

SURPRISING DECISION IN LONDON CONSPIRACY TRIAL

Judge Winchester Finds All the Defendants Guilty, to the Amazement of Everyone.

THE JUDGE ALLOWS AN APPEAL ON JURISDICTION

Defendants Out on Bail Until March—Even the Crown Did Not Expect Such a Verdict—The Judge Overrules the Decision of Justice Britton.

The decision of Judge Winchester in the conspiracy case has been received in London with surprise by men of both political parties.

They are unable to understand it, not only in view of the evidence, but in view of Judge Winchester's explicit statement on Wednesday that the evidence for the prosecution did not implicate three of the defendants in any conspiracy. They want to know how the judge reconciles this with his decision.

His judgment, it may be explained, is merely tentative. He has held that there was no conspiracy in Toronto. If the judge has jurisdiction to try for conspiracy in London, he will pass sentence in March next. In the meantime the case goes to the court of appeal for decision. It is confidently expected by the defense that judgment of acquittal will be given, as Judge Winchester entirely ignored the judgment of Justice Britton, given in the matter some months ago.

[Special to The Advertiser.]

Toronto, Nov. 29.—Messrs. Geo. M. Reid, John O'Gorman, Daniel Wiley and W. J. Mulloy were found guilty by Judge Winchester this afternoon of conspiring to corrupt elections. The verdict came like a thunderbolt, because it was not even expected by the crown that all would be found guilty. A stated case was given and the question of jurisdiction will be argued before the court of appeal in January. The defendants were bailed to appear for sentence March 2.

The summing up of Judge Winchester was a lengthy one. In the first part of it he decided the matter of jurisdiction. He overruled the decision of Mr. Justice Britton, who gave the Toronto court jurisdiction to try a conspiracy formed in Toronto, one or more overt acts in Toronto constituting evidence of such a conspiracy. Judge Winchester held that he was not so limited, and that he had jurisdiction equal to that of the high court, and could try offenses no matter where committed in Ontario. Therefore he did not limit the conspiracy to Toronto as held down by Mr. Justice Britton in the argument for change of venue came before him. It was on the evidence of the conspiracy in London that the defendants were found guilty.

Mr. E. F. B. Johnston, K. C., made a masterly plea for the defendants. Mr. G. Lynch-Staunton, K. C., made a strong plea for conviction. The defendants were allowed to go on bail. Messrs. Reid, Wiley and Mulloy had to furnish \$7,500 bail, and O'Gorman \$15,000.

The verdict was a great surprise. Judge Winchester declared, after the crown evidence was all in, that there was little to connect Messrs. Wiley, Mulloy or Reid with a conspiracy. Pritchett's evidence was contradicted by both James Vance and Alex. Smith, and his honor himself said their evidence was worthy of belief. The evidence of bribery in London was the cause of the conviction.

When court reconvened in the afternoon, the first point taken up was Mr. Preston's declaration.

Mr. Preston's Evidence. "I am instructed that the crown did get notice of the commission and the declaration may be read subject to all just objections," declared Mr. Staunton when court opened in the afternoon.

Mr. E. F. B. Johnston then read Mr. W. T. R. Preston's evidence taken by the commission. The evidence was taken by Mr. Alf MacC. McInnesley, Sydney, New South Wales, and Mr. Benjamin S. Smith was clerk. It was sworn to by Charles W. Hallen.

The evidence showed that between 1893 and 1898 Mr. Preston was librarian of the Provincial House. He took part in the by-elections in South Ontario, Lennox, Halton and Nipissing, after leaving the civil service. He took part as organ'zer.

Q.—Did you know J. G. Pritchett? A.—No, sir.

Q.—Did you give him money in the Commercial Hotel, Whitby? A.—No, sir.

Q.—He swore that you gave him \$40 in that hotel. Is that true? A.—Absolutely false.

Q.—Did you have any conference with Pritchett? A.—Never.

Q.—Did you speak to him or anyone? A.—No, sir.

Continued on Page Six.

Twice as Many Marriages This Month As There Were in November, 1906

Deaths Were Exactly the Same in Both Months—Increase in Births.

The vital statistics for the month of November show 91 births, 55 marriages and 47 deaths. For the same month last year, the statistics show 66 births, 26 marriages and 47 deaths. The number of births shows an increase of 25. November was quite a bride's month,

there being about twice as many marriages this November as there were in November, 1906.

Twelve people who had reached the allotted three score and ten passed away during the month. The oldest was 85 years.

Deaths from contagious diseases were conspicuous by their absence. Not a death from consumption is recorded.

At present there is little infectious disease in the city. There are quite a few cases of diphtheria and scarlet fever in Toronto and other cities, but little of the diseases here.

Horton St. Boy Has Narrow Escape Struck By Engine at Waterloo St.

Harvey Green Saved His Life By Clinging to the Steps.

A boy of about 16 years of age, was struck by a yard engine at the Waterloo street crossing of the Grand Trunk Railway yesterday afternoon, but had a miraculous escape from death.

The lad was on his way to school,

and, it is said, did not notice the approach of the yard engine.

As he walked across the rails of one track the steps of the engine struck him and knocked him down.

The boy seized the steps, and though he was dragged a considerable distance, he saved himself from going under the wheels.

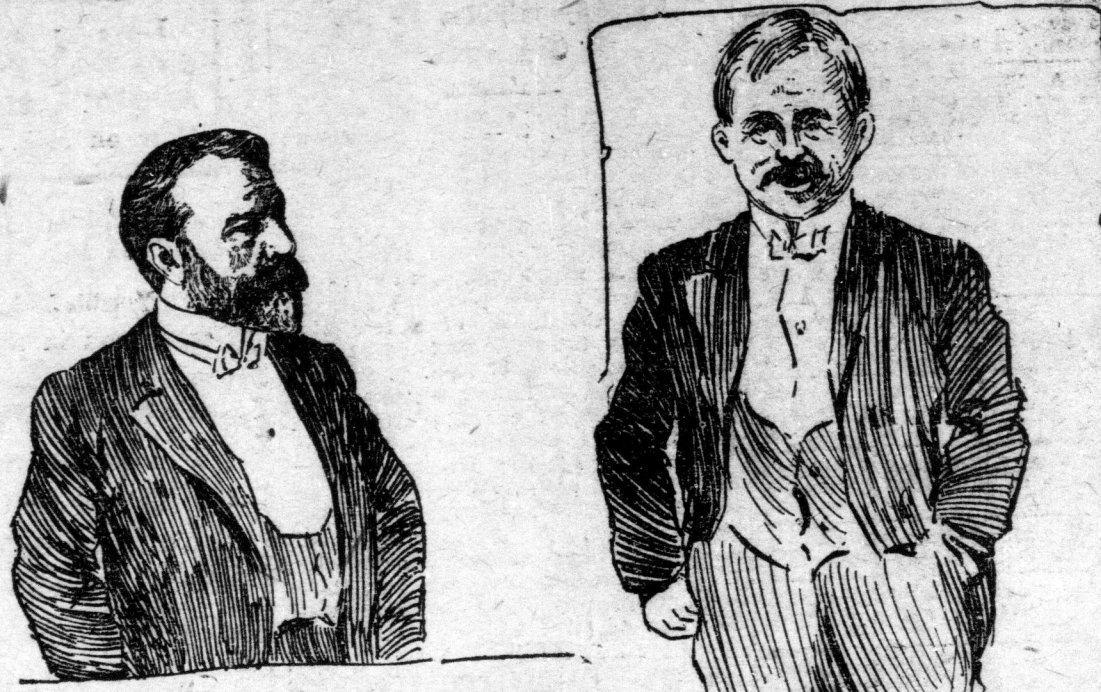
He continued his journey to the Collegiate, but the teacher there sent him home.

Today he is suffering some pain as a result of his bruises.

Used To Entertain Colored People

It is stated today that a large number of colored people, members of the Johnson Company, which was organized last night, found it difficult to secure hotel accommodation, and were compelled to sleep in the houses of

colored families all over the city. There are 50 or more in the company. Two or three hotels agreed to accept the trouper as guests, but the other hostilities were "filled up" when the colored people have in sight.



MR. J. A. MACDONALD, TORONTO.



MR. GEO C GIBBONS, K.C.



MAJ. HENDRIE, HAMILTON.



JUDGE MACBETH.



PRESIDENT GERRARD.

Caught by the Advertiser Artist's Pencil at St. Andrew's Banquet Last Night.

Conviction Likely to Be Quashed By the Ontario Court of Appeals

Lawyer Explains the Situation in London Conspiracy Case—General Surprise.

The result of the London election trial is the chief topic of conversation on the streets this afternoon. It is safe to say that nothing in a long time has caused so much amazement. No one in London anticipated such a judgment.

The citizens of London are not the only persons surprised at the verdict. There was probably not a single soul in the courtroom who expected it. No one imagined that all four would be convicted. Perhaps there were no more surprised people than the crown counsel themselves. Mr. G. Lynch-Staunton, in his summing-up address, practically eulogized Wiley, and declared there was little evidence against Messrs. Reid and Mulloy. He made a strong plea for the conviction of

O'Gorman, and seemed to rest on the assumption that he might get one conviction. And when the verdict came he was surprised beyond measure. That was true of the other counsel.

A leading local lawyer, who has followed the case very closely since its beginning, said the situation up for The Advertiser:

"Here is the case as it stands," he said. "When this trial was to come up, the defense applied for a change of venue. The crown opposed that application. The ground for the desired change was that the crimes alleged to have been committed took place in London, and they should be tried there. There was no conspiracy in Toronto. Mr. Justice Britton sat on that case. The crown declared that they would undertake to convict on a conspiracy in Toronto; and not in London, the change of venue was not granted. The defense took the action

Continued on page fourteen.

BRIGADE ANSWERED TO TWELVE ALARMS

Loss by Fire During Month of November Was Small.

There were twelve alarm sent in to the fire department during the month of November.

Five of them were for fires, two for chimney blazes, and five were false alarms.

Five were box alarms, five came in by phone, and two were verbal.

One of the alarms took the firemen to the foot of Clarence street on Sunday, Nov. 17, when a Horton street boy was drowned.

None of the fires during the month were in any way serious.



REV. H. A. GRAHAM, New Pastor of the Wellington Street Methodist Church.

TOMORROW—FAIR AND COLD.

FORECASTS.

Toronto, Nov. 30—8 a.m. Today—Easterly winds; cold, with light snowfalls.

Sunday—Strong northwest winds; fair and colder.

TEMPERATURES.

Stations. 8 a.m. Min. Weather.

Calgary. 44. 32. Cloudy.

Winnipeg. 22. 18. Cloudy.

Port Arthur. 16. 14. Cloudy.

Perry Sound. 22. 18. Cloudy.

Toronto. 26. 18. Cloudy.

Ottawa. 38. 18. Fair.

Montreal. 32. 16. Fair.

Quebec. 30. 10. Cloudy.

Falster Point. 22. 10. Cloudy.

The sign—indicates below zero.

The first column in the above table 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 shallow depression which was over Saskatchewan yesterday has moved quickly southward and is now centered in Illinois, and that which was over Florida is now east of North Carolina. The weather is cold and wintry everywhere, except in Alberta and British Columbia, and zero temperatures prevail in Manitoba.

YESTERDAY'S TEMPERATURES.

Minimum and maximum temperatures: London, 28-34; Victoria, 50-56; Vancouver, 49-57; Kamloops, 34-48; Edmonton, 22-33; Calgary, 26-43; Regina, 4-34; Winnipeg, 12 below-14; Port Arthur, 6-23; Perry Sound, 14-31; Toronto, 26-32; Ottawa, 36-34; Montreal, 18-26; Quebec, 16-24; St. John, 26-34; Halifax, 28-44.

SONS OF OLD SCOTLAND GATHER ON ST. ANDREW'S EVE

Annual Banquet of St. Andrew's Society Last Night a Great Success—Some Notable Addresses—History and Song of Land of the Heather.

Over one hundred and fifty members of St. Andrew's Society celebrated St. Andrew's Night at their annual banquet, and celebrated it as only Scotchmen can. Throughout the evening there was noticeable the spirit of good fellowship and comradeship that invariably marks Scottish gatherings. There was not a dull moment in the whole evening from the time President Gerrard, resplendent in the handsome tartan of the McKenzie clan, opened the banquet, until the last echo of "Auld Lang Syne," died away and the last of the banqueters departed. President Gerrard made a big hit in the impressive and ancient ceremony which he observed in the cutting open of the famous "Haggis," a dish dear to the heart of every son of Scotland. The pipers marched through the assembly playing a stirring air, followed by a waiter bearing aloft the steaming dish, and placed it in front of the president, who, after reciting a weird verse in Gaelic, plunged the knife into it and carved it.

The programme was a most attractive one, calculated to arouse in every-

one feelings of the utmost patriotism and to recall vividly the land of their forefathers. The speeches throughout were masterly and eloquent and appealed to everyone, while the tender pathos of the beautiful Scottish airs was brought out by those who sang in a manner that left nothing to be desired.

The President's Address.

President G. B. Gerrard commenced the speechmaking by a short address, in which he congratulated St. Andrew's Society on the excellent turnout to celebrate the night of St. Andrew, the patron saint of Scotland.

Secretary Beal then read greetings from St. Andrew's Societies from all over Canada, and telegrams from Hon. F. D. Monk and Hon. A. B. Aylesworth.

Dr. J. B. Campbell called upon Major Hendrie, of the Forty-Eighth Highlanders, to respond to the toast of "The Army and Navy." Major Hendrie said he hoped Canada would never need a large army such as was needed in Europe, but that Canadians

Continued on Page Fifteen.

City Wants the Trackage Increased Will Meet President Everett Monday

Matter of Employees' Wages Will Also Be Considered by the Magnate.

The question of increased trackage for the London street railway is now likely to be settled.

No. 1 committee has been attempting for some time to have an interview with the street railway company to discuss the matter.

So far the efforts of the committee have not been successful, but it is expected that a meeting will be held in the near future.

Mr. H. A. Everett, of Cleveland, president of the company, was expected in the city yesterday, but he was not able to come.

It is thought he will be here on Monday. Then the question will be opened.

A favorable answer is expected. There is not at present sufficient trackage in this city. Several important

portions are not touched at present, and it is felt that they should be.

The city cannot force the company to increase the trackage, but it is thought in some quarters that the company will be willing to accede to the demands of the citizens.

Will Company Agree?

"I have no doubt the company will agree to increase its trackage," said a prominent member of the board of trade this morning.

"The request is reasonable, and from what I can learn the company is willing to deal generously with the city. Personally, I think it would be good business. Whether the company will increase the trackage immediately is another question. I hardly think it will. Money is too tight, and it can be used to better advantage just now than in laying track. That is my own opinion."

It is understood that when Mr. Everett arrives he will also be asked to consider the application of the measure for an increase in wages.

At the offices of the company the prospects of an increase are said to be very bright at this time.

Rev. H. A. Graham Is New Pastor Of Wellington St. Methodist Church

Is Now Located in St. Mary's Rev. Mr. Livingston May Remain Here.

It was announced at a meeting of the quarterly board of the Wellington Street Methodist Church, which was held last night, that Rev. Humphrey A. Graham, of St. Mary's, had accepted a call to the church, and that he will leave his duties here at the end of the present conference year, namely, July 30, 1908.

At a meeting held on Monday night last, the call was extended, and after several days' deliberation, Rev. Mr. Graham decided to accept it.

The new pastor is about 40 years of age, and was born in the township of

Blanshard. He secured his degree of Bachelor of Arts from Toronto University, and of B. D. from Victoria University.

He has been very successful in his different pastorates, and the congregation of Wellington Street Methodist Church feels that it has been extremely fortunate in securing him.

It is said that the present pastor of the church will be invited to accept the pastorate of another London church. He has very many friends in the church, and is only leaving Wellington Street Methodist Church because of the fact that in June next he will have completed his fourth year there, and cannot remain longer in charge of the flock.

Rev. Mr. Graham is a brother-in-law of Mr. J. Parnell Morris, the well-known organist of Dundas Center Methodist Church.

Despondent Man Tries to Take Life

Fred Hing, until a few days ago employed as a shoemaker by the Cook-Fitzgerald Company, attempted to commit suicide at his boarding-house on Pall Mall street, near Colborne, on Thursday night.

Hing is about 40 years of age, and strong, and only the strenuous efforts of the owner of the house prevented the man taking his life.

It is alleged that Hing has had trouble with his wife. The couple resided in Toronto until a few months ago, when Hing came here to work for the Cook-Fitzgerald Shoe Company.

His wife remained in Toronto.

It is said that on Thursday at noon

he received a letter, the contents of which appeared to greatly disturb him, and he brooded for hours over it.

At the supper table he jumped up, without warning, and seizing a carving knife attempted to cut his throat.

The proprietor of the house sat next to him, and a fight for the possession of the knife took place. The two men rolled about the room for several minutes, until finally the boarding-house man succeeded in disarming the half-crazed man.

When he became quiet, Hing regretted his rash attempt, and yesterday he took a train for Toronto, where he said he intended meeting his wife.

A LARGE MARKET AND EASY PRICES

There was a large market today and prices all around, with the exception of eggs, were easy.

Dressed hogs took a drop of from 50 to 75 cents per 100 pounds.

Some complaint has arisen over the fact that some of the dealers are selling packed and storage eggs for strictly fresh ones. Even so tried a veteran buyer as Weigh Scales Clerk Dean got caught up on a proposition like this the other day, and since then he has been kept busy warning his friends to be cautious of the manner in which they eat "strictly fresh" eggs raw.

Fresh eggs are said to be very of the country.

scarce, and the reason given is that the farmers are doing away with their chickens as fast as they can. Poultry was very cheap today, and will continue so until after Christmas, at least, as the farmers are now weeding out their flocks.

Potatoes dropped from 5 to 10 cents a bag, while butter was somewhat easier and plentiful. Sales were fairly brisk notwithstanding the big market.

A large number of chickens are at present being shipped to the old country by Flavell & Co., and thousands of birds are being taken to their establishments every day from all parts of the country.