

YEAR 85, NO. 226

KINGSTON, ONTARIO, SATURDAY, SEPTEMBER 28, 1918.

LAST EDITION

HAD ARCHBISHOP THE AUTHORITY

Over the Sisters of Charity of the House of Providence?

MR. TILLEY'S CONTENTION

IS THAT THE ARCHBISHOP HAD FULL POWER.

Chief Justice Meredith Held That the Evidence So Far Submitted Did Not Show This.

Toronto, Sept. 28.—The question of Archbishop Spratt's relation to and authority over the Sisters of Charity at Kingston was gone into thoroughly at yesterday afternoon's session of the Divisional Court at Osgoode Hall, when W. N. Tilley, K.C., took up the defence in the appeal of the Archbishop against the judgment of the trial judge in the action brought by Sister Mary Basil. Mr. Tilley sought to show that the Archbishop, as head of the diocese, was the first in authority, the next below him being the Mother General, and below her the Mother Superior of the community of which Sister Basil was a member. He sought to establish the contention that neither the Mother Superior nor the Mother General would have taken upon themselves the authority of removing Sister Basil from Kingston.

Chief Justice Meredith was apparently of the opinion that there was nothing to show that the Archbishop had authority. He pointed to the charter of the community, which does not specifically mention the Archbishop.

Mr. Tilley contended that once established, there was nothing to prevent the members agreeing up or any regulation they desired. They took vows of obedience, poverty and chastity. The vow of obedience required them to submit to the orders of the Pontiff at Rome, and their superiors, whether disagreeable or contrary to their own judgment.

Acting Under Orders. "The sisters who took part in this attempted abduction justified their action by saying they were acting under orders," said Mr. Tilley.

Chief Justice Meredith—"In other words, if they had been told to cut Sister Basil's throat, they would be expected to do it?" Mr. Tilley—"Yes."

Mr. McCarthy—"That would have been sinful."

Mr. Tilley—"This was not."

The Chief Justice still maintained that there was no evidence yet submitted to show that the sisters must obey the Archbishop. "His concurrence was necessary to the dismissal of a sister, or her removal from the diocese," replied Mr. Tilley.

"The members of the community were bound by the charter, and could not make any changes in it, unless the canon law is part of their constitution. If the Archbishop attempted to exercise any power not provided for in the charter, I suppose any member could apply for an injunction to restrain him? Could he advance, as justification, the plea that he had power under the canon law?"

Mr. Tilley still maintained that the members of the community were bound by the regulations of the order.

"In the Order's minute book you will see many entries of grants or reprisals of the Archbishop of permission to take a sister to another diocese," said Mr. Tilley.

Thinks Sisters Liable. "The bishop is the first superior of all such communities, which have never sought or secured authorization of the Holy See, and it is as a member of such a community that Sister Mary Basil was subject so directly to the bishop and was properly called a 'diocesan nun,'" said Mr. Tilley.

Proceeding to discuss whether, according to the Order's constitution, the Archbishop was a necessary consenting party to such an Order, Mr. Tilley said "the Mother Superior would never act in such a matter without the Archbishop."

"Supposing she was insane," suggested the Chief Justice.

"There is no question as to her mentality," responded Mr. Tilley. "In a crowded and impressive court room she was examined at great length and was the best woman witness there."

"You are holding the organization responsible for the decision of its council and the action of its members?" asked Justice Magee.

Mr. Tilley—"You seek to hold the sisters liable as members of the council which passed the resolution for removal and as taking part in arranging the removal?" asked Justice Magee.

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RUSSIA IS UNITING FOR A NEW REGIME

All Factions Are Co-operating For The Overthrow of Traitors.

Washington, Sept. 28.—Out of the chaos which has existed in Russia since the overthrow of the Kerensky Government by the Bolsheviks there is emerging a central authority which officials and diplomats here hope will be able to re-establish order and renew the fight against the common enemy.

Official information reached the Russian Embassy today, that the pan-Russian conference at Oufa, European Russia, which has been recognized by the Provisional Government, is organizing the Siberian Government, had constituted a committee of five as the lawful authority for all Russia. This committee will be responsible to the Constituent Assembly of all Russia, which will convene on January 1, provided 250 members attend.



NEW FRENCH CONSUL. Henri Poincaré, who succeeded C. E. Bouché as representative of France in Montreal.

KEEP WIFE; IGNORE KING.

Crown Prince of Rumania May Renounce Claim to Throne. Amsterdam, Sept. 28.—In answer to a plea that he desert his bride of humble birth, Crown Prince Charles of Rumania has replied that he has preferred the certainty of having the wife he wanted to the chance of losing the succession.

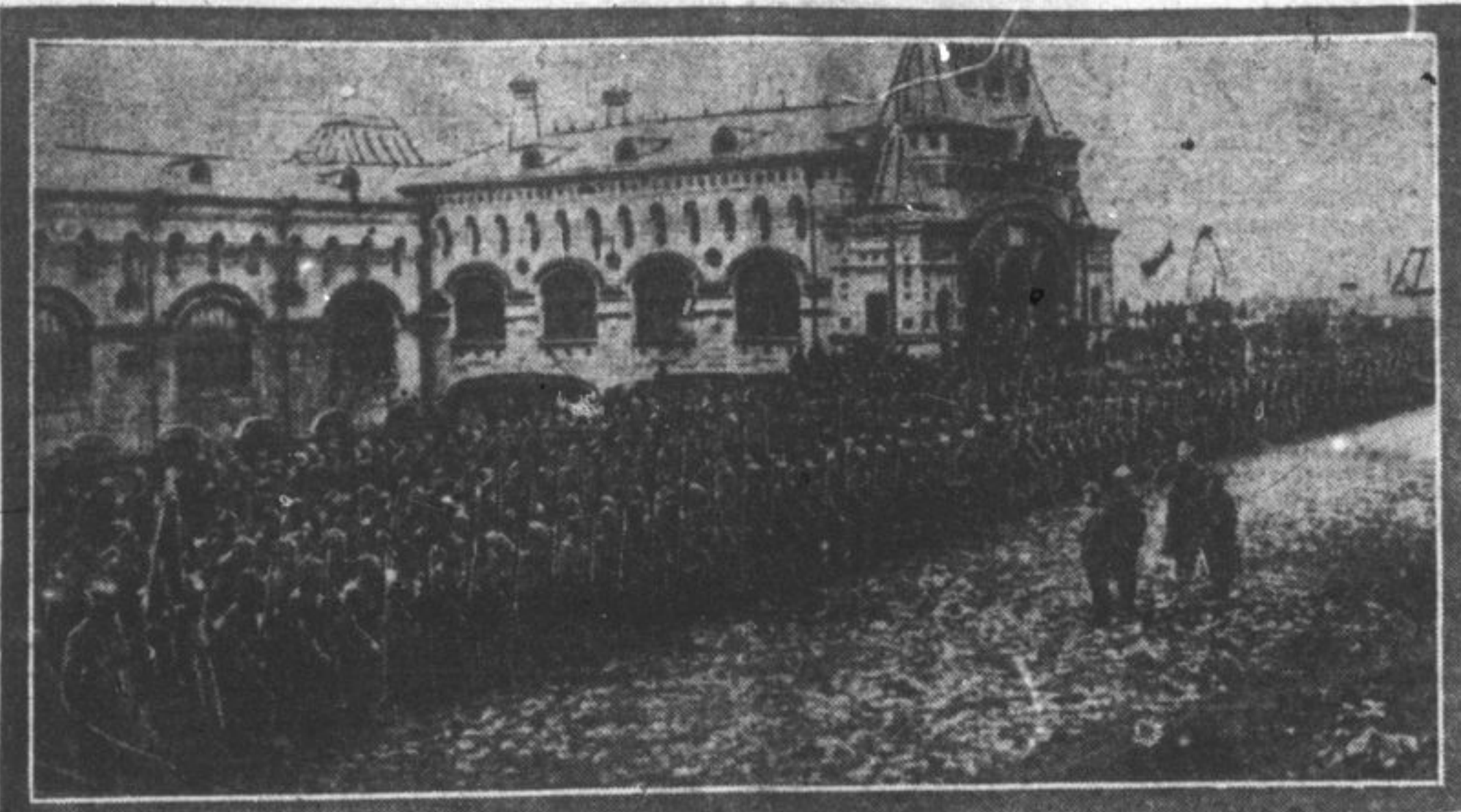
All a Matter of Money. Ottawa, Sept. 28.—There is said to be a hitch between the Ottawa Club and Owaec, Dey of the Arena over the rink accommodation for this season. The hockey club directors will hold a conference with him this week. On what Mr. Dey demands as guarantee per game from the hockey club rests the Ottawa's decision as to whether a team will be operated this winter.

LAST PHOTO OF "RODDY" LEMIEUX



The above snapshot was taken four days before Lemieux was killed and not far from where his body was buried.

THE SAVIORS OF RUSSIA



Czechoslovaks at the railroad station at Vladivostok being inspected before departing for the interior of Russia.

MAY ANNIHILATE 4TH TURK ARMY

Which is Now Surrounded in Region East of the Jordan.

WOULD COMPLETE CLEAN-UP OF ALL THE TURK FORCES IN PALESTINE.

Syria Open to Invasion—France to Prepare Scheme for the Self-Government of the People of Palestine.

London, Sept. 28.—The 4th Turkish army on the Palestine front is virtually surrounded in the region east of the Jordan and faces annihilation by Gen. Allenby's forces. The annihilation of the 4th army, now hoped for, would complete the cleaning up of the Turkish forces in Palestine, accounting for about 80,000 men. The precarious position of the 4th Army may be seen from the fact that Arab cavalry and infantry are north of it, and British troops east of it, and British troops to the south. All these are pressing inward on the enemy, while the Jordan, with the crossings, is in the hands of the Allies.

Liberated territory in Palestine will be administered under the agreement reached between the British, French and Russian Governments in 1916. It is learned here, England and France will carry out the agreement under which France is charged with the preparation of a scheme of self-government for the people of Palestine. This work will be the object of conversations which will take place shortly.

Syria Open to Invasion. The full Turkish strength in Palestine is not definitely known, as hardly two Turkish divisions are of the same size or organization. It is known, however, that the Allies had to deal with 18,000 fighting men west of the Jordan, with about 10,000 men on communications, as well as many thousands east of the Jordan.

One of the chief advantages of the victory is that it will allow of large British forces from this section being used on the western front or any other place where they might be needed. Syria, with a large anti-Turk population, is open to invasion.

The communications of the Turkish army in Mesopotamia cannot be considered secure. It is pointed out that there is justification to believe that the Turkish operations in Persia will be paralyzed, particularly in view of the Allied successes in the Balkans, which seriously threaten the Turkish position in Europe. But it is also shown that even should the Allies push on and capture Aleppo and the Bagdad railway it would only result in Turkish evacuation of Upper Mesopotamia and not affect the main Turkish army in the Caucasus and Persia, which is based on the Black Sea ports.

The military critics do not fail to point out also that the attack in Palestine was timed to take place when the Germans were unable to spare men on the western front for the near east.

ONLY ONE TON OF COAL.

None at All if Householder Already Has Ton or More.

Galt, Sept. 28.—S. B. Ferguson, Fuel Controller for Galt, has announced new regulations with regard to the delivery of anthracite coal. He stated that householders with one ton or more of hard coal in their bin would be allowed no more at present, and that those without coal can secure only one ton. This is in order to secure a general distribution of further supplies. The Controller urges the use of soft coal and wood.

Quebec Chronicle 2 Cents. Quebec, Sept. 28.—The Quebec Chronicle will announce tomorrow that starting on Monday, September 30th, it will be sold at two cents per copy instead of one cent.

RUMANIAN PEASANTS OPENLY RESISTING

The Victories of The Allies Have Made Them Very Enthusiastic.

Rome, Sept. 28.—The situation in Rumania, according to information received here, has become alarming for the Central Powers. The Rumanian peasants made enthusiastic by the victories of the Entente countries, are beginning to resist openly the German and Austro-Hungarian military. Local revolts have occurred at a number of places and the Rumanian Government has sent agents to Berlin and Vienna to obtain a mitigation of the Austro-Hungarian rule. The Rumanian Government is reported to have pointed out that if its request is rejected it will be unable to guarantee the maintenance of order or avoid the eventualities of a sanguinary crisis.

FOUND BOILED EGGS.

There is Plenty of Food Apparently For Fritz. Cobourg, Sept. 28.—Pte. Matthew King, a Colborne soldier, states that in a town captured by a Canadian battalion there was found a canteen wagon loaded full of boiled eggs, and that the boys had a big feed for once. He says that Fritz appears to have plenty of food for his soldiers, if not for the civilians at home. He further states that in chasing Fritz all over the country he reported to have pointed out that they could get their hands on, and so will the rest of us if we get the chance.

MARRIAGE PUBLIC DUTY.

Therefore Petrol Allowed For Wedding Conveyances. London, Sept. 28.—A summons against a Liverpool firm for using petrol to convey a wedding party to and from church, which has come several times before the Liverpool stipendiary magistrate, and been adjourned pending a decision by the petrol controller, was formally withdrawn yesterday. The police intimated the withdrawal was due to instructions from the deputy controller under the petrol order, who had written that the parties in contracting marriage were performing a public duty.

Fire Loss Heavier.

New York, Sept. 28.—Virtually fifty per cent increase in the fire losses of the Province during the last twelve months is shown in the report for August which have been received at the Office of the Provincial Fire Marshal. This increase is due to destruction by fire of industrial plants, transportation premises, or factories and warehouses.

Admits Peace Proposition.

London, Sept. 28.—An official Bulgarian statement dated Sept. 24th admits that Bulgaria has initiated a proposition for obtaining an armistice and peace.

WAR BULLETINS.

The Franco-Americans in their drive in the past two days have captured 18,000 prisoners and more than 100 guns, twelve of them of heavy calibre, also hundreds of machine guns and mortars.

The Canadians made good advance Friday and captured several villages and took many prisoners.

A large contingent of Serbians are fighting with the Allies on the Murman coast.

The British advanced Friday to a depth of three miles on a wide front and captured Bour-le-Logis, Cambrai is now almost entirely surrounded.

Catholic Army Hat Fund. Additional contributions amounting to \$37 have been received at the local headquarters of the Catholic army hat appeal, making a grand total of \$11,406.67.

The following contributions are acknowledged: \$25—Catholic Order of Foresters.

\$10—D. Ross. \$10—G. Worrington, S. Cradick.

A plant is to be installed upon a farm in Saskatchewan to test the practicability of producing gas from straw.

ALLIED ATTACK NORTH OF YPRES

Belgian Army Makes An Advance Of Two And A Half Miles.

BRITISH CAPTURE 10,000

MORE PRISONERS IN THEIR OFFENSIVE IN CAMBRAI AREA.

Two Hundred Guns Also Taken—The French Have Entered Somme-Py, an Important Railway Point.

Paris, Sept. 28.—Allied troops began an attack on the front north of Ypres to-day, and the advance at some points has been more than two and one-half miles. The attack is being made by the Belgian army, and is on the larger part of their front south from the North Sea. One thousand prisoners already have been counted. Heavy fighting is taking place between Dixmude and Ypres, and the battle is severe in the Houthulst forest, north of Ypres.

British Take 10,000 Germans. (Canadian Press Despatch) London, Sept. 28.—Prisoners to the number of ten thousand have been captured by the British in their offensive in the Cambrai area. Field Marshal Haig announced to-day, "Two hundred guns were taken by the British forces. The British have captured the towns of Epigny and Oizy-le-Verger. The British pressed their attack yesterday without a moment's let-up until a late hour, and in the evening accomplished notably their progress in the northern portion of the battlefield.

British forces have begun operations in Flanders in conjunction with the Belgian army. Along the whole battle front before Cambrai operations were progressing satisfactorily this morning.

British forces resumed the battle before Cambrai at daybreak to-day. They are reported to have captured the villages of Fontaine-Notre Dame, Gazing, Noyelles and Sully.

Canadian troops pushed through Hanecourt and have reached the Douai-Cambrai road.

French Enter Somme-Py. (Canadian Press Despatch) Paris, Sept. 28.—French troops have entered Somme-Py, an important railway point on the Champagne front north of Souain, it is announced here. Reports from the battle field indicate that the battle continues favorable for the Allies.

War Tidings. British troops, preceded by yeomanry, entered St. Ruminth Thursday morning, while Anglo-Greek troops stormed the heights of the mountains north of Lake Doiran. The British have taken more than thirty guns and much ammunition.

Austria is rushing reinforcements to the hard pressed Bulgars. Japanese cavalry have occupied Zeyapris in the region north-west of Vladivostok.

A cable was received stating that Capt. Eric D. Carruthers, Royal Field Artillery, youngest son of J. B. Carruthers, had been slightly wounded.

Edward R. Moore, business manager for "The Kiss Burglar," a big musical production at the Grand on Wednesday, Oct. 5th, is in the city.

"The Kiss Burglar" had a run of six months at George M. Cohan's Theatre, New York.

THE WORLD'S NEWS IN BRIEF FORM

Tidings From All Over Told in a Pithy and Pointed Way.

British scientists have perfected gas protection masks. J. A. Ellis, ex-M.P.P., Ottawa, has been appointed to the vacancy in the Ontario Railway and Municipal Board.

Gen. Botha, who recently has been very ill, has been ordered to take special treatment and a lengthy holiday.

Sir Robert Borden, Prime Minister of Canada, has left Ottawa for a much-needed rest, and is not expected back before two weeks.

Robert McGill, of the Winnipeg Grain Exchange, announces that Western Canada will export eighty million bushels of wheat to the Allies of this year's crop.

The Bulgarian proposal will be answered either by the Allied commander at Salonika, or by a joint Allied reply. Lord Cecil, assistant secretary of state for foreign affairs, stated on Friday.

The Ontario License Board is prepared to give ninety per cent. of the doctors of the province a good conduct mark in connection with the issuing of liquor prescriptions.

Lieut.-Col. F. Healey, whose resignation from the staff of military headquarters, Ottawa, was announced some time ago, has been appointed deputy minister of the Department of Soldiers' Civil Re-establishment.

Capt. E. N. Smith, Hamilton, a former Hamilton "Tiger" football man, will have full charge of the Canadian Y.M.C.A. staff in Siberia, according to announcement made yesterday. The business manager will be Capt. Joseph Graves.

PTE. PERCY METCALFE KILLED IN ACTION

He Went Overseas With the 146th Battalion in October, 1916.



PTE. PERCY L. METCALFE. Mrs. Lillian Metcalfe, of No. 5 Barrack street, received word that her husband, Pte. Percy Luke Metcalfe, had been killed in action, on Sept. 17th. He enlisted in January, 1916, with the 146th Battalion, and went overseas in October, 1916, and had been in France ever since. He was formerly employed with W. J. Crothers & Co. Deceased was twenty-one years old. One brother lives in England.

Pte. H. H. Jameson Killed. Mrs. Catharine Jameson, 24 Cherry street, Kingston received word Saturday morning that her husband, Pte. Harry Hugh Jameson, infantry, is officially reported killed in action on Aug. 28th. He leaves to mourn his loss his wife and one child, also his mother, two sisters and one brother, Mrs. William Salisbury and Mrs. Wesley Bushey, of this city, and Lawrence, of Toronto.

British Casualties.

(Canadian Press Despatch) London, Sept. 28.—British army casualties for the week ending to-day are: Killed or died of wounds, 4,368; wounded or missing, 20,561.

The first drafted man in Niagara camp to be sentenced to death by the general court-martial is John Edward Plant, a Sinn Feiner, of the 2nd Battalion 2nd Central Ontario Regiment. His sentence, however, had been commuted to fifteen years' imprisonment in Portsmouth penitentiary.

Franco-American forces have taken on all the old positions between the Salpe and Argonne, as well as the German first positions.

Inspector Clifford E. Bissell.

Brookville, Sept. 28.—E. Bissell, who for eight years has been acting as general agent for the Canada Life Assurance Company, and for six years as local representative, for James Alexander, Ltd., cheese exporters, has received recognition.

That report, 1st in line, assumed the duties of Inspector of the Eastern Ontario branch of the Insurance Company. This will necessitate giving up his connection with dairy interests.

Rev. Dr. E. N. Baker, principal of Albert College, Belleville has received word that his son, Pte. Frederick E. Baker, had been admitted to hospital on Sept. 17th, suffering from gunshot wound in the leg. This is the second time Pte. Baker's name has appeared in the casualty list.

The enemy increased his artillery fire Friday morning along the entire American advance, but was unable to force back the Americans. Rain is interfering with the movement of artillery.

Rev. A. K. Scott, Belleville, has accepted a call to the First Baptist Church, Perry, Ohio. He was formerly at Pictou.



SIR EDGAR BOWRING. President of the well-known Newfoundland steamship interests of the Bowring Brothers, Limited.

TRYING TO STOP THE AMERICANS

RESISTING TO THE UTMOST

AND ARE MASSES IN TWO LARGE WOODS.

The Americans Are Using Their Artillery Freely to Break up the Enemy Dispositions.

(Canadian Press Despatch) With the American Army North-west of Verdun, Sept. 28.—With their backs to the outer edge of the Brunhilde line, the Germans to-day were fighting desperately in an endeavor to bring the American advance to a definite halt. The Germans were increasing the volume of their fire and indicating anew their determination to resist to the utmost. The line fought for runs through the northern Argonne woods and eastward along a line paralleling the Epinoyville-Montfaucou road to a point near Ivroly, and thence north-easterly.

The Germans are massed in the Clerges woods and in the Emont woods. The Americans are using their artillery freely to break up the enemy dispositions. The Germans are depending upon machine gun fire at every advanced point in their effort to check the Americans.

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WHIG CONTENTS. 1—Had Archbishop Authority; May Annihilate Turks; Allied Attack; Trying to Stop Americans. 2—Church Services; Incidents of Day. 3—Social News; Local Events. 4—Editorial: Ringing Rhymes. 5—Chimes of Kingston Fair; Local Matters. 6—Kingston's Big Fair. 7—Announcements; The Forum. 8—Military; Theatrical. 9—How British Saves World; The Walden; Glacier National Park. 10—Social News; The Wife; Activities of Women. 11—Whig's Serial; The Spoilers. 12—In the Automobile; Women. 13—Market Reports; Financial Notes. 14—Amherst Island Fire List; Gas Attacks Filled. 15—Discussion of Apparel; Supt. Trust; Kaiser. 16—In World of Sport; Bringing up Father.