex High, Hampton Consolidated and Rothesay Consolidated. The schedule is as follows:

Sussex at Rothesay, Oct. 8.  
Hampton at Sussex, Oct. 13.  
Rothesay at Hampton, Oct. 17.  
Sussex at Hampton, Oct. 20.  
Hampton at Rothesay, Oct. 25.  
The winner of this league holds for one year the cup put up by D. McKenna, M. L. A. Sussex won the cup in 1922.

### GOOD THINGS COMING TO THE THEATRES OF ST. JOHN

#### DAME CLARA BUTT

Who Sings Here October 1-2 Has Had a Happy Married Life — Husband Always Travels With Her.

By consulting the records of the divorce courts, one might find confirmation of the popular conviction that married life and artistic life are incompatible. The marital experience of Dame Clara Butt, however, is the exception which may prove the rule, as this great artist is both a devoted wife and fond mother.

Kennedy Humford, Dame Butt's husband, is also a remarkable singer, and always sings on his wife's programme; and these prominent artists, concerning whom even the breath of scandal was never heard, are the parents of three husky boys, the eldest of whom is seventeen.

The Butt concert at the Opera House in St. John will be outstanding events which should attract thousands, and are now being eagerly anticipated. The ticket sale opens Wednesday morning, the 26th inst.

Everyone is playing "house-house" at the City Cornet Band fair. See the new instruments tonight.

Canadian bred dogs and bitches—First, Chamberlain Dick, Chas. Laven, Long Branch, Ont.; 2nd, Brent Holme, Dictator E. Groulx, Ottawa; 3rd, Dictator Ranger, Wm. Kiernan, St. John.

Open dogs and winners—Chamberlain Dick; Reserve, Brent Holme Dictator.

Open bitches—Ch Silver Birch Ladylike, S. Clayton, Toronto; 2nd, Gypsy Girl, George Gallagher, Rothesay; 3rd, Woodbine Minnie, Wallace Sheehan, Dalhousie.

Special—Best of breed, Chamberlain Dick.

Irish Terriers—First, Muldoon Split-flier; 2nd, Muldoon Renegade, both owned by Vanwart and Laskey, Fredericton; 3rd, Maritime Dictator, Robert McKee, St. John.

Open dogs—First, Warrior, Rhud Divil, W. George Gray, St. John; 2nd, Maritime Michael, Robert Magre, St. John.

Winner dogs and special best of breed—Warrior Rhud Divil.

First open and winners—Bitches and reserve for special, Hunter Vixen, owner, Wm. A. Vanwart, Fredericton.

Fox Terriers (smooth)—Canadian bred dog and bitches—First, Crown Anne, owned and bred by R. D. Laskey, St. John; 2nd, Bellum Foxie, P. E. McLaughlin, St. Stephen; 3rd, Bellum S. St. Stephen.

Open dogs—First, Bellum Carrie Mio; 2nd, Bellum Opaline both owned and bred by P. S. Clarke; 3rd, Bellum Foxie.

Winners bitches—Bellum Carrie Mio; reserve, Bellum Opaline. Special best of breed—Bellum Flicker.

Fox Terriers (wires)—Puppy dogs—Morningside Dictator, bred and owned by E. Doyle, Quebec. Canadian bred dogs—First, Right away, R. Preston, St. John; 2nd, Morningside Dictator, St. John.

Open dogs—First, open and winners, Ormsby Metagena, who was reserved for special to Ormsby Lightning, winners bitches and special best of breed, owned and bred by James F. Strachan.

NOTICE. On and after this date, Sept. 19, I will not be liable for any bills contracted in my name except by order from me. Joseph Williams, 74 Spade Cove Rd. 26572-9-21

Be prepared—"If Winter Comes."

IN MEMORIAM

LAWRENCE—In memory of Margaret J. Lawrence, who passed away Sept. 20th, 1922.

Today brings back sad memories Of a loved one gone to rest; And the one who thinks of her today Is He who loved her best.

NEPHEW, W. J. MORRISON.

CARD OF THANKS

Mrs. W. L. Ring wishes to thank friends and relatives for sympathy and flowers, also nurses and doctors of R. I. Hospital and Undertaker Remington and Free Masons of Providence in her recent sad bereavement. (Providence papers please copy.)

### LOCAL NEWS

#### SAW THE BIG FIGHT

James Power returned home today from New York where he saw Dempsey defeat Firpo. He will tell of it in an interview with the Telegraph-Journal and The Times tomorrow.

#### DAY OF ATONEMENT

Today, the Day of Atonement, is being observed by the Hebrew population in the city. The places of business are closed, and special services are being held in the Synagogue. The services will be finished at sun down.

#### PAY DAY

The semi-monthly payroll at City Hall today called for an expenditure of \$11,631.06, as follows: Official, \$2,185.86; sundry, \$1,608.92; ferry, \$1,402.80; market, \$270.80; police, \$8,489.19; fire, \$2,674.59.

#### NO WORD YET

R. C. Elkin told The Times today that he had received no word whatever of Harry Gunn, mate of the schooner Frederick P. Elkin, missing since Sunday.

#### FIRE CALL

An alarm from Box 84, called out the fire department this morning to extinguish a chimney fire in a house on Duke street, between Sydney and Carmarthen. There was no damage done.

#### PRESENTATION

D. J. Hayes, a clerk in the car department of the C. P. R. at Gilbert's Lane, was pleasantly surprised yesterday when his fellow associates made him the recipient of a dinner set and a series of personal questions demanded of persons about to enter Canada.

#### HYDRO GUARANTEE MATTER

Mayor Fisher reported this morning to the council that he had taken up with the New Brunswick Electric Power Commission the matter of guarantee of service and had been informed that the matter would be placed before the chairman of the Commission when he was in the city on Friday.

#### PRINCE READS IN FIVE LANGUAGES

Gives Some Interesting Information to Immigration Inspector on Arrival.

Toronto, Sept. 20.—Travelling as a private citizen has its disadvantages as well as its advantages for the heir to the British throne. On his visit to Canada four years ago, the Prince of Wales expressed the curious attention of immigration officials, as Lord Iremore had to run the gauntlet of a whole series of personal questions demanded of persons about to enter Canada.

But Lord Iremore did not shrink the ordeal of immigration official who reached Toronto yesterday from Quebec. His Lordship answered the whole lot of personal questions in all seriousness.

Some of the questions and answers were—

Present occupation?—Nothing.

Future occupation?—Nothing.

Purpose of coming to Canada?—To enjoy myself.

Amount of cash?—Enough for my present needs.

Can you read?—Yes.

What languages?—Some five of them.

#### C. P. R. INSPECTION

A. D. Mac Tier, vice-president of the C. P. R., completed an inspection trip over New Brunswick district today and was expected to leave Edmundston this morning en route to Quebec and Montreal.

He arrived here on Tuesday evening and left early on Wednesday morning in a special train for Edmundston via Fredericton, Woodstock and Plaster Rock. He was accompanied by J. M. Woodman, general superintendent of the New Brunswick district.

W. J. Rickford, district master mechanic of the C. P. R., was in the city today.

E. Eley, assistant superintendent of the car department of the C. P. R., with headquarters in Montreal, was in the city today.

Do you want to spend a pleasant evening? Why not go to the City Cornet Band fair. New band instruments on view tonight.

#### Humphrey's

70c. Black Tea

We recommend this tea for strength and flavor. Imported and sold direct to you by—

Humphrey's Coffee Store

14 King Street

#### NEW FALL SUITS & OVERCOATS

Time of fabric faultless finish first in fashion and a FIT for all seasons.

"Clothing for men (and women too) has never been so practical, sensible and comfortable as it is today."

—Fashion Facts.

And here's where you'll see it at its best.

The models are conspicuous for their inconspicuousness.

Nothing eccentric. Good taste reigns, but in colors and patterns there is novelty and originality for the young man who looks for unusual effects—\$24.50 to \$60.

Fall Top Coats, \$20 to \$35; plain effects and fancy tweeds. New Raincoats, guaranteed waterproof, \$11.50.

GILMOUR'S, 68 King

### TAMPERING WITH WITNESS CHARGED

Defence in Walter S. Ward Trial Makes Allegations Against Prosecution.

White Plains, N. Y., Sept. 20.—The charge of tampering with witnesses was made yesterday by attorneys for the defence in the trial of Walter S. Ward, wealthy broker's son, charged with the murder of Clarence Peters, after a witness for the prosecution told of a conference with a representative of the Attorney-General.

Defence counsel Campbell made the charge after Ralph Collins, former state trooper, testified he had had lunch with State Trooper Green, a previous witness for the prosecution.

Collins refused to deny he had been told by Henry Unterweiser, a special investigator for the Attorney-General's department, to get his testimony "on the straight." He declined to say whether that he had not discussed the case with Green.

Captain Taylor of the Marine Corps, testified yesterday that he had refused Peters for enlistment in the Marine Corps. He testified that Peters had admitted to him he had been dishonorably discharged from the navy for theft.

The State's Case.

Testimony of Dr. Henry Vier, assistant to the Watchtower coroner, was intended to add strength to the State's contention that Peters' body had been laid out when found on the road, and was not in the position in which it would have fallen upon being shot.

Shot as he was in the heart, Dr. Vier said, Peters would have crumpled up in a heap. As a matter of fact, the body was found lying flat, legs stretched out and toes pointing straight up.

### GERMANY READY TO TALK REPARATIONS

Action is Conditional Upon Release of Prisoners, However, Says Announcement.

London, Sept. 20.—A Central News despatch from Berlin says a semi-official announcement was made public today stating that Germany was ready to negotiate on reparations, but conditionally upon the discharge of all persons imprisoned by the French and the return of all those banished from the occupied areas.

The wording of the statement is very vague, says the correspondent, but it is generally interpreted as preparation for the ending of passive resistance.

Baden Strike Off.

Berlin, Sept. 20.—The general strike which broke out yesterday in Baden was called off by the leaders of the workers.

A Berlin despatch Wednesday said the Government of Baden has proclaimed a state of emergency in consequence of the general strike at Friedrichshafen and neighboring districts due to the workers' dissatisfaction over their wages. Railway service and newspaper publication were suspended. Meetings were forbidden and a curfew law was in effect.

### Ethiopia Recommended For Membership

Geneva, Sept. 20.—Admission of Ethiopia (Abyssinia) into the League of Nations has been recommended by the sub-committee charged with consideration of the subject on the proviso that the Ethiopian Government should know its intention to suppress slavery within its territory.

Council in Private Session.

The announcement that the council intended to hold a public session this forenoon to discuss the Italian-Greek affair caused a considerable crowd to gather. But the council at 10 a.m. began a private session.

Soon after noon it was announced that the council had decided unanimously to investigate thoroughly, with the assistance of jurists all questions touching interpretation of the covenant and the powers of the League's competency to handle the Greco-Italian dispute. It was said that ex-Premier Salandra, of Italy, at the private meeting of the council had declared, setting forth that it would be liable to aggression.

### Hoover Decides To Quit Rowing Game

Duluth, Minn., Sept. 20.—Walter M. Hoover, who lost the diamond sculls at the Henley regatta on the Thames this summer and the Philadelphia gold challenge cup, emblematic of the world's sculling championship here last Monday, is planning to forsake rowing, he said here today.

Hoover asserted that he had a sore are, had done little training and was 15 pounds overweight when he rowed in Philadelphia, beat him here Monday.

### Montgomery, Wanted In U. S., Leaves Quebec

Quebec, Sept. 20.—It was learned here last night that Austin H. Montgomery, who is wanted in the U. S. for using the mails to defraud, had left by the late train accompanied by his wife and three children for Chicago as their destination.

The party has a state room on the C. P. R. train for Montreal and several pieces of baggage were checked through to Chicago.

### Says Carr Spoke Without Authority

Toronto, Sept. 20.—If Hon. L. Carr, minister without portfolio in the Ferguson Government was correctly represented as saying that "in all probability a referendum on the liquor question will be held in the province next year" he was not speaking for the Government, judging from statements made at the parliament buildings.

Attorney-General Nickle declared that the question had never even been discussed by the cabinet.

### PERSONALS

Professor A. P. Knight, of the Biological Board of Canada, was in Moncton today en route to North Shore points on a tour of inspection of lobster plants.

Harry T. C. Hutton, physical director of the Y. M. C. A. was taken to the St. John Infirmary yesterday and operated on for appendicitis. At last reports he was doing well.

Friends of Mrs. Everett McAllister will be glad to learn that she has returned to her home 97 Prince street, West, after undergoing a very serious operation in the General Public Hospital. Her condition is improving.

Miss Lillian Dick returned Monday from St. Stephen where she spent a few days with her parents, Mr. and Mrs. B. Dick, Union street, before they leave for their new home in Detroit.

Miss Annie Taylor, who spent the last month in Hampton Village has returned to the city.

Mrs. Henry Taylor of Lepreux has returned home after a visit to Havre, Mass., and the White Mountains.

Mrs. J. V. O'Brien and Miss Irene O'Brien, returned on Tuesday after spending several weeks with relatives in Somerville, Mass.

Mrs. Margaret Corkery, 126 Douglas avenue, left on Tuesday night by the Boston train to visit friends in Portland and Boston.

Miss Daws, superintendent of the Protestant Orphan's Home in West St. John, has returned to St. John after spending a vacation of two months at her former home in England.

Mr. and Mrs. T. O. Dales returned yesterday after a visit to relatives in Prescott, Ont.

Miss Helena Boylan, formerly of this city, and now of California, and her cousin, Miss Clara Quinn, are visiting Mr. and Mrs. J. J. Wall, 151 Waterloo street.

### CANADIAN CLUBS SUPPORT LEAGUE

Foster Says World Harmony Retarded by Absence of United States.

Victoria, B.C., Sept. 19.—Following the address of Sir George Foster at the Canadian Club dinner, last night, the Association of Canadian Clubs in annual convention here decided to support the League of Nations at this morning's session. Senator Bostock moved that the League of Nations Society be recommended to the constituent clubs and that "they become members thereof, and bring before their members the desirability of doing everything they can to support the League of Nations movement."

Mrs. W. E. Raymond, of St. John, N.B., seconded the motion, which carried.

Unfortunately for the whole world, said Sir George, the United States did not stay long enough with the job. She helped finish the war, but the war was not over when the armistice was signed, and the absence of America from the deliberations of the League of Nations was retarding the progress of international harmony in a very marked degree.

However, said the speaker, he was convinced that ninety per cent. of the Americans were in sympathy with the League and that ultimately the United States would come into this international union which already had proved its efficacy in building up a new brotherhood of man.

### British Farmers to Ask For Assistance

London, Sept. 20.—The council of the National Farmers Union has appointed a deputation to wait on Premier Baldwin in regard to the "plight" confronting agriculture.

The president of the Union, addressing the council yesterday, declared that agriculture in Great Britain had reached the most critical stage in its history.

### DeValera and Others Will Be Tried Soon

London, Sept. 20.—Eamon De Valera and some of the other leading Irish Republicans will be brought to trial at an early date, according to a report in Dublin quoted by the Daily Mirror.

The newspaper adds that De Valera is being continually removed from one military prison to another in order to avoid the possibility of an attempt at rescue.

### MORE AUTOMOBILES BEING EXPORTED

Shipments From Canada More Than Double in 12 Months.

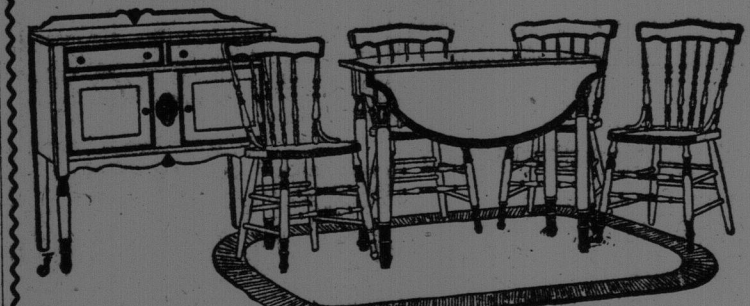
Ottawa, Sept. 20.—Passenger automobiles exported from Canada in August numbered 4,245, value \$1,751,776 as compared with 2,716, value \$1,686,924 in August a year ago, as registered by the Dominion Bureau of Statistics.

For the 12 months ending August, Canada exported 53,520 automobiles, compared with 24,600 during the corresponding 12 months a year earlier. Last month's exports went to some 40 different countries, Australia taking 2,220 being the largest customer. New Zealand bought 816 Canadian cars, and British South Africa 809. British India was customer for 944.

Gratifying increase in exports of Canadian freight automobiles is also recorded. For August the number exported was 1,480, while in August of 1922, only 133 were exported. For the 12 months ending August the number exported was 8,923 as compared with 1,948 for the previous 12 months.

Auto parts valued at \$3,378,670 were exported for the 12 months, as compared with \$1,407,644 the year previous.

The City Cornet Band fair at St. Andrew's rink is well worth a visit. New instruments exhibited tonight.



Here They Are--- \$80 Sets---\$59.75

Six points of preference, beginning with a price that might have been \$80, but marked by Marcus to \$59.75.

Two-color effects in four variations and they look very modern and dandy in a small dining room as well as a regular breakfast room.

Half a dozen pieces, shaped as pictured. Ivory with Blue trimming, Walnut with Buff, Ivory with Black, Gray with Blue.

Now, which would you choose? Isn't that a nice double drop table? Then the Buffet, and the way the Chairs look up with the colored border. It surely is a cute idea. See two in the window.

J. Marcus Furniture, Rugs 30-36 Dock St.

### The Healthiest Hours of your Baby's Life

are when, after the morning bath, well fed, drowsy with sleep and exercise, baby is well sprinkled with Mennen Borated Talcum and cosily tucked in pram or bassinette and placed on verandah or in sunshine.

The comfort of baby is most essential to health, and in this Mennen Borated Talcum plays a very important part.

Mennen Talcum is an absorbent and acts like millions of tiny white sponges absorbing all poisonous moistures. Mennen Talcum is so fine and silky it guards baby's skin against chafing and clothes' friction.

Mennen Talcum has certain mild antiseptic properties that help baby's skin to resist infections.

MENNEN BORATED TALCUM

Zealand Beaver \$135.00 to \$200.00 Zealand Seal

These Zealand Beaver and Zealand Seal coats (Reg'd Brand) are worthy of your inspection and in St. John can only be seen at our Fur Parlors on King Street. We can recommend them highly.

Not a cheap Fur Coat at a good price but a good Fur Coat at a cheap price.

H. Mont. Jones, Limited St. John's Only Exclusive Fur House

### Fur Coats at Cloth Coat Prices

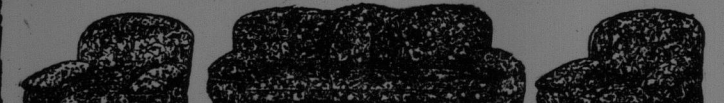
Would you not like to be the proud possessor of a really nice Fur Coat? One that looks well—wears well and has that cosy, comfortable feeling so desired. A coat that your friends will admire and envy.

Zealand Beaver \$135.00 to \$200.00 Zealand Seal

These Zealand Beaver and Zealand Seal coats (Reg'd Brand) are worthy of your inspection and in St. John can only be seen at our Fur Parlors on King Street. We can recommend them highly.

Not a cheap Fur Coat at a good price but a good Fur Coat at a cheap price.

H. Mont. Jones, Limited St. John's Only Exclusive Fur House



Think of It

A genuine honor made Mohair Chesterfield Suite, three pieces, two-toned harmony. Altogether this is one of the best values we ever offered at \$365.00. Other Chesterfield Suites at \$285.00, \$250.00, up to \$485.00.

We do not sell cheap-made Chesterfield Suites. Come in and see us.

Amland Bros. Ltd., 19 Waterloo Street