

The Kinrade Murder Jury Brings In an Open Verdict Urging the Crown To Run Down Brutal Slayer of Girl

ACTOR BAUM GIVES AN OPINION AS TO THE MURDERER DECLARING THAT IT WAS THE MAN WHO THREATENED FLORENCE

Says Latter Frequently Cried Through Fear of an Attack—Testifies That He Was Engaged to Marry Florence Kinrade When She Went Home From South—Girl Told Him She Had Been Married and Divorced.

THE VERDICT.

"We, the jury assembled to inquire into the death of Ethel Kinrade, find that deceased met her death by shot wounds inflicted by some person or persons unknown. Owing to the unreliability of some of the evidence brought out, the crown is specially requested to continue the investigation, and we also desire to express our hearty appreciation of the able, courteous and kindly manner in which this investigation has been conducted by Coroner Anderson and the counsel for the crown."

BY OUR OWN MAN.

Hamilton, May 4.—After considering the evidence brought before them for an hour and a half, the jury, which under Coroner Anderson has been investigating the murder of Ethel Kinrade, brought in the open verdict as given above. The verdict came as a surprise to no one, as owing to the nature of the evidence brought forth it was generally conceded that it was the only thing the jury could do.

BAUM'S STORY.

The story of James Baum proved of interest. Baum told his story in a straightforward way, and is apparently firmly convinced that the person who murdered Ethel Kinrade is the person who frightened Florence to such an extent that she left Virginia and came home.

The evidence of Detective Pender, the special Pinkerton man who was detailed to visit Virginia and trace, if possible, the movements of Miss Kinrade, throws the gravest doubt upon the reliability of the greater portion of her account of the people she was with and the places she stayed at while in the south. Detective Pender stated that he had conducted his investigations at Richmond, Norfolk, Manchester and Virginia Beach with the most minute care, and had completely failed to find that such persons as the Fosters, prominent in musical circles, ever existed there or that Miss Kinrade has ever sung in any church choir. Regarding Miss Kinrade's report of her movements and those she made, as traced by the detective, there is a wide variation, although they correspond in several unimportant details. Detective Pender could find absolutely no trace of Miss Elliott or Mr. Warburton, with whom Miss Kinrade said she was on such intimate terms.

FAR FROM SOLUTION.

As far as solving the mystery, the crown and police are apparently as far from a solution as they were at the start, and as one jurymen expressed it, "They could have given exactly the same verdict a month ago."

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MRS. KINRADE. Mother of Murdered Ethel Kinrade, Who Suffered a Physical Collapse in the Witness Box at the Inquest Monday Night.

THE TRIP-TO-EUROPE RECORD UP TO MONDAY NIGHT, MAY 3

Ballots Keep Pouring In and Good Advances Are Shown in Most Districts, Especially Large Gains Being Made by Candidates in Three and Four.

The Trip to Europe vote, as published today, is the count up till Monday night, May 3, and it shows a good advance in almost every district. In District No. 3, the candidate who stood second in the vote published yesterday, has added over 21,000 ballots, and has thus gained a lead in the district of over 17,000. District No. 4 shows an advance of over 8,000 coupons for the contestant standing second, who thus has considerably improved her chances. In District No. 6 the candidate standing third made a gain of nearly 14,000, which will make her a much more dangerous competitor for the leaders in that district. Another large gain is to be noted in District No. 7, where over 7,000 has been added to one of the candidates.

Even the above large gains do not give any conception of the great number of ballots that are being entered, as most of the candidates are holding back a tremendous reserve vote till the conclusion of the contest.

DISTRICT NUMBER ONE. All that territory within the city limits, north of and including both sides of Dundas street, and west of and including both sides of Wellington street.

Miss Katie McLaughlin, 226 Hyman street 133,152
Miss May T. Mountjoy, 126 Mount Pleasant avenue 110,105
Miss E. Ball, 664 Talbot street, 78,180
Miss Maude Underwood, 209 Dundas street 5,151
Mrs. Norman Rogers, Richmond and John streets 3,342

DISTRICT NUMBER TWO. All that territory inside the city limits, east of, but not including Wellington street, and north of and including both sides of Dundas street.

Miss Velma Hayes, 674 Adelaide street 78,631
Miss Annie Fitzpatrick, 763 Maitland street 37,223
Miss Ella Dickie, 860 Helmutt avenue 27,417
Miss Mabel Connor, 474 Princess avenue 24,324
Miss Nellie Weston, 868 Dundas street 15,493
Miss Annie S. Stevenson, 391 Dundas street 7,120
Mrs. Ronald Emery, 338 Dundas street 102

DISTRICT NUMBER THREE. All that territory inside the city limits, south of, but not including Dundas street, and east of, but not including Wellington street.

Miss Edna Calhoun, 318 Grey street 130,614
Mrs. Ida Willis, 398 Adelaide street 113,304
Miss Gertrude Foley, 643 King street 13,511
Miss Margaret Edgar, 130 Dufferin avenue 9,903

Frightened by Auto. There was much excitement at the corner of Clarence and King streets this morning about 10:30 when a team drawing a load of hay took fright at a passing automobile and dashed over the iron boulevard in front of

DISTRICT NUMBER FOUR. All that territory inside the city limits, west of and including both sides of Wellington street, and south of, but not including Dundas street.

Miss Vera B. Hower, 8 Kilgore street 122,153
Miss Eva McDowell, 240 King street 102,475
Miss Winnie Grimason, 228 Richmond street 84,145
Miss Edith Glanville, 153 Wharncliffe road 75,941
Miss Maude Wheatcroft, 254 Hill street 32,566
Miss Louise Babbage, 253 Grey street 8,170
Mrs. H. Hundertmark, Jun., 150 Bruce street 2,415

DISTRICT NUMBER FIVE. The County of Middlesex outside the city limits.

Miss Margaret J. Kennedy, Byron ton 100,556
Miss Rose Fraser, Poplar Hill 100,465
Miss Rosa Longfield, Mossley 57,792
Miss Ethel Earl, Egerton street 53,491
Miss Grace Shepherd, Lambeth 48,780
Miss Lily Arthur, Lambeth 20,532
Miss Sylvia Oliver, 8 Kilgore Bridge 12,306
Miss Rebecca A. Wilkins, Adelaide street 10,893
Miss Ethel Grant, Chelsea Green, 928 Bridge 9,298

DISTRICT NUMBER SIX. The Counties of Lambton, Kent and Essex.

Miss M. Anderson, Wyoming 63,558
Miss Aggie St. Clair, Bridgen 49,701
Miss Clara Kipp, Chatham 38,007
Miss Irene Marriott, Sarnia 16,687
Miss Blanche Little, Wallaceburg 5,940
Miss Velva E. Myers, Florence 5,294
Miss Constance E. Cowan, Chatham 3,307
Mrs. Joseph Simpson, Ouyry 1,779
Miss Violet Wood, Mooretown 272

DISTRICT NUMBER SEVEN. The Counties of Elgin and Oxford.

Miss Maude Law, Harriestville, 35,905
Mrs. Maude Sweetman, Tillsonburg 16,447
Miss Eva Taylor, Port Stanley 12,743
Miss Bertha Sweet, Tillsonburg 7,007
Miss Carrie Field, Tillsonburg 5,005
Miss Pearl Best, Springfield 1,281
Miss Rose Shepherd, Aylmer 1,002
Miss Nellie McWilliams, Thamesham 624
Miss Mattie Moore, Bayham 225
Miss Christine Macdonald, Kintore 65

DISTRICT NUMBER EIGHT. Counties of Huron, Bruce and Perth.

Miss Mary Gibson, Brucefield 40,487
Mrs. J. A. Rumball, Goderich 34,102
Miss A. W. Savers, Brucefield 29,861
Miss Clara Holden, St. Marys 24,070
Miss Florence Pope, Hensall 16,196
Miss Alice Maxwell, Crediton 5,571
Miss Leona Potts, Clinton 841

Wright's hardware. The horses managed to get over the iron, but the front wheels of the wagon held them back and prevented what might have been a serious runaway. As it was the rail was badly damaged, while one of the horse's front legs were badly cut.

HISTORY OF LONDON CONSPIRACY CASE

Cropped Up in Fall of 1905 After the Famous Hyman-Gray By-Election.

The conviction registered by Judge Winchester in Toronto in the fall of 1907, against Messrs. John O'Gorman, George M. Reid, Daniel Wiley, William Mulloy and Edgar I. Sifton, in the celebrated London election conspiracy case, was quashed by the court of appeal this morning in Toronto.

The first of this case was heard in the fall of 1906, when the defendants were charged with conspiracy on the evidence of "Jerry" Collins.

All the defendants were found guilty before Judge Winchester in November, 1907, with the exception of Edgar I. Sifton, against whom the charge was withdrawn, and who gave King's evidence. The conviction has now been quashed, and the last has apparently been heard of the case.

There are charges of conspiracy against Mr. Thomas Lewis and Mr. John O'Gorman, cropping out of this case, but it is thought that these will be dropped now that the major charge has been disposed of.

The Case. In the summer of 1905, some time after the Hyman-Gray election on June 13 of that year, stories were circulated that "Jerry" Collins intended telling "all he knew" of the alleged corrupt acts in that election.

Shortly afterwards warrants were sworn out for the five defendants, and the case opened before Judge Winchester Denison in Toronto. They were charged with conspiracy. The charges covered a number of years and many ridings in Ontario.

When the case opened, the unfairness of the court of inquiry was seen. Hundreds of witnesses were examined, the majority of them having nothing of moment to say on the question. It was part of the Attorney-General of Ontario, held in Toronto for political effect.

The preliminary inquiry lasted three days, and at the end of the time there were connected with the case, E. A. DuVernet, K. C., Toronto; Eric Arnott, Toronto; Crown Attorney Drayton; J. E. Corley, and others.

For the defence, there were T. C. Robinson, K. C., T. Reid, George Wilkey, and later J. McEvoy.

Before Judge Winchester. After hearing a mass of testimony, the defendants were sent for trial, before Judge Winchester, of Toronto. The crown was represented by Mr. E. F. J. Johnston, K. C., Hamilton, and Mr. J. M. McEvoy, Toronto, assisted by Mr. J. M. McEvoy, London, and Mr. J. M. McEvoy, Toronto, had charge of the defence.

The trial lasted from Nov. 8 until Nov. 29, with a few days' intermission. On both sides 105 witnesses were examined, and their testimony filled a volume of 497 pages, 11 by 8 1/2 inches in size.

Much to the general surprise, the defendants were convicted. Mr. Johnston was surprised at the judgment, and attorneys for the defence denied the right of Judge Winchester to try the case in Toronto, as the offences, if of- (Continued on Page Eleven.)

"Savors of Oppression," Says the Court of Appeal of the Prosecution's Tactics.

Neither Colonel Denison Nor Judge Winchester Had Jurisdiction in the Case ---It Was Forced Into Toronto by a Process of Persecution--- Court Is Unanimous.

(Special to The Advertiser.)

Toronto, May 5.—The court of appeal has quashed the conviction of Messrs. John O'Gorman, Win. Mulloy, Daniel Wiley and Geo. M. Reid for their connection with the London election conspiracy case. The charge sheet contained twenty-three counts, all for offences ranging over several years, against the election law practices.

The court of appeal holds that Magistrate Denison had no jurisdiction to commit the prisoners for trial, and that Judge Winchester had no jurisdiction to try them.

"The only natural and proper place for trial was London," says Justice Garrow, who writes the judgment of the court, which is concurred in by Chief Justice Moss and Judges Oler, Maclean, and Teetzel.

"The attempt to force the trial at Toronto," he added, "and the opposition to the very reasonable proposition to change the venue which, if granted, would have obviated all difficulties, savors of unfairness and even oppression."

Two separate and distinct conspiracies were found by Judge Winchester to be established, one between O'Gorman and a man named Pritchett to unlawfully poll or otherwise interfere with the ballots; the other between all the defendants in connection with an election held in the city of London to the House of Commons.

Should Be Local Trial. "The theory still is that local offences shall be tried locally," declares Justice Garrow. "It must, I think, be assumed that a charge of conspiracy committed at the county of York and the county of Middlesex is not the same thing as a charge of a similar offence in the county of Middlesex alone. In the former prosecution could take place in either county, but in the latter the courts at Toronto would only have jurisdiction to enter upon the inquiry if prisoners resided in limits over which such court had jurisdiction. They were forced into the county of York by a process of persecution. They have never even to this moment been

charged before a justice with the offence of which they have been found guilty, namely a conspiracy wholly entered into and wholly carried out in the county of Middlesex.

Mr. Justice Garrow declares it certain that J. G. Pritchett was in that electoral district for unlawful purposes, "But what is there," he asks, "to connect him with O'Gorman rather than with Reid or Mulloy, or any other of the apparently numerous up-to-date politicians, all of whom, I dare say, did not reside in London?"

The prosecution could not but simply allege that the offence was committed in the county of York, and either producing no evidence thereof, or failing to prove the same, thereby securing the conviction of the accused in the county of York for an offence that was not committed in that county, says Justice Maclean.

Committal Was Illegal. Justice Maclean further said: "The judge having found that the crown had failed to establish any offence against any of the accused except O'Gorman committed in Toronto, the foundation for jurisdiction of the magistrate was wholly destroyed, and the committal of the accused and their custody were illegal."

"When it appeared that there was no evidence of any part of the offence having been committed within the county, and the magistrate, having jurisdiction on other grounds, but there being evidence of an offence committed beyond his jurisdiction, the proper course would have been for him to have ordered prisoners, taken before some justice having jurisdiction where offence was committed."

An Engine of Oppression. "There was no suggestion that venue was laid at Toronto in this case, otherwise than by good faith, but if the language of the code were susceptible of the interpretation sought to be put upon it in this case, and that simply laid a trap for the accused, and placed in the province without any evidence to support it, would give the magistrate and court jurisdiction, criminal law might become an engine of oppression and injustice."

TWO MONTHS IN JAIL FOR ONE DANIEL WEEKS

Was Convicted of Assaulting John R. Johnston in King Street Lane Some Months Ago.

TRAFFIC IS HEAVY RAILWAYS PLEASED

Both the Freight and Passenger Business Appears To Be Picking Up.

POLICE ARE AFTER THE BICYCLISTS

Summons Are Being Issued in Bunches These Days.

LEBAUDY'S HOUSE BURNED.

Rhemes, France, May 5.—The magnificent residence near here of Jacques Lebaudy, the eccentric Frenchman, who has called himself "Emperor of the Sahara," was destroyed by fire today. For several years past the property and the vast farms adjoining have been almost abandoned. It became a refuge for tramps, to whom the fire is attributed.

TWO ELECTROCUTED.

Richmond, Va., May 5.—Two negroes, Isham Taylor, two more of the negroes who figured in the recent Powhatan County tragedy, in which Mrs. Skipworth and Walter Johnson were murdered, were electrocuted here in the penitentiary today.

NOW IT'S PERSIANS GET CONSTITUTION

Shaw Issues a Proclamation That Gives His People Popular Assembly.

Tehran, May 5.—A proclamation granting a constitution to Persia has been signed and issued by the Shah. The document announces that "A constitution is capable of bringing about the welfare of the people." Elections will be held in 23 years, and a new electoral law which is to be published shortly and should be passed by July 1, when the deputies will assemble in Tehran.

STEAMERS ARRIVED.

Copenhagen—At New York—Heligoland, from Copenhagen; Kron Prinz Wilhelm, from Bremen; Minnesota, from London; Fort, from Rotterdam.

At Montreal—Punjabia, from New York; at Liverpool—Lusitania, from New York; at Marseilles—Roma, from New York; at Venice—Alce, from New York; at Halifax—Bokan, from Canso, from Rotterdam.

THE WEATHER.

TOMORROW—SHOWERY. **FORECASTS.** Today—Fresh, strong southerly to southwesterly winds; fine and warmer.

Thursday—Fresh to strong southerly, shifting to northwesterly; a few local showers, but mostly fair; colder again at night. **TEMPERATURES.**

Stations.	Today.	Yesterday.	8 a.m.	Max.
London	43	48	38	54
Calgary	24	28	18	38
Winnipeg	14	18	8	28
Port Arthur	36	40	30	48
Windsor	44	48	38	54
Toronto	44	48	38	54
Ottawa	42	46	36	52
Edmonton	44	48	38	54
Quebec	44	48	38	54
Halifax	44	48	38	54
Vancouver	41	45	35	51
Victoria	41	45	35	51
San Francisco	41	45	35	51
Battleford	44	48	38	54
Moose Jaw	44	48	38	54
St. John	44	48	38	54
St. John	44	48	38	54
Halifax	44	48	38	54

WEATHER NOTES. The pressure is lowest in the Northwest States and Manitoba, and a marked high pressure system covers British Columbia. Showers have occurred in the Maritime Provinces and very locally in the Western Provinces.

The weather has turned cold again from British Columbia to Manitoba.

CYCLIST COLLIDED WITH BAKER'S WAGON

Fell Beneath Feet of the Horse and Was Picked Up Unconscious.

Mr. Ben. Hole, of 410 Dufferin avenue, met with a very serious accident at the corner of Talbot and Kent streets yesterday morning, while riding a bicycle. He was turning the corner at rather a rapid rate when he collided with the horse of one of Johnston's bakery wagons. Mr. Hole found it impossible to turn out of the way, being thrown under the animal's feet. He was unconscious when picked up. A carriage was hastily summoned, and the injured man driven home. He will be confined to his home for a few days.

LABOR CANDIDATE WINS

Beat Both Unionist and Liberal in a British By-Election.

London, May 4.—In the Sheffield Attercliffe by-election for the House of Commons, held today, the labor candidate, was elected by a majority of 151 over the Unionist candidate, and 358 over the Liberal.

NO LIQUOR IN CAMPS

Circular From the Department of Militia Has Been Sent Out.

A circular has been issued by the military authorities throughout the district by Adjutant General Lesnard, warning them that the sale of liquor within the limits of camps is strictly illegal, and that it is the intention to enforce the law fully. The militia council has asked the provincial license authorities to assist in the enforcement of the law. This step is largely the result of the many complaints that have been made in the past regarding the sale of liquor in camps and also of a conference between Sir Frederick Borden, members of the militia council and Rev. Dr. Pidgeon, Rev. Dr. Chown, Rev. E. Thomas and W. E. Haney, representing the Dominion Alliance.

Mr. D. A. McDermid states that the law has been passed for some time, but was never enforced as it should be, and he is confident that its enforcement will have results of the most beneficial nature.

THE KINRADES TO SETTLE AT TORONTO

Jimmy Baum Leaves for the South and the Detectives Have Forsaken Hamilton.

Hamilton, May 5.—The general impression that the Kinrade inquest came to an abrupt and unexpected conclusion last evening is incorrect, according to what Crown Attorney Washington says. He states that it had previously been decided to call no more witnesses than those examined last evening, and the mysterious conference between him and Mr. Stanton over the admissibility of certain portions of Baum's evidence had nothing to do with the conclusion of the inquest. There were wild rumors last evening that the conference was for another purpose, but this was denied today. Several prospective witnesses were interviewed by detectives yesterday, and the officers had a dozen blank subpoenas with them for emergencies, but the documents were not needed.

The Kinrade family is still at the residence of their nurse on Caroline street south. Thomas Hobson, K. C., their solicitor, understands that they have temporarily settled in Toronto, and it is likely that they will return there for a rest. It is thought that Mr. Kinrade will not take up his duties as principal of Canon street school until September. Mr. Hobson says he does not think any writ will be issued for libel against any newspapers in connection with this case.

Jimmy Baum left this morning for Virginia, accompanied by Detective Pender. The provincial detectives are not in the city.

SUNDAY CARS STILL DORMANT

But the Census Will Likely Be Taken in September Next.

There is nothing doing regarding Sunday cars. No petition has been received by the council asking that a census be taken, nor has any other move been made in connection with the matter. It is expected that a census will be taken some time in September, but the exact date has not been fixed.

"We have done nothing yet," said his worship today. "The matter will come up some time later on, I suppose, but at the present time there is nothing before us."