

Weather Forecast for Today
Light to moderate winds, generally fair and cooler.

The Daily Herald

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VOLUME XVII.

NANAIMO, VANCOUVER ISLAND, BRITISH COLUMBIA, SUNDAY, SEPT. 2, 1917.

NUMBER 1077

FRENCH CAPTURED ENEMY TRENCHES

Germans are Forced to Yield Ground to French Northwest of Hurbise—Strong Enemy Surprise Attack was Repulsed.

Paris, Sept. 1.—A communication issued by the War Office tonight.

"Northwest of Hurbise we captured an enemy trench on a front of two hundred metres, and thirty additional prisoners. A German counter attack this afternoon was not able to reach our lines.

"In the Champagne south of Butte du Mesnil, we repulsed a strong enemy surprise attack.

"On the left bank of the Meuse there was lively artillery fighting north of Hill 304 and Lemort Home."

Made Bombing Raid.
London, Sept. 1.—A bombing raid was carried out by our naval air squadron Friday night on Ghiselles aerodrome, according to a British Admiralty statement tonight.

"Several direct hits," says the statement, "were made on sheds in the southwest corner of the aerodrome in which vicinity a fire was started. Bombs also were seen to explode on the adjoining Ostend-Thourout railroad line. Many tons of explosives were dropped.

All our machines returned safely.

LOCAL FAVORITES MADE HIT AT DOMINION

Those two local favorites Miss Hazel Martin and Miss Grace Morgan demonstrated at the Dominion Theatre Friday night to a large audience that Nanaimo has at least two amateurs that are very close to professional excellence. The solos, duets and particularly the dance with which they finished their act being well done and it is to be hoped that the management of the Dominion will be able to induce them to appear again in the immediate future. A word of praise is due to the costuming which was harmonious in color and in thorough good taste. Praise is also due the Dominion orchestra which under the able leadership of Mr. J. L. Reynolds provided the accompanying music which made so much for the excellence of the performance. "A little vaudeville now and then is relieved by the best of men."

CIGARETTE CASE

Having lost one eye and receiving fifty-three wounds, Lieut. Allan G. Horsfield, of Trail, has returned home from France. He left Trail at the start of the war, going overseas with the first contingent, and has experienced some peculiar things in the way of injuries, carrying positive proof the battles he was engaged in, for under his skin there still remains many bits of shells that the surgeons did not remove and perhaps never will.

He went overseas in 1914 with twenty-seven other volunteers from Trail. After spending five months at Salisbury Plains he left for France with the Royal Field Artillery as lieutenant. He fought at Ypres and Ypres, receiving the wounds at the latter battle that placed him in the hospital. The extent of his injuries can be easily judged when he had to spend a whole year in the hospital. When the shrapnel struck him it drove his wrist watch into two different places in his head, and a cigarette case saved his life by stopping a bullet. The shrapnel caused over fifty other wounds at one time.

While convalescing in England, Mr. Horsfield met Miss Helen Rising and was married in December last. The couple have now returned to Trail, where Lieut. Horsfield will have charge of a large ranch. The citizens of Trail to show their appreciation of his services have given him a motor boat to enable him to travel to and from the ranch, which is on an island.

NOTICE

Take notice that the use of water for all sprinkling purposes is prohibited until further notice, except during the hours stated herewith, namely from 7 p.m. till 8 p.m.

By order of the Water Committee.
Nanaimo, August 13th.

SETTLERS APPLY FOR COAL RIGHTS

When Time Expired Yesterday for Filing Claims Over Hundred and Thirty Had Registered.

Yesterday was the last day on which, under the act passed at the last session of the Legislature, claims under the Settlers' Rights Act could be made by those who claim ownership of land.

The act, passed in 1904, has been amended from time to time to permit of settlers filing their claims. A further extension was made by the Legislature at this year's session to August 31.

The settlers' rights question has been a long standing one. For twenty-five years it has formed the basis of inquiries by Commissions and law suits and has reached the Privy Council. The dispute had its origin in the terms under which this province entered Confederation. One of the terms was that a railroad should be built on Vancouver Island and that a land grant should be given. The then provincial government set aside what was afterwards known as the E. & N. Railway land grant, the land being made over to the Dominion which was to have the railway constructed. The late Hon. Robert Dunsmuir and associates took over the contract for the building of the road and ultimately it was built from Victoria to Wellington.

But while the negotiations were being carried on and the line was being built, settlers were going into the area comprising the grant, and when the time came for the signing of the agreement between the Dominion government and the railway company, and the formal transfer of the land to the latter was made, the settlers who applied for their deeds to the provincial authorities in the customary manner found that they could not get them. Instead they were referred to the company, which was ready to give the deeds, but insisted upon reserving all mineral rights, the company claiming all rights under the surface throughout the great area of the land grant, a claim that required a Privy Council decision before the company released its grip upon metals which, it was held, had not been granted by the Crown and was therefore the property of the miners who had developed them, but in all cases where the land had not already been alienated before the grant was made.

The settlers claimed that the land was given to them by the government when they entered upon it and filed their papers, or attempted to file for in the latter years of the negotiations the papers were refused.

The matter was taken up at Ottawa and a commission was appointed which investigated and reported that the settlers were entitled, not to the coal rights, but to compensation for the coal from the Provincial government. A commission appointed by the province found that the settlers were not entitled to anything at all. Matters reached a climax about fifteen years ago when Mr. J. H. Hawthornthwaite then member for Nanaimo, and in the position in the then legislature in which his vote could swing the decision of the House either way, introduced a bill calling for the granting to the settlers of their deeds carrying the coal rights. The bill became law. Legal actions followed, until final decision was obtained from the Privy Council and the settlers were awarded their coal rights.

But many settlers failed to take advantage of the provisions of the bill to put in their claims, and when the time limit set by the bill expired, another act was passed extending the time for filing the claims. This time elapsed, but there were still more claimants who wanted their claims established, over one hundred in all, most of them descendants of the original settlers.

The House this year extended the time limit until September 1. It is these claims which will have to be dealt with. Some of the claims to be adjudicated upon cover some of the best coal lands on the island.

DOMINION THEATRE

This playhouse will be open on Monday, Labor Day both afternoon and evening and will present as the feature that prime favorite William Russell. His brilliant success "High Play" is a stirring and exciting story, packed with every essential that a winning photo-play should have. Regular prices will prevail.

RAID ON GERMANS WAS SUCCESSFUL

East of Wyttschaete Scene of British Success—Enemy Suffered Severely From Machine Gun Fire South of Havrincourt.

London, Sept. 1.—The official report from British Headquarters to-

Early this morning we carried out a successful raid east of Wyttschaete and bombed enemy dugouts. We inflicted casualties with machine gun fire on their garrison as they endeavored to escape across the open southwest of Havrincourt.

A hostile raiding party was driven off without loss to our troops. Yesterday evening the weather cleared for two hours for the first time in four days and normal aerial activities was resumed. In air fighting one German machine was brought down in our lines, another was driven down out of control. One of our aeroplanes is missing.

The number of German prisoners captured by British armies in August was 7279 including 158 officers making a total of 10,697 prisoners, including 234 officers taken by us since the morning of July 31. During the past month we have taken 38 guns including 6 heavy guns also 200 machine guns and 72 trench mortars. These figures are exclusive of the prisoners captured in Flanders by our Allies.

NEEDLES FIRE SWEEP

Needles Cal. Sept. 1.—A fire which started early this evening in the business district is still burning tonight. "The Needles Nugget" has been burned out and Vaughan and Hallstead business building destroyed. The flames are spreading tonight.

EASTERN FIRM HAS BRANCH IN NANAIMO

One of the most significant business transactions of the year is the extension of the interests of the Gideon Hicks Piano Company of this city, just announced. Mr. Gideon Hicks has been retained as manager of this new branch of the company. Heintzman & Company Limited, is possibly the oldest and most extensive firm manufacturing and distributing pianos in Canada. It was established in the year 1850, founded on the solid basis of integrity and progressiveness, and the results of the sixty-seven years of its existence indicate at a glance the confidence the firm has gained among the people of the nation. Previous to the extension of the company interests, there were thirty-seven branches in Canada alone, and of late years a very extensive business has been done with the far away Commonwealth of Australia. The establishment of "Ye Olde Firme" on Vancouver Island is in line with its progressive policy of the past and emphasizes the faith the company has in Victoria and the West.

The acquiring of the Gideon Hicks Piano Company includes the sheet music department of the business and the agency for this island for the Victor phonograph products. In short, the only change in the policy of the stores, both in the Victoria and the Nanaimo branch, will be that of expansion under the prestige of the acquiring company. It will be greatly to the satisfaction of the patronage of these two stores that Mr. Hicks has been retained as the managing head. His own personality has made hosts of friends for his business and it will go far to strengthen Heintzman prestige in his new association.

PREPARING LIST OF RESERVE OFFICERS

Work point is now busily engaged in preparing a list of the newly authorized Reserve Officers, spoken of a few days ago in Ottawa dispatches.

The personnel of the reserve will be made up of officers who have returned to British Columbia after service overseas and are now struck off the list of those actually serving. Those included in the list will be given a special rating exclusive of that which they hold in the regular militia list, and they will be available for special military employment.

Mr. Thos. Wheatley, of the Herald staff, is spending the week-end in the Terminal City.

NO PAPER TONIGHT

Owing to Monday being a holiday, there will be no issue of The Herald Tuesday morning.

NEWS SERVICE IS REORGANIZED

Starting with the morning papers of next Monday, September 3, there will be made available to the daily newspaper readers of Canada for the first time in the history of the Dominion a truly national news service, linking up in a new sense the remotest sections of the country, from Sydney, Cape Breton, to Victoria, B. C., and including within its scope every Canadian daily paper published in the nine Provinces, as well as the daily papers of Newfoundland and the Yukon.

This great national development is made possible by the operation of leased wires extending from the Atlantic to the Pacific, and bridging, for the entire twenty hours, the formidable gaps that have tended in the past to segregate, on the one hand, the public opinion of Ontario and Quebec from that in the Maritime provinces; on the other that of the Prairie west from British Columbia; and even more conspicuously the West from the East by the thousands of miles of unproductive territory lying along the north shore of Lake Superior.

This great system of leased wires will form a spinal column for the free and instant flow of news from one end of the Dominion to the other, with its nerve centres in the keyboards of the telegraph operators of every considerable daily paper in the country. It will permit the immediate exchange of public opinion as well as supply a constant and prompt service of news embracing every branch of activity in the Dominion, whether it be of the crops of the Prairie for Eastern readers, the record of industrial and commercial activities for Western consumption, or the mirror held up day by day right across the continent to reflect the swiftly changing political situation.

Thus is fulfilled a dream long cherished by the daily newspaper publishers of Canada. The need has been felt, and never so sorely as during the present war, which has worked like yeast in all that is best of Canadian public opinion, operating against sectionalism and for a larger and more united Canada.

But it has just been because of the war—because of the falling revenues and increased cost it brought to daily publishers—that it has seemed most remote of attainment. In fact, had not Sir Robert Borden and his government come to see that here lay a great national work of unification, and thus have come to the aid of the Canadian Press as a whole, the National Press organization, that is now on the eve of achievement, must have been put off perhaps for many years.

For the cost of bridging by leased wires the great geographical gaps is enormous and beyond even the collective effort of the Canadian daily press. It is precisely because the Dominion Government has undertaken to assist materially in leasing for the newspapers the wires over these gaps—between Montreal and St. John, Ottawa and Winnipeg and Calgary and Vancouver—that the National Canadian News service has come into being.

OLD COUNTRY FOOTBALL

London Combination
Westham United 6, Fulham 3.
The Arsenal 2, Queen's Park Rangers 0.
Brentford 1, Clapton Orient 0.
Chelsea 3, Millwall Athletic 4.
Crystal Palace 2, Tottenham Hotspur 4.
Midland Section.
Birmingham 2, Hull City 1.
Bradford City 0, Sheffield United 2.
Huddersfield Town 2, Notts Forest 1.
Lincoln City 2, Barnsley 1.
Notts County 2, Leicester Fosse 1.
Rotherham 2, Bradford 2.
Sheffield Wednesday 0, Leeds City 1.
Lancashire Section.
Blackpool 3, Oldham Athletic 2.
Bolton Wanderers 2, Stoke 0.
Everton 6, Southport Central 1.
Manchester City 1, Stockport C. 1.
Burslem Port Vale 2, Liverpool 3.
Preston North End 1, Bury 0.
Rochdale 9, Burnley 0.

Quebec will vote on prohibition on October 4th next.

NAVAL CLASH OFF JUTLAND

Four German Mine Sweepers Destroyed in Naval Engagement Between Mosquito Craft off the West Coast of Denmark.

London, Sept. 1.—Four German mine sweepers were destroyed today off the coast of Jutland by British light forces, according to an announcement issued tonight by the Admiralty. The official statement reads:

"Our light forces operating off the coast of Jutland, Denmark, this morning destroyed four enemy mine sweepers."

Copenhagen, Sept. 1.—A naval engagement occurred this morning between British and German mosquito craft off Nymunde Gab, west coast of Jutland. British destroyers attacked four German armed trawlers and drove them ashore. A Rinkloping newspaper says the British bombarded the trawlers after they landed, completing their destruction. About one hundred German seamen landed, many of whom were severely wounded. One rumor has it that one hundred dead have come ashore, but apparently this is a distorted version of the fact that about one hundred men reached shore. The German craft were presumably engaged in patrolling and mine sweeping to clear the route for German submarines. German ships and submarines, according to one account, took part in the fight.

A semi-official Danish report says that four German trawlers were driven ashore near Rinkloping Flod and that the crews were landed. The remainder of the fleet of German armed trawlers fled south.

PROHIBITIONIST IS PUT IN CHARGE

According to Announcement of Attorney-General There Will be no Government Distributing Store in Nanaimo.

Mr. W. C. Findlay, who acted as secretary for the last prohibition convention held in Vancouver, and who was one of the most active members of the organization committee of the People's Prohibition Movement, has been appointed a special commissioner to take charge of the administration of the prohibition act. This information was made public yesterday morning by Attorney-General J. W. deB. Farris to whose department Mr. Findlay will be attached.

"Mr. Findlay will take office on Tuesday morning and will have a month in which to arrange the machinery for administering the new prohibition law," said Hon. Mr. Farris, who stated that the recommendation for Mr. Findlay's selection had been made by the executive of the prohibition party, whose counsel had been sought by the government. Mr. Findlay's headquarters will be at Victoria.

The personnel of the staff of the government liquor vendors has not yet been decided by the minister, who stated that a further announcement of appointments might be made at the end of next week. At present the exact number of government liquor stores had not been finally decided, but it is stated that there will be one establishment in Vancouver, one in Victoria, one in Prince Rupert, and another in Prince George. Rossland and Kamloops are also under consideration with the likelihood that a government liquor store will be opened in each place.

A large number of former Nanaimites arrived from Vancouver last night to spend Labor Day with relatives here.

Winnipeg's Light and Power Plant shows a profit of \$84,574 for the year.

Second Lieut. Wm. Osler, only son of Sir William Osler, has been killed in action.

The full text of President Wilson's reply to the Pope's peace move has reached Germany and has caused sarcastic comment by the German press.

ALL READY FOR THE ELKS' PICNIC

Big Time Expected at Labor Day Picnic For Soldiers Wives and Children—Will be Tug of War Contest.

Given fine weather the picnic for soldiers wives and kiddies to be given by the local lodge of Elks on Monday gives every promise of being a most successful and interesting event. The big time will be held at 10 o'clock.

Arrangements have been completed whereby all soldiers' wives and children will leave for the picnic grounds from the Western Fuel Company's landing by scow, the first starting from there at 9 and the second at 10.30 o'clock in the morning, returning at 6 and 7.30 p. m. A continuous half hourly service of launches commencing at 9 a. m., will also be run from the Farmers' Landing throughout the day, for the convenience of the general public. For this a charge of 15 cents per head for the round trip will be made.

A big attraction from the standpoint of the general public will be the tug of war contest for a \$220, sidebet between teams representing No. 1 and Reserve Mines. The match is the outcome of the pulling contest held in connection with the miner's picnic two weeks ago, and as both teams have hundreds of supporters interest in the match is exceptionally keen and a big crowd is expected to be in attendance. The match is best two out of three pulls, three foot pull, the first pull being timed for 4 o'clock. The rival teams are as follows:

No. 1 Mine—H. Killen, F. Killen, R. Charnock, J. Tognola, J. Patterson, J. Anderson, A. Newberry, R. Mercer, N. Tognola, W. Adderson and P. Tattery. Captain William Bradley.
Reserve Mine—James Duncan, Thomas Lewis, John Lewis, Barney Moretz, W. Walker, Steve Markovich, Mike Lillish, Geo. Missirk, Dan Popovich, Thomas Mumberson, and John Linaki. Capt. Henry Cuttsen.

DR. MICHAEL CLARK WILL STAND AGAIN

Winnipeg, Sept. 1.—Word from Calgary states Dr. Michael Clark, M. P. for Red Deer, has reconsidered his desire to retire from politics and will again contest Red Deer at the coming election. He expects to have little opposition.

LADY MCBRIDE IS EN ROUTE TO B. C.

Winnipeg, Sept. 1.—Lady McBride and party of eight, bringing the remains of the late Sir Richard McBride from England, arrived in the city tonight by special car attached to the second section of the Imperial Limited, and left later for the coast.

CANADIANS WOUNDED SERVING IN FRANCE

London, Sept. 1.—The following casualties to Canadian soldiers serving in the imperial forces are reported:

Wounded and missing—Lance-Sergeant A. A. Slater, British Columbia.
Royal Fusiliers wounded—J. Davidson, R.F.A., Alberta; Gunner H. C. Oliver, R.G.A., Victoria; W. B. Jardine, Alberta.
Worcesters' wounded—Corp. W. A. Latham, Victoria, B. C.; A. C. Witham, Saskatchewan; C. Lewis, Saskatchewan.

The recent Vancouver Exhibition shows a surplus of \$5,000. There were \$7,000 paid admissions.

Mr. Joseph McTaggart, a pioneer merchant of Vancouver, died suddenly yesterday of heart failure.

The Italian Offensive continues in full force along a 70-mile front, according to a cable from Rome yesterday.

BRUTALITY OF HUNS EXPOSED

Escaped Belgian Gives Evidence of Treatment Meted out by Germans to Captured Civilians Enslaved for Use of Fatherland.

Washington, Sept. 1.—Further evidence of the disregard of the Germans for the rights of prisoners of war and subjugated peoples has reached the state department in the story of an escaped Belgian. Exposed to shell fire, gas attacks and unprovided with protective masks enslaved natives are being compelled to work just behind the German fighting lines he asserted where unsanitary conditions brought disease to those who escape death or injury incident to a battle. Because relatives are yet within acquired German territory the State Department has eliminated from its report all names of individuals and localities.

"It is no use to protest," he is reported as saying. "It only meant prison and blows. The Germans are only too glad if you do resist. They have made a rule to send to Germany any man or woman who gets more than three months imprisonment. And none of those who have been deported has come back after his time. Six months ago one of my neighbors, a widow, who had to protect her daughter against a German officer, received four months for having said on this occasion, that all Germans were pigs. She was sent to Germany and we have heard since that she is obliged to work in a Kommando, and has no hope of returning before the end of the war. This is only one case among a hundred. German tribunals have provided many thousand workers for the Fatherland."

CHIEF JUSTICE HUNTER MAY HEAD TRIBUNAL

While there is no official information upon the subject, a suggestion is heard that the conscription tribunals which will be appointed for military district No. 11, embracing British Columbia, will have at their head Chief Justice Hunter of the supreme court. It is expected information upon the subject will be divulged soon.

Men enrolled for military service under conscription will have no claim to select the particular branch of the service to which they desire to be attached, as was the case under voluntary enlistment. They will be selected, presumably, for the branches of service for which they are best fitted, not where they will be best satisfied. This is the view expressed by Brigadier-General Leckie, O. C.

However, as far as possible, it is probable that recruiting officers will meet the request of recruits appearing for examination between now and the time when the draft is put into effect. However, this will be optional with the officers.

Hastings Park, in Vancouver, Queen's Park in New Westminster, and the exhibition grounds in Victoria are likely as the places of mobilization of the proposed new army. However, as the flying corps is not a branch of the Canadian army, but of the imperial, the status of Canadians joining this corps, or conscripts who desire to join it is a matter for decision and agreement between the military authorities.

It is rather unkind of the Free Press to suggest that Chief "Bill" Dunwoody is suffering from cold feet. Bill is much more likely to be afflicted with sore feet in his search for Hazelton. Allowance should also be made for the fact that Bill was landed into a brand new job, and in consequence he will hardly have had time even to think of his friends back in civilization. Indeed, he stated before he left that it might take him a few weeks to get collars on all the Indian dogs, and he was a little in awe of the number of the Lizzies operating up there. Anyhow, it's a cinch Bill is not lost whether Hazelton is or not.

GILLETT'S LYE

HAS NO EQUAL

It not only softens the water but doubles the cleaning power of soap, and makes everything sanitary and wholesome.

REFUSE SUBSTITUTES.