

HAYWOOD'S LIFE IN BALANCE; CASE NOW IN JURY'S HANDS

Closing Scenes Reached in the Great Boise Murder Trial—The Judge's Charge.

Boise, July 27.—Judge Woods' charge and instructions delivered to the jury in the Haywood case this morning were lengthy, making about 12,000 words. After thanking the jurors for the attentive manner in which they have thus far performed their duties as jurors, and giving the customary instruction as to the general duties of the jurors, as to the law and evidence, Judge Woods instructed them in accordance with his ruling made some days ago, after argument bearing on the connection of Steve Adams with crimes committed in Northern Idaho. This evidence, and also that introduced by the defense, regarding deportations in Colorado, and the employment of Pinkerton detectives by the mine owners, Judge Woods instructed the jury not to consider them on the ground that no prior connection had been made in either case.

Proof Must Be Conclusive.

Instructions as to the necessity for clear and conclusive proof beyond any reasonable doubt of every material fact were followed by the quoting of

the indictment on which Haywood, together with Moyer and Pettibone, was arrested. On this subject Judge Woods said:

"There are three counts in the indictment, but the substance of each of them is the unlawful, wilful, deliberate premeditated and felonious killing of the said Frank Steunenberg with malicious forethought. The essential elements of the offense charged in the indictment consist of the following features:

"First—There must have been a killing;
"Second—That killing must have been unlawful;
"Third—It must have been wilful;
"Fourth—It must have been deliberately premeditated upon;

"Fifth—It must have been premeditated by malice in the mind of the person or persons doing the killing, and unless these features, and each and every one of them are proved to your satisfaction, beyond a reasonable doubt, you must find the defendant not guilty."
continued on Page Eight.

Funeral Pyre of Toll Gates End of "Pay" on Proof Line

Large Crowd Watched Unique Demonstration Last Night at St. John's.

Never before in the history of London Township was there an event attended by more genuine rejoicing than that of last night, when the torch was put to the three old toll gates of the Proof Line road, at St. John Village. The burning of the gates marked the emancipation of London Township from the slavery of having to pay for the privilege of driving over one of the leading highways. The popularity of the move was evidenced by the great crowd of men, women and children gathered from far and near. From 7 o'clock in the evening until 9:45 p.m., when the torch was applied, rigs and automobiles loaded down to their utmost capacity, were to be seen scurrying from every direction. By 8 o'clock the old town square was

packed, while many had already deposited themselves on fences, house-tops, and all such vantage grounds. Every available shed and barn had been pressed into service to accommodate the spectators.

The crowd was in high spirits. Everyone was happy and on every side such expressions as "Well, I think we have got these gates just about where they ought to be," "I am not sorry to see them go," and "By jinks, they have been an awful nuisance," were to be heard, and never a single voice was raised to protest against the passing of the gates. To say that the gates had outlived their useful lives, was demonstrated by the objections which had been raised against them from time to time.

Exit the Fees.

Now the residents of the township who have occasion to drive to the city over the Proof Line road will be able to pass right along, without the thought of the toll-gate fees, which, although paltry in amount, took hun-

(Continued on Page Nine.)

THINKS LICENSE FEE IS LITTLE TOO HIGH

Manager Bennett Wavers When Asked to Pay \$80 for His Theatrical.

Bennett's Theatrical Enterprises Company objects to paying a yearly license of \$80 for its theatrical which is located on Dundas street in the Odd-fellows' block.

Chairman Gillen of No. 3 committee and Inspector McCallum claim that under the bylaw no smaller sum can be charged, and that already a man on Richmond street has paid \$80 to conduct a similar place and that there is nothing for Mr. Bennett to do but pay the fee.

Mr. Bennett, however, quotes the bylaw to show that he can only be compelled to pay \$40 a year.

REPORTED BURNED WITH ALL ON BOARD

Auburn, N. Y. July 27.—It is reported that the passenger steamer Frontenac, plying between Ithaca and Cayuga, on Cayuga Lake, burned with all on board near Farley's Point.

Band Concert for Sufferers Realized Sum of \$385.64

Weather Was Not Favorable But About 10,000 People Were in Park Last Night.

The band concert given at Victoria Park last night in aid of the sufferers from the Crystal Hall disaster, was a success in every way. The sum of \$385.64 being realized. About 10,000 people were in the park.

Those in charge of the various entrances and the amounts received thereat, are as follows:

Central avenue and Wellington street—Ald. Cooper, Ald. Saunders, Dr. H. A. Stevenson and John Saunders, jun.—\$28.25.

Central avenue and Richmond street—Thos. McFarland, Stephen Grant,

CONTRACT LET FOR PLOW WORKS

Man at Head of Project Has Completed Arrangements for New Factory Here.

Mr. Donald, of Chicago, the gentleman who is interested in the new plow works for Chelsea Green, is in this city, and has completed the purchase from Col. Gartschore of two acres of land upon which to erect the works.

The new industry will employ a large number of men, the great majority of whom will be skilled mechanics, and it will be a big addition to the south end's factories.

Contracts have been let for the buildings, and it is understood that work will begin next week.

INVENTOR VARICLE DEAD.

Seattle, July 27.—Dr. Anthony Varicle, Parisian, scientist, balloonist and dentist, known from Paris to Dawson City, Y. T., died here last night after an illness lasting several weeks.

Among Dr. Varicle's inventions was a telegraph instrument which transmits handwriting and drawings.

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BILL HAYWOOD,
Secretary of Miners' Union, Whose Case Goes to the Jury Today.

DANCE HALL ROW AT PORT STANLEY

Bennet & Ferguson Not the Lessees of the Hall—Other Side of the Case.

Bennet & Ferguson, who have secured certain privileges at Port Stanley, deny that they have anything to do with the dance hall at port, and they do not care to be blamed for anything that has been done in regard to that place.

It is pointed out that it is the Inclined Railway Company which holds the lease of the hall and all the privileges thereon. Bennett & Ferguson have only control of the new pavilion which is being built on the beach, and a number of summer cottages, which they are erecting.

The Inclined Railway Company, it is alleged, leased the dance hall to a couple of St. Thomas musicians, who waxed the floor, put in a piano, etc., and who naturally tried to make money out of it. The Inclined Railway people claim that the grounds are better kept this year than ever before, despite the assertions of Londoners to the contrary, and they apparently do not see eye to eye with those people who object to the closing of the dance hall.

In a letter to The Advertiser, a gentleman interested in the Port Stanley hall enterprise says:

"Though the promoters have placed the dancing pavilion in other hands to keep it in a proper condition by sweeping and waxing the floor and providing music for the pleasure and comfort of those fond of the dance, they at the same time have made provision that during wet weather anyone is perfectly free to take shelter under the roof.

"In other years the same pavilion was kept in anything but an orderly condition and surely the methods adopted by those in charge is a decided improvement from that of the latter. It appears to the writer, as one who knows something of former conditions, that the public does not suffer any inconvenience during fine weather in so far as the pavilion is concerned, when business methods are adopted that give the visitors the privilege of enjoyment that they have there now.

"Though the amusement company have made considerable expenditure in fitting up the grounds, cars and engineering with a view that nothing could be too substantial in connection with the carrying of passengers to and from the grounds, they are not to be charged with a vain, narrow, selfish spirit in leaving the steps in a dangerous state, or even of closing them up.

In regard to these, over which they have no control, orders were given by the railway company to their employees to close the same, and their motive in so doing is one that lends the city of London and its citizens to ask the railway company for an immediate cancellation of existing conditions in regard thereto.

"Of the other charge, the amusement company is not concerned, believing, if they conduct their own business properly, they are doing all that is necessary for them to do."

NEW INSPECTOR WILL LIKELY BE MR. JONES

Rumored That He Will Succeed Mr. J. F. Power.

It was rumored today that Mr. Jones, of Mattawa, will be appointed to succeed Mr. J. F. Power as separate school inspector for the western district of Ontario, to commence his duties the 1st of September next.

LONDONERS WIN HONORS

Results of the Toronto College of Music Examinations.

In the published results of the Toronto College of Music examinations, Celis Pegler, of this city, won first-class honors in piano primary exams, and Ernest Beech took first-class honors in vocal music, first exams.

STEAMERS ARRIVED.

July 26.	Reported at.	From.
Southwark.	Quebec.	Liverpool
Kastalia.	Father Point.	Britain
Pomeranian.	Havre.	Montreal
Arabia.	New York.	Liverpool
Manover.	Baltimore.	Bremen
America.	Cherbourg.	New York
Carthagenian.	Glasgow.	Philadelphia
Adriatic.	Southampton.	New York
Oronian.	Antwerp.	New York
Citta di Torino.	Genoa.	New York
Bulgaria.	Genoa.	New York
Carpathian.	Trieste.	New York

ALONE IN HOUSE; BURNS TO DEATH

Coroner Decides Death of South Dorchester Woman Purely Accidental.

[Special to The Advertiser.]
St. Thomas, July 27.—Dr. Sinclair, of Aylmer, the coroner who investigated the burning to death of Annie Faulds, near Avon, South Dorchester, has reported to Crown Attorney McCrimmon here that the death was purely accidental. Deceased had entered a dark room, when the lamp exploded, and her clothing was burned off, leaving the body unrecognizable. Deceased was alone in the house at the time. When Mr. Rowe returned the house was burning, but he extinguished the flames with a few pails of water. The woman was dead. No blame is attached to anyone.

COAL OIL STOVE EXPLODES, EVA ST.

Kitchen of Mr. John Cole's Residence Destroyed by Fire.

The explosion of a coal oil stove caused a fire in the back kitchen of Mr. John Cole's residence, 358 Eva street, at about 9:30 this morning. The quick work of the firemen in arriving on the scene, and getting a line of hose and the chemicals to work prevented serious damage. The back kitchen, however, was destroyed, and part of the roof, is so badly burned that it will have to be replaced.

Employes and Barbers Likely To Compromise the Wage Question

Some of the Bosses Do Not Think There Will Be a Strike.

"Though it is impossible to say at this moment just what the result of the barbers' demand for an increase in wages will be," said one of the employers to The Advertiser today, "I personally believe that there will be no strike. I think a compromise will be effected."

Other employers made similar statements to the reporter, and on the whole, it does not look as though there will be any necessity for them to walk out Monday, provided they are ready to meet the employers on a compromise.

Employers appear ready. Of course, some of the master barbers are very anxious for a strike, as they claim they are in a position to break the backbone of the union if trouble starts.

Pere Marquette Railway Deals Promptly With Pt. Stanley Charges

Wants Mayor and Other Representatives to Investigate Monday.

The Pere Marquette Railway, which it must be admitted, despite its differences at various times with the city, has done its best to give the people of London a first-class service to and from Port Stanley, has taken up the charges which have been made in regard to the privileges, etc., at the lakeside, and the master barbers, who in the absence of Superintendent Pyatt, is attending to that gentleman's duties, will make a close investigation. Mr. Pyatt is in England and will not be home for some time.

Make the Port Inviting. Mr. Gilhula states that it is the desire of the company that the Port shall be made as inviting as possible for the people of London and other places, and he points out that in continually airing grievances regarding the lakeside, the city is merely working to reduce its own percentage on Port Stanley Railway earnings.

Mr. Gilhula is nothing if not a wide-awake railway official, and he was at work in London today on the different charges before many local businessmen had come down to their offices.

Mr. Gilhula has invited Mayor Judd, with any other members of the London and Port Stanley Railway board, or of the city council, to go to Port Stanley with him on Monday afternoon, and to bring Engineer Graydon along, so that any repairs which are needed may be pointed out, and can be made by the company.

Ready and Willing. Mr. Gilhula declares that anything it is necessary to do will be done, and done quickly at that.

As regards the controversial end of the matter, and as to what the several lessees have been doing, Mr. Gilhula prefers to investigate the matter with the city representatives before he makes any statement.

MYSTERIOUS DEATH.

Sandwich, July 27.—Mr. Wm. Craig was found dead in his house last evening by one of his neighbors. He was living alone, his wife leaving him a couple of weeks ago. The cause of death is unknown.

THE WEATHER.

TOMORROW—FINE AND WARM.

FORECASTS.
Toronto, July 27—8 a.m.
Today—Fresh westerly winds; fine.
Sunday—Southerly winds; fine and warm until night, then showery again.

TEMPERATURES.

Stations.	8 a.m.	Min.	Weather.
Calgary.	48	46	Fair
Winnipeg.	42	38	Fair
Port Arthur.	56	48	Fair
Parry Sound.	64	58	Clear
Toronto.	66	52	Clear
Ottawa.	60	54	Fair
Montreal.	51	52	Rain
Quebec.	56	51	Cloudy
Father Point.	48	43	Rain

The first column records the temperature at 8 o'clock this morning, and the second column records the minimum temperatures during the 24 hours previous.

WEATHER NOTES.
The disturbance which was centered in the Ottawa Valley yesterday is now centered in New Brunswick, and is much more pronounced than is usual in the summer season. Gale winds have occurred on the great lakes, and also in the Gulf of St. Lawrence, and heavy rain has fallen through out Eastern Canada. The weather continues fine and warm in the Western Provinces. The general outlook is somewhat unsettled, with another barometric depression developing in the west.

YESTERDAY'S TEMPERATURES.
Toronto, July 26—8 p.m.—The disturbance mentioned last night has since passed to Quebec, accompanied by gales throughout the lake region and thunder storms in the St. Lawrence Valley. In the Western Provinces the weather has been fine and for the most part quite warm. Medicine Hat reporting a maximum temperature of 90°.

Minimum and maximum temperatures: London, 59—70; Dawson, 42—62; Atlin, 36—48; Vancouver, 51—75; Kamloops, 64—85; Calgary, 42—78; Edmonton, 53—68; Battleford, 52—62; Regina, 44—59; Winnipeg, 58—75; Southampton, 52—68; Toronto, 52—74; Ottawa, 60—76; Montreal, 62—75; Quebec, 62—68; St. John, 64—74; Halifax, 52—58.

Engineer Waved Last Farewell As Doomed Train Passed Home

Pathetic Incident in Connection With the Wabash Accident.

[Special to The Advertiser.]
St. Thomas, July 27.—The parents of Dennis Patterson, engineer of the ill-fated Wabash locomotive, No. 1894, which blew up east of Simcoe last night, reside on their farm a few miles east of this city on the Wabash-G. T. R. line. As their son passed the old homestead on his last run he blew the

engine whistle a couple of times and waved his hand to his relatives, who were looking out to see him pass, and who saluted in return. This was something Engineer Patterson was not in the habit of doing, and events proved that the dead engineer was waving a final farewell to his loved ones. The dead man's bride of three weeks is prostrated with grief.

Later.

St. Thomas, July 27.—Fireman Fred Calvert, injured in the explosion yesterday of a locomotive at Simcoe on the Wabash, succumbed to his injuries at the Amasa Wood Hospital today.

RAMSAY UNEARTHS A GREAT SECRET

Researches That May Lead to the Transmutation of Metals.

London, July 27.—Sir William Ramsay, the distinguished chemist, has promised to communicate in writing in the near future to the Chemical Society, the results of his researches in radium emanations. In this connection the announcement is made that he had succeeded in degrading copper to the first member of its family, that is, lithium.

The Lancet today says the discovery marks an epoch in the history of chemical science and believes it is a realization of the transmutation of metals. The announcement is likely to re-awaken the discussion of the transmutation of elements which raged a year or so ago, when several prominent scientists repudiated the transmutation idea, while others just as strongly supported it. Sir William Ramsay himself modestly disclaims ability to transmute elements, but he believes that the result of his degradation of copper will be of far-reaching importance.

THE DREADNAUGHT'S SISTER LAUNCHED

Portsmouth, July 27.—The battleship Bellerophon, another Dreadnaught, was launched here this afternoon by Princess Henry of Battenberg. The new warship has a tonnage of 18,600, which is 700 more than the Dreadnaught, and she embodies a number of improvements, gained as a result of the Dreadnaught trials.

THE LATE HUGH McDONALD

Funeral Took Place This Afternoon to Nairn Cemetery.

The funeral of the late Hugh McDonald, of East Williams, took place at 2 o'clock today from his late residence, lot 3, concession 5. Rev. Mr. Bennie was the officiating clergyman. Interment took place at Nairn Cemetery.

TWO WABASH EMPLOYEES KILLED BY EXPLOSION OF A LOCOMOTIVE

Engineer D. Patterson and Brakeman Norton Killed Near Simcoe.

St. Thomas, July 26.—Through the exploding of Wabash engine No. 1894 near Simcoe early yesterday evening, Engineer D. Patterson and Brakeman Lewis Norton were killed and Fireman Calvert, seriously if not fatally injured. All three belong to St. Thomas. The locomotive was pulling a freight eastbound to Buffalo and was moving rapidly when the explosion took place, and so terrific was it that poor Patterson was literally blown to pieces. Norton, who was in the engine cab,

FIRE CAUSED \$100 DAMAGE IN EAST END

Department Had a Run to Dundas Street East Yesterday Afternoon.

A blaze started yesterday afternoon in a barn at the back of Smith's furniture store, 725 Dundas street. The department received the alarm at 4:08, and soon had the fire under control. Considerable furniture, which was stored in the barn, was destroyed. The loss will be in the neighborhood of \$100.

THAT STEEL PLANT.

Sandwich, July 27.—It now appears to be definitely settled that the United States do a Corporation's plans for the erection of a permanent plant here are complete, and that ground will be broken.

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Western University Subscribers Choose Representatives on Senate

Meeting Held Last Night at Which Prominent Citizens Were Selected.

A meeting of the subscribers to the fund for the Western University met last night, and in accordance with the provisions of the new charter secured by the university, elected eight representatives to the senate.

meeting of that body is to be called forthwith for the purpose of presenting a financial statement, and reports of various characters.

The following are the gentlemen chosen to represent the subscribers on the senate:

For four years—Capt. T. J. Murphy and Dr. H. T. Reason.
For three years—W. C. Fitzgerald and Dr. C. I. Campbell.
For two years—J. C. Judd and E. Towe.
For one year—A. T. McMahon and H. E. Gates.