

PROFESSOR CECIL LAVELL SAID TO HAVE TURNED UP IN FAR STATE OF MAINE

Strange Action of Man in Store Attracted Attention—Relatives From Eastern Ontario Leave for the States to Make Sure of Identity—Wide Search Still Going on in Hopes That Missing Man May Soon be Located.

[Canadian Press Despatch] SOUTH PARIS, Me., Dec. 12.—Prof. C. Lavell, the Columbus, Ohio, professor who disappeared from his home three weeks ago and was last seen in Hamilton, Ont., on Monday, Nov. 24th, is thought to be in this neighborhood, and the authorities are awaiting the arrival of his relatives from Canada to help them in locating him.

He was shown the photograph, and all agreed that they had seen the man Wednesday afternoon. Professor Lavell left Columbus on Sunday, November 23rd, and registered at the International Hotel in Hamilton the next day. From that time nothing has been heard of the professor. Many friends in the vicinity of Hamilton thought they saw a man answering his description, but in every case it proved to be the wrong man. Drugging operations were carried on in the bay at Hamilton, many search parties scoured the woods around the town, and Boy Scouts made a thorough search of the Mountain, but all without success. It was then that circulars with full description and a photograph of the missing man were sent out. Rev. A. E. Lavell, brother of the missing professor, when asked this morning concerning the despatch, said he had no other intimation of it than that contained in the item. He expected that relatives from Eastern Ontario would make the trip to Maine to establish identification if possible.

Lieut. Peterson is Placed in Charge of Varsity Officer's Training Plan—A Big Task

OTTAWA, Dec. 12.—Lieutenant M. Peterson, son of Principal Peterson, of McGill University, has been placed in charge of the scheme organized by Colonel Hughes some months ago of establishing military training schools in connection with Canadian universities. By this means it is hoped to turn out annually 300 or 400 qualified militia officers.

The plan is to be secured by gift of a site for a students' residence, while the militia department will provide drill halls for officers training. Such gifts have been made by Lord Strathcona for McGill and by Major R. W. Leonard, for Queen's. Negotiations are in progress for similar arrangements for the Toronto University, Vancouver University, Laval University, Montreal, Dalhousie, Halifax and Mount Allison, at Sackville. Students taking the officers training course must devote six hours a week to it and undergo annual training in the camps. Boards of governors directing the work will consist of the principal of the university, the district officer commanding, and the commandant of the Royal Military College.

GIRL WHO WAS MAYOR OF CITY FOR ONE DAY



MISS BESSIE MAY TOWNSEND PHOTO BY HARPER SMITH

Atlantic City, N. J., had a Mayoress. She was Miss Bessie May Townsend, the City Controller. The Mayor, together with the Commissioners, went to Philadelphia in the morning to take up the question of a new terminal with the heads of the Pennsylvania Railroad. In her official capacity of Controller Miss Townsend, who is twenty-seven years old and a blond, was the next highest official after the Commissioner. As to the franchise, the Commission had made up its mind to award the franchise to the city, but there was one objection. "There are 21 miles of railway, from Brantford to Galt, and this order says the whole system. The judgment, my lord, is unwarranted either on law or on fact. I submit that the court is dispossessed of jurisdiction, but, if the court has jurisdiction, forfeiture is wrong and should not be upheld." Mr. Watson said the city charged that agreement terms had not been fulfilled. Why, certain streets were indisposed for ten years, although undergoing repairs during the last five. This supported Mr. Watson's allegation that the city had acquired the company's conduct.

ATTACK IS CONTINUED AGAINST JUDGMENT RE STREET RAILWAY

Geo. H. Watson, K. C., Argued That Forfeiture of Franchise Given by Judge Could Not Stand—He Cited a Case in Winnipeg—Features of Case in Toronto To-day.

(Special to The Courier.) TORONTO, Dec. 12.—George H. Watson, K. C. to-day continued his attack on the judgments against the Grand Valley, which includes the Brantford Street Railway. Mr. Watson argued that the forfeiture pronounced by the trial judge could not stand, and for several reasons, counsel cited cases in American courts to show that, where violations of agreements were passed over by corporations, forfeiture could not follow on that ground.

Canadian Precedents. Then Mr. Watson took his stand on Canadian ground. Winnipeg City sued to restrain a company from importing outside power. The original company had agreed to engender power in the municipality, but an amalgamation followed, and power was imported, poles being erected in the city for the purpose. After some time, Winnipeg took action and obtained an injunction, but were estopped in the opinion of the privy council.

Receiver's Position. Mr. Watson objected to judgment against Receiver Stockdale, because he was an officer of the court. Notwithstanding his official appointment and his responsibility the judgment was leveled against him.

The Mortgagees. Mr. Watson represented mortgagees as well, and they were interested in the judgment. He pointed out that the mortgagees and bond holders were vitally concerned. Mr. Watson said that these issues should be tried out. The learned trial judge had proceeded upon one point, forgetting that there were others.

Claims An Error. "The judgment is in error in dealing with the rescission, on the sale basis of the 1907 agreement. Before possession can be given to the city, other agreements and other grants must be considered. His Lordship

skipped over material premises, excluding all but one point, and ignoring things that govern the contract. As to the franchise grants by the city, it could be rescinded under any less authority. Now, no resolution was passed by the Council as to the rescission. "But there's the judgment," suggested Mr. Justice Latchford. Mr. Watson said that error ran through the whole judgment. Damages at \$100 a day had been awarded the city, although the municipality had made no claim for damages. "There are 21 miles of railway, from Brantford to Galt, and this order says the whole system. The judgment, my lord, is unwarranted either on law or on fact. I submit that the court is dispossessed of jurisdiction, but, if the court has jurisdiction, forfeiture is wrong and should not be upheld." Mr. Watson said the city charged that agreement terms had not been fulfilled. Why, certain streets were indisposed for ten years, although undergoing repairs during the last five. This supported Mr. Watson's allegation that the city had acquired the company's conduct.

After J. A. Patterson, K. C., had spoken briefly for the National Trust Co., W. T. Henderson, for the City of Brantford, said he would submit the law and facts as he had given them to the trial judge. He went over the agreements, pointed out how they had been broken, and believed that the rescission should stand. He had not concluded at the luncheon hour.

MONTREAL FLYER IN WRECK NEAR OSHAWA

Henry Held, cattle drover, Fisherville, Ontario, killed outright Walker of Hageraville, fatally injured, two other men slightly injured, is the casualty list following a rear-end collision on the Grand Trunk Railway near Oshawa early this morning.

was slightly injured. Held and two companions were sitting in the caboose of the cattle, and got the full force of the crash. The last three cars of the freight were telescoped. A wrecking train was rushed to the scene, and the wounded and victim were taken to Oshawa. The passengers escaped with a severe shaking up.

Across the Continent. Mr. Donald Gooch, of the Austin Morton Co., Longbridge, works Northfield, Birmingham, England, the second man to make a trip across the continent in an automobile, is in the city in the interests of his firm. The trip was made during the past summer from Montreal to Vancouver in an Austin car, the first English car to make the trip. Mr. Gooch, now on the return trip, started to make the journey in the car, but owing to winter closing in in the mountains, the journey, as far as the car was concerned, was abandoned at Seattle.

Bishop Ingram's challenge to play any man of his age (35) any game has been taken up by Colonel Channey.

POLICE GANGS AT REVOLVER WAR

Big Row Occurred at Madison Square Garden To-day.

[Canadian Press Despatch] NEW YORK, Dec. 12.—Fifty shots were fired this morning near the Fourth Avenue entrance of Madison Square Garden in a battle royal between two gangs of the six day bicycle race. A Madison Avenue street car was commandeered by one of the gangs as a barricade, while bullets whizzed in all directions. Passengers threw themselves face downward on the floor. The police were prompt in reaching the scene, but the combatants jumped in automobiles and escaped. So far as is known, no one was hurt, a remarkable fact in view of the promiscuous shooting. It is said that the battle in the row arose over the right of rival leaders to furnish "strong arm" men for special police work in the Garden.

TO BUILD LINER UNSINKABLE

Naval Architects at New York Are Discussing Novel Plans.

[Canadian Press Despatch] NEW YORK, Dec. 12.—The possibility of building a large passenger liner that would not, under any of the known mishaps of the sea, lose her buoyancy or stability and sink were discussed here last night at the 21st general meeting of the Society of Naval Architects and Marine Engineers. George W. Dickie, vice-president of the society, brought up the subject of the unsinkable ship in an address. He said: "In brief, the suggestions embodied are the fitting of a double upper deck and so arranging the water tight subdivisions below the lower member of this deck that the ship would prove seaworthy and unsinkable under the most aggravating conditions of float."

JUMPED THROUGH WINDOW

FITTSBURG, Pa., Dec. 12.—While an eastbound Pan Handle Railroad passenger train was speeding 60 miles an hour, a short distance west of Steubenville, Ohio, this morning, Walter E. Frederickson, a passenger jumped through a window and was instantly killed. Frederickson, a farmer of Red Oak, Iowa, was on his way to Sweden to spend the Christmas holidays.

NEW GAS SUPPLY IS HERE— IS IT GOOD FOR LIGHTING PURPOSES?—AN EXPLANATION

Company Accounts Will Carry Notice to the Consumers That Gas Containing Sulphurated Oxygen Cannot be Used for Lighting Purposes—Interesting Information is Given Out To-day Concerning New Supply From Tilbury.

The new supply of natural gas was turned in the Brantford mains shortly after 6 o'clock last night, and officers of the company express themselves as being well pleased with the results. There certainly appeared to be more gas, although there is said to be a decided difference in the quality. Officials of the company admitted that the supply now being secured from Tilbury contains sulphurated oxygen, and as such resembles in a small degree the manufactured gas.

In an interview with Mr. E. Sweet this morning, Mr. Sweet said that the Tilbury gas could be purified, and as such would be suitable in any and all cases for lighting purposes. "But the proposition is this," he said, "90 per cent. of the consumers use it for heating purposes and 10 per cent. for lighting. It simply means having a higher price for heating in order to make the gas right for lighting. Surely any consumer even now will recognize any difference between the Selkirk and Tilbury gas for lighting unless their attention is called to it. In Tilbury it is noticeable because there are a lot of loose jointed pipes there."

In connection with the introduction of the new supply in Brantford, there will probably be a change on the gas accounts sent out. The following notice is issued on each account in Tilbury, and will no doubt be copied here:

Notice—Consumers are hereby notified that Natural Gas, containing sulphurated hydrogen, is not permitted to be used for lighting purposes, and that the Company does not hold itself responsible for use of such Natural Gas for lighting. Mr. Sweet said the Dominion Act rendered it necessary to have this notice. Prof. Ellis of Ottawa had made an analysis of the Tilbury supply, and it was found to resemble manufactured gas by about one to ten. "What the new supply means, however, is an improved pressure for heating purposes, and from what can be learned to-day the situation is greatly improved."

BECKER'S MOTHER SAID TO BE DYING

And Man Sentenced to Die Cannot Leave Death Cell.

[Canadian Press Despatch] NEW YORK, Dec. 12.—The aged mother of Charles Becker, former police lieutenant who is in the Death House for the murder of Herman Rosenthal, the gambler, is dying in this city ignorant of the reason that prevents her son coming to see her, it was learned this morning. Becker himself only knows that his mother is ill and has not been told that her death is momentarily expected. The one exception to the rule that condemned men shall never leave the Death House, was that of Albert T. Patrick, who as his own lawyer, was permitted to appear in the courts in New York and Brooklyn. Members of Becker's family were told, when they made inquiries that it would be impossible to have the condemned man taken to see his mother.

Biggest Christmas Mail on Record

[Canadian Press Despatch] NEW YORK, Dec. 12.—What is said to be the biggest Christmas mail ever carried on the Atlantic by one ship, 8261 sacks, is coming to this port by the liner St. Louis, according to cable advices here to-day. The St. Louis sailed yesterday from Queenstown, previously departing from Southampton and Cherbourg. The record mail coming west heretofore was received here on December 21st last year by the liner Philadelphia, and consisted of 7998 sacks. The St. Louis is due on Thursday.

PRISON CHARGES STILL BEING PROBED

Assistant Superintendent of Kingston Pen Under Fire.

[Canadian Press Despatch] KINGSTON, Dec. 12.—The charges against H. S. Begg, assistant superintendent at the "pen," which were preferred by Overseer Wilson, were resumed when the prison reform commission met this morning. Overseer Wilson was on the stand when the charges were taken up a week ago and he was called again.

D. A. Givens, was present, acting for Begg and Francis King was counsel for Wilson. Interviewed by Mr. Givens, Wilson stated that one convict orderly was kept on duty in the hospital, but he was never instructed relative to the making ointments. Mr. Givens wanted to know how Convict Bonner knew that he had been given opium in an ointment. Witness could not say, but said his information came from the surgeon. The witness said Begg neglected taking temperatures of patients, but hedged when cross-examined. All ointments were under the surgeon's control. A convict who said he got only two sponge baths in 42 days, was declared to have given false testimony. He had been bathed double that number of times. He was not refused water to drink, an orderly was on hand to meet the wants of patients.

Much Excited Woman School Supt. in Chicago Forced to Give Up Job.

[Canadian Press Despatch] CHICAGO, Dec. 12.—No single incident of the politics of recent years in this city has caused such excitement as the forced retirement of Ella Hagg, Young, as superintendent of schools, according to political leaders, and the subject it is said, is bound to assume importance in the aldermanic elections next spring. Barrett O'Hara, lieutenant governor of Illinois, has suggested a strike of school children as a protest against the action of the school board and club women say the mass meeting called for to-morrow night will have a large attendance.

6 OUT OF 26 VOTE FOR LOCAL OPTION

Temperance Forces Making Headway in Saskatchewan.

REGINA, Sask., Dec. 12.—Twenty six places in Saskatchewan voted on local option by-laws on Dec. 8. Six carried it. The temperance forces took little interest in them, having concentrated their efforts on the provincial-wide campaign. The results furnished by the Licensed Victuallers' Association show 20 districts went wet and six dry.

Arms For Ulster Seized at Port

[Canadian Press Despatch] BELFAST, Ireland, Dec. 12.—Customs officers to-day seized here a consignment of 200 rifles which arrived on board a freight steamer from Germany. This was one of the largest seizures since the issue of the proclamation against the importation of arms and ammunition into Ireland. Captures have been made daily, but usually in small lots. Most of the rifles are of patterns which have been discarded by the European armies.

QUEBEC WOMEN WANT CHANGE IN LAW

They Waited Upon Premier Gouin Today With Petition.

Wives Want Right to Control Their Own Earnings.

[Canadian Press Despatch] QUEBEC, Dec. 12.—With a view of having certain amendments made to the marriage laws of the province of Quebec, a delegation of members of the Montreal Suffrage Association headed by Dr. Grace Ritchie, England, waited on Sir Lomer Gouin in the parliament buildings yesterday. The delegation submitted the following as amendments drafted by Dean Walton of the McGill law faculty:

DIVORCE COURTS FOR THE PROVINCES

Senate Called Improper Body to Judge Merits of Unhappy Cases.

[Canadian Press Despatch] OTTAWA, Dec. 12.—It is understood that several members intend to bring before the House this coming session the question of divorce reform. There is a strong feeling at the capital that it is time some change was made in the method of handling Canadian divorce cases. It is felt that the Senate divorce committee is not a suitable body to deal with the question. In addition the number of applications for divorces annually is so large that it is almost impossible for the Senate committee properly to hear all evidence and pass upon them. Last year 40 applications came before the Upper Chamber, and this year there promises to be at least as many. Thirty-two have already been received for the first two months of parliament, so that the list may run to 60.

Urges More Harmony

Another reform which is suggested, if the proposal for a divorce court is too radical for public opinion at present, is to have a joint committee of the House and Senate hear all applications. Now after divorces are heard and passed on by the Upper chamber they are sent to the private bills committee of the House of Commons. Last year the committee showed an inquiring mind to some of the Senate's decisions, and even asked for new evidence. Witnesses had to be recalled with the consequent additional expense. In addition the House last year threw out one divorce which was agreed to by the Senate. It is urged that with a joint committee time and expense would be saved, while there would be more likelihood of harmony between the two chambers.

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