

The Daily British Whig

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LAST EDITION

CLAIMS ACRES

Province Holds the Millions Belong to Them.

CONTESTS THE ISSUE

DOMINION RIGHTS TO LANDS IN RAILWAY BELT.

Bodwell's Contention—Declares Federal Government Must Give An Accounting of Money Received and Expended.

Vancouver, B.C., Nov. 27.—The contention that the Dominion government is but the trustee and not the owner of the million of acres in the railway belt of twenty miles on each side of the C.P.R. from the tidewater to Alberta, and of the three million acres in the Peace River district, and that the province is still owner of these lands, never having parted with its title, was raised for the first time in a British Columbia court.

It formed one of the chief branches of argument of E. V. Bodwell, K.C., representing the provincial government in the stated case in the long standing dispute between the local and federal governments over Indian lands; the case in which the province asserts its title to a reversionary interest in the abandoned or sold Indian lands, the dominion having in these lands no beneficial interest but merely the right to administer them as guardians of the Indians in this province.

The argument went beyond the Indian lands and included the millions of acres of land conveyed to the dominion by the provincial act of 1884. Mr. Bodwell read that act which makes use of the words "in trust" and added in effect that the province contends that these lands were granted to the dominion merely in trust in aid of the construction of the C. P. R., making the dominion government trustees and leaving the province still the owners. That the federal government has never rendered an account of its trusteeship and the province, as owner, has a right to demand it, that the account must show any surpluses and revenues derived by the dominion since 1884, in these lands in which the dominion was by mistake, regarded itself owner.

The court reserved its decision upon this as upon all phases of the stated case. The Dominion government was not represented by the counsel al-

DAILY MEMORANDA.

For quality it's Carroll Bros' always.

Exhibition of Water Color Paintings at Kirkpatrick's Art Gallery.

Some real Bargains in the "For Sale" advts., one page 3, tonight.

You hear it all over.

What ever you want.

That the very best Furs are from George Mills & Co.

Nov. 27th, In Canadian History.

1816—The Hon. Lewis Wallbridge, Justice of Manitoba, was born in Belleville, Ontario, died in Winnipeg, October 20, 1887.

1849—The Hon. James H. Cumiskey, Commissioner of Public Works of Prince Edward Island, was born at Port Augustus, Prince Edward Island.

1854—Railway communication was established between Montreal and Pointe du Quai.

1868—Sir John Young was appointed Governor-General.

1885—Eight Indian murderers were tried at Battawin.

1896—Severe earthquake shocks were felt in Montreal.

Decorative Dining-room Crockery

The modern dining room with its continuous "plate shelves" affords ample opportunity for the display of odd and quaint Jugs, Tankards, Plates, etc.

We carry an extensive line of specially chosen articles for this purpose.

Robertson Bros.

DIED.

DOCTOR
LAWYER

Professional Advertising

The physician has a sign on his door. That is an advertisement to the passer-by. Comparatively few people see the sign however.

Why not carry your sign into all the best homes in town? You can do so by a Classified Want Ad and without loss of professional dignity too.

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Notice.

Legal forms, customs entry blanks, etc., for sale at Whig office, the cheapest and best place to buy printing.

Leaven Kidney & Liver Pills. Regular price, 25c.; two for 25c., at Wade's drug store.

DID NOT HANG

TWO MONTREAL MURDERS NECKS SAVED.

SENTENCE COMMUTED

WILL LIVE PRISONERS TILL THEY DIE.

"Crooked Neck" Smith and Vito Micali the Murderers—The

Men They Killed—Only Eleven Hangings in Montreal in the Past Fifty Years.

Montreal, Nov. 27.—Had not the dominion cabinet commuted the sentence of "Crooked Neck" Smith and Vito Micali, the pair would have paid the penalty for murder on the gallows in the yard of the Montreal jail, this morning. Smith and Micali were condemned to death by Justice Trenholme during the September term of the court of king's bench. Smith was found guilty of the murder of a member of a gang to which both belonged in an opium joint in Chinatown. The crime aroused particular interest at the time on account of the circumstances connected with it. Smith had been threatened by his victim, "Mike" Malone, alias "Jimmy" Enright, following a fight one night in the opium den in which Enright was stabbed with a knife. On the following morning, Smith returned to the den and when Enright entered he shot him down in cold blood. "Crooked Neck" then made his escape and succeeded in getting to New York. Both Smith and his victim were well-known to the police, as both were members of a well-known gang of pickpockets. The police lost all trace of the murderer, though he ran through some of the principal streets of the city immediately after the murder, called at a companion's house to raise money, and succeeded in evading capture on the New York train. After a week's absence he returned to the city to give himself up. He wandered about the Bonaventure station for the greater part of the morning without being captured, though police and detectives were supposed to be on the lookout for him and finally went to the St. James hotel, where he gave himself up. He pleaded self-defence, but was found guilty of murder in the first degree and was condemned to death.

Micali was condemned to death for stabbing and fatally wounding a compatriot named Antonio de Luca in a boarding house in Cadien street. Micali and de Luca were born in the same town in Italy and had been friends from childhood. They came to Canada together and lived together here. The murder resulted from a trivial quarrel.

This was the first time in the history of the Montreal courts that two murderers were condemned to die on the same date. Had the sentences been carried out this would have been the first execution in Montreal in seven years. The last man to die on the scaffold here was Tharwald Hanson, a Dane, who foully murdered a little boy in Westmount, a suburb of the city, in order to get a few cents which the little lad had in his pocket. There were only seven hangings in Montreal in the last fifty years.

GAS BUOYS REPLACED

ON RIVER FROM MONTREAL TO QUEBEC.

Accidents This Year Have Been Minor—There Has Been No Heavy Damage to the Ocean Shipping.

Montreal, Nov. 27.—The work of replacing the gas buoys which mark the St. Lawrence route between Montreal and Quebec with spar buoys is progressing rapidly and it is expected that it will be completed by tomorrow. Navigation by the St. Lawrence route is now officially closed, the last steamer having gone out last week, but a number of small cargo vessels which ply between Montreal and Quebec and maritime provinces ports will continue to make the trip as long as the river remains unfrozen. It is for the benefit of these vessels that the department of marine is placing the spar buoys in the channel. They will be left out as long as conditions permit. Navigation on the great lakes does not close until the middle of next month and the work of removing the buoys and the removal of the lake routes will not be commenced until December 10th. Though accidents on the St. Lawrence route have been more numerous during the season which has just closed than during the previous seasons, there have all been minor ones and there has been no very heavy damage to ocean shipping. In spite of the fact that the channel has been better lighted or marked out a number of vessels ran aground. Early in the season the Inniswood Head, of the Head line, went ashore in the channel. She was delayed for some time and some difficulty was experienced in floating her but the damage to her hull was very slight. The Marine was also aground for several days but when she floated it was found that she had been hit slightly damaged. There were several collisions during the season. The Corinthian, of the Allan line, ran into a freight boat in the channel and the steamers Quebec and Throld collided in fog near Batiscan. In neither case was the damage heavy. There were a number of minor accidents also which resulted only in a few hours delay and slight damage.

Not for years has fog and smoke so interfered with the St. Lawrence route shipping as during the past season. This was due largely to the forest fires during the latter part of the summer. Several times for three and four days at a stretch the whole of the St. Lawrence channel was enveloped in a dense pall of fog which tied up the shipping. Steamers which were inward or outward bound were compelled to anchor in the channel wherever they happened to be when the fog descended and others that were scheduled to sail from Quebec and Montreal were held up at their moorings. The last, and by no means the lightest of these fogs, hung over the river during the early part of this week. The last of the steamers had departed but there were a number of small freight boats that were held up.

Will Be Represented.

Berlin, Nov. 27.—It is semi-officially announced that though the chancellor will not be present at the debate in the reichstag, early next week, he will be represented by an official of the government. The debate will be concerning the motions introduced by the socialists and radicals for a more close definition of the responsibilities of the ministers of the empire to the reichstag.

Furs For Christmas Presents.

Any article selected now will be placed aside until wanted at Campbell Bros., the busy fur store.

Notice.

Legal forms, customs entry blanks, etc., for sale at Whig office, the cheapest and best place to buy printing.

If converted into butter, some of the cream of society would make a mighty poor quality.

New Christmas neckwear. Living stones.

Brookville's municipal light plant has had a very profitable year.

SCANTY LIQUID DIET.

SAYS FEWER DIE ON SOLID FOODS.

Syracuse, N.Y., Nov. 27.—The practice of feeding typhoid fever patients well on solid foods rather than giving them a scanty liquid diet was advocated by Dr. L. Harry Levy in a paper on "The Diet in Typhoid Fever," given at a meeting of the Academy of Medicine last night.

Custard, creamed eggs, soups and chicken were some of the foods Dr. Levy said he gave patients with typhoid fever, but only when they craved food.

The results, he believed, were generally better, the loss of flesh and strength less and the recovery period shorter. Individual cases, he considered should be handled as the characteristics of each case requires. Dr. Levy gave numerous statistics to show the percentage of deaths where liquid diet and solid diet were given. He regarded that fewer patients died when solids are used and that they have the additional advantage of being in better physical condition when the disease is conquered.

Storm warnings are displayed on the great lakes and on the Atlantic coast.

The new steamer Hammock was launched at Collingwood on Thursday afternoon.

The many friends of T. M. Corbett, Church street, injured by falling from a scaffold at C. E. Britton's Island, "Madluna," where he was working at a new house boat, will be pleased to learn that his injuries, while serious, are not dangerous and he will likely be around in a few days.

Hugh Wilson, Pine street, senior member of the firm of H. Wilson & Sons, agricultural implement, carriage and piano dealers, King street, an ex-reeve and councillor of this municipality, was taken to Toronto general hospital on Wednesday, seriously ill. He was accompanied by Mrs. Wilson.

Ex-Mayor W. J. Wilson is moving into his handsome and spacious new residence on Pine street, lately completed.

Mrs. James A. Thomson, wife of the editor of the Gananoque Journal who has been in Brockville general hospital for the past few weeks, where she underwent a serious operation, has returned home much improved.

Four persons were drowned when the steamer Finance was sunk off Sandy Hook in collision with the White Star steamer George.

At St. John, N.B., John Kelly, inspector of lighthouses, has been suspended pending the result of the marine department inquiry.

Lieut.-Col. Hamilton Merritt is about to retire from the command of the governor-general's bodyguard, Toronto, his term having expired.

There is every indication that the action for \$10,000, instituted by Sir Frederick Borden against the Cowansville Observer will go to trial.

It is reported that Premier McBride will invite the other provincial premiers to British Columbia for a conference on the subsidy question.

The Emperor of Germany's indisposition is following a normal course and it is believed his majesty will have entirely recovered in a few days.

The most recent church census of the United States shows forty denominations, with 161,731 ministers, 219,191 churches and 32,883,156 members.

The Russian committee on naval defences has refused the \$3,000,000 for new battleships until the naval ministry shows satisfactory signs of reform.

There will be no protest against the election of Lloyd Harris, liberal, in Brantford. Conservatives have talked of action but have decided not to take it.

A number of vessel owners have raised the rate for carrying grain from the head of the lakes to Georgian Bay ports from two to three cents a bushel.

All the parties in the reichstag, it is said, have decided there shall be no more attacks on the kaiser or reversal of rotary against the kaiser's personal regime.

St. Petersburg telegrams give an account of the discovery of an alleged plot upon the life of the dowager empress of Russia, during her journey from Copenhagen.

Trouble simmering in the 34th Regiment of Chatham, Ont., since the Quebec centenary is, according to rumor, likely to end in the disbanding of the regiment.

Samuel B. Donnelly, Brooklyn, former president of the International Typographical Union, has been appointed public printer by President Roosevelt to succeed John S. Leech.

The Windsor, Essex and Lake Shore RR. is being sued for killing cattle.

The owner maintains that the company did not keep the fence and gates along its right-of-way in proper condition.

A. P. E. Panet, a Windsor lawyer, sued W. J. Douglas, merchant, for damage to his automobile sustained in a collision with a horse and rig belonging to the plaintiff. He collected \$14.

Sir Edward Grey, questioned in the British House of Commons, said the British consul-general, at Port An Prince, had reported that British interests and subjects in Hayti were not in danger.

The Canadian marine department has obtained the use of the United States government's dock scow, at Amherstburg, and the work of removing all big boulders in front of the docks is under way.

In London, at the colonial fruit exhibition, gold medals were awarded to British Columbia apples, to the Nova Scotia government's collection of fruit, and the government of Ontario's collection of fruit, etc.

Rev. J. Graham Clark, pastor of Mulvane church, Westmount, will shortly return to the ministry of the United Free Church of Scotland. He will take up the duties of pastor at the Arthur Lea church, Barrehead, near Glasgow, Scotland, at the opening of the year.

Jacob A. Jacobs, ranked among the Cobalt millionaires, has purchased a valuable piece of St. Catharine street real estate, in the heart of the retail shopping district of Montreal. The purchase price for the same was \$15,000, and upon this Mr. Jacobs will erect a block of fine stores.

Notice.

You can only buy Swift's coal and wood at the company's offices. We have no store agencies.

One of the largest and oldest health and accident companies in the world offers indemnity against illness from smallpox of \$10 to \$50 per week, and the same if quarantined. Rates very reasonable, apply at once to W. J. Fair, opposite post office.

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