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TWELVE PAGES—THURSDAY MORNING OCTOBER 29 1908—TWELVE PAGES

28TH YEAR

Chamberlain's Successor Foretells the Triumph of Preferential Tariff

Banquet of British Empire League Lord Milner Relates How Movement Has Gathered Force in Britain.

NO UNFRIENDLINESS TO DAUGHTER STATES

No one who heard Viscount Milner at the National Club banquet last night could have escaped the inference that imperial unity by way of imperial mutual trade, as Hon. George Foster phrased it, was in the way of practical realization. It was obvious also that should the Elijah of tariff reform make ready to pass there was an Elijah prepared to receive his mantle.

Lord Milner by his incisive but careful utterance conveyed with great impressiveness the conviction that the English people were most rapidly coming to the resolve which will precede the adoption of tariff reform. He pointed out that the present generation had been brought up to believe in free trade as an eleven commandment worth all the other ten, and that until their academic, intellectual prejudice had been overcome it was necessary only for Canada and the other colonies which had adopted a preferential tariff to "set light."

"Everything tending to closer union encounters great difficulties," he said. He was not prepared to say what the end would be, but he would say that if obstacles and difficulties of any kind should prevent realization of their object there could be no greater misfortune to the empire.

Col. Denison presided with that mingled air of authority and elegance so familiar in another place. Next him sat the guest of the evening and on his left Sir Mortimer Mackenzie, Sir James P. Whitney, Sir William Mulock, Byron E. Walker, Senator Ross, Senator Jaffray, President Falconer, Hon. J. J. Foy, E. B. Oser, M.P., Hon. A. J. Macdowell, G. R. E. Cockburn, S. Northcote, W. K. George, W. F. Maclean, M.P., Mayor Oliver, Hon. George E. Foster, Hugh Maitland, Col. Grassett, Col. Sam Hughes, W. K. McLaughlin, M.L.A., Hon. William T. Blacklock, K.C., R. S. Neville, K.C., Hon. E. J. Davis, Castell Hopkins, W. L. Edmonds, J. R. L. Starr, Prof. Ellis, Prof. James Mavor, Prof. J. G. Macdonald, W. R. Kennedy, P. C. Larkin, J. T. Fetherstonhaugh, R. Blain, Noel Marshall, Provost Street Macklem said grace.

The toast of the King's Most Excellent Majesty was honored in a magnificent setting by the British Empire League, as Col. Denison suggested it would be in proposing it. In proposing the toast of the evening Col. Denison made a mainly patriotic appeal for an exposition of the mission of the British Empire League, whose object was to make permanent the union of the empire, and drew from Lord Milner the magnificent compliment that next to Joseph Chamberlain himself he knew of no better advocate of the cause of imperial unity.

Hon. Geo. W. Ross in responding fully maintained his reputation for eloquence, foreseeing the inevitable imperial unity which should give Canada a share in the dignity, the traditions, the glory and the power of an empire divided by no equator in this spotted globe, and severed by no parallels of latitude to the north or to the south. He closed with a touching citation of the Scottish stanza which he applied to Canada—"But I'll remember thee, Glencairn, and a' that thou hast done for me!"

The Guest Has Gone. Lord Milner left the banquet room at 10.50 in order to catch the 10 o'clock C.P.R. train, which had been specially held until 11 to enable him to reach Ottawa. He remained till the last possible moment, and then jumped in a motor car to make the train. He will not return to Toronto, but remain in Ottawa till the 1st prox. He sails on Nov. 5 from Montreal.

Freedom Within Empire. In proposing Lord Milner's health Col. Denison drew on the phenomena

Britain and Tariff Reform.

"It is no exaggeration to say that we were all taught free trade as an eleven commandment, and a commandment worth as much as all the other commandments put together. It is a tall order for a man brought up in that faith and living in it for many years to give up or modify it."

—LORD MILNER.

HIS FRIEND'S GOOD-BY THE DETECTIVE'S CLUE

George Duff, a Painter, on Way to Winnipeg, Arrested for Theft From Bank.

"Save me from my friends" is a classic exclamation which George Duff may well repeat. "Good-bye, George," said an acquaintance last night as Duff swung on board the C.P.R. train for Winnipeg. Detective Miller was after Duff, but did not know his appearance, but the farewells gave him the necessary clue and he jumped on the moving train. At Parkdale he left the car with his prisoner, charged with the theft of \$19.80 from the Imperial Bank branch at Bloor and Yonge streets.

Duff is a painter about 25 years of age and has been living at 617 Church-street. He was closing out his account in the bank and was paid \$20 instead of the twenty cents that was to his credit.

He admitted to the detective that the money looked sweet to him and he thought the bank could afford it. None of the bank clerks could give a description of him and it was only Detective Miller's sharp hearing and quick action that landed him.

RUSSIAN DUMA OPENS PARTIES IN HARMONY

Fruitful Results Promised—The Budget and Agrarian Problem Chief Issues.

ST. PETERSBURG, Oct. 28.—The autumn session of the third Russian duma was opened this morning, and the sittings of the council of empire began this afternoon.

This is the first time a Russian parliament has come to its second session and to survive a first session. This fact has brought out much satisfaction as well as the hope that the present duma will be of great service to the country. In the Tauride Palace the deputies plunged immediately into the Balkan situation. This parliament promises to be the most fruitful since the establishment of the duma. A number of important reforms, which were in the committee stage in the preceding session, are now ready for immediate consideration in the lower house; others are far advanced, and since the dangers threatening their predecessors have now been fully dissipated, the legislators can attend their task with the certainty of carrying it to successful completion.

JURY DISAGREE AFTER 7 HOURS

Justice Latchford Charged Strongly Against Police-man Who Shot Fugitive Prisoner.

CHATHAM, Oct. 28.—(Special).—After several hours' deliberation the jury in the case of Elliott J. Kimball, formerly chief of police of Leamington, charged with the murder of William J. Healy, before Justice Latchford, decided just before midnight they could not agree. The case went to their hands at 5.30 p.m. yesterday. Kimball shot Healy while the latter was running away to avoid arrest for jumping a board bill.

Kimball himself was the last witness examined. He stated that the shooting of Healy was purely accidental, the revolver being discharged through a jar on the fence he was climbing over. Other witnesses testified that after the shooting Kimball had remarked that he had shot the man, who was getting away from him. None of these witnesses could remember having heard him say that the shooting was accidental.

Both Prosecutor Arnold and solicitor for the defence, D. L. Lewis, K.C., made long addresses to the jury. Mr. Lewis emphasizing the fact that both the crown and the court had no evidence pertaining to Kimball's good character.

His lordship Justice Latchford made a strong charge against the prisoner. He belittled the prisoner's statement that the shooting was accidental. "A Hint to Police." "The character of Healy was nothing to do with it," he continued. "The lowest character in this country is protected by law. The unfortunate woman, Mary Wellington, whose illegal actions caused the shooting of this wretched man, says that she warned Kimball that Healy was dangerous, but we do not hear of Kimball using his gun till Healy ran from him. Many constables appear to be under the misapprehension that they can shoot down a fleeing man, civilized no law in this or any other country which allows them to do so, and the sooner constables get this erroneous idea out of their heads, the better it will be for the country."

Justice Latchford said that there were three verdicts the jury could bring in—murder, manslaughter, or no guilt. If they believed the evidence in the face of all the other evidence they then might bring in the latter verdict.

On opening the case the attorney for the defence objected to the charge of murder, but the court overruled, stating that the grand jury had decided upon that charge and would hold the jury to abide by its decision.

No Right to Shoot. The prosecution argued that, notwithstanding that Kimball was an officer of the law, he should be considered in the evidence the same as an ordinary citizen.

"If it is shown that he had no intention that he should kill, and that the offence is committed just the same, if Kimball shot to scare, it also makes no difference in the verdict—that is murder. It is for you to say," said Mr. Arnold, "whether an officer of the law can go around the country with firearms killing people without being punished."

Miss Wellington Testifies. Miss Mary Wellington was the first witness for the crown. She appeared in the court-room dressed in black, with a large black hat and veil. Her face and eyes were red, as if she had just recovered from a fit of weeping.

She was present when the shooting occurred and described the affair. Attorney for the defence elicited the fact that Miss Wellington had lived with Healy as his wife, in this connection she said that she had known him about a year. She had been intimate with him about three weeks. They had lived together as man and wife in Leamington and Tibury, Healey had led her to believe they were married by showing her a false marriage certificate which he said was signed by a minister.

The woman who made the complaint which had caused Kimball to attempt the arrest testified that she had told him that Healy was desperate man and would likely resist arrest. The court commented that this warning had probably had its effect on Kimball and led up to the shooting.

TAFT IN NEW YORK CITY.

Is Cheered for Nineteen Minutes and Hugs for Sixteen.

NEW YORK, Oct. 28.—Wm. H. Taft and Chas. E. Hughes were the stellar attractions at a great Republican mass-meeting at Madison Square Garden tonight.

WORK FOR THE BOYS.



THE COUNTRY: With Tommy Wallace, Joey Russell, C. J. Thornton, Stewart and Ury Wilson to help him, Willie Maclean ought to cut considerable wood for me this winter.

BALLOT UNTIL MIDNIGHT BISHOP NOT SELECTED

Dean Farthing and Dean Evans in Battle Royal for Bishopric of Montreal.

MONTREAL, Oct. 28.—(Special).—Never in the history of the Diocese of Montreal has there been such a clash between the clergy and laity as took place to-day in the selection of a bishop to succeed Bishop Carmichael.

Dean Farthing of Kingston and Dean Evans of Montreal are the men being lally going almost sold for Dean Farthing, while the clergy consistently support Dean Evans. The synod was still sitting at midnight, at which time four votes had been taken. On the third vote Farthing secured 43 of 82 of the lay vote, 42 only being necessary.

FAVOR REV. E. BRAITHWAITE.

Toronto University Graduate Likely For Northern Congregation.

The members of the Northern Congregational Church held a meeting last night at which the question of extending a call to Rev. E. Braithwaite, now of Boston, Mass., a graduate of Toronto University, was considered. The matter was referred to the finance committee and it is expected that a call to Mr. Braithwaite will be extended, as the meeting last night was favorable to that course of action.

KILLED RETURNING HOME.

W. R. Colgate of Winnipeg Falls From Train.

WINNIPEG, Man., Oct. 28.—Walter R. Colgate, a well known Winnipegger who has been in the insurance business here for the past twenty years, fell from the train at Ignace, Ont., and was killed. Mr. Colgate was returning from a prolonged visit to England, where he had gone for the benefit of his health. He was 45 years of age and unmarried.

SON OF CHIEF JUSTICE HITS ATTORNEY-GENERAL

Genuine Blow, Too, in Winnipeg Street, as Result of Election Episode.

WINNIPEG, Oct. 28.—(Special).—An aftermath of the bitter election contest here took place this afternoon on Main-street, when E. L. Howell, K.C., son of Chief Justice Howell, attacked Hon. Colin Campbell, attorney-general, who has now sworn out a warrant for Howell's arrest.

ANNEXATION PETITION.

Names Are Now Being Serialized by Census.

The petition of the property owners of the territory between Danforth-avenue on the north, Queen-street on the south, Greenwood-avenue on the west and the boundaries of East Toronto, asking for annexation to the city, is being scrutinized by representatives of the parties in favor and opposed to union.

WOULD HOLD UP THE CITY.

Mayor Says Price of Bull Farm Has Gone Up \$1500 an Acre.

Mayor Oliver says that within the past month a portion of the Bull farm on Davenport-road, which is offered to the city at \$2500 an acre, was placed before a loan company at \$1000 an acre. The property contains 114 acres, and the city is given the chance to buy the southeasterly 40 acres. The perk commissioner thinks the land very well adapted for park purposes. The board of control will inspect the property and the mayor will make full enquiries as to the \$1000 offer.

STABLE ABLAZE.

Fire broke out in a stable in rear of the residence of Mrs. Richard Ardagh, widow of the late Fire Chief Ardagh, 319 Sherbourne-street, at 1.08 this morning. It spread to an adjoining stable. The total damage is \$600, covered by insurance.

CURTIS AN INSTRUMENT OF FINANCIER'S WILL

Tells of Morse's Aid to Heinze, His Protest and Banker's Great Overdraft.

NEW YORK, Oct. 28.—The apparent determination of Alfred H. Curtis to exonerate himself of all blame in connection with the banking transactions for which he and Charles W. Morse are now undergoing trial in the United States district court, became more defined to-day when, under prompting of his attorney, Curtis produced a letter written by him, under date of June 13, 1907, and addressed to Morse, in which he made vigorous protests against the continuance of practices inaugurated by the latter, and which in Curtis' opinion constituted a grave menace to the stability of the Bank of North America.

MAY RECOUNT WEST MIDDLESEX VOTE.

LONDON, Oct. 28.—The Free Press to-night says that a count is certain to be demanded in West Middlesex.

Mr. Calvert, the Liberal candidate, was reported upon the night of the election to have a majority of 17 votes. This is believed to have included some votes which are open to question, while votes thought to be valid were not counted for the Conservative candidate, Mr. Robert McLachlin. A report current to-day is to the effect that the Liberal majority in the west riding has been discovered to be only four.

FAY OFF THOSE HAT BETS.

Get Them Settled—Dineen's is the Place to Go About It.

Isn't it better to get all those hats settled off right now? The election is quite over and there is no room for doubt on any way Toronto bets were made. The hats are at Dineen's, where the quality is, and where the price is rather low. The longer these hat bets are left the more ungenerally they look, so get in at once at Dineen's, where there is the best to be had and the cost is the only cheap thing about them. Dineen's are at Yonge and Temperance-streets, and Dineen's name is synonymous with good hats.

LIBS. ADD TWO MAJORITY 49

Nipissing and Comox-Atlin—Protests Threatened in West Kent and North Lanark.

A special despatch from North Bay announces that final returns in Nipissing give C. A. McCool (Lib.) a majority of 112, with one poll to hear from. This again makes the Ontario standing at: Conservatives, 48; Liberals, 38.

In the Comox-Atlin district of British Columbia, W. Sloan (Lib.) was yesterday elected by acclamation. The Liberal majority is now 49.

CHATHAM, Oct. 28.—(Special).—The election of A. B. McCool in West Kent will be protested, was the statement of one of the leading officers of the local Conservative Association to-day.

Last night, even King-street, the main thoroughfare, was alive with drunk and half drunk men, who, it is alleged, bought their liquor with election boodle. The aftermath of the election was marked by most disgraceful orgies all over the city last night. For the most part the celebrants were negroes and tough characters.

It is claimed that there were irregularities in Tibury. One man said to-day that if the protest were set in progress it would mean that over two hundred men would have to be arrested on charges of flagrant violations of the Election Act.

The Liberals on the other hand assert that the Conservatives also had a hand in irregularities, and that the only reason the latter lost in the constituency was that they could not afford to buy as high a price for votes as the McCool party.

The price of votes has gone up in this constituency. It formerly was \$2 the price of a vote, while in the recent election it is said the bribed refused to take less than \$10, \$12 and as high as \$15.

The official count has not yet been made, but it is believed that McCool's majority will not be more than 70 at the most.

Protest in North Lanark. OTTAWA, Oct. 28.—(Special).—T. B. Caldwell, Liberal candidate, defeated in North Lanark, will institute proceedings against the return of Thornburn, who is being taken on the usual allegations.

A rumor from Lethbridge is to the effect that the Liberal candidate, defeated in North Lanark, will institute proceedings against the return of Thornburn, who is being taken on the usual allegations.

The cabinet ministers in the city to-night. The Liberal report that the archbishop's action of certain parish priests, who it is alleged were on Sunday outspoken in favor of Conservative candidate, Mr. Murphy's candidacy, will be held to-morrow.

Rumor has it that Chas. Macell will be appointed speaker of the commons.

Another Chance For Melrose. VANCOUVER, B.C., Oct. 28.—(Special).—W. B. Melrose, Liberal candidate in Vancouver, has received an invitation from the Yukon Liberal Association to contest the constituency at the deferred election and is now considering the offer. It is felt that one of the seats in the deferred election in British Columbia should be opened to Melrose.

They cannot have a cent of the bank's money; if they must fail, they must fail. "They cannot have a cent of the bank's money; if they must fail, they must fail."

Hadn't Right to Vote. BELLEVILLE, Oct. 28.—(Special).—In East Hastings, where the Liberal candidate, Mr. Stocco, the deputy returning officer, Pat Murphy, gave ballots to four voters whose names were not on the list, in spite of protests of the Conservative scrutineers.

Not a Free Agent. The witness was then turned over to the attorneys for Morse, for what virtually proved a cross-examination. Despite the efforts of the Morse attorneys to present Curtis in the light of a free agent, the witness persisted in maintaining his contention that he had been but the instrument of another's will and purpose.

An adjournment was taken until to-morrow, when Mr. Curtis will be further questioned.

SUBSIDIZED STEAMERS TO CANADA. WELLINGTON, N.Z., Oct. 28.—(Special).—Sir J. Ward strongly urges that New Zealand should subsidize a steamer service to Canada to prevent the Argentine Republic from seizing Canada's frozen mutton trade.