

PRES. G. E. BARBOUR REQUESTED TO ACT IN WHARFAGE CASE

Will Try to Arrange an Interview With the City Council.

DECIDED TODAY

Hon. Thos. A. Low and H. J. Logan, M. P., Invited to Address Board.

The question of some relief in the matter of port charges was taken for consideration by the Council of the Board of Trade this morning, and after careful consideration, it was decided to ask G. E. Barbour, president of the Board, to arrange an interview with the Mayor and members of the City Council with a view to reconsideration of the decision not to remove the top wharfage charges on grain for the season of 1924-25.

An interim report was submitted on the West India trade situation and on the action that the committee felt the Government should take in order to bring about an expansion of traffic between the West Indies and Canada, particularly the Maritime Provinces.

It was reported that Hon. Thos. A. Low, Minister of Trade and Commerce, and Hon. J. Logan, M. P., of Amherst, N. S., had been invited upon at the official Governmental delegates to the West Indies, and that it was expected that these official delegates would visit St. John, Moncton, Woodstock, Charlottetown and Halifax, and obtain the views of those interested in this form of traffic before proceeding to the West Indies.

The secretary advised that an invitation along the above line had been extended to Hon. Thos. A. Low, and a reply as to the date of his visit was shortly expected.

Copies of the interim reports of the Imperial Shipping Committee on the matter of marine insurance discriminations were submitted to the Council. A letter on the same subject from G. M. Bosworth, Chairman of the C. P. O. Steamships, Ltd., was also submitted to the Council.

Some correspondence from the Montreal Board of Trade, on taxation on public utilities; from the editor of "Canadian Opportunities," Toronto, on publicity suggestions respecting New Brunswick; from W. B. Bowdler, on the distribution of St. John port folders at the British Empire Exhibition; and from the Chairman of the Canadian Freight Association on supplement proposals, were submitted to the committee.

A nominating committee for the Board of Trade officials was appointed, also a committee to review the annual report of the secretary.

W. R. Pearce, chief engineer of the N. B. Telephone Company, was unanimously accepted as a member of the Board. Mr. Pearce's application for membership was accompanied by a letter saying "there are many problems in every city which only an organization of this nature can handle. St. John has its share of these, and the Board of Trade should be supported by everyone who takes a pride and interest in his community."

Early this morning, at her residence, 606 Prince Edward street, Miss Theresa Gayton passed away. She had been ill for some time. She is survived by three sisters, one in the United States, Miss Ellen of Halifax and Miss Margaret, Glace Bay. They will have the sympathy of many friends. The funeral will be held Saturday morning at 8:45 in the Cathedral for requiem high mass.

Funeral notice later. MOORE—At her residence, 104 Main street, on Oct. 15, 1924, George E. Moore, son of John and Gertrude Moore, leaving, besides his parents, two sisters, Ethel private.

CRANE—At Black's Harbor, on Oct. 15, 1924, Mrs. Seward B. Crane, in the 74th year of her age, leaving her husband, one son and one daughter to mourn.

COLLIER—At the residence of Samuel B. Dunham, 119 Broadview avenue, on October 15, 1924, Joseph Collier, aged 74.

Funeral Friday afternoon from 115 Broadview avenue, at 2 o'clock. GUNNINGHAM—At residence, 109 St. James street, on October 15, Sarah Ellen, widow of William C. Gunningham, leaving five sons and two daughters to mourn.

Funeral notice later. MACDONALD—At Montreal, on Oct. 15, 1924, William H. Macdonald, formerly of St. John, leaving his wife, four sons and one daughter, of Montreal, his mother, three sisters and one brother, of St. John.

Funeral will take place Thursday, Oct. 16, at LaSalle.

APPEAL IN THE HANSON CASE

Notice of appeal by The Gleason, Limited has been served upon McLellan & Hughes, solicitors for the plaintiff, in the Hanson libel suit. The notice calls for hearing at the November sitting which will open on November 11.

LOCAL NEWS

IS POSTPONED. The scheduled meeting of the St. John Health Centre for tomorrow has been postponed until further notice. It was announced this morning by Miss Melkejohn.

BURIED THIS AFTERNOON. The funeral of Mrs. Margaret McKinley was held this afternoon from her late residence, 166 1/2 Sydney street. Services were conducted by Rev. Neil McLaughlin. Interment in Fernhill.

BANK CLEARINGS. St. John bank clearings for this week amounted to \$2,078,681, corresponding period last year \$2,885,768. Moncton reports clearings at \$600,761, and Halifax at \$2,880,744.

WAS SOLDIER MANY YEARS. Joseph Collier, aged 85, died this morning at the home of Samuel Dunham, 119 Broadview avenue. He was a soldier for many years in the British service.

LEAVES DRY DOCK. The Dominion Coal Company's barge will come off the marine railway at East St. John this afternoon, after being there about 10 days undergoing repairs and general overhauling.

TAKES SPEEDY TRIAL. Fred Pierce appeared before His Honor Judge Barry in the County Court this morning, charged with the theft of \$200. He elected to take speedy trial, and pleaded not guilty. The case was set for Friday afternoon. E. J. Henneberry appeared for the accused.

APPLE SHIPMENTS. Apple shipments through Halifax to the United Kingdom continue heavy. Last week steamers took 24,959 barrels of apples from that port, making a total of 246,956 barrels shipped to date. Indications are for continued large shipments for some time to come.

TRADE INQUIRIES. A list of trade inquiries was received this morning by the Board of Trade and Commerce Department. Among these was a request for information about box shooks and this has been referred to the manufacturers of this commodity here. The list can be seen on application at the Board of Trade office.

WARSHIP COMING. It is expected that H. M. S. Patriot will be in this port next Thursday or Friday. The local members of R. C. N. V. R. are planning to hold some sports with the visitors including some boat races and they also hope to inspect the cruiser. Arrangements are also being made to have several social evenings for the sailors.

WEDDING ANNIVERSARY. Mrs. H. B. Perry, of 83-1/2 Adelaide street, were happily surprised on Tuesday evening, when about a dozen of her friends gathered at the home of J. B. Perry, 25 Millidge avenue, in celebration of their 33rd anniversary. A very enjoyable evening was spent in games and dancing and vocal selections by Mrs. J. B. Perry, William Grattan and Frank Haman. On behalf of the gathering Mr. Haman presented to Mr. and Mrs. Perry a handsome chair. A dainty lunch was served. Many more happy years were wished Mr. and Mrs. Perry.

PERSONALS. Miss F. P. Alward of St. John, Provincial Secretary of the Retail Merchants' Association, was in Moncton on Tuesday on business in connection with the association.

Mrs. E. B. Nixon, of St. John, is visiting in Moncton, the guest of Mrs. A. E. Fitch.

Miss Edith Cumming, of St. John, and Miss Ethel Anderson, of Fredericton, were in Moncton yesterday en route from Halifax. While in Moncton they were the guests of Mrs. J. J. Kennedy.

D. W. Ledingham, local manager of Furness, Withy & Co., Ltd., left on Tuesday for Montreal on a business trip.

Mr. Elias Shanks is convalescing at her home, Mifflin street, after a severe attack of the grippe.

Duncan J. Strachan of Halifax, C. N. R. Inspector of sleeping and dining car service, was in the city yesterday on a tour of inspection.

L. P. D. Tilley, K. C., returned today from Ottawa.

H. L. Watkins, general superintendent for Keith's eastern theatre, arrived in the city today from Montreal.

F. Neil Brodie returned today from Fredericton. He reported that the work on the new school there was progressing steadily.

Section 11 of our Act begins as follows: "Upon a complaint made to the Board against any Public Utility, by any Municipal Corporation, or by any persons, firms or corporations, that any of the rates, tolls, charges or schedules are in any respect unreasonable or unjustly discriminatory, or that any regulation, measurement, practice, or act, whatsoever, affecting or relating to the production, transmission, delivery or furnishing of heat, light, water, or power, or the conveyance of electricity, or the rate charged by the street railway or any service in connection therewith, is in any respect, unreasonable, excessive or unjustly discriminatory, or that the service is inadequate or unsatisfactory, the Board shall proceed to make such investigation as it deems necessary or expedient and may order such rates, tolls and charges reduced, modified, or altered."

It is Mr. Taylor's contention that the Board has no right to deal with the matter under consideration because the City of St. John is not asking that the Board should increase the rates, but that it should be increased as far as the users of the combined service are concerned. The Board's action, he says, is not a discrimination, but a discrimination against the users of the combined service. Presumably the present rates charged the users of the heat and power of the combined service are equitable. The Act of 1920 made the Company the judge of the rates, and the discrimination removed and all customers dealt with at the same rate as the users of the combined service. It would seem that Mr. Taylor's contention is well founded, and that the Board has no jurisdiction. It is a number of cases to show that this discrimination was not unjust, and Mr. Taylor presented well prepared brief in the same connection, citing a large number of cases. It does not seem to be necessary to discuss these cases at the moment. Asserting that the discrimination is not the Board's action, but the action of the City, the Company has been placed before us and the case is now before the Board. The facts are as follows: When the facts are presented, it will be seen that the Board has no jurisdiction. The Board to decide whether the rates are unjustly discriminatory, and the Board has no jurisdiction. Mr. Taylor took the ground that section 11 of the Act of 1920 did not apply at all to the case. Mr. Taylor's contention, because of the Act of 1920 which was virtually repealed as far as the New Brunswick Power Company is concerned, he repeated as far as to say in answer to Mr. Baxter that the Board has no authority even if the rates were unjustly discriminatory.

There is nothing in the act of 1920 taking from us the jurisdiction granted under section 11 of the act of 1910. Here it may be said that Mr. Taylor complains of unfair treatment of the New Brunswick Power Company as compared with its competitors. He asserts that this board has jurisdiction over the Hydro Commission and that it should be the same for the New Brunswick Power Company. Mr. Baxter is inclined to agree, but we are not prepared to do so. It has been the position of this board that a municipality selling light and power should be treated as a public utility. This is the position of the Hydro Commission and it is the position of the Legislature passed the act of 1919 to remove any uncertainty and to make sure that natural gas, as well as the gas manufactured and sold otherwise should be within our jurisdiction. Mr. Taylor next raised some points which would only obtain if this application was made by the City of St. John under section 12 of our act of 1910, whereby we were empowered to permit an utility to raise a rate of a sum of not more than \$500. As the application is not made under this section but under section 11 of the same act, it does not seem necessary to discuss these points.

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LIVELY JUDGMENT BY CHAIRMAN TRUEMAN ON JURISDICTION ISSUE

Board, He Says, Has Full Authority—Points Out Where Some Competition is Unfair to Private Company—Text of Decision.

Following is the Public Utilities Board's decision in the matter of jurisdiction, brought up at yesterday's rate hearing:

In the matter of the petition of the City of Saint John against the gas rate schedule of the New Brunswick Power Company, whereby the City of Saint John, as an unincorporated body, seeks to have the City of Saint John, as an unincorporated body, have jurisdiction over the gas rate schedule of the New Brunswick Power Company, whereby the City of Saint John, as an unincorporated body, seeks to have the City of Saint John, as an unincorporated body, have jurisdiction over the gas rate schedule of the New Brunswick Power Company.

This is an application of the City of Saint John, who petition through Frank L. Fots, Mayor of the city, against the amended gas rate schedule of the New Brunswick Power Company, whereby the City of Saint John, as an unincorporated body, seeks to have the City of Saint John, as an unincorporated body, have jurisdiction over the gas rate schedule of the New Brunswick Power Company.

The city requests the board to determine whether the discrimination is just or unjust. It is a fair discrimination, the matter is out of our hands, since the Act of 1920 relating to the New Brunswick Power Company permits the company to fix their own schedules, but if the discrimination is not just, the board should order the company to alter its rates.

The city requests the board to determine whether the discrimination is just or unjust. It is a fair discrimination, the matter is out of our hands, since the Act of 1920 relating to the New Brunswick Power Company permits the company to fix their own schedules, but if the discrimination is not just, the board should order the company to alter its rates.

This matter came before our board today in the matter of jurisdiction over the gas rate schedule of the New Brunswick Power Company, whereby the City of Saint John, as an unincorporated body, seeks to have the City of Saint John, as an unincorporated body, have jurisdiction over the gas rate schedule of the New Brunswick Power Company.

The board has no jurisdiction over the gas rate schedule of the New Brunswick Power Company, whereby the City of Saint John, as an unincorporated body, seeks to have the City of Saint John, as an unincorporated body, have jurisdiction over the gas rate schedule of the New Brunswick Power Company.

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NOVA SCOTIA MALE CHORUS SUNDAY

They Will Sing in the Queen Square Methodist Church.

Very few church organizations enjoy the distinction of celebrating a 150th anniversary, and in marking this very unusual and interesting milestone next Sunday, Queen Square congregation is making special preparation.

The choir, under the direction of Rev. Robert Smart, will preach at both morning and evening services, and will be supported in both services by a mammoth choir of 40 voices, the distinctive feature being Professor Williams' male choir from Yarmouth, N. S., a body of chorists which has earned a reputation in the sister provinces through their unaccompanied singing of sacred music of the Chapel Royal.

The fact that the City of Saint John, the petitioner in this matter, is financially interested in the competition of the New Brunswick Power Company is unfortunate, but it is due to the fact that the rates of appeal to the Board were made by the Act of 1920, which in respect of the New Brunswick Power Company and its successors is not to be altered in any event this analogous position has nothing to do with the point in issue.

The finding of the Board, that we have jurisdiction in this matter. Dated this fifteenth day of October A. D. 1924.

By the Board.

Hearing to Go On. From this adverse decision Mr. Taylor announces that he will appeal to the Supreme Court. Although in considerable doubt, the Board felt at first that they should go on with this application and consider the merits of the case without a recess. Not until the Board had to look for a precedent, since that was the procedure in the Crown's Nest case, did the Board decide to adjourn the hearing.

Wellington, N. Z., Oct. 16.—Premier Massey, replying to a question by an opposition member in the Assembly, announced that the Government's efforts to alter the League of Nations protocol on arbitration and security, in connection with Japan's efforts to alter the League of Nations protocol on arbitration and security, in connection with Japan's efforts to alter the League of Nations protocol on arbitration and security.

We are not going to arbitrate. We simply say they cannot come here unless we give permission. League of Nations or no League of Nations. That is the law of our country and we will stand by it.

FRANCE SEEKING AN AMERICAN LOAN. J. P. Morgan Will Discuss Question With Premier Herriot Tomorrow.

Paris, Oct. 16.—(United Press)—J. P. Morgan arrives here tonight on Sunday, and will discuss with Premier Herriot the possibility of floating a French loan in the United States.

The French Ministers will explain to the American banker that such a loan would be beneficial to the country and would strengthen the position of the franc until a settlement of the inter-allied debt problem is reached.

Everything will depend upon the conditions of the American financial aid. There has been some suggestion that a loan of \$150,000,000 could be arranged in the United States. The money would replace the credit advanced by Morgan last March.

WHITE SLAVERS ENTICE 150 GIRLS. Revelling Story of Operations of a Gang in Tulsa, Oklahoma.

Tulsa, Okla., Oct. 16.—(British United Press)—Replying to a question in the House of Commons, Mr. Chamberlain said that 150 girls have been lured into the hands of an alleged white slave ring operating out of Tulsa, Oklahoma.

Girls answered an advertisement calling for "twelve more girls, experience not necessary, must be ladies in every respect, no hints need apply, for Miss Murphy's Big Comedy Company, now travelling."

Wedding Gift Suggestions Limoges French China

New designs in powder blue color effects. Tea, After Dinner Coffee and Bouillon Cups and Saucers. Tea, Salad and Bread and Butter Plates; Sandwich and Cake Trays. Sugar and Cream Sets, Spoon Trays, Butter Trays, etc.

O. H. WARWICK & CO., Limited

78-82 King Street

EXPECT PAY RATE WILL NOT CHANGE

Matter of Longshore Wages for Next Season Talked Of.

That there will be no change in the agreement between the shipping companies and longshoremen for the coming year was the consensus of opinion among representatives of local companies and several members of the Longshoremen's Union this morning. While nothing official has been given out it is said both favor continuing the present agreement for another year.

The agreement which will expire on December 1, was drawn up last year and also carries a clause which says that 90 days' notice must be given by either party wishing to have alterations made in it. If no such notice is given by November 1 the agreement automatically goes into force for another year.

The agreement calls for 65 cents an hour for a nine hour day with an additional 10 cents where gain is handled. A gang is to consist of 15 men except in the case of a deal boat where 12 men constitute a gang and in handling bulk coal 18 men. Double time is to be paid for any work done on Sundays, holidays or meal hours.

The agreement between shipping companies in Halifax expires at practically the same time. The agreement at the Atlantic port extending from Portland, Me. to Hampton Roads always expires on Oct. 1 and the companies have completed their agreement with the men at these ports for another year.

Connie Mack Gives Fortune for "Lefty" Groves, Baltimore's Star.

Baltimore, Md., Oct. 16.—Robert M. ("Lefty") Groves, the Baltimore International League Club's pitching star, was sold to the Philadelphia American League Club today for a sum amounting to \$100,000.

This price tops by \$100 the former record paid by the New York Yankees to the Boston Red Sox for Babe Ruth. The price involving the purchase of "Lefty" Groves, Baltimore southpaw ace, by the Philadelphia Athletics, does not eclipse the amount involved in the acquisition of Babe Ruth, according to Edward G. Barrow, secretary of the New York Yankees.

Ruth was obtained from the Boston Red Sox in 1920 in a deal involving \$125,000. Barrow said, although only \$100,000 of this was represented in cash at that time.

REV. CANON A. W. SWINTERS was re-elected secretary of the standing committee of the synod of the Church of England at its quarterly meeting this morning, Bishop Richardson presiding. Other standing committees that met were the board of church literature and the finance committee. Rev. W. H. Sampson presided at the meeting of the literature board. This evening, the board of missions will meet.

FRANCE SEEKING AN AMERICAN LOAN. J. P. Morgan Will Discuss Question With Premier Herriot Tomorrow.

Paris, Oct. 16.—(United Press)—J. P. Morgan arrives here tonight on Sunday, and will discuss with Premier Herriot the possibility of floating a French loan in the United States.

The French Ministers will explain to the American banker that such a loan would be beneficial to the country and would strengthen the position of the franc until a settlement of the inter-allied debt problem is reached.

Everything will depend upon the conditions of the American financial aid. There has been some suggestion that a loan of \$150,000,000 could be arranged in the United States. The money would replace the credit advanced by Morgan last March.