

Business and Professional Directory

Auto Repairing

MOTORS re-manufactured and general repairs. All work guaranteed. Estimates given. Main 246, 248, 250, 252, Central Garage, Waterloo street.

Graduate Chiropractic

ATLANTA S. SULLOWS at Watsons Drug Store, 8 Sydney street. Corns, Bunions, Calluses, Ingrowing Nails, Arch Troubles a specialty. Phone M. 513.

Men's Clothing

ALL our clothing at reduced prices. Buy now and save money. W. J. Higgins & Co., Custom and Ready-to-wear Clothing, 181 Union street.

Private Kindergarten

PRIVATE KINDERGARTEN will re-open Monday, Oct. 5th, in the Y. W. C. A. recreation centre. For particulars phone M. 3284.

Public Speaking

Miss Marjorie Johnston, teacher elocution etc.—M. 3221-2.

Mattresses and Upholstering

CASSIDY & KAIN, 26 1/2 Waterloo street. Main 354. Manufacturers of Mattresses, springs, divans, etc. Mattresses cleaned and recovered. Bed springs re-wired. Feather Mattresses made. Cushions any size or shape. Upholstering.

Marriage Licenses

WASSONS issue Marriage Licenses at both stores, Sydney St. and Main St. 24 Waterloo street.

Medical Specialists

LADIES—All facial blemishes removed. Free consultation in all nervous and muscular diseases. Robert Wilby, Medical Electrical Specialist, 124 1/2 Gorman street. Phone M. 316.

Nickel Plating

NICKEL PLATING. Silver parts re-nickelled, also gold and silver plating of all kinds. At Gorman's, the Plater, 24 Waterloo street.

Patent Medicines

MAKE POULTRY pay profits. Shaw's Golden Rooster Brand. Fully illustrated. Highly endorsed. Descriptive booklet free. Write Shaw Schools, 40 Bloor West, Toronto 5.

Drugless Physicians

DR. A. F. ORR, N. D., D. P., D. G. Naturopath. Acute and chronic diseases successfully treated. Consultation free. Office hours, 11-5. 155 Gorman street, near Ferry. Phone 4103, Saint John, N. B.

Piano Instruction

PIANO INSTRUCTION—Studied with Theo. Hentton, Belgian Pianist—F. Burke, 105 Douglas avenue. Phone M. 521-11.

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Piano Moving

MOVE your piano moved by auto and modern gear. Furniture moved to the country and general cartage. Reasonable rates—Phone Main 4421-A. Stackhouse.

Roofing

Gravel roofing and roofing repairs. Joseph Mitchell, 139 Union street. Telephone 1401.

AUCTIONS

I am instructed to sell at Public Auction at No. 1 Water St., corner South Wharf, the entire stock of groceries, Oct. 6, at seven-thirty o'clock. Stock consisting of Mince Meats, Jams, Tomatoes, Jellies, Cream of Wheat, Rolled Oats, Puffed Rice, Fresh Eggs, Grape Nuts, Candy, Canned Chickens, Scallops, Barley, Corn Meal, Salt in Bags, One Computing Scale, Tea in bulk and in packages, Coffee, Extracts of all kinds, Crisco, Beans, Peas, Corn, Red Clover Salmon, Soap of all kinds, Pork in Pickle, 50 Gallons Molasses—this will be sold to suit the buyer—bring your cash with you. Goods of all descriptions too numerous to mention. This stock must be sold at once.

I. WEBBER, Auctioneer 10-7

WEBBER

Meats, Jams, Tomatoes, Jellies, Cream of Wheat, Rolled Oats, Puffed Rice, Fresh Eggs, Grape Nuts, Candy, Canned Chickens, Scallops, Barley, Corn Meal, Salt in Bags, One Computing Scale, Tea in bulk and in packages, Coffee, Extracts of all kinds, Crisco, Beans, Peas, Corn, Red Clover Salmon, Soap of all kinds, Pork in Pickle, 50 Gallons Molasses—this will be sold to suit the buyer—bring your cash with you. Goods of all descriptions too numerous to mention. This stock must be sold at once.

I. WEBBER, Auctioneer 10-7

POTS

Mission secretary, 8 pieces walnut bedroom a u i t e, refrigerator, kitchen range, 2-burner oilstove and oven, chest drawers, iron and brass beds, springs and mattresses, standing desk, tables, chairs, pictures and a large assortment of other household effects.

BY AUCTION at salesroom, 96 Gorman street on Tuesday afternoon, Oct. 6th, commencing at 8 o'clock.

F. L. FOTTS, Auctioneer

BURGOYNE WESTRUP

JOHN BURGOYNE Auctioneer, of 82 Gorman Street, has received instruction to sell at Market Slip at 10:30 Tuesday morning, Oct. 6th, Motor Boat Hull, 270 x 80; good family boat, sleeps 4. Also 8 marine engines.

Free Consultation

Neurosthenia, Incontinence, neuritis, rheumatism, sciatica, nervous and spinal weaknesses, curvatures, etc., successfully treated by medical electricity and X-ray. Ladies—All facial blemishes removed. ROBERT WILBY, Medical Electrical Specialist, 124 1/2 Gorman street. Phone M. 316.

DIRECT IMPORTERS

MILLER'S CREEK SOFT COAL, AMERICAN ANTHRACITE, PICTOU SOFT, POCAHONTAS STEAM COAL, Wholesale and Retail.

The Colwell Fuel Co. LTD.

"The trouble with weak-end parties is that one has to tip so many of the help when one starts for home."

"The high cost of leaving, so to speak."

Phones West 17 and 90

COAL AND WOOD

YOU or the Cook or the Stove?

YOU want well cooked meals, which the COOK can provide—if the COAL suits the STOVE. We offer

EMMERSON SPECIAL BROADCOVE and PICTOU

CALL MAIN 3938

Emmerson Fuel Co. LIMITED

Phone Main 3938 115 City Road

BESCO COKE

Made from Canadian Coal

Makes a bright hot fire. No smoke. Very little ash.

R.P. & W.F. STARR, LTD.

49 Smythe St., 159 Union St.

BEST SOFT COALS

Per ton, cash Delivered

Economy . . . \$8.50

Queen . . . \$10.50

Springhill . . . \$11.25

Broad Cove . . . \$12.50

National . . . \$13.00

BESCO COKE and all sizes HARD COAL.

J. S. Gibbon & Co. Limited

Phone M. 2636 or M. 594.

No. 1 Union St. 6 1/2 Charlotte St.

AMERICAN ANTHRACITE

WELSH JUMBO WELSH NUTS WELSH PEAS CUMBERLAND OLD NO. 5 U. S. SOFT

Phone M. 1913

Consumers Coal Co. Ltd.

Call and select your coal and wood for winter at inducing prices as we are now unloading

BESCO COKE, Broad Cove, Springhill and Joggins—Dry Rock Maple, Birch and Kindling.

D. W. LAND

Railway Siding. 10 Erin St. Phone 4055

AMERICAN ANTHRACITE

BROAD COVE MCBEAN PICTOU SPRINGHILL THIRTY H. A. FOSHAY

58 Sherif St. Phone M. 3808

COAL AND WOOD

McBean Pictou—A good clean Coal DRY KINDLING

By Load or in Bundle Dry Hard Wood, 4 lengths for grate use.

Spool Wood For Kitchen Stoves

CITY FUEL CO.

Phone 468-257 City Road

McBEAN PICTOU, FUNDY and SYDNEY SOFT COALS

AMERICAN CHESTNUT Double Screened and Promptly Delivered.

A. E. WHELPLEY

238 and 240 Paradise Row Tel. Main 1227

COAL AND WOOD

SCOTIA BROAD COVE Heavy Soft Wood and Dry Kindling, \$2.00 a Load

W. A. DOWD

Hanover St. Extension, Phone 122

BROAD COVE

McBean Pictou Queen Bay View Bush American Anthracite Summer Prices

McGivern Coal Co.

12 Portland Street. M. 42

FOR SALE—Dry Cut Wood, \$2.50 large truck load—W. F. Turner, 4110, Street Extension, Phone 4110.

BEST GRADES SOFT COAL ON HAND—BROAD COVE, MCBEAN PICTOU, PEARLESS LUMP, RIDGE

DRY HARD AND SOFT WOOD.

Sun Coal and Wood Co.

Phone M. 1346, 78 St. David St.

Another H. C. L.

"The trouble with weak-end parties is that one has to tip so many of the help when one starts for home."

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Pronouncements Register Dissent Of Two Railway Commissioners From McKeown-Oliver Decision

Boycott and Lawrence Maintain Other Members Had no Right to Issue Order Reducing Freight Rates on Grain Moving Westward Against Ruling of Majority of Board—Full Texts of Statements Are Given

HERewith is printed the text of the rulings of Commissioners Boyce and Lawrence of the Board of Railway Commissioners in the matter of freight rates. The judgment of Hon. H. A. McKeown, chairman of the board, ruled that the application of British Columbia for an order reducing the freight rates on grain moving westward for export to the same rates proportioned to distance, as those on grain moving eastward for export, should be granted. In this ruling Hon. Frank Oliver, another member of the Railway Commission, concurred. The reduced rates have been in effect since Sept. 15, although an effort has been made to have the order rescinded.

The text of the rulings of two dissenters, Commissioners Boyce and Lawrence, is here presented. The ruling of Commissioner Boyce was as follows:

On August 29, last, after this case had been discussed at more than one meeting of the board, presided over by the Chief Commissioner, my brother Commissioner Lawrence and I informed the Chief Commissioner in writing through the secretary of the board that if it was proposed to deliver any judgment, purporting to deal with the matters involved herein apart from the general rate investigation, of which the subject is a part we desired to express our views.

UNKNOWN TO THEM, HE SAYS.

The judgment of the minority of the board was, however, issued without the knowledge of Commissioner Lawrence or myself, and order thereupon was signed by the Chief Commissioner, without according to me or to Commissioner Lawrence, as members of the board, the most usual and ordinary courtesy of perusing and preparing our opinions upon such judgment before an order issued in terms thereof.

As I and my brother Commissioner Lawrence promised the Chief Commissioner that we would express ourselves, I am obliged, for the reasons just stated, to do so after the order has been issued but as part of the judgment of the board upon this complaint as it presents itself to me now I refrain from further comment upon

the ethics involved in excluding expression of opinion in dissent members of the board by this method.

QUOTES ORDER.

Early in July this board proceeded in pursuance of the direction contained in the order-in-council, P. C. 886, dated 8th June, 1925, which, inter alia, directs the board—

"to make a thorough investigation of the rate structure of railways and railway companies subject to the jurisdiction of Parliament, with a view to the establishment of a fair and reasonable rate structure which will under substantially similar circumstances and conditions be equal in its application to all territories and localities;"

and to lay the groundwork for such a thorough investigation.

The Chief Commissioner of the board submitted to the members of the board a draft, prepared by him, of a document to be made public, outlining the policy and program to be followed by the board in commencing its duties under the order-in-council and the Chief Commissioner called the board together to consider and settle the terms of said draft.

At two meetings of the board that draft was considered and settled, and as settled by the board, when public notice was issued by the secretary of the board under date of July 9 last.

SAYS NO RULING GIVEN.

At the time said notice was considered and settled by the board, testimony in this complaint had been heard before two members of the board and no decision had been given. The tendency of this complaint was referred to at that board meeting and with due regard to this and all other pending complaints in like condition and with the concurrence of all members present, including the Chief Commissioner, the draft by him submitted for consideration of the board was changed, and, as finally settled, and evidenced by the initials of the Chief Commissioner, and as issued to the public, contained the following clause:

"Testimony now before the board in cases already heard and in which no decision has been given is not to be repeated. New and material evidence in such cases may be submitted in the usual way."

NEW EVIDENCE.

Both the Canadian Pacific Railway Company and the Canadian National Railways, in writing, asked for leave to submit to the board "new and material evidence" in this case as such notice in plain terms gave all parties to this or any other proceeding before the board the undoubted right to submit. Their application stood to be dealt with as I presumed, as a part of

the procedure in hearing the general case, and those applications are still standing for decision. All matters of rate complaints affecting any locality in Canada, so stood from and after 8th July last, to be dealt with under the procedure outlined in board's procedure contained in its public notice of that date.

EFFECT ON REVENUES.

The Canadian National Railways, whose revenues would be affected by any judgment granting this application to the extent of over a million dollars annually, protested that it had not even had notice of the hearing of this complaint and no opportunity for preparing its case at the hearing.

After a careful and anxious examination of the proceedings, I find, as a fact, that no notice of hearing was ever given to the Canadian National Railways under the rules of this board, or otherwise, and what examination of the complaint did take place at the hearing at Vancouver in November, last, was, as far as the Canadian National Railways is concerned, entirely without due notice of hearing or service of complaint. The notice of hearing to all other parties was shorter than that usually allowed for such a hearing at a far distant point.

OFTEN PROTESTED.

Primarily, therefore, the judgment of the Chief Commissioner purports to dispose of a complaint, involving an aggregate loss of revenue to both the large railways concerned (the one nationally owned and already carrying a heavy annual deficit) estimated at nearly two million dollars annually, without any formal notice whatever as to the National Railways, and in sufficient notice as to the other railway (C. P. R.). It is difficult to conceive that such a condition of things should be possible in this country, and in view of the provisions of the Railway Act and the rules and practice of the board, and of what is generally accepted as a fundamental basis of natural justice, but the facts I state are, as I find them from the record of the proceedings, and were fully brought to the attention of every member of this board by strong protests from the railways, oft repeated and insisted upon, before any decision was prepared.

REGISTERS DISSENT.

The judgment of the minority members of the board, issued as the judgment of this board, is put forward as part of the judgment of the board upon the general rate investigation given notice that they intended to avail themselves of it, the case was not closed or ripe for decision.

I entirely dissent from such being, in any way, binding upon the board, because:

(a) The board has, as a body, prescribed publicly the practice to be followed in making its investigations under the said Order-in-Council, and by its public notice had specially stated, that in cases, like the present, where testimony could be given. The railways having demanded that right and given notice that they intended to avail themselves of it, the case was not closed or ripe for decision.

(b) There was no investigation, whatever, of the complaint since,

in terms of the Order-in-Council P. C. 886;

HOLDS DECISION AGAINST IT

(c) Since the Order-in-Council passed, the whole subject of the whole rate investigation was in the hands of the board as a whole, and whatever had been held—or had been—could be, provided for until the periods of time for filing and answering complaints, and terms of notice generally of 9th July outlining preliminary steps to the hearings had respectively expired and been complied with.

(d) The whole case, as it now stands, having been laid before the board, as part of the general investigation, the board first, with a dissenting voice, had precluded itself from dealing with this case, except as a part of the general investigation, and, records, by a majority vote, at a meeting called by the Chief Commissioner to consider the decision upon this complaint, had decided that no such decision should be given except as part of such general investigation.

QUOTES RESOLUTION.

(e) The hearing of the complaint at Vancouver at which all evidence was presented, and judgment was based was conducted without notice to the Canadian National Railways, which had protested against its validity and its protests had not been even considered by the board.

The judgment of the Chief Commissioner, therefore, is clearly not the judgment of the board, but is contrary to the principles laid down in the board's notice to the public of 8th July last, above referred to, and to a resolution of the board, passed at a meeting of the board, held 2nd day of September called by and presided over by the Chief Commissioner for the purpose of considering this case at which Commissioner Oliver and all other members of the board were present, homes, and judgment as that now in question was completed, delivered, or issued, and which resolution is as follows:

"Whereas order-in-council P. C. 886, of June 8th, 1925, directed the board—

"to make a thorough investigation of the rate structure of railways and railway companies subject to the jurisdiction of Parliament, with a view to the establishment of a fair and reasonable rate structure which will under substantially similar circumstances and conditions be equal in its application to all territories and localities;"

and whereas the board has, in pursuance of the said order-in-council, commenced its investigation of the rate structure of railways and railway companies subject to the jurisdiction of Parliament, with a view to the establishment of a fair and reasonable rate structure which will under substantially similar circumstances and conditions be equal in its application to all territories and localities;"

and whereas the board has, in pursuance of the said order-in-council, commenced its investigation of the rate structure of railways and railway companies subject to the jurisdiction of Parliament, with a view to the establishment of a fair and reasonable rate structure which will under substantially similar circumstances and conditions be equal in its application to all territories and localities;"

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