THE
Flesherton Advance

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W. H. Thurston - Editor

RURAL MAIL BOXES

A motion in the Council minutes this week makes it necessary for us to say that in regard to placing of rural mail boxes we merely copied a legal opinion from the Mail-Empire, saying that according to that opinion the motion was superfluous. We did not see the opinion expressed by the Municipal World, and expressed no opinion one way or the other, therefore the motion should read, "Pay no heed to the Mail-Empire"—not The Advance.

The resolution further says the opinion of the Deputy Postmaster-General is that the posts should not intrude upon the highway.

The resolution of Council referred to warned all parties that they would be responsible for any damage resulting from placing boxes on the highway. The postal department provides that such posts must be placed near enough to the travelled highway for the courier to handle them without dismounting. The highway is from fence to fence and in order to comply with government regulations they must of necessity be placed on the highway, though not on the travelled portion. We venture to say there has never yet been a case where compliance with government regulations put a man in for damages. In order that the public may know exactly what this regulation is we quote clause 6, which reads as follows:

"The post to which the box is to be permanently attached, and which is to be provided by the patron, may be either five inches square or five inches in diameter, must be at least three feet in the ground, and approximately four feet six inches above the road level, and must be erected upon the road side so as to be conveniently reached by the courier without leaving his horse. During the winter season the roads must be kept open and the approach to the box sufficently clear of snow to enable the courier to cover his route without being unnecessarily delayed or inconvenienced."

Artemesia Gouncil

Artemesia Council met in the town hall on Saturday last. The members were all present, the Reeve in the chair. Minutes of last meeting were read and confirmed. Communications as follows were read: W. H. Thurston, account for printing Auditors' Report, $36.40; W. A. Armstrong, account for exchange on draft re county rate, $1.50; Owen Sound general and marine hospital, notice as to taxes charged for patients; the Reeve and Clerk, report as to expenditure on town line Artemesia and Proton; Samuel Fisher and 34 others, protesting against opening up of streets in Eugenia now occupied by Robert Williams; By-law No. 764, to authorize a loan of $4500 for current expenditure, was passed after receiving its several readings.

McLeod—Brown—That W. H. Thurston's account, $36.40, for printing Auditors' report of 1912, be paid—Carried.

Brown—Caswell—That the Treasurer be allowed $1.50, exchange on draft remitting county rates to county treasurer—Carried.

Caswell—McLeod—That $75 be granted towards laying cement sidewalk in Eugenia, provided the commissioner for Div. 4 expend $25 of his appropriation for same, and the village expend as much as possible of their statute labor for the same purpose, and the commissioner for the division have the oversight of the work and make written report to this Council—Carried.

Brown—McLeod—That the report of the Reeve and Clerk as to settlement of moneys expended on town line Artemesia and Proton be received and filed, and they be paid the sum of $3 each for their services—Carried.

Graham—Caswell—That Robert Campbell be paid $100 for right of way for road on lot 24, con. 12, in lieu of 12 con. line upon him furnishing this Council with title to the same—Carried.

Brown—Graham—That Collector J. K. Jamieson be refunded $10, being amount overpaid on collector's roll for 1912—Carried.

Graham—McLeod—That this Council having viewed the condition of the bridge at Priceville when meeting there, and considering that it will stand for some time yet, the Clerk notify the Police Trustees of Priceville that certain repairs should be made by them to strengthen the supports to make it safer—Carried.

Caswell—Graham—That Bylaw appointing overseers for 1913 be amended by inserting the names of W. T. Genoe as pathmaster in Div. No. 27 instead of George Snell, and John Sloan instead of Nelson Frewing in Div. No. 30—Carried.

Caswell—McLeod—That this Council will not recognize any expenditure on the town line between this township and the township of Proton, unless notice has been given to this Council and ordered to be done, and the several commissioners interested are requested to settle up any expenditure on said town line in the year it is done, and a copy of the notice be forwarded to Proton Council—Carried.

McLeod—Brown—That this Council pay wages while expending appropriation on roads—For ordinary work, men $1.75 per day; for man and team, ordinary, $3.25 per day; for man and team on grader, $3.50 per day—Carried.

Graham—Caswell—That the domestic animals hereinafter mentioned are prohibited from running at large upon the highways of this municipality subject to being impounded: Horses of any description or age, entire animals of any kind, geese, turkeys, hens and all other poultry, and the owner or occupant of any land shall be responsible for any damage caused by any animal or poultry under his charge and keeping, notwithstanding that any property may not be enclosed by fence—Carried.

Graham—McLeod—That Mr. Traynor be requested to report to this Council as to the condition of the contract let to Mr McDonald and as to the cause of the present defective condition and he have the contract completed according to contract without further delay—Carried.

Graham—Caswell—That we would advise the ratepayers placing or about to place mail box posts on the highway not to heed The Advance that our resolution of a former meeting was superfluous, in view of the opinion of the Municipal World advises that posts upon the highways are an obstruction, and the decision of the courts estate of Dillon against the counties of Lambton and Middlesex where damages of $5000 were awarded owing to the road not being 22 feet wide, and also the opinion of the Deputy Postmaster General the posts should not intrude upon the highway, the instructions to patrons on rural routes do not require the boxes to be near the travelled portion of the highway.

Graham—McLeod—That the first sitting of the Court of Revision on the assessment of 1913 be held at the town hall on Monday, June 7, at 10 o'clock a.m., and the Clerk give the necessary notice.—Carried.

Council adjourned.

A Misconception

To the Editor of The Advance:

Dear Sir,—The Arrow's editorial reference to the Love case has evidently been very much misunderstood by "A Friend of Justice," whose letter appeared in last week's Advance. The miscarriage of justice alluded to in The Arrow had no reference to the Cook Teet's case whatever. In the latter case, not only was the evidence overwhelmingly strong both at the Coroner's inquest in Flesherton and at the trial held at Owen Sound—but the motive was clear, conclusive and convincing. I was publisher of The Advance at that time and not only have a distict recollection of the facts of the case, but, more important still, I still have the fyles of the Advance which contain a full report of the inquest and the trial as well as of the last act in that gruesome tragedy.

The case alluded to in The Arrow—in which the innocence of the victim of judicial vengeance was clearly established by the dying confession of the real murderer twenty years afterwards—was tried in the United States. The young man who wrongfully paid the extreme penalty of the law on that occasion was a native of the County of Grey, and, before going to the States, resided a few miles East of Flesherton.

As to the Love case, I am more than ever convinced that the strongest kind of an appeal should be made for executive clemency. By commuting the sentence to imprisonment, the ends of justice would be served and at the same time the honest doubts of a large number of people would be respected.

The Advance itself says—"We know of not one who did not think that Love would get clear at his trial. Afterwards they considered the verdict a just one." So that The Advance itself supplies one of the strongest reasons why the sentence of the Court should be commuted.

Any newspaper man with a grain of common sense knows that it rarely happens that direct evidence is submitted at murder trials. In nearly all such cases the evidence is necessarily and obviously circumstantial. What I contend is that unless the motive for the crime is clear and convincing, the jury assumes a grave responsibility in bringing in a verdict of "guilty."

Trusting you will find space for the insertion of this letter and thanking you in advance for the courtesy, I remain,

Faithfully yours,

—A. R. FAWCETT,
Editor, "The Burk's Falls Arrow."

One day last week as the G. T. R. train was on its way from Palmerston to Kincardine, it ran over and killed a two-year-old child of Rob't Tovey, a farmer residing between Bluevale and Brussels. The little one had crept under a gate and on the farm crossing before it was missed in the home or seen by the engineer. The train crew, which is the same as regularly runs over the branch to Mount Forest, including Conductor Cox, was off Saturday attending the investigation. No blame could be attached to anyone.

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Hundreds suffer loss of sight

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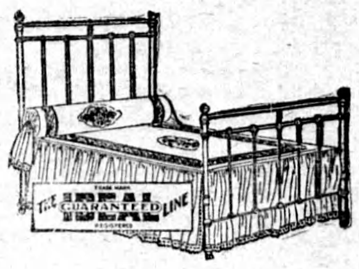

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Get something nice and comfortable on which to lay your weary head. Of course we have other beds at other prices, all equally low in price—Sanitary Beds such as everybody wants. Springs and Mattresses to fit all beds. Examine our stock anyway, before purchasing your sleep inducers.

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New 4 yard wide Linoleums
New Floor Oilcloths
New Velvet and Tapestry Squares
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Write for our private address.

J. & W. BOYD
GENERAL MERCHANTS
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FLESHERTON, - ONT.

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