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The Daily Herald

Published daily except Monday at
The Herald Office, Commercial Street,
Nanaimo, B. C.
R. R. HINDMARSH

MR. GRAHAM'S POSITION.

The announcement made on Thursday that, as a result of Mr. Justice Murphy's finding on the South Wellington flood disaster, Mr. Thomas Graham, chief inspector of mines, is to be indicted for manslaughter, created a great sensation locally. It was one result of the commission of inquiry which was never expected. We do not believe from a careful study of the evidence given at the inquiry that Mr. Graham has anything to fear from the indictment, but we do realize the serious slur it casts upon his professional character, and deeply sympathize with him in the painful notoriety it has thrust upon him. To a man of his especially sensitive nature it must be painful in the highest degree. He was known locally for

his thoroughness in all he undertook and for his essential soundness and integrity. He has brought the inspection department up to a point of efficiency it never before enjoyed in this province, and his professional honesty and ability have received marked recognition both in Canada and the United States. The charge now pending against him means that either he is incompetent or negligent, one or the other or both. With only one exception, the nameless expert of the Free Press, there was not a single practical or professional mining man at the inquiry who took this view. When Mr. Justice Murphy was appointed to conduct the inquiry the request was made that he be aided by some practical mining man or men. We suggested that Mr. Hudson might sit with his Honor in an advisory capacity, but Attorney-General Bowser, who is now ordering the indictment, made no change in his appointment. The result is that a professional mining man has been tried and found wanting by a professional legal man. Mr. Justice Murphy knew just as much about sound mining practice as Mr. Graham knows about sound legal practice. There would have been the same propriety in appointing Mr. Graham to sit upon a question of legal practice in which Mr. Justice Murphy was involved. It is a manifest injustice that the character of a mining engineer, one of the most important and responsible of the civil professions, should be destroyed or even injured by a lawyer. The lawyer may be of the highest standing in his own profession, but that does not make him competent to pass judgment upon the practice of another profession. The only part of Mr. Justice Murphy's report we have seen is debatable almost in every sentence, and in our view, having regard to the evidence given, reads more like a brief than a judgment. Mr. Graham was not leaving everything to Mr. Tonkin. He had his deputy inspector regularly visiting the mine and regularly reporting on the condition and progress of the workings. It was not on anything Mr. Tonkin might say but on the reports of his deputy that Mr. Graham governed his action, and it has always to be remembered that Mr. Graham cannot be saddled with more responsibility than the Coal Mines Regulation Act places upon him, and had no more power nor authority than the same act grants him. In the same way great stress is laid upon the fact that Mr. Tonkin did not proceed to the office of the Western Fuel Company and inspect the original plan of the Southfield mine. Surely if this is to be held the head and front of his offending, it should in all fairness be stated that the South Wellington mine had already been worked to the Southfield boundary, and that maps with the Southfield workings correctly plotted on them had been in use in the office for years. It is also surprising that Mr. Justice Murphy should reach this uncompromising conclusion when the chief evidence on this question of the maps could not be obtained owing to the fact that the chief witness was out of the country. However, it goes without saying that Mr. Justice Murphy has reported to the best of his ability and knowledge. The case will now go further, the whole evidence be reviewed in proper shape and the position of the chief engineer brought out in relation to the provisions of the Coal Mines Act and sound mining practice. When this is done we have no fear of the result so far as Mr. Graham is concerned.

AUSTRIANS FALL INTO RUSSIAN HANDS

Petrograd, Sept. 10.—An official communication issued by the war office says: "On the Sereth river our troops having yesterday repulsed a series of enemy attacks delivered counter attacks in the sector above Trembowla and the district of Tchortkoff where the Austrians were forced to beat a hasty retreat. According to an estimate we took five thousand prisoners among them sixteen officers. Generally the situation of our armies is one of calm confidence in themselves as the initiative in these isolated engagements is gradually passing into our hands."

NEW TEXADA ISLAND FIND

On the west coast of Texada Island a lead has been discovered which seems to verify the report of Dominion geologists that Texada Island was an "island of ore."

This lead has been traced for a distance of 9000 feet and seven claims are staked upon the showing. The ore from this property shows all the characteristics of the Marble Bay mine surface ore. At the present time the Marble Bay is working at a depth of 1500 feet, and their ore, which the mining experts said would go "base" is improving in value all the way. Copper glance and native silver are coming in at the lower levels.



UTENSILS

Are Kept
Bright and
Sanitary
with

Large
Sifter Can,
with Full
Directions, 10c

Old Dutch
Cleanser

Chases
Dirt

MAKES EVERYTHING "SPICK AND SHINE"

Mr. Eric D. Gordon, the 1915 Rhodes scholar for British Columbia left yesterday via the Grand Trunk Pacific on his way to Oxford University. He is accompanied on the way East by Mr. Eric W. Drury, who goes to Boston, where he is attending Harvard University, and by Mr. Maar, a well known Nanaimo musician who is going to enter the McGill Conservatory of Music at Montreal. The above is from yesterday's Colonist. The Mr. Maar is Mr. Leo Mahner, of Comox road, so well known in local musical circles. He has decided to take up music as a profession, and his friends in the city will wish him every success in his studies.

KILLED BY OWN BOMBS.

Geneva, Sept. 10.—Two French aviators were killed at Deyingen, Alsace when their machine struck barbed wire entanglements as they were making a landing, causing the explosion of bombs aboard the aeroplane. They had been forced to descend because of motor trouble. The aviators were buried by the Germans with military honors.

St. Joseph, Levis, July 14, 1909

Minards Liniment Co., Limited:
Gentlemen—I was badly kicked by my horse last May and after using several preparations on my leg nothing would do. My leg was black as jet. I was laid up in bed for a fortnight and could not walk. After using three bottles of MINARD'S LINIMENT I was perfectly cured, so that I could start on the road.
JOS. DUBES,
Commercial Traveller

TURKISH STATEMENT.

Constantinople, Sept. 10.—The following official statement was issued today at army headquarters:
"At Angarska, our artillery fire against the enemy's positions at Hazmak Dere caused explosions of ammunition and shells in the trenches on Wednesday.
"At Ari Burnu the enemy unexpectedly dropped shells on our left wing."

Senator Deboucheryille of Quebec died in Montreal yesterday.

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Oddfellows' Hall,
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After the service Messages by
W. E. Ainsley, Vancouver.
Reading over Kermod's
Shoe Store, Room 2, any
time from 1 p.m. to 9 p.m.

Ten Dollars reward for information that will lead to recovery of black and white milking heifer, notch in lower side of left ear, point broke off right horn.
C. W. PETTMAN,
East Wellington.

SPY EXECUTED.
London, Sept. 10.—Official announcement has been made that a spy was executed here today. The name of the person executed was not given.



A real delight for breakfast

Fill a canteloupe
with

Kellogg's

10c.
per pkg.

TOASTED
CORN
FLAKES

Made in Canada

Cut canteloupe in half; clean out centre; fill with Corn Flakes, adding a little sugar to suit the taste.

TOASTED
CORN
FLAKES
W. H. Kellogg
BATTLE CREEK
TOASTED CORN FLAKE CO.
LONDON, CANADA

BIJOU THEATRE TO-DAY!

Matinee 2:30-5. Evening 6:30-11

A Midnight Limited

Featuring HELEN HOLMES in
one of Kalem's popular railroad
stories.

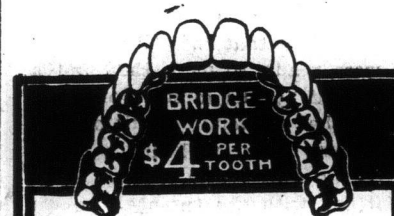
BILLY REEVES

The famous English music hall
comedian in - rollicking comedy.

A Day on the Force

OTHER FEATURES

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WORK
\$4
PER
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Let Me Do Your Dental Work

By reason of my large practice which consists of people from every section of the province, I can do dental work for LESS COST than any other dentist. For crowns and bridges I WILL SAVE YOU FULLY HALF. Crowns \$4 Bridges \$4 per tooth. All work is absolutely guaranteed for ten years. Also all work is done WITHOUT THE SLIGHTEST PAIN OR INCONVENIENCE. When you visit Vancouver be sure to come to my office—it will pay you.

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Weeks for automobile, for
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Rates the lowest to any
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Autumn Fashion Exhibit

and Fall Opening of Handsome New Styles in MEN'S Suits, Hats, Caps Shoes, Shirts & Furnishings...
TO-DAY



Everybody is Cordially Invited
to Come and see the New Goods

Fall and Winter 1915-16 styles in FIT-RITE Suits have a distinctly individuality, made from the very best and most handsome materials—make a suit that you would be proud to wear, and that we are proud to sell you. \$12.50, \$15.00, \$17.50, \$20.00, \$22.50, \$25.00 and

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SEE OUR WINDOWS

Stylish Fall Hats, Caps, Shirts, Neckwear, Sox, Boots and Shoes, as found only in the Exclusive Men's Stores.

— We Dress Men from Head to Foot —

Grand display of the famous "Q.B." SWEATERS and SWEATER COATS, in Greys, Browns, Maroons, Fawns, in sizes up to 46, priced at \$1.00, \$1.50, \$2.00, \$2.50, \$3.00, \$4.00, \$5.00, \$6.00, \$7.00

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The "Satisfaction or Your Money Back" Store
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The Summer months bring in a number of instruments that have been rented during the winter and spring. We have received many such instruments lately and these have been inspected and put into perfect condition by our own experts. Numbers of the best known makes are represented, and in most instances you would not know that they were not new pianos.

From this date until the lot are sold, we will offer these pianos together with a few second-hand instruments, in good condition, at mere fractions of their regular prices, and on easy terms.

Prices as Low as \$90.00 Terms Made to Suit You
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Baby Buggies, Go Carts and Sulkies.

We carry a large range of collapsible Baby Buggies from \$8.00 up.

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Strong reliable, easy running.

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Patricia Hotel A GRAND HANDICAP QUOIT MATCH

Will be held at the above Hotel, on Saturday, Sept. 11th 1915.

The sum of \$5.00 will be added to the entrance fee.

Match 10 yards on clay, 11 points up.

Handicappers, A. Milburn and J. Waggett.

J. Rigg, Prop.