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CARVELL FAILS TO SHAKE MR. FLEMMING'S TESTIMONY

Prosecution Lawyer Resorts to Brutal and Odious Tactics and is Scored by Both Counsel and Commission — Premier Believed Money Voluntary Payments.

ABSOLUTELY NO EVIDENCE TO PROVE EXTORTION FROM THE LUMBERMEN.

Leader of Dugal Counsel Reprimanded by Mr. Fowler for Taking Unfair and Unworthy Advantage of His Position — Not one Tittle of Evidence of Personal Dishonesty.

Although Frank B. Carvell used every trick and artifice known to him as a lawyer to force Hon. J. K. Flemming to contradict himself, and shake the weight of his evidence in the Dugal investigation, during several hours of yesterday, Mr. Flemming stepped from the stand last evening with the burden of his testimony unshaken. There is yet not one tittle of evidence to prove the charge that Mr. Flemming extorted money from the lumbermen. What money came to the hands of Mr. Teed, Mr. Flemming believed to be voluntary contributions to campaign funds. He had instructed Mr. Berry at the outset, that as an officer of the department he should not have anything to do with the fund. There was no evidence of personal dishonesty.

Mr. Carvell was at all times aggressive, and occassionally his methods were called in question by the court. There were several sharp tilts during the afternoon between counsel, and on one occasion Mr. Fowler reprimanded Mr. Carvell for attempting to take unfair advantage of a political rival Mr. Fowler pointed out to the court that Mr. Carvell and Mr. Flemming had been political rivals in the same county for years, and that it was hardly the act of a gentleman, when he got a political rival in the witness stand and occupied the position which Mr. Carvell did to abuse the priveleges of counsel by making statements against a rival when that rival had no opportunity to reply. If the two men were on the public platform Mr. Carvell could take any position he chose, but in the court room he, Carvell should be guided by the priveleges extended to him by the court.

Earlier in the afternoon there was an interesting little passage between Mr. Flemming and Mr. Carvell. Mr. Carvell had attempted to intimate that the witness had not told all he knew regarding certain matters, and in a manner, threatening and offensive he said, "And you want this to go to the country as your evidence."

"Yes," replied Mr. Flemming. "I am willing that this should go to the country as my evidence, and I am also willing that you and I should go to the country together, and that the public should choose between us."

Mr. Flemming's cross-examination did not bring out anything new. It was not completed when court adjourned and will be resumed on Monday afternoon at 2 o'clock.

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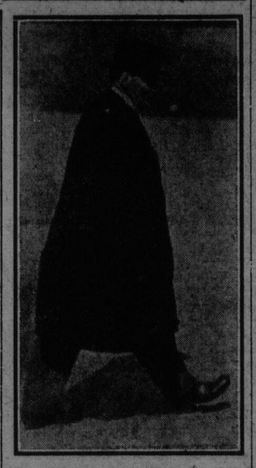
At Inquiry



Titus J. Carter, K. C., M. L. A., of the Flemming Council.

Getting Nearer The Basis of Settlement

Hinted in London that Government May Abandon Time Limit Phase in Ulster Exclusion If Unionists Give Way on Demand for "Clean Cut."

London, July 18.—Although no decided step has been taken which promises a solution of the Irish deadlock, the fact that the chief bone of contention is now over, the exclusion of one or two counties, indicates that the parties are at least nearer a basis of settlement. According to Liberal information the government has decided to allow voting en block by four counties, Antrim, Down, Londonderry and Armagh, on the question of exclusion, but Tyrone and Fermanagh are subjects of dispute, especially the former, whose population is 44.6 Protestant and 55.4 Catholic. It is hinted that the government may be ready to abandon the time limit in return for the Unionist's abandonment of the "clean cut" demand. The Ulster council, so far, absolutely refuse to recede from their demand for a "clean cut." A minority of the ministers, including Winston Churchill, Sir Edward Grey, Lewis Harcourt and the Marquis of Crewe, are said to favor the clean cut, but the majority, led by Mr. Asquith, with Mr. Lloyd George, decline to consider it, as being against John Redmond's wish.

IMMIGRATION ACT IS TO BE CHANGED

Ottawa, July 17—The Canadian Immigration Act is to be revised at the next session of parliament. Passed several years ago and conferring upon the department very extensive powers it has been found, in its practical application, deficient in several vital points. The fundamental theory is that a country should have the right to determine what people should come as immigrants, and those who should be rejected, but there are ways by which, in practical operation, this is circumvented. It is intended to fill up the gap.

In the case of the Hindus, for example, there is no adequate penalty for those who brought to Canada those unfortunate people. The owners of the vessel may be responsible, but they live over in Japan and to get at them may involve all kinds of bother and possible international complications. A nice point arises, also, out of the fact that the ship owners maintain that they merely hired the ship to Surdit Singh and his people, and were not responsible for inaugurating the excursion.

It is proposed to amend the law, so that in addition to the penalties upon the owners, it will be categorically provided that the ship itself shall be seized and sold. There are a number of other points in regard to which the law is to be stiffened.

YOUNG CUBS, 10; PIRATES, 4.

The Young Cubs won from the Young Pirates yesterday on the Barrack Square by a score of 10 to 4. Sullivan and Jones was battery for the winners; Howe and Driscoll for the losers.

DOCK WORKERS IN LONDON ON STRIKE

London, July 18—Nearly all the men employed by the Mersey Docks and Harbor Board are out on strike at Liverpool, and the services essential to the maintenance of the tideway are consequently neglected. It is estimated that 200,000 tons of sand need to be dredged daily from the Mersey, and the labor journals openly boast that the suspension of dredging must seriously affect the navigation of the river.

The latest developments in the strike is that the Carters' Union have requested its members to refuse to handle goods touched by blacklegs on or after Monday. The intervention of the carters would seriously extend the dispute.

MOVEMENT ON FOOT TO HAVE DR. CHABOT MADE A SENATOR

Special to The Standard.

Ottawa, July 17.—The movement to secure the appointment of Dr. J. L. Chabot to the Senate seems to be gaining strength. The Ottawa Journal supports the appointment and there is no doubt that it will be heartily approved by the French Canadians of Ontario.

Dr. Chabot, who with Mr. A. E. Fripp, represents Ottawa in the House run against Sir Wilfrid Laurier in 1908, and against Mr. Allard in a bye-election here in 1910. He was finally elected in 1911.

Apart from the irksomeness due to the incessant demands made upon the members for Ottawa by those seeking appointments or promotion in the Civil Service, Dr. Chabot has also suffered lately from ill health and a place in the Upper House would not be entirely distasteful to him.

SCOTLAND REPEATS LAST YEAR'S VICTORY

Wins Elcho Challenge Shield at Bisley — Canadian Marksmen Had a Quiet Day.

Bisley Ranges, July 17—Scotland today repeated her victory of last year by winning the Elcho Challenge Shield a match rifle competition restricted to one team of eight from England, Scotland and Ireland respectively.

The winners scores 1,912 poins, England 1,899, and Ireland 1,871. Centrals counted six points this year for the first time, and this being taken into account, it is obvious the shooting was poorer than usual.

The Lewisham Club won the Astor Cup, the South London team being awarded bronze medals. The Watts Challenge Cup was won by the King's Royal Rifles, and in the Chancellor's Plate, Cambridge beat Oxford University by twenty-seven points.

The United Service Challenge Cup was won by the team representing the army. The Marines, the Navy, the Territorials, and the Yeomanry, followed in the order named.

The members of the Canadian team are having a very quiet day. They are inclined to attribute their indifferent showing in the competition for the MacKinnon cup to the new sights proving puzzling. They also miss the services of the professional armorer.

Sweepstakes at 500 yards—Lt. Neale, of Toronto, first with 36.

Sweepstakes at 200 yards—Corporal Boa, Montreal, first with score 35.

Sweepstakes at 300 yards—Col. Brown, 12th York Rangers, second, score 18.

Sweepstakes at 1,000 yards—Sgt. Martin, Calgary, first with 69.

STR. MINTO SAILS FOR HUDSON BAY, JULY 20

Will Instal Twelve Lightships in the Bay and Straits — Steel Structures.

Ottawa, July 17.—The government steamer Minto will sail on July 20 for Hudson Straits and Hudson Bay to instal twelve lighthouses for the protection of navigation. These lighthouses will not be built with masonry, but with light steel frames. They will be ready for operation when the terminal works at Port Nelson are completed and regular navigation begins from that port.

BRAMAN NOT WORRIED OVER HIS POSITION

Laughs and Smiles During Course of Preliminary Hearing—Other Youthful Bandits Up.

For the first time since the stores of W. H. Thorne and Company, Market Square, J. G. Carleton's dry goods store, 245 Waterloo street, and Howard J. Mowatt's drug store, 259 Waterloo street, were broken into and robbed, and the fatal shooting of Officer Frank O'Leary by John Braman, Cambridge Goldsworthy, Thomas Petrie, John Leggett and John Braman, the band of four youthful robbers, the latter being also charged with murder, were brought together in the police court. The session was the start of a preliminary hearing in the charge preferred against the quartette, who are suspected of breaking and entering W. H. Thorne's and stealing. When this case is finished the charges preferred against them for the other breaks will be heard by the magistrate.

Each of the prisoners was represented by counsel. Urban J. Sweeney appeared for Braman, Lester Smith for Petrie, R. G. Murray for Goldsworthy, and C. F. Inches for Leggett.

It was four o'clock when Magistrate Ritchie issued orders for the four robbers to be brought into the court from the county jail. There were a couple of dozen spectators present, among them Commissioner McLellan and Rev. Fr. Howland, the clergyman who attended to Officer O'Leary from the time he was shot and taken to the General Public Hospital until his death.

Leggett, Goldsworthy and Petrie were first to arrive in court and the trio were given seats alongside each other. They did not appear to regard their case as serious, but looked about the court room unperturbed. Although they did not have any conversation with each other, they were smiling. About five minutes after they arrived in court all eyes were directed toward the door of the police station through which appeared John Braman, the slayer of Officer O'Leary. He stood at the door for a few moments until directed to take a seat alongside his companions in crime.

They all smiled at each other and it was the first time that the four were together since O'Leary was shot.

Not Worried.

Braman who is charged with the most serious of crimes, that of murder, did not appear to be much worried over being gazed at by the spectators and as the pistols stolen from W. H. Thorne's were exhibited, especially the big Colts .45 calibre pistol, Braman turned to his chum, Petrie, and they both laughed. They had no questions to ask during the hearing and would only leave their seats when requested to stand near the desk and hear the evidence read over to them. After the hearing and the order was given for them to be remanded to jail again, each prisoner had a short conversation with their lawyers and then they were escorted back to jail.

Braman is kept in the condemned cell, on the south side of the top floor of the main building, and has to spend his time alone there.

Detective Lucas produced a valise full of stolen articles which he had recovered. There was only one witness examined during the session and that was A. E. Day, the manager of the retail sporting goods department of W. H. Thorne and Company, who gave evidence as follows: "Some time early in June the premises of W. H. Thorne and Company on Market square were broken into. It was in the morning about 7.40 o'clock that I received a telephone message from a junior clerk, Louis Burton, that the store had been broken into. I hastened to the store and found empty pistol and cartridge boxes strewn about the counter and the floor in the sporting goods department, there were also a number of pistols lying about the counter. The witness then produced a number of empty boxes that had been left by the thieves, while they carried away with them the pistols and cartridges which these boxes had contained. Witness then gave the following marks of identification on the boxes.

Empty Boxes Strong Evidence

Box number 6124, which had contained one Savage automatic pistol, the number of the pistol stolen was .38 calibre, No 6124.

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PAVING WAY FOR PEACE IN MEXICO

U. S. Counsels Carranza Confer With Carbajal for Peaceful Transfer of Capital.

IN TOUCH WITH THE REBEL LEADERS.

Constitutionalist Chief Notified That he Must Celebrate His Triumph Sanely. and Not Seek Revenge.

Washington, July 17.—Every influence and diplomatic agency at the disposal of the United States government was working today for immediate peace in Mexico.

To assure restoration of normal conditions without further bloodshed, officials here are exerting themselves to smooth the way for a new and stable administration in Mexico which shall be recognized by the powers of the world.

Not only is the United States government at this moment counselling General Carranza to arrange with Francisco Carbajal, Huerta's successor, for the peaceful transfer of the government at Mexico City to the Constitutionalists without further fighting but it became known today, the administration is indirectly in communication with Emilio Zapata, leader in Southern Mexico. Zapata, according to reliable reports at the State Department, has 24,000 men, and although most of them are poorly equipped, they would constitute a serious menace to a new government at Mexico City if they remained in revolution. Zapata, who demands agrarian reforms immediately, made common cause with the Constitutionalists and obtained supplies from them with which to fight the Huerta government. It is not known yet, however, whether he will lay down his arms in favor of Carranza.

The United States is using its influence through friends of Zapata to bring him into harmony with the peace programme, and an emissary from General Carranza is now on his way to confer with Zapata.

Carranza has been informed that he must conduct his triumph temporately; that there ought to be no excesses when the army takes control of Mexico City and other important centres, and that there should be no revenges, but that an amnesty for political offenders should be declared and the rights of the clergy and other foreigners who have suffered, especially the Spaniards, be given due respect.

MRS. CARMAN OUT ON BAIL

Prisoner Showed Signs of Imprisonment—New Evidence May Result in Stronger Indictment.

Mineola, N. Y., July 17—Mrs. Florence Carman was arraigned in the Supreme Court here today before Justice Van Siclen, on an indictment returned yesterday, charging her with manslaughter in the first degree for having caused the death of Mrs. Louise Bailey, a patient of the defendant's husband. She pleaded not guilty and was given two weeks in which to change her plea or demur to the indictment. Counsel for Mrs. Carman suggested that she be liberated under $20,000 bail and to this District Attorney Smith agreed. The prisoner looked very wan and pale when brought from the jail to the court room.

Her husband, Dr. Edward Carman, stood beside her. When the preliminaries of giving bail were adjusted he said he would take her out of the village at once. It had been rumored during the morning that a superceding indictment, stronger than the one embracing the manslaughter charge, might yet be handed up by the grand jury on the strength of additional evidence furnished by Celia Coleman, the negro maid, in the Carman home. There had been no development along this line this afternoon. The bail was furnished by Emmett Randell and Smith Cox, close friends of the Carmans, whereupon Mrs. Carman was set free. Heavily veiled, she stepped into a limousine with her husband and started for her home at Freeport.

HON. MR. FOSTER TO WELCOME COMMISSION

Ottawa, July 17.—Hon. G. E. Foster leaves on Tuesday for Rimouski to welcome the Dominion Royal Commission and accompany them to Newfoundland. A government steamer will be provided for the trip. The Canadian tour will start at the beginning of August.

GOV'T ASKED TO MEDITATE

Federal Mediation of Wage Difference Between Engineers and Firemen and Railway Companies is Asked.

Chicago, July 17.—Federal mediation of the wage differences between the engineers and firemen and the management of ninety-eight western railroads was today asked by the railroad managers' conference committee. Formal notification of the appeal to the federal board of mediation and conciliation was given to the heads of the engineers and firemen's unions in a letter from the managers' committee.

The employees have already declared that they will refuse federal arbitration on the contention that the railroad companies have not carried out the awards made by the federal board in other instances.

Flat denial that the railroads had not carried into effect arbitration awards was made by the railroad committee in its communication today to the employees' representatives.

Apply to Washington.

Washington, July 17.—A. W. Trenholm, chairman of the Committee of Managers, representing the 98 western railroads, threatened with a strike of 55,000 engineers and firemen, formally asked the federal board of mediation and conciliation today to use its efforts to compose the situation. Federal Judge Martin A. Knapp, Chairman W. L. Chambers and Assistant Commissioner Hanger will go to Chicago and begin work Monday morning.

C.P.R. FILES STATEMENT OF CLAIM IN SUIT

Bad Lookout, Immoderate Rate of Speed Among Allegations in Suit Against Storstadt Company.

Montreal, July 17.—In the two million dollar suit by the C. P. R. Company against the Storstad for damages for the sinking of the Empress of Ireland, the plaintiff, in the statement of claim filed today with the Admiralty Court, Montreal, the following allegations are made:

That a bad look-out was kept on the Storstad.

That the helm of the Storstad was improperly ported.

That the Storstad improperly failed to keep her course, and passed the Empress of Ireland starboard to starboard.

That the Storstad was navigated at an improper and immoderate rate of speed.

That those in charge of the Storstad failed to reduce speed and sound the whistle before the vessel ran into the fog.

That the engines were not slowed stopped or reversed in time.

That no competent officers were on duty on the Starstad, those in charge of which neglected to comply with the articles of the rule of the road in force in Canadian waters.

NO HALF WAY MEASURE IN DEALING WITH MEXICO, LONDON PAPER SAYS

London, July 17—The Spectator congratulates President Wilson on Huerta's elimination and says: "We hope now that it will be possible for him to start virtually afresh in dealing with Mexico. He will see that the only safe way will be to intervene effectually or not at all. For our part, we have not much hope that quiet and safety for the lives and property of foreigners will be provided by any one of the warring factions in Mexico and we could wish that Americans would even now accept the logic of events and make up their minds to occupy and administer Mexico. Surely that would be a task of civilization they need not be ashamed of in any sense."

SYDNEY MAN KILLED BY COAL TRAIN

Fell on Track in Front of Home —Train on Down Grade and Couldn't be Stopped in Time to Prevent Accident.

Sydney, N. S., July 17.—Mr. Donald Martin, one of the best known residents of the county was killed by a Sydney and Louisburg coal train in front of his own gate at the Gardiner, near the town of Dominion yesterday evening. The body was found lying on the track at an angle, with the head on the rail, as if he had fallen and been stunned by hitting his head against the rail.

The trainmen saw him lying there but it was impossible to stop the train, as it was a heavy one and on a down grade. The whole train passed over him, crushing his head, knocking his brains outside, and cutting his legs up terribly.

Mr. Martin was 75 years old. The oldest daughter is a nurse in the Children's Memorial Hospital in Montreal. His brother, Rory died a number of years ago in China.

Only this spring his son John was found dead in a pond at Waterford after being missing for several months

SCHOONER EN ROUTE HERE IS ASHORE

The T. W. Cooper from New Haven to This Port Grounds in Fog Near Point Judith Breakwater.

Newport, R. I., July 17.—The schooner T. W. Cooper, bound from New Haven, Conn., for St. John, N. B., went ashore in the fog near the west arm of Point Judith Breakwater tonight, according to a wireless message received here. Assistance was asked for, and preparations were made at the naval station to have the torpedo boat Gwin go to her assistance.

The torpedo boat destroyer MacDougall has gone to her assistance. The revenue cutter Acushnet, at New Bedford, and the Itasca, at New London, Conn., were also notified, and started to Port Judith. A later wireless message said that the schooner was in a bad position. Her crew were reported to have reached shore safely by means of the breakwater.

COAL MINERS AND GUARDS IN A FIGHT

Tipples in Three Mines Destroyed by Fire and Dynamite —Fighting Lasted all Day.

Fort Smith, Ark., July 17—After a pitched battle between several hundred striking coal miners and sympathizers and one hundred guards stationed at the Prairie Creek mines of the Mammoth Vein Coal Company, near Fort Smith, today, which ended in the rout of the guards, tipples of three mines were destroyed by fire and dynamite. The property damage is estimated at $200,000.

So far as can be ascertained no one was killed or wounded in the fighting, which began shortly after daybreak and continued until late in the day.

QUEBEC-LEVIS CAR FERRY NEARLY READY

London, July 18.—The car ferry and icebreaker being built by Cammell Laird at Birkenhead for the National Transcontinental Railway service, between Quebec and Levis, is nearing completion, and is expected to run its trials shortly. If these are satisfactory, delivery will probably be made by the end of the summer.