

Weather Forecast for Today
Strong winds, or gales, mostly southerly and easterly. Unsettled and mild with rain.

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VOLUME XV

NANAIMO, VANCOUVER ISLAND, BRITISH COLUMBIA, TUESDAY MORNING, DECEMBER 28, 1915

NUMBER 254

MUSICIAN HERE FOR BUNKERS

**Harrison Liner Had a Rough
Passage From Liverpool —
Was Forced Around Cape
Horn. Because Panama Canal
Was Blocked.**

The Harrison liner Musician, Capt. Dunn, is in port for 900 tons of bunker coal.

Speaking of his trip out to this coast, Capt. Dunn says:

"The Musician encountered a hurricane in the North Atlantic, and the great seas smashed many of the dock fixtures. Colon was reached on October 1, and it was then that word was received of the tie-up in the canal. The Harrison line had decided to include Colon in the ports of call of the Pacific liners, and the Musician was inaugurating the service. She had 1900 tons of freight to put off there.

"After discharging the Musician remained at Colon in the hope of getting some good news of the opening of the canal. Capt. Dunn made a trip across the Isthmus to the Pacific, and says that the bottom of the canal rose 20 feet above the surface. The hills sank and forced the bottom up. The great fleet of dredges at that time were unable to make any headway against the incoming material. Capt. Dunn says that there were 110 ships tied up at the Atlantic entrance to the canal, and also he counted 39 ships at Gatun lake.

"Finally, on October 14 the Musician started out on the long run to Victoria via the Strait of Magellan. She proceeded to Trinidad, British West Indies, to load coal and supplies for the trip, as when she left Liverpool she had only enough on board to bring her here via the canal. The new route added about 9,000 miles to the trip. From Trinidad she headed for Santos, Brazil, where a heavy shipment of coffee was loaded.

"One violent storm was encountered in the South Atlantic. When in the latitude of Rio de Janeiro a hurricane assailed the ship, and the Musician received quite a buffet. The weather in the Strait of Magellan and in the Pacific was ideal, and the ship reached San Pedro thirty-one days out from Santos, a very smart passage for a ship of that class. After a brief stop at San Pedro the ship proceeded to San Francisco and then on to Victoria. The steamship met strong southeast gales coming up the coast, and when she passed in at Cape Flattery.

Ladies, Attention! Auction Sale

Tuesday Night
Dec. 28th at 7:30 sharp.

SABA BROS.
ORIENTAL STORE

(Commercial St. Next the Oasis)

Consisting of Silk Kimonos, Crepe Kimonos, Mandarin Coats, Waist Patterns, Dressing Gowns, Tea Gowns, Dressing Gowns, Dressing Jackets, Silk Underwear, Night Gowns, Silk Chemises, Pyjamas, Men's Shirts, Work Bags, Handkerchiefs, Luncheon Sets, Handkerchief Sachets, Shawls and Scarfs, Tea Costies, Stockings and Socks, Cushion Covers, Madeira Embroidery, Cluny Lace Centres, Drawn Work, Carved Ivory, Damascene Ware, Satsuma Ware, Mosaic Ware, etc.

Instructions to Auctioneer—
clear out this stock and raise us the ready cash.

Anything in the store put up for you without waiting. Ladies who are specially invited to this sale of New Oriental Goods. Boys and children will not be admitted to this sale unless with parents.

J. H. Good

Auctioneer.
Terms Cash. Sale Continues every night at 7:30.

EX MAYOR BATE WRITES COUNCIL

**Nanaimoite at Present Visiting
in England Gives His Views
On Question of Ownership
of Parks and Squares in Nanaimo.**

The question of the City Parks and Squares was twice raised at the meeting of the Council last night. It came up the first time through the medium of a letter from Mr. Mark Bate, and old Nanaimoite now living in Birmingham. His letter was read as follows:

Dear Sir,—Knowing as I do the history of Nanaimo City Squares, which after lying in quiescence for 52 years, are apparently giving the municipal council some concern. I wish to state briefly a few facts for the information of the Mayor and Aldermen.

In November 1862, the Vancouver Coal Mining and Land Company, Limited, then newly formed, acquired from the Hudson's Bay Company what was known in their books as the Nanaimo Estate, comprising 6193 acres, and all the dwelling houses of Colville Town (as the settled part of Nanaimo was then called) together with the mining plant and mines then in operation.

The following year, 1863, about 500 acres were set off and surveyed as Nanaimo townsite. Two plans were designed at that time. One by Robert Homfray and one by Andrew Hood. Homfray's draught showed more open, park-like spots, and in certain parts of the town straighter streets than Hood's, but the plan of Homfray was discarded and that by Hood showing the squares, etc., except Deverill as they are today, accepted and finally adopted as the official map of the town and as such deposited in the Land Registry office.

On a plan made subsequently by Mr. Edward Mohun, mostly copied from Hood's, though on a larger scale, a few alterations of minor importance were affected, but no change whatever was made in the position or description of the "Squares." Here let me say that neither Mr. Mohun nor his partner Farwell made any survey of the town, excepting in one or two places where a few additional lots and the original plotting had been made out and about Bridge street. Mohun's plan was also deposited in the Land Registry office after the incorporation of the city.

A complete check survey of the town was made by Mr. Stephens, C. E.

Well, the plots of ground in question, Squares, Parks and Milford Crescent were, assuredly, absolutely resigned and set aside, "dedicated" if you like in 1863 by the Vancouver Coal Mining and Land Company, Ltd. just as definitely and decidedly as the streets were for the common use of the public, consequently, and verification of what I have said, the Squares, etc. (save perhaps Deverill, which was surrendered latest) are shown as town breathing spaces on the first and on every other plan, deposited in the Land Registry office and in accordance with those plans, lots have always been sold and conveyed.

Moreover, Squares, Parks and Milford Crescent were boldly delineated on a large and specially prepared plan which was exhibited in the Salesroom when Nanaimo Town Lots were sold by auction at Victoria in May 1864.

I could go much further and give other details, but with the circumstances as I have stated, what more is necessary to prove that the city owns the Squares, etc., for common utility, as much as it does the streets?

Yours truly,
M. BATE.

It was moved by Alderman Forrester that the communication from Mr. Bate be properly acknowledged and that he be asked to favor the Council with affidavits as to his statements.

Ald. Young seconded, but suggesting that Mr. Bate be thanked for his information.

Alderman Coburn remarked that Mr. Bate had given them very little fresh information on the subject. Most of what he had to tell them was to be found in the report of the committee. The only new point was the reference to the map exhibited at a public sale in Victoria. There was really nothing in it which could be used as evidence in a court of law as to the ownership of the properties.

Mayor Planta said that this was how the letter appeared to him. It expressed the personal opinion of

SEVERAL BYLAWS BEFORE COUNCIL

The regular meeting of the City Council was held in the Council chamber last evening. Mayor Planta presided and there were present Aldermen Busby, Forrester, Cavalsky, Coburn, Killen, Young, Ferguson and McKenzie.

The minutes of last meeting were read, and on motion adopted.

The City Engineer reported the expenditure for the week on streets and water works as \$145.20.

The Milk Inspection Bylaw, 1915, was given its first and second reading.

The Sewer Frontal Tax Bylaw was taken up in committee and passed its third reading.

The Water Works Amendment Bylaw was also taken in committee and after several clauses had been disposed of the committee reported progress.

The question of the sidewalks constructed under No. 6 Bylaw was taken up on the report of the Finance Committee and after some discussion was referred back to the committee for further investigation and report.

The Council then adjourned.

The many friends in Nanaimo of Ernest Whiteside, son of Mr. Fred. Whiteside, who was injured in an auto accident in Victoria recently, will be pleased to learn he is well on the way to recovery.

A quiet wedding took place yesterday afternoon in St. Andrew's Presbyterian manse when the Rev. Dr. McLennan united in marriage Mrs. Laura Frances Rich and Mr. George Henry Jolly. Both parties belong to Seattle where they will reside after a tour through Canada.

Among the passengers from Vancouver last evening on the S.S. Princess Patricia, were, F. S. Whiteside, Miss H. Norris, W. Woodward, Mr. and Mrs. Fred. Ellison, Mr. and Mrs. Fred. Clarke, Allan Ford, Mr. and Mrs. Joseph Randle, Mr. and Mrs. C. Bowlsby, T. Leigh, F. L. Reynolds, John Diamond, Chas. Meek, C. Cornish, John Seales, George Slater, W. McIntosh, Geo. Sutton, H. L. Good, Russ Leighton and W. Machin.

321 was the winning number for the Cushion drawn for the benefit of the children of St. Ann's Convent. The holder of the ticket can get same from C. F. Bryant's, Victoria Crescent. In Saturday's issue of the Herald, the winning number was inadvertently given as 312.

The Joint Committee of the W. F. Co.'s Employees' Patriotic Fund is giving a big smoker in the Assembly Hall on Thursday evening of this week. There will be no charge, but a collection will be taken up.

NOTICE.

Any person having accounts against the Nanaimo Literary and Athletic Association, are requested to present same to the Secretary on or before January 15th, 1916. This does not refer to accounts contracted by the New Nanaimo Athletic Club.

WM. MAINWARING, Sec.,
54-3t. P.O. Box 42.

Mr. L. Hartge of the S.S. Princess Patricia, who resides on Vancouver Avenue, Townsite, was presented by his wife on Christmas morning with a bouncing baby girl.

Over 43,000 men have gone from the British Postoffice Department to fight the country's battles.

VON BUELOW AT LUCERNE
Bern, Dec. 27.—Prince von Buelow, former German chancellor, has returned to Lucerne, and resumed his quiet life at the hotel there. Recent reports that he has a large staff of secretaries are incorrect.

ENEMY POSITIONS BOMBARDED
Paris, Dec. 27.—The war office statement this afternoon says:

"There were no events of importance last night except in Lorraine, where our artillery bombarded the positions of the enemy in the vicinity of Blancourt and Gregoy, southwest of Chateau-Salins."

the writer, but there were legal aspects of the case which Mr. Bate had overlooked. At all events there was nothing in it which was not generally admitted, and he did not see that an affidavit would be of any use as it would not be accepted as evidence.

Ald. McKenzie took the view that if it would do no good it would do no harm.

The motion was then put and carried unanimously.

BRITISH DISPERSED ARABS.

London, Dec. 27.—The main Arab force which had been operating near Matruh, was attacked on Christmas Day and dispersed by the British, who suffered small losses, it was officially announced tonight.

WANT RECRUITS FOR ENGINEERS

**Nanaimo Miners Acquainted
in the Use of Explosives Are
Invited To Volunteer For
Service With No. 2 Tunneling
Company Engineers.**

Through the kindness of Ald. Busby Major Coulthard and Lieut. C. R. Macdonnell have opened a recruiting office in the Herald's old stand, next the Nanaimo Hotel, for the purpose of securing recruits for No. 2 Tunneling Co., Engineers, Canadian Expeditionary Force.

The branch which is to be recruited in the West has its headquarters at Calgary, and will be 344 strong. Only 125 more men are needed, the class of recruits required being men accustomed to the use of explosives, and a number of auto repair men. Major Coulthard expects to be recruited up to full strength by the middle of January, and to leave for England by the first of February.

The Tunneling Company of Engineers is an entirely new thing in a military way, being a development of the modern methods of warfare, and because of the number of miners working in the districts of Ladysmith, Nanaimo and other Island centres, a special effort is to be made to recruit in this section. The force will be a part of the Canadian Expeditionary force, but will be attached to the Royal Engineers.

The local recruiting office will be open all day today and this evening.

XMAS ENTERTAINMENT AT WALLACE STREET

The Sunday School of Wallace St. Methodist Church will hold their Christmas entertainment this (Tuesday) evening at 7:30 o'clock. A collection will be taken up. The program follows:

Chorus, "A Merry Merry Christmas Time," "The Glad Christmas Story," by the school.

Recitation, "Chinese Jarvie," by Percy Dean.

Solo and chorus, Vernice Dudley. Recitation, Olive Allen.

Song, eight girls, Primary Class.

Recitation, Kate Dixon.

Chorus, "All Hearts Sing at Christmas Tide," "Glory in the Highest."

Baking Drill, Mrs. Gardiner's class.

Recitation, Thomas Dixon.

Solo, Mary Garman.

Dialogue, "Santa Claus' Trouble," Song, Madeline Garman, Joe and Tom Bertram.

Recitation, Wilfred Nicholson.

Solo, Chrissie Jarvie.

Recitation, George Bertram.

Solo, Olive Dunsmore.

Dialogue, Class "Loyal Band."

Chorus, "The Giving Time," "The Songs We Sing."

Star Drill, Ten Girls.

Recitation, Douglas Manson.

Chorus, "The Voice of the Christ Child."

"God Save the King."

Ald. James Young was in attendance at the Council meeting last night for the first time since his accident two months ago. He received a cordial welcome at the hands of his fellow aldermen.

Turkeys will be awarded at Thorpe and Burnip's alleys for high scores in 5 and 10 pins. Competition closes on New Year's Day.

Robert Smith of the Co-Operative Store clerical staff, leaves this morning for Vancouver to join the Canadian Army Medical Corps.

The local Salvation Army "O'Leary" Christmas tree and entertainment will be held tonight, commencing at 8 o'clock. Everyone is asked to attend and hear the new patriotic song in army words and "O'Leary" Red Cross nurses will be in attendance and a splendid program will be rendered. See the Little ones greet Santa Claus, ed."

CABINET SPLIT ON CONSCRIPTION

London, Dec. 27.—That proceedings of the British cabinet have not been going smoothly was seen in fact after a two hours' sitting yesterday (Monday). The Council was obliged to adjourn until today with no decision on conscription having been reached, and discussion having revealed great differences of opinion. The Times' parliamentary correspondents assert the position is undeniably delicate and may become critical today unless handled with firmness and decision.

The Daily Mail announces Andrew Bonar Law, Secretary of the Colonies, and Lord Kitchener, War Minister, have not yet made their position clear, while A. J. Balfour, First Lord of the Admiralty, resolutely opposes conscription, in which he is supported by a majority of the ministers. But David Lloyd George, Mr. Frederick Smith, J. Austin Chamberlain, Walter Hume Long, and Earl of Selbourne, advocate immediate conscription. Mr. Lloyd George, the Mail adds, before the sitting of the Council, made his position clear to Premier Asquith in a message intimating that unless Mr. Asquith's pledge to married men be kept in the strictest sense, he could not continue as a member of the Government.

The Morning Post equally with the Times and Daily Mail, all conscriptionist papers, sees the possibility of several cabinet resignations or the other alternative, a general election. The Morning Telegraph and Chronicle, anti-conscriptionists, also are apprehensive of a cabinet crisis or a general election.

Birth.—At the Maternity Ward, Nanaimo Hospital, on Christmas morning, to the wife of Mr. George Cameron, the well known local baker, of daughter.

CONSIGNEES MONDAY.

P. Burns, D. H. Baley, A. J. Smith, J. Hirst, G. Pearson, J. Fox, McNeil & Welsh, Workman's Shop, J. H. Good, Western Fuel Co., Hodgson, Kwong On, L. Takahashi, Kwang Tai, W. Ho, J. H. Hodge, E. Quennell, F. Bevan, Cowie Machine Co., D. Soer, Maher & Co., J. Cuffolo.

ENTERTAINED FRIENDS AT CHOICE CHRISTMAS DINNER

Eugene Heinel entertained a number of his friends to a turkey dinner on Sunday at his flat on Front street amongst those present being Messrs. G. B. Bolster, E. Edwards, Chas. Beadle, Thos. Weeks, W. Hygh, Geo. Newport, W. Morton, R. Bentham, G. Archibald, D. Stover, B. Marsh and Trooper J. Porter, who sat down to a sumptuous repast that was prepared by Chef. E. Edwards, and was enjoyed by all present. The rooms, which were artistically decorated, helped to make the party very enjoyable. The hit of the evening were the menu cards given by "Gene" to each of his guests as a souvenir of the occasion. Toasts to the King, the Dominion, etc., were honored and the party which broke up at an early hour of the morning, came to a close with the singing of "Auld Lang Syne."

BRITISH REPELLED TURKISH ATTACKS

London, Dec. 27.—An official statement says: "On the 24th, General Townshend reported the enemy fired heavily throughout the previous night but had not attacked. Later he further reports as follows: 'From 10 a.m., until past midday, our position was heavily shelled. The enemy having reached the fort effected an entrance, but were driven out. Two hundred dead were left inside the fort. On the 25th General Townshend sent a further report in which he says at midnight on the 24th and on the 25th fierce fighting for possession of the fort took place. The enemy effected a lodgment in the northern bastion, and were ejected, but came on again and occupied a bastion. The Garrison of Oxford Light Infantry and the 103rd, held on the entrenchments. The enemy vacated the bastion early Christmas morning. The fort and garrison is in excellent spirits, and reoccupied the bastion. The enemy's casualties are estimated at about 700, our own being 190 killed and wounded. During this life and death struggle (Continued on Page 3)

ANNUAL MEETING ATHLETIC CLUB

Young Men of the City Entrusted With the Management of Local Institution—Retiring Board Reviews History of the Club.

The annual general meeting of the Nanaimo Literary and Athletic Association, commonly known as the Athletic Club, was held last night, when the report of the retiring board was received and officers elected for the ensuing year.

Mr. Robert Naylor, the energetic secretary, who has served the club faithfully and well for the past four and a half years, declined re-election and retired from the board for a well-earned rest from the arduous duties.

The new Board was elected as follows:

President—H. N. Freeman.
Vice-Pres.—Charles Martin.
Hon. Pres.—Wm. Sloan and T. R. Stockett.
Hon. Vice-Pres.—F. H. Shepherd, M.P., W. E. Rumming, J. H. Hawthornthwaite, A. E. Planta, A. E. Mainwaring, Major Hickey and J. C. Davis.

Secretary—William Mainwaring.
Treasurer—Victor Harrison.
Executive Committee—Messrs. Anderson, Stevens, Welch, Davis and Lawrence.

Ald. Young and John F. Doyle were appointed auditors.

On behalf of the Board of Management, retiring Secretary Naylor reported as follows:

Mr. Chairman and fellow members:

In presenting the report and balance sheet of the Nanaimo Literary and Athletic Association for the year 1915 now closing, the Board considered it advisable to give a brief review of the past few years for the benefit of the new members and the general public of Nanaimo. The history of this Society has been of a fluctuating character, caused principally by the various factions of the city for the want of a common understanding. At a special general meeting held April 17, 1911 in the Club rooms, composed of the various religious bodies of the city and the members of the Athletic Club, the following motion was accepted by a vote of 20 to 17:

"That provided the sum of \$10,000 be raised for the purpose of altering and improving the Club premises, and provided that the Lord's Day Alliance and religious societies in the city actively co-operate in the raising of this sum. The Nanaimo Literary and Athletic Association hereby pledges itself as a co-operative body to discontinue Sunday football and professional boxing."

This seems to have been the first practical attempt to meet in a sociable and businesslike manner, and notwithstanding the very close vote recorded on so momentous a question, the ten thousand dollar campaign met with a hearty response, and promissory notes came in from all parts of the city, principally the business section.

Two promissory notes of \$1000 each was also assured and on the strength of these golden promises a commencement was made on the alterations, large orders for material were given, contracts were let, and the whole premises became a hive of activity. But just at this vital point a dissection arose on account of the physical director. Meeting after meeting was held, discussion waxed furious, and war broke out, resulting in the dismissal of the physical director. This was also the means of breaking up the forces and the withdrawal of a number of promissory notes. A large number left the club; the churches withdrew their support, contractors and supply merchants became anxious on account of their unpaid bills; everything seemed to array itself against the Club, all hopes were blighted and complete failure its ultimate end. The two donors of \$1000 each considered it advisable to withhold their promises, awaiting results.

There were, however, some brave hearts and willing hands who stood by the wreck, and by their determined efforts it again began to resume its old condition, when like a bolt from the blue, the disastrous strike fell upon the city, and naturally the Club in its weak condition felt the blow most severely, but the members who had stood by so manfully were more determined than ever that the club should not go down.

During this life and death struggle (Continued on Page 3)

SETTLEMENT IS NOW REMOTE

**Western Fuel Company Withdraws Its Offer to Forge
Claims to City Parks and
Squares For Monetary Consideration of \$10,000.**

The Parks and Squares question made a final appearance at the Council meeting last night. The Western Fuel Company through its solicitor, Mr. E. M. Yarwood, withdrew its offer, and the matter is left where it was when the Council took it up.

The matter was brought before the Council by a report of the City Hall Committee to which was attached the letter from Mr. Yarwood. The report and letter follow:

Gentlemen,—We your City Hall Committee, beg leave to report that we are in receipt of a communication from the Solicitor of the Western Fuel Company, which is attached hereto and is self explanatory, and in view of the conditions contained herein, we would recommend that the further consideration of this question be referred to the incoming Council.

Respectfully submitted,
City Hall Committee.

Dear Sir,—I understand from the press reports that it is the intention of the Council to give the Parks and Squares Purchase bylaw its third reading in time to submit the same for the approval of the ratepayers at the time of the election for Mayor and Aldermen.

Some months ago on behalf of the Western Fuel Company I met the Council, acting for the Corporation of the City of Nanaimo, and went into the matter with them. I was opposed to the Company selling to the City all the parks and squares and parks that they own in Nanaimo. The City's Council stated that the only settlement, he would make would be that the City purchase all the squares and parks owned by the Western Fuel Company and for a small consideration only. After a number of meetings and arguments, finding that this was the only way to get the matter amicably settled, I reluctantly consented to the proposal that the Company give a deed comprising all the squares and parks owned by the Company to the Corporation of the City of Nanaimo for the consideration of \$10,000; the said sum to be paid by debentures payable \$1,000 a year with interest at 6 per cent.

This matter has been standing now for a considerable period and I understand that certain members of the Council do not appreciate the offer made on behalf of the Western Fuel Company and are criticizing it very strongly. In view of this fact and that the offer was never ratified by the Council, I beg leave to hereby withdraw the said offer which I made to the City on behalf of the Company.

The Company intend to keep the above parks and squares and therefore, if at any future time the Council of the Corporation of the City of Nanaimo care to take the matter up again, and if the Company have not in the meantime disposed of them, they will be pleased to consider further such other proposals that the City may make.

I would draw your attention to the fact that the City has recently put up certain buildings on some of the squares belonging to the Company which they were not entitled to do so the Company had not sanctioned the same. Although the improvements are of great benefit to the public in general, they will have to be removed unless the City makes a written request to and gets the consent of the Company to allow these to remain.

Yours truly,
E. M. YARWOOD

Alderman Coburn moved the report be received and the recommendations adopted. He was sorry that the efforts of the present council to effect a settlement of this question had been fruitless. He was not altogether surprised that the proposal had been withdrawn, as he had always understood from Mr. Yarwood that the company had never been very strongly in favor of it. The matter could hardly be allowed to rest where it was. Three times the company had laid claims to these properties, and the longer the matter dragged on the stronger would be company's claims become. That at least was his opinion, and it had been confirmed by their legal adviser. He would say that it was very much to be regretted that there had been honest in its action and misrepresentation. Indeed (Continued on page 2.)