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PRICE TWO CENTS.

Bond Punishes Fishermen; Smashes Modus Vivendi

Newfoundlanders Who Shipped With Yankee Captain Heavily Fined By the Colonial Government.

St. Johns, Nfld., Nov. 17.—Two colonial fishermen, Dubois and Crane, who shipped aboard the American herring vessel Ralph Hall, Nov. 8, outside the three-mile limit, were tried yesterday before a magistrate at Bay Islands. The men were charged with having on Nov. 12 in violation of the bait act put herring on board the Ralph Hall. They were convicted, and fined \$500 each, with an alternate of serving three months in prison. Counsel for Dubois and Crane gave bond for the men, and an appeal will be taken to the supreme court, before which the case will be argued next month.

When the colonial cruiser Fiona went to the fishing banks to serve the summons on the accused fishermen, the United States naval tug Potomac followed. Fearing trouble, the captain of the Potomac advised the captain of the schooner not to resist, and to facilitate the proceedings, thereby preventing friction and delay, and hampering the fishing industry.

The colonial government expects this prosecution will result in stopping the Newfoundlanders shipping on board American vessels, and will, therefore, virtually nullify the modus vivendi.

NON-JURY COURT HERE NEXT WEEK

Principal Case Set for Hearing To Be Postponed—An Alimony Action.

The principal case on the docket for the non-jury court to be held next week before Mr. Justice Clute is to be postponed by arrangement between the parties. It is that of the London and Western Trusts Company vs. Lusk, brought by the liquidators of the Birkbeck Loan Company to recover moneys paid in dividends to Birkbeck shareholders, when it is alleged the condition of the concern did not warrant such a thing. The case has been hanging fire for some time. Gibbons, Harper & Gibbons, are acting for the plaintiffs, and Fraser & Moore and McDonald, Toronto, for the defendants.

Two cases have been settled between the parties, subject to the approval of the court. They are Stead vs. Tennent, brought against the executor of the late Joshua Stead, of this city, by a relative of the deceased, now resident in Kent County. The parties involve the ownership of some of the property left by Stead. McKillop & Murphy for the plaintiff, Coleridge for the defense.

Nicholson vs. Nicholson, is an action brought by Mrs. Joseph Nicholson against her husband to recover interim alimony of \$15 a week and permanent alimony as may be fixed by the court. Gibbons & Harper for the plaintiff, Tennent & Coleridge for the defense.

The Ideal Concrete Company vs. Pock, is an action to recover damages for the manufacture of a machine which is alleged to have been patented by the plaintiffs. McEvoy for the plaintiff, Buchner & Gunn for the defense.

Griffiths vs. G. T. R., is brought by a Chicago contractor to recover possession of a number of dump cars and damages for their alleged unlawful detention by the company. The latter claims storage charges. The case was set for hearing at the fall assizes, but was postponed by consent of both parties. Gibbons & Harper for the plaintiff, Biggar for the defense.

Johnston vs. Johnston, is a mortgage action brought by a resident of Toronto against Wm. Johnston and two other residents of this city. Cooke (Toronto), for the plaintiff; McKillop, Gibbons & Meredith for the defendants.

McKenzie vs. McKenzie—An action for \$1,200 and interest under an agreement. Meredith for the plaintiff, Jarvis & Vining for the defense.

Stanlake vs. Barkwell—An action brought by an Exeter firm to recover judgment against W. S. E. Barkwell, of this city, for \$1,000 alleged to be due under an agreement. Dickinson & Carling (Exeter), for the plaintiff; Robinson & Green for the defense.

McKellar vs. McTaggart, is an action over certain lands in Moss Township, Blackburn for the plaintiff, Elliott for the defense.

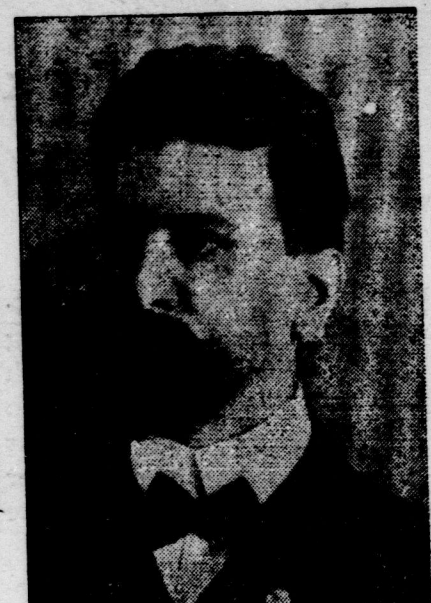
MURDER CHARGE FOR LEWIS

Must Answer to Accusation of Having Killed Boxer Mike Ward.

Detroit, Mich., Nov. 17.—Prosecuting Attorney Brown, of Kent County, in which Grand Rapids is situated, said last night that Harry Lewis, the Philadelphia boxer, who is held responsible for Mike Ward's death, will be charged with murder, and that O'Brien, Lewis' second, and Ryan, the referee, will be charged with aiding and abetting a prize-fight. The inquest will be held today. Governor Warner, who had been in a remote part of the state for a few days, reached Bay City last evening on his way home. He had just heard of the Grand Rapids fight. The governor will immediately notify every sheriff in the state rigidly to enforce the law governing such contests, which is ample to prevent sparring matches degenerating into prize-fights.

ANOTHER HUNTER HURT.

Ingersoll, Nov. 17.—Henry Herron, mentioned in the dispatches from Burk's Falls as having been injured while hunting deer, is a resident of Avon, a short distance from here. Word received here today stated that Mr. Herron's injuries would likely result fatally.



MAYOR SCHMITZ,

Earthquake Mayor of San Francisco, Who Has Been Indicted on a Charge of Extortion.

BIG FIRE AT NAPLES; COST HALF MILLION

The Docks of the Great Italian Port Are Ablaze.

Naples, Nov. 16.—A conflagration is raging on the docks here, and the damage up to the present time is estimated at \$600,000. The area of the fire has been circumscribed, and every effort is being made to keep it within bounds. Most of the ships in the harbor have been cleared for the open sea.

LIPTON TO TRY AGAIN COMING FOR CUP 1908

Will Build a Shamrock Fourth and Expects to Carry Off Trophy.

New York, Nov. 17.—Sir Thomas Lipton sailed for home today on the steamer Carmania. Just before sailing Sir Thomas said he probably would challenge again for the America cup, this time in 1908. He expressed himself as much pleased with the kindness extended to him by yachtsmen on this side of the water, and was satisfied to leave the whole question in their hands, being convinced that he would get fair treatment.

"I favor a wholesome type of boat, and will not come over here again with a freak craft like the Shamrock II," he said. "A boat of that style is good only for the scrap heap after its race, but with the Shamrock IV, which I shall bring over, I expect to carry away the cup."

BOER RAIDERS CAPTURED

Ferreira and His Band Rounded Up by Colonial Patrols.

Cape Town, Nov. 17.—Ferreira, the leader of the Boer raid from German South Africa into the northern part of Cape Colony, and all his followers were captured today by colonial patrols.

A UNIONIST VICTORY

W. H. Moore Elected to Succeed Sanderson in North Armagh.

Dublin, Nov. 17.—W. W. Moore, Unionist, former member of Parliament for North Armagh, was elected yesterday to represent North Armagh by a majority of 2,796 over Mr. Crawford, Independent Orangeman. Mr. Moore succeeds the late Col. Edward James Sanderson.

TOP OF HIS SKULL OFF

Worker in a Brantford Brickyard Instantly Killed.

Brantford, Nov. 17.—E. J. Gaines (colored), living at 246 Sheridan street, employed in a brickyard northeast of the city, was killed instantly yesterday about 4 o'clock. The machine that presses the bricks in the molds caught him on the head, taking the top of the skull off, causing instant death.

APPRECIATES HIS WORK

Colborne Street Board Wants Dr. Daniel for Fourth Year.

The regular quarterly meeting of the board of management of the Colborne Street Methodist Church, was held last evening. The pastor, Rev. Dr. Daniel, submitted his report, which was very satisfactory in every particular. Over 40 new members have been received during the year.

An invitation was extended Rev. Dr. Daniel to remain for a fourth year. The motion to extend the invitation to Dr. Daniel was very heartily carried.

The following stewards were appointed: A. Burness, C. F. Eddy, G. Willis, R. J. Webster, W. Thompson and A. G. Manley.

SLEIGHING IN MONTREAL

Montreal, Nov. 16.—Montreal awoke today to find that winter had set in. Several inches of snow fell during the night, and sleighs have replaced wheels on the streets. The storm interfered with street railway traffic to some extent.

CUBANS PLOT AGAINST ENGLISH

Will Dynamite Property to Force Hand of the U. S.

AN UGLY SITUATION REVEALED

Fearing Establishment of a Protectorate Islanders Will Attempt to In- volve Britain.

New York, Nov. 17.—According to a Havana dispatch to the Herald, from now on, it is declared at the Cuban capital, it behooves the United States to be extremely careful in dealing with the Cuban question. Developments reveal an ugly situation, fraught with danger to both countries. Whatever solution may be had, whether the United States establishes a protectorate or makes way for another Cuban republic, a revolution is not the worst result that now threatens.

There is a conspiracy on foot to blow up English railway property with dynamite if after the contemplated election the United States hands the government over to the Liberals and ends its control of affairs. This is the sworn plan of a large body of influential and wealthy Cubans to force England to compel the United States to continue a supervisory government.

One Cuban told the Herald correspondent he had 500 pounds of dynamite, which he would use for this purpose, and that bands of radicals in Havana and Cienfuegos have been formed to destroy the American sugar estates.

On the other side, Juan Gualberto Gomez, a negro leader of a majority of the Liberals, came out yesterday with an open threat of revolution if the Americans do not go away on time, and leave the government to the Cuban people. His fire was drawn by the discovery of the movement to demand some form of protectorate after the election had been held. The movement has reached considerable proportions, and now embraces several hundred native Cubans of high intelligence, representing many millions of capital.

THE ADVISORY VOTE

Result of Voting for Teachers' Repre- sentation on the Advisory Board.

Toronto, Nov. 17.—The result of the voting for public schools representatives on the advisory council of education was announced this morning as follows: Miss H. H. Johnston, Toronto; J. W. Plewes, Chatham; Thomas A. Reid, Owen Sound; Alexander E. Jordan, Port Hope. John J. Rogers, of Lindsay, was elected representative of separate school teachers.

CARUSO ARRESTED

Woman Says the Great Tenor Insulted Her in Central Park.

New York, Nov. 17.—Enrico Caruso, the famous tenor, who was arrested in Central Park yesterday on the complaint of a woman, who charged that he had repeatedly insulted her, did not appear when his name was called in the police court today. Nor was Mrs. Hannah Graham, who preferred the charge against him, present in court. Former Judge Dittenhofer, who appeared for Caruso, who was released on bail yesterday, said the tenor was physically unable to come to court. He is still at his hotel, completely prostrated.

THE WEATHER.

TOMORROW—RAIN.

Toronto, Nov. 16-8 p.m. The disturbance which was off the New England coast last night is now centered over New Brunswick and has caused heavy rains over the Maritime Provinces and snow in Eastern Quebec. The energetic western disturbance has caused heavy snowfalls today in Southern Saskatchewan and Manitoba, and promises stormy weather on the great lakes. Minimum and maximum temperatures: Dawson, 4 below—2; Fort Simpson, 38—40; Victoria, 44—46; Vancouver, 34—46; Calgary, 10—14; Qu'Appelle, 14—18; Fort Arthur, 22—40; Parry Sound, 10—36; Toronto, 22—38; Ottawa, 22—32; Montreal, 22—32; Quebec, 24—34; St. John, 35—50; Halifax, 35—36.

FORECASTS.

Saturday, Nov. 17-8 a.m. Easterly gales; rain today and on Sunday.

TEMPERATURES.

Stations.	8 a.m.	Min.	Max.	Weather.
Calgary	23	18	30	Snow
Winnipeg	23	18	30	Snow
Parry Sound	23	18	30	Cloudy
Port Hope	23	18	30	Cloudy
Ottawa	20	15	25	Fair
Montreal	24	19	31	Fair
Quebec	23	18	30	Cloudy
Father Point	34	29	41	Fair

WEATHER NOTES.

Energetic depressions exist over the northwestern and southwestern states, and very unsettled conditions prevail over the greater portion of the continent.

LOCAL TEMPERATURES.

The highest registration at the London weather bureau yesterday was 38°; lowest, 22° above.

Finance Committee Afraid of Waterworks Proposal

Aldermen Are Not Satisfied That Adequate Supply Is To Be Had Down the River.

According to the opinions expressed by No. 1 committee of the city council at a meeting held yesterday afternoon, there is grave doubt in the minds of the aldermen as to the advisability of spending \$570,000 on the waterworks to increase the supply of spring water, and the communication from the water commissioners on the subject was simply sent on to the council for consideration.

In moving that the matter be sent to the council Ald. Gillean stated that the committee was not in a position to put itself on record on the subject, as more light is needed. He thought a special meeting of the council should be called to consider such an important matter.

Against Scheme
"I will not favor the scheme until I am absolutely sure that the water we need is down the river," Ald. Greenleaf said. "I would sooner spend twice as much money and go to Lake Huron, where we could get a supply that would be permanent." As I understand the matter, some engineers say there is plenty of water down the river, and some say there is not. Under these conditions I am not prepared to support the proposal of the water commission.

Ald. Forristal, chairman of the committee, thought the mayor should have been present to throw some light on the water scheme. He favored the calling of a special meeting.

"I am in favor of going to the lake," Ald. Gillean said.

The matter was then left to the council to deal with.

A Fixed Assessment

The application of J. W. Smith for a fixed assessment of \$4,000 and free water, for a new carriage industry to be established on Maple street, was viewed favorably by the committee. On motion of Ald. Greenleaf, it was decided

to recommend that the request be granted, and that a bylaw be introduced to confirm the same.

Ald. Greenleaf stated that it was his opinion that a man who employs two or three hands is as much entitled to an exemption as the big manufacturer. "As a rule, when a man has little money he is willing to pay his taxes," said the alderman, "but when he gets rich he wants the poor men to pay them for him. I would like to wipe out the whole business of exemptions, but as exemptions are being given every day to firms I do not feel like refusing the request of this man."

Chairman Forristal declared that he would not like to move the adoption of the clause in the council, and Ald. Greenleaf readily undertook to do it. "I'll give my reasons for so doing when I make the motion," he said.

Must Pay the Tax

The request of an ex-grocery man, named J. Petrie, that he be relieved of the payment of business tax for 1906, as he has not been in business since September, 1905, was not considered by the committee. He would have protected himself by appealing to the court of revision of 1905, but he did not do this. He must now pay the tax.

S. A. Armstrong, inspector of asylums for Ontario, notified the city that under the provisions of the new act, 10 cents a day is to be charged the municipality for patients from London committed to the different asylums of the Province. He sent a list of the patients who are supposed to come from this city, and advised that it be gone over carefully so that patients who did not belong to London, but who were committed from this city, might be weeded out of the list.

The committee acted on the advice, and decided to refer the list to the assessment commissioner for a report.

The request of W. Lyons and J. D. Smith for exemption from taxation on a piece of land which is now being used as a street in the east end, being a continuation of Dufferin avenue east, was on motion of Ald. Gillean sent to the council. Ald. Greenleaf having pointed out that the committee had no power to act on the request.

OVERCOATS STOLEN FROM TWO RINKS

Toronto Man Alleged to Have Taken Them—Owners Get Garments Back.

Harold Johnston, a young man who claims to come from Toronto, was arrested last night by Detective Rider on a charge of stealing. It is alleged that Johnston arrived here on Thursday night and that before Friday evening he visited two of the local skating rinks, where he stole two overcoats, the best he could find. It is thought that he disposed of the overcoats in a local store, and that this led to his capture. Both coats have been recovered and returned to their owners—Edward Collins, of West London, and George Bull, of Nelson street. Johnston was arraigned at the police court this morning, but was remanded to jail for one week.

Ethel Downie appeared on a charge of keeping a disorderly house, and of selling liquor without a license, while Brown, Monbray, Mabel Johnston, Raymond Bruce, Robert Iredford and Ethel Flinn, who were all arrested when the place was raided, appeared on charges of being inmates or frequenters. The case was adjourned until 2:30 this afternoon.

One first-time drunk was allowed to go.

MISSING HIS TRAIN

Ex-Tiger Man on the Montreal Team Will Not Be in the Big Game.

Montreal, Que., Nov. 17.—Stinson, Montreal's full back and an ex-Hamilton Tiger player, missed his train last night for Hamilton. Stinson and Norworthy are both clerks in the Bank of Montreal and were unable to leave with the rest of the team yesterday morning, but gave their assurance that they would take the train last night. Norworthy got away all right, but Stinson showed up for work at the bank as usual this morning, giving as his excuse that he missed the train. This will materially weaken Montreal's back division, as Stinson is a sure catch, a good kick and a very fast man. Percy Molson probably will fill his place.

STANDARD OIL ASSURED

Stockholders Told That Concern Has Acted Honestly and Legally.

New York, Nov. 17.—Directors of the Standard Oil Company met yesterday and decided to issue to stockholders today along with the dividend notices, a brief statement setting forth that the management firmly believes it has acted honestly and legally, and reassuring stockholders that, in the opinion of the board, there is no cause for alarm.

The whole matter having now been taken before a legal tribunal, the Standard Oil Company has no reply at this time to make to the charges, nor is it intended to do anything that could be construed as discourteous to the administration. The company's full answer, it was said, will be made at the proper time and place.

REAR END CRASH AT GEORGETOWN

Freight Plunges Into Standing Train Causing Injuries to Four Train Hands.

[Special To The Advertiser.]

Georgetown, Nov. 17.—A rear-end collision between two freights on the G. T. R. at the station, occurred here at 2 o'clock this morning and four of the train hands were injured, two of them seriously. A double header from the west bumped into a long train at the station which had just arrived from Hamilton. The force of the impact was terrific, the shock and noise being perceptible half a mile distant.

The injured men were all on the eastbound train, the engines of which were badly wrecked. The shock was simply torn off one giant mogul, and the upper works were twisted around pointing in the opposite direction. The cars immediately took fire, seven cars being destroyed. Had it not been for very prompt rescue work there would have been several people burned to death.

The injured men were taken to Guelph Hospital.

KEATS'S WILL TO BE SOLD

It Consists of Ten Lines of Script Written on a Scrap of Paper.

London, Nov. 16.—There will shortly be sold at auction at Sotheby's a scrap of paper, which is all that the poet Keats left in the shape of a will. W. W. Keats, who is aware of its existence, but few have seen it. It was enclosed in a letter written to his friend and publisher, John Taylor, on Aug. 14, 1820.

It consists of ten lines of script, briefly directing the disposal of the poet's scanty possessions and the prospective proceeds from a sale of his writings.

Other Keatsiana will be sold at the same time, including two locks of the poet's famously beautiful hair, and a portrait sketch, made by his friend, Severn, while attending the poet on his deathbed.

LOST IN BIG STORM

Many Schooners Wrecked Off the Bay of Fundy Coast.

St. John, N. B., Nov. 17.—In the gale which blew on Thursday and Friday morning a number of schooners were wrecked on the Bay of Fundy coast. The wind at times reached 75 miles an hour. The Parrsboro, N. S., schooner St. Bernard, 123 tons, from Bridgeport, Conn., for Wood's Point, N. B., for a load of grain, drifted ashore and caught fire in the big storm of this morning in Beaver Harbor, on the Bay of Fundy coast.

PLEASANT FOR RHEINBOT.

Moscow, Nov. 17.—The social revolutionists today issued a proclamation saying that they regretted the failure of the recent attempt on the life of Gen. Rihbet, prefect of police of Moscow, and announcing that their efforts will be persisted in until successful.

M'GILL BLOCKED AN INSPECTION

According to Statement Made By Ontario Bank Inspector.

CLERKS HEADED OFF CRASH

Some More Interesting and Sensational Evidences at Investigation Into Bank Affairs.

Toronto, Nov. 16.—The inspector of the Ontario Bank, Robert B. Caldwell, in the police court this morning told how General Manager McGill thwarted his efforts to inspect the head office of the Ontario Bank during the years 1905 and 1906. He told the court of vague suspicions that he had of losses sustained by the head office, and of his suggestion to General Manager McGill that the books should be handed over to him. Mr. McGill, he said, temporized till the date of the annual meeting of the shareholders had passed and then the matter of inspection was dropped for another year. Mr. Caldwell's evidence also showed that while the inspection of the branches of the Ontario Bank was very efficient the enormous transactions in the head office were entirely without check.

Bank Clerks to the Rescue

The interesting history of the events which immediately preceded and finally produced the collapse of the Ontario Bank was told before Magistrate Denison in the court today.

In a story of two bank clerks, both of them young men, who found themselves in the dog days of last summer suddenly face to face with a situation which portended a financial crisis throughout the country, and who, by their remarkable coolness and mature judgment, prevented further inroads upon the bank's capital and opened the way to the settlement of its affairs without the danger of a panic.

When apparently the first news of Manager McGill's investments reached the directors' room, the general manager himself was in Saratoga and President Cockburn was in the neighborhood of Mount Blanc. This was the end of the story of August, and there had been almost daily orders from McGill to Frank H. Pope, clerk in the head office here, instructing him to forward amounts of \$5,000 or \$10,000 through the Fourth National Bank to various New York brokers. Some of these amounts would be credited to the account of the Ontario Bank in the brokers' offices and others to the account of G. McGill.

As a witness who particularly disclaimed any desire for the protection of the court, Mr. Pope today described how he had stepped into the breach, which he had then reached their heads. Perhaps the most significant point of his evidence was contained in his statement that he believed himself to be the first to reveal the conditions of the bank to the directors, who assembled at his call. Mr. Pope has been in several branches of the bank, and for the past eight years has been clerk in the head office. He told Crown Attorney Corley in his evidence that when in August of this year Mr. McGill was away on his holidays he had received a number of telegrams from the general manager, instructing him to order the Fourth National Bank to New York to transmit to different brokers houses various sums, as coming from either the Ontario Bank or Charles McGill. This circumstance, together with the fact that there had for years stood on the bank's books certain accounts in which there had been no recent entries—one of them being an amount of \$700,000, which was represented by a loan, but for which no securities were held—led Mr. Pope to Mr. Walter Chenoweth, the transfer clerk in the head office, to seriously consider the situation. They decided upon their own responsibility to call a directors' meeting. The meeting was in Europe and no notice of the meeting was sent to the vice-president, because of his advanced years. As a result of the notices four of the directors, viz: Hon. Richard Harcourt and Messrs. Thomas Walmsey, John Flett and R. D. Perry, attended. As Mr. Pope had not power to call a directors' meeting, no minute of the meeting was kept, but Messrs. Pope and Chenoweth, in his evidence, made a statement of what they knew of these "silent" accounts in the bank's books and of incessant demands from New York for funds for stock speculation.

The four directors met at once for the inspector, who had always been denied access to the books of the head office of the bank, and his verdict was: "If these statements are correct, we may as well close the bank."

Magistrate Denison then informed the crown attorney that it was of the highest importance that the brokers in New York who received the funds of the Ontario Bank, apparently under instructions from Mr. McGill, should give evidence. He said that this was one of the vital points of the case, which demanded investigation, and it would be to the interest of these brokers to tell all they knew.

The crown attorney agreed that the evidence was highly important, and said that he was making arrangements for a commission to go from here for the purpose of taking the evidence of the brokers in New York.

Evidence Favors McGill.
The evidence against McGill, upon the charge of issuing false statements to the Government, was considerably weakened by the cross-examination of Mr. W. J. Langton, the ex-accountant of the bank.

Mr. R. E. McKay, who appeared for Mr. McGill, succeeded in proving a considerable knowledge upon the part of the directors of investments in speculative stocks and in Ontario Bank shares. He also proved by Mr. Langton that the bank was in an unenviable position when Mr. McGill took hold. President Cockburn was in court, and his case was at the request of Mr. F. Arnold, his counsel, adjourned for a week.