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The Toronto World

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PROBS: Fair, with little higher temperature; local showers by Friday.

FOURTEEN PAGES—THURSDAY MORNING, AUG. 21, 1913—FOURTEEN PAGES.

VOL XXXIII—NO. 12072.

ERROR OF CLERK CAUSED THIS MAN'S DEATH

Jury Say Johnson Fortner Died Thru Swallowing Strychnine Supplied by Winnipeg Drug Clerk in Mistake for Epsom Salts—Crown to Investigate Further.

That the late Johnson Fortner, who died at his home, 482 West Richmond street, late Friday morning, took a dose of Epsom salts and strychnine, the substance of the evidence given by Dr. Kaufman, the analyst, at the Fortner inquest last night.

The exact proportion of strychnine in the mixture was 23.35 per cent, by weight, and it was estimated that the deceased took about 17 grains, while one grain is probably a sufficient quantity to produce fatal results.

The verdict arrived at by the jury was to the effect that the deceased came to his death by strychnine poisoning, the fatal dose having been purchased by a son of the deceased in a Winnipeg drug store. A recommendation was made that the crown make further enquiries as to the source from which the drug was purchased.

Dr. Yelkovich, the first witness called, stated that he was called to attend Mr. Fortner, and that while using a stomach pump the patient collapsed and expired within 45 minutes of taking the supposed dose of Epsom salts.

Jonas, the son, had been out west, and had sent home a vial, the contents of which he had purchased last May in a drug store immediately north of the Strand Theatre, on Main street, Winnipeg. He had asked for Epsom salts and had no reason to suspect that the substance given him was not what he had ordered.

Mrs. Fortner and one son, George, gave evidence as well as Jonas Fortner, and their stories agreed in every particular. Coroner G. W. Clendenning conducted the inquest.

The Dominion Alliance intends to enter the East York by-election fight, and a call has been issued for a convention of temperance electors of the riding to be held in Willard Hall, on Monday morning, at 10.30.

As a result of this convention, an independent temperance candidate may be placed in the field, and if it is decided not to take this step, the temperance advocates will discuss the question of placing their support in the coming election to the best interests of the temperance cause.

It is felt among members of the Dominion Alliance that East York is a strong temperance riding. The aggregate vote taken in all the local contests held so far, shows 1943 votes in favor, as against 1212 opposed.

REFERENCE IS POLICY OF UNITED STATES IN MEXICO NEGOTIATIONS ARE NOW AT END

Huerta Has Finally Rejected Wilson's Suggestions and Outlook is for Maintenance of Strict Neutrality at Washington—Will Prevent Shipments of Ammunition Over Frontier.

WASHINGTON, Aug. 20.—The negotiations between the United States and the Provisional Government of Mexico, conducted by John Lind and Provisional President Huerta, virtually have ended.

President Huerta has rejected in toto and finally the suggestion of President Wilson for ending the war in Mexico. The next step to be taken will be by the American Government. The indications tonight are that it will be this:

A return to the policy pursued by President Taft in the last months of his administration and followed by President Wilson up to the time he sent Ex-Gov. John Lind to Mexico City to try to effect an end to the hostilities and a restoration of peace thru mediation, of non-interference and the maintenance of a strict neutrality, a tightening up of the frontier guard to prevent the shipment of arms and ammunition to either faction in Mexico.

The foregoing was made known to the correspondent of The World tonight, by a high official of the administration, and it followed the receipt of another instalment of the 7000 word note from President Huerta to John Lind, rejecting the proposals of the American Government, and a despatch stating while the negotiations appeared to have ended in failure, there still were most cordial relations between the Provisional Government of Mexico and the United States.

The developments out of which has come the almost definite decision of President Wilson to return to a non-interference policy, are of three days. Ever since Monday, there has been little hope that the mission of Commissioner Lind would bear fruit. What little hope there was, however, ended tonight, when the full import of the Huerta note was digested by the president and his advisors.

Three Alternatives. When President Wilson sent Commissioner Lind to Mexico with three suggestions for settling the disturbances, he had in reserve three alternatives which he could adopt in the event of failure. They were: 1. Intervention. 2. Raising the embargo against the revolutionists obtaining arms and ammunition in the United States. 3. A return to the former policy of non-interference, always entertaining the hope that one side would quickly win out in the struggle of arms.

Like his predecessor, President Wilson never did seriously consider the revolutionists obtaining arms and ammunition in the United States. 3. A return to the former policy of non-interference, always entertaining the hope that one side would quickly win out in the struggle of arms.

Without hesitation A. Lapp went after him, but the drowning man in his struggles seized his would-be rescuer round the neck, and it was with great difficulty that Lapp was able to break away. He had a hard struggle to get to the shore owing to the backwash of the heavy swell that was running.

Brother Tried, Too. His brother made an attempt to recover Harrington and became exhausted by the efforts he made but fortunately A. Lepper of 47 Woodbine Beach and Herbert J. Flood of 22 Woodbine Beach, attracted by the boy's shouts, arrived on the scene and pulled them into safety, going into the water with their clothes on.

The boys had hardly been safely taken from the water when the body of Harrington was thrown on shore by the waves. Dr. F. R. Clemens was summoned and the pulmotor phoned for, but owing to the long distance it had to come, it was half an hour before it arrived.

Worked Three Hours. Attracted by the news of the accident, the residents of the beach flocked to the scene, and there was no lack of ready helpers in the efforts made to resuscitate the man. For three hours the doctor would not abandon hope, but shortly after that time the body began to get cold and it was fruitless to keep up any longer the gallant efforts.

Harrington was a man of 30 and worked at the Oxy-Acetylene works on Queen street. He had been married four years. There are no children. Chief Coroner Johnson was notified and decided that an inquest was unnecessary.

GIANT BREAKERS BROUGHT DEATH TO BATHER

Albert Harrington Caught in Swirl of Heavy Sea Off Woodbine Beach, Was Drowned in Spite of Gallant Efforts of His Brothers-in-Law.

With the waves dashing five feet high on to the beach at the Woodbine body of Albert Harrington lay on the sand for over three hours while a doctor and many willing helpers tried by every means in their power to bring back the spark of life.

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Slipped From Sand Bar. Harrington missed his course and slipped from the sand bar into deep water.

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THAW TO BE DEPORTED TO VERMONT IF GIVEN FREEDOM BY COURTS TODAY

Way Open to Deport Thaw

MONTREAL, Aug. 20.—(Can. Press.)—John Clark, U.S. immigration commissioner at Montreal, stated tonight that according to the Canadian immigration laws, there should be no trouble about Thaw's deportation. The Canadian regulations provide that all persons who have been insane during the five years preceding their entry into Canada, are to be classed as "prohibited."

Thaw can also be placed on the other side of the border merely for having passed the line without inspection, declared the commissioner. In case action is taken on the ground of insanity, Thaw will be brought before the commissioner at Montreal, who will then act under the direction of the Washington authorities.

IS CONFIDENT OF RELEASE FROM PRISON

Pacing Up and Down His Cell in Sherbrooke Jail, Thaw Shows Effects of Nervous Strain—J. N. Greenshields, K. C., is Given Charge of His Case.

SHERBROOKE, Que., Aug. 20.—(Can. Press.)—Harry K. Thaw was still confident this evening that he would come out right in the end. He was pacing up and down the cell when seen by representatives of the press. Traces of worry were easily to be seen on his face.

Thaw swung round as the reporters entered and smiled pleasantly, but on first advances declined to make any statement as to his journey from Matteawan to Coaticook. However, when mention was made of the imprisonment of one of his alleged accomplices, Thompson, accused of aiding and abetting him to enter the country by stealth, Thaw denied the stealth part of it.

Thaw was going thru any of the other states. "Do you expect to be released?" Thaw was asked. "They can't hold me on that commitment," he replied with disgust. "The proceedings are quite improper."

"Then if you are released, and the commitment is quashed, the immigration officials will take up the case?" "That is quite another matter," he said. "If it is true, as Dr. Flint says, you considered yourself in honor bound not to escape?" he was asked.

"I never said anything like that," was the indignant denial. "That's another of Dr. Flint's little tricks. He said I was in honor bound not to escape," and the prisoner swung on his heel and smiled.

"It is all possible that a reconciliation will be effected between yourself and your wife?" "I will see you tomorrow," was his cheery adieu as the reporters finally took their departure.

The Thaw case at Sherbrooke is what the defence described as a "procedural" case.

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FUGITIVE FROM MATTEAWAN WHOSE CASE HAS CREATED INTERNATIONAL PROBLEM WILL BE HURRIED TO ISLAND POND, BORDER POINT, TWENTY MILES FROM COATICOOK, QUE., SHOULD HE BE WINNER IN LEGAL BATTLE—IMMIGRATION INSPECTORS GIVEN FULL AUTHORITY TO ACT—CHAUFFEUR THOMPSON ARRESTED FOR ABETTING MURDERER'S ESCAPE.

SHERBROOKE, Que., Aug. 20.—(Can. Press.)—Should Harry K. Thaw be declared a free man, after the hearing of the habeas corpus proceedings here tomorrow morning, and it is considered practically certain that he will, he will be across the American border and in the State of Vermont by tomorrow night. The case so far as the Canadian immigration department is concerned, is wholly in the hands of Inspectors D. H. Reynolds and F. E. Whillans of Ottawa, and these two officials, immediately Thaw is released by the court, will take him into custody as an undesirable, under the Immigration Act, and rush the fugitive to Coaticook. At the immigration office there, formal deportation proceedings will be conducted, in the form of an official inquiry into the manner of Thaw's entrance into the country and his past history, which of course, as is well known, debars him from remaining in Canada.

At Nearest Border Point. The point of deportation will be Island Pond, Vermont, the nearest border station on the G.T.R., about twenty miles south of Coaticook. The "thru" ticket to Detroit, on which Thaw hopes to evade the immigration authorities, and continue his journey thru Quebec and Ontario to the State of Michigan, will not serve that purpose. The immigration officials have not yet been shown the ticket by Thaw, they have learned that it was purchased in Coaticook, and reads from that point to Detroit. It is not, therefore, a ticket from one American station via Canada to another foreign point and does not qualify as "thru" transportation.

The only hitch in the deportation plan would be a further writ of habeas corpus calling upon the immigration officials to show cause why Thaw is not eligible to enter Canada. This would further delay action.

Crisis Today. Harry Kendall Thaw's legal fight against deportation to the United States after his dramatic escape from the Matteawan State Hospital for the Criminal Insane on Sunday morning last, will begin in the open in this Canadian frontier town tomorrow morning at 10 o'clock. He is to be produced then before Judge Glibensky of the superior court on a writ of habeas corpus obtained by his counsel this afternoon. If the writ is sustained he will be a free man. But for how long he will be free is problematical.

Thaw's Lips Sealed. Facing such a situation, Stanford White's erratic slayer, ordinarily loquacious, has shut his lips tight, and for once in his life has "refused to be interviewed." He has talked vaguely of matters not appertaining to his escape, but not one word has come from him regarding his flight from Matteawan, or of the inception of the plot that led to his delivery, or of the five men who spirited him away. Of these five, one is believed to be in jail in Sherbrooke. He gave the name of "Mitchell Thompson," and insisted that he was a resident of Toronto. But both Sheriff Hornbeck and District Attorney Conger of Dutchess County, N.Y., who looked him over today, said he was none other than "Gentleman" Roger Thompson, late of New York City, and reputed chauffeur of the black automobile that whisked Thaw from Matteawan at more than 60 miles an hour.

Chauffeur Under Arrest. Thompson was idling in the superior court room waiting for the Thaw case to come up when the immigration officers arrested him. He was quickly identified as one of the two men with Thaw when he was arrested near Coaticook yesterday. He denied that he had aided Thaw in (Continued on Page 3, Column 4.)

FIRES RAGING NEAR HALIBURTON GOVERNMENT AID IS SOUGHT

Conflagration Has Approached Within a Mile of Village and Great Damage in Surrounding District is Reported—Thousands of Cords of Wood Destroyed—Situation is Serious.

HALIBURTON, Ont., Aug. 20.—(Midnight.)—(Special.)—Bush fires which have been raging in the neighborhood for the past twenty-four hours, have now approached within a mile of Haliburton Village, and appear to be beyond control. The villagers are in a state of great excitement, and are preparing for a hard fight with the flames.

At Gelert, the fire is reported to be raging fiercely, the conflagration covering a large area. In the Township of Epsley the flames are spreading rapidly and the property of the lumber mill has been destroyed at Donald. The government has been asked to send aid.

Between Bobaygeon and Burleigh, it is reported that great damage has been done.

BOSSY SOUGHT PASTURES NEW

Peregrinating Cow Plunged Into Lake at Sunnyside and Swam Until Lassoed by Rescuers.

Wandering down from her customary pasturage on the commons near Indian road about half-past six last night a brown and white cow got into considerable trouble in the neighborhood of Dean's boat house, Sunnyside, and her life for several hours was far from placid and bovine.

She appeared on the boathouse platform at Dean's and when an attempt was made to scare her away she took to the water, and swam aimlessly for some time. Four lads in two rowboats set out to capture her, by the use of the lasso, and after half an hour succeeded in roping the animal, but she broke tether, and it was not until she was enclosed within the breakwater at Myers' that her safety was assured.

For several hours she stood shoulder-deep in the water, glaring defiantly around, and it was after ten o'clock when she ventured to shore. After frightening several strollers on lower Indian road, she disappeared, and in all probability found the rest of the herd grazing where she had left them four hours earlier.

BODY WAS IDENTIFIED. NIAGARA FALLS, Ont., Aug. 20.—(Special.)—The body taken from the river yesterday was tonight identified as that of Edward J. Gage, a Buffalo bartender, who disappeared last Friday. The man who identified the body refused to give his name, but said Gage had been mixed up in a gambling deal, in which the operators had made thousands of dollars.

WRECK OF RUNAWAY ENGINE



Locomotive ran away from Bathurst street yards yesterday, and overturned just east of Bay street crossing, on the waterfront. The crew of another engine had to leap for their lives, and the locomotive traveled along to the Poolson yards. No one was hurt.

TORONTO BIRTH-PLACE OF MAN WHO DROVE THAW'S MOTOR CAR

(Special to The Toronto World.) SHERBROOKE, Que., Aug. 20.—Attorney Shurtleff, who represents Harry Thaw, also represents Roger Thompson, the chauffeur who drove him away and who was arrested today on a charge of having aided Thaw in escaping from Matteawan.

"I expect to get bail," Thompson said when he was held under \$500 on the charge that he had aided and abetted the escape of a prisoner from Matteawan Insane Asylum. "Mr. Shurtleff, my lawyer, will see to it that I am taken care of in that direction, and besides, I am a citizen of this country. I was born in Toronto, but I lived in New York for a long time, where I was engaged in mechanics. I will not say anything about the Thaw matter, but my coming here was in pursuit of my business as a salesman."

Thompson is a man about 35 years of age. He has blonde hair and has a refined voice. He wears a dark gray suit of the same pattern as that described by Wm. Gordon and Lewis Spence.

NEGLECT TO FENCE G. T. R. TRACKS COST THE LIVES OF FIVE MEN

Evidence Brought Forward at Parry Sound Inquest Indicated That Responsibility Rested With Railway and Not With Lumber Company—Verdict in Few Days.

That the Grand Trunk Railway Co. had failed to provide as adequate protection this year as in the two years previous was brought out in evidence given yesterday before Coroner Lambert in the Parry Sound court house at the inquest into the death of the five men who were killed when a double-headed freight train crashed into a herd of cattle thirteen miles east of Depot Harbor recently. A former sitting of the inquest had been adjourned on the plea of the G.T.R. claims agent that an agreement entered into between the Hocken Lumber Company and the railway had stipulated that protection from cattle straying on the tracks at the lumber mill will be provided by that firm. Not in Agreement. President M. C. Hocken of the lumber company yesterday produced the agreement which had been entered into three years ago with the railway, and no mention of cattle protection was found in it. He stated that the mill was only operated during the winter, and that during the summers of 1911 and 1912 a fence to keep cattle from the tracks had been erected by the railway company. During the present summer the G.T.R. had neglected to do so, and he considered the fatal wreck to have been due to that cause. President Hocken was the only witness heard yesterday, and his evidence concluded the inquest. As the district of Parry Sound comes under the designation of an unorganized district, there being no county authority, the empanelling of a jury or the holding of a non-jury inquest rests with the crown attorney. In this case Crown Attorney W. L. Haight decided on a non-jury inquest. When the evidence was all in yesterday Coroner Lambert announced that he would give his verdict in a few days time.