

GERARD SIFTON'S KNOWLEDGE OF FATHER'S WILL MUST FIRST BE ESTABLISHED

(Continued from page 1.)

the judge's ruling as to the admission of the evidence he desired to draw from the witness. The same evidence had been ruled out by Judge McMahon at one stage of the trial, but was later admitted. Mr. Johnston said he intended to ask the witness what the Mordens said to him on that occasion and on a subsequent occasion.

Mr. Clute objected to the admission of this evidence. Mr. Johnston said it was important as showing the connection of the Mordens and the forged will with many of Gerald's statements and actions, he believing it to be genuine. Such evidence he believed to be admissible.

Judge Britton ruled that the evidence was not admissible at the present stage of the trial.

To Mr. Johnston the witness then said that when he found the Mordens together they looked at him "as if I was doing something I ought not to be doing." Witness had some conversation with the Mordens on this occasion, and again about a week later, when he had another conversation about the subject of their talk on the Sunday.

In consequence of the conversation on Sunday, witness made a thorough examination of the barn the same day, and again on the following day. He found no blood, not the least evidence of a struggle or of a body having been pulled across the new.

Three or four weeks later witness was present when Detective Murray and McLeod and two constables, with four others, made thorough examinations of the barn. Nothing suspicious was found on these occasions.

Witness remembered several occasions on which Joseph Sifton had killed sheep in his stable and had the bloody skins up the ladder to hang them in the granary.

Witness had been at Sifton's farm on a number of occasions when Gerald was there helping his father with different work. Their relations were always most friendly. "I never saw anything wrong," said Bathurst.

Witness described the allegations which had taken place in the barn and its surroundings since the tragedy.

Mr. Clute asked some important questions, questioning Bathurst closely as to the vehicles which he met after passing the Sifton farm on Saturday morning. The witness was then dismissed with the instruction to return to court for the purpose of being recalled if needed.

EVIDENCE RE WILL DEBARRED.
Edmund Meredith, K.C., was the next witness called. Mr. Clute asked him if he knew of a will made by Joseph Sifton and in existence at the time of the tragedy.

Mr. Johnston at once objected that until Gerald Sifton was connected with a knowledge of the contents of the will in question, it was not admissible as evidence. The crown's motive for the murder was the prevention of the marriage, and there had been nothing yet shown to warrant the admission of the will.

Judge Britton upheld Mr. Johnston's contention and ruled that Gerald's knowledge of the will must first be established. The witness, therefore, left the stand.

Susie Bathurst, daughter of Ephraim Bathurst, testified that at the time of Joseph Sifton's death she was working at Canon Richardson's house. She had seen Joseph Sifton lying on a couch in his house after the accident. May Macfarlane was wiping the blood off his face.

To Mr. Johnston witness said that she had heard hammering at the barn in the morning, and that Herbert came to the door shortly after and said Joseph Sifton had fallen from the barn. Witness had stated at the preliminary examination that she heard the hammering about five minutes before Herbert came.

HERBERT HAD "SQUEALED."
The next witness called was Jacob Burgess, a Hamilton traveler. He said he had been in jail in London since Gerald Sifton was in jail. They claimed they had put in here to sober me up," he explained. He had had several conversations with Gerald in jail. Witness said that she had heard about Herbert's statements in the case, and Gerald's employment of a lawyer for him. Gerald told witness that he had put up \$25 for Herbert and that Herbert had "squealed" on him. That, said Gerald, was what was "grinding him."

Mr. Johnston the witness said he had been in jail before two or three times, but not for drunkenness. On the occasion in question he had not been drunk. He had had a difficulty with another gentleman, he said, and the letter had him arrested. He had had no regular trial, only a "mockery trial."

The conversations between witness and the prisoner took place as they stood at the doors of their cells on opposite sides of the corridor. There were three or four other prisoners in the same cell with witness and the prison officials were liable to be passing. Sifton's presence was therefore in a manner public.

On Mr. Johnston cornering witness as to the exact details used by Sifton, and witness' previous statements in the matter, witness said: "It's pretty hard to remember what was said a year or two ago."

"Oh, in view of your connection at the time—it is perfectly marvelous; it is miraculous—that you can remember it at all."

trial Prison because he lent a Brantford shoemaker \$5 on a watch, and the shoemaker had him arrested to get the watch back.

"You wouldn't tell me this last time, would you?" said Mr. Johnston. "Why do you tell me now?"

"Well, I just thought you wanted to know," said the witness.

WEDNESDAY AFTERNOON.
Dr. David G. McNeill, of Arva, was next called to the stand. Dr. McNeill, who is a coroner, was the physician summoned to attend Joseph Sifton on the morning of his death. Dr. McNeill said he had been practicing in Arva for eleven years, and knew both Joseph and Gerald Sifton. He was summoned to attend Joseph Sifton on the morning of June 30, 1904. Gerald Sifton came in a cart to his office, and said, "Father has been terribly hurt. He has fallen from the barn and he may not live till you get there." Witness gave Gerald his surgical case, to be taken in the cart, while he himself went to the Sifton house on his wheel.

At the house witness found Joseph Sifton lying on a bench, unconscious, breathing heavily, and with his head covered with blood.

Witness then described the wounds on Sifton's head. The principal wound might have been caused by an axe. Witness had an interview with Gerald Sifton about one and a half hours later, when he was unconscious. Witness was washing the wounds, when Gerald entered and said: "My poor father, my poor father; how I wish you could speak to me!" Gerald asked if witness had nothing to relieve his father's suffering, and witness said he had morphine, but that the patient did not need it as he was unconscious.

Old Sifton's hand twitched and Gerald said: "My poor father, how I hate to see you suffer." Gerald then asked witness if he had nothing to put an end to his father's suffering. Gerald asked: "If you have not, I have some strychnine." Gerald then said, "If money is any consideration, but witness put up his hand and stopped him from talking further.

Gerald told witness that he had himself gone up to knock the boards off the barn. He had broken one, and Joseph said, "D— it! I won't have my barn destroyed. Get down and I will do it myself." Joseph had then gone up, and while swinging the axe with both hands had fallen out. Gerald said he had not seen his father fall, but had heard the crash. Herbert had seen it, he said.

Witness said he stayed at the house till 2 p.m., when he went home for dinner. He had heard that John and Alley Sifton said they would like to have another doctor. Witness said he was quite satisfied and suggested that they should have John and John Sifton drove to the city, but before they started back Alley Sifton drove in and brought the news that Joseph was dead.

WOULD HOLD INQUEST.
Gerald Sifton came to witness on Sunday, July 1, to get the death certificate. Witness told Gerald that if any developments came up in the case he would hold an inquest. Gerald said, "Certainly."

Witness was called to Gerald's house on July 11, Gerald being ill. Gerald told witness that Edgar Morden had been at his house two or three times, but had said nothing about another will until the visit. Witness advised Gerald to find out if Morden had a bogus will, and if so to give him \$5. It was to have Morden say a kind word for him.

Asked to explain the latter phrase, witness said that he thought Morden was up to something, and that he was making statements about Gerald, and he thought it better to have Morden feel friendly toward Gerald.

Witness said that Gerald told him he had a note bearing his father's signature, and he meant to compare it with the signature on the Morden will.

\$500 FOR WILL.
On July 23 witness was again called to attend Gerald. On this occasion Gerald said that he had seen Morden and agreed to give him \$500 for the will. "Is that a genuine will—did your father draw it?" witness asked.

Gerald and witness answered, "Oh, yes." Witness said to Gerald, "High Constable McLeod is on to this case, and I mean to have every part of the man's body examined. I want you to tell me, did you administer anything to him in any absence?"

Gerald said, "I may as well tell you the truth, I did." Gerald did not say what he had administered.

On the following Wednesday Gerald went to the office of witness to get some medicine. He started to talk to witness about the case, but witness told him he did not wish to hear any of his statements.

Gerald had told witness that there was a will somewhere, but he did not know where.

JOSEPH SIFTON'S WOUNDS.
Mr. Johnston then took the witness in hand and examined him as to the wounds on the head of Sifton. With the fatal axe and several skulls, including the eminent counsel's own, the doctor was asked to point out how the wounds found could have been produced by the flat of an axe. He was unable to do so. A fall from a height upon bricks might produce the wounds, said the doctor. No injury to the right ear was visible, nor any mark nor abrasion.

Dr. McNeill said he had experimented at the barn trapdoor in the endeavor to see how the abrasions on the mastoid process, behind the ear, could be made. He could not find any way that it could have been done.

REPUBLICANS HOLD HOUSE BY A REDUCED MAJORITY

Though the Democrats Claim
Five Majority.

ODELL RE-ELECTED IN NEW YORK

Ohio Republicans Made a Heavy Gain—
Greater New York Went Back
to Democracy.

New York, Nov. 5.—As a result of the Congressional elections yesterday in nearly every state of the union, the Republicans will retain control of the House of Representatives by sixteen or twenty majority.

The situation was summed up by Republican Chairman Babcock, as follows: "Returns very satisfactory outside New York city. Think an estimate of 204 Republican members is safe. Have elected four of the six congressmen from Maryland."

"Outside of New York," said Congressman Overstreet, "the result of the congressional campaign indicate that the Republican sentiment throughout the country is fully as strong as we have claimed in our campaign statements. The loss in New York city is due entirely to local conditions." Throughout the territory immediately surrounding New York city—that is, Connecticut, New Jersey, the state of New York and Pennsylvania—the Republicans more than held their own, and this plainly indicates, I think, that the slump in New York city was a purely local incident."

DEMOCRATIC STATEMENT.
Washington, D.C., Nov. 4.—At midnight Chairman Briggs made a statement, claiming the house would be Democratic by from 10 to 20 votes. He added to his specification of gains three in California, one in Wisconsin, two in Michigan and two in Minnesota.

IN NEW YORK.
New York, Nov. 4.—In spite of phenomenal gains in New York and King's County for B. S. Coler, Democrat, the returns up to a late hour tonight indicate the re-election of B. B. Odell, Republican, to the governorship of New York State by from 6,000 to 7,000. Coler's plurality in the Greater New York exceeded 15,000, but even that large vote was not sufficient to overcome the Republican majorities from the state.

TOM PLATT SAFE.
Figures from congressional districts gave the delegation as 29 Republicans to 17 Democrats. The present representation is 22 Republicans to 12 Democrats. The Democrats made gains in the State Legislature, but not sufficient to endanger the Republican hold on the seat in the United States Senate now held by Thomas C. Platt.

ALABAMA.
Full Democratic state ticket is elected by large majority.

ARKANSAS.
The entire Democratic ticket was elected, including eight congressmen.

CALIFORNIA.
Returns indicate that the governorship is very doubtful. Lane (Democrat) is running ahead of his ticket.

COLORADO.
Returns received up to 10:30 o'clock indicate the election of Peabody (Republican), for governor by a small plurality. The Democratic congressional candidates are reported to be running ahead of their ticket, and are believed to be elected.

CONNECTICUT.
Returns from 50 towns in Connecticut indicate the election of the entire Republican ticket by pluralities ranging from 15,000. The General Assembly promises to be comfortably Republican, thus insuring the return to the United States Senate of O. H. Platt.

DELAWARE.
The complexion of the next Delaware General Assembly is in doubt.

FLORIDA.
There was no opposition to the Democratic ticket, state or congressional.

GEORGIA.
Georgia today elected a solid delegation of eleven Democratic congressmen.

IDAHO.
Scattered returns, mostly from the southern part of the state, show Morrison (Republican), for governor, running ahead of Hunt (Democrat).

ILLINOIS.
There is every indication that the Republican ticket has been elected by a good majority. The next legislature will be Republican without any doubt.

INDIANA.
Congress—First district, James A. Hemenway, Republican, elected; fourth, Frances Marcen Griffith, Democrat, elected; sixth district, James E. Watson, Republican, elected.

IOWA.
On the basis of the precinct returns received up to 11 p.m., the Republicans have elected their state ticket by about 75,000 plurality. Judge Birdsall, nominated by the Republicans to succeed Speaker Henderson, ran substantially with his ticket, and will be elected by 4,000 to 5,000 votes over former Gov. Boies.

KANSAS.
At 10:30 o'clock tonight Chairman Albright, of the Republican state committee, said: "The Kansas Republicans have elected the entire state ticket and all of the eight congressmen."

KENTUCKY.
Congress—Fourth district, David H. Smith, Democrat, re-elected; first district, O. M. Jones, Democrat, elected; second, Augustus O. Stanley, Democrat, elected; sixth, Lincoln Litch, Democrat, elected; seventh district, South Trimble, Democrat, elected; eleventh district, Vincent Boring, Republican, elected.

LOUISIANA.
The Democratic nominees for congress in Louisiana are elected.

MARYLAND.
Of the six congressmen the Republicans elect four and the Democrats two.

MASSACHUSETTS.
The Republicans carried Massachusetts for the entire state ticket, and won in a majority of congressional districts, and seven out of the eight congressional districts, and retain a firm control of both branches of the Legislature.

MINNESOTA.
Chairman Jamison, of the Republican state committee, said: "Returns so far received, while somewhat meager, indicate that Van Sant will have a plurality of 60,000 for governor." Chairman Buck, of the Democratic state committee, said: "Returns so far as received are not flattering, as to Rosling's success. However, we have not enough to indicate a definite result."

MISSISSIPPI.
All Democratic nominees for Congress elected.

MONTANA.
The latest reports received give the state to the Republicans almost beyond a doubt, although defeat has not yet been conceded by the Democrats.

NEW HAMPSHIRE.
For governor, 150 towns and wards in New Hampshire gave Batchelder, Republican, 21,299; Hollis, Democrat, 16,888; scattering, 953. Same towns and wards in 1900 gave Jordan, Republican, 27,607; Potter, Democrat, 17,257; a net Republican, 10,350.

NEW JERSEY.
The Republicans will again control both houses by heavy majorities.

NEBRASKA.
Thirty-two precincts in Douglas County gave Mickey, Republican, for governor, 5,514; Thompson, Fusion, 5,899.

NEVADA.
Indications are that Sparks, Democrat, for governor, has carried Washoe County by about 400. Meager returns point to a Fusion victory in the state.

NORTH CAROLINA.
At midnight there is no appreciable change in the Democratic state majority, which is apparently 65,000. The Legislature and state Senate will be overwhelmingly Democratic.

OHIO.
At 10 o'clock Chairman Dick, of the Republican state committee, gave out a statement, claiming a plurality of more than 100,000 on the state ticket, and 17, and possibly 18, out of the 21 Ohio congressmen.

PENNSYLVANIA.
Estimates from more than half the counties in Pennsylvania, outside of Philadelphia and Allegheny Counties, show gains for the Democratic state ticket. These gains are offset by heavy Republican gains in Philadelphia and Pittsburgh. The returns indicate a Republican plurality in the state of from 150,000 to 200,000.

PORTUGAL.
For governor, 21 districts out of 149 gave Garvin, Dem., 1,235; Kimball, Rep., 2,785. Last year Gregory, Rep., 2,434; Garvin, Dem., 1,056.

SOUTH CAROLINE.
The Democrats elect their entire federal, state and county ticket, most without the slightest opposition.

SOUTH DAKOTA.
At 9 o'clock, the indications received from the state at Republican headquarters are that the state ticket will have a plurality of about 15,000.

TENNESSEE.
The entire Democratic state ticket, headed by James B. Frazier for governor, has been elected by a majority of 50,000.

TEXAS.
Indications point to the election of the entire Democratic state ticket.

UTAH.
Polls in this state did not close until 8 o'clock. Three scattered precincts outside of Salt Lake gave McCarty, Rep., for associate justice, 129; Young, Dem., 113. An enormous amount of scratching was done.

VIRGINIA.
The state certainly will return a full Democratic congressional delegation.

WASHINGTON.
The indications are that the state will go Republican by about 20,000 majority, with the election of three congressmen and the control of the legislature.

WISCONSIN.
At 10:30 p.m. returns indicate that Gov.



THE WEATHER TODAY—Fair and mild, with showers.
This Is Important To Ladies.
We have left from Saturday's great sale of silks, about 150 yards of odd pieces, which we will clear at same low prices. Per yard, 22c and 59c.

Ladies' Winter Underwear— Best Values at Prices Rarely Low.

As with everything else we sell our Underwear is made to give satisfaction. It's of prime importance that garments worn next the body should be free from irritating substances, such as are so often found in cheap grades. We bring to you Underwear that we can recommend at prices you can easily pay. Comfort and warmth at a low price.

Ladies' Fleece-Lined Vests, fancy trimmed, drawers to match, each only 25c
Plush Vests in Natural and White, very fine quality at exceptionally low price, only 50c
Ladies' Union Combination Suits, in natural, white and black, each only 75c
Ladies' Pure Wool Vests and Drawers, in natural, red and white, special value at only \$1.00
Knit-to-Fit Vests and Tights, guaranteed unshrinkable, at each only \$2.00

COMBINATION SUITS.
KNIT-TO-FIT.
Perfect fitting, very fine finish, guaranteed unshrinkable, durable and delightful to wear. Sold here only at \$3.50

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Anyone wanting a particularly nice and cozy quilt should not overlook these two specials. Worth more here and sold for more anywhere else. But we want to place good things within the reach of all classes, hence the low prices. We want you to see these values.
Size 68x72, with English Art Saten Coverings in beautiful floral designs; large assortment of colors; neatly quilted and perforated. Our very special price for this line is only \$5.00
Size 72x72, with heavy English Art Saten Coverings in pretty scroll and wreath designs; complete assortment of colors in perfect combinations; neatly quilted and perforated. This quilt would adorn a palace. Our special price for this grand line is only \$6.50

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It would be easy to say a great many things about the following lines that wouldn't be true, but that isn't our style. All we have to say can be relied upon—read what we have to say:
46-inch Zibeline, good weight, self colors of brown, castor, rose, garnet, light and dark navy, dark green, 75c
This is a new line and extra value—best value best we have shown yet. Per yard only \$1.00
56-inch Donegal Tweeds, something entirely new. See this special. In brown mixture, suitable for ladies' autumn and winter suits. Splendid to wear. Per yard only \$1.00
50-inch Coronation Cloth, black and white weave, dashed with white. Very fashionable. Ask to see it. Per yard only \$1.00
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56-inch Zibeline, new goods, just in, self colors and extra heavy weight, especially made for our fine trade. New shades of brown, green, and blue. Per yard only \$1.25

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Bogus Ballots in Conservative Ward Elections.

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Toronto, Nov. 4.—Three of the Conservative ward associations met last night to elect officers for the year. At the second ward meeting in Victoria Hall, Mr. W. B. Northrup, K.C., M.P., said he was always glad to come to this double-distilled quintessence of Toryism—Toronto. As Conservatives they considered themselves better than their opponents. The Liberals would object to this perhaps, but that only showed their ignorance and besotted condition. The representatives sent from Toronto were proof that Conservatives had abler men and better measures to propose than had their opponents.

A GOOD MANY "CRANKS."
In a contest every man who was a crank and who was ignorant was on the side of their opponents. From what he (the speaker) saw in the West he was sure next election would see the triumph of the Conservative party.

DR. CHASE'S KIDNEY-LIVER PILLS.
It is not necessary for you to consult a specialist on kidney disease to find out if you are a victim of this dreadful derangement. You can test your kidneys at home, and satisfy yourself on this point.

YOU CAN TEST THE KIDNEYS
And Find Out for Yourself Whether or Not You Are Becoming a Victim of Painful, Fatal Kidney Disease.

DR. CHASE'S KIDNEY-LIVER PILLS.
Allow some urine to stand in a glass for 24 hours, and at the end of that time you find sediment in the bottom of the vessel you can be sure that your kidneys are diseased.

IN EVERY TOWN AND VILLAGE MAY BE HAD, THE MICA AXLE GREASE
that makes your horses glad.

CONSERVATIVE METHODS ILLUSTRATED.
During the election of the officers of the association on the second vote for the presidency, Yuba, before was snuffed by the 28 bogus votes, so that the roll had to be called and each man had to go to the front and cast his ballot. The officers elected were: Ald. Foster, president, Dr. Noble being beaten on the first ballot; Messrs. Thomas V. Gearing, Joseph Thompson and W. Ardagh, first, second and third vice-presidents.

Fell Among Thieves.
Detroit, Nov. 5.—Rev. Edwin Burrows, of Seattle, Wash., reported to the Detroit police Sunday that he had been unaccounted for \$61. Rev. Mr. Burrows was en route from St. Thomas to Seattle, and when near Esson, Center met a strange man on the train. Arriving in Detroit, the stranger suggested that Rev. Mr. Burrows have his Canadian money changed at the depot into American currency, and this was done. The minister and his new friend then started out to take a stroll, when suddenly a third man came up. "Are you the man that changed your money at the depot?" inquired man No. 3. The clergyman could not tell him. The inquisitive man then showed a star, announced that he was an officer, and accused Mr. Burrows of passing counterfeit money, which charge was vigorously denied. The "detective" then demanded to see the \$61, and it was handed over. The three men then hurried back to the depot, and Rev. Mr. Burrows was allowed to go into the baggage room to get his valise. When he came out the confidence men were gone. So was the \$61.

The sixth medal awarded by the Canadian Humane Society in connection with the rescue of Joshua Sanford, "the man in the well," at Paris, was presented by Mayor Brown to W. V. Robertson, in the Town Hall on Monday evening. The Town Council passed a resolution indorsing the claim of Thomas English to similar recognition.

A Berlin periodical, Der Weinkenner, relates that when Bismarck died about 10,000 bottles of the choicest wines were found in his cellars, mostly gifts from friends and admirers. They came from all countries.

SPECIAL NOTICES.
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YOU NEED NOT COUGH all night and disturb your friends; there is no occasion for you running the risk of contracting inflammation of the lungs or consumption while you can get Little's Anti-Consumptive Syrup. This medicine cures coughs, colds, inflammation of the throat and all throat and chest troubles. It promotes a free and easy expectoration, which immediately relieves the throat and lungs from viscid phlegm.

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Ladies' Favorite.
Is the most reliable regulator on which woman can depend in the hour and time of her monthly preparation. Prepared in two degrees of strength, No. 1 and No. 2. No. 1—Feminine. Anti-Consumptive. Is by far the best dollar medicine known.

No. 2—For special cases—10 degrees stronger—three dollars per box.
Ladies—ask your druggist for Cook's Cotton Root Compound. No other as all pills, mixtures and imitations are dangerous. No. 1 and No. 2 are sold and recommended by all druggists in the Dominion of Canada. Mailed to any address on receipt of price and four 2-cent postage stamps. The Cook Company, Windsor, Ont.

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Can be re-filled any number of times. Price 50 Cents.
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