

TWELVE CIVIL CASES ENTERED IMPORTANT LIST FOR ASSIZES

Amounts Involved Range
From \$675 to \$20,000
For Damaged.

ONE CRIMINAL CASE COMES UP

C. P. R. Is Being Sued for Big
Damages—Particulars of
Other Actions.

An even dozen civil cases and one criminal case have been entered for the assizes which commence at the court house on Monday next. The criminal case is that of John Progger, who is charged with shooting Miss Elizabeth Frank at her home on Wellington road, in April last, with intent to kill.

The amounts involved in the civil cases range from \$675 to \$20,000, for agents' commission, damages, and the like, while one suit is for alimony, the amount to be set by the court.

Nine will be heard before a jury, while the other three will be dealt with by the judge alone.

The cases listed:

Non-Jury.
George Roger vs. the C. P. R. for \$20,000 damages for injury received to the plaintiff, a railway fireman, at Ayer, Ont., on Oct. 1, 1909, when he was struck over in the tracks by a train of the company's tracks on Jan. 19, 1909, that his horse was fatally injured and that he suffered personal injury as a result of the accident. Graydon & Graydon for the plaintiff; Ivey & Dromgole for the defence.

J. A. Moody vs. Selma and Isabella Hodgins for \$675 commission. Moody, a real estate agent, claims that he was responsible for the sale of the Hodgins House on King street, for \$27,000, and demands the commission mentioned.

J. M. McEvoy for the plaintiff; Meredith, Judd & Meredith for the defence.

An Auto Case.
Ida Wallace vs. the McLaughlin-Bullock Motor Company, of Oshawa, and Manley C. Rose, the company's local agent, for \$7,000 damages. Mrs. Wallace's husband, Anson Wallace, died as a result of injuries received in collision with an auto driven by Mr. Rose on Horton street on Aug. 20 last. J. F. Faulds for the plaintiff; J. M. McEvoy for the defence.

Anne Allister vs. the London Street Railway for \$3,000 damages. The plaintiff's son Joseph, a young man, was killed by a street car on Hamilton road on March 14 last. Gibbons, Harper & Gibbons for the plaintiff; Ivey & Dromgole for the defence.

Samuel Borden, formerly of Perth, against John Selves, of Huron, for \$300 rent alleged to be due and for \$500 to repair damages in Perth. The defendant has a counter claim for \$20 wages. J. M. McEvoy for the plaintiff; Gladman & Stanbury, of Exeter, for the defendant.

Burley Bennett vs. the Windsor Gas Company, for \$2,000 damages. Bennett, a railway conductor, was walking on Ouellette avenue, in Windsor, on Feb. 2 last, when an explosion in Charles Benson's store smashed a plate glass window, the pieces striking Bennett in the neck and face. Jarvis & Vining, of this city, for the plaintiff; Rodd & Wigle, of Windsor, for the defendant.

L. S. Cuddy vs. E. L. Liddick, for \$1,488.60. Cuddy claims that certain goods contracted for were not delivered. Gibbons, Harper & Gibbons for the plaintiff; Meredith, Judd & Meredith for the defendant.

Susan Shore vs. John D. Jones, for \$500, for alleged and malicious arrest. Mrs. Shore's arrest was caused by her nephew, who charged that she had damaged property purchased by him from Mrs. Shore's husband. The charge was not sustained when Mrs. Shore appeared before Squire Chittick. Macpherson & Perrin for the plaintiff; J. M. McEvoy for the defendant.

Non-Jury Cases.
James Tiney vs. the McCormick Manufacturing Company, for \$5,000 damages. Tiney, a laborer, suffered injuries to his arm in an automatic carrier at McCormick's, after being employed there two days. J. F. Faulds for the plaintiff; Gibbons, Harper & Gibbons for the defendant.

Martha vs. Andrew Glendinning, alimony. Mrs. Glendinning resides in this city, and asks that she be awarded alimony from her husband, Andrew, a Toronto stockbroker. Meredith, Judd & Meredith for the plaintiff; Johnston, McKay, Dodds & Grant, of Toronto, for the defendant.

The Scott Case.
Wesley Scott vs. Joseph Vining, et al., the executors of his father's estate. Harvey Scott, Wesley's father, was shot and killed by Mrs. Wesley Scott at the Scott home near Thornedale. Wesley claims that he had a contract with his father, made in 1889, to the effect that should Wesley live and work on his father's farm, he should have the estate passed to him at his father's death. Should the contract be broken by either the other contracting party to be entitled to damages. The estate, according to Harvey Scott's will, becomes the possession of the deceased's nephew, Arthur Scott. Wesley seeks to have the contract carried out.

J. M. McEvoy for the plaintiff; Macpherson & Perrin for the defendant.

MAJOR DOWNEY DEAD.
Washington, Sept. 30.—Major Geo. M. Downey, U. S. A., retired, originator of the army post canteen, died here last night after a week's illness, aged 69 years. Major Downey had participated in three Indian campaigns during his military career. He was retired in 1888, and since that time had engaged in the banking business.

M'NULTY AND GIRL SENTENCED TO HANG

Recommendation of Mercy Will
Be Forwarded to Ottawa
in Woman's Case.

[Special to The Advertiser.]
Barrie, Sept. 30.—Mary Dolan was today sentenced to be hanged Dec. 14 for the murder of her illegitimate child, Thomas McNulty, the father of the child, who counselled the girl to murder his infant, was sentenced to death at the same time. A recommendation to mercy will be forwarded to Ottawa in the case of Mary Dolan, but not in the case of McNulty.

ROW AT TORONTO OVER IRISH VISIT

Highlanders Excused From Drill
to Attend Reception But
Officer Repudiates.

[Special to The Advertiser.]
Toronto, Sept. 30.—F. J. Roche, chairman of the reception committee for T. P. O'Connor, published the announcement in the morning papers that members of the Forty-eighth Highlanders would be excused from drill in order to attend the reception tonight. Colonel Robertson has issued a statement absolutely repudiating the advertisement, and roundly denouncing Roche. The affair has caused quite a sensation.

ALD. TANCOCK IS KEEN FOR INVESTIGATION

Recent Row Over Building In-
spector May Be Subject
of Investigation.

Ald. Tancock is determined that there shall be an investigation into the matters pertaining to the inspection of buildings. He brought the matter up at the meeting of No. 2 committee last night, and suggested that an investigation be held as to who was in the right in the controversy between Mr. Graydon and Mr. Suter.

DOG POISONERS ARE AGAIN AT CRUEL WORK

Grey Street Gentleman Lost Fine
Animal Valued at \$25.

Dog poisoners are at work in the vicinity of Grey and Waterloo streets. Mr. J. McFadden had two very fine toy foxterriers poisoned this morning. He managed to save one, but the other died. He had refused \$25 for the dog that died.

The police have been notified, and it is expected that some interesting developments may result.

A number of dog owners have complained of late, and an effort will be made to reach the guilty parties. When once discovered it is expected that they will be severely dealt with.

LONDON MAY SECURE A BRASS INDUSTRY

Representative of an Illinois Firm
in This City Looking
Over Field.

London may secure another large industry.

A representative of a large Illinois firm was in the city, visiting friends and while here was interested in this city as a possible site for his Canadian branch. He was on his way to inspect a site at Niagara Falls, but promised while here to interest the rest of the firm in the proposition.

Publicity Agent Carruthers is hopeful that London may obtain the industry.

BUILDING APPEARS TO BE IMPROVING

Figures for September Are uite Satisfactory.

There was a big increase in building permits for the month of September, and there seems to be a revival of building operations in London.

There were about 110 permits issued, for a value of \$141,623.

In September, 1909, there were but 44 permits issued, for a value of \$54,890. Several fine buildings will be erected during the month. Among them are John Hayman's apartment house, to cost \$30,000; the London Life addition, \$16,000; the Flavelle-Silverwood warehouse, \$11,000; J. McNeel & Sons' addition, \$5,000; Warren Bros' addition, \$4,000, besides many dwellings.

The permits issued since noon were 14 to Mr. G. Roberts, for houses on Rathmine street costing \$1,000 each. The others were to A. C. Jolly, for a house or two on Ridout street costing \$2,000; to W. J. Kilpatrick, house on Elias street to cost \$1,300; the east end sub-station and other jobs.



JOHN PROGGER,
Who Will Be Tried Next Week on a
Charge of Shooting Miss Libbie
Frank.

"WE'RE INSULTED" SAYS THE MAYOR

His Worship Objects to a Letter
Sent by S. Frank Glass.

ROW OVER ROAD ROLLER

Reeve of London Township, Says
Cautious Things of London's City
Council.

Mr. S. Frank Glass, reeve of London Township, has written a caustic letter to the board of works, touching the action of some of the aldermen regarding his request for the loan of a road roller.

The committee filed the letter, but they were none too well pleased with the communication.

Mr. Glass says:
"I regret that my request at the last meeting of your committee for permission to rent for a few days the city road roller should have been so misunderstood, or that it should have formed an excuse for certain members of your committee to explode fireworks and attribute motives where none were in any way intended."

I am of the opinion that the city of London has no greater asset than the splendid agricultural county which surrounds it, and anything that tends to improve the means of transportation and communication between the county and city districts should appeal to the citizens as of vital interest to them.

What Toronto Has Done.
"The city of Toronto has granted to the county of York \$100,000 to improve some 50 miles of roads in the county leading to the city. Why? Because the people of that city saw in this improved means of transportation, increased communication and business between the people of the rural districts and the city, and consequently an advantage to the city that would justify them contributing to such improvements. The county of Middlesex have no idea of looking to the city for Continued on Page Eleven.

WHO PAID SHOT FOR DEPUTATION?

Alleged That Seagrave Ladder
Company Showed Londoners
Around Town.

A FREE AUTOMOBILE RIDE

Pertinent Questions Are To Be Asked
at the Next Meeting of the City
Council.

The deputation to Detroit to see the auto fire engine there, may cause some uneasiness in the council on Monday night next.

Some of the members are going to ask certain pointed questions as to who furnished the automobile and did the entertaining while the party were away in that city.

Certain aldermen are being primed for the event, and there will undoubtedly be some rather interesting debates.

"The city of London should be able to pay the legitimate expenses of any deputation on legitimate business," said one alderman. "We do not want to sponge, and we should know what was done."

It is alleged that the Seagrave Ladder Company paid the shot, and some of the aldermen are not in favor of that species of entertainment.

The deputation presented a bill for \$6.30 for the expenses of the trip.

The Seagrave Company does much business with the city of London.

WINLOW HOMER DEAD

Was One of the Most Original of
American Artists.

Portland, Me., Sept. 30.—Winslow Homer, the famous artist, died at his home in Scarborough yesterday, aged 74. He had been ill for four weeks.

Homer had practically lived the life of a hermit in his Scarborough studio for several years past. His long life-work many years ago won him a conceded place as one of the ablest and most original of American artists.

CUPID WAS BUSY IN SEPTEMBER MARRIAGES SHOW BIG INCREASE

Stork Has Also Been Busy in London—Death Record For Nine
Months of 1910 Is a Heavy One—Old People and
Infants Head the List.

The increase in marriages for September is the most interesting feature of the vital statistics for the month.

During September 64 marriages were recorded, an increase of 18 over the same month of 1909.

As a matter of fact, the number of weddings for the first nine months of the year shows a gratifying increase over 1909.

So far there have been 413 recorded, while during the same period of 1909 there were 318, an increase of 95.

Births and Deaths.
There were 57 deaths during September. Of these 18 were infants. Of the rest 15 were old people, over 70 years of age; three were 90 and over. Cholera infantum caused 6 deaths; tuberculosis caused 2,

while cancer was responsible for 3 deaths. Only one died of tuberculosis in September, 1909.

The stork showed great activity. The number of births recorded was 42, an increase of 3 over September, 1909.

There were increases all along the line for 1910. The number of births for nine months of the year is 163, while in 1909 there were only 130.

The marriages were greater, while the deaths were larger.

Old People Succumb.
So far 413 have been 65 deaths registered, as compared with 229 in 1909. The large number of old people who have died during the year, coupled with the great infant mortality, is largely responsible for the increase.

The case of John Progger, who is to face a charge of attempting to murder Miss Libbie Frank at her home on Wellington road, last April, at the assizes, is causing a great deal of interest.

Edmund Meredith, K.C., will defend the prisoner.

Justice Teetzel, a high court judge of Toronto, will preside at the assizes, and it is expected that Progger's case will be called about Wednesday.

It will be remembered that in April last Miss Frank was attacked at her home by a drunken man, who fired several shots at her from a revolver. In his effort to escape he dropped a black stiff hat.

Police on the Trail.
The police, working on this clue, traced a man through Westminster to the London and Port Stanley tracks and back into London through Chelsea Green.

A bareheaded man was seen crossing the Adelaide street bridge, and he appeared a hat at the home of Robert Bremner, of 122 Adelaide street.

Bremner claims this man was Progger, who was arrested the next day by detectives. His home was in a flat near the postoffice on Richmond street.

Progger's Reputation.
Progger, while sober, is said to be an industrious fellow, who was never in trouble, but his addiction to intoxicants is his chief difficulty.

While confined in the county jail he has never caused any trouble. He obeys the orders of the jailers strictly, and is known as a model prisoner.

LITTLE BOY'S LEGS SEVERED BY BINDER IN CORNFIELD

[Special to The Advertiser.]
Hereward, Sept. 29.—A most distressing accident befell little Alex. Curtis, son of Mr. and Mrs. John Curtis, last evening at Hereward, nearby Belwood, which may result in the loss of one or both legs and possibly his life.

The little fellow, a bright active boy of two and one-half years, got before the binder which was being driven

by the hired man in cutting corn, when one leg was severed all but a few shreds and the other cut half through.

Four doctors were promptly on the scene, and are hopeful of saving the lad's life, but can yet give no pronouncement as to the severed limbs.

The accident is a peculiarly sad one, the little fellow being the first-born of the parents, and in every way a winsome child.

"BUMP-IT" BEING SOUGHT BY FATHER

Lad Who Beats His Way From
Place to Place Has a Good
Home.

ARRESTED IN HAMILTON
But the Wanderer Has Disappeared
Again—People Are Well-to-Do.

"Bump-it" Miller, the boy tramp, whose sensational escape while riding a freight train to Hamilton was recorded in The Advertiser some days ago, is being eagerly sought by his parents. His right name is Merrill, and his father is Mr. T. A. Merrill, 192 First Avenue, Grand Rapids, Mich. He is chief lineman of the Pere Marquette Company, and is well and most favorably known in the Michigan city.

The boy has disappeared again. He was arrested in Hamilton for vagrancy but was allowed to go. He obtained a ticket from one of the prisoners in the Hamilton jail, and went to Niagara Falls. His father will go there this afternoon and endeavor to locate the youngster.

A Born Wanderer.
The lad is apparently a born wanderer. He has been rambling for almost two years now, and although he has been brought home for brief periods since then, he always makes his escape.

He came to London a few weeks ago from Grand Rapids. In company with another youngster, he worked for a while in a bowling alley here, accumulated a little money, and then got away again.

He is a bright boy, but is apparently incorrigible.

BOTH WILL ACCEPT

Arbitration Between G. T. R. and
Telegraphers Has Commenced.

Montreal, Sept. 30.—The board of arbitration selected to settle the dispute about wages between the Grand Trunk and its telegraphers, has commenced its sittings here to collect evidence. The finding will be accepted by either side.

The East-Moderate winds; fine and a little higher temperature.

Lake Superior—Fresh southerly to westerly winds; partly fair, but a few showers.

Manitoba, Saskatchewan and Alberta—A few light scattered showers, but mostly fair, not much change in temperature.

CONCESSION FOR CONCESSION NO SACRIFICE BY CANADA

Interests of the Dominion Will Be Carefully Safeguarded in the
Coming Trade Negotiations With the United
States.

Ottawa, Sept. 29.—There will probably be no communication regarding trade negotiations sent from Ottawa to Washington for two or three weeks.

Mr. W. S. Fielding, who is in charge of the negotiations for Canada, reached Ottawa today, after an absence of three months in Europe, and found much departmental business pressing for attention. The work of preparing the estimates for the coming session will require his constant attention for the next two or three weeks.

About the middle of October Mr. Fielding expects to write Mr. Knox, secretary of state at Washington, that he is in a position to resume, on behalf of Canada, the negotiations proposed last spring by President Taft. Mr. Fielding will ask Mr. Knox for suggestions as to the conduct of the negotiations, whether the next conference should be held in Ottawa or Washington. The government here to look for some substantial results in the negotiations, beneficial alike to both countries.

No Sacrifices.
While the government has a good many expressions against a trade agreement in any form, Sir Wilfrid Laurier's Administration feels that this view is not held by a majority of Canadians. It is believed that no interests in Canada shall be sacrificed. Unless the United States is prepared to meet concessions with concessions there will be no result from the negotiations. In any event, ample protection will be maintained against undue American competition in manufacture as a whole or in part. Duty free exchange of coal will also be discussed.

Mr. Fielding was busy at his office the afternoon within two hours of his arrival from Montreal, and laughed at the alarmist reports in the press as to his health. The slight attack of facial paralysis, due to exposure to the cold winds of the Atlantic some days ago, is not interfering with his usual abundant zest for work, and his medical adviser in Montreal has assured him that the attack is of no serious character, and that the facial nerves will soon be again in normal condition.

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