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Wednesday, October 22, 1924.

Leave It to the Voters

Daily as the date of the bye-election draws nearer, the fear of the result becomes more apparent in the camp of the Opposition. They shout and clamour, but the noise is that of a disorganized rabble aware of defeat, and is made by a few deluded supporters in order to enable the frightened leaders to steal silently away.

The people of Bonavista Bay will not mistake these noisy demonstrations for anything but what they are, the howls of rage of a baffled enemy. The discernment of the voter will enable him to distinguish between sincerity and plausible, truth and falsehood, and cant and hypocrisy and earnest effort. They have before them the proof in practical shape of the benefits which have resulted to the country since the MONROE PARTY came into power, and they are not likely to throw away the substance in the faint hope of grasping a shadow.

MONROE and WINSOR have shown their confidence in their constituents by the manner in which they have gone to them for re-election. There has been no flourish of trumpets to stampee the electorate, but on the other hand they have given them every opportunity to use their own judgment in a matter which, when all is said and done, is to decide whether their bread will be buttered or not.

The fishermen are returning from St. John's to-day, with money in their pockets, with food and clothing for their families, instead of as in the past, with faces the picture of dismay, because their catch had netted them a loss. This winter they will not be driven to despair by the cries of their children for food or because the cold of winter pinches their poor ill-clad bodies. Comfort and happiness for the first time for many years will be found in the homes because the wolf has been driven from the door. This change has taken place since MONROE and his party took office, and because they took office, and the voters of Bonavista will show that they are fully aware of this by returning the LEADER of the Party and his able colleague WILLIAM WINSOR, when they cast their votes on Monday.

What About An Open Rink For Children?

It has been suggested that now that the children's playgrounds have been dismantled and winter is approaching, arrangements might be considered with a view to securing Burton's Pond for the youngsters as a skating rink. It is within reasonable distance of the city; is centrally situated and sheltered, and in the vicinity are three large orphanages. In the winter time it has always been a popular resort for the children who are fatherless, or whose parents cannot provide them with rink tickets.

The difficulty of keeping a surface open for skating on Burton's Pond is not so serious

as it is on most of the ponds in the suburbs, owing to the nature of the surroundings, and doubtless the Municipal Councillors, who took such a fatherly interest in the Playground Movement during the summer, would gladly lend a horse and man to scrape the ice after a heavy downfall of snow.

We submit the suggestion to the Rotarians and the Citizens' Playground Committee because it seems practicable and inexpensive, and because it would supply a long felt want. The excellent effect produced upon the children by the playground facilities during the summer have been many. They have responded, unconsciously, perhaps, to the kind attention which they have received; they have been protected from the dangers of the street, and the vigorous exercise in the pure air and sunshine has strengthened their physique and provided them with the best protection against disease.

Preparations Being Made for Industrial Fair

Great preparations for the Industrial Fair, which commences on Nov. 3rd, are now being made by intending exhibitors at both the Prince's and Curling Rinks. All the leading business concerns have workers engaged erecting walls, etc., and when completed the whole surroundings promise to present a very striking appearance. Great rivalry exists among the various exhibitors as to who will have the most striking display. Many of the stalls, now under course of erection, will be of an unusual design.

The one way first class fare granted by the Railway Management is a big inducement for export people to visit the city, while the fair itself will no doubt prove a great encouragement to home industries.

Sale of Work and Concert
 The Gower Street Church Mission Circle Sale of Work takes place this evening. To accommodate patrons working in the stores, teas are being served from 8 o'clock to six until 8 o'clock. At 8.15 a concert will be given, in which the following artists will take part:—Misses Bishop, Glendinning, Joffe, Mews, Murray, Soper, Tait, Taylor, Woods; Rev. N. Povey; Messrs. Fraser, Holmes, Jerratt, Ruggles and Steele.

Promenade Band Concert

The Mount Cashel Band held their second Promenade Band Concert in the Gaiety Hall last night and it was attended by an even greater gathering than on the first night. A programme of twelve dances was gone through, each of which was responded to by an encore. The evening was one of great enjoyment to all. The music was all that could be desired. These band concerts have become very popular, and the next one takes place on Friday night.

Oporto Market

A market report, dated Sept. 27th, has been received by the Secretary of the Board of Trade, from Messrs. Faria & Pimenta, fish merchants, Oporto. It reads as follows:—

The general output for this season of the year has been small in comparison with that of other years, the principal reason for this being the rapid falling of the rate of exchange. Under these circumstances our consumers have withheld their orders, being aware that if the exchange bettered there would be no reason for prices remaining elevated, and because of this, sales for the past three weeks have been made at considerable reduction in prices.

If it had not been for the rapid falling off in exchange, the prices would have then required to remain firm, because at present the actual quantities in stock in our market are not excessive.

Government Boats

Argyle left Marystown at 6 p.m. yesterday, outward.
 Clyde left Little Bay at 9 a.m. yesterday, outward.
 Gloucester left Arnold's Cove 11.45 a.m. to-day, coming east.
 Kyle arrived at Port aux Basques this morning.
 Malakoff arrived at Westleyville at 6 p.m. yesterday.
 Melgie—No report since leaving Hopedale on the 17th.
 Portia arrived at Port aux Basques at 5 p.m. yesterday.
 Prospero left Tilt Cove at 9 a.m. yesterday, going north.
 Sagona is leaving Humbermouth to-day.
 Sebastopol—No report.

Supreme Court

JUDGMENT RESERVED IN THE PROCEEDINGS AGAINST TELEGRAM AND NEWS.

In the matter of the King vs. Sir Richard Squires and the order nisi against the Telegram and Morning News.

Mr. C. E. Hunt asked that the rule be dismissed with costs, first because the case of the King vs. Sir Richard Squires is closed when the Grand Jury returned a no bill; and second the case as a case is ended. He cited a number of authorities in support of his contentions and stated that in the memorandum filed for the release of Sir Richard, it was stated that he was automatically discharged, so that the matter could only come before the court if the Crown preferred a new bill before a new Grand Jury and hence the position was that committed by the newspapers would be forever impossible. Mr. Hunt argued that contempt of court is an attempt to distort the ends of justice, and quoted the judgment on the matter of Mr. Justice Keating (30 Law Times, Page 216). With reference to Grand Jurors, he had searched all the law books in the library and had failed to find where comment on a Grand Jury was held to be contempt of court. He quoted Lord Russell as bearing out his contention that when a Grand Jury throws out a bill it is a case closed. Referring to the articles Mr. Hunt claimed that they were restrained and proper and that they only questioned if the Grand Jury had given the bill due consideration. He argued that the mere discussion of the matter was not with contempt and from a layman's standpoint the newspapers had always done everything possible to uphold the dignity of the court.

Mr. Howley for Sir Richard submitted that "cause pending" meant something yet to be disposed of. He did not question the fact that the Grand Jury might be subject to fair criticism. He cited Short and Millers Crown practice (Second Edition) page 349 and 345 in explanation of what is meant by contempt. The basis of his application he claimed was that the publication of the articles tended to interfere with the due administration of justice, and quoted the case of Roche vs. Garland in the year 1742, where a case was not finally disposed of and the printer was held for contempt. He held because of the absence of the practice of sending a bill a second time to a grand jury in England there would be no authorities covering a portion similar to the present case. Mr. Howley stated that he was endeavouring to protect his client and did not ask for punitive measures but that the court would condemn the articles. He questioned the conditions which would prevail if the newspapers were allowed to comment on the Walker Report in conjunction with references to the grand jury's finding. At the moment when the articles were published, he said, the attention of the community was focused on Sir Richard Squires and the possibility of the bill coming again before another Grand Jury. The Telegram article he said was in some ways less objectionable than that of its contemporaries in that it did not invoke the assistance of the Walker Report. He asked that the punishment be sufficient to protect his client and his reputation.

Mr. Hunt replying, said the application was based on the affidavit of Fred Rabbitts, who alleged that it was a case pending. He submitted that the case was a closed case when the Grand Jury brought in a no bill. The Chief Justice intimated that, as the Crown Counsel had stated in court that it was possible that the case against Sir Richard Squires would be brought to the Grand Jury at a later date, it would be improper for him to be tried in the newspapers, and that, if in future any article appeared that might prejudice the trial, Mr. Howley, K.C., should bring the matter to the notice of the Court and the court would deal with the matter.

Judgment was reserved.

Van Houten's Cocoa best and goes farthest.—Oct. 11.

Kingys. J. W. McNeily

In the above matter Mr. Dunfield for Mr. McNeily read an affidavit in reference to the Status of the present Grand Jury. He submitted that he has some new facts much stronger than was brought out by Mr. Emerson, but that some of them might interlock. Mr. Dunfield began his argument on the law points involved after recess.

Jail-Breaking Enquiry On

A preliminary enquiry into the escape of Albert Malmont from His Majesty's Penitentiary was begun before Judge Morris this morning when a statement of the prisoner himself was taken. The hearing will be continued this afternoon at 3.30.

Miss D. Lamb's Dancing Class

will be held to-morrow night, in the Supper Room, C.C.C. Hall, at 8.30 o'clock.—Oct. 21.

TO-DAY'S MESSAGES.

RATIFICATIONS ON HALIBUT TREATY EXCHANGED.

WASHINGTON, Oct. 21.

Exchange of ratifications between the United States and Canada of the convention to protect the halibut fisheries of the Northern Pacific Ocean took place to-day. The convention signed at Washington on March 2nd, 1923, establishes a closed season of the halibut fishery from Nov. 15 to February 15th of each year, and provides for the appointment of a Joint Commission of four members to investigate and make recommendations for the preservation and development of the halibut fisheries in the north Pacific.

MACDONALD ACCUSED OF BEING OVERAWAYED BY EXTREMISTS.

LONDON, Oct. 21 (Canadian Press).

"This Campbell case and the Soviet treaty show that the Labor government is not master of itself," declared Marquis Curzon, former secretary of state for foreign affairs, in a speech in the city of London replying to Premier MacDonald's attacks on the Conservative Foreign Policy. It is in the hands of his gunmen. As soon as the automatic pistol is raised up to the hands of the Prime Minister, it is the Labor Extremists who have compelled the holding of this election. They think that by taking the appeal to the country in a hurry they may have a better chance. The Prime Minister is in the hands of the desperadoes of his party. The country is revolting against this form of government, as it is not a government by the better men of the party but by men in the background who pull the strings and dictate the policy and hold the Prime Minister in bondage.

TROOPS WITHDRAWN.

DUSSELDORF, Oct. 21.

French troops this morning evacuated the occupied zones of Carlsruhe and Mannheim.

CHANG'S MEN VICTORIOUS.

SHANGHAI, Oct. 21.

The capture on Sunday of the town of Chiao-shan near Shanghai by the Manchurian troops of Chang Tso Lin who previously had taken the town and lost it, was reported to-day by Eastern News Agency. The Central government armies defeating the town offered gallant resistance to the attack, the despatches state. In making the capture Marshall Chang's men, disarmed portions of the second division on the Shihmenkai front. Chang Chih Kung, commander of the Shihmen Province, troops was reported killed in action. According to the despatch the Manchurian troops are well supplied with artillery and driving on toward Hai Yang, a town about 11 miles west of Shanghai.

SUGGESTIONS ON DISARMAMENTS REQUESTED.

GENEVA, Oct. 21.

All the states belonging to the League of Nations have been requested before November 17 to make any suggestions which they may consider of value in the preparation of the programme for the International Conference on reduction of armaments which is planned for Geneva next June. It is on Nov. 17th that the first meeting of the Special League Council Committee entrusted with the task of tackling the problem of Agenda will be held.

COMMUNIST ACTIVITIES IN ITALY.

ROME, Oct. 21.

The Communist Party through its press bureau announced that at a meeting held in the chamber of Deputies it had been decided to propose that all the Deputies belonging to the Opposition meet and legislate by themselves, forming a sort of a "Rump" parliament which would be called a parliament of the people against the Fascist parliament. In addition to this proposal the Communist adopted a programme for the "Rump" Parliament which included the following: "First, the transfer of the Matteotti crime from the judicial into the political field; second, the means for defending the political syndicalist liberty of the laboring classes; third, to incite the proletariat against the reduction of wages, the increase of hours of work, and high prices."

CAR OCCUPANTS PLUNGED TO THEIR DEATH.

GENEVA, Oct. 22.

Three men were drowned last night and two women were rescued when an automobile plunged through a bridge railing in Lake Road, three miles north of this village, and landed in a large canal upside down.

CREW OF OVER THE TOP ARRIGNED.

NEW LONDON, Conn., Oct. 22.

Members of the crew of the three-masted English schooner "Over the Top," which was captured Monday by the coastguard cutter Tampa, were arraigned before the United States Commissioner, Earl Matthews, here yesterday. Capt. Martin B. West, haven of Lunenburg, N.S., and supercargo Samuel Cohen were held in \$10,000 bonds, while other members of the crew, Edward J. Eason, Josiah Plant, Malbourne Kinkade, Oscar Kinkade, and Alexander Cottier, were held in \$1,000 bonds. All of the cases went over for hearing before Com-

missioner Matthews to-day while it was charged that the schooner was captured as the schooner "at anchor" in run row, southeast of Block Island. Capt. Westhaven declared the ship was seized twenty miles out at sea.

STAMPEDE FOR GOLD CLAIMS.

CAROLROSS, Yt., Oct. 22.

Practically the whole of the male population here has set out for Little Atlin Lake where, it is said, a band of Indian prospectors under the leadership of "Big Lake Jim" have discovered placer gold within forty miles of this town and twenty miles east of old Tagish Post. Big Lake Jim notified other Indians of his discovery before coming to town to let the white people in on the strike, and the Indians are said to have pegged out the best claims. Nearly every one making the trip was successful in getting a claim or part ownership of one. The stampede is the first Carcross has seen for some time, practically every one fit for travel rushing out to the scene as soon as word was received.

OLD RIVALS DISLIKE THE FACT.

LONDON, Oct. 22.

Traditional rivalry and their dread of another Coalition seem to be intensifying the Opposition to "pact" between Liberals and Conservatives on the part of some extreme members of these parties. Distrust and suspicion and loudest voices among Liberals, notwithstanding that Mr. Asquith, their leader, has given his blessing to the reciprocal arrangement whereby Liberals or Conservative candidates in some constituencies are standing aside so as to elect three certain contests which might work for the benefit of Labor. Mr. Asquith declared, "I can see nothing which violates the most rigorous code of public honor and political consistency in two old political parties making reciprocal sacrifices in the face of common danger." But many members of the party find their leaders dictums extremely distasteful and are not hesitating to say so.

PEPYS BEHIND THE SCENES.

Oct. 21st.—Up betimes and to the office of the Telegram sheet where Mr. Herder bids me come on to-morrow very betimes being that the staff of the sheet will have their picture taken and they would have me in it. So to the office where busy till night, planning myself mightily to see what a deal of business goes off at a man's hands when he stands by it. This night at supper, my wife speaks of the coldness of the house, and I asking her why she lights not the fires, the wretch says it is because there are no coals in the house. This I think, on account of her extravagance since it do seem to me how I have bought more coals this year than ever before, and causes me the greatest possible pain to think of the price of them, yet must I buy more. Comes Povey to see me with news of Dr. Campbell, his trial, which is finished this day and the jury to bring a verdict of "not guilty." The night bitterly cold and piercing right through my clothing, yet I abroad and to the club where I do a thing which I never yet thought to be able to do, winning two games of billiards in the one night. Indeed, it gives me the greatest pleasure to find how my game improves each day.

Magistrate's Court

Two drunks were discharged.

A drunk given in charge by his wife for causing a disturbance in his home was bound over to keep the peace in the sum of \$100 or in default 30 days imprisonment.

Shipping

S. S. Recto has sailed for North Sydney in ballast.

Schr. W. L. McKenzie King has cleared from Grand Bank with a cargo of codfish shipped by Messrs. Forward and Tibbo for Lunenburg.

Schr. Appodita has entered Rose Blanche to load codfish.

Schr. Frances J. Spindler has entered Twillingate to load bulk codfish from W. Ashbourne for Lunenburg.

S. S. Susu left Gander Bay 12.30 p.m. yesterday, coming south. She is expected to arrive in port to-night.

Illustrated Lecture on "New York" to-morrow, Thursday, in the Canon Wood Hall, at 8 p.m., by Llewellyn Colley, Esq. Come, hear a good Lecture, hear a good Song, and take part in the Community Singing, Proceeds in aid of Feildian Campus Fund. Tickets 40c., at the Hall and from Field boys.—Oct. 22.

DIED.

Passed peacefully away this morning, after a lingering illness, George Lambert, aged 89 years. He leaves to mourn a wife, one son and two daughters. Funeral on Friday from his late residence, 18 Broadwood St. Friends and acquaintances please attend without further notice. Canadian and American papers please copy.—21.

Passed peacefully away last evening at 7 o'clock, William Thomas Hargreave, leaving father, 4 brothers and one sister. Funeral to-morrow at 2.30 p.m. from his late residence, 6 Hayward Avenue—Toronto papers please copy.

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AGENTS.

Oct. 11. 15. 18. 22. 25. 29.

Bon Marche Bargains!

Ladies' Striped and Cream Flannellette Nightdresses	55c. yd.
Ladies' More Underskirts	1.50
Colored Turkish Towels	20c. ea.
Child's F. L. Underwear	25c. gar.
Ladies' F. L. Underwear	60c. gar.
Ladies' F. L. Underwear, heavy	1.00 gar.
Child's Hose, from	15c. pr.
Child's Cold. Hose, from	30c. pr.
Ladies' Strong Cotton Hose	27c. pr.
Ladies' White Undershirts	55c.
Ladies' Wool Gantlet Gloves	95c. pr.
Ladies' Kid Gloves	1.40 pr.
Boys' Woolen Hose	35c. pr.
Boys' all-Wool Heavy Hose	55c. pr.
Ladies' F. L. Bloomers	79c. pr.
Ladies' all-Wool Sweaters	1.98
Ladies' all-Wool Hose	70c.
Ladies' Cold. Cotton Hose	27c.
Child's Heavy Bloomers	60c.
English Tweeds	55c. yd.
Men's Woolen Sox	27c. pr.
Men's Grey Sox	25c. pr.
Men's Leather Mitts	40c. pair
Men's Khaki Work Shirts, all sizes	1.20, 1.55, 1.75
Men's Chamber Shirts, Shirts	70c. and 95c.
Men's Black Sateen Shirts	1.50
Men's Polka Braces	55c.
Men's Negligee Shirts	1.29
Men's Cotton Tweed Pants	1.60
Men's Heavy Serge Pants	2.95
Men's Winter Ear Caps	1.25, 1.55, 1.45, 1.75, 1.85
Boys' Winter Caps	1.50
Boys' Sweater Coats	1.95
Boys' Pull-Over Sweaters	1.40
Men's Saver Coats	1.49
Men's Navy Gumsuits	3.50
Special: Men's Black Sweater	2.00

It will pay you to look around our way when in town during Shopping Week, November 3rd to 10th.

BonMarché
 WATER STREET ST. JOHNS
 Oct. 20, 21

Benjamin Burry Killed in Detroit

The Rev. Mr. Fairbairn, Pastor of George Street Methodist Church, received a message from Detroit yesterday that Benjamin Burry, whose wife resides at 10 Brazil's Square, had been knocked down by a motor car and instantly killed. The driver of the car was unknown as he had made good his escape. Deceased, who was born at Greenspond, resided with his wife and three children at Brazil's Square the last six or seven years, but last fall left for Detroit where he obtained employment at the Ford Motor Works, where his brother Robert is also engaged. His father mother, and another brother reside at Greenspond, a sister, Clara, in New York, and a second sister, Mrs. Edgar Davis, at Safe Hn., B.B. Deceased was a man of excellent character and his family and relatives will have sympathy in their bereavement.

Watch the way the crowd go after the shops close on Wednesday night and you will see that they are all going to the Games of Cards in St. Joseph's Hall. 1st prize, Barrel of Flour; 2nd, a Ham. Follow the crowd.

Let's Get It Enlarged!

"It's the best snap we ever had of Baby, and the boys look so alive. Let's get Tooton to enlarge it at once, before the film gets scratched."

The Kodak Store makes a feature of enlargements. All sizes may be obtained, and the best results from any negative are guaranteed.

Get Tooton's prices on enlarging. Like the enlargements—they're O.K.

TOOTON'S

PHONE 131
 The Kodak Store, Water Street, St. John's.

Truckman Badly Crushed

A carman named Whiteway, employed by Messrs. Ayre and Sons, whilst proceeding with a team of horses up from Pitt's wharf yesterday, was suddenly thrown from his seat and the truck closing in towards the building gave him a bad squeeze before he had time to extricate himself. As a result he was badly injured about the abdomen and was immediately removed to Hospital for treatment. Yesterday afternoon an X-Ray examination was taken to the extent of his injuries have not yet been made known. It was noted at first that his hip had been broken.

No Eskimo Children

AT BATTLE HR. OR CAPT CHARLES

Editor Evening Telegram.

Dear Sir:—Please allow me space in your paper to tell Mr. Charles Grever there are no Eskimo children at Battle Hr. or Cape Charles. I belong to Battle Hr. and I won't allow that young man to appeal for Xmas toys for where there are no Eskimo children living; but I will allow him to speak the truth and appeal for Xmas toys for my good old friends who should be called white people, not Eskimos. All the parents of these children at Battle Hr. and Cape Charles belong to Newfoundland and the Old Country.

Yours truly,

W. F. LEWIS.

THE TRAINS.—Yesterday's west bound express arrived at Bishop's Falls at 5 a.m. today. The local from Carbonear arrived at 12.30 p.m. There is no report of the express leaving Port aux Basques on account of wire trouble. The Kyle's passenger list was not available up to 1 p.m.

PATENT NOTICE.

Four weeks after date hereof Application will be made to His Excellency the Governor in Council for Letters Patent for (1) "New and Useful Improvements in Wood Grinders" and (2) "New and Useful Improvements in Machine for Grinding Wood into Pulp" to be granted to the American Vouth Contact Company, Inc. of 280 Madison Avenue, New York, Assignors of Paul Priem a resident of Heidelberg, a-Brenz, Germany. St. John's this 1st day of October, 1924.

GIBBS & BARRON, Solicitors for Applicant.

Bank of Montreal Bldg., St. John's. Oct. 14, 1924.

PATENT NOTICE.

Four weeks after date hereof application will be made to His Excellency the Governor in Council for Letters Patent (3) for "New and Useful Improvements in Signalling Systems" (cases 16, 22 and 23) to be granted to Austen M. Curtis of East Orange in the State of New Jersey in the United States of America, Telephone Engineer.

Dated at St. John's, this 17th day of October, 1924.

GIBBS & BARRON, Solicitors for Applicant.

Bank of Montreal Bldg., St. John's. Oct. 17, 1924.

Wall Papers

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Oct. 19, 20, 21, 22.

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Learn from the lovely women who insist that their skin shall be youthful and fresh. With Pond's Two Creams and a little care every day, you will see how clear and smooth, how soft and velvety your skin looks. And it will keep this charm of freshness and youthfulness for years longer than one would suppose possible.

Oct. 22, 23, 24.

TRY

MACDONALD'S

BRITISH CONSOL

CIGARETTES

AND