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THE SKULL IN COURT

Expert Testimony As to the Injuries Thereon.

NOT DUE TO THE FALLING WEIGHT

The Most Damaging Evidence Yet Given.

Dr. Caven Exhaustively Describes the Wounds Found on the Skull of Young Wells and Explains Why They Could Not Have Been Made by the Falling Weight—Two Blows Were Struck, in His Opinion—A Sandbag or Similar Weapon May Have Caused Them.

The developments in the trial of the Hyams twins at the Police Court on Saturday were of a sensational character. The case dragged along early in the day without much life, owing to the fact that several of the crown witnesses, including Mrs. Harry Place Hyams, wife of one of the prisoners, produced certificates to the effect that they were unable to attend, owing to illness.

Shortly after 3 o'clock, however, Dr. John Caven, who, in conjunction with Dr. A. J. Johnson, conducted the post-mortem on the body of young Wells, after it was exhumed at Oshawa, entered the box. The skull of young Wells was produced in court. When the prisoners saw the ghastly relic taken from the valise in which it had been placed, they were visibly affected and the jaunty bearing which had characterized them tened with interest to the evidence of the Doctor, which was of the most damearlier in the day departed. They lisaging character. He swore positively that the fractures which he found upon the head of young Wells could not possibly have been inflicted by a weight falling upon his head. Certain of the fractures might have been occasioned by an instrument similar to a sandbag, and the others by the side of the weight being tilted over upon the head. He was positively of the opinion that at least two distinct blows caused the injury.

The defence endeavored to show that the weight descending might have first struck Wells and knocked him to the floor, and then followed the body down, alighted on the floor and tilted over, but the Doctor was equally positive that he, the weight struck Wells on the he d in the manner claimed, it would have occasioned more injury than the diffused blow which the top of the head showed had been inflicted.

The first witness called was Uriah Jones, a farmer near Pickering, uncle of the dead boy. Mr. Jones was questioned as to the business relations he had with deceased in the fall of 1892. Wells was arranging to purchase a farm from witness, for which he was to pay $2400. Of the purchase money, $1000 was to be paid on January 6, but it was not paid, the boy not having come to Pickering as agreed. Four days before the tragedy Jones received this despatch:

Jan. 10, 1893.

Cannot come till to-morrow afternoon. Will wire when coming. WILLIE.

On the Saturday preceding the day of the tragedy Jones received this despatch:

Jan. 14, 1893.

Meet at Whitby, 2.30, at aunty's. WILLIE.

The appointment was never kept. On Tuesday, Jan. 17, Jones received a telegram from E. B. Aylesworth stating that Willie had been killed by the elevator.

Mr. Curry then attempted to introduce the agreement drafted between Jones and Wells, but was unsuccessful, although it was tendered.

"I warn the witness," said Mr. Johnston, "that we propose to show that Jones was attempting to sell a $500 farm to Wells for $2450." The bluff excited Mr. Jones, who emphatically denied that he ever owned a $500 farm; he had paid $3000 for this very farm.

THE PRISONERS' COUNSEL.

Mr. Curry then asked Mr. T. W. Horn, of counsel for the prisoners, to step into the box. Mr. Johnston objected on the ground that the witness was privileged. The Magistrate requested the Crown Attorney to quote some authority for calling counsel engaged for a prisoner to testify for the prosecution in the case.

The position is this, said Mr. Curry. The Crown claims that there was an intention on the part of the prisoners from the time that they first went to the Colborne-street warehouse and induced the young man subsequently to have the insurance placed upon his life to commit the crime for which they are now charged. The Crown charges that the beneficiary was nominated by the prisoner H. P. Hyams, and that almost immediately after the money was paid to her Mr. Horn was instructed by the prisoners to draw up a paper whereby they were to get absolute control of that money, and as I am instructed, whereby there were statements and recitals made in this document that the prisoners had some claim upon this money. I want to get that document; I want to get the circumstances in connection with it.

Mr. Curry further quoted an authority, but Mr. Johnston argued that it was only admissible to call such a witness where it was proved that a corrupt agreement had been entered into between the solicitor and the prisoner.

The Magistrate reserved his decision until Monday, and Mr. Horn stepped down.

BLOOD STAINS ON THE BOXES.

W. H. Riches, a wholesale jobber at 45 Queen-street, was called to support the contention of the Crown that young Wells was struck down on the first or ground floor, and not in the basement. Riches purchased a quantity of cases of groceries and several barrels of sugar and salt, and when he went to the warehouse to remove the goods two days after the tragedy he observed spots of blood on several of the cases and on one of the barrels. The barrel was considerably spattered. The space covered by the blood was almost the size of his two hands. Witness told Mr. Paling at the time that the barrel was all over blood. There was also blood on some boxes on the second floor.

THE QUESTION OF A BARRISTER'S PRIVILEGE.

Barrister Smoke testified that in the spring of 1893 he acted as solicitor for Martha Wells in the transference of the insurance money to the Hyams brothers. This is as far as he had got when Mr. Johnston claimed the question of privilege. Witness seconded his application, and stated that Mrs. Hyams did not wish him to make any disclosures in connection with the matter.

Mr. Johnston argued that as the wife hadn't waived her privilege, any prior transaction between herself and solicitor, by reason of her subsequent marriage to Hyams, became privileged.

The Magistrate said he knew of no authority to support this contention. There was no relation between this solicitor and the prisoners. He, therefore, ruled that Mr. Smoke's evidence was permissible.

Witness remembered having a conversation in his office with H. P. Hyams in the presence of his solicitor, Mr. Horn. He could not recollect the conversation in detail. He thought the greater part of the conversation was conducted by Mr. Horn for Hyams.

CONVERSION OF MARTHA'S MONEY WITHIN 60 DAYS.

Was any statement made to you as to the amount of money H. P. Hyams had received from Miss Wells?—A. An admission was made by either Mr. Horn, speaking for Mr. Hyams, or by Hyams himself, that an amount of money had been received by H. P. Hyams from Miss Wells.

To what extent?—A. I have no distinct recollection of the amount, but I have refreshed my memory by perusing the correspondence which I had at that time with Hyams' solicitor. I think that about $9000 was then admitted to be in H. P. Hyams' hands belonging to Miss Wells.

That would be at what time?—A. On the 30th March, 1893.

Did he give any securities to Miss Wells?—A. He said he had securities which he could hand over to her for the whole amount.

Did you ever get these securities?—A. I did not get the whole $9000.

How much did you get?—A. My recollection is that I got less than $1000.

Did you have any conversation with Hyams in April?—A. I have no record or recollection.

Was there any document submitted to you by Mr. Hyams in April?—A. Not by Mr. Hyams personally.

You had considerable communication with Mr. Horn in connection with this transaction?—A. Yes.

Did you ever advise your client not to execute a deed or paper containing recitals questioning her ownership of this money and whereby the money would go into the possession of H. P. Hyams?

The Magistrate: I think that it is a leading question and I don't think it is a question he can properly answer.

Mr. Curry: Did you ever receive from Miss Wells such a document?

The Magistrate: Let that stand until Monday, when I will decide upon the other point.

AGAIN THE ELEVATOR.

John Imrie, who preceded the Hyams brothers in the occupation of the warehouse, testified that he never heard of the weight falling off the hoist while he was there. In support of the contention of the Crown that the warehouse was leased for the express purpose of securing premises in which to kill young Wells, the witness was asked when the premises were leased by Hyams. He said they were leased Nov. 27, 1892, and vacated in June, 1893. Mr. Graham, the partner of last witness, testified that when they vacated the premises the box was complete all the way down to the basement floor. He had never known the weight to fall from the rope, but the weight did become caught once, owing to a piece of the boxing giving way and the weight catching on the floor of the warehouse.

Albert Fryer testified that he repaired the elevator box for the Hyams brothers on Jan. 23, 1893—a few days after the tragedy. Some of the boards of the box were loose on the first and second floors, and he repaired them. He also took down the stand, which had been built, the Hyams stated, to rest the weight upon in the event of it being changed. Charles Hackney, who assisted Fryer in repairing the elevator, described the work done. Witness was told that the weight had caught in the box. He examined the weight and worked the hoist to see if the weight would catch, but failed to find any place where it caught.

Do you remember that a small portion of the flooring projected into the box, and you sawed it off? asked Mr. Johnston.

I was told by Mr. Fox that a piece projected into the box, and I sawed about 3-4 of an inch off, but I have a doubt, however, whether it projected into the box any or not.

THE CORONER.

W. H. B. Aikins, M.D., coroner, testified that on Jan. 16 1892, Dr. King called him up by telephone and asked him to go to the Hyams' warehouse, in Colborne-street, and see if he could give a death certificate. When he got there he had a conversation with one of the prisoners, which one he could not say. He was taken to the basement and saw the body of a man lying within a foot or a foot and a half of the elevator shaft. The body was lying partially on the back and partially on the side. The coroner continued:

I made an examination of the head and found that it was badly shattered. I have a very clear recollection that I examined it with my hand. The skull was crushed and the upper part of the face was also injured-looking, as if it had been crushed. It looked as if the head had been struck across the parietal bone. My recollections would lead me to say that the top of the scalp was broken. The cage of the hoist was down. One of the prisoners told me that there had been an accident, that Wells had been working with the hoist and that he was alone in the cellar.

To Mr. Johnston witness said that he saw nothing to lead him to conclude that death was due to other than accidental causes. He was of the opinion that the boy had been struck by the weight in the cellar as described to him.

THE POSTMORTEM.

Dr. John Caven, who conducted the postmortem examination in conjunction with Drs. Johnston and Spencer, was next called. He testified that he found the body in an advanced state of decomposition, the head and limbs being readily removed. The head fell away from the body by its own weight. The long bones, and all those parts from the head downwards, were sound, and showed no signs of injury. The lower jaw had fallen in, and the head hung back loosely. The nose was sunken in on the right side. The right temple was also sunken in, and gave appearances of considerable damage. The head, as a whole, was slightly flattened, the left side being more flattened than the right. The skull was badly fractured, the fractures running in several directions. The bones were subsequently put together as much as possible.

THE SKULL IN COURT.

From his satchel Dr. Caven at this stage took the skull of the dead man from the valise which he had brought with him. The prisoners evinced the liveliest interest that they have yet shown when the skull was produced. They looked fixedly at the skull, and then glanced quickly around the court room, as though with a view of seeing what impression had been made upon the crowd.

The evidence of Dr. King, Coroner Aikins and Expressman Fox was to the effect that the right side of deceased's head was upward when they saw the body after the tragedy. Dr. Caven swore, however, that the fractures were principally on the left side of the head. The witness minutely described the several fractures on the skull. There was a complete division of the skull into lateral halves from the top downwards. The posterior portion was cut off, the line of fracture running down and forwards, and going completely through the base from side to side. The third peculiarity was a complete fracture of the front from side to side. There were also several minor fractures. The right side near the cheek bone had evidently been driven inward.

Suppose a 200-lb. weight fell from the top of a three-story building, would it have caused the injuries you found?—A. No, I don't think so.

THIS IS POSITIVE ENOUGH.

Mr. Curry: Take the case of a man standing under the weight in the pocket looking upward and his being struck with the weight falling straight down and striking him obliquely, do you think that injuries of this kind would be caused?

Dr. Caven: Certainly not. In that case it would have crushed right through the head and must have done some damage to other portions of the body, whereas, so far as I could perceive from my examination, neither the shoulder blade nor any other bones were broken.

Mr. Curry: Take the case of a weight falling, say 8 feet, upon a man looking up the pocket, would you have found the head in the condition it presented?

Witness: I would have found part of the conditions, but not the whole.

Mr. Curry: Take a 200-pound weight falling upon a man's head, striking it obliquely and carrying it to the floor and remaining upon it, would you have found these conditions or not?

Witness: The head would have been much more crushed.

Mr. Curry: You have seen the elevator and the man's head. Now, do you believe that the condition of the man's head could have been caused by that weight falling upon it any distance out of the shaft?—A. I do not think so.

THE WEIGHT COULD NOT HAVE DONE IT.

Mr. Curry: Can you form any idea as to what distance the weight would have to fall to cause the injuries you found?—A. I do not think the result could be produced by the falling of the weight at all.

The Magistrate: How have the injuries been occasioned then? Dr. Caven: The injuries to the base are indicative of one of two things: Either that the vertical column has been driven up into the base of the brain, or the head driven downward.

There are two ways this could be produced. By the impact of a diffused force upon the top of the head, or a force from the buttocks up.

Continuing Dr. Caven said he was of opinion that if the weight had been simply tilted over on the head it would have caused the fractures other than those produced by the diffused force striking the top of the head. There are indications of a pressure on both sides of the head. It must have been a broad flat surface did this. The side of the weight would do it.

MORE THAN ONE BLOW.

Mr. Curry: Can you say whether more than one blow was struck or not?

Dr. Caven: I think there has been more than one blow.

Mr. Curry: Could you have found the condition of things from a weight falling down the shaft, striking the head obliquely and carrying it to the wooden block or buffer at the foot of the pocket?

Dr. Caven: That would be impossible. If struck in that way he would have expected to have found the body in a heap, collapsed, at the bottom of the pocket and not two feet away with the limbs perfectly straight and the weight resting on the head, as the evidence of those who were first on the scene states it was found.

To Mr. Johnston, Dr. Caven said that while he was not surprised that doctors differed, he would be to find they differed in this case.

MIGHT HAVE BEEN OCCASIONED BY A SANDBAG.

In answer to further questions by Mr. Johnston, the doctor stated that the fractures which bore evidence of having been caused by a diffused force could not be occasioned by a hammer, but might have been caused by a sandbag or something of that kind. The breaking of the cheek bones and the splitting fore and aft were caused by a heavily applied force to the side of the head.

Mr. Johnston: If the falling weight had struck the young man and knocked him down, and then fell and lighted on the buffers and tilted over, would it have caused the injuries you found?

Dr. Caven: I don't think so.

Mr. Curry: Could a man be struck on the head by that weight with a sufficient force to knock him down without occasioning more injuries than you found was occasioned by the diffused blow struck?

Dr. Caven: No, certainly not.

ADJOURNED FOR A WEEK.

At this stage the case was adjourned. There are still several other medical experts to be examined, including Dr. Johnson and Mr. Harry P. Hyams, who will also be put in the box to tell what she knows concerning the case. Owing to the fact that the associate counsel from New York had to return to look after cases there early in the week, and that the medical witnesses for the Crown have been subpoenaed to give evidence at the trial of Hendershott and Welter at St. Thomas on Tuesday, no date was fixed for the resumption of the inquest, the case being simply enlarged until next Saturday, when a date will be fixed upon for resuming.

CANADA-AUSTRALIAN BILL.

To Be Introduced in the Commons on Monday.

Montreal, March 2.—A Star special cable from London says: Though the Canadian-Australian Customs bill has been withdrawn from the House of Lords on a question of privilege, the Government is determined to push it forward. Mr. Sydney Buxton, Under-Colonial Secretary, will on Monday introduce the bill into the House of Commons.

The bill consists of one clause only repealing the Acts which now prevent the Australian colonies from making Custom treaties with Canada and South Africa. The bill being non-contentious, the Government hope all parties will agree to push the measure despite the congestion of the general business.

California Tokay.

California Tokay is the most delicious, red, sweet, pure wine ever sold in Canada. Price $2.50 per gallon, $6 per dozen, 60 cts per bottle. The demand for it is unprecedented. Wm. Mara, 79 Yonge-street.

Local Jottings.

Chief Justice Meredith and Mr. Justice Rose Saturday dismissed with costs A. T. Johnston's appeal to set aside the $1000 judgment held by John Inglis against E. Hewitt and himself. The new trial asked for was also denied.

The Masters Plumbers' Association held their ninth annual meeting in Forum Hall on Thursday, and elected the following officers: Thomas Cook, president; W. J. Burroughes, 1st vice-president; George Gaust, 2nd vice-president; J. H. Allison, secretary; A. Fiddes, treasurer; W. J. Garratt, sergeant-at-arms. Twenty-one new members were admitted to the association, after which a discussion on the sanitary condition of the city and how best to improve and maintain it was indulged in.

THE SECRET NOW OUT

Barrister Heyd Formulates Gowanlock's Charges.

ALLEGATIONS AGAINST OFFICIALS

Wallace Nesbitt Withdraws From the Investigation.

Christopher Robinson, Q.C., Appointed Prosecutor by the Mayor and Judge McDougall—Charges Against the Nesbitt Firm and the Solicitor of the Street Railway—Fred Coleman's Name Is in the List—Gowanlock Declines to Give Evidence Until After Consultation With Mr. Robinson—Names of Witnesses Subpœnaed—Evidence to Be Taken Thursday Next.

At last ex-Ald. Gowanlock has shown his hand. Through his counsel, Mr. Heyd, he has submitted to Judge McDougall an outline of the evidence he intends to offer in what is known as the boodle investigation.

The allegations are serious, so much so that Wallace Nesbitt, Q.C., has withdrawn from the prosecution. His method of conducting the investigation is impugned; and there are charges also against William Laidlaw, Q.C., solicitor of the Toronto Street Railway.

In view of the changed aspect of affairs Christopher Robinson, Q.C., has been appointed to conduct the inquiry on behalf of the city, and Hon. S. H. Blake, Q.C., has been retained by Mr. Laidlaw.

The most remarkable phase of Saturday's proceedings was the change of front of Mr. Gowanlock. On two previous occasions he positively refused to give either His Honor or Mr. Nesbitt any information, stating at the time that he was quite ready to go into the witness box and give evidence. At noon yesterday when His Honor gave him the opportunity to do so, he flatly declined to do so until he should have had a consultation with Mr. Robinson and confided to him his story and that of his witnesses.

THE SCENE IN COURT.

Expectation of interesting developments attracted a large crowd to the court. Amongst the spectators were aldermen, civic officials, contractors and quite an array of barristers.

The first item of interest was Mr. Monroe Grier's request that the following gentlemen, if in court, should not leave till they had been served with subpoenas as witnesses: John Shields, A. C. Winton, Samuel Weekes, John Laxton, E. A. Hutchinson, Robert McKee.

BARRISTER HEYD'S LETTER.

Mr. Nesbitt said: Before proceeding further I desire to read a letter from Mr. Heyd, dated Dec. 27. This was in reference to re-opening the inquiry. Mr. Nesbitt explained the reasons why it was closed, as already known by the public.

CANNOT BE ACCUSER AND ACCUSED.

Mr. Nesbitt, continuing, said: As Your Honor has handed me the charges which Mr. Heyd has furnished, and as those charges are of such a character as to involve my own personal probity, I shall decline to take any part in the investigation of these charges. I cannot be both accuser and accused.

The Judge: Mr. Heyd gave me yesterday afternoon an outline of the charges his client was prepared to make. He put these charges in writing, and in view of that letter I communicated with the Mayor. As a result, Mr. Christopher Robinson has been retained to represent the city until the charges against Mr. Nesbitt have been investigated.

Mr. Nesbitt: I shall have to consider at a later period whether I shall resume any connection with the investigation.

A CONFERENCE WITH THE JUDGE.

Mr. Christopher Robinson said before assuming the duties of counsel for the city in this investigation he must see the Judge's commission from the City Council and satisfy himself as to the scope of the enquiry. In order to do this he suggested an adjournment.

His Honor concurred and together they retired to the Judge's room for half an hour.

MR. ROBINSON'S STATEMENT.

On returning into court Mr. Robinson spoke as follows: "I have read the commission under which Your Honor is acting and the charges proposed to be made by Mr. Gowanlock. I find that two of the charges do not directly concern the subject matter which Your Honor has been deputed to investigate. It must certainly affect the facilities which have been offered to Your Honor. If they are true, they show that the counsel employed in the investigation have not done their duty, but have corruptly abstained from doing their duty, and have thus prevented Your Honor from investigating the matter as you desired to do. One of the charges, however, does seem to affect the subject matter you are to investigate, as to whether improper influence has been used to obtain contracts with the corporation. I feel myself that these are matters that ought to be investigated without delay, and while, of course, I should have preferred having more time to acquaint myself with the details, I do not think it is well to delay the matter further. I therefore propose to proceed with Mr. Gowanlock."

MR. HEYD OBJECTS.

Ex-Ald. Gowanlock's counsel immediately rose, and said: I do not think it would be in the interests of justice to pursue such a course. I have yet to learn that a single witness has ever gone into the box without first being interviewed by the counsel conducting the investigation. Also I object to the public announcing of witnesses' names before they have been subpoenaed, before they have been seen by counsel. This is not fair to Mr. Gowanlock nor in the interests of the city. I think Mr. Robinson should not proceed with the investigation until he has become familiar with all the details of this case.

Mr. Grier disclaimed any other intention in publicly mentioning the witnesses' names than the facilitation of the business of the court.

The judge said this was only a formal matter.

Mr. Robinson: Now, I am prepared to see these witnesses.

Mr. Heyd: I want Mr. Robinson to take the entire responsibility of this investigation.

Mr. Robinson objected to any responsibility save the conduct of the investigation.

His Honor: We had better go on with the investigation.

THE EX-ALDERMAN DECLINES.

James Gowanlock was then called. He advanced to the counsel's table and said: I decline, on the advice of my solicitor, to give evidence till I have had a consultation with Mr. Robinson.

Mr. Heyd supported Mr. Gowanlock in his refusal at this stage to give evidence. He suggested the adjournment of the inquiry for a week or ten days. The investigation must not be hurried. It must be thorough

Hon. S. H. Blake: I represent Mr. Laidlaw in this enquiry and I should prefer it to stand over till Monday that I may be prepared to meet these charges.

After consultation the Judge fixed Thursday next at 11 o'clock for proceeding with these new charges.

WISHED TO REFUTE THE CHARGE AT ONCE.

Mr. Nesbitt: Such a charge as this against me, I submit, ought not to stand till Thursday, nor any other day. I am prepared to refute it at once. Think of my position, with such a charge hanging over me till Thursday.

The Judge: The court stands adjourned till Thursday. (Playfully): We might lock you up in the meantime. (Laughter.)

Mr. Nesbitt said he regarded it as a very serious matter to wait for his defence till then.

WHAT THE ALLEGATIONS ARE.

Mr. Gowanlock alleges that A. Monro Grier accompanied Fred. Coleman out of Toronto, in pursuance of an agreement; that there was an agreement between Mr. Wallace Nesbitt, H. S. Osler and William Laidlaw to improperly and prematurely close the investigation; that his resignation was obtained by false pretences, and that a certain offer was made to S. Wicks and Mr. Gowanlock to influence the latter to support the appointment of the firm of Beaty, Blackstock, Nesbitt & Chadwick as solicitors for the city of Toronto.

The above allegations have been submitted to His Honor, and their truth or falsity will be the matter of the forthcoming investigation.

CONSERVATISM IN PEEL.

Mr. A. F. Campbell, Ex-M.L.A., Nominated to Carry the Standard at the Dominion Elections.

Brampton, Ont., March 2.—There were rumors on the streets of Brampton today that there would be dissension at the Peel Conservative convention this afternoon and that six or seven candidates would stand for the nomination. When the convention opened, however, things went evenly, and though a large number of gentlemen were nominated, they all successively retired except A. F. Campbell, ex-M.L.A. for Algoma, who was unanimously made the candidate.

Mr. Campbell is a native of Peel and has lived in Brampton for 20 years. Eight years ago Mr. Campbell made a good run in the same constituency, although he did not reach Ottawa. The Conservatives are sanguine of his election this time, however.

The nominees were: A. F. Campbell, Brampton; Dr. Beattie Nesbitt, Toronto; W. A. McCulla, ex-M.P., Brampton; Robert Wilson, Brampton; Dr. Mueller, Brampton; E. Blair, Brampton; James Jackson, Meadowvale; J. W. Beynon, Q.C., Brampton; B. F. Justin, Brampton.

Almost every one of these gentlemen had factious present anxious for them to stand, but by pre-arrangement they all retired, leaving Mr. Campbell to carry the banner.

The meeting was apathetic until Dr. Nesbitt, in declining to stand, made a short but ringing speech, calling on the Conservatives of Peel to stop fighting and bickering among themselves and get down to business. He said it was wholly their own fault that they had not sent a Conservative to Ottawa at the last election. They must drop dissension and work.

After the nomination had been declared a public meeting was held, at which Hon. N. C. Wallace, Hon. J. F. Wood and Dr. Nesbitt delivered stirring speeches.

Frontenac Tories.

Kingston, Ont., March 2.—This afternoon the Liberal-Conservatives of Frontenac met in the Court House and selected Charles N. Spooner of Glenburnie as the standard-bearer in the coming Dominion elections. He is an ex-warden of Frontenac County

COMMERCE THE CHAMPIONS.

They Win From the Imperial Bank Team By 16 Goals to 5.

With little ceremony the Bank of Commerce team administered an overwhelming defeat to the Imperial Saturday afternoon in the final game for the league championship. From the start to the finish the Imperials were on the defensive, and at no period were they able to check the rushes of the fleet-footed forwards of the Commerce team, who were always on the puck, and displayed as fine a combined game as has been exhibited in Toronto this year. In the first half the ultimate winners tallied 8 goals, chiefly through the exertion of Macdonald, while the Imperials succeeded in eluding the Commerce defence twice. The last half was a repetition of the first, and consisted of a series of rushes by the Commerce, from which 8 goals resulted. Imperials increased their score by three, and the match ended in a victory for Commerce by 16 goals to 5.

The teams were:

Commerce—McMaster, goal; Hilburn, point; Nourse, cover point; Stevenson, Gordon, Hedley, Macdonald, forwards.

Imperial—Love, goal; Patterson, point; Darrell, cover point; Langtry, Creelman, Kavanagh, Whitely, forwards.

Referee—W. A. K. Kerr.

The American Thoroughbreds Out.

London, March 2.—The American race horses took their first gallop on the heath at Newmarket to-day. The horses had previously been exercised by means of walking them up on their straw bed, owing to the frosty condition of the ground and the extreme cold weather. Several of the horses were not brought out, owing to the bad condition of their legs. Among them was Don Alonzo, who is still suffering from the shock he received on the train while being conveyed from the docks at Liverpool to Newmarket. The horses appeared to feel strange on the grass track. They were galloped at from half to three-quarters speed for a mile, causing them to blow and sweat profusely. The lot were extremely backward, owing to the effects of their long voyage, the cold weather, and the restrictions to which the frosts had subjected them. The management of the Dublin race meeting have invited Messrs. Croker and Dwyer to run their horses on the Baldoyle course at the Whitsunday meeting, offering them free entrance and free stabling.

Public Funerals of Diphtheria Victims Prohibited.

Montreal, March 2.—The City Health authorities have warned undertakers not to hold public funerals of those who die from any contagious disease. One A. Taillefer of 308 Montcalm-street, for having a public funeral of his child, who died from diphtheria, was prosecuted today, but as he had acted on his doctor's authority the case was dismissed and an action has been entered against the doctor.

Clarets, Clarets.

Excellent table clarets at $3.50, $4, $4.50, $5 and $5.50 per dozen, quarts. Wm. Mara, 79 Yonge-street.

Grand Duke Alexis Dead.

San Remo, March 2.—Grand Duke Alexis-Michaelovitch, son of Grand Duke Michael, died here this morning, aged 20 years.

Important for Invalids.

Almoxia Wine for invalids is the best wine known to cure anemia. Sold by all druggists and wine merchants.

HE CAN'T REACH IT THAT WAY.

THE EAGLE: Wilfrid is making a beautiful bluff to reach the eagle's nest, but he won't get there with that rope.

SECOND EDITION.

SATURDAY, 9 30 P.M.

ANOTHER STRANGE CASE

A WOMAN MYSTERIOUSLY BURNED TO DEATH.

Heavy Insurance on Her Life—The Husband's Doubtful Story—He States That the Furnace Was Too Near the Woodwork and That He Appealed to the Landlord to Have It Changed, Without Effect.

Fire broke out in the house of A. Dick, upholsterer and manufacturer, 226 St. Helen's-avenue, shortly after one o'clock yesterday morning. The fire spread rapidly, and in a short time the building was enveloped in flames.

The occupants of the house at the time were Mr. Dick, his wife and four children. Mrs. Dick was burned to death.

The Dick premises, which rent at $3 per month, were located in a lonely spot at St. Helen's-avenue and Dora-street. When the firemen arrived Dick and his children were outside the house. According to his story the fire originated in the basement and was caused by the furnace, which was set too near the woodwork and evidently took fire on account of being overheated. "We were awakened shortly after 1 o'clock," said Dick, "by the cries of the baby. The house was filled with smoke and I awoke my wife and the three children in the next room and made for the rear of the house, where there appeared to be the least fire. I went first with the children, my wife following me, carrying the lamp. She turned down the stairs and I threw a mattress out of the window and dropped the children to the ground, a distance of about 15 feet, and none of them were hurt. I became alarmed when my wife did not appear below, and not receiving any reply to my repeated calls, crawled on my hands and knees to the stairway, down which she had gone, but could not get down, and escaped from the building by jumping."

After the fire had been subdued the fireman discovered the body of Mrs. Dick lying in the storeroom on the ground floor.

There was not much furniture in the house, owing to the family having rented premises at 1164 College-street, and most of their effects were taken there on Friday, and the family intended taking possession on Saturday. The remains of the dead woman were removed to the Morgue, where an inquest will be held by Coroner Johnson on Monday afternoon.

When the inquest opens some startling developments may transpire. Mrs. Dick's life was insured in the Covenant Mutual Insurance Company for $5000, the policy having been taken out within a year.

Dicks claims that the furnace was too near the woodwork, and that he had repeatedly asked the landlord to remove it, but he declined to do so.

About a year ago Dicks and his wife applied to the Covenant Mutual Insurance Company of Galesburg, Ill., for policies of $5000 each on their lives. $Both man and wife seemed entirely in accord and the policies were made in trust for the benefit of the children in each case. After inquiry the agents of the company reported the risks good, Dr. Little examined the applicants on Jan. 19, 1894, and the policies were granted. At the same time the first six months' premiums were paid upon both policies, and in due course the second premium, which would fall due about the middle of 1894, so that the third instalment will be about due at the present time.

On Jan. 22, 1895, Dicks took out an additional policy for $1000 on his own life and paid six months' premium.

When Dicks and his wife applied to the company Dicks seemed to think some explanation necessary for seeking the policies canvassed, and said that he had read some literature of the company, and was pleased with it. He also said that application had been made to another company, which was considering the matter.

A BIG IMPROVEMENT

In Our Trade With Our Neighbors to the South.

Buffalo, N.Y., March 2.—The effects of the change in the tariff law become more marked with each succeeding month's report. The trade with Canada, which, under the McKinley law had sunk almost into insignificance, is jumping ahead with tremendous bounds. Notwithstanding the reduced duties the February customs collections are $89,000 in excess of February last year, or nearly 35 per cent. greater, made up principally of barley, cattle, horses and farm products, importations of which have fairly doubled.

Mr. Giles' Appeal Dismissed.

Chancellor Boyd, Mr. Justice Robertson and Mr. Justice Meredith yesterday unanimously dismissed the appeal of James Giles, the pool-room keeper, against the judgment of Judge McGibbon holding the appellant to have been guilty of keeping a disorderly house in the shape of a pool-room. Chancellor Boyd in delivering judgment stated that the statute did not require that the engagement to pay should be personal as to the keeper of the place, and that it is immaterial whether th erace is run in Canada or elsewhere as long as the disorderly place called a betting house, is opened and maintained in Ontario.

Jewish Colony for Buenos Ayres.

New York, March 2.—The Herald's Buenos Ayres special says: The attempt of an emissary of Admiral Da Gama to induce the Brazilian squadron at Matta Grosso to revolt has failed. Baron Hirsch has just purchased a very large tract of land in the Province of Buenos Ayres upon which he intends to establish a new Hebrew colony.

DEATHS.

FINDLYA—At Conboyville, County of Brant, on Saturday, March 2nd, 1895, Anne, wife of William Findlay, in her 71st year.

Interment on Monday, March 4th, to Cataraqui Cemetery.

YUNCK STRING QUARTET

Musicale, Normal School Hall, Monday Ev'g at 8. Under the immediate patronage of His Honor the Lieutenant-Governor and Mrs. Kirkpatrick, and auspices of the ladies of the University. Tickets $1 and sale limited. Subscribers and the public can now obtain their tickets at Nordheimer's.