

THE DAILY NEWS

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THE WEATHER
Legislative Library
Nov. 8 a.m.
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NEXT MAILS
FOR SOUTH
Prince Rupert... Friday, 8 a.m.
Princess May... Friday, a.m.

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PRINCE RUPERT, B.C., WEDNESDAY, NOVEMBER 8, 1911.

PRICE FIVE CENTS

JUDGMENT DELIVERED IN SAVOY HOTEL APPEAL

COMMISSION GOVERNMENT MENTIONED IN COUNCIL

Progressive-Minded Alderman Morrissey Introduces the Subject While Ward System is Discussed—City Will Send Delegate to Convention of Municipalities at Victoria

After an evening session of the city council particularly fruitful in unfruitful discussions and wrangling over coal buying, etc., it seemed peculiarly appropriate that last night the first mention should be made before a Prince Rupert city council of municipal government by commission.

To Alderman Morrissey belongs the honor of introducing the progressive idea. It came up in connection with the proposal to take a plebiscite on the abolition of the ward system put forward by Alderman Newton.

"There seems to be a general feeling throughout Canada," said Alderman Morrissey, "that not only the ward system should be abolished but that government by council should be abolished also."

"In Vancouver at present a strong move is being made for commission government, and I think that we should send a representative to the Union of Municipalities Conference soon to be held, who is instructed to speak along these lines. If I remember rightly Mr. Mayor, you yourself were strongly in favor of government by commission at the time our municipal charter was drawn up."

This idea the Mayor hastily deprecated, but the decision was made to later that a representative appointed by the Mayor should be sent to the Conference of the Union of Municipal Bodies to be

held at Victoria on the 15th to 16th inst. and that he should be prepared to talk on commission government with other municipal matters.

Over the ward system and its abolition there was a good deal of fruitless talk. Alderman Newton endeavored to have a plebiscite taken at the time the vote is taken on the Hays Creek Trunk Sewer By-law to save expense. He suggested that the vote take the form of simple "Yes" or "No" answers by the electors to the question: "Are you, or are you not in favor of the abolition of the present ward system?" The Mayor did not seem enthusiastically in support of this and Alderman Clayton moved an amendment to Alderman Newton's motion that the city be divided into three wards. Alderman Hilditch moved an amendment to the amendment that the City Solicitor be asked to show the advantages of having three wards, but found no seconder. Both motion and amendment were lost, the ayes for the amendment being Aldermen Kirkpatrick, Clayton, Morrissey and the Mayor. Nays were Alderman Newton, Hilditch, Douglas and Kerr.

Alderman Kerr suggested that the matter be put to the vote in January next, and Alderman Newton was ready to agree to this provided that meantime no effort was made to create a third ward for the city.

and more time was wasted. The Mayor discovered that the matter could not be reconsidered until next meeting of the council. However, to expedite matters an agreement was come to by which enough coal will be purchased to carry the plant until they can decide who is to get the coal contract.

There the matter ended pro tem. The Mayor saying that they could not talk about it all night.

Hello Book

The bid of the Premier Press for the production of the Telephone Directory has been accepted on the recommendation of the telephone committee.

The new G.T.P. News Stand for Lowney's delicious Chocolates, fresh from the factory, is

IS IT FAIR PLAY OR FAVORITISM?

City Council Decides to Hand Over Latest Slice of Printing Patronage to their Particular Pet Paper.

Over the matter of advertising the by-law for the Hays Creek Trunk Sewer as required by law the council had some discussion last night, the matter ending in the decision that the whole advertising be given to the Journal. Alderman Douglas endeavored in two amendments to have part at least of the advertising done by the two daily papers of Prince Rupert. His amendments suggested first that an equal share of

the work be given to the Journal, Empire and Daily News and when that was lost, that the Journal should have \$44 worth and the News and Empire \$22 each. This also was lost, so the whole job goes to the Journal.

Alderman Douglas who maintained that the by-law should appear in all the papers to give the public a fair chance to consider it, made some enquiry of the City Clerk regarding the method he had taken to find out the rates of the various papers for advertising, this by-law. Mr. Woods said he had asked the Journal and the Empire, but had not approached the News at all. His excuse was that he had not had time to ask the News' price for this work until after the News office was closed that evening.

AGED MAN SENTENCED TO IMPRISONMENT FOR LIFE

Farquhar McRae, Who Killed a Man in Trouble Arising Out of Ne Temere Decree, Found Guilty of Manslaughter—Judges Plea for Toleration in Religion

Cornwall, Ont., Nov. 8.—Farquhar McRae, the aged Lancaster county farmer who was found guilty of shooting Frank Shaw, a Carp druggist, during a struggle for possession of a child, has been removed to Kingston Penitentiary to serve out a life sentence. The jury which composed was of four Roman Catholics and eight Protestants brought in a verdict of manslaughter.

The case aroused more than usual attention, as the trouble arose out of the ne temere decree. McRae's daughter, who was a Catholic had married Dr. Magee, who is a Methodist. After the birth of her child she refused to live with her husband, owing to religious differences, arising out of the marriage. When her husband and his friends sought to take away the child by force, the grandfather drove them away with a gun. As the party left in their motor car, McRae fired after them, and the shot killed Shaw.

In his charge to the jury, Mr. Justice Sutherland said that the father had acted in an illegal and high handed manner in forcing their way into the McRae home, although the common law gave him the right to the child and the right to supervise its religious training. He said that in a country like ours composed of so many races and religions it was most essential that there should be religious toleration.

OLD TIMER RETURNS

Mr. Charles E. Evitt, Popular Young Bank Employee, Has Been Home to England.

By the Prince Rupert this morning there returned to the city one of Rupert's popular old timers. Mr. Charles E. Evitt has been on a holiday visit to Orpington, Kent, England, where his people are at present. He was an employee of the Union Bank when here in the early days of Prince Rupert, and is a popular old-timer who will be warmly welcomed back.

SHIPPING INTELLIGENCE

Civic Sniff Yacht is Adrift a Derelict on the High Seas. Broke Away from Tug Last Night.

News to hand this morning on the waterfront is of a serious shipping disaster. The civic sniff yacht hauled out to sea yesterday to discharge cargo in deep water, was on her return trip in tow of the Davis launch taking the contract for the work, when heavy weather arose, and the yacht became unmanageable. For the safety of the commodore and men in charge of the launch she had to be allowed to break loose and today she is adrift on the high seas, while all the waterfront misses her fragrant and familiar presence.

BAYLEY AFTER CHAMPIONSHIP

Boxer Who Recently Gave Clever Display in Prince Rupert Wants to Meet Lauder.

Joe Bayley, the clever Victoria boxer who recently defeated Oscar Nelson in a match in the Kaen Island Club, is now out after the championship. Last week he met and defeated Eddie Merino at Calgary in eight rounds.

Bayley got Merino with a hard punch to the wind and jaw and floored him. Bayley will now challenge Lauder to meet him in the near future for the championship.

Pantorium Pioneer Cleaners, Phone 4.

WORK FOR WINTER

What the City Engineer Plans for Woodworth Scheme Apart From Bush Clearing at the Upper Lake.

Asked by Alderman Newton last night what work in connection with the Woodworth Lake scheme could possibly be carried on during the winter months seeing that the lakeside clearing is likely to be held over longer the City Engineer replied that he could have specifications ready within a week for the following work: The completion of the reservoir on Acropolis Hill. The rock trenching between Shawatans Passage and the reservoir and the blasting out of the rapids at Shawatans Lake. All this work may be undertaken this winter.

History of the Case

The above despatch from Victoria this morning and confirmed by a private telegram to Messrs. Williams & Manson, solicitors for A. J. Prudhomme, will be read with great interest as announcing the opinion of the final court of appeal in the famous Savoy Hotel case. It is understood that, backed with the decisions of both the Supreme Court and the Court of Appeals, Mr. Prudhomme, who has been driven into bankruptcy as the result of the License Commissioners' treatment, will immediately launch an action for substantial damages against the Commissioners.

Election Incident

The case arose at the time of the last municipal elections in

Prince Rupert. Mr. Prudhomme who ran for alderman against Mr. Manson's ticket was then owner and licensee of the Savoy Hotel, into the construction of which he had placed the savings of a lifetime. The hotel was recognized as the best conducted hotel in the city. License Commissioners Smith and Merryfield refused to renew the license on the pretext that it had been improperly granted by Chairman Stork, and at the first meeting of the License Board of 1911, composed of Mayor Manson, and Messrs. Smith and Merryfield, the license was finally refused.

Allegations Were Made

Allegations were freely made that the License Board's action was actuated by a desire to please members of the Carpenters' Union, who had quarreled with Mr. Prudhomme over the building of the hotel. This view of the case was taken by Mr. Justice Clements of the Supreme Court, who in ordering the license to be renewed

said: "There is no doubt in my mind that the refusal to grant the renewal was for reasons other than that claimed on behalf of the commissioners."

Council Plunges In

At this stage, the city council came to the aid of the License Commissioners with the city funds in their fight against Mr. Justice Clements' ruling. City Solicitor Peters entered an appeal with the Court of Appeals, and city money was wired to Victoria lawyers to fight the case in the Victoria courts.

The Court's Decision

The despatch to hand this morning shows that the Court of Appeals has decided against City Solicitor Peters, the License Board and the city council, and in favor of Mr. Prudhomme, who in the meantime has been driven into bankruptcy, as a result of the License Board's action in taking away his license.

PLANT BURNS LAST COAL WHILE COUNCIL SCRAPS

Light Committee and Council Quarrel Over Who Shall Get Coal Contract—After an Hour's Wrangling No Decision is Arrived at

Coal supply for the light plant caused much unprofitable discussion at the city council meeting last night. The light committee proposed the acceptance of the tender for the supply of 250 tons of coal from Lindsay's Transfer Company at a rate 60 cents higher than that of the Kelly Transfer Company. It was stated that the coal would be sacked or boxed as delivered this being a system of measurement explained by the Mayor.

The question before the council was whether it was worth while paying the extra 60 cents per ton for the special coal of the Lindsay Company. Alderman Clayton thought it was, but Alderman Morrissey wanted to be convinced. Alderman Clayton said that if Alderman Morrissey's wife were here he would soon be convinced. It seemed that shipments of the Lindsay coal had proved good for the plant and economical while other qualities sold had proved bad.

Kerr were in favor of ordering the Lindsay coal. Alderman Morrissey, Alderman Newton, and Alderman Kirkpatrick were in favor of ordering a sample quantity sufficient for a test run from Kelly's firm just to see if it were all right. Alderman Douglas was at first neutral; later sided with the light committee.

The sample idea gave rise to much trouble—the light committee refusing if it were carried to have anything to do with the ordering of the coal. After the council had turned down the light committee's plan and decided to try a sample shipment from Kelly's the evident disapproval of the light committee suggested reconsideration. Matters now got badly mixed, and much time was wasted. While the council wrangled it came out that there was only enough coal at the light plant to carry the plant for one night.

Before reconsideration was possible the Mayor had to consult the Procedure By-law to see how the council could get on to the rails for reconsideration. Time,

STAMPEDE THROUGH TOWN

Herd of Frightened Steers Injured Eight Persons in California Town.

(Canadian Press Despatch) Niles, Cal., Nov. 7.—Eight persons were seriously hurt, and a house was demolished yesterday, when a herd of wild steers stampeded through the town.

Blankets—you need 'em—we have 'em.—Wallace's.

TURNED ENSIGN DOWN

No \$75 Grant from City to Salvation Army

Ersign Johnstone's request for a grant of \$75 from the Council to enable him to "farewell" from the city leaving the Salvation Army affairs entirely debt-free in Prince Rupert has been turned down by the council on the ground that they are not authorized to make such a grant without a specific charitable object.

C. B. Lockhart was a passenger by the Prince Rupert today from the south.



PRINCE AUGUST WILHELM of Prussia, Son of German Emperor

Scandinavian Social

"Valhalla" of S. H. and E. F. will give a social with dance in K. of P. Hall Saturday at 8 p.m. All Scandinavians invited. Gentlemen 50c.

WILL REBUILD KASAAN CANNERY

New Structure to be Built of Concrete—Big Plant Has been Thrice Destroyed by Fire.

According to Mr. T. J. Gorman, president of Gorman & Co., owners of the Kasaan Cannery on Prince of Wales Island which was destroyed by fire last week causing a loss of \$150,000, the company will at once rebuild the plant using concrete. This is the third time the plant has burned. The cannery just destroyed was built this year. It was a two-line plant, with a capacity of 2,500 cases a day. The pack this year was 74,000 cases, of which 44,000 cases had been shipped out. The warehouses containing 30,000 cases on a total loss.

The Kasaan Cannery was burned in 1906, and again in 1910.

Children's and misses' winter coats.—Wallace's.

G. McNicholl returned from a visit to the south by the Prince Rupert this morning.

CITY WILL HIRE LUMBER EXPERT FOR WOODWORTH

Clearing Work Will Not be Awarded for Some Time Yet—New Tenders Will be Called for a Third Time After Expert's Investigation

For some time longer the Woodworth Lake waterworks clearing will be held up. City Engineer Davis' reported to the council last night to the effect that it was most advisable to have further and fuller information on the details of the clearing of the area to be submerged and particularly on the building of the stave pipe.

It was uncertain whether it would be better to manufacture it on the spot, or order it from below. Consulting Engineer Thompson favors red cedar for the pipe staves, but Colonel Davis considers the red cedar around the lake of doubtful quality for the purpose.

Colonel Davis recommended the employment of an expert lumber man and saw-miller to give an estimate of the cost to the city of the work of milling lumber, logging, etc., for the work on the spot as well as on the quality

of the timber available and Alderman Newton suggested that the same expert if employed should give an estimate on the cost of the work by days' labor.

City Solicitor Peters noticing that the consulting engineer had reported favoring the leaving all timber standing around the lake except such as required for the stave pipe and dam, said he had knowledge to the effect that the Government would not stand for this but would demand grubbing as well as close cutting rather than let the trees be left standing.

The City Engineer's report was carried, and after some further talk it was agreed that the City Engineer should endeavor to locate a lumber expert in accordance with his report. Alderman Douglas was anxious that the man be secured in Rupert, and to this both council and engineer were agreeable so far as may be possible.