

CURRIE MOVES FOR EARLY VOTE ON LIQUOR LAW

Swanson Argues Topping Can Not Face Charge of Murder

TO URGE THAT JURY DECIDE ON SANITY INSTEAD OF GUILT

D. A. J. Swanson, Counsel for Topping, Announces That He Will Plead Prisoner Incapable of Facing Murder Charge— Judge Grants Postponement When Grand Jury Brings True Bill.

TRIAL DEFERRED UNTIL TOMORROW MORNING

The case of Clarence Topping may turn from a question of murder to one of sanity if D. A. J. Swanson, counsel for the defence, succeeds in the purpose which he announced this morning. Mr. Swanson will urge that Topping, who has confessed to the murder of his sweetheart, Geraldine Durston, is insane, and therefore incapable of undergoing trial on the charge at present against him.

Justice Lennox has indicated disagreement with this argument, but will listen to evidence.

When court resumed at 2 o'clock this afternoon, Mr. Justice Lennox decided to continue with civil actions which were commenced this morning.

Topping's trial was definitely fixed for 9 o'clock tomorrow morning.

Case is Deferred.

Mr. Justice Lennox agreed to defer the case until the afternoon session at the request of D. A. J. Swanson, counsel for Topping.

Larger crowds than attended either the Murrell or Williams trials, besieged the court house at 2 o'clock this afternoon. The court room itself was filled long before the afternoon session opened.

As soon as court opened at 10:10 o'clock the grand jury presented the true bill found against Topping, which sends him to trial on a charge of murdering his sweetheart, Geraldine Durston.

Justice Lennox asked whether the case could proceed, and Mr. Swanson then asked for an adjournment on the grounds that certain expert witnesses could not be present until after tomorrow. It was necessary for these witnesses to hear the evidence presented, Mr. Swanson stated.

"We have many jurymen here who want to get home," said his lordship, "and we want to send them home. If it is inevitable that the case must be postponed I will have to agree. I thought there was a good deal of evidence as to fact, and that it would not be necessary for medical men to hear it."

"Expert witnesses can only arrive at their decision by hearing facts," said Mr. Swanson.

"Medical men arrive at their decisions after examinations, hearing the history of the case, etc. The other part is not a very important supplement," replied the court.

"We are desirous of proceeding," said Crown Prosecutor Rigney, "but not at the expense of the defence."

"The paramount consideration is to give the man a fair trial, and on the understanding that he will agree to it promptly at noon, I will agree to lay it over," decided Justice Lennox.

Will Urge Insanity.

Mr. Swanson then announced that he would attempt to have the jury decide on a question of sanity, rather than on a verdict of guilty or not guilty of murder. Justice Lennox disagreed with counsel's argument, pointing out that the jury could find the prisoner guilty of murder with an insanity clause.

"It will also make another application regarding the manner of the trial," stated Mr. Swanson, "under section 967 of the Criminal Code. The issue I will ask to have tried is that the man is not sane enough to instruct counsel, and therefore unfit to stand trial for the crime charged."

"Guilty With Insanity." "That I am capable of judging this. Was this man so enfeebled that he was incapable of knowing it was wrong? If found guilty, the jury says so, but with an insanity clause. Then I direct him to be held pending the pleasure of the lieutenant-governor. That is the fair way of proceeding. The other is long and tedious, and I would be sorry to go into it in this case, but if I have to, I will listen to it."

"You have to come here and say that he does not know what is going on, but if he knows, then let's get down to the bottom of things, and find him guilty or not guilty."

"If I can submit evidence to show that this man is incapable of instructing counsel, I should be heard. If I fail in this, I will go on with the murder trial," concluded Mr. Swanson.

"You ought to have your experts here," were the last words of his lordship. "I am going to be sure he has every chance, and I will lay it over till this afternoon."

FLU EPIDEMIC SHOWS NO SIGN OF ABATING

Associated Press Despatch. London, Feb. 7.—There is no sign of the epidemic of influenza which is sweeping over the United Kingdom abating as yet. The deaths recorded from influenza last week numbered 367. Paris, as well as London, is being afflicted with the influenza epidemic.



TOM MOORE, Great screen celebrity, who arrived in the city this morning and was given the freedom of London. (See Page 5.)

NICKLE TO APPEAL BANK DECISION

Appellate Court's Finding in Director's Case To Go To Privy Council.

Canadian Press Despatch. Toronto, Feb. 7.—Dr. L. McCarthy, special crown prosecutor in the Home Bank case, announced in the county judge's criminal court today that Hon. W. F. Nickle would appeal to the privy council against the decision of the appellate court of Ontario which directed that the charges laid under the bank act against ten directors and officials of the Home Bank be tried before a county judge without a jury.

DAMBRA OPTIMISTIC FOR BANK DEPOSITORS

Gathering Will Be Held Here Following Meeting at Thorndale.

Following the meeting of persons interested in the Home Bank situation at Thorndale tomorrow evening, a somewhat similar gathering will be held here, Joseph Dambra, president of the Home Bank Depositors' Association, said today.

Efforts of the committee here are being directed, he said, to the task of securing 100 cents on the dollar for every depositor. High hopes are held that a satisfactory termination to the Home Bank fiasco will be seen before the end of the year. Mr. Dambra stated that practically all members of parliament in the district favored the depositors' claims, and it is expected, with the aid of the government the Canadian Bankers Association will make arrangements to accept all the Home Bank liabilities.

In an unknown manner Skelton's hands became entangled in a box-making machine over which he was working. The cogwheels of the machine were revolving at a high velocity and badly crushed the index finger of his right hand and the index and second fingers of his left hand.

Dr. F. R. Clegg was summoned. The injured man was removed to Victoria Hospital, where he underwent operation for amputation at noon today.

FIRE ALARM IS PLANNED TO PROTECT "U" STUDENTS

Realizing that the present arts' quarters of the University of Western Ontario is not fire-proof and that Huron College students, who have dormitories in the building, and the arts' students, attending lectures, undergo considerable fire risk, a fire alarm system is to be installed in the buildings, Dean W. Sherwood Fox stated today.

CHIEF JUSTICE W. H. TAFT IS MUCH IMPROVED

Associated Press Despatch. Washington, Feb. 7.—Chief Justice Taft, who suffered an attack of indigestion yesterday and has been ordered by his physician to take a complete rest for a few days, was said at his residence this morning to be much improved. He passed a restful night, but decided as a matter of precaution to remain in bed during the day.

IMMIGRATION OFFICER MAY NOT BE GIVEN HIS POSITION

John Farrell Has Not Been Reappointed to His Position.

NAMES CONSIDERED

Replies From Toronto to Citizens Are Few and Far Between.

Is the broad axe of the Blue Boys about to cut another swath in the fields of useful and efficient public service in the province?

This is a question being asked with some fear and trepidation by some Londoners and a good many farmers in the district. The position in question this time is this inspector of immigration in the London district.

For many years John Farrell held the position and discharged his duties with a zeal and ability that achieved wonders in placing and keeping men on the farms in Western Ontario.

This was under the U. F. O. regime. For a long time now one of the most influential bodies of businessmen in the city has been making representations to Toronto to have Mr. Farrell reappointed to the post, which he has never officially held since the end of the Drury government. Replies have been strange—few and far between and on the top of that they have been of such a nature as to give cause to suspicion.

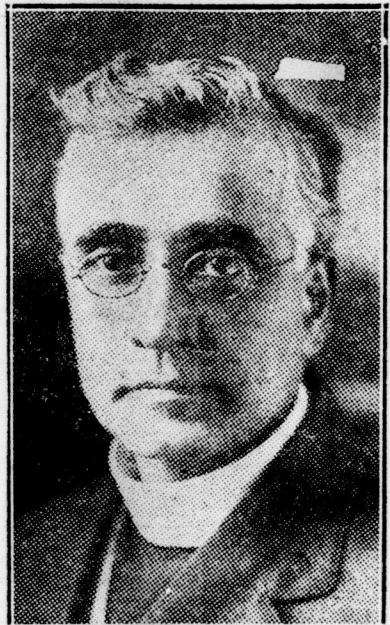
The government admits that it is considering appointing inspectors in certain Western Ontario centers and that London is to be the headquarters of one of the new officials, but they will not name their man, and the name of John Farrell of Forest seems to be one it has never heard of.

The immigrants themselves, the farmers who have been served by Mr. Farrell with help, and the businessmen in London who have come in intimate contact with the work, are all agreed that Mr. Farrell is pre-eminently the man for the position. At the present time Mr. Farrell though holding no official position, is still having immigrants sent over to him direct from the old country simply on the strength of his reputation as a capable official to handle the newcomers.

Obed Smiley, the head of the Ontario immigration department in Old London, often sends over families direct to John Farrell and other officers of the department in the various centers do the same thing. It is feared in London that a swing of the political axe will in the near future deprive the district of the most successful inspector of immigration it has had.

DOUKHOBOR EXODUS BEGINS.

Canadian Press Despatch. Kamsack, Sask., Feb. 7.—The exodus of Doukhobors from Saskatchewan started last night when a party of 24 left for New York on the first lap of their journey back home to the Ukraine.



MODERNISTS ARE SCORED BY FALLON

London Bishop Declares Certain Teachings Merely Rationalism Gone Mad.

ONLY LOSS OF FAITH

Canadian Press Despatch. Montreal, Feb. 7.—Addressing the Catholic Women's League of Montreal here last night, Bishop Fallon of London, Ont., scored the modernists in theology and a certain type of scientist who, he said, claimed infallibility not only in their particular branch of learning, but also in matters connected with the Christian religion. Of the modernists, he said that it was with them "not a question of doubt or denial so much as a matter of faith; it is rationalism run mad against supernaturalism... they are all infallible, but the misery of it is that they are not unanimous, and infallibility without unanimity is a pretty bad thing."

In regard to what he described as "the insolence and arrogance of so-called scientists," Bishop Fallon said that he could not go into a little ordinary secular university without meeting some infallible scientist and, "I am treated as a 'relie of the middle ages'—if they don't always say it, they always act it."

He concluded that "much good would be done if those who are masters of the natural sciences would only consent to become elementary students of the supernatural sciences."

THREE HUNDRED ENROLL IN ADVERTISER CONTEST

First Announcement of List Already Made, But Many Additions Coming.

RIVALRY GROWS KEEN

Interest in \$20,000 Race Increases As Votes Begin To Pile.

Nearly three hundred enterprising people have already enrolled in the Advertiser's \$20,000 prize contest.

The first announcement of the list of contestants has been made. The standing shown on this list includes only those ballots which have been counted by the auditors and does not give the last standings. Most of the candidates have increased their totals by thousands of votes during the last forty-eight hours.

Revised lists of the totals will be published in The Advertiser from time to time.

New candidates are coming forward every day because the vote-getting part of the contest is really just getting nicely under way.

From now on The Advertiser's contest will be more interesting than ever. There is a great deal of good-natured rivalry between the contestants, quite apart from the prizes.

One pleasant feature of the whole affair is that everyone engaged in the contest will receive a reward for work done, because The Advertiser is paying a fifteen per cent commission on all new subscriptions in addition to the \$20,000 worth of prizes at stake.

Read the big announcement on an inside page, and telephone 7352 for further details.

DOLLAR DAY RUSH TURNS INTO GREAT STAMPEDE

Husbands Sally Forth To Bear Burden of Wife's Eyesight.

BUSINESS IS BRISK

Merchants Report Day a Success and Purchasers on Hand Early.

The Society Editor was properly up against it this morning. All her lady friends were down town at the Dollar Day sales, and her customary little morning chit-chats had to be uncomfortably postponed.

Finally, about 11 o'clock, she pushed the telephone aside in disgust, hastily pulled on her gossamer and embarked on the busy streets herself. At 12 o'clock she returned with a beaming face and the office boy steaming along beside her, loaded to the gunnels with packages and parcels. It appears that she had encountered him down the street, and promptly requisitioned him as her personal carrier.

Other industrious ladies requisitioned their husbands. Many a man left his mail unopened on his desk this morning to chauffeur his wife about the town, while she went from store to store like Nimrod on the trail.

It is quite possible that a great number of the ladies were able to drive their husbands, but looking at their eager and excited faces, over the breakfast table this morning, wary husbands had visions of speeding summonses and accident claims, to say nothing of repairs which prompted them to valiantly offer their own service as chauffeurs.

"Our 'B' got along with the office boy. Ladies not so fortunate as either, had those huge cavernous bags, which they now carry everywhere. It used to be that only the daintiest of receptacles could hang on a lady's wrist, but now they drag these great bags around everywhere, as though to be equipped at all times for a week-end visit or an important conference, but, bulging and in some cases bursting, they properly served their purpose on Dollar Day.

They were laden with things wanted and things bought just because they looked to be bargains. Women went piling, hurrying, groaning past another in the search for bargains. Clicks, bustles and bustles. Even the tiniest little shops down town took on the appearance of a Saturday basement rush in a Detroit department store. (Please See Page 5, Column 7.)

COL. J. CURRIE CALLS FOR VOTE ON LIQUOR

Toronto Conservative Member Gives Notice of Motion To Be Presented Tomorrow.

MAY MEAN A SPLIT

Wide Diversity of Opinion Prevails in Conservative Ranks on Referendum Question.



JOHN W. FREEBORN, M. L. A. for East Middlesex, who was elected party whip at the caucus of Progressive members held in Toronto this morning. The caucus at the same time confirmed the appointment of Manning Doherty as leader.

By WILLIAM SHARMAN, Special to The Advertiser. By a Staff Reporter.

Toronto, Feb. 7.—The Tories are in caucus this afternoon and from all reports the O. T. A. and its alleged shortcomings is providing the greatest interest. Col. John Currie, the Tory member for Seat B. Southwest Toronto, an ardent "wet" who would the ball rolling with a resolution for presentation in the House Friday to this effect: "Resolved that the opinion of the House be made the government should introduce immediately such legislation as may be necessary to provide at an early date for a referendum on the liquor law of this province."

This is the rock to split the Tories forces into two distinct groups and Col. Currie's opponents threaten to upset his resolution at its inception by declaring it out of order in view of the fact that a vote of the people would call for an expenditure of public money. Therefore it could not be introduced by a resolution by a private member of the House.

This question is creating much discussion at this present caucus. One of the "stormy petrels," J. A. McCausland, a Conservative member for Southwest Toronto, who would have a vote of the people next week, or earlier if possible, told The Advertiser today that a determined effort would be made during the next few days to have the premier see the light of day.

Evidently Mr. Ferguson doesn't sense the public mind just as rapidly. (Please See Page 7, Column 4.)

LEWIS AUSTIN WILL BE BROUGHT BACK

Ontario Police Officials Will Go to Arkansas City For Alleged Robber.

Special to The Advertiser by a Staff Reporter.

Toronto, Feb. 7.—The Ontario police authorities charge Lewis Austin, now under arrest in Little Rock, Arkansas, with complicity in the robbery of the Royal Bank of Canada, in Mount Forest, of \$37,500 in bonds, December 15, 1922. Provincial Police Inspectors Boyd and Clifford McGone leave for Little Rock tonight to bring him back.

The Ontario authorities have in their possession a federal surrender. If this is not accepted by the American authorities, they will seek extradition proceedings.

TEACHERS OF EMPIRE PLAN CONVENTION

Empire League To Hold Triennial Session at Empire Exhibition in London.

The Empire League, associated with the Imperial Union of Teachers, purposes to hold a triennial convention at the Empire Exhibition in London from July 14 to 19, inclusive.

Mrs. Ord Marshall, C.B.E., honorary secretary of the league, writing from London, England, asks that the intention of the league with reference to the triennial convention of teachers, be given circulation among the teachers of the city. She also suggests that any information or paper describing the newer methods adopted in the London educational program for the present year be submitted for the information of those attending the convention.

It is stated that the Prince of Wales has given the patronage to the convention and if possible to arrange it, will preside at the official opening.

PROF. DETWILER'S WORK WILL BE BROADCASTED

A pamphlet entitled "Three Little Known Insects" has been issued by the Cornell University Agricultural Experimental Station to be distributed among the universities of North America. The booklet was written by Professor Detwiler of the University of Western Ontario and represents a branch of research work which was carried on by him during the summer months.

In order to facilitate Professor Detwiler's work along this line, it is expected an insectarium will be installed in the new university buildings which now are almost completed.

HUERTA MOVES CAPITAL. Associated Press Despatch. Brownsville, Texas, Feb. 7.—General Adolfo De La Huerta has moved the capital of the revolutionary government of Tuxpan, Vera Cruz, going to that port accompanied by his staff on the Aguililla Oil Company boat, according to a radiogram received here. All revolutionary forces left Vera Cruz city Monday.

Canadian Press Despatch. Toronto, Feb. 7.—Although there has been no official announcement, it is understood that the Liberal Opposition will move an amendment to the reply to the speech from the throne. However, Mr. Sinclair has not yet announced what the amendment

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WESTERN PROFESSORS PUBLISH TEXT BOOK

French Book of Dr. Shanks and Dr. Meras Used in Many U. S. Colleges.

A French composition text book written by Dr. Lewis Paget Shanks, professor of romance languages, and Dr. Edmond A. Meras, assistant professor of romance languages of the University of Western Ontario, has been published and is in use at the local university and many colleges of the United States.

The book has received several days ago at Western and this morning was distributed among the students.

Dr. Shanks and Dr. Meras have been working for a year on the book, and the system of teaching it involves has been carried out at the university for some time, when this book was in manuscript form.

Both Dr. Shanks and Dr. Meras have commenced another French text book, which is expected will be ready for publication shortly.

THE WEATHER

FORECASTS. Northwest and north winds; mostly fair and cold tonight and Friday. The depression, which was off Nantucket yesterday, is now centered south of Newfoundland and the other low pressure has dispersed. Pressure is high from Manitoba to the Gulf of Mexico. Snow has fallen in nearly all districts from Ontario to the Maritime Provinces, while in the west the weather has been fair.

Stations.	High	Low	Weather
Victoria	48	42	Clear
Calgary	48	18	Cloudy
Winnipeg	4	16	Clear
Port Arthur	12	4	Clear
S. S. Marie	14	8	Cloudy
Toronto	33	22	Snow
Kingston	22	22	Snow
Ottawa	41	16	Snow
Montreal	18	16	Snow
Quebec	16	14	Snow
St. John	22	12	Fair
Halifax	30	20	Cloudy

(—) Below zero.

LOCAL TEMPERATURES. The highest and lowest temperatures recorded in London during the 24 hours previous to 8 o'clock last night were: Highest, 34; lowest, 31.

The official temperatures for the 12 hours previous to 8 a.m. today were: Highest, 23; lowest, 14.

Barometric Readings. Wednesday—3 p.m.—29.01. Today—8 a.m.—29.24.