TREET RAILWAY MUSS **AWAITS BYLAW INQUIRY**

Venige Advocates Immediate Testing of Validity of Bylaw 916 For "Showdown" With Company—Buses Cannot Meet Insurance Clause.

MACBETH

GIVES INTERESTING TALK

Peterboro Next.

and the council wants the convention held there. But I believe that suit-

able arrangements can be made here.

the mayor warns, and that is an im-mediate "show-down" with the Lon-

give service from now on or else take the consequence."
Referring to his recent 62-bus pre-

posal, Mayor Wenige stated that action in this respect was a question to be decided by the councillors.

"Let us have the commission re-sponsible to the people, not the people responsible to the commis-

Ald. Leonard Douglass:

the 'bus operators could incorporate

into a company, we would be able to deal with them, with a 'blanket' form

of insurance. However, I think it

was a wise move of the councillors not to assume the responsibility of

the new bylaw, more particularly

when the police commissioners did not want to bear the same burden."

Ald. John Greer: "It is too bad to ose the 'buses. They have been

furnishing a certain amount of good

ion whether an official, as the police

consisting of the mayor the judge

Outnumbered Two to One.

commission was elected by the peo-

This kind of business is only driv

ing the workingmen out of existence.

'buses. We'll have to try and get some more 'buses. If these were the

most suitable type, it would be pos-

ible for the city to operate them."

Ald. Frank McKay: "We can't do

is the workers who use these

"We will have to come to that yet.

council

"We'l

"I don't know what we can do now

There is only one alternative now

What is the next move in London's treet car and bus tangle? Can any-hing further be accomplished this further be accomplished this "In all probability we shall be in a ear in an attempt to solve the city's position to stage a convention here within a few weeks, when the vari-ous municipalities similarly inclined insportation problems?

That the issue is dormant until will send delegates to draft suitable legislation for consideration by the provincial legislature. uch time as they consider officially ayor's Wenige's proposal to test the alidity of the street railway bylaw "Peterboro is the next community to fall in line with the suggestion, 6 is evident today from opinions aught at random from a number of ne city councillors.

The police commissioners, at least majority of them, decline to shouler responsibility for any change in he insurance clause, and as the city ouncillors have adopted a similar tititude, the 1922 omnibus bylaw renains effective, and no motor buses will be operated unless the owners re willing to meet the \$16,000 insurgive sawies from now on or else take.

ce requirements. nat they can do nothing, not even rough the courts, to upset any leglation passed by the police commis on. They point significantly, howver, to the right of the people to
sist that they elect their own repseentatives to this board, and furher action in this respect is more
han probable. Mayor Wenige asures that some measures will be
aken.

In the interim there is only one

"It is up to the aldermen," he says.
"I merely submitted the proposition
to show that London's transportation
problems could be solved for \$800,000
and not \$2,600,000, as contained in the
Bunnell report. Even if it requires
\$1,000,000, as claimed by President
Currie, it would be worth while."

Ald. John Colbert—"That shows They point significantly, how-

andy weapon, he submits, legal pro-edure to compel improved and con-inued street railway service, and he got an elective police commission. These commissioners are in there, and, as Ald. Judd has stated, we can't preparing to battle accordingly in council chamber for just such ion.

Railwaymen Pleased.

get at them. They are there to stay. I contend that the sooner we have these commissions elected by the people all through Canada, the better.

On the other hand, the silway cor-

oration is decidedly primistic as the future. The bylaw is now and ill be rigidly adhered to, officials Despite the elimination

about buses other than operate our own, and there certainly won't be room here for both buses and a street

the question be considered at length, secure no doubt in have to live up to the 1922 bylaw. If knowledge that but little, if anyng, could be accomplished this ear as the house is now in session. The first real test of public opinion urred at a mass meeting of Knollod Park electors last night, when the ajority, who expressed their views penly, held that the time was opport-me to "wrest certain authority from As chairman of the 1923 commission

ayor Wenige is a strong advocate for contemplated change, having inled the same in his inaugural ad-

Macbeth Becomes Eloquent In an effort to sound out the other

nbers of the board, The Advertiser day first called up his Honor Judge albet Macbeth, the senior official. "Good morning, your honor This d morning, your honor. This is ne Advertiser," he was greeted. 'Gr-r-rump!" was the non-committal "What do you think about the pro-

osed elected police commission?" dvertiser pursued. His honor hesitated a moment, and -the avalanche! "I don't think that it is any of your siness what I think!" And another brief, snappy interview

ith his honor had been brought to a ctacular conclusion as the telephone ceiver crashed back on the hook Police Magistrate A. H. M. Graydon as equally brief but more illumina-Altogether wrong," he opined. Might as well elect judges. No one vants to be a police commissioner. In sure I don't. But the elective ve in his remarks.

altogether wrong." "I would like to do something fur-Mayor Wenige asserted today ut our hands are tied with respect dissioners had my suggestion, but ney rejected it. Nothing further can e done in that direction unless you mission, one can well imagine how and an ew police commission. My and in that respect is well known.



DR. GEO. W. GRAHAM. Chief Coroner Dr. George W. Graham of Toronto personally conducted the investigation into the death of ten

Investigation of British Columbia Mine Debacle Halted Temporarily.

CLEARS FALLEN ROCK

Coroner's Jury Views Bodies of Thirty Fire-Damp Victims.

Canadian Press Despatch Cumberland, B. C., Feb. 10 .- In vestigation of the explosion of fire

either device was in operation.

A coroner's jury empanelled last propriety of he charge of them. and adjourned until Feb. 16.

Thursday night.

A coroner's jury was formed Frifor even though the children might day afternoon, but after the jurors be in an institution, their father had had viewed the bodies the inquest was postponed to Feb. 16. Hon. Wm. loan, minister of mines, announced that a rigid inquiry would be made nto the disaster.
While rescue crews are digging

service. But the police commissioners placed the council in a difficult their way into the tunnel to recover the two remaining bodies (there is position. We were right up against and unable to assume the responno hope of finding the men alive). "While I actually do not believe preparations are being made to hold that an elective police commission a funeral on Sunday for all the white would be best for the city I do ques men who were killed. Of the bodies in the morgue, 14 are hose of white men and 17 Orientals. magistrate, should sit on a commis sion that controls his own depart The two yet to be recovered are ment. I would favor a commission

SAYS HE BROKE WINDOW mayor can't do anything more with the police commissioners. While he's the direct representative of the people, he is outnumbered, two to one.

wouldn't happen if the police William Awbury Remanded for Week While Conditions of Case Are Investigated.

When asked by the magistrate in police court this hornin why he had broken the large plate & lss window in the division court office yesterday, anything much now. It was up to the police commissioners. They have the full power, but they wouldn't accept our recommendation."

"If we had an elective police commissioners are all of the police commissioners."

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"If we had an elective police commissioners are all of the police commissioners."

"If we had an elective police commissioners are all of the police commissioners." claimed, owed him wages.
"I went to the division court," he

said, "and they sent me over to the police station, and then I went back to the first place and broke the ndow, so they would pay some at-Awbury was remanded for one week

intil the conditions of his case can be further investigated. Fred Ross appeared to answer a charge of passing a standing street car with his automobile on Monday last. Floyd Van Buskard, motorman of the car in question, stated that after he had stopped his public per-ambulator, at the corner of Craig street and Ridout, Ross passed the front door, just as a woman was

alighting from the car.

Mr. Ross declared that he had come up the hill beside the street car, and it came to a stop suddenly, when he was about half way past it. He said the road was very slip-pery at this point, and that he had continued on past the car, fearing that if he put on the brakes there he would slow into the lady who was

getting off. He was dismissed on paying the costs of the action.

WATER MAIN BREAKS. A break in the water mains near Princess avenue and Ontario streets last night was quickly discovered, and the necessary repairs made within a few hours. No great inconvenience

FIRST STEP LOST

Habeas Corpus Proceedings Dismissed by Mr. Justice Rose.

OTHER MEANS URGED

Mother Sees Children in Hospital and Is Overjoyed With Meeting.

Toronto, Feb. 10 .- The first step in the application by Mrs. Bessie Mc-Clarty of Stratford, to the courts for the restoration of the two children men from escaping gas in the Con- who were taken away by their father, sumers' Gas Company's plant. William Frank McClarty, and placed William Frank McClarty, and placed in a Roman Catholic institution, has one adversely to the mother.

The application was to Mr. Justice Rose, and took the form of habeas corpus proceedings. On behalf of the mother, counsel sought to secure the issue of a writ of habeas corpus calling upon those who have custody of the two children, Donna Helen and John William Francis, to product them in court. Upon that production was suggested that the court should determine whether the mother or father was entitled to the custody of the little ones.

Father Catholic.

The material before his lordship set out that the father of the children was a Roman aCtholic and the mother a Protestant. Though disputes had at times marred their married life, which dated from August, 1914, Mrs. McClarty, it was asserted, had never objected to the children being brought up in their father's re-ligion. They had lived for a time in Owen Sound, but after differences here, left in the summer of 1922 to make a fresh start.

They had taken up their residence in Stratford, and early in the morning

Motion Dismissed

Thirty-one bodies were in the little morgue and two more are yet to come out of the mine, the toll of the explosion which occurred in the Cumberland mine of the Canadian Collieries (Dunsmuir, Limited)

Motion Dismissed.

Upon the application to Mr. Justice Rose, his lordship did not go into the merits of the case but disposed of the motion on the practice. He pointed out that the matter was not possible to the contraction of the contraction of the contraction of the motion on the practice. placed them there, and the children were in effect in his custody. The motion was dismissed

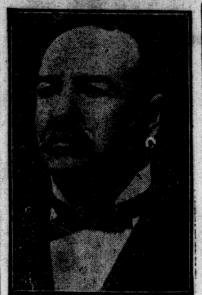
Special to The Advertiser. Hamilton, Feb. 10.-Just recover ing from an attack of grippe, Mrs. William McClarty, Stratford, who is charging her husband with abducting their son and daughter, came to Hamilton yesterday to spend-several hours with her children in St. Joseph's Hospital. The little boy and girl who had been taken from the convent to the hospital because of severe colds. severe colds, were overjoyed at the sight of their mother, whom they had not seen for several days.

"They are looking much better than they were when I saw them last," said Mrs. McClarty to an Ad-

vertiser reporter. "It helps me to be able to see my babies often." The mother was able to spend several hours in the afternoon and half the evening at the hospital. There had been no new developments in her stand in the matter is a righteous one. She also mentioned that her husband was in the city.

EX-SOLDIERS PROTEST CIVIL SERVICE JOBS

Associated Press Despatch. Cape Town, S. A., Feb. 10 .strong protest was made yesterday by large meeting of ex-service mer of the British army and navy against the employment of non-service men in the civil service of the Union of South Africa to the exclusion of the war veterans. It was decided by the veterans to return all their service medals, including Vatoria Crosses and Military Medals to Premier Bonar Law of Great Britain.



Arctic explorer, is on his way back to Canada, after two months in Eng-land, where he lectured before the Royal Colonial Institute, and made arrangements to procure a boat for an Arctic voyage.

TO FUNDING BILI

Subsidy Measure Entangles Consideration of Debt Settlement.

COMMITTEE WORKS

To Examine Bill After Which It Will Go Before the Senate.

Special to The Advertiser.

Washington, D. C., Feb. 10 .- The British debt settlement was thrown to-

Treasury Mellon were to be heard con-

cerning the terms of settlement. Most Republican members of the committee were ready for an immediate favorable report, but E. Lafollette, with one or two Democrats, will not permit that action today unless the testimony satis-fles their demand for information. nmittee leaders will be satisfied in any event to get the debt settlement orted by Tuesday or Wednesday of next week. By that time they believe it will be apparent whether Senator Jones of Washington and other leaders in the ship subsidy fight, can force the opposition to allow a final vote on the bill. A test vote on this question will come probably by early next week. when the farm bloc will demand that the subsidy be laid aside in favor of

e truth in fabrics bill. ot be laid aside except by vote of the the farm bloc motion, and if the bloc succeeds in unplacing the subsidy, it will mark the end of that measure.

ENTER MANY APPLICATIONS FOR CITY ENGINEER'S POST

Applications for the position of city engineer, to become vacant a few weeks' hence by the resignation of H. A. Brazier, are still arriving at the city hall.

These will be considered at an early date by the members of the board of

works it is promised today. As a matter of fact one of the applicants, a former Londoner, and one specially qualified for the position, according to reports has already conferred with certain members of the selves quite favorable toward his ap-

CIRCUIT COURT JUDGE SUCCUMBS TO OPERATION

Special to The Advertiser Washington, Feb. 10.—Judge Martin A. Knapp of the circuit court of ap-peals died here early today. Judge Knapp underwent two operations within the last ten days for an intestinal disorder, but neither

Cover Faces With Damp Cloths -Comrades Lie Dying Beside Them.

HEAR FUNNY SOUND

Rocks, Coal and Dirt Carried Like Feathers Through Passage.

BY FRANK H. BARTHOLOMEW. pecial to The Advertiser. Copyright

Dawson, N. M., Feb. 10.-Dawson today heard from the lips of Charles Kantal and Feline Martini, miners who walked miraculously, as though guided by a divine hand, from their tomb, a "mile below sunshine," the story of the mine disaster in which 122 men were Kantal and Martini for sixteen hours

kept a grim vigil in Charnal shaft of Phelps-Dodge No. 1 mine, where 120 of their comrades, also imprisoned, lay dead and dying or waiting for the air to be pumped in. It seemed that all the pathos of the Dawson tragedy centred about the little box-like Kantal home today. Widowed women and weeping children gathered around Kantal and Martini to hear about the

fate of the others entombed.

Mrs. Kantal smiled in thanksgiving.
She tried to comfort women who came to her husband with the fearfully-spoken question: "Did you see my man down there." The miner, his face begrimed, gesturing with his gnaried hands, told his story in broken English. He held his

two boys close.
"I was loading coal into a car about a mile inside the entrance," Kantal said. "A funny sound was suddenly coming from the distance, and we knew what it was. Before Feline or I could

urn or lie down, it was upon us-the red searing hot air from a cannon. Carried Rocks Like Feathers. "It carried rocks and dirt and coa

down there a mile away from the sun-shine, and trapped like rats. I turned the light on my watch once, but it had been broken. After that we just sat there in the darkness and didn't use

the light unless we had to.
"We wet the cloth bandages again. It was as though years went by. I wondered if we had escaped suffocation only to starve. We could not talk be-cause of the bandagies over our mouths, so we just sat there. I prayed and thought of my boys, George and Nick, and my wife.

Felt Fresh Air.

"Then suddenly I felt a breath of resh air in my face. I touched Feline, and we took off our bandages. The air was sweet. We knew that they were pumping it in, and we were saved. "We jumped to our feet, but it was painful to walk because of our bruises, and we had been cramped for so many hours. But after a while we came to the shattered entrance of the mire and walked out again on earth.

"Some cheered and yelled as walked out of the shaft, but some

them were crying."
The women-folk and children that had crowded around us to hear miner's story sighed as he finished. Kantal smilingly agreed to a photographer's request to pose for a snapshot. A third youngster struggled to join the Kantal boys as they lined up.

"Juan, come here," a young Mexican woman called. "They don't want your picture. You-you're just an orphan kid Juan looked wonderingly at his mother and the tears in her eyes. While newspaper men made his photo and that of Kantal's, a mechanical piano in a little

boxlike house next door, that was a counterpart of the Kantal home, started playing in tin-panny syncopation, "Leave Me With a Smile." "You are not going back into the mine any more, are you?" the interviewer asked Kantal.

He looked puzzled. "Why sure; I'm a miner. Mrs. Kantal smiled.

SUCCESSFUL FLIGHT MADE DURING NIGHT

Aviator Lands Perfectly in Trip From England to Paris.

Associated Press Despatch. Paris, Feb. 10-An aeroplane, flying through the darkness from the British field at Croydon, England, made a successful landing at Le Bourget late last night. The plane followed a course marked out by special light signals, and the aviator reported his progress by wireless telephone. When he arrived at Beauvals, 54 miles from perfect.

It is expected that a regular night passenger service will be started soon between Croydon and Le Bourget.



REAR-ADMIRAL NICHOLSON, in command of the British cruiser Curação, at Smyrna, has warned the Turkish military commander of that city against possible acts of hostility.

Rent Legislation, Budget and Unemployment Will Be Considered.

REDUCE INCOME TAX

Brewers Hope For Lowering of Levy on Beer on Draught.

Associated Press Despatch. London, Feb. 10 .- The parliamentary correspondent of the Canadian Despite the elimination of the buses from the streets yester lay, the buses and they fully expect last with the addition of five one-buses and they fully expect last with the addition of five one-buses with the state of the street was the passengers, and they fully expect last with the addition of five one-buses with the addition of five one-buses with the state of t

Ruhr tangle, with bearing upon the entente; also the budget and unemployment, and the highly contentious rents legislation. The beer tax will be up for consideration, as well as the income tax. In the income tax a reduction of six pence per pound is asked, this representing £25,000,-000. At least a penny a glass off the cost of beer, amounting to a total of about £20,000,000 or £25,000,000. is requested by the trade.

In the case of each of these taxes ncome and beer, there are expectaions by those in whose breasts hope springs eternal. the funding of the

American debt will save £20,000,000 on the coming budget, and great savings in national expenditure are expected on top of a surplus revenue his year, such tax alleviation as is being demanded is regarded as impossible. However, cheaper beer to the extent of 30 shillings a barrel is likely to be a popular cry by some members on budget day. New legislation with reference to the rents act will be fought stubborn-

ly, and on this question it is admitted that there are many pitfalls for

NEAR REDISTRIBUTION

Verdict of Problem Perplexing Drury Government Expected Shortly. Special to The Advertiser

ings in Ontario and changing the voting system, which has been perplexing the Drury Government members for some weeks, is nearing a decision. The best bet is that the verdict will be along these lines. 1 .- Try out proportional represent ation, one in group of urban ridings,

2. Put the transferable vote or preferential ballot system in operation in all single member constituencies. 3. Attempt no general redistribution of the ridings, therein deferring to the wishes of Hon. Howard Ferguson. 4. Appoint a committee representative of all party groups to prepare recomall the electoral divisions and desirable changes in the voting system.

It is not unlikely that Toronto will St. John selected as one place in which to

and in one group of rural ridings."

give proportional representation a trial. STUDENTS WORK

Associated Press Despatch. Berlin, Feb. 10 .- Ten thousand students have been given special permission by the trades unions to work in the various factories of the Berlin district as an aid in meeting their university expenses. The stu-dents are employed a few hours each

IN FOREST CITY

Order-in-Council Passed by the Ontario Government Permitting Action.

WILL BE DELAYED

Juvenile Delinquents Act Must Be Proclaimed by the Municipality.

Special to The Advertiser. Toronto, Feb. 10 .- London gets a

uvenile court. An order-in-council has been passed by the Ontario Government that a juvenile court be established for the city of London. the order to take effect and become operative only from the date when the juvenile delinquents act, 1908 (Dominion) is proclaimed for London

Jared Vining, president of the Rotary Club, in speaking to The Advertiser this morning, stated that the proclaiming of the juvenile delinquents act was simply a matter of form, and, in his opinion, would not delay the establishment of the court in London. The proclamation will be made in the Canada Gazette, he pointed out, and the act will then be automatically inforced here. There should be no delay in the matter, he

Magistrate Graydon, who has been mentioned as the possible choice for magistrate of the new court, corroborated the report that the juvenile delinquents act would have to be proclaimed for the city before the court could be established. He could not say, however, how soon this would take place.

"Bev" Hay, speaking as president of the Kiwanis Club, one of the most persistent agitators for a juvenile court among the city organiza-tions, declared that he was greatly pleased to learn that matters are so progressing so favorably, and hoped that no time would be wasted in

WITH APPOINTMENT

Collegiate Teacher Qualified to Teach University, But Not High School Class.

Monday morning will probably witness a decision as to whether F. H. Blake, athletic instructor at the Cen tral Collegiate Institute, will agree to remain. Secretary W. A. Tanner was in communication with Mr Blake over the long distance phone late last night, and the latter stated that he would be in Toronto unti midnight tonight. A meeting of the sub-committee appointed yesterday, and Mr. Blake will be arranged for Monday morning. "It's a funny thing," commented

the secretary this morning. "Mr. Blake has higher qualifications than are required for collegiate institute structors, but has not the one department regulations demand. Blake was tutor last summer of class at Moronto "U," the students of which were writing for the particular certificate Mr. Blake lacks. He s qualified to teach in a university. "It seems funny, then, that so much fuss should be made over a lower rating. Mr. Blake was for years instructor in an English military academy, and English schools are famous for their rigid discipline and high standards."

Mr. Tanner was under the impres sion that the department requirements called for "a first-class certificate, or its equivalent." If such is found to be the case no difficulty will Toronto, Ont., Feb. 10.—The matter be met in arranging a satisfactory of re-distributing the electoral rid-

THE WEATHER

FORECASTS. FORECASTS.
Today—Moderate winds, fine and cold.
Sunday—Fine and cold.
The pressure is highest over the northwestern portion of the continent and the Great Lakes, while there is some indication that a disturbance will develop over the west gulf states. The weather is fine and cold throughout the Dominion.

Stations High Low Weather Victoria ... 42 34 Fair Victoria 42 Calgary 24 Winnipeg 6

John St. Joh Halifax

LOCAL TEMPERATURES. The highest and lowest tempera tures recorded in London during the 24 hours' previous to 8 o'clock last night were: Highest, 34; lowest, 12 The official temperatures for the 12 hours previous to 8 a.m. today were

Barometric Readings. Friday-8 p.m., 29.27. Today-8 a.m., 29.36.

The communication explains that his action is taken in view of the late william B. Leeds "tin plate king," and first husband of the Princess Anastesia, has been in ill-health for some time. She had returned home recently from a sanatorium, where she had spent several months.

Mr. Leeds was in the house when when where the concluded by the covernment back to did not witness the tragedy.

Leeds, prominent clubman, who was a brother of the late William B. Leeds "tin plate king," and first husband of the Princess Anastesia, has been in ill-health for some time. She had returned home recently from a sanatorium, where she had spent several months.

Mr. Leeds was in the house when Mrs. Leeds leaped to her death but did not witness the tragedy.

RECEIVES INTIMATION OF ONTARIO ELECTION City Clerk Baker Requested To Sisier-in-Law of Greek Prin-

Prepare Parliamentary Voters' List. The first real intimation that there to be a provincial election in On-

e has received official direction from a window of her fifth-floor aparterente from Allan M, Dymond, pro- ment in East Sixty-fifth street. incial elections officer, to prepare he part 3 parliamentary voters' list. Leeds, prominent clubman, who was

cess Takes Her Own Life.

Associated Press Despatch New York, Feb. 10 .- Mrs. Louise ario this year was at hand this Hartshorne Leeds, sister-in-law of Princess Anastesia of Greece, com-City Clerk Sam Baker reports that mitted suicide today by leaping from

SELF OUT OF WINDOW

Mrs. Leeds, wife of Warner M.

Londoners Are Not Alarmed Over Threats of Incendiary Interest in Self-Styled Firebug Wanes-Deputy Marshal on the Watch for Suspicious Actions.

Apparently London is not so alarm- their regular watchmen to guard ed over the activities of "Tony," the against the threatened activity of the incendiary. self-styled firebug, this week-end.

Last week James Gray, of Gray's,
Limited, had a special guard at his store as a result of receiving a warning that his business establishment was to be made a prey to the flames.

"Are you putting on extra guards"

"Are you putting on extra guards"

"Incendiary.

However, Deputy Fire Marshal E.

However, Deputy Fire Marshal E.

Paris, where a fog forced the last experimental night flich to land, the aviator sighted the light on the Le Bourget flying field, whereupon he signal for the illumination of the signal for the illumination of the field, and the subsequent landing was and tomorrow.

was to be made a prey to the flames.
"Are you putting on extra guards this week?" Mr. Gray was asked.
"Not on your life," he replied.
No word has been received of other business places hiring any other than