LAST EDITION

London Advertiser

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47th YEAR, NO. 20409 | THE WEATHER. Tomorrow—Some rain. | LONDON, ONTARIO, THURSDAY, SEPTEMBER 28, 1911. TEN PAGES. | Sun Rises Tomorrow 6:12. Sun Sets Tomorrow 6:06. | PRICE TWO CENTS.

PREMIER LAURIER TO RESIGN THE EARLY PART OF NEXT WEEK

Mr. Borden Will Take His Time at Cabinet Making, and Will Have Assistance of Rogers, Monk, Sifton and Whitney.

[Special to The Advertiser.]

Ottawa, Sept. 28.—Sir Wilfrid Laurier will tender Earl Grey the resignation of himself and his cabinet associates early next week, and Mr. Borden will be invited to form a Government. Though Hon. Robert Rogers, of Manitoba, Mr. F. D. Monk, Mr. Roche, of Marquette, and Hon. Clifford Sifton are here, and Premier Whitney is coming to help him with the task, it is not certain that Mr. Borden will be ready with his slate as soon as Sir Wilfrid desires to resign. The formation of a cabinet is a delicate and somewhat difficult affair, and a leader is entitled to take a little time about it.

The postponement of Earl Grey's departure for a week indicates that Mr. Borden does not propose to be rushed in cabinet making. Applications for all sorts of places from high commissionerships and portfolios down, are being showered upon Mr. Borden, and to all of them he is "promising consideration" and saying nothing more. It is expected that the first session of the new Parliament will last but little over a month.

Thirty days should suffice for passing the estimates, and will qualify members to draw the full sessional indemnity to which they feel entitled, the older ones on account of the great length of last session, and the new men because of recent expensive experinces.

LONDON STREET RAILWAY WILL INCREASE ITS CAPITAL STOCK

Money Will Be Used for New Cars and General Improvements All Along the Line, It Is Understood.

At the next meeting of the directors of the London Street Railway, to be held about the middle of October, a proposition to increase the capital stock of the company will be considered.

Notices to that effect have been sent out to all the shareholders, and a meeting has been called for the especial purpose of discussing this manner. The date of the meeting will depend on President Everett, of Cleveland, who will decide later.

If the capital stock is increased, it is expected that the bond issue will also be increased. No idea of the amount needed could be obtained, but it will probably be in the neighborhood of $1,000,000.

The money is for rolling stock, extensions of the system following the census, for motive power and other expenditures of the same nature.

The Power Question.

The matter of power will also be decided at this meeting. For some time this matter has been up for consideration, but nothing of a definite nature has been arrived at. Experts have been figuring on the proposition, and several reports have been presented to the directors.

The offer of the Hyro-Electric Commission to furnish power at $31 a horse power has been gone into thoroughly. There are many objections to the form of contract, it is stated, and as a result, it is expected that a modern steam plant will be installed.

"The question of an increase in the capital stock and power matters will come up for settlement," one of the directors informed The Advertiser. "These matters have been under consideration for some time, and it is now time that we took definite action."

NO CRIMINAL CASES ARE UP

Only Civil Suits Are To Be Tried at the Fall Assizes in London.

WIDOW SUES THE C. P. R.

Mrs. Louisa McIntyre Seeks $15,000 Damages For the Death of Her Husband in Lobo.

The time during which cases may be set down for the fall assizes, which commence here on Oct. 2 before Justice Clute, expires this afternoon, and it is expected that not more than half a dozen suits will be before the court. There is no criminal work.

Usually there are settlements and postponements after the court opens so the coming session may be an exceptionally short one. Today the record in the case of McIntyre vs. the C. P. R., the second against that company at this assizes, was entered.

Farmer's Wife Sues.

Mrs. Louisa McIntyre, widow of James Cameron McIntyre, sues for $15,000 damages and costs, on behalf of herself and two children, Jessie Selinda and Velma Loetta, both infants.

McIntyre, who was a Lobo farmer, was struck by a westbound C. P. R. express on what is known as the third concession 'skew" crossing on Feb. 21, of this year. He was driving in a light buggy at the time and his death was practically instantaneous.

The plaintiff alleges that no signal was given by the approaching train, and that as the company knew the place to be dangerous, as other accidents had occurred there, they were guilty of negligence.

J. M. McEvoy is acting for the plaintiff, and McMurchy & Spence, of Toronto, for the defendant company. This action is number 3 on the jury list.

Actions for Damages.

The two other jury cases, which had been entered previously, are Jones vs. the C. P. R., and Belletti vs. the McCormick Manufacturing Company.

Mary Jones, widow of Gilbert Jones, a C. P. R. brakeman, running out of London, who was killed in a snowplow accident at Guelph Junction on the C. P. R. on Feb. 14 last, demands $10,000 damages. Gibbons, Harper & Gibbons for the plaintiff; McMurchy & Spence, of Toronto, for the defendants.

The second suit is that brought by Joseph Belletti, an infant through his next friend, Raffaeli Riazzi, against the McCormick Company. The plaintiff lost a finger in a dough-mixer which he was operating at McCormick's on Nov. 28, 1910, and he has since been unable to work. He wants $800 damages. Meredith & Meredith for the plaintiff; Meredith & Fisher for the defendants.

It is possible that one or two additional jury cases will also be tried at this court.

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Non-Jury Cases.

There is as yet but one non-jury action entered. Joseph Pittaway, a carpenter of this city, sues Anthony Barry, a laborer, of Ingersoll. The plaintiff alleges that on Oct. 21, 1909, he sold to the defendant part of the south half of lot 12, concession 3, London Township, the consideration being $2,300. A certain amount was paid at the time, and the remainder was to be in the hands of the vendor within five years. Since then difficulties have arisen, and the purchaser has refused to make further payment until his objections to the title are rectified. He alleges that some weeks ago the plaintiff in the case forcibly took possession of the property, and that he has since refused to give up the place. The plaintiff asks the court for possession of the land, a declaration of his rightful ownership, a declaration that payments already made are forfeited, and also an injunction to restrain the defendant from leasing, selling or disposing of the property in any way. W. C. Fitzgerald, for the plaintiff, and J. W. G. Winnett, for the defendant.

A WEST LONDON LADY DIED OF HEART DISEASE

Mrs. J. B. Leigh Passed Away Very Suddenly.

The death took place very suddenly Wednesday of Helen Mary Leigh, beloved wife of J. B. Leigh, 81 Blackfriars street, West London. Mrs. Leigh was apparently in good health yesterday morning, and was engaged in her household duties when she was suddenly stricken with heart disease, dying almost instantly. The deceased was in her 65th year, and had resided in London for the past 40 years, coming her from Kent County, England. She is survived by her husband, three sons and four daughters. The sons are: Harold, of London; Oliver, of Cleveland, and John Byron, of Rochester. Mrs. John Phillips, of Toronto; Mrs. Ernie Parsons, Mrs. John Hynd and Mrs. Rowland Bear, all of this city, are daughters.

The funeral will be held from her late residence on Friday afternoon at 3 o'clock to Mount Pleasant Cemetery. Services will be conducted at the house at 2:30 by Rev. Mr. Sage.

HAYS IN MASSACHUSETTS

High G. T. R. Officials Make Tour of New England Lines.

Boston, Sept. 20.—A tour of inspection of the proposed new route in Massachusetts of the Grand Trunk Railroad was made today by President Charles M. Hays and several other officials of that company. The route was over the proposed Southern New England Railroad by which the Grand Trunk is planning to gain access to tidewater at Providence, R. I. The party was headed by A. W. Smithers, of London, chairman of the directors, and included H. Dreer, assistant secretary of the board; Vice-President E. H. Fitshugh, of Montreal, and president of the Southern New England, E. H. Baker, of Boston, a director of the Central Vermont; George C. Jones, general manager of the Central Vermont Railroad.

STEAMERS ARRIVED.

Cape Race, Nfld., Sep. 28. — Steamer St. Louis, Southampton, for New York, in wireless communication here when 1,224 miles east of Sandy Hook, at 7 p.m. yesterday. Will dock about 2 p.m., Saturday.

New York, N. Y., Sept. 28. — Arrived: Steamers Venezia, from Marseilles; Koenig Albert, from Naples.

Who's Who in the Business World of London

The above will be the title of a handsome book paper supplement to The Advertiser next Monday, Oct. 2. It will embody one of the most unique and entertaining advertising contests ever offered to the people of London and vicinity.

On the front page of the supplement will appear photographs of representative retail businessmen of London, without any names underneath them. On the back page will appear the announcements of each businessman.

Cash prizes to the amount of $25.00 will be offered for guessing who these men are; what their business is; where they are located, and what is the outstanding feature of their announcements.

Can you imagine anything more interesting?

If substantial cash prizes are worth your while you will be interested in this supplement.

POLICE SEEK JOHNNY FEW

Lad Left His Home in London to Go Away With a Circus.

LAST SEEN IN BERLIN

Chief Williams Is Asking Other Police Chiefs To Locate the Missing Lad.

The Chatham News Says: Chief W. T. Williams, of the London police, wrote the local authorities on Tuesday requesting them to try and locate the whereabouts of John Few, aged 15 years, who left his home in the Forest City about four months ago with a circus, and has not been heard of since by his mother. When he left home the missing boy was dressed in a brown tweed suit, short pants, grey cap, black shirt and blue knitted tie. He is described as being 5 feet in height, dark brown hair, blue eyes, thin face. A mark of identification was given. It is a deep scar at the base of the big toe on the left foot. Another scar is conspicuous on the crown of the head. The boy was last seen at Berlin on Aug. 17, when he said he was an orphan and had no home.

Family Are Anxious.

In conversation with The Advertiser, Chief Williams stated that he had written to a number of chiefs of police throughout the Province of Ontario, asking them to find the lad.

"His family are anxious to find him," he said. "They are very respectable people, but the boy is given to wandering. He left London early in the spring, with Howe's Circus, I think. He returned to the city, although he was missing for some time. He was back home again during Old Boys' week. He left with the shows that were on the market, I think, going to Berlin. That is the last place he was seen. I got in touch with the show people, and they stated that he did not leave Berlin with them. As he has been gone more than a month now, without any word from him, his parents are naturally anxious. He has done no wrong, but we want to assist the family, if possible, in locating the lad. Few is but 15 years of age."

MUST NOT USE NEIGHBOR'S PHONE

Bell Telephone Co., in Toronto, Asks a Ruling on Important Matter.

MERCHANTS ARE VEXED

Would Be Glad If Law Would Be Laid Down to Make People Use Pay Station Phones.

Telephone subscribers and other users in this city will be interested in a case which will come before the railway commission shortly. The commission has been called to give a ruling on the action of Manager Dunstan, of the Bell Telephone Company, of Toronto, who seeks to prevent all but employees of the stockyards in Toronto from using the phone in the yards' office.

The grievance of Manager Dunstan is not confined to Toronto. Wherever a telephone is to be found, people who desire to use it are never hard to locate. It is an admitted fact in this city that many merchants are pestered to the verge of anger by persons who want to use the telephone, and who in the aggregate become an almost unbearable nuisance. But the merchant dare not protest for fear of losing a customer and making an enemy.

Druggists and grocers are the greatest sufferers in this regard, and they would be anything but sorry to learn that subscribers must, under the law, refuse to allow outsiders to use their phones. The Bell Company is interested from the fact that there are pay stations in every locality where phones may be used at a nominal fee.

"It Is So Stated in the Bond."

"Of course, I have no intention of discussing the merits of any particular dispute on which the commission will be called upon to pass," said Mr. Dunstan to a reporter. "I can only speak of the general position of our company, which

Continued on Page Four.

This map shows Tripoli, on the Afric an shore of the Mediterranean Sea, over which Italy and Turkey have quarrelled.

LONDON ITALIANS ARE NOT WORRYING OVER TRIPOLI AFFAIR

Are of the Opinion That Italy Will Make Short Work of the Sublime Porte So Far As Africa Is Concerned.

The possibility of an Italian-Turkish war, while reported to be causing much excitement among the Italians in Toronto and other cities, is providing little material for conversation among former subjects of King Victor Emmanuel, who are now located in this city.

While local Italians discussed the matter freely with The Advertiser, they concur in the belief that the war, if there is one, will be of short duration, and that their compatriots will have little difficulty in humbling the opposing forces.

"The majority of Italians of London are not so situated financially that they would be able to contribute very largely to any fund to send to the support of Italy, so there will scarcely be any movement in that direction, especially as we believe that such steps will not be necessary," said Mr. Catalano, of Catalano & Sansone, to The Advertiser this morning.

"I do not know of any men here who would come within the law which states that Italians who have not served three years in the militia or four years in the navy, and who are under 30 years of age, must be always available in time of war. The younger men are nearly all Canadian-born.

"I believe that it would be impossible for Turkey to offer a serious fight, as they would be unable to reach Tripoli in the face of the Italian navy."

Other gentlemen seen by The Advertiser voiced the same opinions, and while the majority have a sentimental interest in their native land, they are more deeply concerned about the affairs of Canada.

LEGALITY OF COUNCIL MEETING IS NOW BEING QUESTIONED

Contracts to Pave Certain Streets Which Were Given the Barber Company May Possibly Be Cancelled.

The contracts awarded at the special meeting of the city council on Monday last to the Barber Asphalt Company for paving certain streets may be cancelled.

Although the council, by a majority vote, decided to award the contracts, there is some doubt about the legality of the meeting at which this question was settled.

It was a special meeting, of course, and, according to the bylaw a written notice must be sent to each member. So long as the notice has been posted, it is legal, even if some of the aldermen did not receive the notice.

It has been the practice in former years, and, in fact, at the present minute, to summon the aldermen for a special meeting by telephone. This was done by City Clerk Baker in connection with the meeting on Monday.

Was Meeting Illegal?

Those opposed to the pavements have scented the illegality, and at the meeting on Monday night they will object to the minutes being adopted. It is understood that Mayor Beattie will rule the meeting illegal. Then there will be a battle for the contracts. Six of the aldermen are in favor of the pavements.

They will not go back on their stand. One of the others is opposed to the pavement on Queen's avenue, from William to Adelaide streets, although he is in favor of the others. If all are grouped together, Ald. Wilson will vote against them. He stated that he wanted the others to go down, but would not support a pavement for Queen's avenue.

So there will be a fight. Considerable bitterness has already been manifested over the controversy, and there does not seem to be any desire on the part of the opposing members to get together.

Those who know the situation are looking for a merry battle on Monday night. The residents on Queen's avenue, from William to Adelaide streets, are strongly opposed to the pavement, and they will bring much pressure to bear to prevent them being treated unjustly.

WAR IN TRIPOLI BAD FOR BRITISH

Might Cause Mussulmans in Empire to Rise Against Christians.

[Canadian Press.]

London, Sept. 28.—The Right Hon. Ameer Ali, member of the judicial committee of the Privy Council and a noted authority, writes to the Times, pointing out the gravity for Great Britain of an Italian invasion of Tripoli. He says:

"A hundred million Mussulmen acknowledge British sway, and the fury and hatred such a wanton and unwarrantable act of aggression would be sure to react in every part of the Moslem world, and the work of conciliation and the progress of goodwill would be thrown back by centuries.

"I appeal to every lover of peace and goodwill to protest with all his power, before it is too late, against this flagrant breach of all the canons of international morality on the part of a nominally Christian country."

THE WEATHER.

Tomorrow—Some Rain.

FORECASTS.

Toronto, Sept. 28—5 a.m.

Today—Moderate easterly gales; fine today, followed by rain early on Friday.

TEMPERATURES.

Following are the highest temperatures yesterday and the lowest this morning:

Victoria	58	46	Fair
Calgary	66	38	Cloudy
Winnipeg	44	30	Rain
Port Arthur	58	24	Clear
Parry Sound	60	28	Clear
Toronto	68	34	Clear
Ottawa	56	30	Clear
Montreal	58	34	Clear
Quebec	50	32	Clear
Father Point	52	36	Fair

WEATHER NOTES.

Areas of high and low pressure continue to move with remarkable rapidity. The low, which was north of Lake Superior yesterday, is now over the Gulf of St. Lawrence, and a high area from the far west covers the Great Lakes. Frost occurred this morning in both Ontario and Quebec.

Today's Probabilities.

Western Ontario—Fresh north and northeast winds; fine and cooler.

Ottawa Valley and Upper St. Lawrence—Fresh northwest winds; fine and cooler.

Lower St. Lawrence and Gulf—Strong westerly winds; clearing and cool.

Maritime—Fresh to strong west and northwest winds; showery at first, then clearing and becoming cooler.

Superior—Moderate north and east winds; fine and cool.

Manitoba—Fair and warmer again.

SQUAW SUES FOR WAGES DUE HER

Also Says That Her Employer Assaulted Her.

Elizabeth George, a squaw from Byron, charged Samuel Dawson, a market gardner, who had employed her picking grapes, with assault and non-payment of wages, before Squire Chittick this morning.

The magistrate had a rather busy time endeavoring to learn the particulars of the case in order to judge of the merits of the lady's claims, but found it nescessary to adjourn until this afternoon to allow the parties to arrange their statements.

The complanant alleges that when she asked Mr. Dawson regarding the $300 wages' claim, he caught her by the arm and injured her shoulder. This he most emphatically denied.

APPEAL WITHDRAWN

Fred Fonger Is Satisfied With Conviction Now.

Fred Fonger, the Delaware farmer who was brought before Squire Chittick and convicted some months ago of ill-treating his horse while driving through Springbank Park, and who afterwards entered an appeal to be heard at the division court session at Delaware Village on Oct. 4 next, has withdrawn his suit.

The charge was laid by City Policeman Noonan, who was on duty at the park on the day in question, and his evidence was corroborated by several others on the scene at the time. It was alleged that Fonger lashed his horse when the animal backed off the road, and continued to beat it for some time.

ITALY SENDS AN ULTIMATUM TURKEY MUST RECEDE OR FIGHT

Sultan Given Twenty-Four Hours to Make Decision—Italian Fleet Lined Up at Tripoli.

Constantinople, Sept. 27.—The Italian Charge d'Affaires has presented Italy's ultimatum to the Porte demanding consent for the pacific occupation of Tripoli. In event of the refusal of the Porte the Charge asks for a passport within 24 hours. At midnight Turkey had not replied to the ultimatum.

Tripoli, Sept. 27.—Four Italian battleships and three cruisers are in battle formation offthe port of Tripoli.

Reply Unsatisfactory.

Turin, Sept. 28.—The Corriere Della Sera says that Italy has received an unsatisfactory reply from Turkey and will answer with a more hostile note.

The Corriere d'Italia says that the landing of men and munitions at Tripoli by the Turkish steamer Derna constitutes a causus belli. The Italian Government, the paper says, was awaiting such an act before proceeding to the occupation of that province.

Turkey Careful.

Chiasso, Switzerland, on the Italian frontier, Sept. 28.—The latest dispatches from Rome indicate that Italy is trying to put Turkey on the aggressive in an endeavor to provoke an incident which would amount to a causus belli, justifying a declaration of war or the sudden occupation of Tripoli. Turkey is determined not to give any such pretext and is ready to do almost anything, while the much-talked-of Mussulman fanaticism has not as yet manifested itself.

A Plea for Peace.

Berne, Switzerland, Sept. 28.—The general assembly of the International Peace Bureau closed its session last night, with the adoption of a resolution exhorting the people and Government of Italy "to resist bellicose incitement and cover themselves with glory by confiding the settlement of their differences with Turkey to arbitration or the international conference."

Turk Papers Bitter.

Constantinople, Sept. 28.—The leading newspapers here condemn the Italian pretensions and advocate desperate resistance, but they preserve a calm tone. Some of them bitterly reproach the Government with having led the nation to the brink of war by reposing blind confidence in Germany.

Apparently the cabinet is seeking to justify its policy with respect to German assistance by further efforts to obtain German intervention. It is still believed here that the difficulty will not reach an acute stage, at least until the arrival of the new Italian ambassador.

A Strong Squadron.

Tripoli, Sept. 28.—The first Italian squadron, commanded by Rear-Admiral Aubrey, composed of four Dreadnoughts, three cruisers and a number of torpedo

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WELLAND LADY GAVE EVIDENCE

Alleged Assault Case Once Again in the Police Court.

JUDGMENT RESERVED

P. M. Judd Appears to Be Having His Troubles in Finding Out Who Is Right.

The alleged assault case, in which Mrs. Kinder charges Mrs. Barbara Gilfoil and Mrs. Frith with attacking her, and Mrs. Frith charges Mrs. Kinder with using abusive language, was up before Magistrate Judd in the police court again this morning.

A week ago Magistrate Judd adjourned the case, owing to the evidence being of such a contradictory nature, and in the meantime, Miss Julia Gallagher, a sister of Mrs. Kinder, was brought from Welland, Ont., to give her evidence.

The Evidence.

She was the first witness called today, and she stated that she had been called to London on Thursday, Sept. 7, owing to the sickness of her mother.

Mrs. Kinder's housemaid, Miss Sullivan, had phoned the message to her. She went direct to her mother's house, at 431 Elizabeth street, and did not leave it until she again returned to Welland a few days afterwards.

Marion Gallagher was next called, and she stated that Mrs. Kinder, her sister, had come to her mother's house on Saturday, Sept. 2, and remained there until the 11th. The only time she left the house was on the evening of Sept. 2, when the alleged assault took place. She had returned to the house after being attacked and did not leave it again until Sept. 11.

May Sullivan, Mrs. Kinder's housemaid, stated that she had gone to the telephone office on Thursday, Sept. 7, and phoned to Miss Julia Gallagher at Welland. She also corroborated the evidence of Miss Marion Gallagher in regard to Mrs. Kinder remaining at her mother's house until Sept. 11.

Thirteen-Year-Old Witness.

The only witness for the prosecution was a little thirteen-year-old girl named Gladys Marshall. She stated that on Wednesday, Sept. 6, she had seen Mrs. Kinder, in company with another lady, and Mrs. Kinder's little girl on the street in the afternoon. She was positive of this, and was sure of the date, because it was the first Wednesday after school had reopened.

Mr. R. G. Fisher appeared for Mrs. Kinder, while Mr. A. G. Chisholm was the lawyer for the prosecution. Some importance was laid on the fact that Miss Sullivan had phoned to Welland on Sept. 7, and, on agreement of both lawyers, it will be left in the hands of Magistrate Judd to verify this. All the evidence having been submitted, Magistrate Judd decided to adjourn the case for a week and judgment will likely be pronounced next Thursday.

HARRIMAN MACHINISTS GIVE SYSTEM CHANCE

Strike Put Off for a Day Following Conference of Leaders.

[Canadian Press.]

Chicago, Ill., Sept. 28.—Today is a day of grace in the threatened strike of 35,000 mechanical employees of the Harriman railroads, including the Illinois Central road, several hundred of whose clerks are already on strike. It had been intended to call the men out at noon today, unless a conciliatory reply to the latest demands were received from Vice-President Juluis Kruttschnitt, who is in New York; but the time for final action was put off till tomorrow, following a conference last night of officers of the interna tional unions concerned.

The ultimatum sent to Mr. Kruttschnitt yesterday was not made public, and no reply was received from him yesterday or last night. The demand in substance, is that the Harriman lines recognize the federation of various railroad unions in the same way that the railroads now deal with the individual unions.

J. W. Kline today said for the first time since the agitation began that a strike would be called unless the demands were complied with by the railroads.

PINKERTON'S MAN ON THE STAND

Admits Signing Detective Carpenter's Name to Telegrams.

RUSSELL'S MIND CLEAR

Brother Says He Showed No Evidence of Insanity.

[Canadian Press.]

Montreal, Sept. 28.—Interest in the action which David Russell has instituted against Pinkerton's Detective Agency, on an allegation of conspiracy, was maintained when the case was resumed today. Mr. McNamara, Pinkerton's Montreal superintendent, and one of the defendants in the case, was on the witness stand for the greater part of the morning. He was searchingly examined with regard to the telegrams which it was proved yesterday he had sent in New York, and Mr. McMaster, complainant's lawyer, sought to ascertain how far these lettergrams had been authorized.

"We do not know how many confederates there may have been in this case," remarked Mr. Casgrain

Used Another's Name.

McNamara admitted that he had himself signed certain of the telegrams with the name of Silas H. Carpenter, chief of Montreal's city detectives, with a view to keeping the complainant in New York to undergo medical examination.

When counsel asked witness pointedly if Mr. Carpenter had authorized the use of his name, objection was raised by counsel. Mr. Aimee Geoffrion, counsel for the defence, argued that the question was pertinent because it would help to prove if there had been any conspiracy. If authorization had been given, he said, it was evident there was no conspiracy.

McNamara said Mr. Carpenter had told him to sign one telegram "Silas H. Carpenter" and not "S. H. Carpenter."

Mr. Carpenter desired Mr. Russell to know he was looking after his interests in New York.

Witness acknowledged when he sent the telegram from New York in Mr. Carpenter's name, Mr. Carpenter was not in that city.

John Russell, wholesale druggist, St. John, N. B., plaintiff's brother, said on Oct. 19, 1910, he received a telegram in code which he translated to the court as follows:

"Mind affected. You may have to stay indefinitely. Tell James. But not another soul."

Witness said he understood from that telegram that it was his brother David's mind which was affected, and that he was to inform his other brother James of the fact of David's affliction.

Witness said he was upset by the information. He did not believe David Russell's mind was affected. Witness had met his brother David six months before, when he was perfectly sane, and since that date he had been in almost daily communication with him in business letters, and there was no evidence whatever that his mind was affected.

Mr. T. Chase Casgrain said he put this evidence in now because he wished to prove that Mr. David Russell's mind was not affected.

Witness further said that in Montreal a plan of action was drawn up before Mr. McNamara that a party should go to New York and have David Russell medically examined.

COUSINEAU TO PROTEST.

Ottawa, Ont., Sept. 27.—Louis Cousineau, Conservative candidate in Wright County, who was defeated by E. B. Devlin by a majority of over 1,000, today stated that he had definitely decided to protest the election. He alleges corruption, and also that in one poll there were 14 more votes polled than were on the list.