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FOURTEEN PAGES—FRIDAY MORNING, AUGUST 22, 1913—FOURTEEN PAGES. VOL. XXXIII.—NO. 12073

THAW, ENTANGLED IN RED TAPE, IS STILL HELD AT SHERBROOKE AIR IS FULL OF WILD RUMORS

Prisoner to Be Detained Until Wednesday Next, Unless New Complications Are In troduced — Reports Gained Currency That New York Authorities Were Bent on Kidnapping Thaw.

SHERBROOKE, Que., Aug. 21.—(Can Press.)—Until Wednesday of next week, barring unforeseen developments, Harry K. Thaw will remain in Sherbrooke Jail. On that day he is to be arraigned in the superior court on a writ of habeas corpus. Between now and that time his battery of lawyers hope to perfect plans not to thwart deportation, but to submit to it gracefully—to a point selected by Thaw.

This, in brief, was the status tonight of Matteawan's fugitive, arrested on Tuesday near Coaticaak, and committed to jail here on a defective warrant. Ignorant of the moves made by his lawyers, Thaw has spent his time pacing the length of the narrow corridor in the Sherbrooke Jail, and was not even aware that the writ of habeas corpus in his case was served on the jailer this afternoon, and that but for a timely telephone message, he would have been produced in court today with the bench vacant.

Somebody Blundered.

This incident, variously described as a blunder, a case of absent-mindedness, and an error due to hurry, arose after Superior Judge Globensky failed to specify in writing that the writ was returnable before him on Wednesday next. He had set this date in chambers, but the writ reading "instanter" when served on the jailer, set that official into instant action, and he called a carriage and ordered Thaw to dress for an outing, when a telephone message from the judge informed him that the latter was leaving for Montreal, not to return here until next week.

Sought Another Judge.

Meanwhile District Attorney Conger of Dutchess County, N.Y., Deputy Attorney General Franklin Kennedy of Albany, and others primarily interested in getting Thaw across the border, seized on the possibility of his immediate production, and sought to find another judge before whom to arraign him. But Mr. Laforce, governor of the jail, declined to surrender the prisoner until he had consulted with Sheriff Aylmer, and the latter, after reading the writ carefully, said that while no time for its return was stated, he had understood from the court that Wednesday was the day and he allowed Thaw had better stay in jail.

Wild Rumors.

Rumors sprouted meanwhile that the New York authorities were trying to kidnap Thaw, that an automobile was ready to whirl him to the New York line, that an open clash, perhaps in street battle, was imminent. As a matter of fact, the officers from New York were as much surprised as anyone. They had protested at postponing the proceedings until Wednesday, but their protests failing had decided to bide their time, hoping that when arraigned Thaw would be released as a fugitive and promptly snapped up by the immigration authorities as an undesirable.

Impersonated Judge.

The governor of the jail, explaining his difficulties tonight, said: "Someone representing himself to be Judge Globensky called me on the telephone this afternoon and said Thaw would not need to appear in court before Wednesday. I was not entirely settled as to the time, because I thought he said something about tomorrow. As a matter of fact I rather doubted that it was Judge Globensky. I was confused, particularly when I received another call. This time it was from a man who told me "to get under cover because something is going to happen."

"Half an hour later the bailiff appeared and served the habeas corpus papers on me, saying that I was to deliver Thaw immediately. I was as near bewildered then as I ever have been in my life. Within half an hour I had been told to produce him Wednesday, tomorrow and immediately.

"I found a crowd outside and there were wild rumors that the prisoner was goin gto be taken away. But of course these were untrue, and I finally straightened matters out by consultation with the sheriff."

Thaw's Lawyers Satisfied.

Thaw's lawyers said tonight that they were well satisfied with the events of today. They feel now that Thaw's fate, so far as the Canadian authorities may influence it, is practically settled. The departure for Ottawa early this morning of W. L. Shurtleff was the first step in a plan to procure Thaw's removal from Canada without long legal proceedings.

All of them profess to believe that the minister of the interior will accede to the request that Thaw be permitted to "nominate his destination" in return for submitting without further protest to deportation.

Those who are advising that, among them some of the ablest criminal lawyers in Canada, said tonight that they were confident that the government will welcome such a solution of the problem with which Thaw's unexpected arrival so suddenly confronted them. No one contends that Thaw has violated a single law of the Dominion, unless it be that one which provides that no alien may enter Canada without special permit within five years after he has been an inmate of an asylum for the insane.

WAGING BATTLE OVER ISSUANCE OF WARRANT

Justice Globensky Says Only Question Before Him is Whether Commitment of Thaw Was Legal or Otherwise — Expected Writ Would Be Served Last Night.

MONTREAL, Aug. 21. — (Can. Press.)—Hon. Justice Globensky arrived in Montreal tonight from Sherbrooke, where habeas corpus proceedings in the case of Harry K. Thaw are pending before him. The coming to this city of the judge aroused some interest, as it was thought that he might be here in connection with the case of the slayer of Stanford White, but Justice Globensky states that his visit has no such significance. His honor has a residence in Montreal and comes to the city for every week-end during the summer.

Owing to the position he occupies, Judge Globensky was not open to discuss the present phase of the Thaw case very freely, but he cleared up a number of points in connection with the detention of the alleged paranoiac.

Point to Decide.

"As the case now stands before me," the justice said, "it has nothing to do with extradition or deportation proceedings. All that I have to decide is whether the warrant of commitment on which Harry K. Thaw is confined to jail was legally issued or not. This warrant was signed by Justice of the Peace Dupuis of Coaticook and the charge against Thaw is that he illegally escaped from Matteawan asylum.

"The writ of habeas corpus was issued yesterday afternoon. It was to have been served on the jailer instanter, in which case Thaw would have been produced in court before me this morning and the merits of the case would have been argued. I would then have had to decide whether the writ should be maintained and Thaw set free, or quashed or the prisoner returned to jail. The writ, however, was not served on the jailer by the defence. When I left Sherbrooke this afternoon I understood it would be served tonight.

Delay Until Wednesday.

"I will sit in Sherbrooke again in the ordinary course of events on Wednesday next, and if the writ has been served by then Thaw will be brought before me and the case argued. Until next Wednesday therefore there will be no further action in the Thaw case as far as the habeas corpus goes."

Judge Globensky stated that he could not explain the action of the defence in not bringing the matter to a head, but suggested that possibly they desired more time in which to perfect their argument for the maintenance of the writ and the discharge of the prisoner.

He did not care to discuss the question of deportation or the probable action of the immigration authorities, stating that it did not come within his province. He thought that if the man was deported from Coaticook he would be sent to the State of Vermont, while if the proceedings were in Montreal he would be sent to the State of New York. This was merely an opinion which he had gathered casually, however, and he had not as yet looked deeply into its merits.

EMINENT COUNSEL CAN DO MUCH TO RID THAW OF LAW'S MESHES

MONTREAL, Aug. 21.—(Special).—Thaw will be able to do a great deal with his money. He can hire the ablest Canadian lawyers, and, following the example of the American combines and others of his countrymen, he will retain counsel from both sides of politics. This ensures team play. Canada is always rich in counsel who profess to be influential at Ottawa, and who point with pride to what they have done in the past. These lawyers endeavor to keep a question in the air until they can make a show of doing something for the client or the interest that retains them.

Thaw's case may be a matter of law read by a judge or it may turn on the administration of a law or regulation by a department of the government. Thaw will not neglect to get the most effective battery of counsel in both of these directions, and they will certainly put up a bold front to save him from the confines of Matteawan.

WRECKED TRAIN TO AVERT SMASH

Quick Action of Railway Tower Man Saves a Head-On Collision in Which 350 Passengers Would Have Been Killed or Maimed.

(Special to The Toronto World.)

CHICAGO, Aug. 21.—The quick decision of Clarence Wise, a railway tower man, stationed at the Calumet River bridge, near Hammond, Ind., probably saved the lives of 350 men and women, en route from Chicago to New York, and other eastern points, this afternoon. Wise averted a head-on collision between a passenger train and an express train by throwing the switch which swept the express down an embankment into the river. Only a few of the passengers knew of the danger they escaped.

At the Calumet River the Erie and the Nickel Plate Railways use the same bridge. The Nickel Plate train, known as the New York, Chicago and St. Louis No. 1, due at Hammond at 4.35, was whirling along at a rate of 35 miles an hour. Coming in the opposite direction, but somewhat behind time, was the Wells-Fargo express train on the Erie, No. 14. The Nickel Plate train carried 12 vestibuled coaches, while the express carried 14 express coaches and a diner.

While the Nickel Plate train was in the midst of its crossing, Clarence Wise, stationed in the tower, saw the Erie express shoot suddenly from behind a curve and bear down upon the passenger train.

"I just figured it had to be one or the other, so I let the express train have it, since it carried few passengers," said the unassuming hero.

Wise threw the switch, causing the express to take a heaver down the steep embankment of the approach to the bridge, and totally wrecking the engine and derailing the cars. Even then he was not quick enough to prevent the cof-catcher from ripping into one of the vestibuled coaches and tearing a hole in it.

The engineer of the wrecked express, Henry Palmer, jumped as the train struck the derail. He landed immediately in front of the Nickel Plate train, but managed to roll off the track in time to save his life. J. B. Hoffman, the Erie fireman, jumped from the other side of the cabin at the same moment and was also uninjured.

The Nickel Plate No. 1 did not hesitate, but continued on its way at the rate of 35 miles an hour. None of the passengers except those in the coach which was struck by the cow-catcher of the wrecked train knew how narrow their escape had been.

Clarence Wise is 24 years old and lives in Hammond. "I'm not a hero," he says, "the Nickel Plate had the right of way, and I gave it to her."

WILL BE MARKET FOR OUR WHEAT

Hon. George Foster Thinks That Japan Will Become Important Consumer of Canadian Farm Products.

VANCOUVER, Aug. 21.—(Can. Press.)—Hon. George E. Foster, minister of trade and commerce, who has been on a special trade mission to New Zealand, Australia, and the Orient, left here this morning in company with Hon. R. Rogers, and will proceed direct to Ottawa.

He announced that during his stay in the Orient, he had met and instructed Richard Greig, Canadian trade commissioner, to make exhaustive reports on the question of freights between Canada and China and Japan. At the minister's request Greig is returning home via Trans-Siberian route in order to study economic conditions having a bearing on competition with Canada.

Mr. Foster added: "I look for steady improvement in trade between Japan and the Dominion. We have become a party to the Anglo-Japanese commercial treaty and thus enjoy favored nation treatment. It may not be generally known that Japan grows the best rice in the world, and that millions of her population are too poor to use it as an article of diet, securing a good price for this staple abroad. Anomalous as it may seem, I see a great probability of the Japanese becoming consumers of our wheat. Canadian wheat and flour in an economic sense are cheaper articles of diet than their own homegrown rice. Canadians should find an ever widening market in Japan for our lumber and chemical pulp."

ANOTHER ATTEMPT TO MURDER MAYOR GAYNOR OF NEW YORK DYNAMITE FAILED TO EXPLODE

Defective Fuse Prevents Explosion of Enough Dynamite to Wreck the City Hall—Explosive Was Planted Under Window of Mayor's Office.

NEW YORK, Aug. 21.—(Can. Press.) A deadly charge of dynamite—three whole ten-inch sticks and two halves, with a fuse detonator—were discovered this afternoon near Mayor Gaynor's office windows in the city hall. The bureau of combustibles found that the explosive was 40 per cent. dynamite, the regulation blasting proportion, and the amount found would, if exploded, have wrecked the city hall.

The mayor was in his office when the dynamite was discovered by a citizen passing thru City Hall Park. Mr. Gaynor evinced little interest when told of the explosives' proximity, and remained apparently undisturbed at his desk while police officers hurriedly drew a cordon about the dynamite to keep back an excited crowd.

Mayor Gaynor frequently receives threatening letters, but tonight he would make no statement regarding the possible connection between any previous manace by mail and the dynamite of today. It is just three years this month that he was shot in the neck by a so-called crank, and so badly wounded that for several days it was feared he would die. The dynamite found today lay on a basement door in a concrete moat, or areway, within 60 feet of the mayor's window. The explosive was arranged in lattice formation, with the two small pieces on top. A partly burned four-inch fuse, made of gunpowder tightly rolled in a paper cylinder, led to a detonating cap on one of the half sticks of dynamite.

Close to the explosive was a piece of Chinese punk and several partly burned matches. The dynamite and fuse were wrapped in a piece of heavy cambric secured by red and blue twine.

The cloth was blue, with red and white figures, and resembled the fillets worn by Italian women of the working class.

The bureau of combustibles experts state that the only thing which prevented a disastrous explosion was the presence of a strip of cotton wool wound so tightly about the base of the fuse that a spark could not reach the detonator. An edge of one dynamite stick was slightly scorched.

BANK OFFICIAL IS OPTIMISTIC

John Aird, of the Bank of Commerce, After Extensive Tour of the West, Expects Improved Conditions.

VANCOUVER, Aug. 21.—(Can. Press.)—John Aird, assistant general manager of the Canadian Bank of Commerce, arrived here today after an extensive tour of the prairie provinces and said:

"The business outlook thruout the Dominion is very satisfactory and I am decidedly optimistic regarding the coming year. The volume of trade of the whole country is expanding at a phenomenal rate and thousands of newcomers, many provided with ample capital, are flocking to the Canadian west. With a good crop almost assured I am expecting to see a decided improvement of affairs in Canada by the beginning of 1914."

ROBBERY MOTIVE FOR MURDER OF HASSAN

Little Doubt Exists But That Aged Fisherman Was Clubbed to Death on Humber's Banks for Money He Possessed—Police Now Have Clue to Assassin.

That robbery was the motive for the murder of Hugh Hassan is the substance of the conversation a World reporter had yesterday with several merchants out towards the Humber River, in whose stores Hassan had made small purchases previous to Aug. 4, the night on which he was clubbed while sleeping in his shelter on the west bank of the river. To The World a number of merchants stated that while in their stores, Hassan, or a man of his description, had showed a big roll of bills while paying for the things he bought. This information is the first obtained up to date that suggests a motive for the crime, and as the question of a motive was perplexing the authorities, it is possible that the rumor will now be investigated.

Provincial Detective Miller, who is working on the murder case, was phoned last night by The World for a confirmation of the rumor that Hassan had had money before he was assaulted, but he refused point blank either to deny or confirm the rumor. Asked if there was any possibility of an early arrest, Detective Miller stated that he was working on a clue which he expected would result in much new light being thrown on the case. What the nature of the clue was he refused to state.

From an interview which The World had with W. J. Davies, the secretary of the provincial police department, it looks as if the department has now little hope of ever finding the murderer. When asked if there was a possibility of an early arrest, Mr. Davies stated that as yet the department did not know the name of the murderer, and did not have an accurate description of him.

Last Saturday.

When asked how long the provincial police had been working on the case, he said that it was only since last Saturday, and that before that the case was in charge of County Constable Simpson.

"County Crown Attorney Greer sent in a requisition for a provincial detective last Saturday," said Mr. Davies, "and Detective Miller was then assigned to the case."

"Why wasn't a provincial detective assigned to the case just after the assault was committed on Aug. 4?" asked The World.

"I understand that Mr. Greer was away on his holidays," replied Mr. Davies, "and that as soon as he returned and saw the position of things he attended to the matter and asked for a provincial detective."

Time Was Lost.

A glance at a calendar shows that last Saturday was Aug. 16 and the process of subtraction shows that 12 days elapsed before any detective was assigned to the case. During this time Constable Simpson was the only man on the case and on account of his routine duties he could not give his whole time to the problem. Thru this delay of 12 days it can be taken for granted that the crudest and most amateurish murderer in existence could make his way out of the city and out of the province.

Of Little Importance.

The facts revealed at the inquest are of very little importance in the capture of the murderer for every fact yesterday revealed was known while Hassan was still alive in the Western Hospital. His mumblings heard by five persons hinted that the man who assaulted him was short, had a dark moustache and a grey suit and that Hassan had seen him quite frequently, but did not know his name. His mutterings about "horse blankets" were misconstrued at first to mean that his horse had kicked him, but now it is easily seen that he was referring to his struggle with his assailant in the night and to the fact that the horse blankets which he had used as a covering when he went to bed had encumbered him.

Answered Description.

It is rumored that a man who looked to be a tramp and who answered the description of the man described by Hassan was seen in the neighborhood of the Humber River for several days before the assault. This man carried a bundle and was seen by three boys who were fishing in the river. Since the 4th of August this man has not been seen and it is only within the last week that an aggressive hunt for him was begun.

SERGT. MULLOY TO LECTURE ON ENGLISH

South African Hero Has Been Appointed Assistant Professor at R. M. C.

KINGSTON, Aug. 21.—(Special.)—Lorne W. Mulloy, B.A., a hero of the South African war, who lost his eyesight as the result of a bullet from a Boer rifle, has been appointed assistant professor of English literature at the Royal Military College. Mulloy took a course of arts at Queen's University and graduated in 1906. After leaving Queen's he took a special course of study in England. He was married to Miss Jean Munro, daughter of a millionaire lumberman of Seattle, upon his return from England, and for some time the couple have been living at Iroquois, Ont., altho his home is at Winchester, Ont. He will commence his duties at the college on Sept. 1. Mrs. Mulloy is a celebrated singer, having studied under Tetrazzini.

CIVIC STOCK-TAKING.

Great interest is being shown by the business houses of Toronto, both large and small, in the proposed "stock-taking" by a survey of civic administration.

Already so large a number of firms and companies have subscribed that success is assured.

A meeting of supporters held at the National Club this week appointed a subcommittee to make final arrangements for carrying out the undertaking. This committee will at once prepare the proposal to be made to the city.

Fall Hats Have Arrived.

Fall hats have arrived. Yesterday we opened the first cases of an advanced shipment from the English makers, for whom we are the exclusive selling agents. The styles are new and attractive in both hard and soft felts. The color assortment is most complete.

Torontonians who are returning to the city after wearing a knockabout hat during their vacation may now outfit with a hat for fall wear in newest style.

Dineen's, 140 Yonge street.

DID NOT SELL SALTS IN BULK

WINNIPEG, Aug. 21.—(Can. Press.). In connection with the death of Johnson Fortner, at Toronto, who was poisoned by taking strychnine, mistaking it for Epsom salts, purchased by his son in a Winnipeg drug store, druggists here state they sold Epsom salts in packages and denied selling it in bulk. They all deny having made the mistake and say that selling the salts in packages already prepared makes mistakes impossible.

So far neither the attorney-general's department nor the Winnipeg police have received any communication in regard to the affair and have not been asked to make an investigation.

HITCHED FAMILY TO A POTATO DIGGER

NEW YORK, Aug. 21.—Accused of hitching his wife and 13-year-old son with himself to a potato digger when his team had proven unable to drag the machine, and then beating his wife and throwing her into a gully when the human reinforcements had proven unavailing, George W. K. Boyce was before Justice P. F. Dodd in Neptune Township, N.J., and was held in $200 for the grand jury.

LABORER STARTED BIG ENGINE THEN LEAPED AND DISAPPEARED

Investigation of Spectacular Runaway on Waterfront Showed That Italian's Ingenious Idea of Assisting Loading of Coal Was Responsible—Crown May Take Action.

An Italian laborer named Tomgtomis was responsible for the starting of the big G.T.R. mogul engine which ran wild from Bathurst to Bay street on Wednesday and which only by a miracle did not run down and kill a number of people at the various level crossings it rushed past.

This was brought out at an investigation into the occurrence by the officials of the Grand Trunk Railway yesterday.

The engine had come in from Sarnia in charge of Engineer Burnett, a man who has been with the railway for some years and is considered one of their best men. It had been drawn up alongside the coal chutes at the foot of Bathurst street and left there to take on coal. Tomgtomis was set to work at this, but after the crew had left he got the idea in his head that the job of loading on the coal could be done better from one of the other chutes.

Threw Throttle Open.

Ignorant of the danger he was facing, the Italian boarded the engine and throwing open the throttle set the big locomotive in motion. Employes in the vicinity saw what he was doing, but before they could reach the engine it had taken up speed and was heading east towards the Union Station.

The Italian managed to jump off soon after the engine had started and escaped injury. He saw that he had caused what might turn out to be something very serious and ran off. He went to work yesterday morning again, however, as tho nothing had happened, but he was immediately recognized by other employes as the man who had started up the engine, and his appearance before the investigating officials later resulted.

The Italian has been dismissed by the railway company, but whether the crown will take any action in the matter has not yet been decided.

CRUSHING DEFEAT OF CASTRO'S ARMY

Officers of Rebel Forces, Including Castro's Relations, Fall Into Fedreal Hands.

CARACAS, Venezuela, Aug. 21.—(Can. Press.)—Gen. Leon Jurado, governor of the State of Falcon, in cooperation with the gunboat Mareschal Sucre, attacked and completely defeated the rebel followers of Gen. Cipriano Castro, the former Venezuelan dictator, yesterday, at Coro, according to an official announcement issued by the government here today. All the officers commanding the rebel forces were captured and are now on board the Venezuelan warship.

The prisoners include Gen. Castro's brother-in-law, Gen. Simon Bello; the ex-president's two nephews, Julio Velazco Castro and Victime Parra Castro, the former dictator's confidential assistant, Juan Liendo, and also a number of Colombian and French officers.

The whereabouts of Gen. Castro still remains unknown here.

Unimportant invasions of Venezuelan territory continue to be made by rebels from across the Colombian border. A few insurgent bands are operating near Coro, but Gen. Jurado has asked permission to muster out a part of his troops. The entire army of President Juan Vicente Gomez still remains at Maracay, 60 miles west of Caracas.

The news of the victory of the government troops in the State of Falcon has served to re-establish business confidence in the capital.

MORE THAN SIX HUNDRED FARMERS WILL SETTLE IN CANADIAN WEST

WINNIPEG, Aug. 21.—(Can. Press).—Two important special trains arrived in Western Canada this morning, bringing 650 farmers from the United States. The interest attached to the newcomers is the fact that they have no intention of going homesteading, but, on the other hand, they have left their native country with the idea of purchasing farms and settling in the Canadian west. The first of these trains came in by way of North Portal and brought 275 persons from Illinois, Iowa, Kansas and Wisconsin.

They arrived under the guidance of the C. P. R. department of natural resources and are bound for Calgary. Some of them possessed from $30,000 to $40,000, and on the whole they averaged $10,000 apiece.

The second special train came thru Emerson and carried 375 homeseekers for the Lost Mountain Valley district. The members of the party hailed from Wisconsin, Iowa and Indiana. They brought with them an average of from $7000 to $8000 each.

SOLITARY CLERK STEMS TIDE IN POSTOFFICE'S BUSY HOURS

Scores Who Wish to Deposit or Withdraw Money From Postal Savings Bank After Six p.m., Wait While Perspiring Official Labors—Big Staff is Required.

A World reporter witnessed a curious scene last evening at the general postoffice, which can no doubt be duplicated every evening between 6 and 7 o'clock.

After 6 p.m. practically all the financial business of this city of 500,000 people is conducted by the Dominion Government at the G. P. O. People come there—especially working people—to deposit or withdraw from the postal savings and buy postal notes and cash the same, and especially to purchase or cash money orders, domestic and foreign. The Canadian citizen newly arrived from Britain is much in evidence, seeking a money order to be sent to his mother, wife or sweetheart in the old land.

It is this golden stream from Canada which does more to bring us British immigrants than all the exertions and advertising of the immigration department. The proof of the pudding is in the eating, and it is the land from which gold is pouring in, to which people go in search of gold.

One Man on Job.

On a Saturday night, when our banks do something of a similar service, they have at least 200 men on the job. Of course, if they only kept the one office open, 20 or possibly 10 clerks would suffice. But the government of Canada attempts to make one man do this work.

The postmaster is to be commended for giving the service at all, because, until recently, it was not given, but he will have popular sentiment behind him if he makes the requisition for at least five more clerks, in order to make this service what it should be. And we venture to say that Postmaster-General Pelletier, who does big things in a big way, will give Mr. Rogers ten more clerks if necessary.

The young man who was doing this work last evening did it cheerfully and with wonderful despatch, but he was only one man after all. For example, a Hungarian immigrant wanted to send a money order to some small place in his native country. This involved a computation of exchange and the like, and the applicant knew scarcely a word of English. Behind him was a queue of perhaps 25 people. Several other persons came in, and seeing the waiting crowd, went their way.