

9061 17 130

PROSECUTION GOES INTO ANCIENT HISTORY J. S. PRITCHETT TELLS AN OLD STORY

It Has Already Been Pronounced Incredible by a Royal Commission— Counsel for Defense Objects, But Police Magistrate Allows Prosecution to Have Its Own Way—Magistrate Accused of Usurping the Functions of a Royal Commission.

[By Our Own Reporter.] Toronto, Oct. 11.—When the investigation into the London election case was resumed this morning, Hon. Walter Scott, premier of Saskatchewan, was on hand as a witness. Hon. Frank Oliver, minister of the interior, had also been subpoenaed, but did not put in an appearance. Neither did Mr. Hunter, private secretary to Hon. Mr. Hyman, who is now away on his wedding trip in British Columbia. The crown claims that the gentlemen named were in London for some weeks previous to the election of June 13, 1905, and that they are material witnesses.

All the defendants who last week appeared in court were present, as were also Jerry Collins, the man who made the charges of corruption in West London. Tom Lewis, the crown's star witness, and a number of other Londoners who had been subpoenaed. H. G. Lamotte, of Ottawa, clerk of the crown in chancery, who had been ordered to produce the ballots of the London election, was on hand, but as the ballots had been destroyed some months ago in accordance with the usual custom, they could not be produced. One year after the declaration of the returning officer is made, ballots are destroyed.

The crown is still looking for Mr. E. L. Sifton, who is wanted as defendant and witness. Mr. E. B. Johnston has been retained by the defense, but as he had business out of the city today, he was unable to be present. Mr. George Wilkie appeared for Mr. George M. Reid, and Mr. Robinette looked after the interests of other defendants. The chief witness for the prosecution today was J. G. Pritchett, the South London plasterer, who told a story some years ago of corrupt doings in West Elgin, which was pronounced by a royal commission to be false. Pritchett told the same old story today, and the counsel for the defense pronounced it an outrage that this ancient history should be admitted in the present case. As usual, Mr. George Wilkie appeared for Mr. George M. Reid, and Mr. Robinette looked after the interests of other defendants.

Magistrate Denison further declared that if there was any wrong done even as far back as 1903, in a continuing conspiracy, it was fair to inquire into the election of that year. "But you must understand that you are under the law the same as the rest of us," Mr. Robinette said. "You are investigating specific charges, and you have no right to go back for years and years and connect names of defendants with possible scandals with which they have no connection. I submit that if you are to go on as you are, it is the duty of the Ontario Government to grant you a royal commission."

Mr. DuVernet said that when these men—meaning the witness as one—were up before on trial for participation in election corruption, the whole machinery of the law was stopped to protect them. "Well, I desire to say we will have no one-man power in this country," Mr. Robinette said. "We must have the law administered properly."

"I am doing what I believe is right," the magistrate replied. "They hanged men in England for small offenses years ago, and thought they were doing right even as you think you are doing right," Mr. Robinette retorted. The examination of the witness was then continued. Pritchett said he had met in Toronto in past elections, O'Gorman, Alex. Smith, Liberal organizer, and Tom Lewis. "Who held the money?" The witness objected to the question as it did not relate to the Hyman-Gray election, but the magistrate overruled the objection. Witness then said that O'Gorman was the "paymaster" when the meetings were called.

SUMMERSIDE, P. E. I., IN FLAMES; ENTIRE TOWN MAY BE DESTROYED

Summerside, P. E. I., Oct. 11.—Fire, which broke out here at an early hour this morning, threatens to destroy the greater part of the town. A high wind prevails, and at 4 a.m. many buildings, all of wood construction, had been burned. Assistance was requested of Charlottetown, and an engine company has been sent by special train. Summerside is the second largest place in Prince Edward Island, and has a population of about 4,000 persons.

Charlottetown, P. E. I., Oct. 11.—The fire which started early today in the railway station at Summerside, and which spread so rapidly that aid was summoned from this city, destroyed 42 buildings, including the English and Baptist Churches, and four hotels. A gale was blowing, and the flames swept through the town with terrific speed. The loss is not estimated.

DREADNAUGHT IS FAST

New Battleship Makes 22 Knots on Her Trial Trip.

Spithead, Oct. 11.—The battleship Dreadnaught anchored here last evening after a full steam trial lasting eight hours, in which she reached a speed of 22 knots, the mean average being 21.5. Her horsepower, which is nominally 23,000, went as high as 28,000. These results were achieved in the face of increased load resulting from preparations for a seagoing trip, which added two feet to her draught. The engines ran smoothly and with good reserve power, no forced draught being used. Complete absence of vibration was again recorded.

GAS FOR CHATHAM

Council Favors Company Who Would Pipe It from the Halliday Farm.

Chatham, Oct. 11.—At a special meeting of the city council, held last night, a resolution was passed to accept the tender of Symmes & Co., of Niagara Falls, Ont., to pipe natural gas into the city from the Halliday farm, Tilbury East Township. The following are the prices per 10,000 cubic feet: Heating and cooking, 20 cents first five years, 25 cents second five years, 30 cents for third five years; manufacturers, 10 cents first five years, 15 cents second five years, 15 cents third five years, no meter rental; city of Chatham, 5 cents. If an exclusive franchise is given for five years, as is likely, the company in addition will give free one million feet of gas to new factories employing 40 men during the first five years. The city collector was authorized to draw up the agreement, to be ready for the next council meeting.

VANCOUVER BRAVE TURNS BUTCHER

Has Mormonish Desires, Jealous of Stepdughter and Lover and Uses Knife.

Vancouver, B. C., Oct. 11.—The Mormon devotee of Stamps, an Indian of Rivet Inlet, had led him to jail. The jury at the assizes here has found Allen was guilty of wounding with intent to do grievous harm, and thus a story of primal passion in the far north ends in the penitentiary. Deputy Attorney-General McLean, in outlining the case for the prosecution, said the prisoner had wounded a half-breed woman named Cecilia Ryan. He had stabbed her so severely in four places that 24 stitches were required. The deputy said the prisoner was married to the mother of Cecilia Ryan, but appeared to want his stepdaughter also. Cecilia, however, had another lover named Johnny Boulton, and while the latter were together the prisoner broke into the house and stabbed the man. The girl said she did not want to marry Allen, because she always regarded him as her father. She confessed to an affection for Boulton, and since the stabbing she had been kind to him with Christian rites. She told how Allen had carved her with a knife. The prisoner, who was undressed, said he wanted Cecilia to marry him. Boulton scouted him and put shame on him, and he determined to die with her. When he pushed into the room he tried to stab Boulton, but the girl instead. He had looked after Cecilia, and had spent \$2,000 on her. He said they had married after Indian fashion. Boulton had frightened the girl by telling her the prisoner was going to sell her. It angered him to see Boulton with the woman, and he determined to make an end of it. He thought he had stabbed the man, but when he found out his mistake he felt for his knife to end his own life, but could not find it. "Johnny Boulton has my woman, and I want her back," he concluded.

RISTORI BURIED

Great Concourse of Notables Follows Body to the Tomb.

Rome, Oct. 11.—The funeral of Adelaide Ristori took place here today. The hearse, which was covered with floral offerings, was followed through the principal streets of Rome to the Church of Giervia by the government and city authorities and thousands of other notabilities and friends of the great actress. The funeral services were held in the chapel belonging to the Capranica family in the Church of Giervia.

PROMISES A DIVIDEND

Rivers-Wilson Has Good News for Third Preference Stockholders.

London, Oct. 11.—The semi-annual meeting of the stockholders of the Grand Trunk Railroad of Canada was held here today. Sir Charles Rivers-Wilson, while not pledging himself, said he would be greatly disappointed if he is unable to announce at the annual meeting an increased dividend for the third preference stockholders. This announcement pacified a number of holders of stocks who attended the meeting with the intention of attacking the policy of the directors. President Wilson devoted much of his address to the increased taxation imposed by the Canadian Government, particularly the increase in the tariff on rails.

RUN OVER BY CAR

Ottawa, Oct. 11.—A small boy named Brule was run over by a street car in Hull this morning, and instantly killed.

KILLED BY LIVE WIRE

Brantford, Oct. 9.—Two of the fire horses were killed last night by running into a live wire. The heavy wind blew down an electric wire and crossed one of the factory fire alarm signals, thereby turning in an alarm. The first team to come out of the fire hall ran squarely into the wire. They fell instantly and the firemen were precipitated from their seats by the shock. The team was a valuable one.

NOT FOR YALE. New York, Oct. 11.—Says a New Haven dispatch to a morning paper: Yale will not adopt simplified spelling, according to a statement made by President Hadley, of Yale: "I do not intend to make use of the new system, and I am not an advocate of it. I see as yet no reason to adopt it," said he.

REBECCA DALE'S CASE

The Extenuating Circumstances Prompt Very Lenient Treatment.

Rebecca Dale appeared at the police court this morning to answer to the charge of concealment of the birth of her child, the body of which was recently found in a garbage barrel at the rear of the City Hotel. She elected trial by the magistrate, and pleaded guilty to the charge. She was allowed to go on suspended sentence. In passing sentence upon the young woman the magistrate pointed out that she had been previously of good character and that there were many circumstances in connection with the case which justified the exercise of mercy toward the unfortunate prisoner. Joseph Marinetti, the Italian who has appeared several times on charges of selling liquor without a license and of keeping a liquor bar without having a license, appeared again. The case was adjourned for a week. John Gilmour was remanded for one week on a charge of being drunk. One first-time drunk was allowed to go.

TRAPPED IN TUNNEL

Explosion Causes Death of Workmen Beneath East River.

New York, Oct. 11.—Three men were killed and a dozen others rendered unconscious by an explosion and fire in the Pennsylvania railroad tunnel under the Long Island City today. The dead men were said to be a superintendent named George Chapman, a lockturner named Joseph Daley, and a foreman named Mike Perce. The cause of the explosion is unknown. It took place under the Long Island Railroad station in a lock at the end of one of the four tubes, which are being dug to connect with tubes running under the East River to Manhattan Island to connect with subways leading to the Pennsylvania Railroad station. There were 29 men at work in the lock, and three of them were rendered insensible either by the concussion or the smoke of a fire which followed it. Elsewhere in the tunnel there were more than 30 men at work. Woodwork supporting the tunnel caught fire instantly and great clouds of choking smoke poured into all parts of the tunnel. A wild rush for the shaft, a thousand feet away and which was the only means of exit, followed the explosion. The bucket by which the men were taken from the shaft to the street above could carry not more than six men and there was a desperate struggle to escape.

NAVIGATE HUDSON BAY

The Western Provinces May Unite to Further the Project.

Prince Albert, Sask., Oct. 11.—The Prince Albert board of trade has started a movement which promises to be vigorous and dored all through Western Canada to secure the co-operation of all the boards of trade in the three western provinces of Canada, in urging on their provincial governments and the government in Ottawa to immediate action to prepare the Hudson's Bay route to England for navigation. Prince Albert is the most northerly railway point in Canada, and it is pointed out that this old Hudson's Bay Company post is probably more in touch with the north than any other city. Veteran Hudson's Bay captains frequently declare the bay is navigable from midsummer until December, and sometimes to the end of January. The dangerous month is July, when floating ice from the Arctic region comes swirling through the straits, but after this has disappeared nothing prevents ocean steamers running from Port Churchill to British ports up to Christmas. The feeling of the board is that eastern members of Parliament will never willingly consent to the Hudson's Bay route being opened up, and therefore a vigorous campaign to secure recognition of the west in this matter is necessary and will become one of the chief duties of the board. It will probably receive warm support from the province declared. The Canadian Northern already has 80 miles of line graded to pass north of Prince Albert, and next year will have 200 miles more toward Fort Churchill.

SNOW, SLEET AND FROST

Leave Wide Path of Ruin

Great Damage Done the Fruit Districts of Niagara—Cold Grips Continent—Wires Down.

Niagara Falls, Ont., Oct. 11.—A heavy snowstorm set in last evening, and the beautiful has been falling constantly since, with light west wind. Fully five inches of snow has already fallen. Great destruction has been done in the surrounding country to outstanding fruit and other crops, while the telephone and telegraph wires are flat on the ground with the weight of snow. The fruitgrowers of Stamford and Niagara townships estimate their losses up in the thousands. Hits Lake Region. Washington, Oct. 11.—The weather bureau today was without any advice giving the details of the snowstorm in and around Buffalo. The official report given out today states that the storm continues to fall in the lower lake region, and as a result there has been considerable rain or snow over New York and Northern New England. Unsettled weather with rain or snow, it is expected, will continue in the lower lake region. Northern New York tonight and Friday. In all other parts of the country it is stated, except the north Pacific coast, the weather has been fair and cold. Abnormally

WHITNEY WANTS SPECIAL GRANTS

Premiers' Resolution Handed to Federal Ministry.

Ottawa, Oct. 10.—The provincial representatives tonight are hopeful that tomorrow the federal ministers will concede the greater part, if not all, of their demands for increased subsidies. The demands are three, viz: Specific amounts for the support of the government and legislatures, a per capita rate of 80 cents per head of the population, as ascertained by the late census, until such population exceeds 2,500,000, and the rate of 60 cents for the population in excess of that number, and 20 cents per capita towards expenditure for the administration.

TWO REQUESTS OF SIR WILFRID

Asks Head of the Provinces to Consider Fisheries Control and Travelers' Tax.

The resolution reserving to the provinces the right to ask for greater amounts than the Quebec resolutions call for is the result of the efforts of the premier of Ontario and British Columbia. It was a concession made to secure unanimity. Mr. Whitney's attitude was in substance: "I opposed the resolutions in the Ontario Legislature in 1903 as not being sufficiently favorable. How can I support these resolutions now?" So Mr. Whitney stands as an advocate of a larger draft upon the federal exchequer than his Liberal colleagues in the conference. So insistent was the Ontario premier upon the point that, according to the report, one of the other members charged him with putting up a political game of bluff. The course of Mr. McBride, of British Columbia, is better appreciated. That province in 1902 insisted that it stood in a different position from the other provinces, having exceptional calls upon its financial resources and contributing larger amounts proportionately to the customs revenues. But it is extremely doubtful whether the reservation to any of the provinces to make special subsidy claims means very much. In reality it appears to be a very simple device for letting exorbitant claimants down easily, and enabling them to evade a rather awkward situation.

THE PREMIER'S REQUEST

According to arrangement, Sir Wilfrid Laurier and Messrs. Flahing, Aylesworth and Leimieux met the provincial ministers this morning, when Hon. Lomer Gouin read the resolutions adopted and presented a copy to the Prime Minister. Sir Wilfrid, it is understood, before withdrawing with his colleagues, asked the conference to consider the question of the fisheries, and also the advisability of repealing the tax upon commercial travelers imposed by some of the provinces. A reply to the request for increased subsidies was promised in the morning. After lunch on the provincial delegates were photographed, and then sat down to talk over the matter of jurisdiction. Continued on page nine.

BADLY BATTERED

Fearful That S. S. Monksheven Will Be a Total Loss.

Fort William, Ont., Oct. 11.—The Canadian steam r Monksheven, which was recently released from Annapolis Island, after lying on the rocks at that point since the big storm of last November was washed from its moorings by the storm on Tuesday, and so badly battered against the rocks that it is now almost a total loss. It is believed another attempt to float the wreck will be made. The work of saving the boat had been under way all summer, and the vessel was to have been taken to Duluth next week for repairs. The Monksheven was a steel steamer, built in Scotland, and was valued at \$70,000.

FOSTER REFUSES TO BE SCAPEGOAT

Says All Directors Must Share the Responsibility.

Toronto, Oct. 10.—"We have a telegram purporting to be from Geo. W. Fowler," announced Mr. Shepley, when the insurance commission began its sessions this morning. "It is dated at Winnipeg. It contains the statement: 'I will be in Toronto Friday morning.' Now, that as it may be, I don't at all take it for granted that his tardy attendance in answer to the subpoena will be condoned by his appearance here on Friday. That will be dealt with. In the meantime we are considering the propriety of securing a bench warrant and sending for him."

UNION TRUST INVESTMENTS

Again Hon. George E. Foster was called. He first showed a statement of other investments of the Union Trust Company in addition to those he had mentioned. Mr. Foster nodded as Mr. Shepley read the following list: Campbell Lumber Company, \$315,000; Alexandra Palace Company, 150,000; Alexandra Palace Company, 150,000; Imperial Realty Company, preferred stock, 67,000; Union Bank, 168,000; Northern Bank, 50,000; Nanaimo shares, 26,250; Crow's Lake Pass Coal, 12,500. This, together with the \$448,000 invested in United States stocks, brought the total holdings in 1905 to \$1,360,000. Mr. Foster was then questioned regarding some more yielding up of the Union Trust.

"I suppose the syndicate surrendered the land because they felt they were carrying too much land," said Mr. Foster. "I don't know whether the suggestion originated with Dr. Oronhiyatekha, but the doctor and Mr. McGillivray spoke to me about it, and I cheerfully acquiesced. They thought they had too much on their hands and turned it over at cost price. Payments had been made upon the land." Mr. Foster went over with Mr. Shepley the transfer to the Union Trust from John Aird of 46,800 acres, in two blocks of 9,600 and 36,840 acres. The Union Trust bought this for themselves, the witness said. Certain land was originally to go to Dr. Montague for the syndicate, but at this time it was decided to give up their holdings to the Union Trust, and Dr. Montague's name was stricken out of the document and the Union Trust substituted. After April 13, 1904, the lands were the property of the Union Trust Company, and any interest of the Montague syndicate in them was extinct.

"The time finally arrived," remarked Mr. Shepley, "when you unwillingly parted with the original lands, as you told us yesterday?" "In face of my unwillingness, they were parted with," was Mr. Foster's way of putting it. "At that very time the Montague syndicate lands were held by the Union Trust Company as trustees, subject of course, to the Foresters' mortgage?" "Yes." "Subsequently, the lands were conveyed to the new Montague syndicate?" "Yes. But there were other lands in the transaction which belonged to the Union Trust."

"The transaction involved the assumption by the Trust Company of the Foresters' mortgage?" "Yes." "Montague himself was a trustee in the Montague syndicate?" "Yes." "The Trust Company had ultimately to account to Montague as the trustee of the syndicate?" "Yes." "This purports to be an absolute release of the property by the Union Trust Company," said Mr. Shepley, showing Mr. Foster a document dated 31st Dec. 1905. "I was not aware of it. That document resolved the Montague syndicate into its original elements. This action was an injustice to me, inasmuch as it Continued on Page Two.

RODE INTO OPEN GULLY

Bicycle Rider Claims Heavy Damages from the City.

City Clerk Baker today received a letter from Mr. R. M. C. Toote, solicitor, asking that Mr. Alexander Fitzsimmons be allowed \$50 damages for personal injuries and damages done to a bicycle in an accident on Tuesday evening. Mr. Fitzsimmons was riding at the corner of Talbot and York streets about 7 o'clock, when his bicycle went into an open gully, throwing the rider and damaging the wheel. Mr. Fitzsimmons claims that he sustained bodily injury, and through his solicitor he asks that he be allowed the damages named. If the city does not settle a suit will be entered.

STEAMERS ARRIVED

Reported at. From Ottawa, Point Amour, Liverpool, British Columbia, Belle Isle, Liverpool, Bengore Head, Father Point, Britain

THE WEATHER

TOMORROW—FINE AND COOL.

Toronto, Oct. 10-8 p.m. The important disturbance which was over the lower St. Lawrence valley last night now covers the Maritime Provinces, with light local falls of snow or sleet. Elsewhere in Canada fine, and in the Western Provinces much warmer. Minimum and maximum temperatures: Dawson, 38-50; Fort Simpson, 46-54; Victoria, 34-39; Vancouver, 38-57; Edmonton, 40-53; Calgary, 38-75; Qu'Appelle, 25-64; Winnipeg, 22-48; Port Arthur, 18-36; Parry Sound, 24-42; Toronto, 38-44; Ottawa, 34-46; Montreal, 40-59; Quebec, 42-60; St. John, 50-64; Halifax, 46-62.

FORECASTS. Thursday, Oct. 11-8 a.m. Today—Fresh to strong northerly to westerly winds; clearing and cold. Friday—Fine; not much change in temperature.

TEMPERATURES. Stations. 8 a.m. Min. Weather. Calgary, 50, 44, Fair. Winnipeg, 56, 24, Fair. Port Arthur, 38, 26, Clear. Parry Sound, 29, 26, Cloudy. Toronto, 34, 32, Snow. Montreal, 38, 36, Fair. Quebec, 40, 38, Rain. Father Point, 40, 38, Rain.

WEATHER NOTES. Since yesterday morning the disturbance has hovered in the lower St. Lawrence valley and the Maritime Provinces, attended by heavy rains and gales. In the lake region the weather has been cold, with snow or sleet in most localities. In the Western Provinces it has been very fine, with summer temperature conditions in Alberta.

LOCAL TEMPERATURES. The highest registration at the London weather bureau yesterday was 42°; lowest, 25°.