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Evening Telegram

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Saturday, June 2, 1923.

The King's Birthday

To-morrow, June 3rd, will be the anniversary of the birthday of King George V., and we, with the citizens of our Empire, who are proud to be his subjects, will wish him many happy returns of the day. During the Great World War our King by his devotion to duty, simple tastes and good example set a standard which brought forth the admiration of the whole world. In England the time have been anxious. There have been great doings and changes in the political world and great unrest in the industrial world. The times are changing, but we believe the Empire will adjust herself to the change, now as in the past, with satisfaction to all her members. With a constitutional monarch on the throne, who has an watchful eye for the times and a keen sympathy for his people, the change, which we believe is pending, should be brought about without that friction which has marked great changes in other countries. With confidence in the future, and trust in the great influence of our beloved monarch, we join in the millions of good wishes which will be extended to his Majesty to-morrow.

"Long may he reign over us."
GOD SAVE THE KING.

Cause of the Delay.

The delay in the formation of the Executive of the Government and making the permanent appointments to all the Departments has been caused, it is said by the refusal of certain duly elected members with constitutions behind them, to be set aside in order that other gentlemen who were not elected may receive the appointments, including seats in the already over-manned Legislative Council. We have it on good authority that the slate presented to his Excellency over a week ago, contained the names of no less than four individuals for the Executive Council who represented no constituencies, and that his Excellency refused to endorse it. Constitutional usage has been strained before, but this attempt is carrying it to the breaking point and making a mockery of Responsible Government. From what we have heard of his Excellency Sir Wm. Allardice, we have confidence that he will not be a consenting party to such a violation of the Constitution, and as far as his prerogative allows him he will use it to the end that common political decency will be preserved, and that the rights which the people of Newfoundland are entitled to under the charter of Responsible Government will be safeguarded. The Prime Minister may be a clever man and a wily politician who has grown bold and confident by bamboozling others, but we do not think that he will succeed in pulling the wool over the eyes of a man of such intellectual calibre and administrative ability as Sir William Allardice is known to possess. He holds the balance for the sixty thousand electors who did not vote for the Government as well as for the 65,000 who did, and

being the trusted vice-gerent of his Majesty the King, whose birthday we celebrate to-morrow, we, his loyal subjects, look to him to uphold the constitutional rights that our forefathers strove so hard and so long to gain. There is a limit to "political expediency," and if the laxity is allowed to go further there will be no respect for what has been always regarded as sacred in our political life, because all decency, all dignity and honor will have departed from it. The whole country is interested in this question. Some may be satisfied to let the Premier debase the constitution to any limit under the cry of "political expediency," but the people in general are looking to his Excellency to preserve what is left of decent constitutional usage and tradition.

Free Fish Entry.

Hon. Mr. Fielding, the veteran Finance Minister of Canada, we notice by a recent report in Canadian papers on his new tariff proposals, has suggested that overtures be made with the United States Government with a view to a measure of Reciprocity in regard to certain products of both nations. It is thought the proposed new regulations against United States vessels prohibiting them from entering Canadian ports, except through causes of distress, were made with a view to having a definite and mutual basis to work on, as the United States Government had already a prohibitory law in force against Canadian vessels, such as is now proposed by Canada. One of the principal articles of commerce that the Government at Ottawa desires to have the duty removed from is fish of all kinds that is produced in the Maritime Provinces, beyond what is required for home consumption. As the same prohibitive fish duties that affect Canada on her fishery products apply to Newfoundland, it is pertinent to consider whether a similar movement for some measure of reciprocity with Uncle Sam that would allow our salt bulk and pickled fish and our barrelled herring to enter the United States free of duty be taken up. The question is more vital to us just now than to Canada, which has her half a dozen other great natural resources, while we have mainly our fishery products to depend on. If Canada succeeds in making Hon. Mr. Fielding's proposal a practical realization, while we have to continue paying a duty of about \$2 per barrel on salted herring and a cent and a quarter per 100 lbs. on pickled fish, we shall be practically shut out from doing any fish trade in the U. S. markets, and it is easy to see that this will place us in an unfortunate position, as the Canadian fish exporters will be able to undersell us in the U. S. market. We commend the serious and early consideration of this vital subject to the consideration of the Government so that if a new fish treaty should be made by Ottawa with the United States, Newfoundland may not be left out in the cold. Statistics of our pork, beef, sugar, feeds, etc., imported annually from the States should help as a lever in having the fish duties removed. It would pay to let one or two of those commodities in free rather than have our herring and salt bulk and pickled codfish discriminated against by favored treatment to Canadian products of the same kind.

From Cape Race.

Special to Evening Telegram.
CAPE RACE, Noon.
Wind West, light, with dense fog. The Norwegian motor ship Hru passed west and several steamers passed east yesterday afternoon; nothing heard passing to-day. Bar 29.24; Ther. 48.

AT THE BALSAM.—The following are guests at Balsam Place.—S. D. and Mrs. Grant, Trinity; J. Benning, Laws; A. E. Mercer, Bay Roberts; D. Stevens, England.

The Burgeo Recount.

Editor Evening Telegram.

Dear Sir.—The interest shown by the public in the Burgeo recount and the "Mail's" inaccurate reports of the proceedings, seem to justify a brief explanation of some points concerning it. The Reporter for the "Mail" is evidently not a lawyer, and his reports are compounded of about equal parts of malice and ignorance. The Election Act says that polling at a general election shall take place all over the Colony on one and the same day. May 3rd last was fixed by proclamation for the polling this year. There is a provision in the Act that a Deputy Returning Officer may in certain events defer a poll for two days. In Burgeo district, all the polling east of Ramea (about 600 ballots) took place on May 2nd, and each Deputy in these eastern stations certified to this fact when he returned his ballot box. Acting on the advice of the Department of Justice, the Returning Officer mixed all the ballots polled on the 7th with those polled on the 3rd, counted them all and returned Mr. Small as elected, with a majority of 37. The official return to the writ commanding that a poll be held on May 3rd, that Mr. Small was elected in conformity with the writ, is therefore, obviously false. Both the letter and the spirit of the Election Act were violated. The Returning Officer, I think, should have counted only the ballots marked on the 3rd of May, and made a special return as to the facts concerning the others. A recount is a device of the Election Act for the purpose of having the ballots counted by a Judge of the Supreme Court with greater accuracy it is supposed, than by a Returning Officer. The recounting Judge is a sort of super-returning officer, with precisely the same powers. Now the most important point raised in the Burgeo recount was this, that the ballots not marked on the day proclaimed for polling (or on either of the two following days to which polling could be adjourned by a Deputy) ought not to be considered as "ballots used at the election," within the meaning of the Election Act, but as so much waste paper, as though they had been "writingly stuffed" (as the phrase is) into the ballot boxes. I put the point in this manner to the Judge. "These ballots marked on May 7th have no more right to be counted than the ballot boxes had been unlawfully opened, the proper contents abstracted, and these put into their places. They were there unlawfully and it matters not what is the nature of the unlawful act. The Returning Officer had before him then counting the certificates of the Deputies as to the facts. Unfortunately for my argument, Mr. Justice Johnson held the opinion that he was bound to count the votes on the ballots actually returned to the Colonial Secretary by the Returning Officer, no matter when marked by the voters, and as he agreed with me that he had all the powers of the Returning Officer, this was tantamount to a decision that a Returning Officer must count the votes on all the ballot papers returned to him by Deputies, even though the Deputies certify that the ballots were not marked on the day fixed by law for polling, and, for that matter, even though the Deputies actually certify that the ballots were not marked by voters or not put into the boxes by the Deputies, but by some person illegally, for one illegality could no more be taken notice of than another. I need hardly point out that if this decision be good law, the door is wide open to every kind of illegal treatment of ballot papers and election proceedings, for though an illegality could be remedied upon an election petition, the person in whose interest it had been practiced would have been returned as elected, and his defeated opponent would have to undertake the delay, expense and uncertainty of a petition, or submit to the injustice. With reference to certain vulgar and ill-natured comments by the "Mail" concerning happenings in the recount proceedings, I wish to explain, that my regard for Mr. Justice Johnson, and my certainty that he always acts from conscientious conviction, make it quite impossible for me to be "angry" over any decision he makes, however much I may, respectfully, think he has erred. When he overruled my argument, I left the count room because I felt no interest in the details of the recount which would follow, and had entire confidence that they would be as well done by Judge Johnson without my presence as with it. I had merely come into the proceedings to argue the one point, and when that was disposed of, I had other work to attend to. I do not doubt that Mr. Chambers will now bring an election petition, and that as a result the abortive election in Burgeo will be set aside, so that a free and considered decision may be given by the electors; and I think it will ultimately appear that a cheaper and more satisfactory solution would have been reached if the Returning Officer had made a special return to the effect that no election had taken place. The Department of Justice should have advised to that effect, I think.

Yours truly,
ALFRED B. MORINE.
St. John's, June 1st, 1923.

Returned From Wreck.

ALL CARGO WASHED OUT OF MARVALE.

S. S. Cabot arrived in port last night, having in tow two lifeboats belonging to the wrecked liner Marvale. According to the report of Diver Squires, who made an examination of the wreck on Wednesday last, practically all the cargo and baggage has been washed out of the ship. The hatches are all off and there is a hole in the port side sufficiently large for a man to walk in or out through. The bottom of the ship is also badly holed. As far as can be learned very little of the wrecked goods was washed ashore. The divers from the Strathcona located the Purser's safe and made an effort to secure the luggage, but they only succeeded in getting two valises of no value. Capt. Lewis of the ill-fated liner is now on board the Strathcona at Trepassy.

Last chance to buy a few C.L. A. Election Sweep Tickets, at Kieley's Drug Store, Maritime Drug Store, McMurdo's, Gus Wadden's, Cy. Faour's, Peter O'Mara's.—may30.41

Unique Means of Transportation.

WATER NEARLY REACHES WINDOWS OF TRAIN.

The passengers who arrived in the city by to-day's express, tell of the unique way in which the train was moved across the flooded area at Sandy Pond. On arrival of the express at Sandy Pond it was seen that the train could not be gotten over the flooded area, with the engine still in front of the train, owing to the depth of water. The engine was therefore uncoupled and switched. Next a string of flat cars with the engine pushing them was coupled up behind the express and pushed the train partly across the flooded area without the engine having to go over the flooded part. The water nearly reached the floor of the cars and at times splashed on the windows of the pullmans. On the other side of the miniature lake, an engine with another string of flat cars ahead was pushed out into the water until the train was reached. It was then a simple matter of coupling up and going ahead. A ferry across the flooded area provided quite a bit of excitement for the passengers.

Only a few tickets left in C.L. A. Election Sweep, and there are some 24 Prizes amongst these few. Now is your chance!

may30.41

Warship in Port.

H. M. S. WISTARIA ARRIVES FROM MONTREAL.

H. M. S. Wistaria arrived in port at 8 a.m. from Montreal, having left the latter port on Monday last. The commanding officer was on shore at 11 a.m. and paid an official visit to His Excellency Sir William Allardice. At noon a salute was fired and special bunting flown from the ship's rigging in honor of the King's Birthday. It is not known yet whether the ship will remain in port. The Admiral ship H. M. S. Calcutta is expected to pay a visit here during July month.

24 Prizes still unclaimed in C. L. A. Election Sweep, including \$1000 1st Prize, \$200 2nd Prize, and \$100 each for 3rd and 4th Prizes.—may30.41

Fresh Codfish.

A few fresh codfish from nearby settlements were offered for sale in the city today and found ready purchasers. As yet no boats are fishing from this port, although the fish are outside waiting to be caught. During the last week a few fish were taken by the fishermen of the Battery from their salmon nets which they have set in Blackhead Bay.

GARDEN PARTY.—Tor's Cove Garden Party will take place on Sunday, July 15th.
June2.11

Train Notes.

Thursday's west-bound express left St. George's at 6.30 a.m. The incoming express with the Kyle's mails and passengers reached the city at 9.50 a.m.

The local Carbonar train arrived at 1 p.m.

The Trepassy train arrived at 2.30 p.m.

The cross country express will leave the depot at 1 p.m. to-morrow.

An east-bound express with the Kyle's mails and passengers left the Western Terminus at 8 p.m., and is due in the city late to-morrow evening.

All trains are now through the watery part of the track at Sandy Pond Crossing. The water is gradually decreasing each day.

Shipping.

S. S. Silva will get away for Halifax and New York about 6 o'clock this evening.

S. S. Sable I. is due to leave Halifax to-day for this port.

A CORRECTION.—The funeral arrangements of the late Joseph Symonds were looked after by Undertaker Lawrence and not Undertaker Carnell, as reported in yesterday's issue.

TO CORRESPONDENT.—If reference to your request to publish the number of ballots polled in the recent election, we would refer you to the Colonial Secretary's office for this information.

WE list a few numbers only, of the big assortment on sale. You will do well to see them at your very earliest --They are all EXCEPTIONAL VALUES.

CHILD'S SWEATER COATS.
Silk,
Torquoise,
Saxe,
Maize,
V. Rose.
SPECIAL PRICE
\$1.50

CHILD'S SLIP-ON SWEATERS—Wool.
Saxe,
Blue,
Fawn,
Salmon,
V. Rose.
SPECIAL PRICE
1.90

MISSSES' SWEATER COATS.
Wool,
Cardinal,
Grey,
Navy,
V. Rose.
SPECIAL PRICE
1.55

LADIES' SWEATER COATS.
Wool,
V. Rose,
Flame,
Jade,
Saxe.
SPECIAL PRICE
2.70

LADIES' SLIP-ON SWEATERS.
Mercerised.
Coralette trim'd. White
Purple trimmed. White
Black trimmed. White
Special Price .. **3.60**

GREAT SWEATER SALE

LADIES' SLIP-ON SWEATERS
Wool—Sleeveless.
Coralette
Nile
Maize
Emerald
SPECIAL PRICE
1.60

LADIES' SLIP-ON SWEATERS
Wool.
Coralette trimmed White. SPECIAL PRICE Flame Gold
Nile trimmed Black. SPECIAL PRICE Nile Brown
V. Rose trimmed Grey. SPECIAL PRICE Nile
2.60

LADIES' SWEATER COATS
Mercerised.
Saxe
Rose
Gold and White
Salmon
Emerald
SPECIAL PRICE
3.80

Big Showing of Untrimmed and Ready-to-Wear Hats at Remarkably Low Prices.

Ayre & Sons LIMITED.

CHILD'S SLIP-ON SWEATERS—Wool.
Salmon,
American Beauty,
Saxe,
Torquoise.
SPECIAL PRICE
1.55

CHILD'S SLIP-ON SWEATERS—Wool.
Torquoise,
Pale Blue,
Fawn,
American Beauty.
SPECIAL PRICE
2.60

MISSSES' SWEATER COATS.
Wool.
Saxe, trim'd White
V. Rose, trim'd. White
Black,
Navy,
V. Rose.
SPECIAL PRICE
1.80

LADIES' SLIP-ON SWEATERS.
Sleeveless—All Wool.
Purple trimmed*Gold.
Nile trimmed Grey.
Saxe trimmed Grey.
SPECIAL PRICE
3.60

LADIES' SLIP-ON SWEATERS.
Wool.
Rose trimmed White
Saxe trimmed White
Purple trimmed White
Nile trimmed White
Special Price .. **2.70**

12,000 SIDES AMERICAN SOLE LEATHER. 1,200 FEET BLACK UPPER LEATHER. Large Quantity of CHAINS & ANCHORS. Also, AMERICAN PLYMOUTH STEAM TARED MANILLA ROPE—All Sizes. And all kinds of Ships' Metal.
North Am. Fur, Hide and Metal Co.,
Water Street West (Next Door Reid Electric Store).

Kyle's Passengers.

S. S. Kyle, Capt. Cross, arrived at Port aux Basques from North Sydney at 2.30 this morning bringing the following first class passengers:—J. Drawy, B. Baird, Mrs. F. Mann, G. R. Moulton, J. T. Moulton, P. E. Outerbridge, Mrs. L. Palmer, T. Carter, Mrs. M. Tompkins, Mrs. A. Palmer.

Personal.

Mr. P. E. Outerbridge, who has been on business in Halifax, is a passenger returning to the city by to-morrow's express.

Here and There.

Henderson's Genoa Cakes at Ellis & Co's Grocery.—may31.31

SAGONA FOR STRAITS.—S. S. Sagona, Capt. Tavenor, is now at Humbermouth awaiting the arrival of Sunday's west-bound express. Passengers leaving here can make connections with the Sagona for the various ports of call in the Straits, going as far as Battle Hr.

Henderson's Rich Sultana Cakes at Ellis & Co's.—may31.31

OBSERVING KING'S BIRTHDAY. The birthday of King George the Fifth is being observed to-day by banks, courts and Government offices. Flags and bunting are flying in his honour on the principal buildings and shipping in the harbour. Business is being carried on along the water side premises, and commercial and industrial plants as usual. King George will attain his fifty-eighth birthday to-morrow, June 3rd.

Coastal Boats.

REID'S.
Argyle left Argente 5.15 p.m. yesterday on Red Island route.
Clyde left Moreton's Hr. 4.30 p.m. yesterday.

Glencoe left Port aux Basques 4.15 a.m. to-day.

Home arrived at Humbermouth 7.05 a.m. yesterday.

Sagona at Humbermouth. GOVERNMENT.
Portia left Bonaville this morning on her way north.

Seal left St. Mary's last midnight, coming east and is due in port sometime to-night.

Moth Balls, 20c. package at STAFFORD'S.—June1.41

Mr. Morgan Resigns.
The resignation of Mr. R. C. Morgan, General Manager of the Reid Nfld. Railroad System, has been accepted. Mr. Morgan is at present in Winnipeg, and we understand he is not returning to Newfoundland.

FACE SORE FROM SHAVING?
Dilute Minard's one-half with sweet oil or cream and apply once a day; heals pimples, blotched and chapped skin

MINARD'S LINIMENT
"KING OF PAIN"

NEW HATS!

Smart Trmmed Hats.

New English and American Ready-to-Wear Hats opened this week

Prices range from

\$1.90 up to \$9.50.

DRESS TWEEDS—Newest in Dress Tweeds opened, wide width and inexpensive. Price \$3.00 per yard.

NAVY SERGE—A special purchase in Navy Serge 56 inches wide. Please note the price. Only \$2.00 per yard.

COTTON DRESSES—For Ladies' wear. These are extra good value, made of Gingham, beautiful designs. Prices \$2.40 and \$3.30 each.

ROOM PAPERS—A large assortment of patterns in English and Canadian Wall Papers. Prices range from 17c. up to 65c. per piece.

CURTAIN SCRIMS—Plain White and Cream Curtains, with hemstitched edge. Prices 15c. and 20c. per yard.

McCall's Magazine 10c. copy
McCall's Summer Fashions 25c.
McCall's Embroidery Book 25c.
The latest in McCall's Printed Patterns and Transfers 15c. to 45c. each.

ALEX. SCOTT,

18 New Gower Street.

Open Every Night.

ADVERTISE IN THE EVENING TELEGRAM