

THE WEATHER.

Toronto, Nov. 3.—The disturbance which passed across Ontario and Quebec yesterday is now over the Gulf of St. Lawrence, while another from the far northwest is moving toward the Great Lakes. The weather today was showery in the western provinces and fair in Ontario and Quebec.

St. John... 42 56
Dartmouth... 38 52
Halifax... 32 48
Moncton... 32 48
Edmonton... 32 48
Prince Albert... 34 48
Moose Jaw... 32 48
Regina... 30 45
Winnipeg... 28 43
White River... 12 34
London... 34 48
Toronto... 36 50
Ottawa... 36 50
Montreal... 40 54
Quebec... 38 52
Halifax... 42 60

Maritime — Moderate to fresh west and north winds; fair and somewhat cooler.

Northern New England — Fair Thursday; Friday cloudy and unsettled, not much change in temperature; fresh west and northwest winds.

AROUND THE CITY

TAX APPEAL HEARD. The city council yesterday morning heard the appeal of the St. John Real Estate Co. from their assessment for 1920. Judgment was reserved.

RETURNING TO NEW YORK. The members of the Edison Tone Test Company, which has been demonstrating throughout the Province, is stopping at the Royal on their return trip to New York.

APPOINTED LT.-COLONEL. Lieut.-Colonel Donville, of the retired list of officers, has been appointed honorary lieutenant-colonel of the 8th Princess Louise New Brunswick Hussars, of which he was at one time in active command.

COMING TO ST. JOHN. Announcement was made yesterday at military headquarters that Lieut.-Col. Thomas E. Powers, D.S.O., had been transferred to this district as signalling officer and would report for duty in a few days. He will be warmly welcomed by his many friends here.

WILL CONDUCT MISSION. The Rev. E. P. Calder, one of the most brilliant preachers in the Maritime Provinces, will begin a mission of two weeks in the Central Baptist church, next Sunday. He will preach both morning and evening on that day. During the week the services will begin at 8 o'clock.

PURCHASED DRUG BUSINESS. The drug business of A. Chipman Smith and Company has been sold to Charles T. Neville and Thomas E. Totten, who took charge on Monday. Stuart Robertson, the late proprietor, became a partner in the firm in 1912 and has been proprietor since 1919.

ROYAL ARMS CHAPTER. The Royal Arms Chapter, I. O. D. E., of which Mrs. E. H. Carter is regent, have taken a room for their meetings in the G. W. V. A. hall and held their regular meeting there yesterday afternoon. Among the business transacted were plans for a tea and dance to be held this month and for a dance to be given in January.

THE NURSES' HOME. Yesterday Mrs. J. Frances Gregory, notified Mrs. W. W. Waite, of the Women's Hospital Aid Committee, that she would furnish one of the rooms in the Nurses' Home. Already promises have been received for the equipment of seven or eight of the bedrooms, but there are several times that many in the house, providing opportunity for all who desire to aid in the good work.

FILMED THE PIGEONS. Frank Alexander, a moving picture man from Montreal, was in the city yesterday afternoon awaiting his train west having spent some days at Halifax concerning the International Red-Cross races. Having a good idea of what is interesting and some extra yards of unbleached film Frank scattered a handful of peanuts near the King Square fountain, and as the large number of pigeons dove for the nuts an excellent close-up picture was taken of the birds with a view of King Square and surroundings for a background.

TWELVE YEAR SENTENCE. In the police court yesterday afternoon Harry A. Dryden, charged with stealing goods from the C. P. R. C. N. R. and Eastern Steamship Lines, Inc., pleaded guilty. He was sentenced to four years in Dorchester penitentiary for stealing from the C. P. R., four years for stealing from the C. N. R., and four years for stealing from the Eastern Steamship Lines, making a term of twelve years in all. The magistrate said that the sentences are not to run concurrently, but each one to be served in its turn.

A BY-LAW CASE. O'Neill Bros. and G. F. Cunningham of the City Market were before the police court yesterday, having been reported by Game Warden Smith for having for sale migratory birds—blue ducks and blue winged teal. They admitted this, but the question was raised as to whether under the British North America Act a dominion statute of this nature is in force in the province. In view of this point being brought up, the magistrate postponed the case for two weeks.

Mr. and Mrs. L. R. Wilson, 2340 Manitoba street, announce the engagement of their third daughter, Violet Pearl, to Mr. Samuel Charles Hartley of Castor, Alberta. The marriage will take place in Calgary on November 30.

ATTENTION, MERCHANTS! Merchants are requested to read the important notice on another page in reference to the Lottery tax.

Manslaughter Case Evidence Finished

Addresses to be Delivered This Morning—Case Will Probably Go to Jury.

The hearing of the evidence in the case of the six young men from St. John facing a manslaughter charge at Hampton, was concluded yesterday afternoon. Both Dr. W. B. Wallace, representing the crown, and Dr. Baxter and Hon. George Fowler, the defence, closed their cases. The addresses to the jury will be delivered this morning, and the case probably concluded today.

Owing to the fact that one of the accused missed his train in the morning, it was found impossible to go on with the case until the afternoon. There was some question as to whether the ball would be forfeited, but on the explanation and apologies of Hon. George W. Fowler, the judge consented to waive the right of the court. His Honor ordered all the accused to remain in the shiretown last night.

George M. Colby

George M. Colby, the first witness, said that he conducted a grocery store at Renforth on the left-hand side of the road leading to Rothesay. He was in the shop with four others on the night of April, the 29th, at about nine o'clock, and remembered a car hitting the shop. When he went outside he saw Margaret Garrett lying on the platform, and also Dean, who was unconscious. Miss Finley came around the corner of the shop and asked where Virginia was. After searching around with the aid of a flashlight, found the little girl in the ditch near the culvert. She was badly bruised, blood was flowing out of her mouth, and she was gasping away what little life she was left in her.

Showed Photograph

Gilbert Davidson, photographer of St. John, showed photos he had taken of the accident, the day after it occurred. Dr. Baxter objected to their being used as evidence. One of the jurors claimed that the photos did not show the store in its true position. Harold Climo, Jr., told of being with the defendants on the evening of the accident, and of leaving them at about 7:30. W. E. Gunter said he parked his car in front of the Imperial at 8:30, and that when he came out after the school Harold Beverley came to him and said the car was at Renforth pretty badly damaged. He thought it had struck a child, but did not know how seriously she was injured.

Mr. Gunter said he had given no one permission to take the car. He knew Beverley and might have given him permission had he asked, and again might not. He knew Beverley as a young man of good reputation.

Heard a Crash

A. G. Peters said that on the night of the accident he was driving from Rothesay to St. John, and about two telephone poles from Colby's store at Renforth was passed by a car. After it passed he saw the lights of a car coming from the city. When he had gone about fifty feet he heard a crash, and on reaching the store found two men picking up a little girl. She was covered with blood and badly broken up. The car that passed him was stopped by the store and his lights were as bright as when they had passed him. When he saw the car coming from the city it seemed under control, and did not appear to be going faster than 15 miles an hour, and the car was going faster than that.

Detective Biddiscombe

Patrick Biddiscombe, city detective of St. John, said he had seen all the accused on the night of the accident and had not observed any sign of liquor on any of them. He saw Currie at the hospital, where he was taken with a broken arm. He went to see Dean at his home on Wall street, and the doctor told him he was in a serious condition. He went to Beverley's home and talked with him. Acting on instructions from the police station he then placed him under arrest. He also brought Ross to the station, and found Kennedy and Wilkinson had already given themselves up.

The deposition of Frederick H. Fritts was read in court. He stated that on the night of the accident he was returning from Rothesay to the city. He passed a team 200 feet from Colby's store and noticed the lights of a car coming from the city. Then he dimmed his lights and headed to the left of the road. He did not notice the other car until he heard a crash. On stopping his car and going back he saw a little girl and a man lying on the store platform. The car was piled up on the culvert. The night was clear, but not bright. Before the accident he noticed a bright light on the front of the store. The lights of his car were equipped with reflectors, but no dimmers. At the time of the accident he was driving at about 12 miles per hour, and he was positive that he dimmed his lights.

Ada M. Finley

Ada M. Finley of St. John said she was in Renforth on the night of the accident and started to take Virginia and Margaret Garret home. She crossed the road to the lower side and noticed two cars, one coming from Rothesay, and the other from the city. She reached the store and the children stood with their backs against it. The lights of the St. John car were acting queer. Only the left light was burning, the other went out, and then both went out. She heard a crash and saw Margaret lying at her feet, while Virginia was gone. Later she saw men lay Virginia on the store platform.

Measurements Taken

H. Wilson Daiton said he had been called to the store by phone. At the request of the St. John chief of police he had taken several measurements and gathered other information. He found the distance from the rear wheel of the car to where it hit the store nine feet from the store the front of a car leading from the store 202 feet away from where it ran off the tarris and along the side of the road.

Industrial Home Matters Considered

Governors Decided to Make Some Repairs at Once, Others in Spring.

The Board of Governors of the Boys' Industrial Home met yesterday afternoon in the Mayor's office to consider matters in connection with the recent fire at that institution. A sub-committee, which was appointed the day of the fire, made their report on the amount of damage done, and it was decided to make some repairs at once and let others wait until the spring.

The committee was given power to have the barn left standing until it was safe to work on it, and other live stock for winter. The burned building will not be repaired until next spring.

The school will be carried on in the room in the residential building, which was used for that purpose before the big room in the burned building was fitted up.

Non-Jury.

Logan vs. Dykeman—Francis Kerr, Ross vs. Miller—Francis Kerr, Smith Brokerage Co. vs. Goodman—J. C. Belyea.

Mott vs. Hayes—K. A. Wilson, Leonard vs. Smith—Inches, Weyman & Hazen, O'Regan vs. Johnston—L. A. Conlon.

Jury.

Young vs. Connell, et al.—J. S. Tait. There were ten applications for naturalization. The names are Christian Handkok, Nick Elliott, John Boosep, Louis Goldberg, Morris Syers, Carl Bassen, Nathan Lelphediz, Israel Elman, Percy M. Levine and Hyman Davis.

John McCormack Found Not Guilty

Charged in County Court With Stealing Sugar—True Bill Against Steve—Prosecutor.

Evidence was taken in the County Court yesterday, in the case of John McCormack, charged with breaking and entering a sealed car in the C. N. R. yards and stealing sugar valued at about \$60.

The defendant admitted having been in the car, but said he had gone there just to have a game of cards.

After spending an hour in consultation the jury brought in a verdict of not guilty.

A true bill was found against Steve Procopuck on three counts, breaking and entering the store of A. Gilmour, King street, and stealing cloth therefrom. This case will be taken up Monday morning.

The civil docket follows:

Non-Jury. Logan vs. Dykeman—Francis Kerr, Ross vs. Miller—Francis Kerr, Smith Brokerage Co. vs. Goodman—J. C. Belyea.

Mott vs. Hayes—K. A. Wilson, Leonard vs. Smith—Inches, Weyman & Hazen, O'Regan vs. Johnston—L. A. Conlon.

Jury.

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City Officials On Fruitless Errand

Mayor and Comptroller Find No Application from Power Company to P. U. C.

The mayor and comptroller attended the meeting of the Public Utilities Commission yesterday morning to look after the city's interests in regard to the proposed issue of stock by the New Brunswick Power Company, but found when they got there they had come on a fruitless errand, as there was no application before the commission, and will be none unless the city files an objection to the issue of the bonds.

The council was under the impression that permission must be obtained by the company from the commission before issuing the stock, but it now develops that they only have to go before the Utilities Commission in the event of the city raising an objection within thirty days from the date the council received notice of the intention to issue bonds.

Speaking to the Standard yesterday the mayor said he did not think any objection would be filed, as from the information furnished by the company they needed the money for legitimate purposes, and were well within the Act in their present action.

Case For Defence.

Dr. Baxter, in opening the case for the defence, said that each of the accused would be put on the stand, so that the jury might judge of their character from the testimony and that they might hear the whole story. They would all say they had been blinded by the lights of the Trifita car. He greatly regretted that Trifita was not present. If his lights were not dimmed, he was responsible for the unfortunate tragedy and should be in the dock instead of the accused.

Lights Not Dimmed.

Harold Beverley said that he was driving Gunter's car when the accident occurred. Just as they came over the hill he remarked to Rose, who was in the front seat, that he was going at 18 miles an hour. He then saw the lights of another car and turned to the left of the road. The other lights were not dimmed, so he went still further to the left, dimmed his own lights and blew the horn several times. Then he saw a blaze of light and put on the foot brake. He felt an impact and was slightly stunned. The next he knew he was getting out of the car, which was on the culvert. Neither he nor any of his companions had been drinking, nor was there any liquor in the car.

On the night of the accident he went up to the Imperial in company with the other boys, but with intention of taking the car. Max Dean took it, but he could not say who suggested it. Dean drove as far as the Three-Mile House, when he dimmed his lights. He had driven an Overland before, but always with the owner. The system of his own car, a Chevrolet, and the Overland were the same, but the buttons controlling the lights were placed differently.

Did Not See Children.

He did not remember seeing any children on the road at Renforth. The car was not moving, and his estimate of speed coming out of town. It was going at between 25 to 40 miles, before it reached the hill it was going 12, and going down the hill the power was shut off, and the speed lessened. He remembered seeing the three lights of the other car, and then a blaze of light. He had driven cars, but not had any of them been drunk. All of them were blinded by the lights of the other car, and their car was going at a moderate rate of speed.

Blinded by Lights.

Charles Ross, who sat beside Beverley, said he had been so blinded by the lights of the other car that he had to look out along the side to see anything. He noticed Miss Finley and two children standing by the store and under the light. At the same time he noticed the car was gradually edging towards the side of the road. Next he heard a crash and thought the left rear wheel struck something. He was not thrown out, but jumped out and ran around the side of the car. The first person he met was Miss Finley. She was crying and wringing her hands, and he asked her what was the matter. Before going for the ride he remembered Beverley saying, "There's Gunter's car; let's go for a spin." It was understood that they would take a car and go for a ride around the city.

John Kennedy.

John Kennedy said he was in the rear seat of the car. He saw the lights of another car when near Renforth, and they blinded him. He remembered Beverley dimming his lights and blowing his horn. After the crash he came behind the car. He did not see the children and did not see the store. No one in the car had any liquor. He did not remember what he said at the defence.

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To All Ladies Who Wish An Individual Style In a Dress Shape of the Finest Quality Made. We suggest that they view the Dress Shapes we received from New York yesterday. They are made of silk velvet, silk plush and these two materials combined. Just the one of each style and every hat perfect to the smallest detail. A few of these will be on display in one of our windows today. Special showing today of several hundred new Trimmed Hats at most temptingly low prices, also a large variety of Tailored Hats at special quick selling prices. The majority of these have just been put into stock. Marr Millinery Co., Limited. St. John Moncton Amherst Sydney.

COMMUNITY PLATE. Appeals To Every Woman because it is a wonderful combination of correct pattern, beautiful, exclusive designs and a heavier plating with a thick overlay of pure silver wherever wear is greatest. We are glad to show COMMUNITY PLATE whether you intend to buy now or later. Emerson & Fisher, Ltd. 25 Germain Street.

STORES OPEN 8.30 A. M. CLOSE AT 5.55 P. M. SATURDAY 10 P. M. MOTORISTS! A Limited Quantity of English Wool Travelling Rugs to Be Sold at Bargain Prices Today. With colder weather right at hand, this sale could not be offered at a more opportune time. Rugs of this kind serve many purposes, but are particularly useful for motoring, driving, travelling and for many uses around home. Rugs are heavy weight and full sizes—made of good looking reversible plaids—and offer you very unusual value. Do not fail to get one while these prices are available. \$6.90 and \$12.90 Each Today (Men's Furnishings Section, Ground Floor). Manchester Robertson Allison Limited. KING STREET GERMAIN STREET MARKET SQUARE.

Fur Flash No. 4. The fourth of a series of six dealing with FUR COAT WEEK. Raccoon Coats. These are the delectably homey coat and are ever attractive to the man or woman who desires to be as cozy when driving or motoring in the cold out of doors as they are snugly seated before a crackling open fire at home. No matter how strenuous the weather conditions these coats are a sure defence and they hold their shape and appearance withal. There are three lengths for women, 36, 40 and 45 and the regular priced as follows: \$400, \$425, \$450, \$500, \$525, 550. Men's coats show the regular prices of \$300 to \$450 and the sizes are ample. (Fur Flash No. 5 Tomorrow) D. Magee's Sons, Limited, Saint John, N.B.