THREE CENTS

IRBANK LEAVES \$375,000

Scores Believed Dead As Quake Rocks South California

TO APPEAL **DECISION** ON FARES

Instructions Issued by the City Solicitor To Fight Rail Board Ruling.

BECK ACT INVOKED

Change in Franchise May Have Been Illegal.

An appeal was ordered this morning received \$1,000 a year for life. by City Solicitor T. G. Meredith, K.C., against the ruling of the Ontario railway and municipal board.

with Ald. Frank McKay. Today in-structions were issued to open an appeal against the board's ruling.

Robert and John, who will receive the income from the other half of the residue. appeal against the board's ruling.

"We will appeal the case on a number of points," Mr. Meredith declared this afternoon. "I cannot give given one-eighth of his share on attaining the age of 30 years, at the

Ald. L. H. Douglass, M.D., declared today that an appeal would be entered, Ald. Frank McKay believes such action possible and a half-dozen other members of the council are unready to accept the judgment of other members of the council are on the judgment of ontario, \$12,600; Ontario oil stocks

May Use Beck Act.

There is a strong possibility of the Beck act of 1912 being brought into play in appealing the fares judgment. By means of the act of 1912. the council might seek to have the fares act of 1922 invalidated so as to destroy value of precedents quoted in the board's latest finding. Upon the arrival in London of the

board's judgment on Saturday, Ald. Frank McKay, chairman of No. 1 committee, conferred with the city solicitor in order to discuss hances of an appeal. Ald. L. H. Douglass will also confer with City Solicitor Meredith. A report from the solicitor will be brought before No. 1 committee at its meeting on Thurs-

act of 1912 as providing that come act of 1912 as providing that com-pany franchises in existence before March, 1909, could not be changed without a vote of the people. There-fore, the change in franchise effected act of legislature of 1922 was illegal, as no vote was taken in London. He believes that the wrong light has been shed on the city's rights, and that proper interpreta-tion of the act of 1912, as applicable the city. He is ready to support an appeal against the railway board's judgment. legislation since then, will profit

Another Interpretation.

While believing that an appeal is possible, Ald. McKay states that, according to the letter of the law, the Beck act of 1912 applied only to ex-tensions of lines, and not to fares or other franchise agreements. At least the act is interpreted as applying only to line extensions.

City Solicitor Meredith is of the Continued on Page 3, Column 6.

The Weather

Moderate winds fair today and Tuesday; a little warmer. The pressure is high on the Atlantic and Pacific coasts and over the northwest

SA TOUGH states, and rela-tively low to the northward of the St. Lawrence and from Alberta to Ari-The weather has been showery in

Alberta, Northern Ontario, Eastern and the maritime provinces, and mostly fair elsewhere. Temperatures.

during the 24 hours	previous	to 8 a.m.
today were:		
Stations. High	Low.	Weather.
Victoria	50	Fair
Calgary 86	56	Cloudy
Winnipeg 66	46	Clear
Port Arthur 60	44	Clear
Toronto 73	48	Clear
Kingston 72	56	Fair
Ottawa 80	50	Fair
Montreal 78	56	Clear
Quebec 74	60	Fair
Father Point 66	50	Fair
St John 56	52	Cloudy
Halifax 68	58	Cloudy

LOCAL TEMPERATURES. The highest and lowest temperatures recorded in London during the 24 hours previous to 8 oclock last night were: Highest, 71; lowest, 51.

The oligical temperatures for the 12 Highest, 71; lowest, 51.
The o'scial temperatures for the 12
hours previous to 8 a.m. were: Highest,
64; lowest, 47.
Sun rises at 4:39 a.m., and sets at 8:03

p.m. standard time. Barometric Readings. Sunday—8 p.m., 29.27 Foday—8 a.m., 29.36

ESTATE OF OIL MAGNATE INCLUDES LONDON CASH

Major Fairbank's Chief Property Was California Oil Stock, \$100,000.

\$5,000 FOR CHURCH

Total Estate Listed at \$374,109 in Document Filed At Sarnia.

Special to The Advertiser by a Staff Reporter. Sarnia, June 29.—The will of the

Ald. Douglass Believes 1922 late Major C. O. Fairbank, Petrolia, filed for probate here i nthe Surrogate court, shows the amount of the entire estate to be \$374,109. Christ church, Petrolia receives \$5,000, while The fares fight is not over yet. a sister of the Petrolia oil magnate

Mrs. Fairbanks is bequeathed the Petrolia home and half the income from the balance of the estate, which Following the adverse decision of at her death is to be divided equally Chief of the Six Nations Indians, Saturday, Mr. Meredith conferred among four sons, Charles, Henry,

full particulars just yet."

Opinion of city aldermen varies concerning the five-cent fares ruling.

Ald. L. H. Douglass, M.D., declared today that an appeal would be appeared by a appeal would be appeared by a appear appeared by a appeared by a appear appeared by a appear appeared by a appear the railway board as final.

Not only will an appeal be entered against the decision, but victory is claimed in the interpretation of the

The will was probated by Pardee Gurd, Fuller & Taylor, Sarnia soli

Major Fairbank died in California

AGED MAN IS KILLED WHEN HIT BY CAR

Canadian Press Desnatch.
Aurora, June 28.—Coming from decorating his first wife's grave, William T. Andrews was struck by radial car on Saturday and instantl killed. Mrs. Andrews, who was wit him, narrowly escaped sharing his

WOMAN SERIOUSLY HURT

enfeebled by age.

IN AUTOMOBILE ACCIDENT eration believe in fewer rather than

Canadian Press Despatch.
Oshawa, June 28.—Dragged behind
an automobile when it overturned
and then righted itself, Mrs. C. Gishman of Peterboro was so severely indian to stand side by side with injured near here this evening that the white as his equal. The cause of little hope is held out for her return the "nationalists" has suffered its

Block of 4,000 Horsepower of

Hydro Needed for Smelt-

ing Furnaces.

BIGGEST CITY USER

Will Mean Substantial Increase

in Surplus Revenue of

P. U. C.

Decision of the management of the

London Rolling Mills company to in-

stall electric smelters in the big new

steel plant soon to be erected in con-

William street, will give the local

The company, it is understood, will

utilize electricity exclusively for the

a plant with an eventual consumption of nearly 4,000 horsepower. This

amount is far in excess of the amount

required by those at present rated as the city's best consumers, namely:

The Corn Flakes, McClary company, car shops, Empire Brass, London and Port Stanley railway, and London

The use of this block of power will

necessitate the provision of great substation capacity in the south end

industrial area, but will yield a sub-

stantial increase in surplus revenues

to the public utilities commission. As

recently announced in The Advertiser, the Rolling Mills company, of which

Mr. J. Frank White, Conservative M. P. for London, is a part owner and

This enterprise will be a matter of

of an increased staff.

hydro department a new customer of

first importance.

LONDON ROLLING MILLS

steel plant soon to be erected in conjunction with the mills at the foot of William attent will give the local

official, intends as soon as possible to embark upon the manufacture of steel in addition to the present lines he better look in the cup, as it might

This enterprise will be a matter of much importance to London and, it is expected, will mean the employment friends and the hero of the sana-

be there.



LEVI GENERAL, whose death occurred suddenly yes-

Indians' Independent Movement Liable To Collapse As Result.

Canadian Press Despatch.

Brantford, June 29 .- It is believed in circles here in touch with the Six so far little damage has been re-Nations that the death of Buffalo ported done by fire. of Chief Levi General will prove a knockout blow to the independent faction which owned him as leader. General was undoubtedly the brains of the movement, which demanded through the league of nations that the sovereignty and independence of the Six Nations be recognized, a move which failed.

Otherwise, however, the movement, restricted in its nature, may proceed. although the remaining leaders wil ate.

Mr. Andrews was 74 years old and infeebled by age.

WOMAN SERIOUSLY HURT

Although the remaining leaders will not talk. These were undoubtedly grievances, but some of them his been redressed and with regard to the actual observance of the letter of agreements with the Six Nations Indiana.

> more restrictions. Many of the Indians favored the elective council as against the council of hereditary chiefs, and are for wider education to enable the Indian to stand side by side Her husband and five-year- greatest possible loss in Levi Gen-

> > **Quake Sways**

Associated Press Despatch.

earthquake shock rocked Los Angeles at 6:43 o'clock this morning.

Downtown buildings swayed

considerably, but the movement

was slow and even, and there were no indications of damage, although the motion continued

GOLFER'S AMBITION

at the Byron

Sanatorium.

Dr. U. E. Bateson, 616 Richmond

club known as the "Hole in One."

crack as he teed off from the 9th

Approaching the green, Dr. Bateson

for more than a minute.

Los Angeles, June 29 - A severe

Los Angeles

HITS SOUTH

Santa Barbara and Other California Cities Suffer Heavily.

TIDAL WAVE FOLLOWS **Guests of Hotel Buried in Ruins**

As Building Falls. Associated Press Despatch.
San Francisco, June 29.—The
Southern Pacific Railway Company reports 65 dead at Santa Barbara as a result of the earth-

The American Red Cross head-The American Red Cross head quarters here are negotiating for all available army aeroplanes here to rush a fully equipped relief force to Santa Barbara.

The Santa Barbara exchange of the Pacific Telephone and Telegraph Company was demolished by the earthquake, information to company headquarters at San company headquarters at San Francisco over a crippled wire said shortly before 9 a.m.

Associated Press Despatch. Two fires started in the city, but

It is feared that there may be considerable loss of life, particularly in the ruins of the Arlington hotel,

heaved and buckled under the tremor sers shot up through the pavement. Accompanying the quake were tre Continued on Page 6, Column 2.

July 12 Celebration Is Expected To Attract Over 10,000

urday, July 11, at which 10,000 Kitchener, Claude of Toronto, and Arthur, Theodore and William, at home 75 Byron avenue, one brother, expected to be present.

TO BE BIG POWER USERS The list of speakers to deliver adesses at Queen's park about 2 p.m. n the afternoon includes the following: Mayor G. A. Wenige, Very Rev. Dean L. N. Tucker, D.D.; Dr. S. J. T. Bean, county master, East Middle-sex; Rev. J. W. Hibbert, past grand chaplain, Ontario West; E. T. Essery, chaplain, Ontario West; E. T. Essery, K.C., past grand master, Ontario

West; W. S. Haney, M.L.A., Sarnia; R. E. Lesueur, Sarnia: W. H. Bar-The committee in charge of the celebration, under Joe Carson, has arranged for competitions for the best dressed lodge, fife and drum bands, and numerous foot races and

other sports. The only other celebrations in Ontario west of Hamilton this year

SISTER OF LONDONER

Special to The Advertiser. Buffalo, N. Y., June 27.—Mrs Eliza-beth V. Higgins, wife of William Hig-gins, and sister of Michael Kelleher smelting of steel and will provide for Makes Hole in One On Course of London, Cnt., died suddenly Thursday night at her home here, No.

327 Hoyt street. Mrs. Higgins is also survived by one daughter, Dorothy E. Higgins, another brother, Richard Kelleher of Hastings Ont., and by four sisters, Mrs. Alex Kirkcaldy and Mrs. Mrs. Alex Kirkcaldy and Mrs. Mrs. Alex Kirkcaldy and Sunday school book, bearing Wood-ring's name on the pilot of the control o street, has accomplished what every golfer dreams about, but which few Mrs. M. Lonergan, both of Peterboro, Ont., Mrs. Earl F. Day of Gile, N. Y., realize. The doctor is now entitled to join that very exclusive golfing and Mrs. Peter Butler of Livingston. Montana. Funeral services Last week Dr. Bateson journeyed on Saturday morning in the Annunciation church here at 9 o'clock and to the Byron sanatorium golf course interment was made in Holy Cross and walloped the ball with a snappy

> JUDGE McGILLIVRAY DIES. Canadian Press Despatch.
> Whitby, June 28.—T. A. McGil-Whitby, June 28.—T. A. McGillivray, senior judge for Ontario county, died here today, aged 63 years, after a short illness. He was born in Whitby and received his appointment to the bench in 1912 as registrar of the surrogate court of Ontario county. His wife, two sons looked in vain for the little white livray,



LINEMAN KILLED. Albert Pryce of Grey street, em-ployee of public utilities commission, who was instantly killed when thrown

ALFRED GUNTHER

Head of City Wholesale Firm Succumbs At His Office.

ing, including the Arlington hotel, by ally well known in London as a comthe earthquake, which swept the mercial traveller, dropped dead at his state, and it seems to have centered offices, 130 Carling street, shortly heart attack, he was found dead by his son, Arthur Gunther, before medical aid could be given.

one of whose walls collapsed like an for many years a commercial traveggshell. eller for the district. He was born
The main street of the city up- in Germany 55 years ago, but came to Canada with his parents when a young boy. He commenced as a traveller when 18 years of age and in

thusiastic bowler and member of the the Canadian port of call for its will be created.

Fred Gunther of Detroit, and thre sisters, Mrs. Adam Hedrick of Listowel, Mrs. Martin Berger of Milver-

WHEN TRAIN HITS AUTO

ton, and Mrs. Joseph Burns of Win

nipeg are the survivors.

Victims of Ashtabula Crash Were On Way To Church.

Associated Press Despatch, Ashtabula, Ohio, June 29. - Five will be those at Brussels, Kitchener, persons were killed last night when Rodney and London, and thus it is an automobile in which they were expected that 100 or more lodges will riding was demolished by a fast eastparticipate in the Orange walk here. bound New York Central passenger train at a road crossing.

The dead are: C. P. Woodring; his PASSES IN BUFFALO wife, Arminta: their son, Glenn, 11: and Bernice, 15, and Marie, 17, daughters.
The victims, all of Ashtabula, ap-

parently were on their way to church. The bodies were mangled be-yond recognition. That of Mrs. ring's name, on the pilot of the

BANKRUPTCIES POSTED. Canadian Press Despatch,

Ottawa, June 28.-A total of 39 bankruptcies throughout the Do-minion during the past week is posted in this week's Canada Gazette.

HOME GIVEN TO DIOCESE.

HARBOR

London and St. Thomas Bodies Move To Prevent Closing.

EXPENSE OF \$800

Action Being Taken Today May Result in Temporary Solution.

Strenuous efforts being made by city council, and by analagous bodies in St. Thomas, may result in the finding today of a temporary solution of the problem which has arisen at Port Stanley owing to an attempt SPLASH IS HEARD to have the harbor there closed for the remainder of the season until dredging operations are completed. A meeting is taking place here this

afternoon between officials of the Western Reserve Navigation Company, which operates the Cleveland Associated Frees Despatch.

Santa Barbara, Cal., June 29.—
All the brick buildings in Santa Barbara were demolished this morning, including the Arlington hotel, by the earthquake, which swept the Santa Barbara were demolished this morning. The control of the chamber of commerce of the despatch of the chamber of the despatch of the despatch of the despatch of the chamber of the despatch o and P. S. Railway, and other interbefore 10 o'clock this morning. He had apparently been in excellent health, but stricken with a sudden without intermediate the harbor may continue its ferocity on this city. Water mains and river reservoirs were broken and the city was partly health, but stricken with a sudden without interruption to the scheduler than the city was partly health, but stricken with a sudden without interruption to the scheduler without interruption. of the Cleveland boat. Following the ceting the whole party intends vis-Mr. Gunther, who lived in London are being made to meet the mayor of for the greater part of his life, was St. Thomas and members of the St. Thomas chamber of commerce an

have them accompany the party. Must Have Open Harbor.

Both cities have vital interests at service in and out of Port Stanley,

club's team. He belonged to Knox vessels, which would mean that all the freight and passenger traffic More than two years ago he com- which is now handled by the London

ral manager of the Western Reserve Navigation Company, is in the city today and is remaining over this afternoon to discuss the situation with local businessmen and officials.

President Goes To Bedside Delay is Costly.

Existing difficulties in connection with the navigation of the big steam er in and out of Port Stanley harbor do not seem so great as to be incapable of solution at comparatively small cost. The present trouble has arisen, because when the St. Ignace s at her slip the channel is so narrov that it is impossible to tow out the scows to dispose of material dredged from the floor of the harbor. The delay thus occasioned is said to cost the dredging contractor large sums of money, for which no provision was minion government. But if a temporary arrangement can be arrived at for the next two weeks it is exected that the first twelve-foot strip of the widening of the channel will be completed, and this particular angle of the problem will disappear. But there is a danger, both to the boat and to the wine complete the results. boat and to the pier, owing to the size and weight of the vessel. There are no fender piles alongside the slip where the vessel docks, and the result is that each time she ties up there is considerable damage done to the pier and also to the paddle boxes of the steamer, which is a side-

heeler.
The marine insurance companies have refused to make good damage



ALD. L. H. DOUGLASS who states the finding of the Ontario Railway Board against the city on the local chamber of commerce and the five-cent far issue will be ap-

Official Opening This Morning
Greeted by Whoops From

Voungeters

to proceeding to the auditorium for the service, when Rev. R. J. Mc-Cormick, pastor of the church, happening upon them, flatly denied them Youngsters.

long-delayed opening of the Thames Park swimming pool, officially took place this morning.

hopeful youngsters who for the past week have been on hand daily to watch the progress of the filling of dress delivered by B. C. Eckhardt, lay iting Port Stanley to look into the situation on the spot. Arrangements early to try their luck, and this time | Nilestown, supposed | Supplied | Nilestown, supplied | Nilestow their hopes were not disappointed. The tank was full, the supervisor was The tank was full, the supervisor was on hand and they had full permission some days ago of the Klan's intento swim to their heart's content.

Being lightning quick change artists they were soon in bathing suits, and there was a race for the service.

Had not Mr. McCormick that a number of strangers would be attending the service.

Had not Mr. McCormick changed

Arrangements are progressing very favorably for the July 12th Orange celebration being held here on Saturday. July 11 Sessions of the July 12 Sessions

of Parent in Special Train.

Associated Press Despatch. Associated Press Despatch.

Plymouth, Vt. June 28.—Col. John
Coolidge, father of President Coolidge,
any one but their own selves, conunderwent an operation in the dining stituted an anti-climax to the burnroom of his home here today. The president, who with Mrs. Coolidge is vacationing at Swampscott, Mass. was tions. notified and immediately a special

At Woodstock, a month ago, as
Sunday afternoon meeting of the train was got ready which conveyed Klan was held, attended by little made in the contract with the do-minion government. But if a tem-The train reached Ludlow at 5:10 surprising event at Hy

home, the president was assured that the patient had progressed as well as member of the Klan, and in doing so could be hoped. Col. Coolidge is 80 declared years of age.

STEAMER ARRIVALS. New York, June 28 .- Zeeland from Antwerp. Bremen, June 28 .- Stuggart from New York Plymouth, June 28 .- Antonia from Glasgow, June 28.-Metagama from

Operation Prolongs Life of World's Largest Apple Tree

The largest apple tree in the world is dying. After more than 140 years growth it has reached a period of failing health. It was operated upon last week in order that its strength might be pre-served for at least another few years. One of its branches, itself as large as any ordinary tree, was severed. Springbank is the tree's home

on property at the summer residence of U. A. Buchner. There it has been object for wonderent for years—the largest apple

tree in all the world. Two years ago it yielded more than eight barrels of three different varieies of Canadian apples. Its trunk is more than seven feet in diameter. Its branches from one extremity to another measure 54

The tree is dying, people who remember its appearance in years gone by, declare. It is dying, but by submitting to operation last week and losing one of its limbs, it will conserve energy sufficient for at least two years of life,

Made To Shed Hoods and Robes Before Entering Auditorium of Church.

KLAN SERMON HEARD

Congregation Unaware That Members of Order Were in Church.

Uninvited, and unknown to the people with whom they worshipped, the executive and members of the local Klu Klux conclave attended divine service in Hyatt avenue United church yesterday morning. It was not the intention that the

klan should so appear, however. Mem. bers of the Klan executive were robing themselves in their distinctive and notorious white hoods in the basement of the church, preparatory

Youngsters.

With a wheep and a splash, the ong-delayed opening of the Thames Park swimming pool, officially took place this morning.

There was no ceremony A few the privilege of attending the service in any other guise than that of ordinary citizens.

Only after a lengthy and heated word battle did the mysterious visitors accede to Mr. McCormick's pronouncement and agree to lay aside There was no ceremony. A few the robes of the hooded order. They then went upstairs, and scattered about the church, listened quietly to a Protestant or anti-Catholic ad-

> pulpit on previous occasions. Strangers Coming. tion, took no exception and merely informed Mr. McCormick that a num

young boy. He commenced as a race for the traveller when 18 years of age and in and the proposal to close the har-bor is viewed by London businessmen true citizen, popularized through his genial personality and irreproachable business methods.

Dr. Cameron Wilson was called soon after Mr. Gunther was found. Death was due to an acute heart attack, he said. An inquest was unnecessary.

Mr. Gunther was a prominent member of the consistive offer to the Western Real true citizen, popularized through his genial personality and irreproachable business methods.

Dr. Cameron Wilson was called soon after Mr. Gunther was found. Death was due to an acute heart attack, he said. An inquest was unnecessary.

Mr. Gunther was a prominent member of the constant of the proposal to close the hardor is viewed by London businessmen that the proposal to close the hardor is viewed by London businessmen that the proposal to close the hardor is viewed by London businessmen to commerce as a race for the initial plunge in the waters of the suits, and there was a race for the initial plunge in the waters of the jool. It must be confessed that it was a chilly plunge, but that made not ofference, and meanwhile the rumor flew all over the neighborhood that the pool was open.

Kiddies with bathing suits began to a criff from all directions and by noon the pool had assumed a most animated aspect. The biggest crowd is expected this afternoon, and in view of the long delay and the publicity given to the pool it is expected that it was a chilly plunge, but that made not difference, and meanwhile the rumor flew all over the neighborhood that the proposal to close the hardor constends they of they will be confessed that it was a chilly plunge, but that made not difference, and meanwhile the rumor flew all over the neighborhood at a criff from all directions and by noon active as a race for the pool. It must be confessed that it was a chilly plunge, but that made not a criff from all directions and by noon active proposal as a chilly plunge, but that under their arms and as unostenta-tiously as possible joined the congre-

> Despite the brush between Mr. Mc-Cormick and the Klansmen, Mr. Eckhardt delivered his sermon as prepared, and, while unrecognized by prepared, and, while unrecognized by the congregation as a Klan address, it was so declared to be later by members of the order. The regular attendants of the Hyatt avenue church proceeded to their homes at the close of the service blissfully ignorant of the drama which had been enacted in their very midst.

First Appearance. The fact of the Klu Klux Klan in

The train reached Ludlow at 5:10 surprising event at the train reached Ludlow at 5:10 church marks only the second occation on which the Klan has made any attempt to come out into the open in Western Ontario. Seen this morning, Mr. Eckhardt their program to be "good if it is lived up to by the order.

PROF. HALE BECOMES HEAD OF DEPARTMENT

to the vessel from this source, which is one reason why the Western Re-Continued on Page 6. Column 4. New York.

Montreal.

Plymouth, June 28.—France from Succeeds Dr. Macgregor in Medicine at University. Medicine at University Medical School.

Prof. G. C. Hale, M.D.C.M., who has been associate professor of the department of medicine in the University of Western Ontario medica! school, has been made professor in that department.

Dr. John A. MacGregor, professor

of medicine and head of the depart-ment, has been made professor emeritus. The appointments constitute the only two changes which will be made in the staff of the medical school

SIMON LELIEVRE DIES. Canadian Press Despatch.
Ottawa, June 28.—Simon Lelievre,
LL.B., assistant clerk of the senate
died yesterday en route to Montreal

his year so far as is known