

G. KNOWLING

GS!

ver on advantageous

TARTANS.

Just the thing for children's dresses. This is a serviceable material, fleeced on one side, 27 inches wide.

11 CTS.

A large number of good designs and colourings to select from.

This lot years' Navy

O.

early.

LADIES' KNITTED STOCKINGS.

Two special lines of heavy winter weight knitted Black Stockings.

17 cts., 20 cts., and 25 cts.

Good strong well wearing articles, far below anything usually offered.

LING

GOLDEN BUTTERFLY BRAND CREAM The Real Thing at Last! Put up in Sterilized Tins. Pure. Contains no preservatives. Keeps good where.

Here and There.

The fall weather is at hand, obtain a bottle of "Staford's Lulmet" and "Phorane Cough Mixture" at once.

SMALL POX AGAIN.—At Little Bay West, near Harbor Breton, another case of small pox developed Sunday last. Dr. McDonald is attending to the patient.

Ask your Druggist for SERRAVALLO'S TONIC (Bark and Iron Wine). Cures: ANAEMIA, CHLOROSIS, DEBILITY. Delightful taste.

Special Evening Telegram. LONDON, Oct. 9. Italian reports tell of the sinking of two Turkish torpedo boats, with the loss of three hundred Turks, at Saint Jaen de Medua.

T. J. EDENS.

By S. S. Florizel. Cases California Oranges. Bananas. Table Plums. Baskets Grapes—Green & Blue. Flowers and Cucumbers. Fish Oysters—in shell. Fruit Apples—Kings and Gravenstein.

NS, Duckworth St & Military Rd

GEO. KNOWLING.

LADIES'

GEO. KNOWLING.

# FALL and WINTER FASHIONS.

Latest Ladies' Millinery

SEE THE VERY LATEST STYLES

Latest Children's Millinery

Costumes. Jackets. Furs.

NEWEST SILKS, LACES, RIBBONS, ETC.

DRESSMAKING and MILLINERY Done on the Premises.

NEWEST BLOUSES, GLOVES, UNDERCLOTHING

Having now opened three large shipments, we are in a position to show all that is Latest and Most Approved in WOMEN'S and CHILDREN'S UNDERCLOTHING. The most complete and best assorted stock to be seen in the city.

GEO. KNOWLING.

## Murder Conviction Quashed.

Condemned Man Set Free -- Power to Order New Trial Desired.

For the first time since the Court of Criminal Appeals began its sittings, in May 1908, a person convicted of murder and sentenced to death has successfully appealed and obtained the setting aside of the conviction.

The court was composed of the Lord Chief Justice, Mr. Justice Darling, and Mr. Justice Hamilton.

The successful appellant was Chas. Elsom, a pale-faced, black-haired young man, who had been convicted of the murder of a woman named Rose Rander by stabbing her. The woman was murdered on August 20 in Wilmington Square, Clerkenwell. On behalf of the accused it was contended that his identification as the murderer was mistaken. The case was tried before Mr. Justice Avey at the Central Criminal Court.

Mr. A. S. Conyns Carr, for the prisoner, said there were serious inconsistencies between two statements made by a witness named Fletcher, who said the prisoner confessed his guilt to him. He had no opportunity of cross-examining Fletcher on the differences between the two statements, and the differences were not taken into account by the judge in summing up.

Mr. Bodkin, for the Crown, contended there was ample evidence to go to the jury apart from Fletcher's statements, and the jury must be presumed to look at the whole circumstances of the case. Such a document as that containing the first statement made by Fletcher would have been given to counsel for the defence if it had been asked for.

Their lordships retired and considered their decision.

Mr. Justice Darling, giving the judgment of the court, said this case, besides being one of great gravity because it was a capital case, was of exceptional importance in regard to that court, because it was the first capital case in which the court had felt it necessary to set aside a conviction.

They thought it necessary to say that they did not express the slightest opinion as to whether the appellant was really guilty or not guilty. They were only dealing with the conviction and the question whether that could stand. That a brutal murder was committed there was no doubt; but they thought it fair to say that in nothing the court was doing or saying they were in the slightest degree wishing to convey that there was any suspicion in their minds that Fletcher had anything to do with the commission of the murder. They desired to emphasise what the Lord Chief Justice had said on other occasions, that it was greatly to be regretted that they had no means of ordering a new trial, as could be done in a civil court where there existed grounds for appeal similar to those in this case.

Whatever the merits of the case, unless there be given sufficient legal reason for the conclusions arrived at by the judge and jury, then the conviction must be quashed, and no further proceedings could be taken. It appeared to them there had been many such cases, and here again was a case in which it would be desirable that all the facts should be again submitted to a jury after an adequate and proper direction on the facts. They hoped that what they now said would be considered by those who had the power to amend the law in this respect.

With regard to the particular facts in this case, Fletcher was a man who was pointed out by the judge as a witness who gave most important evidence against the accused. His character was such, and his part in the affair was such, that his evidence must be corroborated before it could be held sufficient by the jury to enable them to act upon it. He was, if his own evidence was to be believed, an accessory after the fact, and possibly also an accessory before the fact.

It was thought that he was corroborated in various ways. Witnesses were called who spoke as to some of the things that he had spoken to, and there was further corroboration. In the early morning of the very same day on which the murder was committed he made a statement at the

## Scale of Cab Fares.

The following scale of cab fares was adopted at a special meeting of the City Council held last night. A few changes have been made in the schedule that was drawn up at a previous meeting, and the rates do not apply to the winter season absolutely. This tariff will come into force on April 1912, and will not apply to the city limits on Regatta Day. Drivers of carriages can procure copies of the new scale by applying to the City Hall. Drivers will have to wear numbered badges in order that they may be identified by the public who may need to do so in case of violating the rules. There will also be a regular inspection of carriages. Here is the list:—

Railway Station—to or from any part of city, 1 to 2 persons, 50c.; 3 to 4 persons, 75c.

Trips to or from steamers and trains between midnight and 7 a.m., up to 4 persons, double fare. Sundays, \$1.00.

Around Quidi Vidi Lake, party up to 4, \$1.00. If calling at Cuckhold's Cove, 50c. extra.

To and from Cuckhold's Cove, 80c. Around Windsor Lake, with half hour's delay, \$4.00.

To and from Signal Station, with half hour's delay, 1 to 4 persons, \$1.50. For any afternoon, within nine miles of city, \$4.00.

For any afternoon, over nine and not exceeding twelve miles, \$5.00. All day to any distance within limits of miles, \$6.00.

For any engagement other than those specified, driving per hour, within limits of 12 miles, shall be charged for at the rate of \$1.00 for first hour, 80 cents for second, and 80 cents for every hour afterwards.

Drop freight at Smithville, \$1.00. Drop freight at Smithville and call again in afternoon or evening, \$2.

To and from dances or parties at Smithville after midnight, for party up to four, \$3.00.

Trips for wedding parties, extra. Around Asylum from within city limits, party up to four, \$1.50.

To or from steamers and trains to Asylum, \$1.50.

Drop freight at Mount Cashel or Golf Links, party up to four, 70c. To and from either place, with half hour's delay, \$1.00.

To and from Waterford Bridge, from any point within city, for party up to four, \$1.00.

Children up to 3 years of age in parent's arms, free.

Children from 3 years up to 7 years of age, half fare.

Driving within the city limits shall be charged for as follows: First quarter of an hour for 1 or 2 persons, 30c.; first quarter of an hour for 3 to 4 persons, 50c. Each quarter of an hour afterwards, 25c.

## BOY ARRESTED FOR DRUNKENNESS.

A fourteen year old boy was arrested last evening for drunkenness and was taken to the lockup. There will be an investigation to find out where he got the liquor. Everybody now seems to be drunk, according to the Daily News—men, women and children, and in its issue this morning we read even that "Labrador fish takes a drop."

police station. It was now complained of the way the judge dealt with that statement. There was no doubt that he did deal with it as though it were tantamount to Fletcher's depositions given in subsequent proceedings and his evidence at the trial. The judge told the jury that the documents were open to the inspection of counsel, and that if there were any substantial difference between Fletcher's various statements attention would have been called to the fact.

Fletcher's original statement, however, had not, in fact, been produced, and counsel for the defence had not got it. Therefore, he could not point out to the jury any discrepancies between that statement and Fletcher's subsequent evidence. Consequently, very powerful observations made by the judge on points which he described as vital were ill-founded and based on a misapprehension as to what were the facts. If that statement had been referred to it would have shown in the most material particulars that some of the most fatal points made against the prisoner were omitted.

His lordship enumerated various important discrepancies between the first statement and the evidence given at the trial. The judge had, nevertheless, had assumed over and over again that all these matters, with much more, were in the first statement, and that they were therefore important corroborations of a man on whose evidence the jury could not act without corroboration.

The court thought it impossible to say with anything approaching certainty that the jury would have returned a verdict of Guilty if they had been properly directed on the points to which reference had now been made. Therefore the only judgment they could give was that the appeal be allowed.

The appellant was immediately released.—Daily Mail, Sept. 26th.



**H.P. SAUCE**

is the new Sauce imported from England.

Its delicious flavour is obtained by blending together the choicest Oriental fruits and spices.

The Grocers and Stores over here are already selling H.P. Sauce. Wouldn't it be worth your while to buy a bottle right away?

## Italy Lost Abyssinia.

Menelik Won Independence—Fifteen Years Ago Since the Disastrous Defeat at Adowa Ended Italian Aggression in Ethiopia.

Italy's last attempt at conquest in Africa was disastrous, and the final campaign in Abyssinia will long be remembered for it involved, in the rout at Adowa, the worst defeat ever sustained by a European army in Africa.

To go back, an advance by Italians from Massawa had been resented by King John of Abyssinia, and in 1887 a force of over 500 was wiped out, except one man, who reached the coast, stripped and wounded. The Italians had fought until their ammunition was gone. A large reinforcement was despatched from Italy, and during the "war of succession" following the death of John, took possession of Keren and the Asmara country. The Italian Government supported Menelik II., who had always beruffled Italian explorers.

Menelik became Negus, or Emperor of Ethiopia, in 1889, under a treaty which virtually made Abyssinia an Italian protectorate. Menelik, however, had ideas of his own. By Italian intervention he obtained arms and ammunition from Belgium, and soon organized an army of 70,000 men, abundant war stores, and 20 cannons, as well as having the support of numerous feudal lords, who paid tribute to Menelik, and had troops of their own.

Italian Claims. The Italian Government, in pursuance of its own aims, claimed possession of the Red Sea littoral from Cape Kasar to the Strait of Bob-el-Mandeb. The Sultan of Obbia, on the Somali coast, and another Somali ruler were, by their own desire, under Italian protection, and by an arrangement with Britain the protectorate extended along the coast of Somaliland to the Juba River. Brigandage was repressed, commerce and tillage encouraged, and native troops organized, who were devoted to the Italian officers. In 1894, after a warfare with Derwishes, the western frontier of the Italian colony was extended 250 miles inland from Massawa.

Menelik Moves. Menelik, meanwhile, was entreated by the feudal princes to act against the Italians, who had, they asserted, occupied Kassala in order thence to attack Abyssinia. Gen. Bartieri, an old Garibaldian, who commanded the Italian troops in Abyssinia, when informed in 1894 of the intrigues, sent out troops, who defeated the rebels in the field, and concentrated for the defence of Massawa, at the same time occupying Adowa. He had hundreds of spies, who kept him well informed of the Abyssinian movements. The marching and counter-marching among swamps, passes, and tangled thickets were very arduous.

A Victory. At sunrise on January 13 the Italian battery opened fire on the native camp at the foot of the mountain, who then occupied the lofty hills to the north. Fighting was resumed next day, and Mangascia sent a priest asking for terms, which Bartieri, informed that the Abyssinians had suffered great losses and were running out of ammunition, refused. In the night the enemy fled, and Bartieri disbanded his troops. In September, 1895, Mangascia took the field with a new army, and was again defeated, and his territory promptly annexed by Italy.

In November Mangascia declared his intention of recovering the lost provinces. Orders sent to Major Toselli, who had 2,400 troops at Makalla, to retire to Adigrat were not received, and though his force repulsed an attack of 8,000 men, 12,000 reinforcements for the enemy came up next day, and in the attempt at retreat the army was almost wiped out, Toselli

tended 250 miles inland from Massawa.

Menelik Moves.

Menelik, meanwhile, was entreated by the feudal princes to act against the Italians, who had, they asserted, occupied Kassala in order thence to attack Abyssinia. Gen. Bartieri, an old Garibaldian, who commanded the Italian troops in Abyssinia, when informed in 1894 of the intrigues, sent out troops, who defeated the rebels in the field, and concentrated for the defence of Massawa, at the same time occupying Adowa. He had hundreds of spies, who kept him well informed of the Abyssinian movements. The marching and counter-marching among swamps, passes, and tangled thickets were very arduous.

A Victory. At sunrise on January 13 the Italian battery opened fire on the native camp at the foot of the mountain, who then occupied the lofty hills to the north. Fighting was resumed next day, and Mangascia sent a priest asking for terms, which Bartieri, informed that the Abyssinians had suffered great losses and were running out of ammunition, refused. In the night the enemy fled, and Bartieri disbanded his troops. In September, 1895, Mangascia took the field with a new army, and was again defeated, and his territory promptly annexed by Italy.

In November Mangascia declared his intention of recovering the lost provinces. Orders sent to Major Toselli, who had 2,400 troops at Makalla, to retire to Adigrat were not received, and though his force repulsed an attack of 8,000 men, 12,000 reinforcements for the enemy came up next day, and in the attempt at retreat the army was almost wiped out, Toselli

shooting himself. The prisoners taken were not harmed, and the wounded were cared for. After this defeat the Italian Government decided to attempt no further extension of territorial influence in Africa. An immense force of Abyssinians, under Menelik himself, beleaguered Makalla, which was defended by 1,500 natives under Italian officers, who finally surrendered and were allowed to go to Adigrat with arms.

Peace Efforts Failed. There was an understanding that the King of Italy was to treat for peace and pay a sum of money as a ransom for the officers. Menelik, with his 70,000 men, were to be free to march on Adowa, while Bartieri, who had 30,000 men, was to abandon Adigrat. But the peace negotiations failed because Italy refused to abrogate the clauses in the old treaty, by which Menelik was to recognize an Italian "protectorate" and to treat with foreign powers only through the medium of Italy.

Battle of Adowa. Then those native princes who had been friendly to Italy joined Menelik, the conquered provinces were roused to revolt, and Bartieri found himself surrounded, his caravans seized, and his troops unprovoked. In February, 1896, he decided to retreat, but was induced by a majority of his officers, most of whom were new to Africa, to attack the enemy. On March 1st three columns advanced. One reached a wrong point, and was utterly crushed. A second, marching to the rescue, was overwhelmed. A general rout followed. Two generals and over 200 officers were killed or wounded, and nearly 10,000 native troops slain. Sixty cannon were captured.

The people of Italy resolved to have no more sacrifice of men or money in Africa, and the King was forced to accept the resignation of the Crispi Ministry, who had roused the utmost indignation by acting in defiance of Parliament.

In October of the same year Italy recognized the independence of Abyssinia.

MEETING POSTPONED.—At the request of the Lord Bishop the proposed meeting of the Executive Committee of the Diocesan Synod was postponed yesterday as a tribute to the memory of the late Sir James Winter, who was senior lay member of the Committee.

## When Nerves Need Fixing

"There's a Reason"

Look back to the cause, for one can never get well until the cause of sickness is removed.

Perhaps it's the drug, caffeine, grown in tea and coffee.

That thing which makes the heart of the tea and coffee drinker flutter and fail; also slowly breaks down the nerves in many people (not all.)

If you are one of the many affected by tea and coffee, and really want to get well, suppose you leave off the drink which has caused the trouble, and take on well-made

**POSTUM**

for the morning beverage.

In a few days you may discover why— "There's a Reason."

Canadian Postum Cereal Company, Limited, Windsor, Ontario, Canada.

WORRY.

A Sure Starter for Ill Health.

Useless worrying (a form of nervousness) is indirectly the result (through the nerves) of improper feeding. A furniture man of Memphis says:

"About a year ago I was afflicted with nervous spells, would worry so over trivial things.

"I went to consult one of the best physicians in Memphis and he asked, among many questions, if I drank coffee.

"His advice was: 'Go to some provision store and get a box of Postum, drink it in place of coffee and as you are confined to your desk to a great extent try and get out in the open air as much as possible.' I followed his instructions regarding the Postum.

"At that time my weight was 142 and I was taking all kinds of drugs and medicines to brace me up but all failed. To-day I weigh 165 and all of my old troubles are gone, and all the credit is due to having followed this wise physician's advice and cut off the coffee and using Postum in its place.

"I now consider my health perfect and that it is all due to my having used Postum in place of coffee." Name given by Canadian Postum Co., Windsor, Ontario.

There's a reason for quitting the drug-drinks tea and coffee, and there's a reason for drinking Postum. Trial ten days proves them all.

Look in packages for a copy of the famous little book, "The Road to Wellville."