

WEST DOES NOT WANT ROGERS

Politician of His Type Is Not Acceptable to Saskatchewan.

Saskatoon, Oct. 8.—The Phoenix will say editorially tomorrow: "The announcement in well informed conservative circles that Hon. Robert Rogers is slated for minister of the interior in Mr. Borden's cabinet as minister from Saskatchewan will not be received with any large degree of satisfaction in this province, nor indeed anywhere in Western Canada. It was hoped that Mr. Borden would select a man of his own type for his cabinet. Experience shows that good men sometimes go wrong after they are put into harness, but when a leader deliberately chooses men for important positions, whose reputations are not the most savory and who are associated in the public mind with a type of politics, for from ideal, he brings himself under just criticism, as a man lacking in moral stamina and therefore one who cannot be depended upon to lay the foundation of a strong and enduring government."

Mr. Rogers is not acceptable to Saskatchewan and he is not a Saskatchewan man. The only seat which could be found for him in this province is Prince Albert, now held by Jas. McKay, and the people of this province would much prefer McKay to Rogers if they had the opportunity to choose. Whether Mr. Borden sees it or not the significance of Rogers as minister of the interior is that Mr. Borden's policy of turning over the lands and resources of the western provinces to provincial control will be indefinitely deferred. With Rogers in the cabinet, the western provinces and the lands in the north could be organized and utilized to splendid political advantage and would offer him any excellent opportunity of repeating the political success of the Roblin exploitation of the last fifteen years, only on a much larger scale.

A Policy of Delay. Some of the western Conservative papers have been intimating that there should be a commission of inquiry into the affairs of the department of interior with object of finding out to what extent the commission of inquiry have been squandered. This is a policy of delay. It means that the new government will have to put off carrying out Mr. Borden's policy of turning over control of western lands to the western provinces. What is there to investigate? Frank Oliver's administration of the department of the interior has been above Tory criticism. It has been severely just. If there is anything to investigate it is the commission and no one supposes for a moment that Bob Rogers would undertake to investigate Clifford Sifton's administration of the department of the interior. It is therefore absurd to talk about any commission of inquiry. There is nothing to investigate and there is evidently an understanding on the part of those on the inside and the part has been given to the western editors that a policy of delay will be followed after Bob Rogers is made minister of the interior.

EXPECTS PROMISES FULFILLED.
The people of Western Canada expect Borden to implement his promises to turn western lands and resources over to the western provinces. If he makes Bob Rogers minister of interior, it will show that his first move is one likely to obstruct the very purpose for which he has declared, and which is more important than any other promise he has made to the people.

INFANTUATION ENDED IN MURDER.
Joseph Spellman Shot Mrs. Flora Kirck on New York Street.

New York, Oct. 10.—A man's unrequited love for a married woman caused a double tragedy. Joseph Spellman, 36 years old, met Mrs. Flora Kirck, 23 years his junior, on the street and after an argument shot her twice, while the woman tried to get away. When a crowd gathered around him and prevented his escape, Spellman fired a bullet through his head. Both probably died. Friends of the Kirck family said that Spellman had tried unsuccessfully to induce the young wife to run away with him.

Haldane to Balfour.
London, England, Oct. 10.—Viscount Haldane, speaking at Aberdeen in Scotland, tonight, referred to the speech delivered on Saturday at Hartington by Mr. Balfour, in which the latter returned to the "felson blow" contained in Mr. Asquith's "fraternal advice." Lord Haldane said: "We have no bargain. It would be very unbecoming to make a bargain with the Crown. We didn't ask any pledge of the King. We only said that we must have an understanding as to the real issue which was being submitted to the nation. The King took the only course which a constitutional monarch could take and that was to say: 'What the country decides will be accepted.'"

G.T.P. MECHANICS HAVE STOPPED WORK.
Twenty-five mechanics and boiler-makers employed at the G.T.P. shops at Calder, went out on strike yesterday as a result of the general strike today of G.T.P. mechanics and boiler-makers. The men say that they are not satisfied with the recognition of a union, but merely that they should be paid at the same rate as the men employed on the other western lines. They ask 4 1/2 cents per hour and a nine hour day.

THE DEATH ROLL AT AUSTIN TOTALS 55.
Austin, Pa., Oct. 6.—Fred K. Hamlin, superintendent of the Bayless Pulp and Paper Company, which broke last Saturday at the expense of many lives and the practical destruction of Austin village, refused to testify, upon the advice of counsel, at the coroner's inquest this afternoon. Further inquiry was held at Coudersport and District Attorney Nelson said it wouldn't be resumed for at least two weeks. Three bodies, and the bones of two others, were recovered from the ruins today. This makes the total list of dead 55.

NEW VICE PRESIDENT C.P.R. COMING WEST

George Bury Leaves Montreal to Make His Headquarters in Winnipeg—Changes to Be Made.
Bulletin Special.
Winnipeg, Oct. 5.—Gen. Bury, vice-president of the Canadian Pacific, left Montreal this morning and will be in Winnipeg Saturday. He has already entered on the full measure of his new responsibilities and will on his arrival in the west, at once take up the question of changes which must be made owing to his own promotion.

GREAT REGRET AT GREY'S DEPARTURE

Government Regret is Given Great Depression in Ontario—Grey's Departure Leaving Ottawa—Great Regret is Expressed at the Viceroy's Departure.
Ottawa, Oct. 10.—With every evidence of heartfelt regret, Ottawa said farewell this afternoon to His Excellency, Earl Grey, Lady Grey and their two daughters, Lady Evelyn Grey and Lady Violet Grey. It was more than a civic farewell to one of the most distinguished of Canada's Governors General. It was national in scope for the thousands who gathered at Union depot to cheer the great nobleman on his departure. There were prominent names at the station including Sir Richard Scott, General Otter, Mayor Huggins and Col. G. F. Borden.

Has Private Wire Extended to His Country on Oct. 10.
New York.

A. & G. W. COUNSEL.
(Continued from Page One.)
Assuming Act Ultra Vires.
But on other grounds, the act was ultra vires. Because, first, the essence of the act was legislation relative to banking and so among the subjects assigned to the Dominion parliament by the British North America act.

FORMER KING MAY BE KILLED

Manuel Has Not Been Seen in England For Some Time.

London, Oct. 7.—In an official statement made today the Portuguese legation here declared that the royalist invasion in North Portugal has been quieted after several clashes between the revolutionists and the republican troops.

Today the statement given out from London said that the invading force had been driven back across the border and the revolt nipped in the bud. Not only did the insurrection suffer a set-back but there are grave fears here for former King Manuel himself. It was rumored yesterday that the deposed monarch was on his way to put himself at the head of royalist forces in his native country.

BORDEN'S MAJORITY HAS BEEN CUT IN TWO

Mistakes of Deputy Returning Officers Result in Four Polls Being Thrown Out—One Gave Liberal Majority and Other Three Conservative Majorities.
Halifax, Oct. 7.—As the result of the recount at Halifax which ended today before Judge Wallace, R. L. Borden's majority in this riding is reduced from 198 to 107. The four deputy returning officers put the numbered count into the box with the ballots. Three of the rejected boxes gave Borden large majorities, and one was a Liberal majority.

ROCKFELLER IN BUSINESS.
Tarrytown, N. Y., Oct. 10.—John D. Rockefeller is having a private telegram sent to the governor of Ontario and the bill will have an operator installed at the terminus of the line in his residence. A sparkling of that no bond money would be paid until after that time. Mr. Rockefeller said he remembered some grading being done in Tarrytown, as never had a private wire before, and the innovation has started endless gossip. One suggestion current here is that, as William Rockefeller has sailed for Europe, Mr. Rockefeller is assuming charge of certain business affairs again.

SPECIAL EXCURSION TO ENGLAND FROM ALL POINTS.
Consolidated agents, and comfortable surroundings will characterize our CHRISTMAS EXCURSION TO THE OLD COUNTRY sailing by the P. & O. Pacific Railway Company's peerless "Empress of Britain," which leaves ST. JOHN December 1st.

EVIDENCE HAS ALL BEEN TAKEN IN THE BIG SUIT

The Arguments Will Begin in A. & G. W. Suit Today—908 Cases Has Been Briefed—Dr. Rutherford Tells of Dying Days of Old Government.

J. F. McMillan, manager of the Edmonton branch of the Royal Bank, and the Canadian branch of the Executive Council, and ex-Premier Rutherford, were the principal witnesses called by the defence in the Great Waterways case in the Supreme Court yesterday afternoon. The full case for the defence had been presented at 4:30 and the court adjourned until 10 o'clock the following morning any evidence of the defence in rebuttal will be put in, to be followed by the argument. In the argument it has been argued by counsel that Mr. Moss and Mr. Ford, representing the Alberta and Great Waterways Railway and the Canada West Construction Company respectively speak first, to be followed by Mr. Bennett for the Royal Bank and then by the representatives of the province.

Monday Morning.
The Alberta and Great Waterways deal came into the court yesterday with the opening in the Supreme Court of the trial of the action brought by the province to compel the Royal Bank to pay over to the provincial treasurer the sum of \$8,000,000, proceeds of the A. & G. W. bond sale, now held by the bank. On the decision of this case also rests the disposition of the \$1,400,000 in bond money already paid into court by the province.

Mr. J. McMillan's Evidence.
Mr. J. McMillan, clerk of the Executive Council, was called by the prosecution. Examined by Mr. Moss, Mr. McMillan stated that plans, profile and a book of reference of the A. & G. W. bond sale, now held by the bank, were prepared by Mr. J. Anderson, president of the Legislature of the province, passed December 16th, 1910, specifying certain defaults of the railway company which were to be the basis of the province in the action brought against the Royal Bank, the Alberta and Great Waterways Railway and the Canada West Construction Company. He spoke with him a blank bond for \$7,400,000 which he delivered to the Morrison bank, now provincial treasurer, and transferred to the provincial treasurer, J. P. Morran and Company agreed to act as the agent of the province on the re-assembly of the house, and acted in October, 1909.

E. C. Bowker's Testimony.
E. C. Bowker, manager of the Edmonton branch of the Dominion Bank, was called to give evidence as to the province against the bank, and the bank's consequent refusal to honor the proceeds of the bond sale.

Dr. Rutherford Cross-Examined.
Mr. Rutherford conducted the cross-examination. He asked the ex-premier whether the difference of opinion in the legislature at the time of the upheaval in the spring of 1910 was confined to the A. & G. W. Mr. Rutherford replied that it was not; that there were other differences which were not made public.

Government's Recognition.
Mr. Walsh asked a number of questions concerning the retirement of Mr. Rutherford's government, concerning the house adjournment, and the house adjournment pending the sitting of the Royal Commission. "Yes."

Thursday, October 12, 1911.

GUNS

ALL KINDS OF GUN REPAIRS
A SPECIALTY

SIMPSON & HUNTER

JASPER EAST EDMONTON

"And before the report was presented your government resigned?"
"Yes."
"And you never signed approval of the plans or profiles of the railway?"
"No."
The case for the defence was then announced by Mr. Bennett. The counsel for the plaintiff asked to be allowed time to consider what evidence, if any, should be offered in rebuttal, and adjournment was made until ten o'clock this morning.

The Cross-Examination.
Mr. Bennett, cross-examining, asked Mr. Kirkpatrick whether the province was not indebted to the Imperial Bank at the time the cheque was given to the bank for collection. Mr. Kirkpatrick replied that it was. He also stated, in reply to questions by Mr. Bennett, that had the money been collected it was to go to the credit of the province. He did not remember the extent of the indebtedness. At the present time the government was not indebted to the bank. Had the money been collected from the Royal Bank it would have been credited to the government in the ordinary course of business. He did not remember the date when the money would have been made until an order had been received from the government in the ordinary course of business.

Company Denies Default.
"The said Alberta and Great Waterways Railway company did commence the work of constructing the line of railway within the year mentioned in the said act of incorporation and continued the said work of construction and completed with all the provisions of the said act of incorporation, the mortgage deed and agreement, heretofore referred to, until such work of construction was suspended and its continuance prevented by the government of the said province, that is by the plaintiffs herein and notwithstanding the intervention of the work of construction caused by the action of the government as aforesaid, the company proceeded to make arrangements for the immediate resumption of work and expended large sums in connection with the work, and amongst other things, purchased such work of construction as suspended and its continuance prevented by the government of the said province, would cease to prevent the construction of the said line."

Government Blamed for Default.
In its statement of defence filed with the court, the Alberta and Great Waterways Railway company denies ever having made default in the construction of the railway, claiming to have commenced construction work within a year from the passing of the act of incorporation. If default was made by the railway company in the payment of interest on the bonds, it is claimed that this default was due to the action of the province in stopping construction work. The act of 1910 by which the money in the banks was declared to form part of the general revenue of the province, it is claimed, does not repeal any other acts previously passed or annul the contract between the defendant railway company and the province.

Basis of Plaintiff's Claim.
The claim of the plaintiffs is stated to be based entirely upon and under the provisions of an act of the legislature of the province of Alberta, passed Dec. 16th, 1910, chapter 3, of the acts of 1910, (second session), which is an act respecting the bonds guaranteed for the Alberta and Great Waterways Railway company, being an act to specify certain defaults of the railway and the consequent rights of the province. This act, by which \$7,400,000 with accrued interest, deposited in the three banks, is declared to form part of the general revenue

DISTRICT

ATHABASCA L.
Bulletin News Service.
Mr. J. Harris left last week again, after an illness.

CHICKEN PARTIED.
The local branch of the Peace River held their regular meeting in the club room on Tuesday last. After the usual business was concluded a debate was held. The debate was on the subject of "The Government's Policy on the Interior." The debate was held by ballot. The result was as follows: For the government, James H. Halcroft, 10 votes; against, the government, 12 votes.

PROVISIONS OF INCORPORATION.
The defendants deny that the defendant, the Alberta and Great Waterways Railway company, had, as stated in the preamble to the act, made default in the payment of the interest on the bonds mentioned, and that the defendant, the Alberta and Great Waterways Railway company, had, as stated in the preamble to the act, made default in the construction of its line.

FOUND HUSBAND.
Portland, Ore., Oct. 10.—The wife of Charles M. home last evening she had been lying dead on the front porch of their home. Her husband, who was a bank and had examined it earlier in the night the money was police were certain that of her failure, he had been dead.

EVIDENCE HAS BEEN TAKEN.
The act is further in purpose alleged in the claim, as it can have no effect in law upon any of the provisions of the act of the government of the said province, which is an act respecting the bonds guaranteed for the Alberta and Great Waterways Railway company, being an act to specify certain defaults of the railway and the consequent rights of the province. This act, by which \$7,400,000 with accrued interest, deposited in the three banks, is declared to form part of the general revenue

(Continued on Page 2)