

PLUMMER WANTS \$3,000,000 DAMAGES FROM COAL CO.

MONTREAL, May 5.—Mr. Plummer has issued the following statement to the press in answer to Mr. Jas. Ross' statement:

"During the past two weeks conferences have been held with the Coal Company under the auspices of Mr. William MacKenzie and Mr. B. E. Walker. These gentlemen were not in any sense acting as arbitrators, but lent their good offices as friendly intermediaries with a view to bringing about an amicable adjustment of the difficulties.

"The Steel Company's position at the conferences was clearly defined from the outset. It was willing, provided the existence of the coal contract was admitted, and provided made for the payment of the damages caused by its breach, to reconsider its position. It has been the Steel Company's attitude from the commencement of the dispute.

"The general question of the quality of the coal to be supplied did not come up for discussion. We could not permit any change in the contract in this respect.

"The question of the price of coal was not pushed to any conclusion because of the Steel Company's desire that the other questions should be dealt with. So far as the discussion went Mr. MacKenzie was in favor of separate prices for slack and run of mine, instead of one price for both.

"At present, and suggested, the basis for the run of mine, 20 cents per ton over cost, with a revision annually instead of every five years for both coal and slack. The Steel Company thought that this might under normal conditions impose too high a price for slack, but was ready to consider an arrangement on these lines, provided a proper understanding could be reached as to what the costs consist of, and provided that the same provision is made as to the proportion of slack coal which is to be furnished.

"The Steel Company can use, and can be forced under the contract to accept, seventy-five per cent. of its entire requirements in the form of slack. It depends on this low price of slack to keep its heavy fuel costs within bounds, hence the importance under such an arrangement as that proposed, of a fixed price for slack. The company, however, declared that, in the present condition of the coal trade, its run of mine coal is not secured, so that it has no slack coal to supply to the Steel Company.

"As regards the price to be fixed for slack, Mr. MacKenzie expressed the opinion that the contract price of \$1.18 is enough to cover ordinary trade conditions which is confirmed by the prices prevailing at the mines on the mainland.

"It is also confirmed by the sale made in Boston by the Coal Company of 500,000 tons of slack coal at a price of \$1.18 per ton, which is a price less than \$1.18 per ton provided for in the Steel Company's contract.

"On the question of the damages the Steel Company's views were not approved of by Mr. MacKenzie or Mr. Walker.

"In order that this matter may be put at rest it is necessary to quote the following statement showing the damages sustained by the Steel Company to the end of April, as a result of the breach of contract. They are as follows:

Excess cost of 1,083,707 tons of coal paid to the Coal Company, with interest at 5 per cent. for the period of 214,134 tons bought from others, with interest, \$487,746.81. Total claim for cost of coal in excess of contract price, \$2,571,453.78.

"It will be observed that the coal company has been receiving the great or part of these damages in cash, and that as to the excess price paid to others, the coal company has sold in the open market 214,134 tons of coal, which it should have supplied to the steel company at the contract price. The high price thus received by the coal company offsets in great part the excess price paid to the steel company to others. From the steel company's point of view therefore, there is no hardship in asking the coal company to pay back the whole of the excess cost of coal whether paid to it directly or received by it indirectly.

"The damages caused by shutting down the steel company's plant are the direct result of the coal company's refusal to supply coal at market price. This policy was adopted and persisted in against the urgent representations and warnings as to the risk it involved, made by the steel company and others at the time. The policy was doubtless adopted in the belief that it would force the steel company to surrender its contract rights. If it had been successful, the shareholders of the coal company would have reaped the benefit, but it only entailed a heavy and useless loss, and it is contrary to common principles of fairness that the coal company should be relieved of this loss at the expense of the shareholders of the steel company.

"With these facts and figures in mind, it is not surprising that the coal company's proposal to repay \$1,250,000 was not approved by Mr. MacKenzie or Mr. Walker. The coal company attempted to justify the amount by alleging that a large part of the damages could not be recovered, even if the privy council should confirm the Damages Act. This suggestion that the terms of any arrangement it is believed be settled upon and that the coal company be allowed to pay the damages between the two companies. The Steel Company surrendered its lease, limited the quantity of coal to be supplied to the requirements of four furnaces and their adjuncts, agreed to take slack instead of run of mine after four years for the greater part of its re-

quirements, relieved the Coal Company of any obligation to supply coal unless mined in a limited territory, and made other concessions of less importance.

"The Coal Company in consideration of all this, entered into the coal contract at \$1.18 per ton, paid a large sum of money and re-entered on its property.

"The coal contract should, therefore, not be looked on as a thing 'standing by itself, but as part of the consideration in a very large transaction.

"This being the case it may be asked what changes have arisen to justify the present attitude of the Coal Company. We know what the cost of mining and delivering coal was when the contract was made, and we have shown the figures added in the latter year for the cost of new collieries, etc., which should be approximately the same at both periods. The increase is about 12 cents per ton.

"It is not credible that a contract made in 1903 and reported to the shareholders of the Coal Company then as part of a general arrangement greatly to their benefit, should become a ruinous burden through an increase of 12 cents or so per ton in the costs of production.

(Signed) "J. H. PLUMMER."

Provincial News

NEWCASTLE, May 5.—The Sinclair Lumber Co. started their mill at Northville today. W. A. Hickson's started yesterday.

Town Clerk Dindon and Town Electrician Folinsbee have each been ill for some time.

The str. Duse of Denmark has arrived here to load lumber at Sinclair's mill.

William A. Schofield died at Indian-town Sunday, in his sixtieth year, leaving a widow and five children.

Mrs. H. H. Pallen left this week to visit her daughter, Mrs. Harry Patterson, in Evanston, Illinois.

Miss Florence Crocker, after an absence of two years, during which she studied vocal culture in Germany, sailed for home on Saturday.

HILLSBORO, May 5.—An entertainment under the auspices of the High School faculty and Companion Court Foresters was recently held in the public hall. A pleasing programme was successfully rendered. H. C. Atkinson, B. A., presided. At the close of the evening refreshments were served. The sum of \$15 was netted.

Hon. C. J. and Mrs. Osmen returned from Fredericton on Saturday evening. Rev. Z. L. Pash, pastor of Holy Trinity Baptist church, delivered an excellent address on Sunday evening, Subject, "The Last Chance." At the close of the service he administered the baptismal rite to two candidates.

Wm. Robinson and family have removed from Richibucto to Hillsboro. Thomas Dixon of Curryville recently lost two valuable horses.

Mr. and Mrs. Robert Hardy, who recently removed here from Summerside, P. E. I., have taken a house on Academy street.

J. Franklin Stevens and son, of Dawson City, Yukon, who have spent the winter in Hillsboro, left on Wednesday for the Yukon. Mr. Stevens was accompanied by his brother Victor.

CHATHAM, N. B., May 5.—A large delegation left last night for Ottawa to forward Miramichi's claims for the Dominion Industrial Fair in 1909. From Newcastle the delegates were Mayor S. W. Miller, J. D. Creighton and E. A. MacDermid. The Chatham members were Mayor D. P. MacLachlan, Col. J. D. B. F. MacKenzie, W. B. Snowball, R. A. Murdoch, R. A. Lawlor, W. C. Winslow, John McDonald and J. Fred Benson. Miss Creighton, of Newcastle, accompanied her father.

At last night's meeting of the council, on Ald. Snowball's motion, the council decided unanimously to enforce the Scott Act, but the opponents of the Scott Act captured the police committee and put in Ald. Neale as chairman. It is not generally expected there will be any serious attempt to drive the liquor sellers out of business. A large number of citizens listened to the council proceedings.

Edward Cribbs, of Napier, had one leg broken and the other twisted by being caught in the machinery of the Miramichi rolling mill yesterday. It was necessary for his associates to chisel through a chain over an inch thick before he could be freed.

MONCTON, N. B., May 5.—The Board of Police Commissioners into whose control today passed Moncton's police force, launched themselves into trouble waters at the first meeting held this morning, when the police force with George Riddout as chief was appointed. Immediately after the meeting Riddout handed in his resignation to Judge Wells, chairman of the commission, refusing to accept the position because his conditions were not agreed to. As a result, the commission were several applications for the position which he filled the position for a year. George Skiffington, former I. C. R. detective, Edward Scott, former member of the police force, Fred S. McLean, until recently deputy chief of police, and James McAnn, Riddout in chief, said he would only accept on condition that the terms of his appointment be such that he resigned. Two new officers and the other four police members of the force were appointed policemen.

Fifteen-year-old John Stevens, lost on Wednesday morning, turned up at home last night, and was found by his parents. His mother being in a state of nervous collapse over her son's disappearance. The lad had gone out to the Transcontinental Railway, wandered off into the woods, where he spent the night, and later met a man who drove him to Moncton.

ST. JOHN, N. S., May 1.—Messrs. Wetmore and Robinson, agents in this city of the C. F. R., have been notified that the steamer Empress of Britain, leaving Quebec for Liverpool on May 10, will call at North Sydney for passengers and mails, and that the Empress of Ireland, leaving Liverpool for Quebec on the same date will touch at North Sydney to land passengers and mails, weather permitting.

The first cargo of limestone for the Dominion Iron and Steel Co. arrived here last evening by the S. S. Felix, which discharged and sailed on her return trip this morning.

FREDERICTON, N. B., April 30.—The city of Fredericton, which thirty years ago was the first city in Canada to adopt the Scott Act, today in no uncertain manner confirmed the position it took in the first instance. The contest was a warm one and an exceedingly large vote was brought out. The total number cast was 1,344. Of this number the Scott Act received 1,000, the liquor license 885, giving a majority in favor of the former of 175.

HOPWELL, HILL, N. B., April 30.—The government steamer Lansdowne was at Grindstone Island yesterday, delivering supplies, and proceeding on to Cape Egan on a similar mission. She will then go to Rockport on business in connection with the light station there, which is being moved and having a fog alarm added.

A big steamer, the first of the fleet to load here at Hopewell Cape for W. B. Dickson.

The Albert train, which had a bad run off on Tuesday, again met with trouble yesterday. It was held up near Dawson Settlement blocking the line to such an extent that the train was over five hours late getting in last night.

Rev. Mr. Worden, formerly pastor of the Baptist Church, who has been spending some weeks in other parts of the province, is visiting his family at Riverview, and it is understood, may not take a church for a time.

A mouse made a recent visit to Lower Cape, coming close to the school house, and only a few rods from the highway.

NEWCASTLE, N. B., April 30.—At special meetings yesterday the town council appointed Mayor S. W. Miller and the Board of Aldermen, Mr. J. D. Creighton, manager of the Royal Bank, with ex-Mayor Patrick Hennessy alternate, as delegates to proceed to Ottawa with the Miramichi delegation to urge the government to give the \$50,000 exhibition grant for next year to Chatham.

Treasurer Lindon is able to be out again after a brief illness.

MONCTON, N. B., May 4.—After having reached a satisfactory agreement with the railway department concerning requests for increased wages, the general committee of railway telegraphers returned this morning from Ottawa. This was their second trip to the capital in connection with the matter and they had several interviews with the railway officials.

The amount granted towards increase of salaries will amount to ten per cent. which will be approximately the same as the increase of work and other conditions since the last increase. The increase in all 355 lots of 100 acres each were surveyed and made ready for settlement. Application for these lots are constantly coming in, and further surveys will be made to repair the track. None of the train hands were injured.

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CROWN LANDS REPORT JUSTIFIES POLICY OF LATE GOVERNMENT

FREDERICTON, May 4.—The report of the surveyor general for 1907, which has just been brought down in the house of assembly, is one of the most important reports of this department that has ever been submitted. Hon. Mr. Sweeney, who makes the report, deals with all the important questions submitted to his department during the past year. Reference is made to the fact that the territorial revenue of the province in 1907 was the largest in its history, totalling the enormous sum of \$221,550.49, an increase of \$17,227 over the preceding year and nearly three times as much as in the first year of the Blair administration. There is an increase in every item excepting that obtained from the purchase of lands, as the steady policy of the administration from the beginning has been to conserve the public domain and sell lands only to actual settlers. Had the crown lands been administered during the past year as they were in the Blair administration, instead of providing a sum more than sufficient to pay the expenses of more than maintaining the highways and bridges of the province, would by this time have scarcely been self-sustaining. A sum of \$10,000 of the crown lands have been administered. Mr. Sweeney points out that in 1908 the number of square miles of territory held under license was only 2,005, while in 1907 the total number of licenses had increased to 3,000. During the year 308 grants were issued by the department, covering a total acreage of 12,244 acres. One of the greatest difficulties the department has to cope with in the protection of the lands is the "squatter." These persons invariably select a well timbered tract from any settlement and under pretence of carving out a home for themselves make a clearing and start in to cut all the available timber on the lot. In a large majority of cases the squatter is a resident of the province, and when he has cut all that is marketable picks up stakes and moves to another place. He is a menace to the whole country, and the majority of forest fires are directly traceable to the carelessness of these squatters. To meet this difficulty Mr. Sweeney suggests the separation of distinctively timber lands from those fit for settlement and the surveying into lots of the best and most valuable timber lands, and the offering of sections and of confining settlers to these lands. To such extent this was done last year, as in the "Blue Bell" tract of Victoria county, where the government has been successful in securing a large tract of timber land. The New Brunswick Railway Company and surveyed into lots of 100 acres by the department. Roads to be run from the coast to the interior, this section and settlement encouraged. These are not free grant lands but are sold by the government at the same price as paid by the railway. There have also been made at St. John's and Pictouville, in Gloucester, at the Rocky River in Madawaska county, and at Martin's station in the Miramichi. In all 355 lots of 100 acres each were surveyed and made ready for settlement. Application for these lots are constantly coming in, and further surveys will be made to repair the track. None of the train hands were injured.

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SERIOUS FLOODS AT MATAPEDIA

Trains Delayed on Account of Accident—Got His Money Back

MONCTON, May 5.—Geo. Trilles, the well known baseball and hockey player, was called to Boston today on account of the death of his uncle, Richard Trilles, a former resident of Moncton. The body will be brought here for interment.

The death of Mrs. A. D. Murray, mother of Mr. Murray of this city, occurred at Murray River, P. E. I., last week, aged 93 years.

At the meeting of the committee in charge of the forward movement in connection with the St. John's Baptist church tonight it was reported that \$11,453.10 had been subscribed. It is expected the balance of \$15,000 will be raised next week. The committee has been at work twenty-one days.

An Italian named Menno Croche, employed at the new I. C. R. shops, died in the Moncton hospital this afternoon after a long illness.

At the annual meeting of the Adge-wook Fishing Club here this afternoon J. W. V. Smith was elected president, J. E. MacIntyre, vice-president, H. W. Smith, secretary-treasurer, directors, W. F. Humphrey, J. E. Masters, J. W. V. Smith, J. H. Harris, J. D. Irving, H. W. Smith. The club created two thousand dollar club house during the year.

The Maritime express was delayed three hours at Meadow Brook by a wreck to a fast freight train east at that place. The steam shovel for Halifax left the rails and tore up the track about twenty car lengths. An auxiliary train was sent from Moncton to repair the track. None of the train hands were injured.

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