THE BLAIRMORE TOWN-SITE SLANDER EXPOSED

(Continued from Page .)

equity in and to the said lands for valuable consideration without notice of any prior legal or equitable claim or title to the said lands, instead of finding as he does find, that no consideration was ever intended to pass between the parties (the defendants); and also that the said report should be varied in such other respects as the same is inconsistent with the evidence adduced herein, or the weight of evidence, or as to the judge of this honourable court may seem proper upon the hearing of this motion; and also for an order that the said defendants be at liberty, firstly, to put in evidence, and file as exhibits herein, the certificates of title issued to the defendant, Malcolm McKenzie, under the provisions of "The Land Titles Act, 1894," being Chapter 28 of the Statutes of Canada passed in the 57th and 58th years of the reign of Her Majesty Queen Victoria, and registration abstracts and certificates of the registrar of titles for the South Alberta Land Registration District respectively, covering the lands in question herein; secondly, and also to show by proper evidence that the said defendant, Malcolm McKenzie, is the registered owner of the lands in question herein under and by virtue of the said "The Land Titles Act, 1894." Thirdly. And also to give evidence to show that the King, represented herein by the Attorney-General, has no interest whatever in the present action, and that the same is brought solely for the benefit of th eplaintiff, H. E. Lyon; and for a further order that the defendant, Malcolm McKenzie, be at liberty to amend his statement of defence herein by alleging after paragraph 5 thereof the following, namely:

"6. The said patent was duly warded to the Registrar of Land Titles for the South Alberta Land Registration District and deposited with him, and the said Malcolm McKenzie became and is the duly registered owner of the lands in question herein under and by virtue of the provisions of "The Land Titles Act, 1894," being Chapter 28 of the Statutes of Canada passed in the 57th and 58th years of the reign of Her Majesty Queen Victoria, and as such there was issued to him on the sixth day of August, 1901, and on the 28th day of August, 1902, certificates of the said Registrar of Land Titles for the South Alberta Land Registration District, whereby the title to the said lands is and remains vested absolutely in the said defendant Malcolm McKenzie."

"7. The said defendant Malcolm McKenzie pleads the provisions of the said "The Land Titles Act, 1894," and "The Dominion Lands Act," being Chapter 54 of the Revised Statutes of Canada, 1886, and claims the benefit and advantage of the enactments and amendments thereto"—or in other like manner as to this court may seem meet; and upon motion made unto this court, on the 14th and 21st days of February, 1903, and the 20th day of March, 1903, by counsel on behalf of the above-named plaintiffs, for judgment pursuant to the prayer of the information herein and the report of the said learned referee filed, that the patent issued to the defendant, Malcolm McKenzie, on the 25th of July, 1901, be declared to have been issued through fraud or in error or improvidently, and that the same should be declared null and void and should be delivered up by the defendant, Malcolm McKenzie, for cancellation, and that the defendants should be ordered to pay to the plaintiffs their costs of this action; upon hearing read the evidence taken before the said Special Referee, the report of the referee, the examinations for discovery herein and the pleadings and other proceedings before the said learned referee, and upon hearing what was alleged by counsel for all parties this court was pleased to direct in accordance with rule 124 of the general rules and orders of the court that the motion for judgment on behalf of the plaintiffs should stand over for further consideration, and that in the meantime if the Attorney-General should so desire it a further inquiry might be proceeded with and further evidence taken before the court, and this court was further pleased to direct that the motions made on behalf of the defendants by way of appeal from the report of the special referee, for leave to adduce further evidence and to amend their statement of defenc should also stand over to come on at the same time as the said motion for udgment on behalf of the plaintiffs and the defendants through their counsel upon the argument having offered without prejudice to convey, and having subsequently at the instance of and to the satisfaction of the Minister of the Interior, conveyed certain portions of the lands in question herein to the persons (including the plaintiff, H. E. Lyon) in actual possession of such respective portions ot or before the issue of the said patent for the said lands, and having deposited the said conveyances with the said the Minister of the Interior, and the said motions coming on this day for judgment in the presence of counsel for the plaintiff, His Malesty the King, and the said defendant (no one appearing this day for the plaintiff, H. E. Lyon, although duly notified of these proceedings, as appears by the record herein) and counsel for the deefndants now formally moving for judgment, and counsel for the plaintiff, His Maesty the King, consenting that the action should be dismissed without costs.

1. THIS COURT DOTH ORDER that the said motion for judgment made on behalf of the plaintiffs be and the same is hereby dismissed without costs.

2. AND THIS COURT DOTH not see fit to make any Order in respect of the said motion made on behalf of the defendants, by way of appeal, from the report of the Special Referee and to vary the said report, or the motions by the said defendants for leave to adduce further evidence and to amend their statement of defence, or to dispose of the costs of said motions.

3. AND THIS COURT DOTH FURTHER ORDER that this action be and the same is hereby dismissed without costs.

By the Court.

(Signed) CHAS MORSE,
Deputy Registrar.

Approved—
(Signed) Perkins, Fraser & Burbidge,
Defendants' Solicitors.
(Signed) Glyn Osler,
Agent for Solicitor for H. E. Lyon.
(Signed) F. H. Chrysler,
Solicitor for Attorney-General.

Let these minutes of judgment be settled in accordance with agreement of counsel for the parties.

July 14th, A.D. 1904.

(Signed) Geo. W. Burbidge.
J.E.C.

COOKING LAKE.

The minutes of the second meeting of the Local Improvement District, Sec. 2, Tp. 51, R 22, are as follows:

Council meeting held at Mr. B. H. Moneypenny's April 30th, 1907.

The councillors persent were: Brown Sandford and Eva, chairman.

Resolved that Councillor Eva get tools he requires for work now going on. That Councillor Sandford ditto.—Carried.

Proposed by Councillor Sandford, seconded by Councillor Eva that the Sec.-Treas. be paid for getting township books in order—Carried.

Proposed by Councillor Brown, seconded by Mr. Jackson—That Sec.-Treas. get estimate for crate of axe handles—Carried.

Proposed by Councillor Eva, seconded by Mr. Walton—That steps be taken to shorten hours of labor on roads from 10 hours to 8 hours—Carried.

Proposed by Councillor Eva, seconded by Mr. Jackson—That each division pay for their own working gear—Carried.

Proposed by Mr. Leslie, seconded by Mr. Jackson—That meetigs be published in Edmonton Bulletin and Strathcona Chronicle—Carried.

NORTHERN INDEPENDENCE.

The caw of the crow has taken the place of the croak of the raven, and we begin to think that "spring has come."

Miss Katie Rohde has returned home for a short visit with her parents.

We understand Mr. Shoveller has bought out Mr. Lohrer's stock of merchandise.

Mr. Wm. Dives is making a flying trip to Edmonton this week.

The bachelors are slowly marrying; two were married this winter and it is rumored that the wedding bells will soon be ringing again.

Independence will lose one of its oldest settlers this spring, as Mr. Graf has rented his farm to two of his sons, and is moving to Edmonton.

The Presbyterians are going to have a minister on this charge who will begin his work next Sabbath.

CANNED GOODS INSPECTION.

Will Come Into Force Saturday—Increases in Salaries.

Associated Press Despatch.

Ottawa, May 7.—The new postal convention between Canada and the United States takes effect to-morrow. A proclamation will be issued on Saturday bringing into force the inspection of canned goods, meat and fish in August. One hundred and forty-five inspectors will be required. The cost of enforcing the act will be about 75,000 annually. The salaries outside of customs officials have been increased from 10 to 15 per cent.

First Honors to American Contestants

Associated Press Despatch.

Newcastle, Ireland, May 7.—Both the American players, Misses Margaret and Harriet S. Curtis, were successful in the first round of the fifteenth annual tournament for the ladies' golf championship, which commenced here to-day. Miss Margaret Curtis had to exercise her skill, however, to save herself from defeat at the hands of Miss Robertson, who took her to the twentieth hole before a decision was reached.

Wiped Out by Tornado.

Associated Press Despatch.

Mount Pleasant, Texas, May 7.—Only four buildings are standing today in the little town of Birthright, Texas, as a result of the tornado which swept through the northern portion of this state late yesterday. The courthouse, post office and business houses were destroyed, as well as numerous residences and barns. As far as can be ascertained only three persons lost their lives and several are seriously injured.

SEA CAPTAIN BECOMES FARMER.

Popular First Officer of C.P.R. Buys Farm at Agricola and Makes His Home in Alberta.

Capt. Lander, who was for some time with the C.P.R. as first officer of S.S. Milwaukee and who also captained the S.S. Madonna, owned by the firm of Cyp Fabre & Co., sailing between Naples and New York, has bought the east half section 36-53-22, at Agricola, about twenty miles east of the city, and will retire from the sea and settle there with his family.

Capt. Lander has had a varied experience on both land and sea, having been a Royal Naval Reserve man, and having two medals for service in South Africa.

He decided to move to western Canada and settle in Alberta after consultation with Mr. McNichol, one of the vice-presidents of the C.P.R., and after a stay in Calgary and a general survey of the west, he settled upon the Edmonton district as the suitable one for his purpose. He has formed a very favorable impression of the country, from the standpoint of residence and as a field for the investment of capital. He looks forward enthusiastically to his life on the farm, and hopes to be as successful there as he was at sea.

STRATHCONA NEWS

PURCHASE CONCRETE MIXER.

The City of Strathcona has just closed the purchase of an Ideal Concrete Mixer for city work at a cost of $800. An experienced man will likely be engaged to operate the machine.

GOVERNMENT WILL GIVE TIME.

Mayor Mills reported at last night's meeting of the city council that Mayor Griesbach, Mayor Gaetz (of Red Deer) and himself had recently waited on the provincial secretary with reference to the new Health Act and the procuring of septic tanks for sewage, instead of emptying it into the river, as at present. The mayors were assured that the cities affected would be allowed ample time to make the necessary provisions before that section of the Act would be enforced.

APPLICATIONS FOR POLICEMAN.

At the meeting of the Strathcona council last night applications for the position of police officer were read from James Robinson, R. McKernan, George Matthews, Alex McCulloch, Anselm Guerney, John H. Horner, F. M. Scanlon, B. Abernethy, A. E. Shera and A. S. Alderton. After considering the applications in committee, James Robinson was appointed. The force now consists of four men.

SUB-DIVISION BY-LAW WON'T SUIT.

The Deputy Minister of Public Works has written the Strathcona council that the by-law recently passed by that body regulating sub-divisions is not wholly in accordance with the general act. As a result an amendment will likely be passed by the city board.

BELL TELEPHONE WANT EXTENSION.

The Bell telephone people have written the Strathcona council asking for permission to extent their line along the Whyte avenue lane from Main street to T. J. Tipton's store, which is to be the new central, the old central at Thompson's drug store having been closed, as the proprietor has gone out of business. The request has been handed over to the city engineer.

LOCALS.

The death took place at the home of his daughter, Mrs. George Dolphin, near Strathcona, last Friday of Andrew Clubb at the advanced age of 92 years.

Mrs. Thomas Bennett has returned from a trip to Macleod, where she was for the benefit of her health.

The Strathcona Football Club has been organized, with the following officers: Patrons, Dr. McIntyre, M.P., Mayor Mills, Fred Jamieson, "Dad" Newman, A. T. Baalim, T. R. Tipton. hon. president, Inspector Ross; president, Dr. Crang; vice-president, R Palmer; secretary-treasurer, V. Boyce; manager, R. Finch; captain, O. S. Judge. The membership fee was fixed at $1 and the colors of the team will be light blue and white.

C.P.R. OFFICIALS IN THE CITY.

Superintendent Jamieson and Divisional Engineer Brooks were in the city yesterday and definitely announced the location of the new railway station. As previously intimated in the Bulletin, it will be at the junction of Anderson avenue and West Railway street, the middle of the station lying about fifteen feet south of the avenue.

As the result of a conference with the Mayor and Aldermen Rankin and McFarland, it was decided that the street crossing of the railway line should be on Lumsden avenue, and from there every alternate block.

In conversation with Mr. Jamieson last night he informed the Bulletin that work would be at once started and during the coming summer the C.P.R. would expend over $100,000 in Strathcona alone.

The C.P.R. officials left again on their return to Calgary by special train about midnight.

THE WATEROUS GETS SARCASTIC

They Could not Compete for a Steam Roller With a Threshing Machine

Some time ago an order for a city steam roller for Strathcona was placed with the J. I. Case Manufacturing Co. There were other tenders, including one from the Waterous Engine Co.

The latter concern are considerably disappointed at failing to secure the order aand have written a caustic letter to the city council.

It is as follows:—

"We have not heard from you in reply to our letter regarding the steam roller, but have since heard that the council decided to purchase an ordinary threshing engine with single cylinder, converted into a road roller. We regret very much that we had not an opportunity of giving further information to the council on this point.

"We, of course, cannot compete against a single cylinder engine nor can we compete against an ordinary threshing engine with no other change except the road gear altered.

"We are very sorry to lose the order as we have placed our road rollers in almost every city in Canada and would have been pleased to have added Strathcona to our list.

"We would like you to examine the road roller that we sold to the city of Edmonton and think that you will find considerable difference between it and the one you are getting."

Bylaw Voting Postponed.

Owing to technical errors in the four money bylaws to have been voted on by the citizens tomorrow, the voting has been postponed till May 29th. They were numbered 177 and 178, instead of 187 and 188. This mistake necessitates a further publication in the local press.

LOCALS.

As the result of the inability of the city poundkeeper to secure a pound he threatens to resign his position.

Work has been started on Dr. Green's new residence at the corner of Duggan street and McDonald ave. It will cost $4,000.

Several tenders have been received for the city debentures now offered for sale by the city, but it is understood the price offered is not high enough.

A young man in connection with one of the Edmonton transfer companies has been summoned to appear before Magistrate Tipton for using abusive language to the night police officer at the railway station.

The marriage took place in Colchester last Saturday of Mortimer Burgess, of Strathcona, and Miss Muriel Edna Harmer, of Hastings, England. The ceremony was performed by Rev. J. Mason. The happy couple will take up their residence in Strathcona.

A merry-go-round proprietor named Diller is negotiating with the Strathcona council for the purpose of establishing his plant in the city. The council, however, refuse to give him the license fee that he asks for the privilege of running the merry-go-round in the city.

WALTER'S FLATS WILL GET WATER

A Request Made Last Fall by John Walter for Better Fire Protection.

Walter's Flats, lying west of the Strathcona power house, will shortly have the water supply which it now urgently needs, both for purposes of fire protection and for domestic and other uses.

To accommodate the section in the vicinity of the mill will need an extension of about 2,600 feet of pipe. This will be laid this spring. The matter was definitely brought to the attention of the city a few days ago by the following letter from Mr. Walter:

Last fall I wrote the council then sitting asking them to place a hydrant with a full supply of water on the roadway near the mill office and another in the yard close to the mill.

The only notice taken of my request was an order in council to mark the letter read and file same.

I should esteem it a favor if you would have these hydrants placed at an early date as the mill will open in May and the additional dwellings now on the Flat render the fire protection more imperative.

Yours truly
JOHN WALTER.

As a result if this letter the council board have authorized that the request be granted and the proposed connections given as soon as possible.

New Fast Transcontinental Express.

Montreal, May 8.—The Canadian Pacific Railway is putting on a new tri-weekly transcontinental train to make the run to Vancouver twelve hours faster than the present express. The new train will cover 2,904 miles in less than 85 hours.

BLUEBERRY.

Mr. and Mrs. John E. Ingle, James Clark, Wesley Hubble and Miss Wade, who went to Edmonton on Friday last, returned Saturday evening after an enjoyable stay. Miss Wade was visiting her parents while in town.

Mr. Clark and his son Guy, who have been visiting in Blueberry for the past month, have become discouraged with the country on account of the long winter we are having, and in consequence have returned to their own native Borcobel, Wisconsin. Mr. Clerk's younger son, James, will remain here for a longer period of time and will likely in the near future take up a homestead.

Mr. John Ingle has bought out the firm of Connelly & Myres, lumber yard and feed crusher, of Stoney Plain. Mr. Ingle will have a sale of his household and farm, goods, etc., on Monday, May 13th, commencing at one o'clock in the afternoon..

Mr. Ingle will build a home and reside in Stoney Plain. He has engaged Mr. John Staub for contractor and will commence work as soon as convenient, for Mr. Ingle intends moving to Stoney Plain by the end of the month.

Mr. Kenner, who has recently been arrived at Mr. Ingle's on Wednesday last. Mr. Kenner reports having paid as high as $100 per ton for hay. and says that their horses suffered severely several times on account of not being able to get feed for them.

Frank Lannan paid a visit to Stony Plain on Thursday last.

Mr. Phillip has purchased a fine span of work horses for $500.

Mr. Charles E. Wade visited his sister, Miss K. Wade, on Thursday last.

Mr. James Warner arrived at Stoney Plain on Saturday last from South Dakota. Mr. Warner will look over the country, and if it seems favorable to him his younger brother will then follow in his footsteps.

First Steamships of Season in Montreal.

Montreal, May 8.—Four vessels reached this port yesterday, after a long struggle through the ice in the gulf and fog in the river. Two passenger boats of hte Allan Line have arrived—the Virginian (from Liverpool) and the Corinthian (from Glaasgow). The others mking port were the Bellona, of the Thomson, and Lurcoman, of the Dominion Line. All report very nasty conditions in the gulf, and field ice is declared to be phenomenal in thickness and quantity.

WHITE WHALE LAKE.

The latest report is that the G.T.R. has bought S.E. 1-4 11, 53, 4, w. 5th from C. H. Dunn for $5,000.

So many reports have been circulated regarding the possible G.T.R. depot that one grows incredulous. If true, it will surprise some and disappoint others.

The aged parents of Henry White have arrived from England.

Is the Reserve to be fenced? The sight of posts being distributed leads one to think it may be.

A. C. Smith, our butcher, had the misfortune to dislocate his shoulder joint recently.

The school has opened at last, under the control of Mr. D. H. Lent.

Mr. McKay and Mr. McNutt are the young Presbyterian missionary students who are taking up the work laid down by Mr. Lent.

Mr. C. F. Hopkins has left for Athabasca Landing, it is said.

The nicest work done by any two-furrow plow is that of the Massey-Harris Imperial.

$10 REWARD.

Lost—A white pony, branded 5 on nigh hip, brown saddle mark on back. Last seen on Fort Saskatchewan trail. Any person delivering same to Rolfe & Kenwood, Jasper Avenue, will receive above reward.

$10 REWARD.

Strayed frof the premises of the undersigned, a two-year-old bay filly colt, two white hind feet, one a little more than the other; white star on forehead. Last seen about five miles N. E. of Fort Saskatchewan on the farm of E. Lammoureu. Anyone giving information that will lead to the recovery of this animal will receive the above reward.

GEO. NEWTON,
Edmonton.

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REASON THE CATCH IS S

oseph Lacombe, of Pea Explains That Rabbi off This Year.

Joseph Lacombe, the w freighter of the Peace Riv in the city Sunday and is the Queen's hotel. Mr. L the owner of a large farm at of the Smoky River, a tr the Peace. He has been in country for over ten year

In conversation with th representative Mr. Lacomb phatic in his opinion that River district is not surpass in the province.

"Fine crops of wheat oat ley are raised every year an of vegetables grow with th rapidity," said the veter north. "Neither is the we rule so cold nor the snow in Edmonton."

At this period of the se last year and the ye grain was six inches in hei season it is late, as the exc long winter has retarded there as elsewhere throughou and the Northern States.

"The past winter has be one for the fur catch," sai combe. In explanation o pointed out that every four rabbits, on which the fur be mals largely subsist, die of numbers and the larger ani the lowlands and move to ranges.

"Is the country filling up settlers?" the Bulletin man

"Immigrants are pouring the reply, and within the years much of the best la taken up. There is a gre ance of timber, mostly spru Smoky River district and mills are being run to their The district also has three manufacturing high grade fl finds a ready market throu north country.

BELMONT.

Report of Belmont school month of April. Standing on results of weekly exa Names appear in order of

Standard V. — Minnie Charlie Kirkness, Agnes Warwick Golley, Joe Golley

Standard IV.—Harold Ing Grierson, Roy Melick, Alva

Standard III.—Arnold Go lie Allan, Martha Allan, H ick.

Standard II.—Jack Becke Golley, Clarence Inglis.

Jessie L. MacLaughlin, te

EDISON.

Late last autumn sever gathered at the Edison sc and organized the Edison M provement Society, with Re Telfer president and Wm. secretary-treasurer. In a the society held a social serving free supper. A sl gram was rendered, when a tion was taken and $45 r ward the fund to buy an or placed in the schoolhouse for the school and all gather there.

At Christmas time this took the lead, and with the of the people in general a tree and a pleasant program vided. During the winter kept growing, and finally Doherty organ, which had chased, was duly turned ov trustees of Edison School 1029.

The school is now the many bright reunions. A ha pany of all ages gathered April 30th. After a few s baskets were put up at au sold to the highest bidder was much pleasant rivalry the young men as to who w the prettiest basket or the o by the girl of their choice. chance, as no names were the baskets.

As there were several n than baskets, some young sent to houses near to bring cake, pies, etc., also coffee, served free to all. A most time was spent and over $20

We were pleased to have from Dunganan district Mes Beaton and Jesse Burnett a Sarah Beaton, sister of the Rev. and Mrs. Robert Tel have recently moved from their claim in the Pembina and Messrs. Irwin, Armstro James Bennett, from McInni

The organ is paid for, wi plus of $13.90 to go into the of the society.

FLOATING STONE LA

Still cold, no gardening as

Miss Gene Batty, of Saddle very sick with pneumonia Batty came home from Edm tend her month during her now illness has overtaken h

Mr. and Mrs. Batty were in Goodfish this week and we home in haste on account of ness of their daughter Gene

Charlie Greenstreet is in Lake getting out logs for h and barn.

Harry Longden has his h and will soon be ready for who is expected to arrive f land in about three months.

Twelve new families have claims at Island Lake in t week. Six have made settl Floating Stone in the last tw It certainly is not the soil th the difference.

Mr. Waters and Charles P Island Lake, were in Floati yesterday for the purpose o at the store and having son smitning done.

Mr. Wm. McConnell has new blacksmith shop. He quite a business.

Johnny Drapper, who has Star for the past six weeks t is again at home.

George McConnell is dow Star to live on his homeste while.