

THE DAILY NEWS

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JUN 5 1912
VICTORIA, B. C.

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From South
Prince Rupert... Saturday, 10 a.m.
For South
Camosun... Saturday, 10 a.m.
Princess Royal... Sunday, 9 p.m.

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PRINCE RUPERT, B. C., FRIDAY, JUNE 21, 1912.

PRICE FIVE CENTS

WILL RUSH ON DEPOT SITE WORK DAY AND NIGHT

APPEAL AGAINST ACT OF LICENSE BOARD

Prolonged Hearing Before High Court of the Case of the Bottle Licenses Renewal of Which Has Been Refused

APPLICATION MADE FOR MANDAMUS

Important Points Brought Out in Argument by Opposing Counsel on Population Question and the Judiciary Powers of the Commissioners---Court Reserves Judgment

Application for mandamus to compel renewal of the bottle store liquor licenses previously granted to E. J. Maynard and J. Arthur Smith, renewal of which was refused by the board of license commissioners at last Saturday's session.

Grounds given for refusal to renew: That the population does not justify the number of licenses issued including the two bottle licenses.

Court's attitude: Judgment reserved.

The Arguments.

S. S. Taylor, K. C., for the applicants set forward at a prolonged hearing before Mr. Justice Morrison yesterday that the commissioners had not exercised judicial discretion on the matter, but had refused renewal as a point of policy which he claimed was beyond their powers. His argument was that if the commissioners could do this in the case of the bottle licenses, then it might do so with regard to all licenses, which would mean that it was arrogating to itself illegally the powers of the Provincial Legislature.

Population Point.

Counsel for the applicants holds that the bottle shop licenses are not embraced in the restriction clause affecting issue of licenses in regard to number of population. Counsel for the commissioners, Fred Peters, K. C., has changed his former opinion on this point. He took the same stand as Mr. Taylor does today on the point of population at the sessions of the license board when the bottle licenses were granted, but his view now is that the bottle licenses are retail licenses and included in the meaning of the restrictive clause.

Mr. Peters' Side.

For the commissioners Mr.

Peters argued that a new board of commissioners is empowered to reconsider and if deemed expedient to reverse doing of the former board. At most a mandamus could only order a reconsideration of the matter of the bottle licenses by the commissioners, he held. Mr. Peters held that the board's discretionary powers are absolute except if the restrictions they impose interfere with provisions of the act or city bylaw. If the board were bound as Mr. Taylor would have it bound then it is but a board of figureheads.

Agreed on Mandamus.

Counsel on both sides seem agreed that a mandamus is the method to meet the situation if there be any need for interference, but Mr. Peters points out in reference to the population point that no mandamus can issue if the population figures be such as to make any further granting or renewal of licenses illegal. No mandamus can order an act contrary to law. Against this Mr. Taylor urged in his reply that the population was correct for the number of licenses when the bottle licenses were issued, and that settled the population point once and for all. Mr. Taylor argued also that without any complaint before them the commissioners could not exercise their judiciary powers. He added that the licenses once issued constituted a vested right in each case.

Court's Comments.

Mr. Justice Morrison during the course of the argument made one or two enquiries and comments. He asked how the commissioners were to arrive at the feelings of the public in the matter and said that it might be necessary for them to show that they had exercised judiciary power. There might be room for the view that they had over ridden the Legislature.

the interesting of British capital in its development, are of mutual advantage to the whole people of the Canadian and American Northwest.—B.C. Mining Record.

Warks' Annual Drawing.

Once each year at Warks' Jewellery Store is held a contest of some interesting description. This year will prove no exception to the rule and the contest will be in the shape of a drawing. The grand prize will be a beautiful mahogany Heintzman piano valued at \$450. The tickets for the drawing will be from 1c upward and for each number drawn that is divisible by five a special prize will be given. There will be sixty five of these minor prizes, ranging in value from \$1 to \$6.

PRINCE RUPERT TWENTY MINUTES AGO

Bottle licensees eagerly awaiting the arrival of that reserved judgment, wishing it might come by wireless.
Many former U. S. citizens still more eagerly awaiting the flash from Chicago telling of convention doings.
City hall detective staff hot on the trail of the transformer troublemaker. Supt. Matthews' patent indicator twitching nervously.
Certain citizens strongly suspect the Government wharf of making a noise like a boiler repair shop.
Merely Mabel says she knows all about the Finance Minister and the young lady in that dark cell at the city hall yesterday.

Spokane on Excursion Run.

Bringing the first excursion northward to Prince Rupert and the Alaska glaciers, the Spokane is due to arrive tonight with a full passenger list of tourists.

Fined for Assault.

Upon a charge preferred by Milo Perich Joe Rowat was fined \$10 and costs for assault in police court this morning.

Seale's Splendid Cup.

Arthur P. Seale of the billiard hall in the Stephens Block has offered a beautiful loving cup for the capital prize in the 220 yard dash on the First, of July.

F. W. Hart Denies.

Mr. Frank W. Hart, before leaving for the south, made an absolute denial of having said anything regarding the recent libel case.

RUSH DEPOT SITE.

By wire today General Superintendent Mehan expects to hear definitely the name of the firm which is to undertake the depot site grading work, contract for which was abandoned by Messrs. Rich & Harris. The firm undertaking this must be ready to rush the work day and night, and it is believed that Messrs. Foley, Welch & Stewart have secured the contract. If so there will be no delay as the plant is here on the spot. Two steam shovels belonging to this firm are ready for action today. The contract involves the removal of 800,000 yards of rock at an estimated cost all told of about \$1,500,000. There are 400,000 yards of earth. It is intended to have the work finished by the beginning of 1913.

BEAUTY OF BULKLEY VALLEY AS A FIELD FOR FARM WORK

An Enthusiastic Account of Prospects There as Compared With Those for Agriculture in Other Colonies---Cost of Land Very Favorably Compares With Australia's Famous "Garden State"

Until the advent of the Grand Trunk Pacific Railway, very little was known or even heard concerning the large district which extends in the northern part of the province from Prince Rupert to Fort George. But now with the railway gangs at work constructing this new transcontinental highway inquiries are being made in all directions as to the nature of the soil in this huge area of virgin country and its adaptability to cultivation.

The average man's idea of Northern British Columbia is that it is a barren, mountainous country, but this is indeed a misconception.

Situated between the Skeena River and along the banks of the Bulkley River are to be found some of the largest arable valleys in the Dominion of Canada, valleys that are merely waiting the means of transportation to make them as productive as the farm lands are today in Manitoba.

Soil Very Rich.

Until quite recently indeed the few settlers who have been in the north have been almost exclusively in the Bulkley Valley district, for two reasons, the great richness of the soil and the favorable climatic conditions. It is so sheltered by large ranges of mountains that it has a minimum snowfall and at the same time it is sufficiently near the coast to ensure an adequate rainfall.

Those few settlers who were brave enough to penetrate this wonderful country ten or twelve years ago have been amply re-

warded for the hardships that their pioneering entailed, as not only is the climate an extremely healthy one, but the natural fertility of the soil is such that all the harder grain crops can be grown to the acme of perfection.

Good Wheat Country.

While wheat will average thirty-five bushels to the acre, and summer frosts are practically unknown, the rich meadow lands adjoining the Bulkley River are especially adapted to the raising of fine herds of dairy cattle. By many these lands are considered to be fully equal to the land in the vicinity of New Westminster, which is famed today throughout British Columbia as the paradise of dairy and "truck" (market garden) farmers.

With the advance of the railway the land is bound to increase very rapidly in value and as the government of British Columbia make a point of supplying the settlers' needs towns and villages are bound to rise, whereby the farming community will be well supplied with butter and milk.

Unexcelled District.

There is today no other district in Canada where land so excellent can be obtained at such moderate prices as in this part of the province, through which the Bulkley River flows. The climate can be favorably compared with that of the west of England, although the winter may be a little more severe. The timber which plentiful can be cleared at small expense, and any farmer

with sufficient money on hand to enable him to cultivate a small portion of his land need be in no fear of the result he can obtain inside of twelve or eighteen months.

Droughts are unknown, and all the harder crops can be reared. Good land can be obtained at a price of from \$20 to \$30 an acre, and the advantages of the Bulkley Valley should appeal strongly to English and Scottish farmers, who, with a small amount of capital, can be actual owners of the land they are cultivating. As everyone knows, new countries present a wonderful opportunity for the small man, who in Great Britain is not given even a fighting chance.

Prices Are Low.

The price of the land is so low that every year as the tide of immigration flows sees a safe and gradual increase in the value of property. Good dairy land cannot be obtained in Victoria, the garden state of Australia, for less than from \$150 to \$250 per acre, and Australia has many disadvantages in being a subtropical country. In the Bulkley Valley, however, land equally good can be bought at the price mentioned.

When, therefore, the new transcontinental highway is completed, it is confidently anticipated that British and American farmers will not be backward in taking advantage of the rich heritage nature has so generously provided for them.—R. D. Pontifex, F. R. C. I.

TREMENDOUS EXCITEMENT AT CHICAGO CONVENTION

Roosevelt Forces Decide to Bolt From the Convention if Necessary and Form a New Republican Party to Gain Nomination of Teddy—Demand by Some Delegates Made to Name Third Candidate

(By special wire arrangement from Seattle via Skagway and Dawson to The Daily News.)

Chicago, June 21.—At 2 this morning Colonel Roosevelt announced that he was through and hopes the majority of the convention will organize and then nominate a president. After the majority of the credentials committee refused to give a full hearing on all contest the men walked out. Francis Henry declares that the action is a bolt, and he with others will bolt the convention today. Governor Johnson of California says: "We are prepared for the birth of a new Republican party, which will nominate Roosevelt." The rules committee adjourned at midnight and decided not to change its representation. Leader Flynn of Pennsylvania, after two hours' caucus, ending at 3 this morning, announced that the delegation voted unanimously to walk out of the convention, which he said was controlled by Taft forces. The convention convenes again at noon and adjourns to 4. Demand is growing that a third candidate be named and the elimination of Taft and Roosevelt. The Hadley boom is growing. Rooseveltians have an option on Orchestra Hall for a second convention if necessary.

TEDDY ON PHONE.

Chicago, June 18.—Seated at one end of a private telephone wire in his apartment on the top floor of the Congress Hotel, Col. Roosevelt kept in touch with the progress of events in the convention hall and issued orders to his lieutenants. In order to ensure secrecy, the wire ran direct to the Coliseum, avoiding the hotel switchboard.

the rear of the platform so that they commanded it on all sides. Plain clothes officers were also scattered through the galleries, and some of them leaned against the side walls, where they could command the delegates' reservation. It was plain that they were ready for anything that might come up.

Platforms Secret.

There was much discussion about platform suggestions. William Barnes Jr., in response to an enquiry regarding the publication of what purported to be the official platform of the Taft men, said:

"There has been a number of rough drafts of the platform submitted, but none of them is official. As a matter of fact, it will be impossible to say just what the platform will contain until the resolutions committee actually gets to work. Everything up to the present must of necessity be a guess."

The same situation existed so far as the Roosevelt platform was concerned. There were only three copies of this document in existence and the Roosevelt leaders declared that no one could see them until some questions in dispute are cleared up.

Pantorium Pioneer Cleaners. Phone 4.

Social Hop.

You are cordially invited to attend a social dance at K. of P. Hall Saturday evening, June 22. Mr. M. M. Cooper, dancing instructor of Seattle, will manage the floor. Good music. 2t

DIRTY DOLLARS ARE CALLED IN

Minister of Finance for the Dominion (Not Ald. Douglas), Has Heard from the Chartered Banks Regarding Cleansing of Paper Currency.

Ottawa, June 20.—The Minister of Finance has received satisfactory replies from the chartered banks in answer to his request that they would co-operate in the effort which is being made by the department to improve the appearance of the Dominion note circulation, by getting worn, torn, defaced and soiled bills and issuing new ones in exchange.

GAYNOR TO BE CANDIDATE

New York, June 21.—Tammany will present the name of Mayor Gaynor at the Democratic convention in Baltimore. It is said Bryan will be the ringmaster at the convention.

PRETTY FLAG DRILL BY THE LITTLE GIRLS

Under Auspices of Daughters of Empire Chapter, an Attractive Display is Arranged by Mrs. Eggert

Under the auspices of the Daughters of the Empire chapter in Prince Rupert there was held in the K. of P. Hall yesterday afternoon a very pretty function, in which a pretty group of the little girls of Prince Rupert displayed their skill in flag drill. The bright and efficient little band of bonnie lassies had been trained in the picturesque drill by Mrs. Eggert and with splendid effici-

ency and effect. Beating time to martial music and dainty airs played by Miss Martin, they moved in graceful unison, their fluttering flags filling the scene with color and patriotic effect. There were twelve little girls in the group, their names being:

Kathleen Pillsbury, Doris Dowling, Muriel Patmore, Marjorie Sing, Madeline Nelson, Esther Naden, Katherine Davis, Violet

Mortimer, Lorna Tite, Constance McMullin, Gertrude Nelson and Gracie Manson.

A large audience of the ladies of Prince Rupert witnessed the pretty display and heard a fine address by Rev. W. H. McLeod on the British flag and flags that enter into its design. A recitation by Miss Ethel Gray and solo by Miss Holby greatly pleased, and an acceptable service of refreshments was given.

Big Police There.

The only evidence that anything unusual was looked for was the massing directly in front of the speaker's platform, where they commanded the stairway leading up from the floor level, of twenty-two of the largest police officers in Chicago, under command of Captain Stephen K. Healy, a former inspector. The captain said that he had no special orders, that he was there to see that there was no disturbances. A second squad of fifty policemen, most of them members of the traffic squad, filed into the hall later. They took places at