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CANADA'S PRISONER MUST TALK OR PAY

Court of Appeals Issues Judgment in Case of R. C. Miller.

MUST ACCOUNT FOR THE $41,000

Statement that Diamond Light and Heating Company's Money was Spent for "Sundries" Does Not Satisfy Montreal Judges.

Montreal, Que., May 19.—R. C. Miller, Canada's state prisoner, was presented with an alternative by the court of appeals today, that he may either give an accounting for the $41,000, which he claims to have paid in order to secure government business or he will have to make good this amount to the Diamond Light and Heating Company—the concern of which he was president. This was the majority ruling of the court. Mr. Justice Gervais, however, strongly dissented from the finding of his colleagues.

Mr. Justice Trenholme, who handed down the judgment to the above effect in the name of his colleagues, spoke without notes, and in a lengthy review of the case, maintained that the general term "sundries" as used by Mr. Miller, in explaining the destination of the amount, involved, was wholly insufficient and that hence it was incumbent upon him to give a detailed accounting of what had been done with the money he had received from the coffers of the company with a view of securing government business.

Lower Court Upheld.

His Lordship also upheld the ruling of the lower court, calling upon Miller to give an accounting of the $1,800 alleged to have been paid to a Mr. Fraser, at the time an official of the government, while the finding of Mr. Justice Hutchinson, in the court of first instance, demanding that Miller also settle an account of $900 for rent of an office he occupied on the premises of the Diamond Light Company, while he was president of the concern was also upheld. On the latter point, His Lordship held that Miller had utilized the office space not only for the business of the Diamond Light company, but also for his own business. In regard to the item covering payments alleged to have been made to Mr. Fraser, Mr. Justice Cross dissented from the majority ruling.

The Minority Ruling.

In the ruling dissenting all along the line from the finding of his colleagues, Mr. Justice Gervais, to summarize his views, maintained that the accounting which had been given by Miller was sufficient. In the case of disbursements made in advancing the interests of a company His Lordship considered that a general statement of the manner in which such disbursements had been made was sufficient. Otherwise any director of a company would never be free from the liability of suit being taken against him or his heirs, to force a detailed accounting of disbursements made in the interests of a company. His Lordship considered that the proper way for the Diamond Light and Heating Company to have proceeded, would have been by way of an action "en rectification de compte."

For these reasons he was of the opinion that the ruling of Mr. Justice Hutchinson, in the court of first instance should be reversed.

DECLARES SCOTT STARVED TO DEATH

Man Who Was With Gallant Explorer Denies that Capt. Scott Died From Any Other Causes.

Vancouver, B. C., May 19.—Positive denial that the death of Captain R. E. Scott, the South Polar hero, and his four brave companions was due to any other cause than simply starvation, is given by C. S. Wright, of Toronto, the only Canadian representative in the ill-fated Scott expedition and the leader of the search party which made the tragic discovery of the bodies. Mr. Wright and Frank Bonham, of Sydney, Australia, another of the relief party that discovered the present resting place where Scott and his companions passed to a heroic death, arrived in the city yesterday from San Francisco, having reached the golden gate city from Australia last Thursday and came on direct here.

SITUATION IN HALIFAX STILL UNCHANGED

Not a Wheel Turned on Street Railway Yesterday—Company Has Not Yet Agreed to Arbitrate the Dispute.

Halifax, N. S., May 19.—Another day has passed without a wheel turning on the Halifax Street Railway. It was expected that at the meeting of the controllers this afternoon the company would send in a new reply to the city's request that they agree to arbitration of the trouble, but at that hour word came that the company were still considering a reply and this would not be ready till nine o'clock tomorrow morning and that in the meantime no attempt would be made to operate cars.

WILLING TO BUILD STEEL SHIP PLANT

Proposal Made to Town of Sydney—Plant Capable of Building Ships of 10,000 Tons.

Sydney, N. S., May 19—George Hughes, representative of the Anglo-Canadian Industrial Trust Co., of London, who visited Sydney in March looking into the possibilities of establishing shipbuilding and other industries here, and who is now in Montreal has communicated to the board of trade a proposal of his company regarding shipbuilding.

Mr. Hughes says with reference to putting up a plant in Sydney for steel shipbuilding: "My people are willing to organize a company with a capital of $2,000,000 and erect a plant capable of building ships up to 10,000 tons provided the city council or board of trade give a free site with water frontage and guarantee the interest on $2,000,000 six per cent preference shares. If you cannot see your way clear to do this please make a counter proposition and I will see that the same gets consideration.

DONT WANT CHRISTABEL PANKHURST

Official Denial of Report that Britain Seeks to Have Militant Suffragist Expelled from France.

London, May 19.—It is officially denied that any steps have been taken by the British government to secure the expulsion from France of Miss Christabel Pankhurst, the militant suffragette. "There is no division in the ranks of the women's social and political union," was Miss Naylor's disclaimer uttered at the weekly meeting today of the militant suffragettes. She made this statement as a reply to the reports of a revolt among the members of the militant society which have spread widely. She continued:

"We are going to tide over the present crisis. We are not to be suppressed by intimidation. If the intimidators are mice we women must show that we have the courage to print the newspaper ourselves."

Miss Naylor, referring to the daily bomb incidents, declared that most of these "monkey tricks" were the work of boys.

RUN DOWN BY AUTO.

London, Ont., May 19.—Wilfred Lapier, aged 9 years, was this afternoon run down by an automobile driven by Allan Hale. Mr. Hale had turned out to pass an approaching team, when the lad darted out from behind the wagon. The boy's skull was fractured.

PREMIER BORDEN RECEIVES GREAT WELCOME IN TORONTO; 10,000 PEOPLE AT MEETING

Splendid Demonstration Effectually Shows How Premier is Enshrined In Affections of Canadians.

Forceful Addresses by Hon. Mr. Borden, Hon J. D. Hazen, Hon. L. P. Pelletier and Sir James P. Whitney — Premier Deals with Naval Bill and Passes Strong Hint to Senate.

Special to The Standard.

Arena, Toronto, Ont., May 19.—Premier Borden received a royal welcome in Toronto tonight, and ten thousand people packed the large arena and acclaimed the principles of the Conservative party which were enunciated in a brilliant speech by the man who has fought so doggedly and patiently for them during the past months. He was accompanied by Hon. J. D. Hazen, Minister of Marine and Fisheries; Hon. L. P. Pelletier, Postmaster General, as representing Quebec province, and who received a splendid ovation, and Sir James P. Whitney, Premier of Ontario.

Though the meeting was timed for eight o'clock the torchlight procession and crowds which lined the streets from the Queen's Hotel to the Arena, prevented the Premier and his colleagues from arriving until half an hour later.

A Mighty Ovation.

The Premier's entrance brought forth a war of cheers and the fluttering of hundreds of miniature Union Jacks. People were perched on rafters and on every coign of vantage and long lines of people waited outside but could not gain an entrance. At seven fifteen there was not a vacant seat.

A noticeable feature of the manner in which the Premier has worked his way into the affection of the people was seen in the cheering which greeted every mention of Mr. Borden's name by the different speakers.

Sir James Whitney, the first speaker, paid him a notable tribute, and when the Prime Minister rose he was the recipient of a welcome seldom accorded to a public man. For ten minutes the crowd of men and women stood and cheered and sang to the strains of the "Maple Leaf" and "Rule Britannia," mingled with cheers, and the Premier's face lighted up with pleasure as he smiled his acknowledgments.

Premier in Splendid Form.

The Premier was in excellent form and with clenched fist and squared shoulders he drove his points home. The presence of a force of Liberals was noticeable as Sir James Whitney mentioned the name of Sir Wilfrid Laurier. Cheers broke out in one part of the Arena but were drowned in counter cheers for Borden. The speeches were short and the party was able to leave for the Capital the same night.

Both Hon. Mr. Hazen and Hon. Mr. Pelletier received a splendid welcome and the breezy eloquent periods of the Marine Minister and the logical utterances of the Postmaster General were loudly applauded.

Premier Borden's speech was a masterly piece of oratory and he had the vast crowd responding to his periods all the time.

Hearty Welcome for Mr. Hazen.

Hon. Mr. Hazen received a hearty welcome. He dwelt upon the inspiration derived from being present at such a large meeting to pay tribute to their leader. Mr. Hazen's reference to the defeat of Reciprocity brought forth loud cheering. He referred to the Taft-Roosevelt correspondence, stating that it simply meant the endeavor to make Canada "an adjunct" of the United States. He stated that the Democratic revision of the tariff gave Canada everything to be obtained by Reciprocity.

Mr. Hazen denied that the policy of Canada was one of periodic contribution, and paid a tribute to Premier Borden for his consistency on the question of naval defence.

The Prime Minister opened with the statement that all the privileges enjoyed by Canada today were entirely due to the fact that for the past century and a half Great Britain had been predominant on the high seas and that the condition of the whole Empire was the same today, and would continue to be same for the future as it was a century and a half ago inasmuch that her very existence depended entirely on naval supremacy.

Canada in Naval Defence.

Tracing the history of the Conservative party's attitude toward the participation of Canada in naval defence the Prime Minister said:

"In 1910 I moved in the House of Commons a resolution that Canada should place at the disposal of the admiralty two battleships or armored cruisers of the most powerful type. In November of the same year I declared that if returned to power we would seek directly from the British government, and especially from the admiralty, definite information as to the needs of the Empire in naval defence and that if satisfied of need we would appeal to parliament, and if necessary, to the people, for immediate and effective aid. In the campaign of 1911, I made the same declaration in my opening speech in this province. No government in Canada ever had a more specific and direct mandate for any purpose than that of the present administration to perform this manifest duty.

The Admiralty's Answer.

"We went to London, we conferred with the British government, we consulted the authorities of the Admiralty, we received information of an exceedingly grave character, which, in part, had been made public in the memorandum of the Admiralty. We asked the Admiralty a plain unvarnished statement as to the actual conditions and as to the need. In their published memorandum they expressed to the people of Canada the conditions and especially emphasized two points, first that the aid which Canada could give at the present time is not to be measured in ships or money.

As Mr. Churchill expressed it, any action on the part of Canada to increase the power and mobility of the Imperial Navy and thus widen the margin of our common safety, would be recognized everywhere as a most significant witness to the United Strength of the Empire, and to the renewed resolve of the overseas Dominions to take their part in maintaining its integrity.

In further response to our inquiry they answered without hesitation, and after prolonged consideration of all the circumstances, that any aid which Canada might bring should include the provision of a certain number of the largest and strongest ships of war which science can build or money supply.

Obstruction Scored.

Dealing with Sir Wilfrid Laurier's attitude and the obstructionist tactics of the opposition in parliament, the Prime Minister continued: "How did he meet our proposals? Not by any real desire to aid in meeting adequately conditions of gravity and urgency, but by a speech of the same controversial character as that with which he had introduced his own naval proposals in 1910. While the map of Europe was being transformed by one of the most remarkable wars of modern time, he was ready to give airy guarantees of universal peace as if he were the mouthpiece of all the chancellors of the world.

While so great a conflict was even then being waged in Europe that no man could measure the gravity of impending developments which, even within the past month have imperilled the peace of the world, he thought it consistent with duty to prattle of bygone debates, to move indefinite and impracticable amendments and to commit his party to the same policy of indefinite delay and procrastination and evasion with which he has met every effort to bring about any real co-operation by Canada in the general naval defence of the King's Dominions.

"I speak not without warrant in this regard. In 1902, in 1907 and 1911 at any and every imperial conference he has maintained the same recalcitrant and reactionary attitude against

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CALIFORNIA MAKES LAND BILL A LAW

Japan Considers Measure Discriminatory and Offensive.

GOVERNOR IGNORES PRESIDENT'S ADVICE

Secretary Bryan and Japanese Ambassador Hold Lengthy Conference in Washington —Result Kept Secret.

Sacramento, Calif., May 19—California's land bill became the law of the state today. Against the protests of Japan, and the representations of President Wilson, and his personal envoy, Secretary of State Bryan, Gov. Johnson signed the bill, and ninety days after the adjournment of the legislature, or on Aug. 10, the act becomes operative. Meanwhile complications national and sectional beset the bill. Overshadowing all is the outcome of the negotiations now in progress between this country and Japan, which has interpreted the act as discriminatory and offensive.

Within California itself the act has encountered triple hostility, which may delay its activity until November 1, 1914. Democrats opposed state legislation at this time as a matter of party regularity. Nevertheless, so plain to them seems to be the demand for the bill that after exhausting all parliamentary tactics, the Senate gave but one adverse Democratic vote, and the Assembly but two.

Japanese Press Incensed.

Tokio, May 19.—A section of the press bitterly denounces Governor Johnson's reply to President Wilson, as illiberal and unjust, declaring that it is strongly anti-Japanese and that Governor Johnson is seeking to evade his own responsibility under cover of the national law.

Bryan and Chinda Confer.

Washington, May 19.—Secretary Bryan, late today handed Ambassador Chinda the reply of the United States government to the Japanese protest against the California land legislation. The ambassador immediately cabled it to Tokio.

When the answer had been delivered the secretary and the ambassador conferred earnestly for an hour regarding the general aspect of the problem which they are trying to solve. Of course, the opinions expressed were tentative, as the ambassador felt that he must be guided entirely by the directions of the foreign office at Tokio, and he could only surmise what might be the attitude of the officials at home. Meanwhile it was understood that both the Japanese protest and the state department's answer would be withheld from publication, for the present at least, on the ground that it would be injudicious to submit the delicate questions at issue to heated discussion in the newspapers, and possibly at mass meetings The negotiations between the two governments are now expected to proceed in regular fashion without further reference to what takes place in California. It is assumed that several days may elapse before the next step is taken.

WELL KNOWN HOTEL MAN DEAD IN F'TON

Special to The Standard.

Fredericton, May 19.—P. D. McKenzie, proprietor of Long's Hotel, and one of Fredericton's best known citizens, dropped dead late this afternoon.

He was walking down stairs after having shown a guest to his room when he was suddenly seized with heart trouble and fell dead. Several doctors were summoned, but nothing could be done, as he had passed away almost instantly.

The late Mr. McKenzie was 62 years of age. He was born at St. John and came to Fredericton 37 years ago. For some years he conducted a boarding house and coaching business, and for the past fifteen years he has been proprietor of Long's Hotel, being well known to the travelling public. He was an alderman in 1906 and is prominent in the Independent Order of Foresters, and in Brunswick street United Baptist church. Besides his widow, who was formerly Miss Walton of Greenwich, he is survived by three daughters, Mrs. Lankford Good, Mrs. Arthur K. Limerick, and Miss Daisy McKenzie, all of this city.

SUPPLEMENTARIES TO BE PRESENTED TODAY

Appropriations Expected To Exceed the Twenty Million Mark.

HOUSE HAD DREARY SESSION YESTERDAY

Consideration of Extension of Lead Bounties —Public Works in Antigonish Again Aired in House—Agricultural Estimates Discussed

Special to The Standard.

Ottawa, Ont., May 19—The House spent a rather dreary day, today, in the discussion first of lead bounties, then of the ancient complaint that Hon. Robert Rogers had permitted the publication of certain public work estimates in Antigonish, N. S., during a bye-election campaign.

Late in the evening an amendment to the supply motion on the subject of these estimates and their publication, was declared lost on division and the votes of the Department of Agriculture were taken up. The attendance was slim all day.

Tomorrow the House resumes consideration of the Bank Act, and on Wednesday will go on with the budget debate. Tomorrow also, the supplementary estimates for the year will be brought down by the Minister of Finance. It is expected that these supplementaries will include some fairly generous appropriations and that the total will exceed the twenty million mark. The estimates already before the House amount to $179,152,183.

It was announced when the budget was brought down that the total of all estimated expenditures would likely be close to two hundred million dollars. This may include the railway subsidies. Further provision will be necessary for the purchase of Grand Trunk Pacific guaranteed bonds (the joker agreement bonds), at the rate of about one million dollars per month, and for progress payments on the three Dreadnoughts which Canada is to give to the Imperial navy.

The Lead Bounty.

The House spent several hours in consideration of the Finance Minister's resolution extending the lead bounty for another five years up to the amount of the money left unexpended out of the original fixed total.

R. P. Green of Kootenay, replying to the leader of the opposition, presented figures showing that the lead production had grown from 9,045 tons in 1903, before there was a bounty, to 23,000 tons in 1915. Mr. Green advocated a commission to investigate the mining and marketing of silver lead ores.

F. B. Carvell saw no reason for bounties and Dr. Clark characterized as "legalized mendicants" those seeking bounties.

J. H. Burnham looked upon bounties as immoral. Sir Wilfrid Laurier, on the other hand, regarded a bounty in this instance as desirable and favored the appointment of a commission to look into the industry.

The minister of finance showed the house how bounties had produced very beneficial results. The important steel industry at Sydney had been developed with their aid. Reasonable protection was necessary for Canadian industries.

Protection vs. Free Trade.

The discussion developed during the afternoon into a general debate on protection versus free trade. W. B. Northrup of East Hastings, attacked the argument advanced in the morning by Dr. Clark in favor of free trade with England as an example. Mr. Northrup presented statistics showing that wages in England were far below Canadian levels, the highest average wages, those in the shipbuilding industry, being only 33 shillings a week.

Frank Oliver opposed the proposed extension and argued that it was not a continuation of the Liberal bounty, which was granted as a temporary measure. Wheat farmers had been told that if wheat farming did not pay they should go into mixed farming. He would suggest to the lead miners that if lead mining did not pay after 15 years they should go into gold mining. (Laughter.)

R. B. Bennett said that he remembered the petition in response to which the lead bounty had been first granted. These petitions had been signed by the farmers of Alberta to whom the increased labor population at the mines meant a larger market for their dairy and farm products.

Mr. Oliver denied that the farmers of his province benefitted from the bounty. One of his arguments was that the price of oats had gone down.

J. H. Burnham of Peterboro, announced that he had intended moving an amendment to the bounty resolution but had been dissuaded by the arguments of Mr. Oliver. (Laughter.)

The resolution was then adopted and the bill introduced.

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KING PETER HAS ENOUGH: WILL RESIGN

Ruler of Servia, Broken in Health, Plans to Abdicate and End Days in Peace in Geneva.

Geneva, Switzerland, May 19.—King Peter of Servia, intends to abdicate as soon as he possibly can after peace between the Balkan States and Turkey has been signed. He plans to return to Geneva where he lived for many years before he was called to the Servian throne in 1903 after the murder of King Alexander and the queen.

The Servian monarch's intention became known when his emissary arrived here today to find a suitable residence for his majesty. Crown Prince Alexander and Prince George, the king's sons, were educated here, and his majesty as Prince Karogeorgevitch, made many Genevese friends, with whom he corresponds regularly.

The health of King Peter, who is 69 years old, has broken down, it is understood as the result of the war with Turkey and he wishes to end his days in peace among his friends in Switzerland.

SCOTT ACT OFFENDERS ROUNDED UP

New Officer Gets Busy in St. Stephen—J. W. Montgomery Dead—Many Years in Dry Goods Business Here.

Special to The Standard.

St. Stephen, May 19.—John W. Montgomery, who was formerly in business in St. John but has conducted a small dry goods business in St. Stephen for the past few years, died this afternoon at his boarding house in Calais, after a brief illness of heart trouble. He was seventy-eight years of age and is survived by his widow who has been his companion while here. The remains will be taken by the Shore Line tomorrow afternoon to Dipper Harbor for interment.

At the last meeting of the town council, on recommendation of the police committee, the marshal and Scott Act inspector were dismissed because of failure to enforce that act, and John E. Gibson, who had at one time served on the Boston police force for a term of eight years, was appointed in his stead.

Saturday evening the new officer personally visited four of the bar rooms in the town and apparently found things not to his liking, for today papers for various offences against the Scott Act were served on those connected with two of the places, while in the case of another a search and seizure process was put into execution and the bar, said to be the most elaborately furnished in the town was cleaned out and its contents carted to the local jail. It is believed that this is not the end of the new order of things, and further developments are awaited with some degree of curiosity.

U. S. TORPEDO BOAT STRUCK BY TORPEDO

Newport, R. I., May 19.—The torpedo boat Vesuvius was struck by one of its own torpedoes late today and was beached on Pope Island, Narragansett Bay, when the lives of those on board seemed imperilled by the waters which rushed in through a two inch hole astern.

Late tonight the Vesuvius worked herself off the beach, and proceeded to the torpedo station, under her own steam.

E. K. GANONG DIES SUDDENLY.

Moncton, N. B., May 19.—E. K. Ganong died very suddenly at his boarding house in this city about 9.30 this evening. He had eaten a hearty supper which brought on acute indigestion, and heart failure resulted. Deceased who was formerly a Baptist minister, had been engaged of late years canvassing for different newspapers. His family reside at Long Point, King's County, N. B.