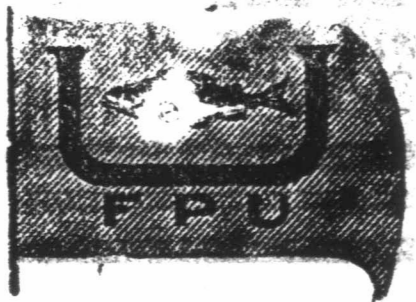


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"(To Every Man His Own.)"

The Mail and Advocate

Issued every day from the office of publication, 167 Water Street, St. John's, Newfoundland, Union Publishing Co. Ltd., Proprietors.

Editor and Business Manager JOHN J. ST. JOHN

ST. JOHN'S, N.F.L.D., OCT. 14, 1915

OUR POINT OF VIEW

FISHERMEN. ATTENTION!

YESTERDAY'S libel suit of Abram Kean against the Union Publishing Company was tried before Johnson, J., and a Jury. It concerned a wireless message sent by Capt. Jos. Kean to his father, Capt. A. Kean, telling the latter to look out for the "Newfoundland's" crew, the day they left the "Stephano," 79 of whom died from exposure.

The Jury consisted of the following gentlemen: J. Leamon, T. Taylor, J. Duff, J. McDonald, E. Hirst, W. Pike, L. Bartlett, P. Taylor and John Connors.

The Judge charged very strongly against the defendants, and Mr. Morine raised several objections to many of the Judge's statements and intimated his intention to appeal against any adverse verdict on the grounds that the Judge's charge was unfair to the Defendants.

The Jury brought in a verdict of \$1800 in favor of Abram Kean. We have a copy of the proceedings and will publish the same for the information of the public.

It was proven yesterday that Capt. Jos. Kean did hand a message to the operator on board the "Florizel," which message contained the words "You look after my crew and the Newfoundland's and I look after yours."

Operator Berkley was on the "Stephano" plying here all the summer, but was transferred from that ship to another two weeks ago, and was operator on the "Florizel" during the summer and fall of 1914 and part of the winter of 1915, but was transferred to a steamer plying to South America just before the time set for the trial last March. His evidence, taken by a Commission at New York last spring was put in evidence at the trial yesterday. Berkley swore that he sent the message to the "Stephano's" operator as it was handed him by Capt. Jos. Kean and the message did contain the words "and Newfoundland's crew."

He also swore that the "Stephano's" operator replied "O.K."—a right—which is the sign given by one operator to another when the message is received alright. Capt. Abram Kean swore that the message as given to him—which was verbal—did not contain the words "and Newfoundland's crew."

The case hinged on this point, and the point before the Jury was whether Capt. Ab. Kean did receive the message as sent by operator Berkley or not.

The Jury's verdict shows they believe that Capt. Ab. Kean did not receive the message as sent by operator Berkley.

Judge Johnson told the Jury in charging them, that they had no right to bring in verdict except for the Plaintiff, and apparently the Jury did not forget what he said.

The Defendants will apply to have the verdict set aside on the grounds of misdirection by the Judge.

This case is one of greatest importance to the Fishermen of the Colony, as over 800 of them own shares in the Defendant Company, and out of their pockets must come any money given to Abram Kean in connection with this case.

We ask every unbiased reader to carefully consider the evidence submitted in this case and closely study the charge to the Jury made by Judge Johnson.

This is the second libel action decided this year in favor of Ab. Kean by a St. John's Jury against the Union Publishing Co. and Editor Coaker.

We will publish the Judge's charge to-morrow and we intend to publish the objections to it made by Mr. Morine. This action and the verdict and charges by the presiding Judges are being closely noted by outport fishermen.

DR. GEISEL'S MEETINGS

A SPLENDID meeting was addressed by Dr. Geisel at Broad Cove, B.D.V., on Tuesday night. The lady lecturer left by Ethie's yesterday for Trinity and a large and successful meeting was held at Port Rexton in the afternoon and at Trinity last night.

Dr. Geisel addressed large meetings at Port Rexton and Trinity yesterday and at Port Rexton the people asked Dr. Geisel to give them another meeting and she arranged to return on Saturday night and address a second meeting.

This afternoon a woman's meeting was held at Catalina, Rev. Mr. Chamberlain presiding. To-night a meeting for men will be held at Catalina. To-morrow Elliston will be visited in the afternoon and Bonavista in the night, arrangements having been made to secure the largest halls and advertise the meetings in advance.

On Saturday morning a second meeting will be held at Bonavista. Dr. Geisel hopes to visit King's Cove and Keels on Sunday, and leave on Monday in the "Strathcona," calling at Greenspond, Newtown, Seldom, Joe Batt's Arm, Fogo, Change Islands, Herring Veck, Twillingate, Exploits, Leading Tickle, Little Bay Islands, Vipper's Harbor, La Scie, Englee, Conche, and returning will visit Botwood and Grand Falls.

The friends of Prohibition will see a deep mark of gratitude to Dr. Geisel for her brilliant and energetic services in the cause of temperance.

Her visit North will be highly valued by the people and immensely beneficial to the Prohibition movement. The fact that Dr. Geisel has decided to spend all her time in outports is a sure criterion of the great interest taken in her lectures by the people so far visited which has greatly encouraged her to take in as many towns as can be visited.

NEW YORK, Oct. 8.—Announcement was made today by the Health Department that it had seized 300 pounds of codfish which had been dyed red and shipped to this city as Alaska salmon. The seizure was made Saturday at a cold storage plant and investigation at the Health Department laboratories it developed that the alleged salmon was the common codfish with dye injected so that the outer layer of fish was a deep red hue, the second layer a shade of pink and the third layer a pale pink. Below that the fish was white.

THE ENGLISH FLAG

French-Canadian and His Son (By Louis Frechette) Translated by Lord Curzon of Kedleston

It is the flag of England! Stainless, against the sky. Where is the land but sees it floating in majesty?

It gleams on every shore-line. Where progress forward sweeps. Beyond the furthest forests. Beyond the stormiest deeps.

And whereso'er man's spirit fares on, it streams before. Like Noah's dove, or lightning From Sinai flashed of yore.

Forget the days of tempest. And low, my son, incline. Because to-day this banner Floats o'er thy head and mine.

Father—forgive my darling—Have we not also one? Ah, yes, there is another. To kneel and kiss, my son!

FALSE ISSUES

A FRIEND from Harbor Main writes stating Geo. Kennedy, M.H.A., stated that if Prohibition was carried the Government would place an extra tax of 50 cents per barrel on flour to make up the liquor revenue.

We don't believe Mr. Kennedy made such a statement, if he did, he uttered what he knew must be incorrect. Will Mr. Kennedy state whether he did make such a statement?

There will be no need of any taxation to offset the loss of revenue from liquor should Prohibition be carried. The money spent for liquor equals \$1,000,000 at least. This Million Dollars will not be saved but will go to purchase necessary goods. This being the case the goods so purchased will represent goods imported worth at least \$500,000 net.

Duty will be paid on this \$500,000 worth of goods at the rate of at least 40%, which will return to the Treasury \$200,000 of the \$300,000 which liquor duties will sell the revenue this year.

In addition \$1,000,000 more are wasted by the use of liquor through loss of earnings, inefficiency and non-productiveness of hundreds of loafers who now bum the streets.

Fish will advance in value through Prohibition at least 20 cents per quintal, which is now cut off the value of fish in order to make up for trade losses incurred through the excess drinking of liquor. An average shore fishery would be about 1,000,000 quintals, and if Prohibition is carried the fishermen's earnings will be increased thereby to the extent of \$200,000.

We challenge any responsible public man or business man to deny this fact.

It therefore follows that if Prohibition is carried, the country will receive in one year \$200,000 from the revenue on goods purchased with money that would have been spent for liquor. Another \$200,000 increase in the value of fish and a sum exceeding the two above amounts which will result from better efficiency, added labor or earnings, and returns from the labor of scores of bums now a charge upon the revenue of the Colony.

In no way can the revenue be less owing to Prohibition than it is at present, but in many ways it can be added to and enlarged.

We stand for Prohibition, not only on moral and social grounds, but chiefly on economic grounds.

Should the Government require to consider the effect of Prohibition on the revenue it can rely on the value of \$200,000 without any of the services being impaired. It is an easy matter to cut down public expenditure by \$200,000 if the Government felt so inclined. The Opposition Party would do so if in power.

READ THE MAIL AND ADVOCATE.

FISHERMEN! ATTENTION!

We Publish Below the Evidence of Patrick J. Barkley, Marconi Operator on the 'Florizel' at the Sealfishery of 1914, which Evidence was taken at New York under a Commission Issued by the Supreme Court of St. John's, dated June 5th, 1915. Submitted to the Jury in Yesterday's Case.

Interrogatories Administered to Patrick J. Barkley and His Answers Thero to Given Before Joseph B. Braman of 111 Broadway, New York, Counsellor at Law, Commissioner Pursuant to a Commission Issued out of this Honourable Court Dated the 5th Day of June, 1915.

Q.—Were you Marconi Operator on board the S.S. Florizel at the seal fishery prosecuted from St. John's, Newfoundland, in the month of March, 1914?

A.—Yes.

Q.—Do you remember the fact that a number of the crew of the sealing steamer Newfoundland perished on the ice at the seal fishery that year in a blizzard on the night of March 31st and during April 1st and 2nd?

A.—Yes.

Q.—Who was the Captain of the Florizel?

A.—Captain Joseph Kean.

Q.—Do you know the steamer and did she prosecute the seal fishery that year?

A.—I answer yes to both parts and all of this question.

Q.—Who was the Captain of the Stephano?

A.—Captain Abram Kean.

Q.—Was the Stephano in the neighborhood of the Florizel on the 31st of March that year?

A.—Yes.

Q.—Did you send any message from the Florizel to the Stephano on March 31st in relation to the crews of the Stephano, the Florizel or the Newfoundland?

A.—Yes. I sent a message from the Florizel to the Stephano on March 31st in relation to the crews of the Stephano, Florizel and the Newfoundland.

Q.—Who gave you the message to send?

A.—Captain Joseph Kean.

Q.—Was it in writing?

A.—No.

Q.—If so, what was done with the writing?

A.—It was not in writing.

Q.—Do you know where the writing is?

A.—It was not in writing.

Q.—To whom were these messages directed?

A.—To Captain Abram Kean.

Q.—What was the message or messages?

A.—You look after my men and the Newfoundland. I will take care of yours. Previous to this the Stephano's wireless operator asked me if the Stephano's men were aboard the Florizel, to which I replied "We have all but one watch on board."

Q.—What time of day was it you sent the message? I mean as near as you can go. If you cannot give the exact hour state whether it was in the afternoon, in the evening or in the night.

A.—I cannot remember the exact hour or whether it was in the afternoon, evening or in the night.

Q.—Was the receipt of the message acknowledged from the Stephano?

A.—Yes.

Q.—What acknowledgement did you receive?

A.—"O.K.R.D."

Q.—Did you send any message to the Stephano to the Captain of the Stephano which did not contain the words "and the Newfoundland's" and which read "You look after my men and I will look after yours"?

A.—No, not that I remember.

Q.—Did you give evidence in relation to the message mentioned in question 13 at the enquiry held by Stipendiary Magistrate Knight at St. John's?

A.—Yes.

Q.—What was the evidence you gave on this point?

A.—So far as I remember, it was exactly the same as contained in my answer to Interrogatory herein numbered 13.

Q.—Did the Captain of the Florizel show uneasiness about the crew of the Newfoundland at any time on March 31st?

A.—Yes.

Q.—Did he express any such uneasiness to you?

A.—Yes.

Q.—Did you send any message from the Florizel to the Stephano on March 31st in relation to the crews of the Stephano, the Florizel or the Newfoundland?

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A.—Yes. I sent a message from the Florizel to the Stephano on March 31st in relation to the crews of the Stephano, Florizel and the Newfoundland.

FISHERMEN! ATTENTION!

We Publish Below the Evidence of Captain Joseph Kean, Master of the Florizel, at the Sealfishery 1914. Fishermen Toilers Should Read Every Word of it Carefully. Submitted to the Jury in Yesterday's Case.

The examination of Captain Joseph W. Kean, a witness for the defendant taken upon oath de bene esse before the undersigned examiner appointed by order in this action dated the 6th day of October, 1915.

Joseph W. Kean sworn and examined by Kent, K.C.

I am Captain of the Coastal boat S.S. "Portia." I was Captain of the S.S. "Florizel" 1914—the year of sealing disaster. I remember the disaster; the men were lost from the S.S. "Newfoundland" on Tuesday, the 31st of March, 1914. The S.S. Stephano was at the ice also. The Captain was A. Kean, the plaintiff in this action. The Stephano, Florizel and Newfoundland prosecuted the seal fishery at the front that year.

On the 31st we were between the Funks and Cape Bonavista in eastern direction. The Stephano on the morning of 31st at daylight, was on our port broadside less than half mile. The Newfoundland was about six miles in a S.E. direction from us. The weather in early morning was moderate and cloudy. I knew about 9 or 10 o'clock (my barrelman told me) that the Newfoundland's crew was travelling towards my ship or the Stephano. I thought they might board my ship or the Stephano if they did not come across seals in their road.

I saw the Newfoundland's crew from the bridge of my ship. I did not see them board the Stephano. They were still travelling in same direction between three or four miles away from us. The weather changed; started to get dull about one o'clock p.m. I know about 4

o'clock p.m. that men had boarded the Stephano; that is as near as I can go. I learned this from five of my men who had been on board the S.S. Stephano.

I also received a wireless from the master of the Stephano stating that he had had some of the crew of the Newfoundland on board, gave them a dinner and had put them on the ice again at noon. When I received the wireless I cannot fix, but it was between four and seven o'clock p.m. It was after the report from the members of my crew who were aboard. I had some of the Stephano's crew aboard at the same time.

At this time I hailed Captain Abraham Kean from my bridge. I asked him if he had Newfoundland's crew on board and he answered back: "I caught the words

Reid-Newfoundland Co.

NOTICE TO THE PUBLIC!

Owing to the heavy traffic over our lines and the consequent urgent demand for Shed Space and Car Equipment, Importers are asked to remove their consignments promptly. Commencing October 18th, forty-eight (48) hours will be given for carload shipments and seventy-two (72) hours for less than carload freight, after which demurrage or storage, as the case may be, will be applied, and, if necessary, other steps taken to keep sheds and cars free from congestion.

"all right" of his answer. The Florizel and Stephano had wireless but the Newfoundland had not

Barkley was wireless operator on the Florizel. I sent a wireless message to Captain A. Kean on the S.S. Stephano.

I TOLD MR. BARKLEY TO SEND A MESSAGE TO THE CAPTAIN OF THE STEPHANO TO LOOK AFTER MY MEN AND THE NEWFOUNDLAND'S AND I WOULD LOOK AFTER HIS (CAPTAIN A. KEAN'S).

That was about 1.30 p.m. on Tuesday, 31st March. That was before my crew returned from S.S. Stephano. At the time I sent this message I thought the Newfoundland's men were on board the S.S. Stephano. At the time I sent the message it was thick. I imagine I was about four miles from Stephano. It was thick that I could not see the Stephano but I could see about a mile and a half or two miles. I was uneasy about the Newfoundland's crew until I got the message (wireless) from Captain Kean.

Ques.—Did you express anxiety to any of the crew or officers of your ship?

(Objected to by Furlong, K.C.) Not that I am aware of.

I don't remember speaking to Mr. Barkley about it only when I sent the message—not afterwards. I received a reply from Captain of Stephano to mine of 1.30, that is, I told Barkley to send at 1.30, the message was not put in writing by me. The reply was "gave Wess's men a dinner and placed them on ice at noon and have no doubt reached Newfoundland all right." These may not be the exact words of the message but it is the sense of it. This was the message received between 4 and 7.

When I hailed Captain A. Kean it was about four o'clock p.m. This was between the time I sent the message and the reply. I did not gather any meaning from his answer to me but when I heard the words "All right" I understood everything was all right.

(Sgd.) J. W. KEAN. Taken and sworn before me at St. John's this 6th day of October, 1915.

(Sgd.) JAS. J. McGRATH, Examiner

Britain's New Arsenal One of the Vastest in the World—New Warships

LONDON, Oct. 13.—M. Pichon, in the "Petit Journal," gives his impressions of his visit to the British naval and military establishments.

A long tour through all parts of the country showed him the spectacle of a people who, although not suffering directly from the war, had really grasped the enormous nature of the sacrifices demanded from them, and had concentrated all their energies for the struggle. Only after a period of months was it realised how great was the quantity of material required to assure victory.

Nearly three million men had been raised by voluntary enlistment, a feat which astonished the world.

"But," continued M. Pichon, "it remained to provide this army with arms and ammunition necessary to enable it to measure itself against an enemy whose principal forces consist in the inconceivable output of its arsenals.

"It is there that Great Britain, like Russia and France, was, unfortunately, found wanting. She does not hide the length or difficulties of her task. One of the great merits of British statesmen is frankly to admit the mistakes made, to hide nothing, and 'resolutely to seek the remedy.

"Conversations with Mr. Lloyd George, Lord Kitchener and Mr. Balfour leave no doubt as to the immovable firmness of their decisions and the practical character of the measures they will oppose to German menaces.

"I cannot give the number of warships built during the year, but it is formidable, leaving far behind those built in Germany.

"Britain's arsenals were inadequate. She is completing one which I have seen, which will soon be ready, and which will be one of the vastest and best-equipped in the world.

"Speak to admiral, general, statesman, journalist, or private citizen, all answer your questions about the war and its possible results in the same way. Great Britain will triumph, even if it takes the last man and the last penny."