

MOIR WILL SEEK POSTPONEMENT CASE MAY NOT COME TO TRIAL

The Grounds for the Move
Have Not Yet Been
Made Public.

ASSIZES OPENED AT COURT HOUSE

Big Grist Set for the Civil List
—A Glance at the Cases
To Be Tried.

The famous Moir trial, the feature of the fall assizes, now on before Chancellor Boyd, may not come up until January.

Mr. Ed. Meredith, K.C., who with Messrs. J. C. Judd, W. R. Meredith and Matthew Wilkins will defend Pte. W. A. Moir, is authority for the statement that an application will be made this afternoon or tomorrow morning for a postponement of the trial.

"It would be unfair to my client and myself to announce at this time the grounds for the application," said Mr. Meredith, "but I consider that under the circumstances, I am entitled to ask and be granted an adjournment."

The Case.

The history of the Moir case, while fairly well known, is worth repetition, for never in the history of Canadian criminology has more interest been evinced in an alleged murder trial than the one at hand.

Pte. William Alexander Moir, the accused, is of Scotch birth, and is less than 30 years of age. Prior to the murder he had been an orderly in the Army Medical Corps at Wolseley Barracks.

Color-Sergt. Henry Lloyd, the victim, was a young man, and had for years been a member of the Twenty-eighth Battalion, Stratford, Ont. He had taken a number of courses in military tactics at Wolseley Barracks, and was there as a student at the time of the tragedy.

On the night of April 17 last Pte. Moir, in company with another soldier from the barracks, came down town, and according to report, drank quite heavily.

Returning to the barracks shortly before midnight on the 17th, Moir was reprimanded by Color-Sergt. Lloyd, then in charge of the guard, for appearing before an officer in a condition unbefitting a soldier.

Later, Orderly-Sergt. Morris heard a shot, apparently coming from the direction of Moir's room in the hospital, and asked Sergt. Lloyd to investigate.

The Shooting.

In company with Sergt. Morris, Sergt. Lloyd went to Moir's room, and it is alleged, saw Moir standing alongside of his bed across the room with a rifle at his shoulder.

Moir is alleged to have said, "Throw up your hands!" and then to have fired, point blank at Lloyd. Sergt. Lloyd died a few hours later.

When the shot which killed Sergt. Lloyd was fired, Sergt. Morris, who was unarmed, turned and made his escape, closely followed, so it is alleged, by Moir, who escaped in the darkness, leaving behind him for a distance of perhaps a quarter of a mile a string of cartridges.

At the time of his escape, Moir was heavily armed, carrying with him in addition to a Ross rifle, an army revolver or two, a bandolier belt of ammunition, besides some loose shells in his pockets.

The London detectives were sent out on the trail early the next day on a chase which extended as far north as Goderich and as far south as Guelph.

The officers, six in number, included Sergt. Gilmour, Wolseley Barracks; Detectives Nickle and Egelton, and Officers Bolton, Green and Downs. The detectives were closely followed by an Advertiser reporter.

The Chase.

On the day following the shooting traces of Moir were discovered at Kelly's Sliding a few miles out of this city on the Stratford branch of the G. T. R. Feeling certain that they were in close pursuit of the accused, the officers followed the railroad to Thorndale, where the rifle carried by Moir in his flight, was found lying near the railroad. (Continued on Page Nine.)

THE WEATHER.

TOMORROW—FINE.

FORECASTS.

Moderate to fresh easterly winds; fine today and Tuesday; not much change in temperature.

TEMPERATURES.

Stations.	8 a.m.	Min.	Weather.
London, Saturday.	54	34	Cloudy
London, Sunday.	54	34	Cloudy
Calgary.	44	35	Cloudy
Winnipeg.	54	35	Cloudy
Port Arthur.	40	34	Cloudy
Perry's Sound.	46	30	Cloudy
Toronto.	48	35	Cloudy
Ottawa.	36	32	Fair
Montreal.	40	38	Clear
Quebec.	38	34	Clear
Father Point.	44	40	Fair

The first column in the above table records the temperature at 8 o'clock this morning, and the second column records the minimum temperatures during the 24 hours previous.

WEATHER NOTES.

The weather is cold and showery in the Western Provinces. Elsewhere in Canada it is fine.

SUCH NICE WAYS THEY HAVE IN SOUTH

Mob of Kentucky Whites Butcher a Negro and His Family.

Hickman, Ky., Oct. 5.—David Walker, a negro, his 5-year-old daughter, and a baby, were killed outright, the mother, who was holding the baby in her arms, was fatally shot, and three other children will probably die, as a result of a mob's visit to the Walker home Saturday night. In addition, the oldest son is missing and is supposed to have been burned with the negro's cabin, which was fired by the mob. Walker had cursed a white woman, and threatened a white man with a pistol, it is said.

MRS. P. McLAUGHLIN DIES AT NEW YORK

Was Mother of the Well-Known Actors Frank and Adolphus McLaughlin.

Mrs. Patrick McLaughlin, widow of the late Patrick McLaughlin, for many years with the McClary Manufacturing Company in this city, died in New York this morning. Mrs. McLaughlin was the mother of two well-known actors, Frank and Adolphus McLaughlin, who both began their stage careers in the old Dime Theatre, formerly located on Dundas street, on the site occupied by Bennett's. Another son, Dr. Allan McLaughlin, is at present in charge of the Marine Hospital service in New York. Frank and Adolphus are at present in vaudeville in New York, and were last seen here with Joe Murphy.

WORKMAN CUT IN THE EYE BY STEEL

Mr. Edwin Gourlay Had a Narrow Escape From Serious Injury.

Edwin Gourlay, a machinist, employed at the London boat works, had a very close call from losing the sight of one of his eyes this morning while at work.

A piece of steel which he was cutting flew up and hit him in the eye, inflicting a cut.

Fortunately, it did not strike a part of the eye where the sight would have been injured.

Mr. Gourlay was removed to his home, 39 Miles street, and it is expected that he will be around again all right in a few days.

Damage Cases Total \$153,000 Thirty-four Actions To Be Heard

Fall Assizes List Is a Big One,
But Doesn't Break the
Record.

While the assizes, which opened this afternoon at 1:45 o'clock, before Chancellor Boyd, are perhaps not the largest in the history of the local court, the list of cases set down for trial is the heaviest in several years. Of the 34 actions to be heard, 22 are jury, 10 non-jury and 2 criminal.

The total amount of money in dispute in the jury and non-jury cases approximates \$153,000, not taking into consideration several actions in which the amount of damages are unstated. Seven of the damage actions name

W. J. Reid & Co., as defendants, and the total amount of the claims reaches \$75,000. These suits all arise from the Crystal Hall disaster a year ago last July, when seven people lost their lives and a number of others were severely injured.

Other Actions.

The Grand Trunk Railway is defendant in four damage suits, having as a total \$30,000.

Second to the Grand Trunk comes the London Street Railway Company, which is sued for a total of \$25,000 in four actions.

The Canadian Electric Traction Company, which constructed the Southwestern Traction line system, is defendant for \$2,000. The other jury cases involve about \$5,000.

The largest amount mentioned in Continued on Page Eight.

A Case Against a Local Milkman

Medical Health Officer Hutchinson this morning laid an information against R. J. Worrall, a milk dealer, charging him with selling impure milk on September 30.

The charge is made that the milk was unfit for consumption and contrary to what is allowed to be sold.

Real Estate Transfers Total \$85,720

The real estate transfers for the month of September show a falling off as compared with the same month last year, but the movement is very fair.

The total number of transfers was 76, with an assessed value of \$85,720, for a consideration of \$114,691, the assessment amounting to 73.8 per cent of the consideration.

The statistics for September, 1907, show 89 transfers, with an assessed value of \$91,685, for a consideration of \$140,719, the assessed value being 65 per cent of the consideration.

McGRAW PLEASED.

New York, Oct. 5.—"The result of the Chicago-Pittsburgh game is most pleasing to us," said J. J. McGraw, manager of the New Yorks. "and we should tie with Chicago now. I shall probably send Wiltse in today. Ames on Tuesday and Matthewson on Wednesday. We have a good chance now,

I think." If New York wins the three games to be played with Boston this week there will be a tie with Chicago for the pennant to be played off in three games.

Mrs. Robert Ferguson, 181 Dufferin avenue, will receive on the first and third Wednesday of the month, instead of Fridays as formerly.

WHAT'S THE SCORE?

The Advertiser bulletins are the most popular thing in this city at the present moment.

The magnificent race in the big leagues has awakened an interest seldom shown in a sporting event.

The Advertiser has given an excellent bulletin service every evening since the race began, and large crowds have always taken advantage of it.

During the past two weeks, however, the crowds before the boards have been immense.

Saturday night it kept a policeman busy opening a way for pedestrians, so great was the throng.

Read the bulletins and learn the score.

Company Are Remediating the Derail Ottawa Grievance To Be Removed

Derail Will Be Placed 75 Feet
From the Pere Marquette
Tracks.

The Ottawa avenue derail question is practically settled.

This morning the street railway company had a gang of men taking out the old derail, and installing a derailed of the proper length, 75 feet.

This will make further appeal to the railway commission unnecessary, and will prevent litigation and expense to the city.

The company realized that, by no possible chance, now that the cars are being run both ways, could they defend the operation of a 25-foot derail, and have decided to accept the inevitable, and put in a proper derail.

The present derail was installed in April last. The Ottawa avenue cars then ran only one way, and the company thought that a 25-foot derail would be perfectly safe. The railway commission gave them the power to put it in.

The citizens did not think that a one-way service was satisfactory, and there was an agitation for a two-way service.

This was granted in August last, and the company operated cars both ways. When this was done, the 25-foot derail was a menace to the safety of passengers, and an agitation was begun to have the dangerous conditions remedied.

An appeal was made to the railway commission, and it would have been heard probably this fall. However, the company had met with many accidents to their cars on this derail, and several narrow escapes were recorded and, consequently, it was decided to remove the present derail and comply with the law governing such matters.



LATE SERGT. HARRY LLOYD,
Who Was Shot and Killed at Wolseley
Barracks.

DR. COOK'S FATE

Halifax, Oct. 5.—Although Randolph Frank, who has returned to St. Johns, Nfld., from the Arctic regions on the P. & N. auxiliary steamer Erik, did not conceal his doubt as to the probable fate of Dr. F. A. Cook, of Brooklyn, N. Y., the explorer, a more hopeful view is taken by Capt. Samuel Barlett, of the Erik. Capt. Barlett expresses the opinion that Dr. Cook is safe, and is at present somewhere in Ellesmereland. He says there is plenty of game there. Dr. Cook, accompanied by Frank, went north last summer by the schooner Bradley.

SURPLUS OF \$8,000 FOR FAIR 1908 WAS A BANNER YEAR

Exact Figures Have Not as Yet Been Given Out, But the Estimate Is All to the Good—Excellent Management and Fine Weather Responsible.

The surplus of the Western Fair will amount to about \$8,000.

The financial statement is not ready yet, but it was the opinion of several men in close touch with the affairs of the Western Fair Association that the board would have that sum to the good after all debts were paid.

"I have not been able to go through the books yet," said Secretary Hunt. "I

have been busy paying off our help, and also sending out the checks for the cheese and butter prizes. It will take some time yet before we are ready with the statement. I do not know what the surplus will be, but I think that we will have nearly \$3,000 more than our expenses at least."

Good management and fine weather are responsible for the surplus.

The C. P. R. Strike Is Settled Premier Laurier Sees the President

Accepting Award of Arbitration Board.

Montreal, Oct. 4.—The big C. P. R. strike, which has been agitating labor circles for the past two months, is at an end. It was settled tonight, and the men return to work under conditions against which they struck two months ago. By the terms of the settlement the men agree to accept the finding of the majority of the arbitration committee. This is what they refused to accept before. The C. P. R. on their part, simply agree to take back the men as they find room for them on their staffs. They also agree that there shall be no discrimination against the men who went out.

Men Lose Pensions.

The men will lose their pensions and seniority, and many of them will be unable to secure their old places, as the C. P. R. is under contract to retain all of the men they secured during the past two months, but many of these are not expert machinists it is thought that there

will be a gradual weeding out of the recruits, and their places will be taken by the old C. P. R. experts.

Negotiations for peace have been going on both in Montreal and in Winnipeg. In the latter place Mr. Bell Hardy has been holding conferences with Mr. William Whyte, second vice-president of the C. P. R., and Hon. Colin Campbell. In Montreal Hon. Robert Rogers has been in close touch with Sir Thomas Shaughnessy and Mr. David McNicol.

Premier Sees President.

Sir Wilfrid Laurier arrived in the city today on his way to Quebec, where he is to speak tomorrow night. While here he had a long conference with Sir Thomas Shaughnessy. It is thought that the C. P. R. strike was the subject of their discussion.

As a result of the negotiations a uniform agreement has been reached by both the eastern and western divisions. The agreement was first reached between Mr. Whyte and Mr. Bell Hardy, covering the western division. This was then followed up by conferences in Montreal, which resulted in the settlement of the strike.

FATAL RUNAWAY.

Houston, Tex., Oct. 5.—In a runaway accident in the city park yesterday H. W. Cortes, a member of a leading hardware firm, was killed and Mrs. F. M. Treadway and her two children were painfully injured. Lola Ilfrey, 11 years old, suffered a broken leg, and Hendrix Davis and Lawrence

Davis, two small children, sustained painful injuries.

SOL GOLDSMITH DEAD.

Detroit, Mich., Oct. 5.—Sol M. Goldsmith, formerly business manager of the Louisville News and Commercial, died here yesterday of typhoid fever. He was 48 years old.

BULGARIA THROWS OFF YOKE DECLARES HERSELF INDEPENDENT

Prince Ferdinand Casts Aside Turkish Suzerainty and Brings on
War Crisis in the Balkans—Conference of Powers
Likely To Be Called.

Paris, Oct. 5.—The Temps today publishes a dispatch from Vienna saying that the Bulgarian army is marching towards the frontier, and that the Turks also are moving forward to the encounter.

Austria-Hungary is mobilizing two army corps.

Sofia, Oct. 5.—Bulgaria, a tributary principality under the sovereignty of the Sultan of Turkey, today proclaimed her independence of Turkey. This action was taken at Tirnovo by Prince Ferdinand, who was elected prince of Bulgaria in 1887. The Bulgarian cabinet was present with the prince, having met him yesterday at the frontier and journeyed with him to Tirnovo. The party reached Tirnovo last evening.

Tirnovo is the ancient capital of the Kingdom of Serbia. It was here that the ancient kings of Bulgaria were crowned.

Kaiser With Britain.

Berlin, Oct. 5.—News was received at the foreign office last night that Turkey had been informed that Bulgaria was determined to proclaim her independence at Tirnovo today.

The Associated Press is authorized to state that Germany associates herself with the mediatory proposals submitted by Great Britain to the Turkish and Bulgarian governments.

It is recognized officially that the Bulgarian proclamation gravely complicates the situation, but until the attitude of the Sultan is known the German Government is unable to foresee its course of action except that in no event will Germany bring pressure to bear at Constantinople to influence the decisions of the Porte.

The Austro-Hungarian ambassador to Germany has arrived here with an autograph letter from Emperor Francis Joseph to Emperor William. This

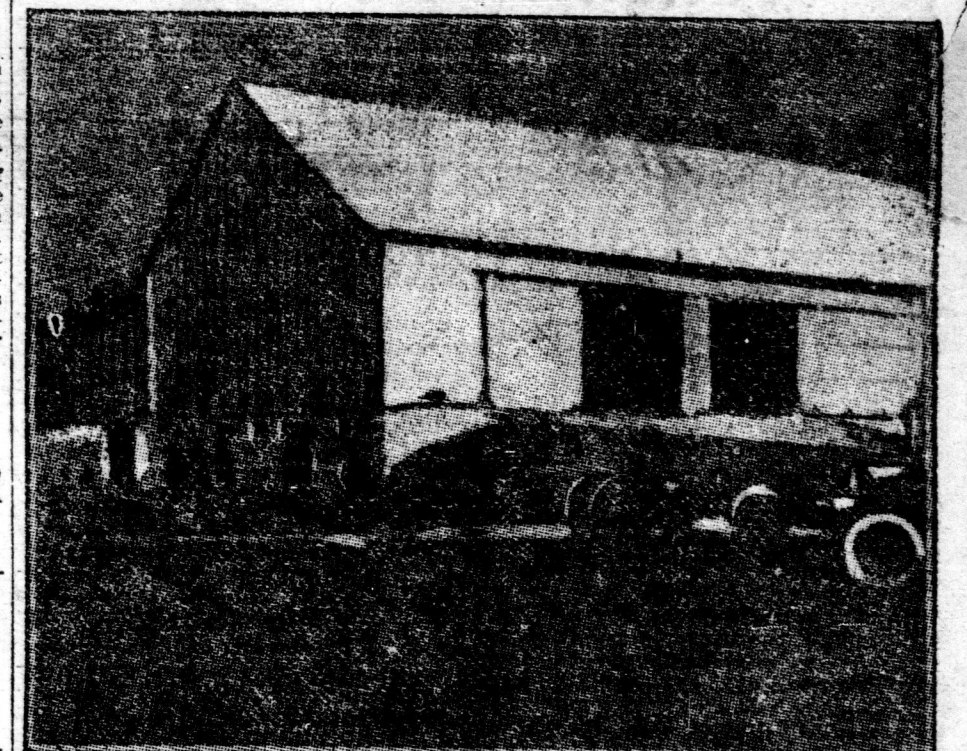
communication probably relates to the occupied provinces of Bosnia and Herzegovina.

Sofia, Oct. 5.—The proclamation of Bulgaria as an independent kingdom was formally made at Tirnovo today.

London, Oct. 5.—Count Memsdorff, the Austro-Hungarian ambassador to Great Britain, went down to Balmoral today to present to King Edward a copy of an autograph letter from Emperor Francis Joseph addressed to the heads of all the states, and explaining the necessity of altering the political status of Bosnia and Herzegovina.

Scents a Plot.

Constantinople, Oct. 5.—Turkey is convinced that Austria, backed by Germany, encouraged Bulgaria to declare her independence in order to strike a blow at the Kaimli ministry and compromise the new constitution. (Continued on Page Nine.)



WHERE PTE. W. A. MOIR WAS CAPTURED.

This is the barn on the farm of Robb Bros., near Arthur, Ont., in which Moir was captured, after a chase of three weeks.

Taxes Collected Total \$499,448.82 Excellent Work of Collector Hays

Only \$101,435.60 Remains To
Be Taken in—Small Balance
for 1907.

Over 75 per cent of the taxes for 1908 are in the treasurer's hands, with still one more installment to come.

This year Tax Collector Hays had the sum of \$416,226.42 to collect. This included the sum of \$15,342 which is allowed for rebates, discounts and uncollected taxes, leaving Major Hays the sum of \$400,884.42 actually to take in.

Of this he has already collected \$499,448.82, leaving the sum of \$101,435.60 still to collect.

The discounts already allowed amount to \$11,000.

"Taxes are coming in very well indeed, just as well as during any previous year," said Major Hays. "It will readily be seen that over 75 per cent of the taxes are already in my hands, and there is one more installment to come. I anticipate getting practically all of it in hand early this year."

Outstanding Taxes.

Major Hays has still \$6,000 of 1907 taxes to collect. This is considered a very small amount, less than one-quarter of 1 per cent.

"We will get a considerable amount of that yet," said Major Hays. "Warrants will be issued shortly, and we expect by this method to get a considerable portion of the outstanding taxes. We issued 15 warrants today and we will continue to send them out until we get all the taxes and the books closed."

A Bear Grabbed Baby From a Go-Cart

Tucson, Ariz., Oct. 5.—A terrible tragedy was enacted at Elysian Grove, a pleasure park, when an immense black bear escaped from a cage yesterday and charged a throng of visitors. The animal, which had been raised in captivity from a cub, had been in the habit of drinking soda pop at the bar, and when he escaped he went there. He was driven away by the attendants, who attempted to force it into its cage. The bear became enraged and charged the crowd.

The wife of a Southern Pacific employe, Bess Laird, ran with a go-cart containing an infant. The bear pursued and snatched the infant and crushed it to death before its mother's eyes. It was attacking the woman when a shot from a policeman's revolver stopped it. The bystanders opened a fusillade and killed the bear with a score of bullets. The bear has been closely confined since a week ago, when it attacked a small boy.

A WORLD'S RECORD.

New York, Oct. 5.—A world's record discus throw of 150 feet and 3 inches was made by Martin J. Sheridan, of the Irish-American Athletic Club, at the Pastime Athletic Club yesterday. The former record was 139 feet 11 inches, made by A. K. Dearborn, of the New York Athletic Club.