

MONDAY IS LIKELY DATE FOR WARD THREE RECOUNT

W. J. ASHTON FILES HIS APPLICATION FOR PERMISSION

Alderman Drake Not Worring Over Action—Hints Bigger Majority.

ONE VOTE DIFFERENCE

A recount of the votes cast in ward three will probably take place on Monday if the intentions of W. J. Ashton the defeated candidate are successful. On Wednesday last Mr. Ashton paid his recount fee of \$25 to the city clerk and after he has made application to the judge for permission to hold the recount he will see whether the goddess of fortune in civic elections will change her first decision.

There was a difference of only one vote between Mr. Ashton and Gordon Drake and a recount has been expected by those who have followed the situation closely. As for Alderman Drake, he is not worrying in the least about the recount.

CITIZEN PLEADS GUILTY TO DISORDERLY CHARGE

Charles Thompson was fined \$10 and costs in police court this morning on a charge of disorderly conduct. Evidence was given that he had been drinking and was throwing his furniture around and making a general disturbance. He pleaded guilty.

On Dec. 28 Palmerston opens at Chesley in the intermediate group, made up by Warton, Chesley, Owen Sound, Palmerston, Listowel.

Gives Up Life To Save Girl

Canadian Press Despatch.

Montreal, Dec. 14.—Thrown into the water of the harbor when the tug Robert Mackay capsized and sank yesterday, Louis Cote, 35 years old, fireman, sacrificed his life to save from drowning Miss Rose Deblois, the tug's cook. The crew of seven men were precipitated into the water and five of them were picked up unharmed. Miss Deblois was sinking for the third time when Cote reached her, and he sank as she was being picked up.

TOPPING COMMITTED FOR JANUARY TRIAL

Continued from page 1.

stated, "and found Mr. and Mrs. Cook. Mr. Cook then left the kitchen and evidently went to the bedroom and again asked the man to leave. I heard a murmur of conversation, but could not distinguish what it was. Then I saw Mr. Cook returning, and just then I heard two shots. "I started for the bedroom, having to go by way of the parlor, and just as I reached the bedroom door I heard another shot."

At this point Magistrate Graydon gave the witness the protection of the court in regard to his evidence as to what next happened. "The parlor and the bedroom were both dark and I could not see very clearly. There were three shots fired before I got there," he continued.

Examined the Gun. "I looked in the room and saw what I thought was a man and woman off to one corner. As I stepped to the door he turned in my direction and a shot rang out. I fired at the same time."

"After the shooting I ran to the door, thinking that Topping had gotten out the door and was getting away. A passer-by shouted that some one was running down the street. I looked, but there was no one. I went back to the bedroom and told him to throw his gun away. He replied that he had done so and that it was lying on the bed. I arrested him without any trouble and took him to the police station."

"Examining the gun, I found four empty chambers and one live cartridge. Also eight live cartridges. These were in his vest pocket. I think the gun smelled as though it had been fired recently and was dirty. The gun was 25 calibre and of foreign make, Spanish, I think."

"That's the case," said Mr. Gillanders. "You say you were sent to this house," said Mr. Swanson in cross-examination. "What instructions were you given?"

"I was told by the desk sergeant that there was a man in the house who would not leave and it was thought he had a gun."

"Were you given any further information or instruction?" "No, sir. How long did you wait in the kitchen after reaching the house?" "Three minutes."

"Then you waited three minutes before going and investigating this complaint about a man with a gun who would not leave the house?" "Mr. Cook said he would go and ask him to leave again. That is why I waited."

Counsel Examines Gun. "How many chambers in your gun were fired?"

"One."

"What happened to the gun then?" "It was sealed and turned over to the chief of police immediately. He still has it sealed and locked away."

Mr. Swanson said he would want to have the gun examined, and was given permission by the crown.

Replying to another question, the witness said he had only seen one girl at the time, but had seen the other later, lying on the kitchen floor.

"What you did, then, was to fire your gun and then run out the door. You made no effort to arrest the man at that time?"

"No, sir."

"Until after you came back, and he was then standing peacefully?" "Yes, sir."

"Did you ask him why he had done the shooting?"

"I did at the station, but I don't remember what he said. I had practically no conversation with him."

"Did he appear cool and collected?" "Yes, sir."

"After apparently shooting two girls?"

"Yes, sir. He acted as a normal sane man, as far as I could see. He

was asleep a few minutes after having been put into a cell."

"Was that the act of a normal man, to fall asleep like that?"

"I am no expert in such matters, so cannot express an opinion."

This concluded the cross-examination. Mr. Swanson then asked the defence be given access to all statements, documents, papers and articles that might be used as exhibits. This was agreed to by the crown.

Permission was also asked that an alleged statement of Topping's be allowed to the defence.

"I don't think the defence is entitled to access to evidence that is likely to be used against it," said the court.

"If it is to be used at the trial, I think I should have access to it as a matter of justice," argued Mr. Swanson.

Mr. Gillanders then said there was a statement and that if the crown intended using it, it would be made accessible to the defence.

After having been duly cautioned, Topping, through his counsel, stated that he had nothing whatever to say and no witnesses to call.

"I commit the prisoner for trial on the charge of murder, then," declared Magistrate Graydon.

After court adjourned, Mr. Swanson held a consultation with the relatives of Topping, many of whom were present in court. This lasted for a couple of hours.

The crime with which Topping is charged occurred on the morning of Nov. 23, at the home of George Cook, 318 York street, where Geraldine Durston, the murdered girl, and her chum, Viola McNaughton, boarded.

Topping visited the house about 7:30 a.m., and after having tried to persuade the girl to marry him and meeting with refusal, pulled a revolver and shot her. She died several days later in the hospital. Viola McNaughton, also shot, is on the way to recovery.

BRITISH DIVORCE CASES SLOWLY DECREASING

Associated Press Despatch.

London, Dec. 14.—Statistics just available for 1922 show that divorces in Great Britain are becoming fewer. The number of petitions filed in the divorce court last year was 13 per cent below that of 1921, 42 per cent less than in 1920, and 48 per cent under the figure for 1919, when the total was greater than in any previous year.

WANT NEW FIRE HALL.

Windsor, Dec. 13.—One of the first requests to be made to the 1924 council at Windsor will be the application for a new fire station to serve the southern section of the city. Fire Chief Clarence J. Dehfelds said today.

DENY CHARGE THAT CLOTHES WERE BURNED

Continued from page 1.

No clothes burned in the furnace when I was there, I am positive of that."

Turnkey William McLeod, who was on duty at the jail in 1921, states that moth eaten clothes left by prisoners sentenced to terms in Kingston penitentiary and stored in the jail storeroom, which is entirely apart from the court house, were taken by him and put out in the jail shed. He declares none of the clothing was burned, nor did any of it come from the court house.

Residents of Melbourne, including relatives of the young man who courageously grappled with Sid. Murrell, bank robber, as he tried to make his escape, are indignant at the positive statement that the clothes worn that day by Russell Campbell were laden with vermin.

"They were a lot cleaner than the 'Free Press' is," stated Robert Campbell, a brother, who was instrumental in the capture of Sidney Murrell and "Slim" Williams. "All I can say is that it is a nasty implication."

Point for Murrell.

Publication of the report was responsible for bitter remarks in Melbourne last night, and the statement that "another point had been scored in Murrell's favor" was severely criticized.

Detective Inspector Stringer of the criminal investigation department of the provincial police left London on Wednesday after conducting a three-day probe in connection with the missing clothing. He obtained no definite information.

While no official statement is forthcoming from the inspector, it is known that he traced the clothes to the sheriff's office, and lost the trail there.

Mr. Sprounburgh, Melbourne undertaker, took the bundle of clothes to the sheriff's office in the fall of 1921, placed them behind the door, and they have not been seen since.

"There were no vermin on the clothes at that time," stated the undertaker last night. "None would be found in the crown attorney's office, and I can see no possible basis for such an absurd report."

MRS. MERO IS DEAD.

Special to The Advertiser.

Windsor, Dec. 13.—Mrs. Annie Mero, 78 years old, life long resident of Tecumseh, died early today. Mrs. Mero who was the wife of James Mero, celebrated her golden wedding three years ago. Harry J. Mero president of the Brussels Concrete Steel Co. of Walkerville, is a son.

SHOOTING VICTIM STILL IMPROVES

Miss Viola McNaughton Will Probably Get Better, Say Doctors Today.

Miss Viola McNaughton, victim of a shooting affair at 318 York street, three weeks ago, still continues to show improvement in her condition, hospital authorities stated today. Although doctors would not say definitely what were her chances for recovery, it is their opinion she will get better, providing nothing unfavorable happens. When Miss Mc-

Naughton entered the hospital on the morning of the shooting, her condition was reported to be critical, and no hope was held for her recovery. She has been fighting bravely against death for three weeks, and her doctors are of the opinion that she is now well on her way to complete recovery.

She sits up in bed for a short period each day, and appears to be bright and cheerful, physicians stated. She has not yet heard of the death of her chum, Miss Geraldine Durston, for which Clarence Topping was this morning arraigned on a charge of murder.

Whenever the shooting affair comes up in conversation the subject is quickly changed. Doctors fear that any news of the murder would greatly upset the injured girl's condition, and might bring on a relapse.

HENRY WATKINS CHOSEN COURT WELCOME RANGER

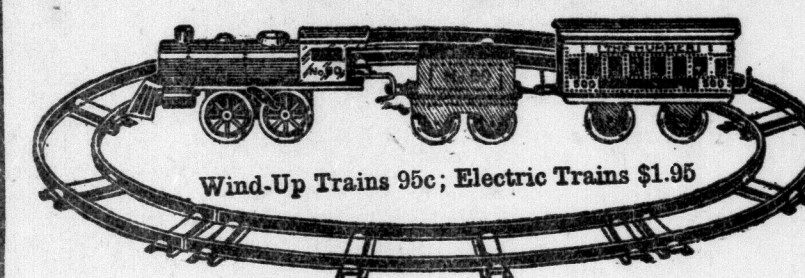
Court Welcome No. 12 of the independent Foresters held their annual meeting last evening at which the following officers were elected for 1924: Past chief ranger, A. J. Skeates; chief ranger, Henry Wat-

kin; vice-chief ranger, Frank Harrison; orator, Brother Jones; senior woodward, P. Mallett; junior woodward, Brother Gerrard; senior beadle, Brother Bates; junior beadle, Brother E. Mallett; treasurer, I. A. Thatcher; court deputy, E. Mawson; financial secretary, John Baskette; recording secretary, W. Jenkins; trustees, J. Ball and Brother Galpin; auditors, H. Watkin and Salter; central committee, Messrs. Skeates, Watkin, Harrison, Jones, Mawson, Jenkins; court physicians, Dr. Ferguson and Dr. Duncan.

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THE GREATEST ASSORTMENT OF TOYS. ALL AT CUT-RATE PRICES.

Teddy Bears. 69c to \$5.95

Automobiles \$8.95 to \$29.50

Telephones, for \$1.19

Dressed Dolls, with hair and sleeping eyes 45c to \$3.95

Erector Sets \$1.39

Large Iron Doll Beds \$1.39 and \$1.99

Shoe-Fly Rocking Horses \$1.99

MAMA DOLLS \$1.39 to \$3.75

DOLL CARRIAGES \$1.50 to \$15.90

Children's Table and Two Chairs, large size \$2.95

Heavy Wheelbarrows, Reg. \$3.50, for \$2.19

BANKRUPT SALE OF BARNARD'S JEWELRY STOCK

THE bankrupt stock of John S. Barnard was purchased by Stock Bros. of Toronto, at an absurdly low rate on the dollar and will be completely sold out, together with furniture and fixtures, before Christmas.

Consisting of Diamonds, Watches, Jewelry, French Indestructible Pearls, Silverware, Clocks, Cut Glass, Umbrellas, Leather Goods, Art Goods, etc.

$\frac{1}{4}$ Off $\frac{1}{2}$ Off $\frac{3}{4}$ Off

the prices asked by John S. Barnard. You can satisfy yourself regarding the values, as the original tag is on each article. This is the greatest opportunity ever offered the people of London and Western Ontario because the reductions are the largest and the time most opportune.

EVERYONE is familiar with the quality stock of jewelry carried by John S. Barnard and with his reputation as a buyer of superior merchandise. There is nothing inferior about the goods offered in this sale. No finer stock exists in Western Ontario.

Sale Starts Tomorrow Morning—Saturday—at 9 o'Clock

The Earlier You Get Here the Greater Will Be Your Selection

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