NO DECISION YET IN 3-YEAR FIGHT TO GET HIS BUY

Philip Kenna, of Montreal, Demands Custody of Son in Courts.

TAKEN FROM HIS MOTHER

Judge Intimates That Father Is Not Fit Person To Raise the Lad.

[Canadian Press.]
Toronto, Oct. 25. — The efforts of Philip Kenna, of Montreal, extending over three years, in a hitherto vain effort to obtain the custody of his 5year-old son Frederick, culminated yesterday in an argument before the appellate division by Louis Monahan, acting for Kenna, and H. M. Mowat, representing the Children's Aid Society, and the child's foster-parents.

Judgment was reserved. Kenna, who is a Roman Catholic, married a Protestant in Manchester, ten years ago. They later came to Montreal, where the child was born, and baptized in the Catholic Church. Four years ago the family came to Toronto, where they separated.

Wanted the Child. In July of the next year Kenna wrote to a Mrs. Jones to deliver up the child unconditionally to his wife, a letter which Mrs. Kenna construed as an absolute renunciation of her husband's part of paternal control, whereas Kenna contends it really was an order to deliver the child into his wife's hands that they might resume united housekeeping.

In May, 1911, Kenna invoked the aid of the St. Vincent de Paul Society to get possession of his son, and a charge was laid in the police court. It was dismissed and the father then went to the States.

Taken From Mother. Next year the Children's Aid Society took the child from the mother and placed it with foster-parents, Mr. and Mrs. Albert Breckon, well-to-do people. Last May Kenna applied to Justice Middleton to remove the boy from the foster-parents, and have it placed with its godparents, Mr. and Mrs. Honisdos Charlebois, of Montreal, he to pay them \$3.50 per week for main-

Justice Middleton doubted the father's ability to maintain the payments out of his \$9 a week. "I do not think," he said. "I am compelled to sacrifice this child's future."

Before the court of appeals, Mr. Monahan urged that under the law the father was entitled to the child's

"I should think it out of the question that the father should have the custody," remarked Chief Justice Sir Meredith. "The could expect would be that the child should be given to some Catholic soclety. The foster-parents are in hetter circumstances, can clothe the child better, educate it better, and have

more affection for it." Has No Affection. Mr. Monahan-There is no evidence hat he has less affection. Chief Justice Meredith-There is nothing to indicate that he has any-

thing of the kind in his composition. Mr. Monahan-There isn't anything is a Chief Justice Meredith-He other workmen would not take their on a few days ago. meals with him. Instead of growing up

probably gravitate to the slums, if Mr. Justice Hodgins-You rest on the ground that the father is a Ro-Catholic?

Mr. Monahan-On the ground that the child is a Catholic as a matter of law, and came into the world as a Catholic child, the father being a Catholic. Mr. Monahan protested that even if the father had forfeited his right to the custody of the child, he was entitled to go to the court and to ask that it be ordered into the custody of people who would bring him up in his religious faith.

GOING SOUTH

President Wilson Will Attend Com mercial Congress at Mobile. [Canadian Press.]

Washington, Oct. 25 .- President Wilson, accompanied by some members of the cabinet and a joint congressional commission, left here this forenoon or a special train for Philadelphia to attend the dedication of restored Congress Hall, and speak later at Swarth more College. He expects to leave for Mobile, Ala., tonight, where he will address the Southern Commercial Congress Monday.

OLD-TIME PLOWING

Farmers of Essex County.

Enthusiastic plowmen of Essex and the Provincial Plowing Association have set aside Nov. 11 as a day for the revival in Ontario of the old_time plowing matches. The match is scheduled to take place at the farm of Jos. Kilgour, near Toronto, where contestants from all over the province will compete. The entry list already numbere 270, and more are expected to etter the competition before it opens. All the competitors must have wen first, second or third prize in a local contest. For every event \$250 in prize money has been set aside, the winner getting \$75 cash and a silver cup. To this fund the Provincial Government has granted \$500.

The movement is deemed as a good one by local agricultural experts, and similar movement might be started in Middlesex with beneficial results.

Napoleon's vocabulary did not con- mixed. tain the word "impossible," and the this anecdote, which campaign a subordinate officer re- levied on such transfers. He recovered

BRITISH DELEGATES OBJECTED TO W. C. T. U. RESOLUTION

Question of Using Unfermented Wine at Communion Sacrament Caused Lively Discussion at World's Convention in New York and Substitute Resolution Was Finally Passed

[Canadian Press.] New York, Oct. 25 .- The convention Temperance Union adopted a resolu-Bishops of the Protestant Episcopalan Church to "consider the propriety" of using unfermented wine at the comotic poison alcohol."

The resolution was a substitute for one originally offered, setting forth that fermented wine "could not truly represent the blood of Christ."

Object to Phrase. This phrase was objected to by English delegates, who declared that i would antagonize the Church of Eng-The English delegates also ob-'Jesus commanded unfermented wine in the holy communion.'

The objections were voiced by Miss Agnes E Slack, honorary secretary of of the World's Women's Christian the organization, who declared that the Bishop of Loncoln had fold her the ion today, requesting the House of Church of England could not offer the sacrament in unfermented wine, and that the Archbishop of Canterbury had said to her: "If you pass such a resomunion sacrament in place of fer- lution I shall use my influence to see mented wine," which contains the nar- that no member of the Anglican Church joins your organization." Would Hamper Work.

"I implore you," said Miss Slack 'not to pass a resolution which would hamper our work in Great Britain. I ask that you eliminate the words which Jesus commanded at the holy ommunion' from this resolution. We annot afford to antagonize churches. We are getting at jected to an amendment declaring that question in the Church of England from the inside, and we expect to accomplish it by this means."

JAPS HAVE PURCHASED BRITISH STEAMERS

Will Be Used in Developing the Korean and Manchurian

Trade.

[Canadian Press.] London, Oct. 25. - Japanese steamship companies have, during the present year, purchased between 40 and 50 second-hand steamers from British companies, paying in every case fairly high prices for them.

This led to a report that the Japanese Government was in the market for 150 steamers to be used as transports, the rumor connecting the reported intention of the Government variously with the expedition against China, and to hold in reserve in case of war with hotel here adjoining the American con-America. As a matter of fact, although the steamers purchased by the after he left his home, accompanied by Japanese companies might be used in John Lind, W. W. Canada, the United case of necessity for transporting war states consul, and a number of friends. material, they would be of little use The authorities insist that they have for the carrying of troops. They are no order for the arrest of the presireally freighters of a type that is no dential candidate. Should an attempt longer built by British companies and be made to take him into custody, it are to be used in the Korean and Manchurian trade, and also in a trade that Japan is endeavoring to work up with the states on the western coast of South America.

Shipyards are so busy at present that the Japanese found it cheaper to pay high prices for second-hand steamers than build new ones.

IFF GIAF! W LEAN DUID

Operation for Throat Trouble.

[Canadian Press.] Rome, Oct. 25 .- The death of Monsignor Montagnini, reported to the Pope today from Berlin, has caused great grief at the Vatican. He had foul-mouthed, filthy man, according to been suffering recently from an affecthe testimony. He is so filthy that tion of the throat, and was operated

Monsignor Montagnini was very with good prospects, the child would popular at the Vatican, and was much esteemed by Cardinal Merry Del Val, who took him to London when he went to attend King Edward's coron-

At the time of the rupture between France and the Vatican, Cardinal Merry Del Val intrusted Monsignor Montagnini with the charge of the when he was nominated envoy from tion today. the Vatican to Colombia.

LATE MR. FOX HELD

Horticultural Society.

At a meeting of the directors of the Horticultural Society held last night, a resolution was passed expressing the association's sincere sympathy for the family of the late Charles James Fox. object of defining common policies The resolution also enbodied the high esteem held by the club for their foredgment of his active and beneficial the European governments might conservices. A beautiful floral offering lawival of Contests Launched By the was sent to the funeral by the directors as a mark of their respect. Mr. W. W. Gammage acted as chairman.

> The four hundredth anniversary of the discovery of the Pacific by Balboa was recently celebrated in Panama by the dedication of a permanent local exposition. This is perhaps an appropriate time to call attention to Keats' celebration of the wrong hero in his famous lines:

"Then I felt like some watcher of the When a new planet swims into his

Or like stout Cortez when with eagle He stared at the Pacific-and all his

Looked at each other with a wild sur-Silent, upon a peak in Darien."

It was Pizarro who was with Balgot the conquerors and discoverers

Rich Englishmen who give away attitude of another man who laughs their property to escape the "death to the sending of warships and the Printers' Home in Colorado Springs, at supposedly "insurmountable" ob- duties" sometimes overreach themstacles, Col. Goethals, is illustrated by selves. In a recent case of this sort a landed. is attributed to wealthy man, fearing that death was him: "It is recorded of Lord Kitchener near, assigned the bulk of his estate that, when during the South African to his son paying the 5 per cent tax ported to him a failure to obey orders and within a few months his son died, and gave reasons therefor, he said to leaving the property to his father, who him: Your reason for not doing it are then had to pay 15 per cent inheritthe best I ever heard—now go and do ance tax to resume possession of his

Continued From Page One.

The dispatch estimates the rebel loss WANTED AT CAPITAL. [Canadian Press.]

Vera Cruz, Mexico, Oct. 25.—General Felix Diaz today received a request from the Mexican Government to proceed to the federal capital. Col. Manuel Vidaurrazaga, secretary to the Mexican minister of war. General Aureliano Blanquet, arrived here on a special train with the invitation, which was practically an order for General Diaz to accompany him Mexico City.

General Diaz did not decide immediately to comply, and no effort was made to force him to accept the invitation.

DIAZ NOT ARRESTED.

[Canadian Press.] Vera Cruz, Oct. 25.—General Felix Diaz early today still remained in the sulate, where he went Thursday night is believed he will seek safety in the American consulate.

STRICTLY NEUTRAL. The Pall Mall Gazette concludes that England can have no complicity with any league of European nations to thwart the policy of the United States on the American continent

on the American continent.

Great Britain has no desire or intention of picking a quarrel with anyand so long as her own commercial interests and the rights of her nationals are respected, she is not greatly concerned in the matter. Maybe Great Britain recognized Provisional President Huerta for reasons not particularly obvious, but this country does not share the illusion, apparently cherished by the United States, that Mexico has reached a stage of constitu-

UNFOUNDED RUMORS

[Canadian Press.] Oct. 25.—The suggestion contained in the chairman's announcement at the lecture given last night by Professor Frederick C. De Sumichras on the subject of "Great Britain and the United States," that the cancellation by United States Asmabassador nunciature after the papal nuncio, Page of his acceptance of the invita-Monsignor Lorenzelli, left Paris, When tion to preside at the meeting was a former Premier Clemenceau later ex- sudden and important eleventh-hour pelled Monsignor Montagnini, Car-decision, and also the assumption based dinal Merry Del Val appointed the on this announcement by the newspadistinguished prelate to a post in the pers that his action was attributable to office of the papal secretary of state, the Mexican situation were both offiwhere he remained until last winter, cially declared to be without founda-

Ambassador Page cancelled his appointment last week before the Anglo-American differences of opinion on the IN HIGH ESTEEM subject of Mexico came into the inneing was of a purely private character. Resolution of Sympathy Passed by the as he informed his would-be hosts as the time he cancelled it

EUROPEAN CONFERENCE.

[Canadian Press.] Paris, Oct. 25. - Exchanges of views are taking place between various European powers, possessing large ecothere, especially a joint attitude after the elections, as it is understood that the Government at Washington will mer member, and contained acknowl- decline to recognize the result which sider provisionally desirable. The initiative in the matter is under-

stood to come from London. It is pointed out here that the economic interests of Europe in Mexico together exceed those of the United States, and consequently it is there should be a concerted policy on the part of the United States and Europe

> WILSON IS SILENT. [Canadian Press.]

Philadelphia, Pa., Oct. 25.-President Wilson had no communication to make on the Mexican situation when he dedication of Congress Hall.

On the special train bearing a delegation from both Houses of Congress, including Speaker Clark, Minority Leader Mann and others, the Mexican situation was a constant subject of conversation.

Senator Bacon, chairman of the committee on foreign relations, exboa on this expedition, and the poet pressed his views on the international phases of the situation brought about by the attitude of some European governments with reference especially the aged or invalid guests of the

s. nator Pacen's view is that if any providing more than most marines have to be landed in Mexico they ere pay for their loard. should be American marines.

In a new edition of the works will be included which have never be- ple, and a railway, it is thought, would on which loans had been me "c. long ago ceased publication.

GIVEN SIX MONTHS

He Escaped From Sandwich Jail and Stole a Bicycle Here.

A young man who was remanded a week ago for sentence on a charge of stealing a bicycle from in front of the City Hotel was sentenced to six menths in Central Prison. The young man's previous record, and not the seriousness of the charge, was the cause of the stiff term. He is a deserter from the British

where he was serving a two-months' term for stealing, the day before he vas arrested in this city. The Sandwich and British authoriies will be notified of the sentence, and it is likely the man will be arrested as soon as his term expires.

navy, and also broke jail at Sandwich,

Caught in Yards. Robert Kennedy, who says his home s in Toronto, and that he was trying o get there, after being laid off work n Detroit, was arrested in the C. P. R. yards Friday night, as he stepped off a freight. He pleaded hard to be let go this morning, promising to get out of town within an hour, but he was ined the usual amount of \$5, with an optin of spending a week in jail.

Claude Williams, also of Toronto, who appeared to be well educated, and vho had an excellent command of English, was arrested while wandering about the C. P. R. yards. He admitted that he was trying to catch a freight to his home. He drew the same ine, and was advised to write home and ask for money to pay his transportation.

Frank Harris, known as "The Chief," vas arrested this morning on a charge of vagrancy. It is said that Harris was begging money on the market this morning. He denied this in court, but as he was not sober, he was remanded until Monday for trial.

Remarkable Experience of Former Railwayman as Told by Comrade.

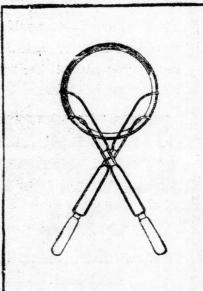
Mr. John Gillett, former Grand Trunk rossing watchman and switchman, ays that considering the number of pedestrians who persist in running in front of trains it is a wonder that more

The Standard says that England's not killed. In my experience I have only attitude in regard to Mexico is had to run out to the middle of the one of strict neutrality. Even the crossing and pull them or hold them Monroe doctrine itself cannot compel back from certain death, and all you England to refrain from recognizing a get is abuse. Many and many the man whom an independent nation has time I have carried people right back intrusted with the Covernment. out of the way of oncoming trains onl The Globe, in a long editorial article, to have them given me a calling down after doing so. But I'll tell you a funny one that occurred at a crossing was watching," he continued with a winkle in his eye. "An old man who body over the question of Mexico. She twinkle in his eye. "An old man who recognizes that conditions in Mexico at one time was employed on the road at one time was employed on the particularly concern the United States, and had lost a leg hobbled onto the tracks and did not notice an incoming rain. Before he could get out of the way he was knocked down, one of his legs going under the whiels. We ran out and picked him up, and what do you think, that wooden leg of his had been cut off. The other leg was uninjured. We took the old fellow into the shanty and one of the fellows who was nanging around had a spare leg at his brought it back, strapped it onto the old chap and away he walked as if nothing had happy ed to him." house. He went down and got it,

PIE TONGS

Cook Can Carry Pie Without Touch ing It With Fingers.

An addition has been made to the tong family in the shape of a pair of They are the work of a pie-tongs. Connecticut genius, and enable the cook to tote a pie about without touching it with her fingers. Two pieces of heavy wire are doubled upon themselves so that they form gripping members at one end. The other end is inserted in a handle. along the wires are rectangular plates which are pivoted upon each other. making what resembles a big pair of clesors. Pies remille run a little or



Wire End Grips the Fie.

the edge of the plate and cannot reached here today to speak at the re- picked up without the fingers coming into contact with the crust, to say nothing of the difficulty in picking them up when they are not on a plate without a great deal of handling. The tongs overcome this difficulty as the gripping ends lap over far enough to pass under the pie and support it

> The union printers of North Amerca take good care of their members who have fallen by the wayside. They spend nearly \$550 a year on each of That sum-about \$11 per week-is probably more than most active print-

A railway to the top of Ben Nevis Scotland, is proposed. This highest of mountain in the i road.

THE LONDON ADVERTISER'S PATRIOTIC PENNANIS



These Pennants will

sun, hail or snow.

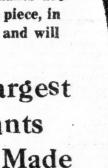
The London Advertiser supplies them to its readers at 20c each -if mailed, 28c, along with the heading of the first page of current daily edition.

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MRS. EATON ON STAND IN MURDER HEARING

Defence Is That Her Husband Died From Overdo.e of Drugs.

[Canadian Press.] Flymouth, Mass., Oct. 25.—The apstand today brought to a climax the rial of Jennie May Eaton, charged with causing the death of her husband, Rear Admiral Joseph Glies Eat

on, by giving him poison. Counsel for the defence had led up o her testimeny by calling during the past two days numerous witnesses, who described Rear Admiral Eaton as wing been frequently under the influnce of liquor or drugs. Today counsel sought to draw from her own lips Mrs. Enton's story of her life with the admiral.

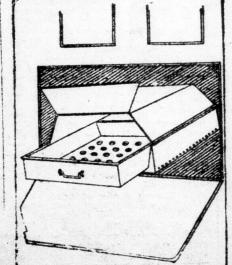
It is the contention of the de'ence hat the man died from an overdose of drag which he had been accustomed o using, and Mrs. Eaton took the stand prepared to relate all that knew of her husband's habits. Mrs. Eaton was called after William M. Campiens, an insurance man,

British Isles is Springfie'd, had testified concerning James Whitcomb Riley over 200 poems climbed annually by about 15 000 peo- the policies on the admiral's life, and these were found in newspapers which don't spoil the scenery in building the \$2.700, and both were payable to the the slice. The front end of this tray asserts, sinks into insignificance be-But-please approximate value of the policies was

CLOSED ROASTING PAN

Tray Slides In and Out and Cover Keeps the Flavor In. A combination pan that can be used

either for roasting meat and potatoes or for baking bread has been invented by a Colorado man. The bottom portion is rectangular, and above it rises a slanting top like a mansard roof. A tray slides back and forth in the casing on slidewave that run along



Will Dane Ditad ... operates to close the lower half of the sue the new wonderland

opening in the front end of the casing, and a hinged flap closes the up-per half. Across the centre of the pan is a flat tray with perforations allow the draining of the liquid from anything that requires draining, or keeps two articles separate. The vantage of an inclosed pan of this type is that in cooking meat for example, all the flavor is kept in the pan instead of evaporating in steam and the meat is done moister. Articles cooked in it require less attention than in an old-style utensil, too.

A writer in the usually veracious National Geographic Magazine describes the finding in an Egyptian tomb of "a jar of honey, still liquid, and still preserving its characteristic scent after 3,300 years." We have been taught to believe that it is the dryness of the air of Egypt that preserves its ancient treasures, but now it seems that honey will not become candied through evaporation in that dry air in 33 centuries. It is to be

The Baltimore and Ohio Railroad, following the pageant idea, recently gave an exhibition at Wheeling, West Virginia, showing the progress in railway motive power within the last 80 years. Its procession of locomotives was headed by the Atlantic, the oldest locomotive in its original form on the continent, and finished by the Mallet, a 300-ton affair equal to 3 Atlantics.

Charles Fitzpatrick Holder, in Trael, describes a little-known region of California as "The Garden of Titans." The Colorado "Garden of the Gods," he