

45TH YEAR NO. 19477

THE ADVERTISER, LONDON, ONTARIO, TUESDAY OCTOBER 6, 1908.—TEN PAGES

PRICE TWO CENTS.

TWO LONDON MEN KILLED IN A BAD WRECK LIGHT ENGINE STRUCK WORK TRAIN IN FOG

Frank Fralick and Cecil Burchall Meet Instant Death.

BRANTFORD MAN WAS ALSO KILLED

Yardman Ribble, Victim of the Same Accident—Story of the Wreck.

[Special to The Advertiser.] Engineer Frank Fralick, of 552 Horton street, Fireman Harry Burchall, of this city, and Yardman Ribble, of Brantford, were instantly killed in a collision which occurred on the Grand Trunk two miles east of Burford this morning, about 8 o'clock.

The London men were in charge of a work train that left London this morning at 2 o'clock, and was going to Springfield to work the pile driver.

Met in a Fog. They left Brantford about half-past seven, and while running at a high speed in a dense fog, collided with pilot engine No. 483, running light from Burford to Brantford.

Both engines were badly wrecked. The engine of the work train, in the cab of which were Engineer Fralick and his fireman, Harry Burchall, was turned around, and the two men were pinned in the cab, and were dead when taken out soon afterward.

Yardman Killed Also. Yardman Ribble, of Brantford, was riding in the cab of the light engine, and was instantly killed. This engine was in charge of Engineer Yapp, of Brantford, and Fireman Lewis, also of that city.

Both men were badly shaken up but are not seriously injured.

The crew of the work train set to work at once to get the men out of the wrecks of the engines.

It did not take long to release them, but both had been terribly crushed, and met death instantly.

Fireman Burchall was a young Englishman, and had only been in this country a short time. He boarded at 203 Rectory street.

The bodies were taken to Brantford, where they are being held pending an inquest.

Mrs. Fralick Hears the News. The wife of Mr. Fralick was not informed until nearly 11 o'clock of the death of her husband. As soon as word came of the accident, Station-master John McHarg was asked to go and see Mrs. Fralick and inform her of her husband's death.

Mr. McHarg could not muster up courage to go in and tell her, but called some of the neighbors' wives who were sent in.

Mrs. Fralick was first informed that her husband was hurt, but she feared the worst, and asked to be told all.

In a few moments, Fred Fralick, a brother of the dead engineer, came and told Mrs. Fralick that Frank was killed.

She stood for a moment as if stupefied, and then suddenly gave way to an uncontrollable outburst of grief.

Mrs. Fralick took her husband's death very keenly. She is left with a family of six children, five girls and one boy, all young. She was Mr. Fralick's second wife.

The deceased was the eldest son of Mr. William Fralick, of 470 Hill street. He was about 37 years of age, and had been connected with the Grand Trunk something over eight years. He had been an engineer for two or three years.

He is also survived by his father and mother, three brothers, George and Fred, of this city; William W. of Hamilton, and two sisters, Miss Maggie and Miss Mabel at home.

With the railway men he was popular, and much regret is expressed at his untimely death.

By a former wife he had one son, Frank, who was raised by the wife's parents, Mr. and Mrs. W. Pugsley, of Nelson street.

Fireman Burchall. Fireman Cecil Burchall was a native of Bristol, England, and came to this country five years ago. For three years he lived on a farm near Woodstock. For the last two years he had been on farms in different places around London. A month ago he came into the city and started work firing on the Grand Trunk.

Worked a Month.

John Bennett, a chum of the deceased, stated to The Advertiser this morning, that Burchall was 26 years old.

"He had only been here about a month," said Mr. Bennett, "but he was such a quiet, gentlemanly fellow we could not help liking him. Last night we had a little party up in his room, and I stayed with him until he left for his train. That was about 1 o'clock this morning. He told me that his parents had moved from Bristol and were living at present in London, England. Continued on Page Eight.

VICTIMS OF THE ACCIDENT



THE LATE FRANK FRALICK, G. T. R. Engineer, Who Was Killed at Burford.



THE LATE CECIL BURCHALL, G. T. R. Fireman, Who Was Killed at Burford.

NEW FACES ON CIVIC BOARDS CITY DADDIES MAY DROP OUT

Several of the Aldermen Claim They Have Had Enough of It and Will Not Seek Re-Election—Changes Are Probable on the Board of Education.

It is very difficult to say just how many of this year's council will seek re-election.

There will be few withdrawals, so far as can be learned now, although it is possible some may change their minds about running between now and nomination day.

Ald. Booth says he will not again seek aldermanic honors, and in all probability he will withdraw. He may change his mind, however.

May Drop Out. Ald. Beattie has said that he would not run again, and the consensus of opinion is that he will not seek another term. He has served as chairman of No. 1 committee for two years, where he has done good work. His close friends say that he will not be a candidate for the mayorality this year, although it is probable that he will come out at some later date.

Ald. Greenlees will not be a candidate.

That is about the extent of the list of probable missing candidates.

Out for Re-Election. All the rest will seek re-election, Ald. Ferguson, Ald. Parsons, Ald. Armstrong, Ald. Moorhead, Ald. Gerry, Ald. Stewart, Ald. Rose and Ald. Saunders will again face the music.

Ald. Stevenson may run as a mayoralty candidate, although this is not certain. He will run for alderman again if he is not in the mayoralty fight.

The School Board. There will be some changes in the board of education lineup. There are five trustees whose terms will expire at Christmas—Trustees C. M. R. Graham, Charles McCormick, James Grant, W. C. Fitzgerald and E. J. MacRobert.

Of these, it is said that not more than one will be re-elected.

(Continued on Page Ten.)

Verdict Against Street Ry. for \$275 Another Case Settled for \$2,000

Actions for Damages Closed at the Assizes Yesterday—Other Actions Dealt With.

The wheels of the law moved rather slowly at the assizes yesterday afternoon and beyond the finding of the grand jury, which returned a true bill against the London Street Railway for the alleged murder of Color-Sergeant Lloyd at Wolsley Barracks on April 17 last, but no case up for trial was completed.

The jury returned at 3:30. There were no preliminaries to the announcement. The grand jury was still sitting on the Bartram case when the assizes closed.

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THOS. NEWTON KILLED BY FALL WHILE WORKING ON SCAFFOLD

A Rope Broke Allowing Him to Drop Twenty Feet to Ground at Thamesford—Internal Injuries Resulted and He Died Last Night—Was a Well Known Painter.

Thomas Newton, of Thamesford, a painter, died last night as the result of injuries received late yesterday afternoon by the collapse of a scaffold on which he was working.

He was painting the building belonging to Cooper, the carriage-maker, when the rope broke, and he fell to the ground, a distance of 20 feet, suffering terrible injuries.

He lingered about three hours before death ended his sufferings. Newton, who was employed in Cooper's carriage works, yesterday, was engaged in painting the building. He finished the lower portion and decided to work on the upper part. He erected, with the assistance of his helper, a rope scaffold, such as is used by painters.

He made a shift shortly after 4 o'clock, and when this was completed he commenced painting.

While thus engaged the rope snapped and the scaffold collapsed. Newton was thrown on his side, alighting on a piece of timber on the ground.

He was rendered unconscious by the fall and was picked up by some of the employees in the factory. He was carried to his home, and Drs. Babb and McGugan were summoned.

Ald. Stevenson Called. On examination it was found that several ribs were broken and one leg was fractured also.

It was thought at first that he might recover if internal injuries did not develop.

However, shortly after 6 o'clock, internal complications became evident, and it was decided to operate on him. Dr. W. J. Stevenson was summoned, but before he arrived Newton died.

It was found on examination that the man was terribly injured and that there was no chance of recovery from the first.

Mr. Newton was about 52 years of age and had lived in Thamesford for many years. He was well known and highly respected. He is survived by a widow and two sons, both of whom are in the west.

TURKEY ANGERED AT BULGARIA DEMANDS ACTION BY POWERS

Sultan's Ministry Refuses to Sanction Destruction of Treaty of Berlin and Calls Upon the Great Powers to Deal With Ferdinand.

Constantinople, Oct. 6.—The council of ministers held a long session this morning to consider the action of Bulgaria in declaring her independence from Turkey at Tirnovo yesterday.

It was impossible to accept any proceedings that violated existing treaties, and that Turkey should address a circular note to the powers pointing out the necessity of taking measures to enforce respect for the Treaty of Berlin.

Replying to the telegrams sent to the Turkish Government by Prince Ferdinand, in which

he said that in declaring the independence of Bulgaria he had been compelled to respect the voice of the nation and expressed the hope that the friendly relations between the two countries would continue.

Turkey says she has invited the powers to confer on the situation, and as her rights are guaranteed by the powers, she will look to them for their defense.

Ready to Fight. The Yenal Gazette, the organ of the

(Continued on Page Three.)

Won't Lose Pension and Seniority Is Claim Made by Machinists

An Open Shop Secured All Along the Line, Says Company.

Montreal, Q., Oct. 5.—While the C. P. R. strike has been declared off, not a striker returned to work this morning, because they had not received instructions to do so.

With the reports about a settlement having been reached, the men were early about the union headquarters, but in the absence of definite word from Mr. Bell Hardy, from Winnipeg, no definite news could be given them. Early this morning, Mr. James Somerville, who is in charge during the

absence of Mr. Bell Hardy, stated to the men that a meeting of the union which had been called for 11 o'clock to discuss the word that had been received from Mr. Hardy. At the close of this meeting he thought an official statement would be issued.

Won't Lose Pensions. It is now expected that the men will go back to work tomorrow morning, and in doing so, their position will be just the same as it was before the strike was declared. By this is meant that the company will not carry out its threat to deprive the strikers of their seniority and right to pension.

As far as the big Angus shops at

(Continued on Page Three.)

Council Overdraft of About \$2,000 The Board of Works Overdrawn

Number 3 Committee Likely to Break Even or Better.

Although it was thought a few weeks ago that the council would have an overdraft of \$5,000 or more, it is now probable that it will not exceed \$2,000.

The Board of Works. The board of works will spend more than their estimates. The bridge account is overdrawn \$1,500, and the street cleaning account, and one or two others are also overdrawn at present. There is considerable expenditure to be made yet, especially if Dufferin avenue is to be opened up, so that the overdraft will be about \$4,000. To counterbalance this, is the fact that there is the sum of \$1,200

from the street repairs account, as yet untouched.

Number Three. No. 3 will break even at least, perhaps a little better. The committee has been under considerable expense, not provided for in the estimates, owing to the fact that a new boiler had to be placed in the fire engine, as well as other repairs. However, the street watering account will show a little surplus.

The finance committee is well within its estimates.

Owing to the fine management of Tax Collector Hayes, there will be a considerable increase of taxes over the estimates. Inspector McCallum has a good report also, and the licenses will show almost \$1,000 better this year. The police court returns show a gratifying increase, so that the committees will be in good shape in spite of the fact that one of them has overdrawn its account considerably.

Duff and McDiarmid in Cabinet

[Special to The Advertiser.] Toronto, Oct. 6.—Hon. Nelson Monroth retires from the Whitney ministry today, and James Duff, West Sim-

coe, succeeds him as minister of agriculture, while Finlay McDiarmid comes into the cabinet as minister without portfolio. Official announcement was made this afternoon.

No Appointment Until December

Ex-Ald. Neil Cooper was not on hand last evening to take his place in the city council. Neither was the resignation of Ald. Greenlees handed to City Clerk Baker.

Consequently no action was taken regarding the appointment of an assistant city treasurer.

The opinion is general now that the appointment will not be made until the first week in December.

There are many applicants for the place.

MOIR CASE WAS POSTPONED EPILEPSY GROUND OF DEFENCE

SAGINAW WOMAN - LEAPS TO DEATH

Makes the Twelfth Suicide at Niagara Falls Since July 1st.

Niagara Falls, N. Y., Oct. 6.—About 7 o'clock this morning a woman about six feet tall, wearing a black hat, long black coat, black shoes and spectacles, and of sallow complexion, appeared in the reservation here acting strangely, and tried to cross over the bridge to Goat Island, but was stopped by a policeman, who informed her that the island was not open to visitors until 8 o'clock. She continued to wander about, still acting strangely. She was asked by the superintendent of the park police as to what she wanted, but he elicited nothing from her except that she was from Saginaw, Mich.

About 8 o'clock she walked towards Prospect Point. Officers started after her, but before they reached her she passed under the railing and leaped from the bank into the American Falls, and nothing more was seen of her.

This is the twelfth suicide here since July 1st.

The first practical movement towards securing natural gas for the city was made last evening, when an application was received by the city council from Mr. F. G. Rumball, manager of the London and Western Counties Pipe Line Company, for the right to lay mains and services on the city streets.

It was thought at one time that the gas would be distributed by the City Gas Company, but it is said that a suitable arrangement could not be arrived at, and as a result negotiations were off for the time being. The company will distribute gas from its own mains.

Mr. Rumball Speaks. "We will bring gas as far as St. Thomas at all events," said Mr. Rumball to The Advertiser. "It is somewhat difficult to make arrangements for the distribution of the gas here, and it may be that we may not come into London for some time at least. We certainly will come to St. Thomas. Some people do not appreciate the fact that natural gas is one of the biggest boons the city of London could have."

The Port Dover fields, from which the company will obtain its supply, are very rich, and an abundant supply for many years is in sight. It can be delivered in London at a small cost, much cheaper than the present gas.

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Prisoner Given Time To Bring Witnesses From Scotland.

MOTHER WILL GIVE EVIDENCE

But Has Not Money to Come at This Time—Funds Must Be Raised.

The much-discussed Moir trial will not be heard until January. Mr. Ed. Meredith, K. C., for the defence, this morning asked for, and was granted, a postponement of the trial on the grounds of bringing important witnesses over from Scotland to prove that Moir has been subject to epileptic fits in his youth. The witnesses in question are Moir's mother and sister and two Scotch doctors.

An affidavit by Dr. M. J. Robinson, superintendent of the London Asylum for the Insane, showing that Moir had been subject to epileptic fits in 1906, was also produced.

In an affidavit on his own behalf Moir, the accused, stated that he had come over from Hawick, Scotland, at the age of sixteen, and had been here for over four years.

Subject to Fits. The prisoner stated that he had been subject to epileptic fits since boyhood, and that he knew nothing beyond what had been told him of having committed any crime. Moir had further been informed by his counsel that he had been suffering from epilepsy at the time of the alleged crime.

"My mother wrote me," stated Moir in conclusion, "that she would be able by January to raise funds for my defence. I am without relatives or means in this country."

Dr. Robinson stated in his affidavit that in 1906 he had been consulted for an attack of epilepsy, and that he believed that if, as stated, Moir had been subject to attacks in boyhood, it is time should be allowed to produce witnesses in his behalf.

Mr. Meredith Wilkins, the Arthur's attorney, in an affidavit, stated that at the time of the trial, he had been told by Moir's mother that she was unable to come to the trial, but that at that time he received word that she could not come owing to lack of funds. It was stated that the mother, the sister, and Mrs. Lorraines and E. R. R. all of Hawick, Scotland, together with Dr. Walsh, of Glasgow, be present when the prisoner was tried for his life.

Mr. Meredith was not compelled to argue at length to secure a postponement. His Lordship apparently looking with favor on the motion from the outset.

Has No Money. "The prisoner is absolutely without funds," said Mr. Meredith, "and, although the people of this and other places have started funds in his behalf at the time they were first began, we had decided to ask for an adjournment."

"This man is to be tried not for his freedom, but for his life, and is, therefore, entitled to every consideration from those who have the power to grant it to him."

"I am informed by the prisoner's mother and sister that he has been subject to epilepsy since childhood, and it is a well-known fact that a man who is subject to such attacks at times is utterly irresponsible and apt to be provoked into a terrible passion over trivial matters."

Crown Objected. Mr. E. Sidney Smith, K. C., of Stratford, on behalf of the Crown, made a slight protest against postponing the case.

"This is the first intimation, Your Lordship," said he, "that we have received of an application for postponement, and we cannot believe that one is at all necessary."

"If, as my learned friend intimates, Moir has been subject to epileptic fits, it is scarcely necessary to go back to his boyhood days to determine the fact. It can be proven that Moir suffered from fits in 1906, such evidence would carry just as much weight or more, than if it were proven that he was a sufferer in infancy."

Mr. Smith explained that at great expense the Crown had brought from England Sergt. Morris, an eye-witness of the tragedy which cost Col. Serget. Lloyd his life at Wolsley Barracks shortly before midnight on April 17, and that it would be unfair to postpone the trial for several months.

Mr. Smith then produced an affidavit from Dr. Clarke, of Toronto, in which the deponent stated that in his opinion it was immaterial whether the accused had epileptic fits in Scotland or not, so far as the present trial was concerned. The alleged attacks sustained in 1906 would have far more bearing than those suffered in childhood.

Favored a Postponement. His Lordship stated that he favored a postponement, because he believed that a man accused of the greatest of all crimes, murder, should be given every reasonable opportunity of clearing himself.

However, if other arrangements were possible, he did not think it necessary for the witnesses from Scotland to appear in person.

The evidence of the prisoner's mother and sister as to fits in boyhood may or may not influence a jury," said the chancellor, "but it is very possible that even if the prisoner be not found guilty of murder in the broadest sense such evidence might tend to reduce the charge considerably."

Continued on Page Eight.



MR. E. SYDNEY SMITH, Of Stratford, Who Is Crown Prosecutor at the Assizes.

THE WEATHER.

TOMORROW—SHOWERY.

FORECASTS.

Toronto, Oct. 6—8 a.m.