DECISION IN PETERS VERSUS PERRAS CASE

Morinville Stallion Case, Twice Appealed, Decided in Favor of Appelant—Decision of Supreme Court of Canada Receives Decision of Trial Judge and Supreme Court of Alberta.

Ottawa, April 5.—The Supreme Court of Canada this morning allowed the Saskatchewan appeal case of Reeser vs. Yates, Judge Idington dissenting.

Peters vs. Perras, an Alberta appear case was allowed with costs, the Chief Justice and Judge Idington dissenting.

The case of Peters and Perras is of considerable local interest as a large number of Morinville farmers are the defendants in the case. In 1905 these farmers purchased a stallion from McLaughlin Bros. giving promissory notes in pagment. A man named Peters in Columbus, Ohio., purchased these notes. The defendants refused to pay them and he brought suit. The case was tried in the Supreme Court at Edmontaon and the trial judge held that the notes were obtained by the plaintiff by fraud and that the interest on them being in arrears was sufficient to prevent him from being the holder in due course. The plaintiff appealed the case to the Supreme Court of Alberta but the decision of the trial judge was upheld. The case was then carried to the Supreme Court of Canada at Ottawa. Judgment was given today for the plaintiff and appellant and the decision of the Alberta courts was reversed. Short, Cross & Biggar appeared for the plaintiff and appellant in the Alberta courts and Wallace Nesbitt K. C., of Toronto, argued the case before the Supreme Court of Canada. Gariely & Landry appeared for the defendants and respondents in Alberta, and they were represented in Ottawa by Senator Belcourt.

VANCOUVER HAPPENINGS.

Items of Interest From Canadian Terminal City.

Vancouver, B. C., April 5.—Bank clearings for the week were $4,214,286 as compared with $2,847,763 for the corresponding week of last year. In 1907 the figures were $2,655,185.

Capt. L. A. Demeres, F.R.A.S., of Ottawa chief examiner of masters and mates and superintendent of marine schools for the Dominion, arrived in Vancouver last night on his annual inspection of the western depots under his jurisdiction. Capt. Demers will proceed to Victoria tomorrow, and will probably return to Vancouver on Sunday, leaving the following day for Ottawa.

One of the largest deals in inside business property recorded in some months was closed a few days ago, when Mr. C. D. Rand, acting for Mr. G. B. Harris, owner of the northwest corner of Pander and Richards streets formerly known as the Bowell block and built some years ago by Mr. Powell of Victoria, completed the transfer of this property to English capitalists at a price reported to be $106,000.

The property is covered by a three story brick block, the corner being occupied by Mr. E. W. MacLean's realty office. Other offices and G. A. Roedes bookbinding establishment occupies the rest of the ground floor and basement, while the first floor is given over to offices and the top flat to what is known as the central rooms. It is understood that the present tenants will not be disturbed as some of the leases have several years to run.

For the first time in eight months the total collections of Vancouver custom house last month exceeded those of the corresponding month of the previous year, the increase for March 1909, being 135,885 over the revenue for March 1908. This is taken as indicating that the depression intrade, from which the import business of the port of Vancouver has been suffering for eight months, has at last been overcome.

REASONS AGAINST ANNEXATION

Colonel Sam Hughes Tells Bostonians Why U.S. Should Annex Us.

Boston, April 3.—"For some Hobson may be visionary; for me, he is prophetic," said Governor Aram J. Pothier, of Rhode Island, at the Canadian Club last night in referring to the Alabama Congressman's prediction of trouble with Japan.

"Canada and the United States," he said, " must unite in protecting their western shores from a common danger, real or problematical. They must ally themselves with the republics to the southward if they would be secure."

Colonel Sam Hughes, M.P. for South Victoria, Ont., who followed Governor Pothier, said that the annexation of the United States and Canada would never come to pass.

"Suppose, for instance," asked Col. Hughes, "that a Japanese or Chinese war with the United States, now a hypothesis, should become a reality, would the United States be stronger or weaker with Canada annexed or separate? With Canada in full partnership union with England and her colonies, the British Empire would not permit her western coast to become Oriental, nor would Australian and New Zealand shores be permitted to be so conquered. Thus the United States would in independent alliance with Great Britain be infinitely more powerful than were Canada annexed."

Foreigners Aid Defenders of Tabriz.

St. Petersburg, April 5.—Despetches received here state that several of the foreigners at Tabriz are taking part in the instruction of troops for the defense of the city. Among them are a teacher of the American school at Tabriz and a corespondent of one of the London papers.

Fine Class of British Immigrants.

Winnipeg, Man., April 5.—Seven hnudred British immigrants of A No. 1 grade arrived in the city this morning and will entrain for various points in the West this afternoon.

RUSSIA INCREASES EXPENSES

Plans Made for Strengthening the Western Frontier.

St. Petersburg, April 5.—The duma today adopted the army budget of $256,300,000 an incrase of $21,800,000 over last year. Lieut. Gen. Zabielin, representing the minister of war, announced plans for the strengthening of the defences of the western frontier. A particular effort was to be made by the war minister to improve military instructions and reduce the 'red tape' system in administrative matters to a minimum.

The speakers during the course of the debate avoided criticisms of the army. They warned the members of the dangers of German colonization of the strategic districts of Russian Poland, the population of which included mapy Germans, who were only nominal Russian subjects.

ARMS FOR REVOLUTIONISTS.

Seizure of Dominican Sloop With Quantity of Ammunition Aboard.

Turks Island, April 5.—A quantity of ammunition was seized on Sunday morning on the Dominican sloop Emma, bound for Puerto Plata, Santo Domingo.

May Be Move of Castro's.

Washington, D.C., April 5.—Nothing has been received at the State Department relative to the seizure of the Dominican sloop, carrying arms bound for Puerto Plata. Interest is shown, however ,in the news, and it is possible an investigation will be made to ascertain with which, if any, of the recent revolutionary movements the munitions may be connected.

Because of the fact that the former President of Venezuela, General Castro, is being watched closely and is expected by many to be planning a revolution in Venezuela, shipments of arms or armed expeditions leaving for points in the vicinity of Venezuela is considered as indicative that the former Venezuelan ruler may be preparing for a coming crisis in his country.

GIVES PRISONERS A CHANCE.

AChange in Georgia's System of Handling Convicts.

Atlanta, Ga., April 5.—The last relic of Georgia's convict lease system was shaken off at sunrise today. Throughout the state hundreds of human beings were led from the depths of mines from the choking kilns, from the whiring dark atmosphere of factories, out into the sunlight, from the control of harsh and often brutal task masters into the service of the state.

Georgia has no state penitentiary. For years her convicts have been sold into all sorts of heavy penal labor. The prisoners will now work on the public roads. The law went into effect at daylight, when the convicts were returned to the counties in which their crimes had been committed. Most of the unfortunates are blacks.

Though shackled and ironed the convicts greeted the change with shouts of joy and weird hymns of thanksgiving. Negro preachers were at most of the stockades and led the blacks in their impromptu praise services. Special trains were waiting and the prisoners were transferred as rapidly as possible to their new quarters.

FIRE AT FORT WORTH.

Thirty-Two Blocks Swept by Conflagration—Loss $2,500,000.

Fort Worth, Tex., April 4—Starting in a barn, presumably from a carelessly thrown cigarette, fire yesterday afternoon destroyed property in the southern portion of Fort Worth, conservatively estimated in value to the extent of $2,500,000, caused the death of one person, J. J. Newton, of Krum, Texas, and rendered several thousand persons homeless. The fire originated at Jennings avenue and Petersmith street, in the centre of a fashionable residence district and fanned by a stiff wind, was beyond control within five minutes after it was discovered.

Spreading to the south it burned its way through 32 blocks and continued until it had swept through the yards of the Texas and Pacific railroad, destroying the railroad buildings and a large amount of rolling stock where the fire practically burned itself out, when nothing remained in the pathway of the flames. Three church buildings, the Broadway Baptist, Presbyterian and Swedish chapel were among the buildings destroyed as was the Presbyterian sanitarium. The patients of the latter institution were all removed in safety.

The Texas and Pacific railway suffered the largest individual loss. Fourteen locomotives were reduced to twisted masses of steel and iron. The buildings of the road were destroyed. The fire swept area is being patrolled by armed guards to prevent looting, while the tired owners of the burned buildings are gathering what they can of their household effects and seeking shelter for the night wherever it can be obtained.

Yankees Getting Lazy.

Providence, R.I., April 5.—"Intellectual slovenliness" is the greatest cause of falsehood in the country in the opinion of President W. H. P. Faunce, of Brown university. When nine students at the university were suspended for "cribbing," the president commented upon the affair in these words: "The great source of untruth in American life is not deliberate resolve eto lie. No man consciously chooses falsehoods as his mode of success. The real source of the evil is intellectual slovenliness, unwillingness to buckle down to hard work and willingness to take shelter in the first and easiest refuge that offers."

Minimum Tariff For First Year.

Washington, April 5.—President Taft was informed today of the Senate program for the administration of the new tariff bill. It provides that a minimum tariff shall apply to all countries for one year. At the end of that time, the maximum rates will go into effect against all countries which, in the opinion of the President, are not giving the United States their best tariff rates.

DREADNOUGHT FROM CANADA ADVOCATED

Edmonton Canadian Club Endorses House of Commons Resolution And Adds That Canada's First Contribution to Imperial Naval Defence Be a Dreadnought—Enthusiastic Meeting Saturday.

"Resolved that the Canadian Club of Edmonton heartily endorses the resolution passed unanimously in the Dominion House of Commons and would respectfully urge the government to take legislative action to give effect to the principles there laid down, namely, that Canada proceed with the organization of a Canadian naval service in co-operation with the Imperial navy;

"And, in addition to this, as a fitting inauguration of Canada's participation in Imperial naval defence, and from considerations of high strategy, —giving notice to the world at large of the solidarity of the empire—that Canada do now offer to the British navy a battleship of the "Dreadnought" type.

"And that this resolution be forwarded to the Prime Minister of Canada."

The above was a resolution which was most unanimously carried at a special meeting of the Canadian Club, called on Saturday evening in the Y.M.C.A. to discuss Canada's contribution to Imperial naval defence.

H. M. Evans, in moving the resolution, said that it embraced the one passed in the House of Commons. He felt that Canada should see to the speedy establishment of docks, coaling stations and destroyers, but at the same time, at this present crisis, she should give a ship to Great Britain as well as found a navy. If the Germans knew that the Empire was pledged to a policy of Imperial consolidation they would likely desist from their policy of aggression.

Major Griesbach, in seconding the resolution, pointed out the danger of Great Britain losing control of the sea. The trade and borrowings of Canada depended almost entirely on the mother country. He said this phase of the question particularly affected this western country. Canada was not in a position to build a Dreadnought herself, so should supply Great Britain with the funds. The United States had been building a navy since 1884.

Nearly every one present spoke on the resolution and supported it most enthusiastically. Dr. Tory, F. D. Fisher, John Blue, J. W. Cornwall, Captain Thomas, C. Grant and others contributed to the most spirited debate.

Lieutenant-Colonel Edwards occupied the chair.

DARING ROBBERY IN MONTREAL

Masked Man Steals Tray of Diamonds and Then Commences Shooting.

Montreal, Que., April 4.—A robbery of extraordinary daring was pulled off on St. Lawrence Main street, on Saturday evening, in which a thief succeeded in smashing a jewelry shop window, securing $3,000 worth of diamonds, then terrorizing the crowded street with a revolver. He reached a rig on Lagauchetiere street, where a confederate was waiting, and the two got away and have not yet been located.

About 7.30 a man with a false black beard smashed into the window of Grothe's jewelry store, seized a tray containing 36 diamond rings and emptied them into his pocket. He then started shooting right and left with a big revolver. The street was crowded at the time when the shooting started, and nearly everybody rushed for cover. Fortunately only one person was hit, a bullet lodging in the leg of John Bertrand, who was standing on the opposite side of the street, but several plate glass windows were broken by flying bullets. The robber rushed down the street, firing and shouting, until he reached Lagauchetiere street, where a rig was waiting, and he drove away. There is no description of the robber, beyond his black beard, which was false, the crowd falling into a blind panic when the shooting display commenced and no policemen were around, so not the slighest effort was made to stop the bandit.

THE KENORA TRAGEDY.

Only Eye Witness of Affair Reherses Details at Inquest.

Kenora, Ont., April 4. The inquest on John Bell commenced on Saturday night and was adjourned until Monday to permit of a post mortem.

The only eye-witness, Ed. Buckley, rehearsed the tragedy. Miller had brought a couple of bottles of whisky with him from town and when he and Bell arrived they were drunk. Bell was put to bed, while the other two fixed up another bed. Miller went to get some blankets, as he and Buckley were to sleep on the floor. Bell, being disturbed, said something that was not heard by the witness, but which caused Miller to strike Bell a blow with the lantern, which was utterly shattered. The witness grappled in the dark with Miller, who had the best of it. Buckley then ordered Miller off his premises and he went to his homestead, three miles east, where he was subsequently arrested in bed, unaware of the tragedy. Miller and Bell were neighbors and apparently on good terms. Robinson and Fitzgerald, neighbors, told of Buckley coming for a light and assistance and Bell dying shortly after his juggler vein having been cut by the glass of the lantern.

Has Not Declined Ambassadorship.

Boston, Mass., April 4.—"I have not declined the British ambassadorship," said President Eliot of Harvard tonight on his return from a tour of the east and south. "Some of the newspapes that I have seen have stated that it is all decided that I have declined. On what grounds have such stories been printed. I have not said that I have declined. Nothing has been decided yet. I do not want to be interviewed on the subject now, and I must decline to say anything further." President Eliot gave the impression that he still had the offer under consideration.

WINNIPEG'S BUILDING.

Winnipeg, April 5—The busiest office in the city is that of the building inspector, and from the new construction already in sight it looks as if the year would be a record one. The buildings planned or commenced on Portage avenue alone will pass the three million dollar mark. This includes a 12-story block for the Grand Trunk Pacific on the corner of Main street. With restored confidence large sums for investment, chiefly from the old country, are coming in. Local agents of Lord Northcliffe, who already is heavily interested in Winnipeg property, last week received one hundred and twenty-five thousand pounds sterling from the millionaire newspaper proprietor for general western investment. One of the first indications of the busy season is a dollar tacked on to the price of all lumber which goes into effect today, the local dealers claiming it follows on the rise by the coast mills. The labor situation in the building trades appears satisfactory.

THE SALVATION OF THE WORLD.

epends Upon Inviolability of Britain's Supremacy Says Preacher.

St. Catharines, Ont., April 5—Rev. W. H. Harvey, of Dundas, preached at Welland street Methodist church last night. During his discourse he said: "The great question agitating the minds of the Canadian people is whether we shall contribute a Dreadnought to the British navy. Personally, I think Canada should, and that it would be a disgrace if she did not, for I believe, with all my heart, that the salvation of the world depends on the preservation of the integrity of the British empire."

FASCINATED INTO HIS DECISION.

This is What Mrs. Taylor Says Happened to Lord Guthrie.

Washington, D.C., April 5—That Lord Guthrie, the Scotch judge, who recently granted Captain Stirling a divorce from his wife in the famous three-cornered suit was "literally fascinated into his decision by Mrs. Atherton," was the declaration made here today by Mrs. C. H. Taylor, mother of Mrs. Clara Taylor Stirling, the unfortunate defendant in the case. Mrs. Stirling is a former Washington girl. Her mother has just returned from Scotland, where she emained with her daughter throughout the trying ordeal of the trial which was the sensation of two continents.

$15,000,000 LOAN TO CHINA.

Subject of Conference Between German, French and British Bankers.

Paris, April 5.—A conference of German, French and British bankers was held here on Friday and Saturday to discuss the question of making a $15,000,000 loan to China for the extension of the Pekin Hankow railway to Canton. German bankers have already practically engaged themselves to supply this loan, but British and French bankers consider that this engagement violates the agreement made in Berlin, February last, when the British, German and French bankers agreed not to advance money to China without having a European engineer in that country to check the expenditure and insure that the money was devoted to the purpose for which it was intended.

BIGIMIST ATTEMPTS SUICIDE

Locked in Police Cell, Sets Clothing on Fire to End His Life.

Ottuma, Ia., April 4.—Following the sensational disclosure that he has been maintaining two domestic habitations, Frank Moriarity, one of the best known and most popular commercial travellers in Iowa, sought to burn himself to death in a cell in the city jail here in which he had been placed on a charge of bigamy. Creams from the cell brought officers to the rescue, who found the man with his clothing in flames. These were torn from the body and with blankets wrapped about his form, he was hurried to a hospital where it was found that his burns were so bad that recovery is doubtful.

Child Walked In Her Sleep.

Southey, Sask., April 5.—Supposed to have got up from her bed and walked in her sleep, Clara Kreinke, nearly two years old, was found dead on the C.P.R. tracks here at midnight Saturday having been hit by an engine. The mother put the child to bed at 9 o'clock and thought her sleeping soundly till told of the tragedy.

Roosevelt Arrives in Naples.

Naples, April 5—The steamer Hamburg, with ex-President Roosevelt and party, arrived at 10.15 this morning. A great crowd assembled on the dock and cheered wildly.

Grecian Cabinet Stays in Office.

Athens, April 5.—At the request of the King, the cabinet, of which Theotokis is premier, has withdrawn its resignation.

ADMIRAL CERVERA DEAD.

Madrid, April 4—Admiral Cervera is dead. The members of the admiral's family were present at his bedside as was also Rear Admiral Eulate, who was commander of the Viscaya at Santiago. Admiral Cervera in his last hours, asked that no military honors be paid him. He showed great fortitude, and beseeched his relatives not to grieve. He retained consciousness until within a few minutes of his death, which was directly due to heart disease. King Alfonso has telegraphed his condolences.

CHANGE IN ROUTE OF G.T.P. TO VANCOUVER

General Manager Chamberlain Says New Route From a Point on Main Line Near Yellowhead Pass Will Be Unsurpassed For Short Haul and Low Grades—North and South Line Abandoned.

Vancouver, B.C., April 5.—General Manager Chamberlain, of the Grand Trunk Pacific, announced before leaving for the north that an air line would be built to Vancouver, involving the abandonment of the proposed north and south branch line, now roughly surveyed from the vicinity of Port George on the main line. It will reach here from the north-east. The northern junction will be at a point on the main line near the Yellowhead Pass. Mr. Chamberlain added: "I think I am safe in asserting that when our trains run into Vancouver they will follow a route which, for low grades and short haul, cannot be surpassed."

FORT FRANCIS LOG CASE.

Investigation of Charge That Company Made Fraudulent Timber Dues Returns.

Fort Francis, Ont., April 4—Samuel Price, mining judge of Temiskaming, as special commissioner of the Ontario government, opened an investigation Saturday into the charges that the Fort Francis Lumber company have been making fraudulent returns of timber dues. Jas. Johnson, the informant and chief witness, was absent in the hospital and President Preston, M.P.P., being in Toronto, the investigation was naturally curtailed.

Thos. Hickerson, scaler for the company, testified, he handed original sheets to Jas. Johnson to copy and did not verify them, or notice any discrepancy when certifying to the copy. He admitted he was careless in not checking the list, but Johnson was the trusted bookkeeper of the company and he took his word.

Wm. Cassidy, manager, said Johnson had told him that he corrected several errors in Hickerson's sheets, thereby saving the company a considerable amount, which he wanted the company to divide with him. Later, when discharged, Johnson made a demand for $2,191.45 as the amount he saved the company. This, Cassidy thought, was a hold-up and said so. Cassidy did not verify the count of logs, but left it to the scaler.

Geo. Watts, crown timber agent, deposed to employing Geo. Murray as chief ranger to check over the count of the different logging camps.

Judge Price interposed that the present checking system did not seem very effective.

Geo. Murray testified to scaling various bunches of the Fort Frances company's logs and they averaged very close with the sealer's figures.

Hickersono, recalled, said the sheets produced aa made by Johnson, were incorrect and did not show either the number of feet or the names as in original.

T. P. Morton, barrister, said he laid the complaint at Johnson's request, but knew nothing of the matter. A. D. George, barrister, explained President Preston's absence, as he was attending to legislative duties in Toronto before the closing of the House. He produced an affidavit of President Preston denying any knowledge of the transaction and the charge as far as he is concerned is absolutely false.

The enquiry was adjourned until Johnson's statement can be taken. The enquiry seemed to show a loose system of scaling, there being no accurate plan for checking returns. It is understood there will be an investigation Tuesday into the charge of Alex. Mills against John Reid and son over disputed measurements.

INSURGENTS ARE PLACATED.

Republicans Who Opposed Payne Bill Have Been Whipped Into Line.

Washington, April 4—At a late hour tonight, after an all day conference between the Republican insurgents and the house organization Republicans, it was rumored that an agreement had bee reached whereby the passage of the rule under which the Payne bill will be jammed through next Saturday is insured tomorrow.

The 40 insurgents who served notice last night that they would resist to the bitter end the adoption of the rule, it is said, have been placated by the assurances that the Payne rates on lumber, viz., $1 per 1,000 feet, and a duty of 45 cents per 1,000 on coal will be inserted in the Payne bill in the senate, no matter what action is taken in the house.

HER METHODS WERE UP-TO-DATE

The Montreal Lady Was Not Held Up on Any Occasion.

Montreal, April 5—Corinne D'Amour, cashier of Wilder & Co., St.James street office, confessed this afternoon that the story of the daylight hold-up was not true. She had been short in her accounts through mistakes, and had spent the money on theatres, sweet-meats, etc. She had on Tuesday evening gone up Park avenue, where she had a fit of hysteria and in that condition must have dropped some of the money she had with her.

Mr. Wilder was at the detective headquarters when the girl confessed and stated that he would not prosecute.

Stabbed Priest Who Refused Her Aid.

Paris, April 5.—After her demand for money was refused by the Cure of the Church of St. Sulpice here, Sunday, a woman, Jeanne Bourely, stabbed the priest in the shoulder with a knife. She was arrested, and it is thought she is demented. The woman was formerly a governess and is now in impoverished circumstances.

Wreck Reported to Lloyd's.

London, Eng., April 5—Lloyd's was appraised by cable today that the British steamer Oakbranch was sunk by running into a derelict in the straits of Magdalen, off the southern coast of Chili. The captain and 20 persons are reported missing.

CHECK FROM COMMISSIONER

Lord Strathcona Forwards Quarter of Million for Physical Culture Endowment Fund.

Ottawa, Ont., April 5.—Lord Strathcona's promised cheque for a quarter of a million dollars reached Sir Frederick Borden this morning. This is the endowment fund from which will accrue about ten thousand annually for the encouragment of physical and military drill in Canadian public schools.

Servia Down on Her Knees.

Belgrade, April 5.—The Servian government has notified Austria-Hungary that it is willing to negotiate a commercial treaty. It is announced that Crown Prince George (formerly Prince Alexander) will continue his studies at a German university. The former crown prince will make a tour of Europe and will then join a Cossack regiment in Russia.

DEATH FOR CHAUFFEUR AT END OF MAD FLIGHT

Charles A. Ludlow Killed in Effort to Evade Capture by Police for Exceeding Speed Limit in Tarrytown —Companion Also Badly Injured—Attained Speed of 70 Miles.

New York, April 4—A thrilling flight from arrest, in which a speed of between sixty and seventy miles an hour was attained, wound up in the death of one automobile driver and the serious injury of another, at Tarrytown today.

The man who was killed was Chas. A. Ludlow, of Brooklyn, who was chauffeur for Dr. A. D. Mittendorf, of this city, every bone of his body being broken. His companion was John Marquis, a professional racing mechanician.

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