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10 PAGES—WEDNESDAY MORNING, JUNE 26 1907—10 PAGES.

## POSTPONEMENT REFUSED LIBEL CASE SEEMS DEAD

### Judge Landry Renders Decision Favorable All Along the Line to the Defendant Editor.

FREDERICTON, N. B., June 25.—(Special.)—The last has been heard in the courts of the Emerson-Crockett libel case until January next, with the possible exception of an argument on a legal point or two. Perhaps it should be said that it is all over now.

Judge P. A. Landry this evening refused to allow the application of the crown for a postponement.

When court convened this morning his honor said he had been unable to consult certain authorities and asked that court adjourn until 4 p.m., but to suit the convenience of Mr. Hazen it was decided to adjourn until 7.30.

The court was crowded this evening, the most prominent citizens being among those present.

The judge, in his decision held that the article was written in the public interest, and again decided that the defendant's plea should stand and that the demurrer of prosecution should not stand.

"In my opinion," said the judge, "the right of the crown to get a postponement of trial remains the same as to the reserved case existed. Leaving aside, therefore, the consideration of the reserved point, no case has been made by the crown for a postponement. Hence I must refuse."

"I do not think I am called upon to note or consider in this application the responsibility of the crown, as made on Friday last, viz., that the crown would not go on with the trial until the decision given was reversed."

"If the meaning of that declaration was that the crown would be able to convince me that it had sufficient reason for asking for a postponement, it has so far failed to present those reasons."

"The declaration meant that the crown had means to postpone the trial without an order for that purpose from the presiding judge, then I leave it to the crown to exercise those means or to go to trial. In the meantime the case stands as before, so far as the crown is concerned, ready for trial, and demanding from me a disposition of it."

"There was somewhat of a delay after the rendering of the judgment, but the declaration before me made a move. Then Mr. Barry got up slowly from his chair. 'Well, in view of your honor's decision, I have no objection to the postponement, but I do not intend to proceed.'"

"My own opinion," asserted Mr. Barry, "is that the only thing to do with the indictment is to have it remain undisturbed until next January. That is, unless you wish to discharge me, or you may allow the same bonds to stand."

Maintain Indictment.

"I don't say which of these courses the court should pursue," concluded Mr. Barry, "but what I do say, is that Mr. Crockett should not be discharged, and that the indictment should stand to be disposed of by trial or by a notice of acquittal from the crown."

Mr. Hazen addressed his honor and strongly advocated the discharge of his client, Mr. Crockett.

When court adjourned and Mr. Crockett was held in his own recognition to appear in January next—"If there should be an indictment against him"—it was generally felt among the crowd in court that the last has been heard of the case.

The defence claim that Judge Landry had refused to grant a postponement, and the crown prosecutors refusing to proceed with the case when a postponement was not allowed, the indictment is killed.

If it is decided by the prosecution to have the point on which they have been granted a reserve case argued before the supreme court, that argument will not take place until November.

## No Reason.

"I am asked by the crown, whose laws I am sworn to administer, to postpone the case to another court. I cannot in the facts, as known to me, find one good reason to do so. The only reason suggested is that, having reserved for the crown a case to be decided by the full court, not deciding the demurrer in favor of the defendant, I should postpone the trial till that is decided. In my opinion, that is no sufficient ground. The practice has been just the reverse."

—Judge Landry.

## CANADA'S DEFENCE URGED BY ROBERTS

### If Frontier is Left Exposed It Would Indicate a Poor Sentiment.

(Canadian Associated Press Cable.)  
LONDON, June 25.—In the house of lords, Lord Roberts, referring to Hal-dape's army scheme, the merit of which, he acknowledged, remarked: "We could not leave out of account the most extensive exposed of all our frontiers, Canada's. Could we be silent about the defence of Canada without inevitably conveying to Canadians the impression that we did not consider the defence of Canada of vital importance? Surely, if there are any nations to whom we could not afford to give ground for offence they are the nations with the empire. But how could we offend them more deeply than by refusing to discuss questions which are matters of life or death to them?"

"If the empire is to be defended at all, the co-operation of the colonies and India is indispensable."

He looked, in the great imperial struggle, not to small contingents, earmarked for our use in return for our helping corresponding, the far larger, expeditionary forces available to help them. "War could not be waged on limited liability principles."

## LIGHTNING SHATTERED MILES OF PHONE POLES

### Electrical Storm in Vicinity of Brockville Causes Consider- able Damage.

BROCKVILLE, June 25.—(Special.)—A violent thunderstorm passed over this district this morning, doing great damage. A barn belonging to Frederick Darling of Springdale was burned. Telephone poles along the main travel roads were shattered and broken off for miles.

Lightning struck the residence of William Atcheson at Fairfield East, stunning William Harris who was in the stable feeding the cattle when lightning stunned him as well as several head of cattle.

## STUNNED BY BOLT

WOODSTOCK, June 25.—(Special.)—Last evening at Lakeside Mrs. Arch. Martin was milking a couple of cows in the yard when lightning killed both of them. Mrs. Martin was badly stunned. William Harris was in the stable feeding the cattle when lightning stunned him as well as several head of cattle.

## STEAMSHIP SUBSIDIES

### Show Considerable Increase Over Last Year.

OTTAWA, June 25.—(Special.)—The total steamship subsidies for the nine months ending March 31 was \$1,128,876, compared with \$1,227,560 for the previous twelve months.

The service to Great Britain cost \$460,665, and to France, China, Japan, Australia, South Africa, Mexico, New Zealand, West Indies, South America, San Francisco and Alaska \$517,905.

The mail contract to British cost \$372,246 for the nine months, as compared with \$22,330 for the twelve months previous.

The amount of bounty paid on iron and steel for the nine months was \$1,232,801; petroleum, \$299,233; binder twine, \$13,585, and lead, \$1994.

## Getting Ready For War.

NEW ORLEANS, June 25.—A despatch from Port Harlow, Guatemala, says that the forces at that coast ports are in readiness to repel invasions number 50 men at each place, each battalion of this size having six rapid-fire and six slow guns.

The despatch also confirms the reports that the Guatemalan government is reported to be negotiating for a 40-ton steamer of 15 knots speed to be armed with eight rapid-fire guns.

## Paper Men Confer.

NORTHAMPTON, Mass., June 25.—A discussion of various resolutions, the nature of which was not made public, occupied the convention of the International Brotherhood of Paperworkers and the International Brotherhood of Printers, held at Northampton, Mass., today.

With a view to some plan to prevent further conflict of interest between the two organizations, it has been decided to appoint a committee of conference, which will probably begin its deliberations to-morrow.



## ORCHARD GIVES LIE TO TWO WITNESSES

### Swear That He Had Threatened to Kill Steunberg For Per- sonal Revenge.

BOISE, Idaho, June 25.—The first direct testimony in defence of William D. Hayward was offered to-day. The first witness for the defence was preceded by a further examination of Orchard, to permit the defence to complete its formal questions of impeachment.

Orchard spoke in the same soft tone that he did recently. He again denied that he ever threatened to kill Steunberg because of the Hercules mine and again asserted that he sold his interest in the mine two years before the trouble which drove him out of northern Idaho.

The witnesses heard to-day were F. R. Redd, once of Cripple Creek, and now of Goldfield, Nevada; and Chas. A. Sullivan, formerly of Cripple Creek and now a watchman in the Brown Hotel in Denver.

Redd testified that he heard Orchard make the statement and the threat in the miners' hall in Cripple Creek, and Sullivan swore that while he and Orchard were fellow boarders at Orchard's hotel in Denver, he saw Orchard threaten to kill Steunberg.

Their cross-examination showed that both witnesses were members of the Western Federation of Miners, and that Sullivan was a friend of Hayward, and many of the union leaders.

Dr. L. L. Magee, a mining broker, swore that Orchard told him in 1904, at Wallace, Idaho, that he was a spotter for a detective agency. Orchard denied this conversation.

Several witnesses, principally women who kept boarding houses at Cripple Creek, testified to Orchard's being in conference at various times with Steunberg, the detective for the Mine Owners' Association.

## Reynolds Loses Long Walk But Friends Pay His Bet

### Subscriptions Begun at Newcastle and Port Hope to Show Appreciation of Veteran's Pluck—Quit 18 Miles From Home.

At Whistly at 1.30 yesterday morning "Jimmie" Reynolds was reported to be going on, altho' thoroughly tired. When Bowmanville was reached four hours later the man was hobbling. He stopped for a moment as his feet were rubbed with Scott and Jerry's "foot elm" with apparently beneficial results.

Just before Newcastle was reached, however, the strain overcame him and he was forced to quit. He was taken to the station on a stretcher and placed on the 4 o'clock train. At Port Hope a great crowd gathered.

Reynolds' Condition.

Dr. Forrest was in waiting and to a World man stated that Reynolds was not in bad condition. His limbs were in good shape, and beyond a slight blister on the right foot the extremities were all right. The man complained of being very tired and needed rest.

Reynolds chatted freely and attributed his defeat to the excessive heat. "The World" he said: "I will do it, you just as soon as the weather gets cooler, probably some time this fall. I can go to Toronto and back in 24 hours. I had gone a month ago I would have made it all right."

Betting on Result.

L. G. Bennett, proprietor of the Queen's Hotel at Port Hope, the referee, stated that he had won over \$400 betting against "Jimmie." He said the \$100 was lost on Reynolds' failure in Port Hope.

At Newcastle a subscription list was started, and in short time about one hundred dollars was contributed. His Port Hope friends will do likewise and, financially, Reynolds will be very little out, betting yesterday morning was 12 to 1 on Reynolds.

## G.T.R. WILL TAKE OVER OTTAWA-KINGSTON LINE

### Ultimate Destiny of Important Link —A Down-East Rail- way Deal.

MONTREAL, June 25.—(Special.)—It looks as if the Grand Trunk direct line from Toronto to Ottawa via Kingston would be amongst the first of the projected roads to be constructed. Altho' the charter is not in the name of the Grand Trunk, it is said that an understanding exists between that corporation and the promoters of the railway in question, consequently there is very little doubt in the minds of railway men as to the ultimate destiny or ownership of the road.

Glendrez Bros., the London bondholders of the Atlantic and Lake Superior Railway, have sold that road to the Carpenters, also of London.

Reynard went into the barn to gather eggs and in some way became tangled in a rope hanging from a beam. There was no knot in the rope and no evidence at all of premeditation.

The jury brought in a verdict that deceased came to her death by her own hands. Whether there was suicidal intent or not was not determined.

## HARD LUCK ALL THRU.

DETROIT, Mich., June 25.—(Special.)—Proposed marriage one day, married the next, deserted her husband the next, and is arrested the next at the instance of her husband is the experience of Mrs. Anna Lattin, formerly Mrs. Anna Watson, who lived in Toronto, while her husband worked in the Morse Ship Works.

Mrs. Lattin is 41 years old, and her husband is 61. He charges her with stealing \$40 from him before she left him Monday.

## CHANGES OF ROUTES.

The Toronto Railway Co. intend putting in a new intersection at Queen and York, work to commence Thursday morning. This will necessitate the following changes of routes:

Bloor and McCaul cars will run along College to Yonge and down Yonge and around Scott-street loop; returning by the regular route, Queen and McCaul will have no cars running down McCaul-street.

Parliament cars will follow their regular route down town, but returning will run up York to King to Yonge and up Yonge to Queen.

Broadway cars will turn down Yonge and along Richmond and up Victoria to Queen.

## HON. ADAM BECK'S RETURN.

Word was received in the city yesterday that Hon. Adam Beck is expected back from England during the first week of July.

## WILLING TO ABANDON CONTRABAND IN WAR

### British Proposal at Peace Confer- ence—The United States' Proposition.

THE HAGUE, June 25.—The official documents of the peace conference were distributed to-night in yellow envelopes, under seal of the severest secrecy, to 250 members of the delegation, besides the secretaries. The document contains the text of some of the propositions presented to the conference.

The American proposition, presented by Joseph H. Choate, yesterday, runs as follows:

"The private property of all citizens of signatory powers, with the exception of contraband of war, shall be exempt from the high seas, or elsewhere, from capture or seizure by the armed vessels or military forces of said powers. Nothing in this rule implies in any way the inviolability of vessels which will attempt to enter a port blockaded by the naval forces of said powers, nor of the cargo of said vessels."

The British proposition of the same date says:

"In order to diminish the difficulties met by the commerce of neutral powers in case of war, the British government is ready to abandon the principle of contraband in case of war between powers which sign a convention adopting this principle. The right of search will not be exercised, except to prove the neutral character of commercial vessels."

Another proposition submitted by Great Britain says:

"The destruction of a neutral prize by a country capturing it is prohibited. The country making the capture should release any neutral vessel which it cannot bring before the prize court."

The president of the conference, M. Nel-doff, today received a deputation from Christian churches throughout the world, headed by Very Rev. William Henry Fremantle, dean of Exeter, who presented an address urging the conference to ensure peace, justice and humanitarianism.

The address was signed by all the leading churchmen of Great Britain, except the British Catholics, who refused to participate, even indirectly, in a conference to which the Pope was not invited. Nine American Catholic bishops signed the address.

M. Nel-doff thanked the deputation for the interest taken in the work of the conference, to which he said the address would be communicated, adding that everyone earnestly desired the success of its work.

The proposition which France has presented to the second committee (and war) will express the wish that a declaration of war become compulsory before the opening of hostilities.

## AGED WOMAN HANGED MURDER NOT SHOWN

### Ancestor Tragedy Which May Have Been Accidental or Designed.

HAMILTON, June 25.—(Special.)—Mrs. John Reynard, aged 65, wife of a farm laborer of Ancaster Township, was found hanging last night in the barn. When Reynard returned home from his work his wife was not in the house and a search was made by neighbors.

Wild rumors were set afloat that the woman had been assaulted and then case of suicide.

Coroner Brandon filed an inquest this evening and Dr. James Edgar testified that death was due to strangulation.

There had been no assault committed. It was shown in evidence that Mrs. Reynard went into the barn to gather eggs and in some way became tangled in a rope hanging from a beam. There was no knot in the rope and no evidence at all of premeditation.

The jury brought in a verdict that deceased came to her death by her own hands. Whether there was suicidal intent or not was not determined.

## FIREMAN BADLY HURT.

Thrown From Truck by Breaking of  
the Axle.

BRANTFORD, June 25.—(Special.)—While the fire department were responding to a call from Verity plow works late evening, the front axle of the truck and ladder truck broke, throwing Driver Michael Swayne to the ground. He broke his collarbone and also received other serious injuries, and is in a critical condition.

The annual holiday of the Scarboro Pioneers Historical Society, which was spent yesterday afternoon at Scarborough Beach Park, was thoroughly enjoyed.

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## EASTERN ROADS ACCEPT NEW RATE LAW

### Central Passenger Ass'n Decide on 2 Cent Fare in 3 Big States.

CHICAGO, June 25.—(Special.)—At a special meeting to-day of the Central Passenger Association, embracing all the railroads running east from Chicago and St. Louis, it was agreed to follow the same policy as the western roads and to make no fight in the courts now against the two-cent fare law of Illinois, Indiana and Ohio.

While it is possible that after maintaining rates for several months on a basis of two cents per mile, some of the roads will go into court and try to have the law declared invalid, because it enforces an unreasonably low and unprofitable rate on the railroads, the opinion which is generally held, if not loudly voted in local railway circles, is that both state and interstate passenger rates through the country must be reduced to a basis of two cents per mile, and that it will be impossible to advance it after it has been in effect for any length of time.

To-day's meeting of the eastern roads demonstrated that they will pursue the same policy regarding the Illinois law, which goes into effect July 1.

This will force down the interstate rates to Missouri River gateways so the two-cent basis will spread from point to point, until it extends from the Atlantic to the Pacific.

## JAPAN IS AGGRESSIVE.

### is Stirring Up Matters in Manchurian Timber.

MUKDEN, June 25.—Without waiting for an announcement of the policy of the new Manchurian administration Japan, on the grounds of the defence of her treaty rights, has begun a program apparently directed toward forcing action by China.

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## CHURCHILL APOLOGIZES

### To Banbury—Also Makes Statement re Newfoundland.

LONDON, June 25.—In the house of commons Winston Churchill apologized to Sir E. Banbury for the expression which he used on Monday night in his impatience at the latter's obstruction of the British North America Bill.

Replying to Howard Vincent, he said no further correspondence on the Newfoundland question would be published. Negotiations with the United States were still proceeding. He would be prepared to defend any action taken by the government whenever Vincent attacked it.

Cruiser Vigilant Here.

The Canadian fisheries cruiser Vigilant, Capt. Dunn, arrived in port yesterday from Lake Erie. She is here to convey the Canadian waterways commission west thru the Welland Canal to Detroit.

## CEASE VAIN REGRETS.

The glad man this week is he who was wise and bought his straw hat, which not only looks nice but feels nice, too. Get a good one at the price of the other kind. The newest sailor and flange shapes are popular. This is the right time to purchase a Panama and the right place is Corner Yonge and Temperance-streets, Cinner's famous hat store.

NO. 63. Not Good After 12 o'Clock Noon July 8, 1907

## Trip to London Ballot

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