

SPRINGBANK CAR JUMPED OVER EMBANKMENT AT COVES PASSENGERS WERE SHAKEN UP

Accident at 7:20 This Morning Caused by Ice On the Rails—Car Lies Close to the Water—Snapped Off Big Pole in Its Descent—Damage Was Small, But Car Is in a Bad Place to Get It Back on the Rails.

Springbank car No. 108, in charge of Motorman A. Yeo, and Conductor J. Rigney, with two passengers, Frank Elson and Wm. Hart, of Byron, on board, was badly wrecked at 7:20 this morning, when it left the rails at a point about half a mile west of the Wharncliffe road, and shot head foremost down an embankment close to the first cove.

No one was badly injured and the damage to the car will not amount to more than \$50, although it will cost something to raise it from the place where it came to rest.

The accident was caused by about half an inch of ice on the rails, the snow having melted and allowed the water to flow over on the south side, and during the night the water froze.

Left the Rails.
The car was coming along at a good rate and suddenly the front trucks left the rails, when the wheels struck the ice on the south rail.

The trucks ran along over the level for about two feet, and then gradually slewed to the south, until they came to the edge of the embankment, when they turned around, and the front of the car shot swiftly downwards.

The rear trucks up to this time had kept the tracks, but when the vestibule went over, the body of the car turned at right angles to the rails. The platform at the rear struck a telegraph pole, snapping it off short, and tearing the rear trucks off.

Passengers Uninjured.
They continued on down the track, and came to a stand about 75 feet away. The three passengers saved themselves from any injury by bracing themselves against the seats.

The only injury sustained was a slight scratch on the foot of one of the gentlemen.

Manager on Scene.
Manager King was notified, and at once went to the scene of the accident. Another Springbank car was sent down, and Motorman Yeo and Conductor Rigney took it to Springbank to bring up the children who attended the city schools.

Manager King stated that the street railway company had no auxiliary big enough to raise the car, and arrangements with the Grand Trunk for the loan of their equipment, several accidents of a minor nature have occurred on the line lately owing to the ice.

Another Car Off Rails.
On Saturday night a car left the rails near the Springbank pump-house, and rolled partly down the embankment there.

"We have had considerable trouble with ice forming on the rails," Manager King told The Advertiser.

He stated that when the car started down the embankment, all held on as best they could.

How Passengers Escaped.
"We hung on as tightly as possible, and got out as rapidly as we could," he stated.

He admitted to friends that he was considerably bruised and shaken up. Mr. Elson said that there were three passengers in the car, himself, William Hart, and a young lady, whose name he thought was Hart also.

She was shaken up and bruised, but went to her work as usual.

**SAW NUMBER OF CANADIANS
AT THE PASTEUR INSTITUTE**

Mr. Frank Jewell, City Auditor, Returns After Arranging for Treatment for His Daughter, Who Was Bitten by a Foxterrier a Few Days Ago.

Mr. Frank G. Jewell, city auditor, returned from New York at noon today after placing his little daughter, Beryl, in the Pasteur Institute of that city.

The injured arm gave the child much pain on the way and was quite badly inflamed when the party arrived at the institute. However, the next morning the swelling had subsided and the child was much better.

She will have to visit the Pasteur Institute every day for the next 18 days. There was no evidence that the dog had rabies, but the treatment will be given as a precautionary measure.

"They asked me about the dog, and I told them I did not know," he said. "I told them to trace the animal to discover that it was a foxterrier."

**CITY PROCRASTINATED
WILL NOW LOSE MONEY**

Ald. Ashplant Could Have Saved Quite a Sum on Buying of Hose.

Ald. Ashplant is active mayor today. Mayor Beattie did not return from Toronto last night with the proposition, being detained on other business. The chairman of No. 3 committee had little to do, his callers being rather limited in number.

The committee will meet tonight and will open tenders for hose.

The price will be somewhat in advance of the price paid last year, when hose cost \$1 per foot. Ald. Ashplant stated that the option he had secured could not be accepted now.

"The same figures were offered to five municipalities," said Mr. Ashplant. "Three of them accepted immediately. The others delayed as London did, and the result is that we will have to pay more for the hose."

There is little other business coming up for discussion. It is expected that the several representatives of other companies will be on hand to give a little lecture on the merits of the hose they sell, and altogether it will likely be a long session.

**CRUISER RESCUES
THE SHIPWRECKED**

Quellon, Chile, Feb. 17.—The Chilean tugboat Pisagua, arriving here, reports that the Chilean cruiser Ministro Zenteno has rescued the eighty-eight persons who had been left on the wreck of the British steamer Lima in the Huanabon Passage, Straits of Magellan.

HALTER PLEADS GUILTY.
Waltham, Feb. 17.—John Halter, alias Otto Webber, of Waterloo County, who was arrested at Wingham charged with obtaining under false pretences, the sum of \$500 from the Canadian Bank of Commerce here, pleaded guilty before Judge Bartlett.

Several youths will be tried before Magistrate Robb today on a charge of breaking into a store and stealing a quantity of goods.

EARL GREY COMING TO LONDON TO OPEN NEW SANATORIUM

His Excellency Notifies Local Committee That He Will Be Here at Noon, on Tuesday, April 5, When the Floral Fete and "Made-in-London" Exhibition Will Also Be Thrown Open to the Public.

Earl Grey, Governor-General of Canada, will open the Tuberculosis Sanatorium at Byron on Tuesday, April 5, at noon, and at 2 p. m. will open the "Made-in-London" exhibition and floral fete at the Armories.

Last night Mr. H. E. Gates, secretary of the London Health Association, received word from His Excellency that he would open the sanatorium at Byron, April 5. Mrs. Adam Beck, chairman of the committee in charge of the "Made-in-London" exhibition, also received word that the Governor-General would open the exhibition at 5 o'clock in the afternoon.

His Excellency will arrive in London from Toronto some time after 11 o'clock, and will proceed at once to the sanatorium. After the ceremonies there he will be entertained at lunch, and later will open the floral fete and exhibition. He will leave for Toronto at 4:25 p. m. on the Grand Trunk.

It has been decided to continue the exhibition all week. After the official ceremony, it will be kept open afternoon and evening until the next 22, the week. The public and separate schools of the city will have a half holiday on Wednesday.

It is expected that excursions will be run into the city during the event. The board of trustees have been discussing this matter for some time.

CITY COUNCIL MUST WHITTLE TO KEEP DOWN THE TAX RATE

Nearly All the Spending Bodies Will Want More Money This Year—Board of Education Will Be There as Usual With an Oliver Twist Request for More.

The consideration of the estimates will shortly be taken up by the city council, and the members will have a time of it keeping the tax rate down to 24 mills, it reports about the city hall are true.

There will be increases all along the line, and the increased taxes received from the natural growth of the assessment will be taken up by the city council, and the members will have a time of it keeping the tax rate down to 24 mills, it reports about the city hall are true.

Board of Education.
The board of education estimates will be increased. Last year the Collegiate Institute and public schools asked for nearly \$195,000. This year they will ask for at least \$205,000, or perhaps \$210,000. The increase will be at least \$10,000, more probably \$15,000. The increase in the debt interest, indebtedness will run close to \$20,000.

Niagara Power Debt.
The full Niagara power debt, debenture must be met, as well as the interest and sinking fund for the water-works debentures. The increases will be in the neighborhood of \$20,000. This with the natural increase in the board of education figures will mean at least \$30,000.

That will mean more than the increase received from the assessment growth. According to the figures, the growth is about \$100,000. At 23 1/2 mills on the dollar, this would mean \$23,500 extra in taxes. There will remain about \$6,500 still to be accounted for.

More in Sight.
There are other spending bodies that want more money. The hospital trust, with more and larger buildings, will certainly require more than last year. The isolation hospital was maintained by the trust but six months in 1909, and this year it will mean a whole year's maintenance—and it costs some money to run that institution. The estimate will be about \$37,500 from the trust.

Board of Health, Too.
The board of health will ask more, as they have an overdraft on the health hospital to take care of. The library board will take their half mill this year, while the police department will run about the same as heretofore.

The committees will require more money, although it is doubtful that they will be given any more, if as much as in 1909.

BAD NEGRO WELL KNOWN HERE WM. WITHERS AT RACE TRACK

Local Police Had Him Under Surveillance as a "Tout," But He Conducted Himself Properly and Avoided Arrest—Toronto Detective Speaks of the Battle With the Desperate Colored Man.

William Withers, the desperate negro, who murdered his wife and mother-in-law in Toronto the other day, and was killed in a three-hour battle with the police, was known in this city, and had been here on several occasions.

The last time he was in London, so far as known, was during the races, in June, 1908. Detective Nickle and Egelton spotted him there, and watched him for some days. He was suspected of "touting," or perhaps worse, but while in the city he conducted himself properly.

He was rather conspicuous in the beat of ring and was found there most of the time. He always carried his coat over his arm. He was an undersized negro, about 5 feet 6 inches in height, but had the reputation of being a "bad one."

At the Races.
"I remember him quite well," said Detective Egelton. "We spotted him at the races, and watched him, as we suspected him of touting. However, he conducted himself properly while here, and he was not arrested for any crime."

Detective Guthrie, of Toronto, corroborated the statement of Detective Egelton.

"It was a bad battle," said Mr. Guthrie. "We were fortunate to come out of it with our lives. Detective Guthrie took back with him Solomon King, the Toronto man, arrested here by Detectives Nickle and Egelton on a charge of embezzlement."

JOY RIDER KILLED.
Philadelphia, Feb. 17.—While returning from a "joy ride" in West Philadelphia early today, James Graham, 19 years old, was killed when the automobile he was operating crashed into a telegraph pole. Three other occupants of the car, two of whom were young women, were thrown out and slightly injured.

STEAMERS ARRIVED.
New York, Feb. 16.—Arrived: La Gasconne, from Havre; Atlantic, Southampton.

Queensdown—Called: Merion, Philadelphia; Iverna, Boston.

Glasgow—Arrived: Ontario, Portland.

Concord—Called: C. F. Tietgen, New York.

Bremen—Called: Kaiser Wilhelm der Grosse, New York.

Cadiz—Called: Grosser Kurfurst, New York.

Gibraltar—Passed: Saxonia, New York.

Algiers—Called: Gallia, New York.

Marseilles—Called: Germania, New York.

Halifax—Arrived: Ionian, Glasgow.

THE WEATHER

TOMORROW—VERY COLD.

FORECASTS.

Today—Strong northerly to northwesterly winds; local snow in the southern portion, but generally fair and colder.

Friday—Fine and very cold.

TEMPERATURES.

Stations. 8 a.m. Min. Yesterday.

Low. High.

London. 36. 54. 28. 36.

Victoria. 36. 54. 28. 36.

Calgary. 36. 54. 28. 36.

Winnipeg. 36. 54. 28. 36.

Port Arthur. 36. 54. 28. 36.

Perry Sound. 36. 54. 28. 36.

Toronto. 36. 54. 28. 36.

Ottawa. 36. 54. 28. 36.

Montreal. 36. 54. 28. 36.

Quebec. 36. 54. 28. 36.

Father Point. 36. 54. 28. 36.

Dawson City. 36. 54. 28. 36.

Winnipeg. 36. 54. 28. 36.

Edmonton. 36. 54. 28. 36.

Battleford. 36. 54. 28. 36.

Moos Jaw. 36. 54. 28. 36.

Qu'Appelle. 36. 54. 28. 36.

Minneapolis. 36. 54. 28. 36.

St. John. 36. 54. 28. 36.

Halifax. 36. 54. 28. 36.

Minus (—) means below zero.

ENGINEER WILL REPORT ON PAVING OF MARKET

Cost Will Run From \$3,140 to \$17,500—Now Up to the Committee.

Estimates for the cost of paving the market will be submitted to No. 3 committee tonight.

According to figures, the cost will run from \$3,140 to \$17,500, according to the sort of pavement selected.

The cost for a vitrified brick pavement will be \$15,525, and for an asphalt pavement with a five-inch concrete base about \$17,500.

The cheap pavement, costing \$3,140, is called tarmac. It has been laid in many places, and is said to be quite good. It carries with it a guarantee for five years. It is a variety of macadam road, being quite similar, it is said, to tar macadam.

It is not known what action the committee will take on the matter, but some of the aldermen are in favor of paving the market.

MURDERED MAN WHO COULDN'T FURNISH CASH

Desperadoes Wanted Price of a Drink and Victim Didn't Have It.

New York, Feb. 17.—Two desperadoes, with drawn revolvers, raided the lobby of the Waverly Hotel on the Bowery today, shot and killed Fred Devlin, a guest, who, when they demanded money for drinks, was only able to produce a dime, and then held up and robbed the clerk of the night's receipts. Less than \$10 all told was the result of the hold-up and murder. The men ran out of the hotel after shooting and a large force of detectives was at once started out on their trail.

SLOOP BLOWN UP TWO MEN KILLED

Rest of Men on Board Were Injured—Result of Sailor's Carelessness.

Brest, France, Feb. 17.—The sloop Jeanne d'Arc, containing a cargo of petroleum, blew up at her wharf today. The captain and one sailor were burned to death, while the others of the crew were burned or otherwise injured.

The accident is blamed on the carelessness of a sailor who carried a lighted candle into the hold.

SOL. KING ARRAIGNED PLEADS NOT GUILTY

Toronto Man Arrested Here Charged With Stealing Goods.

[G. N. W. Dispatch.]
Toronto, Feb. 17.—Solomon King, bookkeeper for Klein & Schwartz, wholesale cap and fur dealers, of Toronto, who was arrested in London and brought back to this city last night in the police court this morning pleaded not guilty to a charge of conspiracy against his employers. It is alleged he stole goods from the firm.

King was remanded until Feb. 22.

GERMANY DELIGHTED Ending of Twelve Years' Tariff War With Canada Pleases Her.

Berlin, Feb. 17.—The news of the ending of the twelve years' tariff war between Canada and Germany by the conclusion of a provisional agreement is hailed with the greatest satisfaction in Germany, especially in view of the fact that the Franco-Canadian treaty would otherwise have accentuated the exclusion of German goods from the Canadian markets.

RAILWAY COMMITTEE Wide Powers Asked by the Western Central Railway Were Refused.

[Special to The Advertiser.]
Toronto, Feb. 17.—In the railway committee this morning, wide powers asked for by the Western Central Electric Railway were refused. The first committee holding that some work on the proposition should be done first.

Mr. H. S. Oiler, solicitor for the company, admitted that the line was not even surveyed yet. He said the powers asked for were wanted for reasons of finance, and that similar powers were readily granted at Ottawa.

The private bills committee threw out the bill to incorporate Berlin as a city in order that the ratepayers may vote on the proposition.

JUDGMENT FOR THE PLAINTIFF

Case of Anthistle vs. Copp Concluded at County Court.

In the case of W. J. Anthistle against Thomas W. Copp at the special sitting of the county court that closed its session today, judgment was given for the plaintiff in respect to the gravel and excavation work done to the amount of \$129.45, with costs.

The case arose over some work done by the plaintiff for the defendant, who was a building contractor in charge of the work on the isolation hospital. The plaintiff claimed that he had not been paid the amount that was due him, and sued for \$173.20.

MRS. BROWN DEAD.
Toronto, Feb. 17.—Mrs. Belle Brown, widow of A. M. Brown, of Wingham, is dead, at the home of her daughter, Mrs. W. J. Archibald, 275 St. George street, in her 68th year.

Mrs. Brown was born in Perth County. She leaves, besides her daughter, two sons, James H. and C. C., of Toronto.

PUSH THE LINE TO INGERSOLL JOB FOR LONDON'S CITY COUNCIL

Suggestion Is Made That the Mayor and Aldermen Should See That New Owners of Southwestern Traction Company Shall First Go Ahead With the Section of Proposed Line Nearest to the City.

Now that the charter of the London and Lake Erie Railway and Transportation Company has been granted, it is expected that construction work on the line from Brantford to London will be commenced this spring.

It is the intention, it was said this afternoon, that the company shall complete either the section from Paris to Woodstock, or that from Ingersoll to London. The company now control the line from Woodstock to Ingersoll, and the connecting line from Woodstock to Paris or from Ingersoll to London, will have to be built this year.

POINTER FOR COUNCIL.
It has been suggested that the city council should go after Mr. Murray A. Verner, of Brantford, the gentleman who will have an important part to play in the London and Lake Erie in the next few years, and see if he could not be persuaded to build the line from Ingersoll to London first. This line will come into the city over the Southwestern Company's tracks, gaining entrance to London by that means. If this section is not constructed this year, it may be the last built, and London consequently would have to wait some time for the line, as the new line from Brantford to this city, which the city council could be obtained, but the council might solve the problem in a short time.

ST. THOMAS IS SATISFIED.
The citizens of St. Thomas are satisfied that so far as that city is concerned there will be Sunday cars to the Port. The Southwestern runs over a private right-of-way from that city to the lake, and the Dominion charter carries with it the right to run cars on the St. Catharines.

DEFENCE SCORES FIRST IN FOSTER-GLOBE CASE

Editor Macdonald Sued for \$50,000 on Charge of Criminal Libel.

[Special to The Advertiser.]
Toronto, Feb. 17.—The suit of the Hon. George E. Foster against Dr. J. A. Macdonald, editor of the Globe, commenced in the jury room at the city hall this morning before Mr. Justice Macree. Mr. E. P. B. Johnston, K.C., and Mr. N. W. Rowell, K.C., appeared for Dr. Macdonald, and Mr. I. P. Hellmuth, K.C., for Mr. Foster.

The courtroom was crowded with spectators, and the largest corps of newspapermen, some of them from a distance, that have attended a trial in Toronto for a long time. Up to the adjournment for lunch, most of the time of the court was occupied in a discussion as to whether the defence should be allowed to amend its statement of claim. The criminal and legal points of more than usual interest are involved.

Defence Scores.
The suit is for \$50,000 damages for alleged slander during the autumn of 1909.

The defence made a spectacular win when the case opened before Justice Macree and a jury today, when defence counsel, on a technical point, right, leave to amend their statement, which now says that what was said, and what was next day printed in the Globe, was fair comment on a report of the royal commission on insurance.

Mr. Hellmuth's address up to luncheon was a scathing arraignment of Dr. Macdonald.

Hellmuth Opens.
Mr. Hellmuth, at 11:15, announced that he appeared for the plaintiff, Dr. J. A. Macdonald, moved to amend the statement of claim with the assertion that the words complained of in paragraph 3, of the statement of claim, were not a fair and accurate report of a public meeting, were not published maliciously and were published for the public benefit.

He said that no courtesies are to be exchanged was at once evident, Mr. Hellmuth rose and hotly protested against any amendment before the action came to trial. He declared the law, "This is now put up as a plea of privilege."

In the alternative Mr. Johnston asked Justice Macree to amend the defence so that it would contend that part of the alleged slander was a fair comment from the report of the royal commission in 1909 insurance. Mr. Hellmuth objected that this was not sworn evidence, but was merely opinion.

"This would only be proper if the action was against a newspaper, which it is not," he declared. "This is now put up as a plea of privilege."

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A WESTERN TRAGEDY
Wood Alcohol Causes the Death of a Father and Son.

Stettin, Alta., Feb. 17.—Wood alcohol has been the cause of a tragedy near Castor in which two lives have been lost and a third is in grave danger. The victims were a father and two sons, named Sleen, who are homesteading sixteen miles from Castor. They had been in the village last Saturday and purchased a quantity of wood alcohol, from a chemist named Couch. After getting back to their cabin they drank it, and the elder son went to sleep, never to wake. The father afterwards died in great pain, but not before he managed to dispatch the other boy, who was also suffering from the effects of the drug, to a doctor. The doctor retained him at the village, where he is now recovering, but the old man was dead when assistance reached his home. The police are investigating.

SLEIGHING PARTY LOST.
Toronto, Feb. 17.—A sleighing party of 24 persons, which left Toronto last night for the village of Bly, some twelve miles out, intending to spend the evening and return, had a hard time of it, not getting back the city until 8 o'clock this morning. The roads were almost impassable, and finally the driver confessed that he did not know the way. Then the horses gave out. Everybody had to walk for a couple of miles, falling rain adding to the general discomfort, when a farm house was reached. Here the travellers were welcomed in and spent the night.

A GENEROUS GIFT
Toronto, Feb. 17.—J. C. Eaton, president of the City of Toronto, has donated \$250,000 to build a wing of the new general hospital in memory of his father, the late T. Eaton.

A \$25,000 FIRE.
Fraserville, Que., Feb. 17.—Fire broke out in the city hall at 7 o'clock last evening and within less than two hours the building was totally destroyed. Messrs. Damiens & Co.'s store and the Trans-St. Laurent office, situated in the same building, suffered damage. The total loss is about \$25,000. Partly covered by insurance.

**CONVICTION OF PATRICK FARRELL OF
Selling to Minors Quashed
by Judge Finkle.**

[Special to The Advertiser.]
Woodstock, Ont., Feb. 17.—Judge Finkle handed out his judgment at noon today in the appeal case of the King vs. Patrick Farrell. The defendant was convicted before P. M. B. J. chemist named Couch. After getting back to their cabin they drank it, and the elder son went to sleep, never to wake. The father afterwards died in great pain, but not before he managed to dispatch the other boy, who was also suffering from the effects of the drug, to a doctor. The doctor retained him at the village, where he is now recovering, but the old man was dead when assistance reached his home. The police are investigating.

The matter may be taken up later, however.

"We have no money at the present time for that purpose," said Ald. Fitzgerald. "If we had, there might be some chance of doing something."

**HOTELMAN WINS IN
WOODSTOCK LIQUOR CASE**

Conviction of Patrick Farrell of Selling to Minors Quashed by Judge Finkle.