

Evening Telegram

W. J. HERDER, - - - Proprietor
H. A. WINTER, B.A., - - Editor

WEDNESDAY, July 12, 1916.

A QUESTION OF JURISDICTION.

Yesterday's issue of the Daily Star contained a criticism, or rather misrepresentation, of the Supreme Court, which we have been asked to correct, and which we should have felt it our duty to correct in any case. While our contemporary rightly warns the public against putting credence in the rumours that are circulated concerning the losses of our regiment, it chooses in this case a particularly foolish rumour (being careful to give it that name) as a foundation upon which to build a fabric of pure imagination. The conclusion which it reaches is, in effect, that the judges of the Supreme Court have decided not to hear any case which might possibly be heard by a magistrate.

We have been informed of the facts of the case which seems to have given rise to such an absurd misunderstanding. A plaintiff, resident in the jurisdiction of an outport magistrate, brought suit against a defendant resident in the same jurisdiction. The cause was also one which came within that jurisdiction, so that the case was in every way a proper one for the magistrate to hear. The plaintiff chose to issue the writ from the Supreme Court. This meant that if the defendant wished to appear and defend, he would be put to the expense and inconvenience of coming himself to St. John's and possibly of bringing witnesses as well. One of the primary objects of the establishment of the Magistrates' Courts was the avoidance of such a necessity, and the provision of cheap and speedy justice for outport subjects. The Court did not refuse to entertain the suit; it gave the plaintiff judgment but very properly refused him his costs, a matter in which it had a discretion and exercised it wisely. Such a decision will have, not the criticism, but the approval of any fair-minded man. We think our contemporary would be one of the first to complain if the Supreme Court, by taking a different attitude, made it possible for any well-to-do litigant to choose his own Court and by the mere threat of heavy costs intimidate the defendant into letting judgment go by default.

The Daily Star says, "It is presumed that, according to the same reasoning, if a business man at St. John's had a claim against a man at Twillingate, he should take his summons before the magistrate at Twillingate." It is a very silly presumption. We did not know before that the venue of a suit could be made to depend upon the place of residence of the defendant. The truth is, that the whole question is governed by set and sensible rules of our Judicature Act and other statutes. Our judges are bound by those rules. The only control allowed to them is in the matter of costs, and the judge in the case in question seems to have exercised his control in a reasonable and equitable manner.

Fishery Worse North

The accompanying reports are just to hand to the Board of Trade:—
July 8th. From A. J. Pearce (Twillingate to Trump Island). The catch is 879 qts. with 40 for last week. Thirty traps, and about 40 skiffs are fishing. Fishing was worse this week than last both traps and hook and liners getting only a few fish each day. There is still sufficient caplin for bait but owing to rough weather no fishing was done for two days last week. Salmon are still being taken but they are not so plentiful as previously.

July 8th. From R. Lawton (Southern Head to Knight's Cove Point).—Fourteen traps and from 8 to 12 divers and skiffs are fishing. The trap fishing was poor during the week the hauls amounting to only from 1/2 to 2 qts. Very few hook and liners are operating as most are engaged taking caplin which is plentiful. The men report very little fish on the grounds and nothing for trawls or nets. The total catch is 1530 and for last week 150 qts.

KYLE'S PASSENGERS.—The Kyle reached Fort aux Esquaux at 9:30 a.m. to-day with the following first class passengers: Miss J. Coaker, Miss P. McKenna, D. K. Wilkinson, C. L. Dunlop, Jas. M. Martin, Mrs. W. Thomas, Mr. and Mrs. W. E. Knight and daughter, Roy Hoare, Wm. T. Winsor, Mrs. S. Rideout, Mrs. J. Hurst, S. H. Stouffville, Mrs. A. Crawford, Miss M. White, Rev. E. M. Kern, S. K. Bell, Mrs. A. Cole, Mrs. W. T. Ralph.

MINARD'S LINIMENT USED BY PHYSICIANS.

The Publication of Casualties.

Though we feel it to be largely unnecessary, we have pleasure in adding to what has been said by other papers a word in defence of the Colonial Secretary's Office against criticism of the manner in which it publishes the casualty lists. So far as such criticism from being deserved, that it should be changed, to approbation. We are glad to be able to give our own to the Department, and to acknowledge the promptness and courtesy with which they have treated us in this matter.

The details which have to be attended to in the preparation of these lists are far more numerous, and demand far more time, than most of the public can imagine. We understand that the list, which reaches the Office contains merely the surname and number of each soldier, with a description of his injury, so that the records have to be consulted for his Christian name, his place of residence and the name of the next of kin. This takes time, which is not diminished by the difficult nature of the typing required and the imperative need of the utmost accuracy. Added to this is the necessity of first informing the next of kin, which frequently involves the task of getting in touch with clergymen or near relatives. We know for a fact that the past week has been a very heavy one, entailing great labour, for the staff of the Office, and that on several occasions some of them have not returned to their homes until the early hours of the morning. We cannot believe that, once a list is complete and the families affected informed, the officials do not avail of the earliest opportunity of giving it to the public. In this connection, though the matter is much less important, we should like to offer the suggestion to the Post Office authorities that the bulletin board, upon which the war messages and casualty lists are daily posted, be raised a little, so as to enable more persons to read them at the same time. At present, when a number of persons are grouped before it, only those (not always the speediest readers) who are in the front row are able to obtain an uninterrupted sight of the printed pages; the elevation of the board another foot or thereabouts would greatly improve matters and prevent much of the unpleasant crowding in that part of the Post Office. The board is already sloped so as to make this possible without overtaxing short-sighted readers.

Turned Down Here, Accepted in Canada.

Private Michael J. Hickey, of Holyrood, who enlisted in the First Newfoundland Regiment and was discharged as medically unfit on April 12th, has since joined a Canadian Regiment and is now in training. Private Hickey is a son of John and Margaret Hickey, Holyrood. It is peculiar to note that several other Newfoundlanders who have been rejected here have been accepted in both English and Canadian Regiments.

It takes a good car "to make good." More than a MILLION FORDS have been sold to date. Jun 22, 1916.

For the Labrador.

The number of schooners cleared for the Labrador and Straits fishery last July 1st is 490. They are as follows:—
Hr. Main sent 5; Conception Harbor, 4; Brigus, 34; Bay Roberts, 21; Spaniard's Bay, 8; Harbor Grace, 22; Western Bay, 6; Trinity, 85; Catalina, 14; King's Cove, 20; Greenspond, 101; Herring Neck, 24; Twillingate, 80; Little Bay Islands, 45; Bonne Bay, 7 and Channel, 14.

Here and There.

"St. Ivel" Lactic Cheese, small tins, at ELLIS'.

SALT CARGO.—The schr. Lowell T. Parks reached Passthrough yesterday with a load of salt.

Stafford's Liniment is sold in over 500 stores. Ask for Stafford's.—may 3, 1916.

QUICK LOADING.—The loading of the S. S. North Cambria, which left Botwood for Cardiff on Friday last with 2,546 cords of pit props was done in 3 days and 15 hours. This is said to be a world's record.

Stafford's Phoratorne Cough Cure is a good preparation for all kinds of Coughs and Colds. may 3, 1916.

WOUNDED, DOING WELL.—Information has been received by Mr. Geo. Langmead that his son who is C. Q. M. S. with "Ours" and who was wounded on the 1st inst. in France was doing well in hospital and that his ultimate recovery would be speedy.

WANTED — A Presser for our Cleansing and Pressing Department; good wages and steady employment. Also a big boy to learn pressing; must be able to read and write. Apply to SPURRELL BROS., 365 Water Street.—July 12, 1916.

KEEP MINARD'S LINIMENT IN THE HOUSE.

On a Mine-Sweeper.

Experiences of Naval Reservist Nath. Somerton.

Naval Reservist Nath. Somerton, of Portugal Cove, joined H. M. S. Briton shortly after the outbreak of hostilities and after putting in several months hard training, left the shores of his native land accompanied by 299 shipmates, on board the S. S. Mongolian, in February, 1915. After an eventful trip in which it was feared the Mongolian would go under owing to her leaking badly, she reached Halifax, where the naval boys were transferred to the temporary troopship Scandinavian and were soon after landed in England. The men were immediately quartered in barracks where one by one they were placed on board different ships, Reservist Somerton finding himself attached to the armed mine sweeper Supporter, where his ability as a seaman and marksman was quickly recognized by the officer in command, and after a few days Nath. was promoted as Gunner and placed in charge of the ammunition and rifles. After several months of watchful waiting in the English Channel, they were allowed the privilege of seeing one Hun submarine which was out of range and sank below the surface before the Supporter's guns could do any damage. Now and again they would hold up a passing merchant ship, examine her cargo and papers, and if satisfied would let her proceed. They would be out at sea for seven days and then in port for two to load coal and water.

Life was beginning to get monotonous, when about the middle of May, 1915, orders were received to get ready for a long voyage, and shortly after the Supporter was making her way through the Straits of Gibraltar and the Mediterranean to the Dardanelles. They were immediately put to work at patrol duty and mine sweeping and were now and again greeted with a Turkish shell from the land, but it was later on that the real work began. Orders were received to assist in landing the English and Australian troops from the transports to the beach at Anzac. The Supporter, loaded with a couple of hundred men, would dash to within half a mile of the shore where small launches and open boats would receive the soldiers and convey them to the land. The Turks kept up a continuous fusillade, and as the ship approached the shore the rifle bullets from the land swept her decks, twenty-five men falling on one occasion. Despite the heavy loss of life the landing of troops was kept up, and for upwards of two months when occasion offered, soldiers were landed at different places. Patrol duty was again resumed and after accounting for several mines by the use of submarine nets, they were given orders to run provisions and ammunition to Cape Helles. This work was continued till the end of October, when they were stationed at Creek Island, in Greece, searching for submarines and submarine bases. The place mentioned is an uninhabited island and a likely place for the enemy underwater craft to hang out. This later on proved to be the case, as it was near the place, in the month of December, that two Italian merchant ships were sent to the bottom by a Hun craft. Eighteen of one of the ill-fated ship's crew lost their lives. A terrific gale was raging at the time, and huddled together on the cliff were some sixty Italian sailors who had managed to reach a place of temporary safety in their small boats. The Captain of the Supporter on patrol while scanning the horizon with his glasses, observed the unfortunate sailor's plight and immediately proceeded to the rescue. Owing to the heavy sea the boat which was launched could not be rowed to the land, so a guide rope was put out attached to a small anchor, and by that method the shipwrecked sailors were in turn placed on board the patrol boat and afterwards landed at Kavis, a port in Greece.

Besides doing patrol duty they were called upon to perform a most unpleasant task, and now and again would haul up by the side of a Hospital ship in port, and take on board from 20 to 30 dead soldiers, proceed outward, accompanied by a Chaplain who would perform the burial service, after which the remains would be committed to the sea. All went well with the Supporter's crew till early this year, when the Captain was suddenly taken ill and fearing an outbreak of fever every man was inoculated.

After getting in some effective work in the mine fishing field they were once more ordered to return. Reserved to Somerton being transferred to a battle cruiser found himself back in England on May 31st, after spending a year on board an armed mine sweeper in the Dardanelles. He was then placed on board an overflow ship at Portsmouth, and finally granted furlough to visit the folks at home. After a brief furlough he signed on this morning on board H. M. S. Briton and is again one of the boys in blue.

Yours faithfully,
(Sgd.) ROBT. A. HUDSON,
Chairman of Finance Com.

F. H. Steer, Esq.,
Patriotic Association of Nfld.,
St. John's, Newfoundland.

GIANT JUNIOR SAFETY RAZOR.

Be sure and get 7 blades with your Giant Junior Safety when you buy it. Price 50 cents with 7 blades—July 24, 1916.

MINARD'S LINIMENT CURES DICK'S.

SEE THE MAN WHO GETS \$670,000.00 A YEAR BECAUSE HE IS FUNNY!

"CHARLIE CHAPLIN,"

IN "SHANGHAI"—If possible is funnier than ever. It is the most screamingly funny of all his funny comedies—two thousand feet—a laugh in every foot.

Pearl White and Walter Jameson in "THE LIFE CHAIN"—The thirty-fourth powerful and thrilling episode of the

"ROMANCE OF ELAINE."

Coming—LOTTIE PICKFORD and IRVING CUMMINGS in "THE DIAMOND FROM THE SKY"—A pictureized romantic novel by Roy L. McCardell. AT THE NICKEL.

A Praiseworthy Appropriation.

July 10th, 1916.
Dear Sir,—The following two letters have been received in acknowledgment of the second instalment of one thousand pounds sent the Overseas Club from the Empire Day Red Cross Fund.

Yours truly,
F. H. STEER,
Sec.-Treasurer.

The Overseas Club,
London, W.C.,
June 21st, 1916.

F. H. Steer, Esq.,
Patriotic Association of Nfld.,
St. John's, Newfoundland.

Dear Sir,—We have handed over the further magnificent donation of one thousand pounds (£1,000) from the Patriotic Association of Newfoundland to the British Red Cross Society, and have much pleasure in forwarding you their letters of thanks, and receipt.

Some time ago Sir Robert Hudson told us that they were building a technical hut at Netley Red Cross Hospital, where convalescent maimed soldiers could be taught basket and toy making, and carpet working, so as to enable them to earn a living when they return to civil life. They asked us if we could contribute towards the cost of this hut; at the time we were not in a position to do so, but after careful consideration we decided to allocate £350 of your generous contribution to this purpose, and we hope very much that this will meet with the approval of the subscribers.

These technical huts meet a very great need and I am sure there is no way in which your money can be of greater use.

I am writing to Sir Warren Crooks-Lawless, the Commander of Netley Hospital, asking him if he will be so kind as to let me have some pamphlets and details concerning the technical hut and the work carried on in it; these we will have very much pleasure in forwarding to you.

We are also arranging for the hut to be photographed, and a tablet will be placed outside the hut and also on the inside wall, with an inscription stating that it is the gift of the Patriotic Association of Newfoundland.

Yours truly,
(Sgd.) HYLDA DES VORUX,
Chairman Overseas Club Soldiers' and Sailors' Fund.

83 Pall Mall,
London, S.W.,
15 June, 1916.

Dear Sir,—We have to-day received through the Overseas Club a further contribution of £1,000 from the Patriotic Association of Newfoundland to our funds, and our official receipt in respect thereof has been forwarded to Lady des Voeux.

After consultation with Lady des Voeux we have decided to allocate £350 of this sum to meeting the cost of a technical hut at Netley Red Cross Hospital where convalescent sick and wounded soldiers can be taught by competent instructors basket and toy making, carpet and wood working. The hut itself cost to erect £250, and the balance of £100 has gone in fitting it with the necessary tools and equipment. We are assured by the Commandant of the Hospital that now the classes in this hut have been organized, it is very evident that the hut will become one of the most popular and useful institutions in the Hospital. Lady des Voeux will herself make some further enquiries and will probably write you in due course giving you more interesting details than is possible in this letter.

I am now desired by the Finance Committee to again express to you the warm and grateful thanks of the British Red Cross Society and the Order of St. John for the further generous help you give us in our work, and to assure how keenly appreciated such a munificent gift is by our Finance Committee.

Yours faithfully,
(Sgd.) ROBT. A. HUDSON,
Chairman of Finance Com.

F. H. Steer, Esq.,
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Coming—LOTTIE PICKFORD and IRVING CUMMINGS in "THE DIAMOND FROM THE SKY"—A pictureized romantic novel by Roy L. McCardell. AT THE NICKEL.

Provide for the Rainy Weather

Surprising Values in Waterproofs and Raglans.

Men's, Womens', Boys' and Girls'.

Men's Heavy Fawn
Cashmere Waterproofs,
\$3.50, \$5.00
and **\$11.00.**

Men's Heavy Wool
Tweed Waterproofs, in
mixed tweed, plain olive
and steel grey,
\$10.00, \$11.00;
and **\$13.00.**

Men's Heavy Black
Dull Rubber Coats with
steel spring fastener,
\$5.00.

Men's Raglans or
Shower Coats, in fawns
and olive greens,
\$8.00, \$15.00.

Boys' Heavy Fawn
Cashmere Waterproofs,
hat to match, to fit from
10 to 16 years,
\$4.50 to \$6.00,
Coat and Hat.

Boys' Soft Black Oil
Coats, to fit from 6 to
16 years,
\$2.70 to \$3.20.

Boys' Khaki Oil Coats,
to fit from 6 to 16 years,
\$2.70 to \$3.20.

Ladies' Dark Grey
Waterproofs, special
value,
\$4.00.

Ladies' Navy Poplin
Waterproofs,
\$5.00.

Ladies' Khaki Oil
Coats, with belt,
\$5.00.

Misses' Fawn Cash-
mere Waterproofs, with
Hat to match, to fit from
10 to 16 years,
\$5.50 to \$7.00.

STEER Brothers.

Passengers by Prospero.

C. Withers, Rev. Wilkinson, J. Mercer, H. J. Earle, F. Dickson, H. Fleet, T. Fleet, Master Varney, C. Brown, Rev. Way, Rev. Chamberlain, Rev. Law, Rev. Baines, Rev. Britnell, Rev. Scott, Rev. Walker, H. Reaverley, R. Hopkins, W. Rabbitts, J. Davey, S. Darsell, C. Winsor, F. Reid, H. Russell, E. Elliott, R. G. Winsor, H. House, S. Blackler, J. G. Munn, M. Kean, Rev. Seelye, A. Coyley, Capt. Bonita, C. F. Snelgrove, D. Feder, Mesdames Rankin, Chamberlain, Wilkinson, Garland, Smith, Law, Reaverley, Britnell, Miller, Benedict, Clements, Jenkins, Winsor, Elliott, Robertson, Munn, Anstey, Kean; Misses Cunningham (2), Breen (2), Blackmore, Lewis, Abbott, Lind, Harbin, Thistle, Scott, Middleton, Reid, Duncan, Carey, Woods, Fifield, Peyton, Penney, Robertson, Mackenzie, Clifford, Burke, Long, Fowlow and 30 in storage.

AT THE CRESCENT.

A great holiday programme is being shown at the Crescent Picture Palace to-day. The Kay Bee Company presents "When Lee Surrenders" this great war feature is produced in two reels. The Selig Company presents "Young Love," a very fine social drama. Maurice Costello and Mary Fuller feature in "A Girl of the Mountains," a very pretty drama of the woods and the hills. "He Wanted His Pants" and "Brown's Cook" are two lively and funny comedies. Professor McCarthy plays a new programme of music to accompany this big show.

WEATHER REPORT.—The weather across country is calm and fine, with temperature 45 to 60 above.

MORE TYPEWRITER BARGAINS!

The Red Cross 'Boat' just brought us another shipment of Typewriters, and here is your chance to save fifty or sixty dollars on a Machine. We can now give you a No. 7 Remington Typewriter for \$50.00; a No. 5 Oliver Typewriter for \$60.00; an Underwood Typewriter at \$80.00, and an Underwood Typewriter at \$95.00. We have a slightly used, visible writer, two color ribbon, back spacer and tabulator No. 10 Remington, which we are selling at \$40.00. We have also a Columbia, Barlock, slightly used which we are selling at \$40.00. We guarantee every machine we sell—we have had a wonderful sale of Typewriters in the last six months. Ask us and we will refer you to dozens of satisfied customers. Remember you SAVE from FIFTY to SIXTY DOLLARS when you buy from

DICKS & CO., Limited,
Office Supplies and Loose Leaf Specialists.

GOES TO HOSPITAL.—Mr. Joseph Williams, an old and respected fisherman of Bay Bulls, arrived on the Trepassey train this morning, and was met at the station by Mr. Eli White, who accompanied him to hospital. Mr. Williams is suffering from the effects of an accident to his leg which happened two years ago.

SPECIAL WEEKLY MEETING.—We understand the Municipal Council will hold a special meeting on Tuesday of each week for an indefinite period, in order to receive complaints, and instruct the heads of departments to have such complaints attended to. It looks as if the new Council means business.

Regimental Uniforms.

Editor Evening Telegram.

Dear Sir,—Your well expressed Editorial in yesterday's issue demonstrates clearly that Newfoundland is not bearing her portion of the expenses due to the war, and as you clearly point out if Newfoundland does not pay then the British nation must.

The demand for coats will certainly be filled by our people whose generosity is well known.

In this connection it appears that the Regiment Committee is acting contrary to the spirit so ably set forth by your paper, I refer to the matter of uniforms.

I am said to save expense the next drafts of men will go forward wearing uniforms the majority of which have been in use from three to six months, and as no spare suit was issued the one suit was used for all purposes such as fatigue work as well as for drill and parade.

The result is that the majority of the uniforms are badly soiled and would make a very poor impression when the men land in England.

As our Regiment has made Newfoundland famous would it not, be more in keeping with the fitness of things for the Government to pay for a decent suit instead of asking the English taxpayer to do so immediately the men land as they certainly would not be allowed to retain the old suits which they now have.

Yours, etc.,
St. John's, July 12, 1916. NATIVE.

BACK FROM STRAITS.—The sch. Progress, Capt. Blackwood, has arrived back at Westville from the Belle Isle Straits. The Progress is the first arrival from the Straits of the Westville fleet and hauls for 300 quintals of codfish.

A Wor Carpet

We have
play - of
Tapestry
ever been

These C
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U. S. Pick

War Ne

Messages Receive Previous to

FIGHTING AT CLOSE QU

LONDON.
After last night's assault
ish remain in possession of
maison, holding it against
counter-attacks and shell
The British, bombing their
ward, gained considerably
Wood. The infantry is at
quarters in the woods that
either side are not firing
line, for fear of hitting the
overhead, shells are sent
into the reserves to keep it
ance from those in the front

CASUALTY LIST IN

LONDON.
To-day's casualty list
officers is the largest issued
beginning of the offensive
tains the names of 73 offi
of whom belonged to the
land Contingent.

THE CAPTURE OF H

LONDON.
The capture of Hill 97, a
Somme, with the farm
Maisonneuve on the summit
particularly brave place
the part of the French. At
mal for attack; the soldiers

T. J. Ede

By a.s. Florizel

50 boxes California Ora
5 boxes California Lea
20 crates New Cabbages
5 brls. New Potatoes.
20 crates Texas Onions
5 brls. New Turnips.
5 crates Tomatoes.
3 crates Cucumbers.
2 boxes Grape Fruit.
10 crates Bananas.

Robin Hood Flour—by
Codroy Butter
Fresh Eggs.

200 Bund
No. 1
Timothy

Prince Albert Tobacco
Shredded Wheat Bisc
package.
Symington's Pea Flour

Just received
10,000 HAVANA C
direct from the fa
Bock, Hy. Clay, Co.

Bulldog

The brand of sals
45c. lb.; 5 lbs. fo

T. J. ED

Duckworth Str
Military R