

ANOTHER EFFORT TO SAVE PATRICK

Brother-in-Law Makes Appeal to Gov. Higgins.

DID NOT HAVE A FAIR TRIAL

Accuses Expert Witnesses of Being Influenced Against the Prisoner.

Albany, Sept. 24.—Supplementing the petition of more than 3,500 physicians which Governor Higgins received during the last week in behalf of Albert T. Patrick, the lawyer under sentence of death for the murder of William Marsh Rice, in 1900, is a letter written to the Governor by John T. Milliken, of St. Louis, a brother-in-law of Patrick, and the man believed to be the financial backer of the condemned lawyer in his remarkable fight for life. The letters was made public tonight, and while it necessarily involves much that is already known, the writer attempts to show that Patrick did not have a fair and impartial trial.

After pointing out that nothing suspicious was revealed at the autopsy held two days after Rice's death, and that ten days later Patrick and Jones, the valet, were arrested and held on a charge of forgery, the writer continues: "In February, 1901, there was deposited \$10,000 cash bail for release of Patrick, who was immediately rearrested upon an affidavit sworn to by Jones, charging that Patrick had, with his own hands, administered to Mr. Rice mercury and other deadly poisons unknown to Jones, from the effects of which Mr. Rice died. Therefore, it is quite evident from the affidavit of Jones that from the holding of the autopsy, on September 25, 1900, to February, 1901, the chloroform theory of death had not been suggested or thought of by Jones or the prosecution, for Jones himself swears that to be the case when he claimed that Patrick had killed Rice with mercury and other poisons unknown to him."

Jones' Testimony.
"In April, 1901, Patrick had a preliminary examination for murder and then Jones swore that he himself killed Rice by administering chloroform to him at Patrick's suggestion and instigation."

"At the examination Drs. Donlin and Williams, who performed the autopsy for Coroner Hart, swore that the cause of death was the inhalation of an irritant gas and that chloroform vapor was an irritant gas. They took the lungs, which at the time of the autopsy did not reveal the cause of death, as a basis to corroborate Jones, and in a shameless manner swore the case through regardless of the fact that at the autopsy six months before they could not then see any evidence by carefully examining the lungs of the cause of the death of Mr. Rice. In order to convict Patrick it was absolutely necessary that these men swear as they did. They were introduced by the district attorney at Patrick's trial as disinterested, public officials, who, in pursuance of their official duties, had discovered the cause of the death of Mr. Rice. Yet they each presented extra bills to the city chamberlain for pay as experts; Dr. Donlin asked for \$2,500, and Dr. Williams \$7,500 for their services, thus drawing double pay, which District Attorney Jerome endorsed and recommended be paid to them. Therefore, you see they were not disinterested, but only masquerading as such."

"I ask you, as a fair-minded man, is it on the level to place a witness before a jury on the trial of a man for his life and misrepresent his status as a witness?"

The Embalming Question.
It appears from the letter that the importance of the embalming question was not appreciated by the defense until after Patrick's conviction, when he began himself the study of anatomy, "and became aware that embalming fluid so injected would reach the lungs." Then it was that the Medical-Legal Society took up the matter.

"Five eminent physicians of New York City," the writer says, "testified upon the motion for a new trial before Recorder Gott that embalming fluid injected through the right tracheal artery would reach the lungs and congest them, and their testimony was newly discovered so far as this case is concerned. Two doctors for the people testified that it could not do so."

"It is a well-known fact," continues Mr. Milliken, "that expert testimony is the most unreliable of all testimony. I am assured by 3,000 able, disinterested reputable physicians of this state that the medical testimony given by the experts for the people in both the trial of Patrick and the motion for a new trial was false."

DIAMOND DYES

Made Especially for Easy and Successful Home Dyeing.

Diamond Dyes are the only package dyes made especially for easy and successful home dyeing. They re-color faded feathers, plumes, scarfs, ties, silk sashes, blouses, jackets, dresses, skirts, stockings and other articles of wearing apparel.

It is as easy to dye a faded garment—small or large—with Diamond Dyes, as it is to wash it with soap, and the colors are forever fast in washing or sunlight. Bright and economical women save many dollars each year by the use of Diamond Dyes, which make old things look as good as new.

Users of package dyes will please bear in mind that vile and worthless imitations of Diamond Dyes are sold by some dealers. Every time you purchase dyes be sure you ask for the "DIAMOND" dye. Other makes if you would avoid trouble and loss of money. Write to Wells & Richardson Co., Limited, Montreal, P. Q., for New Direction Book, Diamond Dye Cook Book and Illustrated Booklet, entitled "Diamond Dye Longjohns' Winter and Summer Sports; sent free to any address."

trial is unscientific, untrue, and can be shown to be utterly worthless and that a commission of disinterested, unbiased, high-grade physicians will so find."

Those Texas Relatives.
Mr. Milliken next alleges that Patrick's failure to accept a compromise offered by certain persons in Texas was the means of making these persons especially active in his prosecution. On this feature of the case the letter says in part:

"Since the death of Mr. Rice, his estate has doubled in value. Inquiry at Houston, Tex., will prove to you that some people are feathering their nests out of the estate. It is to their interest that he put out of the way. If you desire me to do so I can give you good authority for this statement. Justice demands that if there is a reasonable doubt of his innocence, his life be spared."

"The letter declares that 'No crime was committed except by the prosecution,' intimates that through the use of money and the promise of immunity, Jones was induced to swear away Patrick's life; charges that the coroners' physicians were influenced to swear the way they did, and alleges that one of them has given up the practice of medicine and has lived in a state of affluence ever since he appeared in the Patrick case, and concluded with the following appeal to the governor:

"I believe that when the history of this case is written, it will go down as one of the most shameful perversions of justice that was ever attempted in the United States. I do not want to see anything but justice meted out to Patrick. If he is guilty, beyond a doubt, he should suffer the penalty, but if there is any doubt of his innocence, he should have the benefit of that doubt. I know that your fair mind will agree with me upon these two propositions. Nothing can better establish the fact that the medical testimony introduced by the people with the purpose of convicting Jones' confession is unscientific and false, than a commission of unbiased and unprejudiced high-grade physicians."

Not Seeking Commutation.
Albert T. Patrick, the lawyer condemned to die for the murder of William M. Rice, does not want a pardon, but vindication, says the American. The paper gives a brief interview with Patrick, in which it quotes him as saying:

"I would rather die in the electric chair than spend a year in state prison under a commutation of sentence."

Patrick, in his cell, is directing the last fight for his life. His chief reliance is based upon what he calls, in a brief prepared by him for submission to Governor Higgins, the uncertainty of expert medical evidence as exhibited in his case.

EVADING THE CUSTOMS

Commercial Traveler in Trouble—\$10,000 Worth of Jewelry Seized.

Montreal, Sept. 25.—When the Allan liner Virginia arrived in port on Saturday night a traveler for a London, England, jewelry house had in his possession about \$10,000 worth of jewelry. Shortly after the arrival of the traveler the goods were seized by the local officers, who claim that an attempt was made to smuggle them into the country without paying duty.

There is, however, a portion of the jewelry which he brought over upon which he made the required declaration, and these, of course, will be released, but at present it is not known what the proportion is.

After the usual declaration was made the officers had reason to be suspicious and the traveler was watched. Among his personal effects were found the goods upon which no declaration had been made, and as a result the whole valuable connection of samples were placed under seizure.

No definite action has yet been taken, but there is no doubt the loss to the English firm will be heavy.

INTERESTING POINT IN LAW.

Ottawa, Sept. 25.—An interesting point in international law was brought up in a case at the division court yesterday.

Sydney Smith, of Ogdensburg, N.Y., sued J. C. Macher, of Ottawa (formerly of Ogdensburg), for the amount of two notes.

Macher acknowledged the notes, but heid that they were outlawed according to the laws of Ontario. It was held that the laws of Ontario did not apply as the notes were signed in Ogdensburg.

Judgment was given for the plaintiff on both notes, which amounted to about \$50.

SUCCESSION DUTIES.

Toronto, Sept. 25.—The Provincial treasury department has received in succession duties \$5,764, being dues from the estate of the late Mrs. Ella G. Canorton, wife of Mr. John Charlton, M. P. Up to date this year the aggregate amount of succession duties is almost equal to that of last year.

It is estimated that the total for 1906 will reach at least \$68,000, the amount received for 1905, without depending on the dues from the Fulford or G. Goodenham estates, which may be turned into this year's receipts.

DOING THE HONORS AT 91.

New York, Sept. 24.—Mrs. Rebecca Lawrence Farrington celebrated the 91st anniversary of her birthday at 603 Hancock street, Brooklyn, today. Her husband was the late Thomas Oakley Farrington, of Yonkers. He was the grandson of Thomas Oakley Farrington, of Mile Square Manor House, of Westchester County. Her grandfather, Major Samuel Lawrence fought through the war of the revolution. He was a first cousin of the father of Captain James Lawrence of the good ship Chesapeake, whose remains lie buried at the head of Wall street, this city. Her mother was Jane Gulon, whose ancestors were Huguenots, and founded New Rochelle in Westchester County.

Her daughter, Mrs. Francis Wayland Glen, wife of the former member of Parliament, died in South Ontario, Canada; her granddaughter, Mrs. Oakley Farrington Glen, her great-granddaughter, Miss Alice Renwick Glen Young, Miss Helen Dorothy Elaine Glen Young, Miss Helen Margaret Glen Gant and Miss Julia Dorothea Glen Gant, received with her. She enjoys excellent health and met many friends, who honored her with a call.

TRIBUTE TO MEMORY OF JUSTICE STREET

Paid by Chief Justice Falconbridge at Toronto Yesterday

—A Good Judge.

A glowing tribute was yesterday paid to the memory of the late Mr. Justice Street by Chief Justice Falconbridge in the divisional court at Osgoode Hall, Toronto, when his lordship made the following reference to the deceased:

"Since I last had the honor of sitting as president of this division a grievous loss has been sustained by the court and by the country. We have been bereft of one of the ornaments of the bench in the person of my late lamented brother, Street. I use the phrase advisedly, because he had by nature and by cultivation all the qualities necessary to make a good judge."

"In the first place, he was very much in earnest about anything he undertook, whether it was work or play. Then, he was patient and courteous, and he never made up his mind until he had heard the whole case. When one adds to this a fine knowledge of law, a good insight into human nature, and both an intense love of abstract right and great capacity for recognizing it, the combination was rare as it is felicitous. Such and so great was he as a judge."

"But when I come to speak of his characteristics as man and citizen, what shall I say? No one is better able to speak than I, who for more than eighteen years sat beside him on this bench, and lived with him in daily affectionate intercourse within and without the walls of this building."

"He was always the same. He seemed to have no moods. He had not, as some men are said to have, one face and one temper on one day, and another face and another temper on the next day. Always he was the same, amiable, gentle, peace-loving, sincere, and truthful man—always the same loyal and active citizen of the state. After the chief justice had concluded, Mr. W. R. Riddell, K. C., added a few words on behalf of the bar."

A SAXON SUNDAY IN GAY PARIS

French Capital Is Swinging Slowly Into Line With British Cities.

Paris, Sept. 24.—This city of gaiety, which has hardly been ready to acknowledge the possibility that it could ever have an English or American Sunday, is slowly swinging round to an attitude in which it is seriously regarding such a metamorphosis. More business places were closed today than on previous Sundays, and the papers, which have hitherto ridiculed the possibility of Paris tolerating a Saxon Sunday, print more or less accurate accounts of Sunday observance in England, Germany and the United States in connection with the news of the day.

The representatives of the working people yesterday went on the principle that their employees should have a day of rest, even if they had to fight for it, and they made demonstrations before stores remaining open. The "entertainment committees" did not seem like men looking for an opportunity to hit a man in the back, but were composed of large bodies of men, who attracted attention to employers who kept open, and tried to influence them or compel them to close. The cry of these committees was "Close, in the name of the law!" They had only one collision with the police and that was not serious.

One tragic incident occurred. An aged merchant, who sympathized with those who want the law of Sunday rest enforced, saw a body of workers approaching his store, which he had kept open only because his fellow-traders had their places of business open. He suffered from heart disease, and on seeing the mob coming, and fearing that they would maltreat him, he exclaimed: "It's all up with me!" and expired.

CHOLERA and all summer complaints are so quick in their action that the cold hand of death is upon the victims before they are aware that danger is near. It is attacked do not delay in getting the proper medicine. Try a dose of Dr. J. D. Kellogg's Dysentery Cordial, and you will get immediate relief. It acts with wonderful rapidity, and never fails to effect a cure.

Prince Henry of Russia has been appointed commander-in-chief of all the squadrons in active service. He succeeds Admiral Von Koester, who retains the post of chief inspector of the navy.

Up-to-Date Cure for Skin Disease

The day is past when people will be satisfied with an internal treatment for itching skin disease. It is more satisfactory to apply an ointment and witness the beneficial results, instead of taking medicine and hoping that in time the desired effects will be obtained.

This change of opinion has come about largely through the extraordinary cure being brought about by Dr. Chase's Ointment. Eczema, salt rheum, psoriasis, itching, scald head and all the dreadful itching skin diseases, which torture children and grown people alike, are not held in such terror since the merits of this great ointment have become known.

By its healing, soothing, antiseptic influence Dr. Chase's Ointment cleanses the sores, allays the inflammation, stops the itching and heals the raw, flaming flesh. In the most simple as well as the most aggravated skin irritation or eruption this ointment is certain to give highly satisfactory results; 60 cents a box at all dealers, or Edmanston, Bates & Co., Toronto.

BLAME STENSLAND FOR ILLNESS

Former Assistant Cashier of Looted Bank Dying in Norway.

Chicago, Sept. 24.—A special cable message from Stavanger, Norway, says: Another grim chapter in the Stensland tragedy is fighting a pathetic end in this remote port on the west coast of Norway, where Ulric Daniels, former cashier of the wrecked Milwaukee avenue bank, lies dying from apoplexy and inflammation of the kidneys. The end is expected daily. His mind is gone, and when he regains a momentary consciousness his tongue rambles incoherently about strange topics. The bank worries are preying heavily on what remains of his intellect. He has told the nurses and doctors he is innocent of any misdeeds in connection with the bank, but he lives in deadly fear that fresh revelations may cause suspicion to be turned against him.

Ulrich Daniels originally came from Stavanger, and Paul O. Stensland had been the immediate neighbor. The dying assistant cashier came home to Norway early in the summer to attend the coronation of King Haakon. He had been a sufferer from apoplectic troubles in America, and intended to visit a German cure before returning to Chicago, but the news of the bank failure completely unerved him. His probably fatal illness dates from the time that the fact of the crash was communicated to him. He professed the utmost astonishment and said he had no inkling of the trouble when he started for Europe.

"Stensland has practically killed my uncle," said Erling B. Johnson, a nephew of Daniels.

During the occasional conscious moments he has had in the past three weeks he has asked for the latest news from Chicago, but we have not dared to tell him, fearing that the shock would be fatal. He does not know of Stensland's arrest or any of the late developments. I read him a list of the forged documents published and the only remark he made was that he was sorry his friend Herold figured therein.

The most favored materials are OSTRICH VELVETS for dress occasions, SILK BEAVERS for both street and dress wear, FELTS for street wear, principally.

On several hats we noticed transparent brims of lace and chiffon. This is an ultra-fashionable note in millinery—favored by the leaders of fashion in the American and Continental style centers.

Low, medium and high crowns are all fashionable. Dome-shaped hats are very conspicuous.

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Burgundy and wine shades are among the most fashionable colors. Pink and old rose will not be denied. Dark reds of the cardinal order will be the choice of many careful dressers, while others will favor navy or lighter tones of blue. The new "Stella" blue must not be overlooked. Hunters' green, reseda and olive hold strong positions. Browns and grays also popular. Blacks and whites always correct—black this fall being extremely fashionable.

Qualifications That Will Be Required by the Board of Education.

Toronto, Sept. 25.—The education department has issued the following new regulations governing the examination for first-class teachers' certificates.

"At present the senior teachers' examination is divided in two parts, each with six subjects," said Dr. John Seath, superintendent of education, "and public school teachers, with only a second cannot pass it while teaching. In order to encourage the procuring of higher certificates, and to encourage teachers to make their calling a life work, the department has decided to divide this examination into four parts."

"All teachers who secured their present certificates not later than 1900, may take English literature for Latin as some did not take Latin, and others in five years may have forgotten it."

"These changes," Dr. Seath added, "are made largely upon the suggestion of the deputation from the public school section of the Ontario Education Association."

The official announcement is as follows: Senior teachers' examination—Special provisions for public school teachers: Regulation 47 is amended by the following addition:

Section I.—The senior teachers' examination may be taken in four parts at different times, as follows:

Part I.—English composition and rhetoric, algebra, geometry.

Part II.—English literature, medieval history, trigonometry.

Part III.—Modern and British history, Latin, physics.

Part IV.—Biology with chemistry and mineralogy, or French and German, or Greek and German, or Greek and French; provided always that candidates take at least three of the four parts while actually engaged in teaching; and that they pass a practical examination in addition to the examination in the papers in biology, chemistry and mineralogy.

Section II.—(1) Candidates qualified under section I, preceding, who have failed in one subject, but who have made 40 per cent of the marks on each of the other two subjects, and 60 per cent of the total on said two subjects, may carry over to the examination in a part subsequently taken the examination on the subject in which they have failed.

(2) Candidates qualified under section I, preceding, who obtained junior leaving standing not later than 1900, may substitute for the course prescribed in Latin for the senior teachers' examination, the following courses in English literature and the history of the English language and literature:

English literature—I. Familiarity with and intelligent appreciation of the following texts:

Chaucer, The Prologue; Spenser, The Faerie Queene, Book I.; Milton, Paradise Lost, Book I.; L'Allegre; II. Penserose; Pope, The Rape of the Lock; The Prologue to the Satires; Goldsmith, The Traveller; The Deserted Village; Wordsworth, Ode on Intimations of Immortality; The Reverie of Poor Susan; Lucy Gray; Hart Leap Lines composed of a few lines above Tintern Abbey; Yarrow Unvisited; Yarrow Visited; Yarrow Revisited; Tennyson, In Memoriam (one paper).

Section III.—The History of the English language and literature—By O. F. Emerson (The Macmillan Company). The history of English literature as developed in the lives of the following in the English Men of Letters Series:

Autumn Millinery Opening

Wednesday, Sept. 26

And Following Days

"Dame Fashion's" whims and fancies for 1906 are charmingly defined in a comprehensive collection of Millinery conceits which portray that rare delicacy of conception and refinement demanded by our large and critical clientele.

It is with great pleasure we extend to our friends and patrons a most cordial invitation to attend our Fall Millinery Opening. Our showrooms present a scene of bewitching beauty. The large showcases and tables are taxed to their capacity to accommodate the large and brilliant assemblage of new millinery styles which will be introduced this week to an immense coterie of "Fashion's" followers.

This showing is in every sense of the word an authoritative one.

Only the styles, which "Dame Fashion" has touched with her wand of approval and proclaimed correct for autumn wear, are permitted a place in this collection.

Just think of it, ladies! All sizes of hats—large, medium and small—are correct for fall wear. Isn't that reason for congratulation? Makes it far easier for everybody to get a becoming hat.

The SHAPES this season have a tendency towards irregularity. Brims have short

fronts and long backs. When the right side is wide the left is generally narrow. The turns and twists have every appearance of irregularity—the idea seems to be to escape entirely from any degree of uniformity or stiffness—to secure an artistic effect that looks natural rather than designed.

On several hats we noticed transparent brims of lace and chiffon. This is an ultra-fashionable note in millinery—favored by the leaders of fashion in the American and Continental style centers.

Low, medium and high crowns are all fashionable. Dome-shaped hats are very conspicuous.

TRIMMINGS are almost in endless variety. Handsome feathers, beautiful plumes, captivating flowers, gloriously-tinted ribbons, light, airy maline, small and large buckles—all are favored, and used with telling effect by our clever milliners.

The most favored materials are OSTRICH VELVETS for dress occasions, SILK BEAVERS for both street and dress wear, FELTS for street wear, principally.

Burgundy and wine shades are among the most fashionable colors. Pink and old rose will not be denied. Dark reds of the cardinal order will be the choice of many careful dressers, while others will favor navy or lighter tones of blue. The new "Stella" blue must not be overlooked. Hunters' green, reseda and olive hold strong positions. Browns and grays also popular. Blacks and whites always correct—black this fall being extremely fashionable.

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"All teachers who secured their present certificates not later than 1900, may take English literature for Latin as some did not take Latin, and others in five years may have forgotten it."

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There are but few families who have not one or more members afflicted with this terrible disease, for such it is. Will power alone cannot cure the drink habit, but the scientific Urine treatment is a tested and absolute cure. This treatment destroys the desire for liquor, so that the drink is not missed. We seek the worst cases, and cure them with Urine. It can be given secretly. Urine is sold and guaranteed by C. McCallum & Co., corner Dundas and Richmond streets.

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