

**A CERTAIN-TEED ROOF**

is a GOOD ROOF, because it is guaranteed watertight for 15 Years.

CERTAIN-TEED ROOFINGS are made by the largest Roofing Mills in the world. Low prices are due to volume of business.

Stock CERTAIN-TEED as it is a good seller.

**GEO. M. BARR, Agent.**

**Evening Telegram**

W. J. HERDEP, Proprietor  
W. F. LLOYD, Editor

MONDAY, Jan. 31st, 1916.

**Punishment and Crime**

A century ago the criminal code of England was brutally severe. Quite a number of offences, outside of murder, were capital. The result of this severity and brutality was that many offenders escaped punishment from the reluctance of magistrates to convict and subject the offenders to the drastic punishment then provided by the law. The severity and brutality of the punishment had not the effect it was thought to have in the prevention of crime. The number of offenders who escaped conviction led to uncertainty about punishment for offences, and the brutality of the punishment often led offenders in danger of capture to murder in order to escape the severity of the punishment for the less heinous offense. It was found that the best deterrent from crime was the greater certainty of conviction and not the severity of the punishment after conviction. This led to the remodelling of the scale of punishment and the withdrawal of a large number of offences from the category of capital crimes, and as a result the number of crimes committed has been decreased very materially. Nearly thirty years ago another reform of criminal punishment was made by the enactment of the "Probation of First Offenders Act," which provided as follows:

"In any case in which a person is convicted of larceny or false pretences, or any other offence punishable with not more than two years' imprisonment before any court (d) and no previous conviction is proved against him, if it appears to the court before whom he is so convicted that, regard being had to the youth, character, and (e) antecedents of the offender, to the trivial nature of the offence, and to any extenuating circumstances under which the offence was committed, it is expedient that the offender be released on probation of good conduct, the court may, instead of sentencing him at once to any punishment, direct that he be released on his entering into a recognizance, (f) with or without sureties, and during such period as the court may direct, to appear and receive judgment when called upon, and in the meantime to keep the peace and be of good behaviour."

Persons who are apt to object to fines or suspensions of sentence in case of first offenders, should remember that the record of the conviction and not the punishment is in many cases the severest blow which could be struck against a person, who hitherto had borne a reputation for probity and held positions of trust, and that it often affects the convicted person's career for the rest of his life. It is wise to leave such matters to the good sense and discretion of the magistrate.

**The Record.****Uninitiated Ballots Allowed.**

The fifty ballots held over by Mr. Justice Johnson because they had not been initiated by the deputy returning officer, came up for discussion on Saturday afternoon. These ballots are from Placentia District, and His Lordship intimated that before allowing or rejecting them he would hear counsel on both sides and Saturday afternoon was appointed therefore. Mr. Hunt submitted that as the votes had been delivered by the deputies to the returning officer, from that officer to the Colonial Secretary's Department and from thence to the Judge—the whole transferring being under seal—it was right and reasonable to infer that the votes had been properly cast, and that unless decided wrong-doing could be brought forward, these votes should be counted in the election returns. The Election Act, said Mr. Hunt, does not say that in the absence of the initials of the deputy from the ballot forms the vote cast shall be considered void. It is true that in the English Act it was definitely stated

that unless the Deputy Officer's initials are attached to the paper the ballot should be considered void. Mr. Hunt cited a case which had occurred in England in which the absence of the official mark from the face of the ballot was held to be in error by five judges, but yet the ballot was not counted although, according to the Act, it should be placed there before the voter received his ballot.

Mr. Kent pointed out that the section in question was mandatory as well as directory, that the section of the act called for the deputy returning officer's initials on the back of the ballot paper and contended that unless the sections of the act dealing with the matter were strictly carried out, the vote should not be counted and submitted that the judge had no alternative but to reject the ballots that did not bear the deputy returning officer's initials, mentioning that it was to prevent tampering with the boxes that the Act expressly provided for these initials. He submitted English authorities in support of his argument and referred to a case regarding an election in West Huron, Canada, in which it was held by the court that a ballot, without the deputy returning officer's initials on the back, was no good. In support of his argument he compared the election laws of England and the Dominion of Canada with this Colony's statute.

Mr. Dunfield, in reply, argued that the initials of a deputy were not of any great importance and that under the provisions of the local statute, were evidence that the votes had been cast. There were other evidence, such as the ballot papers themselves, their numbers, the returns to the Colonial Secretary, etc., to show that the votes had been properly cast and because one of these reasons was absent, he submitted, the vote should not be rejected.

Mr. Justice Johnson gave his decision this morning on the ballots, amounting to a considerable number, reserved on Saturday on account of the absence of the initials of the Deputy Returning Officer from the backs of the papers. His Lordship said that after considering very fully the argument of Mr. Hunt in favor of the ballots, the reply of Mr. Kent, K.C., and the rejoinder of Mr. Dunfield, he had decided to hold these ballots good, since in spite of the absence of the initials there was nothing to indicate that they were not good. If it were shown by evidence in any other proceeding that these ballots were not genuine, then he would hold them bad; but in this recount they were good, as they appeared to be perfectly genuine, and nothing had been proved against them. The total vote for prohibition to date is 2,253, nothing having been gained or lost to date on the totals given by the Returning Officers.

**McMurdo's Store News**

MONDAY, January 31, 1916.

Sanident Tooth Paste will do all that we have claimed for it—keep the teeth clean and shining, preserve them from decay, keep the mouth in a sanitary and aseptic condition, and do all this in the ordinary way and pleasantly. Price 25 cents a tube.

Use Acme Corn Silk on that troublesome corn, and you will soon get clear of it. Corn Silk is painless in operation and practically certain. There is no need to suffer from corns when you have this cure at hand. Price 10 cents a package.

**Marine Notes.**

Schr. Hilda R. got away from Cape Broyle on Saturday for Alicante, fish laden from L. Cashin.

Schr. Violet Courtney is now loading codfish at G. M. Barr's for European markets.

**PATIENT ARRIVES.**—A patient from Badger Brook for the Insane Asylum came in by yesterday's cross country train. The man was taken to the institution by Mr. L. Whiteway.

Minard's Liniment Cures Diphtheria.

**1st Nfld. REGIMENT.****Casualty List.**

1904—Private Alphonsus Fitzpatrick, Conche. Died of pneumonia, measles and neurasthenia in hospital. Age, Jan. 29.

1111—Private Patrick J. Hogan, Thorburn Road. Admitted 3rd London General Hospital, Wandsworth, Jan. 28th. (No further particulars).

697—Private Elijah Bishop, 10 Sebastian St. Admitted 3rd London General Hospital, Wandsworth, Jan. 28. (No further particulars).

435—Private John Nicholls, 144 Pleasant St. Tetanus, Alexandria, Dec. 13. (out of danger); admitted 3rd London General Hospital, Wandsworth, Jan. 28th.

1120—Private William R. Fanning, 121 Cabot St. Pyrexia, Syria, Dec. 5; admitted 3rd London General Hospital, Wandsworth, Jan. 28th.

646—Corporal Donald L. Moore, 96 LeMarchant Rd. rheumatic fever, Madros, Nov. 30; admitted 3rd London General Hospital, Wandsworth, Jan. 28th.

422—Private Frederick A. Clouter, Catalina, rheumatic fever, Madros, Nov. 30; admitted 3rd London General Hospital, Wandsworth, Jan. 28th.

666—Sergeant Edward M. Noonan, 235 South Side, rheumatic fever, Madros, Nov. 30; admitted 3rd London General Hospital, Wandsworth, Jan. 28.

Private Alphonsus Fitzpatrick (or Fitzgerald), belonged to G. Company, is the son of the late Henry Fitzpatrick (or Fitzgerald) of Conche, St. Barbe District.

**How Lieutenant Gordon Fell****A GALLANT GORDON KILLED AT HEAD OF HIS MEN.**

The story of how Lieut. Gordon met his death is told in excerpts from a letter from his Major, published in the Weekly Scotsman, of January 1st, 1916. It will be remembered that Mr. Gordon, who was a practicing barrister at Edinburgh was on a visit to St. John's, his native city, when he was killed. He enlisted with the 1st Newfoundland Contingent, and went across with them. Later he was given a commission in the 8th Gordons. He was a son of Mr. Gordon, a member of the firm of Baird & Gordon, a brother of Mrs. MacNab and of the late Mrs. W. R. Warren. The extract from the Weekly Scotsman follows:

"Lieut. Gordon was the only officer of my company who got through the terrible fighting of the first day (September 25th). The command of the company devolved on him then, and in that capacity he proved himself a most capable and gallant leader throughout the fighting of the 26th and 27th. On the latter date the Gordons—who had lost heavily—were relieved from the front line by fresh troops, but, unfortunately, these troops found it most difficult to hold the positions we had captured against the Germans' desperate counter-attacks, delivered by greatly superior forces. At this critical moment the Gordons—sadly thinned—were again called into the fight. They charged the enemy with the bayonet, and recaptured the famous Hohenzollern Redoubt. It was then, gallantly charging at the head of my company that Gordon was mortally wounded. Although removed without delay, and all that medical help could do for him was done, he died at Chocques, a French town, about eight miles behind the fighting line."

"I presume, as there is a military cemetery at this town, that he is buried there, which will ensure his grave being properly marked and looked after in the future. Gordon was a great favorite, and my most promising officer and a perfect gentleman, and he is a great loss to the battalion."

**Fads and Fashions.**

Sweaters will be as important the coming summer as they were last. A great many of the new dresses have their skirts held out with a cord.

The separate skirt of silk is again in vogue.

Serge will be good for the spring suit; also soft checked velours.

The soft green shades will be popular among colors for spring.

The motor coat can be brightened by adding plaid ribbon on the edges.

No hat, no matter what the shape, dare to have much trimming.

The smart woman has motor and country coats of leather.

Hair bands are now made to match one's evening frock.

Pretty shoulder knots are of black velvet flowers with white centres.

Minard's Liniment Cures Diphtheria.

**KNOWLING'S Annual Cash Sale!**

We are Again Offering

**A Large Quantity of Specially Useful Goods**

Really Wonderful Values

**AT OUR CENTRAL DRY GOODS STORE,**

consisting of DRESS REMNANTS, MUSLINS, Room Papers, SCRIMS, TOWELS, QUILTS, Etc.

**Colored Lawn Bargains**

A splendid fine colored Lawn in Pink, Saxe, Champagne, Black, etc., suitable for children's wear, blouses, draperies, etc.

6 cts.

Per Yard.

We would ask you to inspect this line and the wonderful value offered.

**DRESS GOODS Remnants**

We are able to offer quite a large selection of remnants of dress fabrics in all the best known weaves and colors and we fear that it will be a long time before the opportunity occurs again of getting such

**SPLENDID VALUES**

In fact compared with prices ruling to-day are in many cases

**Below Half-Price**

These lengths are suitable for Skirts, Blouses, Children's Dresses, etc., and many of these cloths are not procurable to-day; every item is a bargain.

**Curtain Scrim Remnants.**

Beautiful quality Scrims, in Ivory, Cream, White and Coffee, suitable lengths for sash curtains, etc.

8 cts.

Per Yard.

Worth from 14c. to 35c. per yard.

**Art Cotton Bargains**

In dainty patterns and colorings, soft, heavy fabric, saten finish.

13 cts.

Per Yard.

Very suitable for dainty furniture coverings, cushions, draperies, etc.

**Fleece Calico Remnants**

Exceptional values in this useful fabric. Special for this sale.

8 cts.

Per Yard.

Although at this exceptional low price a good sound inch useful material.

**Dainty Flannelette Bargain**

A beautiful fine soft weave material suitable for winter blouses, children's wear.

12 cts.

Per Yard.

These goods in checks, stripes and plain colors and are worth from 18 cts. to 20 cts. per yard.

**Dress Goods Bargain**

This is a light weight twilled dress material, suitable for children's dresses, ladies' morning dresses, wrappers, etc.

10 cts.

Per Yard.

In two colors, Khaki and Grey, 36 inches wide.

**Sergene Remnants**

Nothing like this cloth to wear, makes splendid costumes, children's clothes.

18 cts & 20 cts.

per yard.

Buy now and make a smart good wearing Spring suit.

WHITE MARCELLA AND HONEYCOMB QUILT BARGAINS—Special purchase in White Honeycomb and Marcella Quilts, all sizes and qualities. No dressing or filling in the goods, but pure and soft; improve on washing.

\$1.20 up to \$2.80 each.

**TOWEL Bargains**

Turkish, Huckaback, Honeycomb.

This is a rare opportunity to secure a lot of useful Towels, at extraordinarily low prices, ranging from

3 cts to \$1.00

Each.

Splendid high grade values, all sizes and qualities in bath, hand, and individual Towels.

**PERCALE Bargain**

These goods will be found of use in every household for women's and children's overalls, aprons, dresses, etc. Note the width, 36 inches wide, and the price.

10 cts.

Per Yard.

You can get them in stripes, checks, or assorted patterns and colors.

**WALL PAPER Bargain**

We have just received a shipment of dainty wall papers, with borders to match, a rare opportunity to secure a dainty wall covering at from

8 cts. to 20 cts.

Per Piece.

These goods are worth from 12c. to 30c., and are all perfect goods.

INDIVIDUAL TOWEL BARGAIN—Specially woven fabric for this use; also suitable for Cup Towels. 4 Towels for . . . . .20c.

INFANTS' STOCKING BARGAINS—Full length wool stocking, fit infants 1 to 2 years, in White, Black, Red, Sky, Tan, Pink . . . . .25c.

CHILD'S WOOL LEGGINGS and BOOTAKIN BARGAINS—In Reds, Navy, White, Fawns; the wool could not be bought for the price we offer them at; all sizes, viz: . . . . .15c., 20c.

BLAY CALICO BARGAINS—Fine soft pure 29 inch Calico for . . . . .8c. yard.

DRESS GOODS BARGAIN—Coloured Wool Cheviot Serges and Fancy Wool Voiles. Worth \$1.00 to \$1.25. Now . . . . .50c. and 75c. per yard.

Central Store

**Geo. Knowling**

Central Store

**Fads and Fashions.**

Sweaters will be as important the coming summer as they were last. A great many of the new dresses have their skirts held out with a cord.

The separate skirt of silk is again in vogue.

Serge will be good for the spring suit; also soft checked velours.

The soft green shades will be popular among colors for spring.

The motor coat can be brightened by adding plaid ribbon on the edges.

No hat, no matter what the shape, dare to have much trimming.

The smart woman has motor and country coats of leather.

Hair bands are now made to match one's evening frock.

Pretty shoulder knots are of black velvet flowers with white centres.

Minard's Liniment Cures Diphtheria.

Dafnask red velvet roses are pretty on skunk fur collars and muffs.

A white faille blouse is worn with a myrtle green cloth skirt.

Tulle is the best possible material for the bouffant styles of the moment. Blouses will be more popular than ever the coming months.

A cutaway bolero is one of the latest features.

High-crowned hats will be a feature of spring millinery.

Silk suits are coming into favor for spring.

Pink batiste is now being used for nightgowns and combinations.

The winged skirt of a few weeks ago is developing into the pannier.

Chiffon yokes appear to be very much in evidence.

Sleeves are growing decidedly more baggy from elbow to wrist.

Colored net frocks are apt to be hooped.

Blouses that are one mass of the tiniest tucks are coming in again.

Waists made in true tailored style are of tub silk.

A great deal of gold lace is used. A great deal of gold lace is used made entirely of gold cloth.

**Train Notes.**

The express is not due till 6.30 tomorrow morning.

The Southern Shore train was late in reaching the city. Only a few second class passengers came to town by her.

The local via Brigus Junction arrived at 12.50 p.m. to-day.

Yesterday's outward express left Glenwood at 7.15 this a.m.

A freight train from across country came in this a.m. She brought another big shipment of paper from Grand Falls.

MINARD'S LINIMENT CURES COLDS, &c.

MESSAGE FROM MALTA.—David Baird received a message this morning from a Malta hospital stating that Gerald G. Byrne, who was there under treatment for frostbite, feet was able to move about, was progressing well and wished to be remembered to all his friends.

Gerald left here with the 1st Contingent and is now a Sergeant.

This morning, at the General Hospital, Pauline Mercedes, darling child of William and Isabel Richardson, aged 5½ years.

Saturday afternoon, after a long illness, Eliza, beloved wife of George Murray, aged 26 years, leaving a large family, two children, two sisters and two brothers; funeral at 2.30 p.m. tomorrow, from her late residence, No. 1 Simms' Street.

**DIED.**

This morning, at the General Hospital, Pauline Mercedes, darling child of William and Isabel Richardson, aged 5½ years.

Saturday afternoon, after a long illness, Eliza, beloved wife of George Murray, aged 26 years, leaving a large family, two children, two sisters and two brothers; funeral at 2.30 p.m. tomorrow, from her late residence, No. 1 Simms' Street.

MINARD'S LINIMENT CURES COLDS, &c.

2

TH

Ne

Those who

Dress Goods

not pay more

Sale the best

offered to you

AMAZON

VENETIAN

In Navy, in

the Fawn, in

ethyst, Prim

dinal, Tan

Reg. 60c. yd.

Reg. 75c. yd.

Reg. 90c. yd.

Reg. \$1.00 yd.

Reg. \$1.25 yd.

Reg. \$1.50 yd.

Reg. \$2.00 yd.

Reg. \$2.50 yd.

Reg. \$3.00 yd.

Reg. \$3.50 yd.

Reg. \$4.00 yd.

Reg. \$4.50 yd.

Reg. \$5.00 yd.

Reg. \$5.50 yd.

Reg. \$6.00 yd.

Reg. \$6.50 yd.

Reg. \$7.00 yd.

Reg. \$7.50 yd.

Reg. \$8.00 yd.

Reg. \$8.50 yd.

Reg. \$9.00 yd.

Reg. \$9.50 yd.

Reg. \$10.00 yd.

Reg. \$10.50 yd.

Reg. \$11.00 yd.