TO RESTRAIN CITY OF LONDON

STREET BY. TO ASK INJUNCTION

City Has Men Watching the Schedule and Will Know Exactly

How Cars Are Being Run—Company Still Say They Will

Fight to a Finish Any Attempt to Take Over the Road.

LONDON, ONTARIO, MONDAY, APRIL 29, 1912. TWELVE PAGES

THE SITUATION.

The city council has given the

London Street Railway Company

ten days in which to provide the

service, which is specified in

cars, and better equipment. Under

the agreement the city may take

over the line after ten days, pro-

vided the service guaranteed is not

maintained. The company say that

what the council asks is a physical

impossibility, and they will fight

the city to a finish. Men have been

named by the city engineer to time

all cars, so that the exact service

now being given the people may

be known. The company will ap-

ply for an injunction to restrain

the city if an attempt is made to

That the city council evidently mean

to keep the London Street Railway

Company to its agreement with the

city was evidenced today, when ten

men were named by City Engineer

Wright to time the cars on the vari-

ous routes throughout the city. They

commenced work at 6 o'clock in the

morning, timing the first cars, and will

remain on duty until the last car is

in the barns tonight. Of course, the

men will work in shifts, these details

having been carefully arranged by

results of the investigation will be

presented in the form of a report by

that they will annul the franchise of

company to secure an injunction to

company's own valuation. No arbi-

available for Mr. Wright this after-

the schedule set down by the city en-

ning fairly close to time, but the others

annul the franchise.

City Engineer Wright.

bylaw 916. This means more

PRICE TWO CENTS.

their shift. The men who relieve them

will also report, and by that means we

can figure out how each car ran. The

company could tell quite readily whe-

ther or not the cars are running be-

EGAL LUMINARIES OF LONDON ON FAMOUS SMITH WILL

The Estate of R. P. Smith FIRST CLASS LIST Furnishes Big Legal Battle.

CASE COMES UP AT NON-JURY SITTINGS

Well-Known Legal Firms Are Representing Very Many Clients.

The legal luminaries of this part of the country are in London today to take part in the trial of the new famous Smith will case of Strathroy, which is to be decided at the non-jury sessions of the high court, which commenced at the courthouse this afternoon before Mr. Justice Riddell.

Mr. John McEvoy is acting for Howie et al., the plaintiffs, while the 50 or more defendants are represented by almost as many solicitors, among Say That Chairman Is Putting the attorneys being engaged in the suit being the following: R. I. Towers, Blake, Lash, Anglin, & Cassels, Mc-Killop & Murphy, Hannah, Le Sueur, and McKinley, Cassels, Brock, Kelly & Faleonbridge, Hoskin, Ogden & Bowlby, Fraser & Moore, and F. W. Harcourt.

Big Sums Involved. The relatives, heirs and legatees o the late Richard Portingal Smith, of Strathroy, who disposed of nearly \$200,000 in his wills, are engaged in the struggle, the plaintiffs seeking to dispatch to the New York Times says: have other testamentary papers than those already probated, admitted, ac

Mrs. Robert Howie, London .. \$ 5,000 John Winnerton, Strathroy.

Benj. T. Garside, St. Thomas, fireman 5,000 Ann Caroline Frost, London William Frost, London, carpen-

Charles Frost, London Township, farmer . John Frost, Mitchell, in Perth, farmer 5,000

Fred George Frost, Sundridge, Muskoka, farmer 5,000 Josiah Henry Frost, Perth Coun-

ty, farmer 5,009 Reuben Frost, Seaforth, carpen-

Mrs. William Reid, Sundridge, Muskoka, widow 5,000 Mrs. Walter H. Washington, Seattle , Wash 5,000

Mrs. Thomas Garside, St.

Total \$76,600 Those who are interested in the case are:

Plaintiffs.

Mrs. Robert Howie, John Winterton, Benjamin T. Garside, Ann Caroline Frost, William Frost, Frederick George Frost, Josiah Henry Frost, Reuben Frost, Mrs. William Reid, Mrs. Walter and Mrs. John Genro.

Defendants.

John Cowan, Julia Ball, Olive Millar, William A. Vail, Matilda-Vail, Heber Vail (an infant, under the age of 21 years), the Children's Aid Association of London, Ont.; the governing council of the Salvation Army in Canada (as owners of the Rescue Home of the Salvation Army in London, Ont.), the Woman's Christian Association of Strathroy, Ont.; Annie S. Stanley, Pauline Stanley, Charlotte Napper Charles Napper, Richard Napper David Napper, Albert Diprose, Marion Diprose, George Washington Portingall, the Presbyterian Church in Canada, Harold Doty, the Sarnia General Hospital, the London and Western Trusts Company, Limited, Capt. Le Niven, Alexander Henry Stewart, Jessie Maud Stewart, Thomas Smith, Elizabeth Price, Catherine Ann Smith message as it was actually transmitand John Folinsbee.

Cases Postponed.

the Krit Motor Car Company of De- he had received the message, troit against their former local agents, W. J. Reid & Sons, of his city, was reasons for not answering?" asked allowed to stand, an order to that effect | Senator Smith. being made by Judge Macbeth.

frightened the horse of Mr. Robert ployed by the United States cruiser Colhoun, of Brooke Township, is now Chester," said Mr. Marconi, "rendered ill with appendicitis, and is therefore almost impossible the transmission of unable to attend, postponement of the messages between the Carpathia and suit of Colhoun vs. Munro, and the warship." He said his company Township of Brooke, was necessary used the international code, while the Winnipeg

United States navy had a code of its The cases now on the list in the order own, which they are scheduled to be taken Mr Fidelity Trust Company vs. U. A. 2. Bank of Commerce vs. F. A. Fitz-

Township, 6. Garthorne vs. Wickerson,

HAVE BEST CHANCE

Sixty-Three Per Cent of Titanic's Saloon Passengers Saved.

[Canadian Press.]

New York, April 29 .- In a summary of the lessons of the Titanic disaster, Lawrence Beasley, a University of Cambridge man, who was among the survivors, asks: "What was the relative chance of escape for a first-class passenger and a steerage passenger?" His answer is as follows: "I have worked out the percentage of the saved of the four classes, and find it as

"First-class, 63.6 per cent; secondclass, 39 per cent; steerage, 26.7 per cent; officers and crew, 22.3 per cent. They are instructive, those figures. The payment of about \$75 excess of first over third, gives you more than

TITANIC PROBERS WEARY OF SMITH

Them In False and Ridiculous Position.

MARCONI ON THE STAND

The Wireless Wizard Tells of Sending a Message to the Carpathia.

[Canadlan Press.]

New York, April 29 .- A Washington It became known today that the Tianic investigation committee's dissatisfaction with its chairman, Senator Smith, has risen to such a point that yesterday several members discussed offering their resignations from the committee.

This plan was breached because the discontented members feel that Senator Smith is putting them in a false and ridiculous position before the Not Likely to Reach Halifax world. It was first discussed among them on Friday. They decided that they would wait until the week was ver, and that today, if there had been no improvement in Senator Smith's methods, they would visit him in a oody and resign, telling him exactly

why they were doing it. The discontented senators who participated in this discussion are Buron, of Ohio; Bourne, of Oregon, and Fletcher, of Florida. None of the other senators, however, is at all pleased with the chairman's course, and the senators believe that their resignations would be followed by that of

Marconi Recalled.

Washington, D. C., April 29.—Gugli-elmio Marconi, head of the Marconi Mrs. John Gerno, London 5,000 Company, was recalled to the witnessstand when the senatorial inquiry into the Titanic disaster was resumed to-

F. M. Sammis, chief engineer of the American Marconi Company, Operator president of the Grand Trunk. Mr. Bride, of the Titanic, and John W. Howard G. Kelly, who is one of the Griggs, former attorney-general coun- party here to claim Mr. Hays' resel for the Marconi Company, were mains, stated that he would wait here present at the hearing.

Vice-President Franklin. of the Inlook after the press of business that Hays and Mr. J. Allison, and those of Bennett. 'H. Washington, Mrs. Thomas Garside had piled up in his office since the is- Messrs. Quigley Baxter, Thornton quiry enforced his absence from his Davidson and Victor Payne, if they desk, and J. Bruce Ismay, managing are recovered. director of the Mercantile Marine were on hand early.

When Mr. Marconi was on the stand last week, Chairman Smith asked him if he had sent any messages to the Carpathia and he had said no.

Sent One Message. "I would like to correct the state-

sages to the Carpathia," said Mr. Marconi today. "On my return to New York I found I had sent one message. I immediately wrote a letter to you. enator, inclosing the message."

senator, inclosing the message."

"The message follows:

"April 18, '12—1 a.m.: To Calvin, wireless Marconi station, Siasconset Mass. Send the following immediate—

"Mass. Send the following immediate—

"To Calvin, with large limits in British merchant, with large limits in British ly, advise us delivery: 'Wire news dispatches immediately to Siasconset or to naval boats. If this impossible ask aptain give reason why no news allowed to be transmitted.'

"(Signed) Guglielmio Marconi." Mr. Marconi also read a copy of the ted to the Carpathia on April 18 from

Mr. Marconi said he got no answer Two cases that had been entered to this. He said he had talked with on the list were postponed after the Bride, the Titanic operator, on board opening of court this afternon. That of the Carpathia, and that the latter said "Did he give, or did you ask his

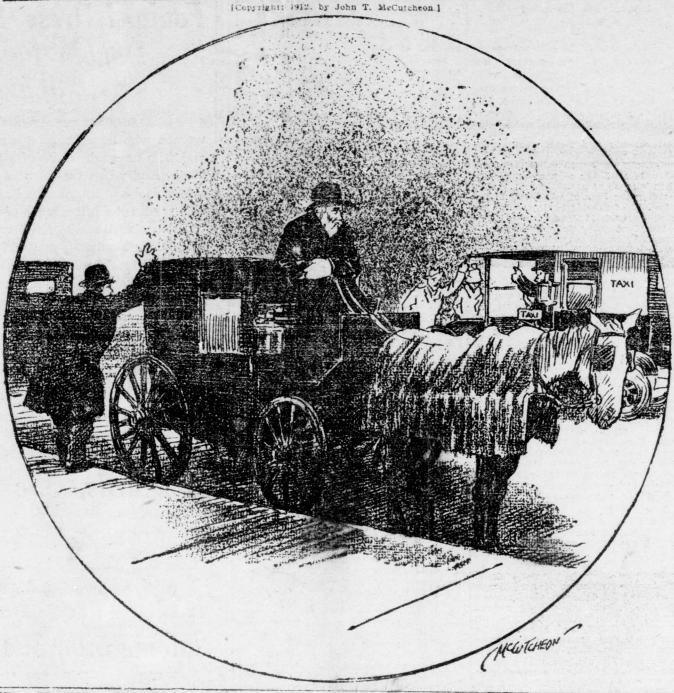
"No, sir," answered the witness. Owing to the fact that the rider of "The difference in the code used by the motorcycle that is alleged to have the Marconi operators and that em-

> Mr. Marconi was excused by Smith thanked him for the aid he had Father Point

3. Toel vs. Ryan.
4. Mills vs. Freel.
5. Ross vs. board of health of London tified explaining what had actuated him in sending messages to Operators Bride and Cottam, on the Carpathia to hold their stories or "four figures." He States.

A low area, which was in the extreme Northwestern States on Saturday, is now passing eastward across the Middle taken charge of by his fellow-employees at the storage. Rev. Mr. Do-

A VICTIM OF PROGRESS. By John T. McCutcheon.



MR. HAYS' BODY IS ON THE MINIA

Before the End of the

GALE SCATTERS CORPSES

Distant Relation of Spanish Royalty Among Those Who Perished on the Titanic.

[Canadian Press.] Halifax, April 29.-Yesterday

message was received from Captain Carteret, of the Minia, which seemed o clear up the doubt which had existed as to whether the body of Mr. Charles M. Hays was being brought in on the Mackay-Bennett or not. Captain Carteret sent an aerogram confirming the previous report that his men had picked up the body of the until the Minia arrived. In the meantime a special car is being approternational Mercantile Marine, who priately draped. This car will carry returned Saturday to New York to back to Montreal the bodies of Mr.

May Be Ross' Body. Captain Carteret's message men-tioned that he had picked up the body f a gentleman in evening dress. His clothes were marked with the initials "H. R.," while gold cuff links that beennett is that of her relative. were found in the shirt were inscribed with "S. G." Speculation personal described with "S. G. G." Speculation personal described with "S. G. gan at once upon receipt of the information as to who these initials will Hugo Ross, of Winnipeg, and a wireless was sent to the Minia asking for

(Continued on Page Four.) DEAD AT WALKERTON. [Special to The Advertiser.] Walkerton, April 29. — The wife of Mayor Henderson died today. She kad been ill for three months with eancer of the stomach. Besides her husband she leaves three grown-up sons and one daughter.

THE WEATHER.

TOMORROW-WARMER. Forecasts. Toronto, April 29—8 a.m. Today—Northeast and east winds, coo

nd showery. Tuesday—Northerly winds. ruesday—Northerly winds, clearing, with a little higher temperature.

Temperature.

The following were the highest and lowest temperatures during the 24 hours

previous to 8 a.m. today LONDON 47.5 Ottawa

The highest and lowest temperatures ondon on Sunday were 56.5 above and the trouble. A low area, which was in the extreme

GREAT DAMASCUS BAZAAR WAS WIPED OUT BY A FIRE

the Holy City of the Mohammedans.

killed and many injured, and the damage is estimated at \$10,000,000. The fire began at midnight Friday, and lasted until late Saturday night.

Ten Million Damage Done to Damascus, one of the noty cities of the company. The Advertiser was in Mohammedans, capital of the Vilayet of formed that it is the intention of the its numerous bazaars. These are designated by the name of some particular restrain the city if any attempt is made question of operation—it has now become trade or commodity. The bazaar quarters comprise long streets covered in with to take over the road, except at the Apply for injunction. [Canadian Press.]

[Canadian Press.]

Comprise long streets covered in with high woodenwork and lined with shops, stalls, warehouses and cafes. The Greek bazaar, one of the largest, was rebuilt after its destruction by fire in 1893. In the midst of the bazaars stands the house sufficient data to give an analysis own valuation.

The Schedule. of Asad Pasha, one of the handsomest o bazars, all of which are luxuriously fitted up.

EAST LONDON LADY FEARS BROTHER LOST ON TITANIC gineer in 1905. The Belt Line is run-

One of Victims Bears the Same Name as Relative of Mrs. D. J. Arnott.

Believing that Arthur Lawrance, one of the victims of the Titanic disas-

ter, is her brother, Mrs. David J. Arnott, of 512 Simcoe street, is awaiting anxiously the complete Identification of the body when it arrives at Halifax on the "death ship" Mackay-For the past two years Mrs. Arnott

has not heard a line from her brother, and although she has no reason to believe that he was on the Titanic, she is afraid that the body of A Lawrance picked up by the Mackay-

Arthur Lawrance is a jockey, and fit. The Canadians at once suggested morning that he was last heard from bodies." in Reno, where he attended the Jeffries-Johnson fight Since then his whereabouts have been unknown, and although Mrs. Arnott and other member- of her family have been making have failed to locate him.

Hospital.

street. He was removed to Victoria

Hospital yesterday afternoon, and suc-

Fears the Worst

"He was always a great boy to roam to The Advertiser, "and I fear that he has met death on the Titanic. He was located in Syracuse for some time, and after he left there we heard little about him. As he was a great follow. about him. As he was a great fellow for horses, it is not unlikely that he had gone over to England with a load of horses and was returning on 're Titanic. I was reading the list of ames of the bodies that had been picked up by the Mackay-Bennett, when I noticed the name of A. Lawrance. I pointed it out to Mrs. Arnott and we have both been of the opinion that it is her brother. However, there is a big chance that it may not be he, but then the similarity of names has made us very anxious. My wife has written to Halifax for information, and we will be informed Mr. Arnott told The Advertiser tha as soon as the ship arrives with the

Born in Collingwood.

Arthur Lawrance is about 27 years of age. He was born in Collingwood Ont., and later removed to Toronto. inquiries for the past two years they He became a jockey, and had ridden horses at all the big tracks

VERY SUDDEN DEATH FARMER WAS THROWN OF YOUNG ENGLISHMAN UNDER BIG ROLLER

Alfred Webster Succumbed to Thomas Gibbings, of Clinton, Had Close Call From Heart Disease In Victoria Being Killed. Alfred Webster, a young man whose home was in Bermondsey, Lon-

[Special to The Advertiser.] Clinton, April 29.-Thomas Gibbings, a ion, England, and whose health was campaign, in which he took part, died injured when as he was out on the land very suddenly shortly before mid-night on Sunday at Victoria Hospital, operating a big roller, the seat broke, and falling backwards pulled the horses back. Only the seat raising up one side of the roller saved him from being killed. As It was the doctor had to put fifteen stitches in his forehead. Gibbings was also hurt house the side the stitches the side the side that the sid a few hours after his removal to that institution. Death was due to heart Webster, who had been employed as m his forenead. Gibbings was also hurt about the ribs, though none were broken. He got up and rode the horses half a mile to the stable and then walked to his brother's house to telephone for the doctor. Mr. Gibbings is 67 years of age. If no complications set in he will be around in a short time. engineer at the cold storage plant, was compelled to cease work a few days ago, and had since been in ill-health at his boarding-house, 91 Bathurst

FAILED TO APPEAR.

cumbed a few hours afterwards. The cause of his death was at first un-London, April 29.—Charles Henry Un-verzagt, of New York, who said he was known to his medical attendants, but heart disease was later learned to be As Webster had no relatives in this 6. Garthorne vs. Wickerson.
7. Williamson vs. Hodgins.
8. Krit vs. Reid. postponed.
9. Calhoun vs. Brooke Township, postponed.
10. Howle vs. Cowan (Smith will case).
11. Morgan vs. Morgan, alimony.
12. Walters vs. Armstrong.

Northwestern States on Saturday, is now passing eastward across the Middle gastward across the states on Saturday, is now passing eastward across the Middle gastward across the states on Saturday, is now passing eastward across the Middle gastward across

hind time, but we have to figure it out by the timetable and then compare. It will mean a very great deal of work, but I have instructed the men to be absolutely correct as to time, and then there will be no possibility whatever of disputing our figures. Unless a decided improvement has been made since the last report I made, it will be found that practically every line is running behind time." Buying the Franchise.

An interesting phase of the dispute concerns the efforts recently made to purchase the franchise on behalf of the city. It will be remembered that some time ago, an option was taken on the holdings of the company for a certain time at \$150 a share. This option was renewed in February for two months, expiring on April 15. It was not renewed, nor would the company takes less for its stock.

The City Acts.

The next step was to discover what was the best action to take to make the company live up to their agreemnt. The schedule was looked into, and it was found that the company were not keeping up to it. It was determined that the company should live up to the This will be kept up for ten day a letter of the agreement, that more the time limit set by the bylaw. The cars should be put on, equipped with air-brakes, and official notice has been served on the officials.

City Engineer Wright, and will then The object, it has been stated, was to be considered by the council. This bring the stock of the company down to document will determine largely what a reasonable price, and then an offer to action the aldermen will take against purchase the company's plant would be the company. If the schedule is not made. It could not be learned definitely what price was to be the low-water maintained, there is every indication nark

ight the scheme. It was hinted by Manager King on Saturday that the matter had passed the stage where it was &

Apply for injunction.

Mr. C. H. Ivey, solicitor for the street allway, stated to The Advertiser that he lid not know what action the company would take. It is understood, however, that the company live up to their agreement. Sufficient data to give an idea as to how the cars were runnning were not shysical impossibility to maintain the chedule drafted by the city engineer. That will take the whole matter into the courts, and a long litigation will probably follow. A director of the comnoon. It is understood, however, that some of the cars were running behind any stated today that they would not

e coerced. Manager King maintained that it was ming fairly close to time, but the others are not making the schedule.

"I have not received any reports from the men," said City Engineer Wright. "They will furnish their information to me at the completion of maintained that it was physically impossible for the company to maintain, the schedule under present conditions, and so long as the company were endeavoring to do their best, they were city will allow the company mileage for double tracking, the company say a proper service can be maintained.

AT THIS PARTY

Odoriferous Rags Were Set on Fire and Soon Smoked Out the Guests.

CASE IN POLICE COURT

Evidence of Some of the Sufferers Was Highly Original, and Was Not Without Some Humor.

Miss Susie Woodbridge, an English lady, who made her home in apartments above Ross' livery stable, at 672 Dundas street, conducted a farewell reception, prior to her departure for the west, under difficulties, on Friday part night and early Saturday morning, as a result of which three young men—
Henry McCandless, Charles Kennedy, and James Leonard—were brought before Police Magistrate Judd this mernfore Police Magistrate Po ing to answer charges of disorderly

pot-walloper at the county jail, when he slugged Gordon LaMotte, of Strath-Kennedy achieved a reputation as a roy, on the head, as he attempted jail delivery, together with Pat Doyle, who was afterwards sentenced to 20 years for hold-ups in this city. Kennedy was a trusty prisoner at the jail at the time, and frustrated the plans of the thugs by wielding a water-pail, with telling effect. His sentence was afterwards reduced by a couple of impaired during the South African farmer living near Clinton, was badly months for his services, the matter having been taken up with the Attorney-General's department by Sheriff

> Rather Humorous. The evidence submitted by the po-East London was not devoid

A Celebration.

The celebration, which was attend ed by various young men and ladic practically all from the old countr proceeded as such social gatheris should until after midnight.

Every person was happy, and while (Continued on Page Eleven)

AUTO VICTIM STILL IN BAD CONDITION

Miss Hattie Rooney Is Not Improving as Rapidly as Is Desired.

The condition of Miss Hattle Rooney, of the Conservatory of Music staff, who was painfully injured on Monday evening last near Ailsa Craig, when an automobile carrying the Conservatory Dramatic Club back to the city was overturned, is not showing much improvement. She is suffering from nervous shock. There are no bones broken or other injuries, but the narrow escape has affected her nerves

dent was extremely perilous. When the machine overturned she was under the gaseline tank, and her clothing was saturtted with gasoline. A lamp at the rear of the machine exploded, scattering fire n all directions. n all directions.
Miss Rooney was dripping with gaso-

line, and only the quickest action on the part of the company prevented the young lady's clothes from catching and burning her to death. Coats were thrown over the jured in the wreck, are improving, and are able to be about.

DIED IN STRATFORD

Well-Known Railwayman Was Formerly a Resident of London.

Mr. George Black, road foreman of the Grand Trunk at Stratford, dropped dead in that city on Saturday, shortly before he was to undergo an ice, through half a dozen witnesses, operation. His sudden demise came made it apparent that the affair in as a great shock to his many friends humor, although the city firemen did ran out of London as an engineer, not appreciate the situation when they later being promoted to the road were calle dout at 2 a.m. for no rea- foremanship at Stratford,

Philip McLaughlin, a young Scotch- ford on Tuesday at 2:30 p.m. Asman, one of the guests, shed much sistant Superintendent Davidson and light on the situation, although Chief Mr. J. C. Crombie, master of trans--Williams' palate was coated with portation, will attend the fineral. tastes of porridge and haggis when Several handsome floral tributes have he concluded the examination of the been sent by the Grand Trunk train men of this city

FATAL AUTO ACCIDENT.
Albany, N. Y., April 29.—Hinsdele Parsons, vice-president and general counsel of the General Electric Company of Schenectady, was killed in an automobile accident Sunday afternoon on the Pittsfield road, a few miles east of this city.

The chauffeur was badly injured.