

THE WEATHER:
FRESH WINDS; FAIR AND COOL.
TUESDAY—COOL.

London Evening Advertiser

HOUSE OR FLAT?
WANT ADS FIND THEM,
ON PAGE 14.

51ST YEAR. NO. 24098

LONDON, ONTARIO, MONDAY, OCTOBER 20, 1924 —SIXTEEN PAGES.

THREE CENTS.

PETER SMITH AND JARVIS PLEAD NOT GUILTY Supreme Court Dismisses Montreal Bandits' Appeal

FORMER TREASURER ENTERS 'NOT GUILTY' PLEA TO CHARGE OF CONSPIRACY TO DEFRAUD

France Honors Aged Aviator

Associated Press Despatch.
France, Oct. 20.—The man France calls "the father of aviation," Clement Ader, was honored yesterday in his home town here, where he was born 83 years ago. Every building in the town was beflagged and the streets were gorgeously decorated.

BOARD'S DECISION TO BE APPEALED

Saskatchewan Government Orders Immediate Action in Crow's Nest Pass Case.

Canadian Press Despatch.
Regina, Oct. 20.—The Saskatchewan government has instructed H. J. Symington, K.C., Winnipeg, to appeal on behalf of the government the decision of the board of railway commissioners on the Crow's Nest Pass freight rates agreement to the government-general-in-council and to the supreme court of Canada.

PROBES ARE ORDERED INTO TROLLEY WRECK

Motorman Whose Testimony Is Highly Essential May Not Live.

Associated Press Despatch.
Buffalo, Oct. 20.—Four inquiries were under way today into the wreck of two International Railway high-speed trolley trains at Tonawanda yesterday in which two persons were killed and more than three score injured, five of the latter probably fatally.

Homer F. Foreman, motorman of the trolley train that crashed into another section bearing Pennsylvania and New Jersey excursionists from Niagara Falls to Buffalo, en route to their homes, was still unconscious at a hospital and may die. His testimony is essential to an explanation of why the second section of the excursion train rushed at a speed of more than 30 miles an hour along about 1,000 feet of straight track into the rear of the standing cars.

CONVICTS RECAPTURED AFTER BRIEF LIBERTY

Associated Press Despatch.
Lancaster, Pa., Oct. 20.—After 24 hours' liberty, Clarke Hoffman and Edmund Cole, who escaped Saturday night from the local jail, were captured and last night again lodged in their cells. In making their break for liberty the convicts had seriously wounded a guard, stole his keys to the automobile gate and walked unobserved through the jail yard.

CANTERBURY ARCHBISHOP URGES SINCERE ELECTION

Associated Press Despatch.
London, Oct. 20.—The Archbishop of Canterbury, preaching at St. Martin's, Kent, yesterday, referred to the general election. He said: "Our gaze must range far. We must not think merely of our own islands, but of our responsibilities for all parts of the worldwide empire."

Peter Smith, Jarvis and Peppall Placed on Trial Before Chief Justice Meredith.

JURORS CHALLENGED

W. N. Tilley, One of Crown Counsel, Outlines Transactions Leading to Charge.

Canadian Press Despatch.
Toronto, Oct. 20.—The trial of Peter Smith, former provincial treasurer for Ontario; Amilias Jarvis, Sen., Amilias Jarvis, Jun., and Harry Peppall, partner in the Jarvis firm, on charges of conspiring to defraud the province in connection with the purchase of bonds, was started this morning before Chief Justice R. M. Meredith in the fall assizes. The four men were asked to stand up, and they pleaded in firm voices, "Not guilty" to the lengthy charges as read by the clerk. The selection of a jury occupied three-quarters of an hour, and 23 jurors were challenged before the twelve men of the jury were selected.

His lordship overruled the objection taken by L. P. Helmuth, K.C., counsel for Jarvis, Sen., but speaking for all the accused that they could not be tried on charges of conspiracy as well as actual commission of the wrong they were alleged to have done. He thought one of the charges should be dropped. His lordship said that the case rose out of the Jarvis charges, but if found guilty punished only on one.

The 39 jurors challenged were on behalf of the following: Peppall, 3; Jarvis, Jun., 10; Jarvis, Sen., 11; Smith, 6; crown, 2. Bail was renewed in each case. Hon. Peter Smith was committed to the House of Correction on a charge of \$5,000 each. Counsel in the case are: Mr. Herbert Lennox for Smith; L. F. Helmuth for Jarvis, Jun.; R. H. Greer for Jarvis, Sen., and Arthur Peppall for Peppall. W. N. Tilley, MacGregor, Young, J. C. McKee for the crown.

Tilley Reviews Case.
Mr. Tilley reviewing the case to the jury took about 20 minutes. He said that the case rose out of the Jarvis firm in 1920 and had to do with bonds worth about \$3,500,000 issued by the Ontario government. There were bonds outstanding in England and the government sought to redeem them.

The government took advantage of the good financial conditions existing at the time, said Mr. Tilley. In connection with the project the Jarvis firm was contacted by a reputable firm of brokers. The three parties in the firm were the two Jarvisses and Harry Peppall. Andrew Peppall is mentioned in the indictment but he is not now on trial here. The firm carried on negotiations with Mr. Smith, and the government.

First Witness Called.
The profit money remained in New York until Mr. Jarvis sent bonds to take its place and the actual money placed to his personal credit there. The remainder was left with Lloyd's bank in England. The province paid the full maximum specified for their bonds.

They were all negotiable securities. The coupons on these bonds, we intend to prove, were cashed in part and in large part, by Peter Smith. We have traced these coupons into his bank account at Stratford. That is what the crown says the transaction was—that the spread between what was paid for the bonds actually and what the province paid eventually was split between the men charged. You, the jury, must decide who were the parties to this, and I think you will have no difficulty in finding that all the accused were parties.

The case resumed this afternoon.



PETER SMITH, provincial treasurer in the Drury administration, whose trial on charges of conspiracy to defraud the government in connection with the sale of duty-free succession bonds is now in progress. Smith pleaded "not guilty" this morning.

OFFICIALS OF BANK FACE NEW CHARGE

Crown Will Proceed With New Indictments Against Officials.

Canadian Press Despatch.
Toronto, Oct. 20.—New indictments, the nature of which is at present unknown, will be laid before the grand jury in connection with the charges against directors and officials of the Home Bank of Canada. This was announced today by D. L. McCarthy, K.C., special prosecutor for the Ontario government, when the cases already listed were brought before Chief Justice R. M. Meredith in the assizes. On account of the new indictments, Mr. McCarthy announced that there would be no prosecution at present on the conspiracy charges.

There is still another count, that of circulating a false prospectus, to be proceeded with at the assizes. There are also cases pending at the county court on charges of making false returns to the government under the bank act.

STREET CARS, ENGINE TAKE THREE LIVES

Railway Accidents Take a Heavy Toll Over Week- End in Montreal.

Canadian Press Despatch.
Montreal, Oct. 20.—Three persons met their deaths in railway accidents in and around Montreal over the weekend.

While riding his bicycle, Tom Proulx, 16, of this city, was struck by a street car, and rolling beneath the wheels, was instantly killed on Saturday afternoon.

Struck by a street car as he was crossing the tracks, Donald F. MacDonald was instantly killed.

A man, so far unidentified, was run over and killed by a shunting engine of the Canadian National railways Sunday.

BRITISH FORCES READY TO PROTECT IN CANTON

Associated Press Despatch.
Hong Kong, Oct. 20.—A detachment of fifty Indian grenadiers with ammunition and machine guns, left for Shanghai, the British concession in Canton, last night. It was said they were sent as a precautionary measure.

LAST APPEAL OF BANDITS IS REFUSED

Supreme Court Dismisses Ap- plication of Five Condemned Murderers.

FULL BENCH SITS

Writs of Habeas Corpus For Men Sought on Three Grounds.

Canadian Press Despatch.
Ottawa, Oct. 20.—The supreme court of Canada this morning dismissed application of the five Montreal bandits for writs of habeas corpus without hearing counsel for the crown.

Before the full bench of the supreme court on Canada, the bandits today made their final appeal to the court. Chief Justice Anglin presided, and seated with him on the bench were Justices Idington, Duff, Newcombe, McRuer and Rinfret.

The cases of Serafini, Frank, Valentino, Gambino and Moret were taken up. Through their counsel, Mr. Cohen, the five men applied for writs of habeas corpus on three grounds: (1) that, although indicted by the grand jury separately, they were tried together; (2) that the court of king's bench (criminal side), which tried them, was without jurisdiction; (3) that Judge Wilson, who tried them, being a judge of the supreme court, was without jurisdiction in the court of king's bench.

ANGLO-RUSSIAN PACT DELAYED BY CRISIS

Ratification of Treaty Delayed Until Election Excitement Is Passed.

Associated Press Despatch.
Moscow, Oct. 20.—Ratification by the Soviet government of the Anglo-Russian agreement has been postponed owing to the governmental crisis in England. It is definitely stated in a resolution of the central executive committee of the government, produced before the all-Russian parliament.

The foreign commissariat is instructed to continue its policy of promoting and consolidating friendly relations with foreign countries with a view to re-establishing peace and preventing conflicts. The resolution closes by counselling unremitting and uncompromising struggle against all who attempt to dislodge Bolshevik regime.

End of Stillman Squabble Looms

Daughter's Marriage May Her- ald Reconciliation.

Pleasantville, N. Y., Oct. 19.—The great Stillman divorce case is at an end.

An informal truce, which may eventually pave the way to a complete reconciliation, has been tacitly agreed to by James A. Stillman, the banker, and his wife, Mrs. Anne V. Stillman.

All legal proceedings against his wife have been withdrawn from the courts by the banker today, and it is doubtful if any others will be pressed.

GIRL HAS SCALP TORN OFF OPERATING SEPARATOR

Associated Press Despatch.
Dundalk, Oct. 20.—A woman station yesterday morning Isla Batchelor, 16-year-old daughter of Mr. and Mrs. Samuel Batchelor, had her scalp almost completely torn off. She had just finished operating the cream separator when her hair caught in the flange where the handle comes mesh to the machine. Her scalp was literally torn off her head and had to be sewn to the head by two physicians from here, Drs. Carter and McWilliam.

Cheating the Voters

Two-question street railway ballot should be refused tonight—city's wisest course under existing conditions is "stand pat" by bylaw 916 and await the company's move—no ballot necessary.

Tonight the city council will consider for approval a two-question ballot on the street railway situation.

These two questions give the public choice between (a) purchasing the railway at the company's offer of \$1,295,000, plus extras, and (b) granting the company a new long-term franchise with the condition that the city may purchase at the end of any one year.

The Advertiser repeats that warning. A ballot containing only the above two questions is cheating the voters by confining decision to the two courses most desired by the company.

Question one is permitting the company to set its own price, and no member of the council has any accurate idea as to whether that price is fair or not.

Question two is an absurd contradiction. A fifteen-year franchise with an annual purchase privilege is simply a one-year franchise. The only effect of the fifteen-year label is to create the possibility of prolonging through fifteen years the present muddle with steadily increasing complications.

Two other courses are open to the city. One is purchase by arbitration; the second is to abide by the present agreement. Both of these are preferable to the questions on the proposed ballot. If the council, in its present "must-do-something-but-don't-know-what" frame of mind, insists on forcing a vote this year, these other two courses must be included in the ballot.

From the point of view of the city, and without unfairness to the company, The Advertiser emphatically believes that the proper course lies in a choice between arbitration and the present agreement, the two courses excluded by the proposed ballot.

Arbitration is quite likely to be the final solution, and, provided the city and the company can agree to a definite limitation of its costs and time, The Advertiser believes it may prove to be the best solution for all concerned.

But arbitration does not appear to be the proper course at the present time.

In the first place the city has nothing to gain and possibly something to lose by hurried purchase. There is no urgency, from the city's point of view, in the existing circumstances.

In the second place the public is not sufficiently interested at the present moment to justify purchase under any conditions. Public ownership of the street railway, however it be accomplished, requires the awakened interest and moral support of every ratepayer. Such interest and such support is not evidenced in the present lethargy of the average ratepayer. He has had an overdose of complicated wranglings. He is under the opiate of confusion and noise.

The remaining course is to abide by the present agreement, bylaw 916, and under all the existing circumstances, The Advertiser believes it to be the wisest course for the city.

In other words, the city should "stand pat" and wait for the company to make the next move.

To "stand pat" means that next March the present franchise will be renewed automatically for five years with fares reduced from five cents to the old scale of seven and nine tickets for 25 cents.

The city will retain exactly the same opportunities to purchase, either by arbitration or bargaining, which it has now. There is a possibility of encountering temporary discomforts and inconvenience in interrupted or reduced service, but the city can lose nothing so far as the ultimate outcome is concerned.

What will happen in the "stand pat" course is a matter of speculation, but the possibilities should be faced. The company may refuse to operate under reduced fares, or it may cut wages and service and by thus precipitating a strike, force the city either to call in the railway board to operate the road or to provide a substitute bus system.

If the company should take such drastic measures as these the outcome might be arbitration proceedings, but arbitration then would be supported by a public alive to the necessities of the moment and eager to enforce the city's interests.

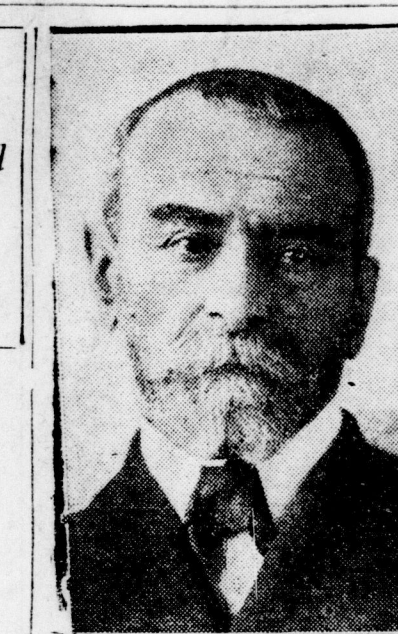
The best course for the city today is to stand pat, and the council should realize it. To follow this course no ballot and no vote is necessary, and the council tonight should tear up the ridiculous two-question proposal and resolve to sit tight and keep quiet.

ROBBERY PLANS ARE REVEALED IN LETTER

Three Young Men Placed in Jail When Incriminating Letter Found.

Canadian Press Despatch.
Montreal, Oct. 20.—The mislaying of a letter alleged to have contained plans for robbing a bank, for the holdup of the Dominion Cartridge company, at Brownsberg, was the cause of preventing the plans from being carried out and for the arrest at Brownsberg on Saturday of three young men on a charge of attempted theft.

The prisoners were taken to the Terrebonne jail at Saint Jerome and will appear for enquete on Oct. 24. They gave their names as Donald Patterson, Timmins, Ont.; Albert Carriere of Brownsberg; Donald McAlister, Brownsberg, all around twenty years of age.



JULES JUSSERAND, French ambassador to the United States, whose services as a diplomat and a writer will probably be rewarded by his election to the French academy, one of the highest tributes France can pay a man.

CIVIC ELECTION VOTERS INCREASE

Total of 33,876 Now on List at City Hall by Clerk.

For the municipal elections of Dec. 1, names of 33,876 voters have been tabulated by City Clerk Sam Baker. This is an increase of 916 over last year's list. There are 400 fewer income voters, but there are nearly 800 more freeholders and over 10 more tenants.

Both men and women voters have increased and there is a slight increase amongst separate school ratepayers.

Mr. Baker today announced the following ward totals for voters:

Ward 1	2,763	4,497	119	8,379
Ward 2	2,282	3,083	100	5,465
Ward 3	4,454	5,473	104	10,031
Ward 4	4,481	5,278	236	9,995

Total... 14,980 18,337 559 33,876

Decrease in income voters is stated to be the result of further exemptions of classification to avoid duplication.

DELOIRME CLOSES EYES AS JAWBONE SHOWN

Jury Examines Remains of Slain Student at Trial of Priest.

Canadian Press Despatch.
Montreal, Oct. 19.—Raoul Delorme's jawbone, showing the bullet hole, was among the exhibits shown the jury at the trial of Rev. Father Adelard Delorme on Saturday.

The exhibit was shown for the third time in court, but this jury had not seen it and inspected the gruesome relic with interest and awe.

Father Delorme looked away at first then closed his eyes, while R. L. Calder, K.C., the crown prosecutor held the human remains of the murdered student and put questions to the witness, Dr. D. D. McTaggart, medico-legal expert, who gave evidence as to the autopsy.

Following the morning session, the court of king's bench was adjourned until Tuesday morning, the crown prosecutor held the human remains of the murdered student and put questions to the witness, Dr. D. D. McTaggart, medico-legal expert, who gave evidence as to the autopsy.

LEAGUE COUNCIL WILL HOLD SPECIAL MEETING

Associated Press Despatch.
Geneva, Oct. 20.—Officials of the League of Nations announced today that a sufficient number of favorable replies had been received from member nations to warrant the calling of a special meeting of the council of the league to settle the differences between Great Britain and Turkey over the Iraq boundary would be held probably at Brussels on Oct. 27.

MANY VESSELS ARE LOST IN BLACK SEA STORMS

Associated Press Despatch.
Batumi, Republic of Georgia, Oct. 20.—A violent storm has swept the Black Sea and numerous small vessels have been lost.

FOX FAILS IN EFFORT TO SUICIDE

Dashes Head Against Wall of His Cell—Fears Punishment.

TAKEN TO KINGSTON

Both Prisoners Removed to the Penitentiary Early This Morning.

In terror of his prospect of his penitentiary term and the accompanying sentence of 20 lashes in the flogging machine at Kingston, Thomas Fox, yesterday afternoon, battered his head against the stone wall of his cell at the county jail and was found later inert on the floor either unconscious or feigning it.

Jail attacks immediately called the jail physician, Dr. James Wilson, who attended the man and treated a small scalp wound which resulted from the act. It is said, however, that Fox's pulse and the pupils of his eyes did not entirely substantiate the first belief that he had in fact been knocked out.

Since the judge passed sentence upon him Saturday morning, Fox had been in a state bordering on collapse. The prospect of fourteen years' imprisonment, but did not strike terror to his heart as did the flogging. For a time he simulated insanity in a last minute effort to show that he was not responsible for his act in attacking the west London girl last summer. When jail guards took his behavior with a grain of salt and left him for a time, he drew back to the furthest corner of his cell and breaking into a run dashed his bare head against the wall.

Sansone Perturbed.
Sansone took the sentence with a good deal of perturbation also. In his case it is claimed that he did not mind the two year term as much as the prospect of the lash.

Both men were taken to Kingston by Governor Byron Dawson this morning to commence their sentence at the penitentiary.

Police officials describe the flogging machine as an instrument of real torture. It is claimed that the man to be flogged is placed in a star-shaped position against a barrel shaped support, his feet strapped to the floor and his hands extended to the limit of his reach. The electrically driven flogging machine then delivers the blows with a thick strap perforated with holes which actually draws the blood. The blows fall in varying positions over the man's back, seldom overlapping.

Holds Pulse.
The prison surgeon holds the prisoner's pulse while the process is carried out and stops the machine when the prisoner is threatened with collapse. It is claimed that very few men are ever able to stand ten lashes at a time, and that it takes a powerful man to remain conscious through seven.

There is the reason for the division of the 24 lashes in a flogging in groups of ten.

Governor Dawson and his party left for Kingston at 5:30 this morning. Mr. Justice Riddell did not specify the number of lashes to Sansone in sentencing him Saturday morning, his lordship fixed the number as ten in his written judgment.

POLES PROTEST.

Associated Press Despatch.
Warsaw, Oct. 20.—The Polish chargé d'affaires in Moscow has protested to the soviet government against attacks alleged to have been made upon four Polish officials in Leningrad, Russia.

The Weather

FORECASTS.
Fresh northerly winds; fair and cool tonight and Tuesday.

Stations	High	Low	Weather
Calgary	63	32	Fair
Winnipeg	62	32	Fair
Port Arthur	62	31	Cloudy
Perry Sound	52	20	Cloudy
Toronto	52	35	Clear
Kingston	50	24	Clear
Ottawa	52	32	Clear
Montreal	46	34	Fair
Quebec	42	20	Clear
Father Point	38	24	Clear
St. John's	41	32	Cloudy
Halifax	40	32	Clear

LOCAL TEMPERATURES.

The highest and lowest temperatures recorded in London during the 24 hours previous to 8 o'clock last night were: Highest, 62; lowest, 35. The official temperatures for the 12 hours previous to 8 a.m. today were: Highest, 48; lowest, 38.

Barometric Readings.
Sunday—8 p.m.—29.29.
Today—8 a.m.—29.31.