

The Chatham Daily Planet.

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CHATHAM, ONT., MONDAY, JUNE 12, 1905

NO. 136

MILLINERY FOR TUESDAY

Now is your opportunity for a Summer Hat. We not only offer you substantial reductions on our trimmed Hats but we will make up any style you choose to select at very low price. Our milliners have made extra effort to secure and produce the very newest things in Summer Millinery and give you the excellent styles at a cost much below the ordinary. Tuesday Special Trimmed Millinery at:—
—\$2.50, 3.25 and 3.75—

PRINTS FOR TUESDAY

Heavy Canadian Prints, just the Prints you want most of, in the newest desirable colorings, good washing cloth, in a variety of designs suitable for any purpose, sold here and everywhere for 12½¢ a yard. On Sale Tuesday for:—
—10¢—

MUSLINS FOR TUESDAY

The daintiest range of fine American Muslins you ever saw in spots, stripes and small figured effects in White and Black and Black and White, and Pink, Sky, Green, Linen, Etc., the very shades you want in absolutely new designs, regular price 20 and 25¢ a yd. On sale Tuesday very special value at:—
—14¢—

LADIES' HOSIERY FOR TUESDAY

Ladies' Black Cotton Hose, fine even weave, full fashioned, warranted absolutely fast Black, very special value at a pair:—
—12½¢—

TUESDAY \$5 SKIRTS FOR \$3.25

Fine Mohair Lustre Skirts in Black, Navy and Brown, made in the most correct style, yoke, wide side pleats, button trimmed, made of extra quality Lustre, regular price \$5.00 each, on sale Tuesday very special at:—
—\$3.25—

Thos. Stone & Son.

CARPETS AND WALL PAPERS

WATER SPORTS

CANOES

FISHING TACKLE

BATHING SUITS

BRISCOS'

THE ARK JUNE WEDDING PRESENTS

We are fortunate in having a particularly fine variety of rich and entirely new patterns and decorations in AUSTRIAN and JAPANESE CHINA—most suitable for WEDDING GIFTS—just opened out and placed on our tables.

The prices are so low that they will surprise you. Here are a few quoted.	
Comb and Brush Trays	85¢ to \$1.25 each
Salads	40¢ to 1.25 each
Placques	\$2.00
Bon Bons	25¢ to \$2.00 each

See Samples in THE ARK Window Saturday.
Come to THE ARK for TABLE CUTLERY.

H. MACAULAY

GOODS PROMPTLY DELIVERED.

TELEPHONE 159.

WEDDING STATIONERY
—The latest in Wedding Stationery and Cake Boxes can be had at the PLANET Office.

The knowledge of some people is about as useful as buried treasures.

Would you like to make an investment that will return the capital invested in a short time, and after that save money for you every month and increase your comfort 100 per cent. every day? If so, we would be glad to have you call and see our cooking appliances. Capital required \$1.00 to \$30.00. Gas Co.

Self-reliance is self-sustaining. A man should be built from within, but not from without.

THE ALIEN LABOR CASE

Lawyer Shepley's Close Argument re Deportation.

Judge Anglin Will Give Judgment in a Couple of Days—Meanwhile the Prisoners Cain and Gihula Will Be Sent for by Col. Sherwood—Act Reveals Many Absurdities—Some Conundrums.

Toronto, June 12.—After some hours of argument the evidence in the Pere Marquette case was declared all in, and Justice Anglin announced that he would give his decision in a couple of days. In the meantime Col. Sherwood will go back to the responsibility of the prisoners Cain and Gihula. The sitting of the court was for the most part taken up with the arguments of Mr. Shepley in rebuttal and the replies of Messrs. Robinson and Mackenzie.

Power of Parliament. Mr. Shepley argued that the Parliament of Canada in its plenipotentiary powers, could pass such law as in its discretion seemed to be in the interests of Canada. He cited the judgment in the British Columbia Chinese Alien Labor Act case, which decided that the Province had not the power to pass any law in regard to aliens. That power, he said, rested with the Dominion Parliament. He quoted authorities to show that the questions of naturalization and aliens were vested in the Dominion Parliament. Every naturalized citizen became a Canadian, and all residents of Canada who have not been naturalized are aliens.

The first objection he dealt with was the charge of interference, and the abrogation of Parliament of powers vested in the Sovereign power, Great Britain. He drew from the British North America Act that the Dominion Parliament had the right to deal with any alien in Canada, and to pass laws and regulations affecting them.

Where Contract is Performed. Much had been said by counsel for the defence about the contract being performed outside of the State. That, he thought, had nothing to do with the case. Parliament might say that it is contrary to law for persons to enter Canada to do certain lines of business.

The crucial question in this matter is, whether in the working out of this act those that have to enforce it must do something outside of Canada. He conceded that the Dominion Parliament could not pass a law by which a Canadian officer could detain a prisoner in Buffalo. The Imperial Parliament could not do that; but that, he thought, was not involved in the exercise of the jurisdiction in question.

Some Conundrums. There are many points in Canada, he said, where there is only an imaginary line between this country and the United States. Why could not the prisoners be taken to the line and deported by pushing them across, he asked?

Justice Anglin: "This act does not provide for forced out of Canada, but for a return to his country. Suppose the prisoner was from Belgium, how would the case stand when he had been taken three miles from shore and was out of Canadian waters?"

Mr. Shepley: "He might swim back again if he likes, but he is put on another ship."

"Then if he returned for the same purpose for which he left, he could be again be deported."

"And the same process be continued?" queried the justice.

W. N. A. Made Canada Supreme.

Justice Anglin: "Suppose a man was banished from a country and engaged in work in Canada contrary to the alien labor law, how would you deal with him? By the laws of a foreign State he cannot enter that country again. The act says he must be returned to the country from which he came. How would you take him back?"

Mr. Shepley: "That does not enter into this case. The executive function is satisfied by putting him where there is no railway or ferry. Any of those means constitutes returning him to his country. There is a return without any offense."

Justice Anglin: "If the officer kept his hand on him one second after he passed over the border, would he not be committing an international offence? Would he not be doing something on a foreign soil?"

Speaking on the treaty of 1794, Mr. Shepley said that was abrogated in 1812. The B. N. A. Act made Canada supreme, and her legislation was not ultra vires. It would be a delicate question to ask Great Britain whether an Imperial act was ultra vires because it interfered with an Imperial treaty. The executive, he said, was the Crown and its advisers, and was not subject to the control of the judicial branch of Government.

The Attorney-General's Duty.

The Attorney-General's duty was not a judicial duty. He acted for the executive and his duties were executive. He is the chief law officer of the Crown. He is not constituted a tribunal. He is the mouthpiece of the executive branch of the Government. He is charged in his discretion with working out this law, and if he is satisfied that the act has not been complied with, he is empowered to deport the prisoner. The Attorney-General's power being executive, and not judicial, this court has not the power to deal with the case. The warrant issued in this case was not, strictly speaking, a warrant. It is merely the authority vested in the Attorney-General given to some one for carrying the immigrant to be deported. This need not have been, Col. Sherwood. Any one could have acted.

It is right in his contention that the power of the Attorney-General was executive and not judicial, then it mattered not whether Col. Sherwood was a J. J. or not.

THE FORESTERS ATTEND CHURCH

Headed by Regiment Band Members Visit Holy Trinity and Hear Excellent Discourse

Tribute to the Whitney Government From Rector—A Splendid Service Much Enjoyed.

Rev. W. W. Hodgins, of the Holy Trinity church, preached a very able sermon to the Ancient Order of Foresters last evening, it being the event of their annual church parade.

The reverend gentleman chose his text from Hagai, 1st chapter, and the 6th verse, "He that earneth wages earneth wages to put it into a bag of holes," and upon this subject he preached an excellent sermon. He felt it an honor to be called upon to address the Order and hoped that they would be benefited by the service. He welcomed the lodge on behalf of himself and the wardens of the church, and extended an invitation to them to attend whenever they were so disposed.

During this sermon he pointed out that 90 per cent. of the people who die leave families unprotected for. He spoke strongly against drinking and gambling, especially the latter, as well as temperance, but he thought in many cases men would do far better treating their families rather than treating hotel loafers.

"Believe," said he, "that the present Provincial Government has done more in the last three months for temperance than the other Government did during the last twenty years they were in power."

Mr. Hodgins also spoke against strikes, and in doing so he said he was on delicate ground, but he always spoke fearlessly, according to the dictates of his conscience. He pointed out the good done by such orders as the Foresters in providing for widows and orphans, and thought that every man should belong to some such order.

Upon the return of the lodge to the church, the choir, who were escorted for the occasion with piano and violins. The choir, under the able direction of Mrs. Bray, rendered excellent music, the anthem, "Through The Day," being especially enjoyable.

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THOSE PERMITS

W. B. Wells Thinks Something Should be Done to Better Regulate the Playing of Games on Tecumseh Park.

Those present before the opening of the Shamrock-Wallaceburg junior lacrosse game on the park Thursday witnessed another mild riot. The lacrosse boys had a permit for the use of the park. W. B. Wells, of the cricket club, claimed that there was sufficient room for both cricket and lacrosse. The lacrosse boys did not see things that way and carried his nets down the river bank.

W. B. Wells, when seen, said: "Something must be done about this matter. There is always some game going on, the consequence being that the cricketers cannot practice. It is not necessary that these other athletic organizations use the whole of the park. They could move their goal posts down twenty yards and give the cricketers the upper end, and they would not then spoil the cricket ground. The cricketers have just as much right when driven from their nets to go over and pitch their nets on the bowling green as these fellows have to drive us from our part of the park. It is likely that a delegation of cricketers will wait upon Chief Holmes and Colonel Rankin to settle the matter."

TO THEIR CREDIT

So unpopular is the partisanship of the West Kent License Board that the City and County Councils, both strongly Tory, have protested against the cutting off of the Bank House license, an act dictated by the machine to the Commissioners—Hamilton Times.

Which is very much to the credit of the Kent Tories. During all the many years in which partisan Grit boards of License Commissioners manipulated things in the interest of the Government, no protest was ever made by any Grit—Hamilton Spectator.

Fortune may find a pot; but your own industry must make it boil.

ARMISTICE FOR TERMS

Russia and Japan Agree to Appoint Plenipotentiaries.

Russian Representative Will Have Power to Receive But Not to Accept Peace Conditions Named by Japan—Manchuria May Be the Scene of Meeting—Tokio Calmly Receives News and Quietly Awaits Results.

St. Petersburg, June 12.—Russia is awaiting for Japan to fix the time and the place when and where the Japanese terms will be placed in the hands of Russian representatives. The Foreign Office expects that the delay will be brief.

The Emperor's Government would prefer that Paris should be the scene of the initial step, but it is explained that neither the place nor the personality of the Russian plenipotentiary will not be a plenipotentiary with full power to negotiate. His duty will practically be confined to the reception and transmission to his Government of the Japanese terms for the decision as to whether they afford a basis for actual peace negotiations. He will be clothed with power to effect an agreement for the suspension of hostilities, which suspension will probably be for a very limited period during which Russia must decide the momentous question of peace or a prolongation of war.

During this temporary armistice both countries probably will be free to continue the movement of troops and munitions of war within prescribed limits. Although nothing definite on this point will be known until the meeting is taken place.

If Russia finds that the terms for a basis on which negotiations can proceed regular plenipotentiaries will be appointed, the number being decided by the belligerents themselves, and then it is not impossible that the negotiations might be transferred to Manchuria as President Roosevelt is believed to have suggested.

Japan Accepts Intervention.

Tokio, June 12.—Japan has agreed to President Roosevelt's suggestion to appoint plenipotentiaries to meet Russian plenipotentiaries.

Tokio has calmly received the news of the American intervention and prospective peace. The absence of assurance that Russia will accept President Roosevelt's proposals, and the knowledge that the final consummation of peace involves the adjustment of a series of questions of paramount importance, requiring the most careful diplomacy, extending over weeks of negotiation, coupled, perhaps, with the recollection of a previous experience in the thorax path of the world's politics, must create a disposition to wait the final results. There is, nevertheless, the keenest satisfaction over the preliminary step, and a feeling of deep gratefulness over President Roosevelt's action.

There is also genuine thanksgiving for the thought that the carnage and horror and waste of war will soon end; and a genuine hope that the negotiations will bring a satisfactory and enduring peace.

The question of an armistice, which will lower the bayonets of the two enormous armies facing one another on the Manchurian frontier, has not been discussed, yet it is believed an armistice will be speedily concluded.

The Jiji says: "Japan has shown a willingness to appoint plenipotentiaries to meet the Russians and negotiate peace, but it is premature to think this will lead to the ultimate conclusion of peace. Much as Japan would like to see peace effected, nothing short of the full rights of victors and placing the peace of the Orient on a permanent basis will satisfy Japan. It probably will become necessary to arrange an armistice at the commencement of negotiations and it will be essential to obtain some guarantee before concluding an armistice in order to prevent the interests and positions of Japan from suffering in the event of negotiations being broken off."

Paris, June 12.—A despatch from St. Petersburg to The Echo gives the alleged detailed conditions, namely an indemnity of \$500,000,000; a Japanese protectorate over Manchuria, and the cession of Port Arthur and part of the Trans-Manchurian Railway to Japan, forfeiture of the interned warships, the withdrawal of Russian warships from the Far East for a period of 15 years, and the occupation of Vladivostok until these conditions are fulfilled. The Russian conditions reject the question of an indemnity and give a qualified acceptance of the other terms.

King Congratulates.

London, June 12.—The News of the World understands that King Edward Saturday cabled to President Roosevelt congratulations on the reception of the news of his efforts to secure peace.

IN THE FIELD.

Despatches From Gen. Linavitch and From Japanese Headquarters.

St. Petersburg, June 12.—The following despatch has been received from Gen. Linavitch under date of June 9: "There is no change in the position of the two armies. Our detachments on the left flank advanced as far as Dagustan, Shimnigou, Zonangou, Inlanal and Vanhogue, to a line where they encountered resistance by the enemy."

Tokio Reports.

Tokio, June 12.—The following report has been received from the headquarters of the Manchurian armies:

"On June 9, in the morning, we drove the enemy from the northern heights of Liangshuchuan, and Nanchengsu, and occupied those positions. The same day we occupied the vicinity of Ershihli, ten miles northeast of Changsu; Peace is the offspring of power."

SPORTING GOODS

BASE BALL
LACROSSE
FOOT BALL
LAWN TENNIS
CROQUET

We are sole agents in Chatham for the "Spaulding" Goods. You know what that signifies—everything first-class and guaranteed—the name of Spaulding has become a household word for perfection in games and sporting goods. Other fellows try to get as good—none profess to be better—so why not have the best—the original?

Come to us when you want anything in this line and you will be more than pleased. We have nearly everything in stock, but if you want anything special 48 hours will do the business and we'll get it for you.

Buy the best brand—
"SPAULDING."

Sulman's Beehive...

Corner of King and Sixth St.

Shufanlai and Tungchaitu, ten miles north of Changsu, and Kunglungshan, 12 miles northwest of Changsu. Other was the situation is unchanged.

London, June 12.—According to the Times, it is stated by the Russian Admiralty that in the battle of the Sea of Japan not a single officer was saved from the battleships Navarin, Borodino, Imperator Alexander III, or the Kruas Souvaroff, all of which turned turtle.

Postmaster Lawrie Dead.

Ottawa, June 12.—The Finance Minister will undoubtedly have another revenue increase to report in his budget speech for the current year. The first ten months show revenue amounting to \$62,324,000, an increase of \$666,000 over the same period last year. For this period the consolidated fund expenditure was \$46,857,000, an increase of \$5,233, and the capital expenditure \$10,169,000, an increase of \$1,744,000.

Auto Plunges Into River.

Chicago, June 12.—Three persons were drowned and two others narrowly escaped a like fate Saturday night, when an automobile, in which the five were riding, plunged into the Chicago River through the open draw of the Rush street bridge. The drowned are: Jerome G. Kurtzman, Chicago, manager for a chemical company; Mrs. Jerome G. Kurtzman, W. A. Hartley, manager for an automobile house.

Police Magistrate Spencer Dead.

Owen Sound, June 12.—George S. Spencer, police magistrate, died suddenly yesterday morning. He was at his duties as usual Saturday. The housekeeper had brought to his room his usual morning cup of coffee, which he drank. Shortly afterward he collapsed and expired. He was 64 years of age and had been police-magistrate for a quarter of a century.

Medicine Hat Business Man Drowned.

Medicine Hat, N. W. T., June 12.—William A. Green, prominent business man of Medicine Hat, was drowned Saturday afternoon in the Saskatchewan River. The Government ferry is open at each end, and after the ferry started his big backed off into about twelve feet of water. Green was swept out into the river and sank.