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TUESDAY, OCT. 6

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RUBBERS,
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PROBS: Light winds; fair; moderately warm.

WITHOUT A COUNCIL

Messrs. Howe, Burnaby, Irwin and Parke Quit Board as Protest Against Action of Mayor Murphy and Allies in Defeating Will of People Expressed at Polls.

North Toronto is to-day practically without a council.
Councillors Howe, Burnaby, Irwin and Parke last night tendered their resignations, and followed up their action by immediately withdrawing from the council table.

The situation was brought about by the refusal of Mayor Brown and Councillors Murphy and Grice to resubmit the sewerage bylaw, endorsed by the ratepayers, but defeated on the third reading in council by the mayor and his allies.

The action of the four councillors was in the nature of a bombshell and created a profound sensation in the crowded chamber. Councillor Parke has, owing to illness, been absent from his official duties for three months, but his signature appeared on the letter of resignation read by Mr. Burnaby. The situation is unique and is said to be without a parallel in the province. Briefly summarized, the events leading up to last night's sensational climax are as follows:

In July last the ratepayers of North Toronto voted on a bylaw to extend approximately \$100,000 in the direction of disposal works and a sewerage system. The measure carried after one of the keenest fights in the history of the town by a majority of 43 in favor, immediately after the passage of the bylaw Councillor Parke, who had taken a prominent part in forwarding the movement, was taken ill and Councillor Howe left for a prolonged trip to the Northwest following the first and second readings of the bylaw. Later, when the legal time for the passage of the bylaw had all but expired and council met to give it the third reading, Councillors Murphy and Grice left the room, breaking the quorum and rendering ineffective the vote of the ratepayers.

On the return of Councillor Howe from the Northwest a determined effort was made by him and Councillors Burnaby and Irwin to arrange a meeting with T. Aird Murray, C.E., the engineer charged with the preparation of the plan, and after this was effected, on Friday night a private conference was held with the engineer behind closed doors, for the purpose of clearing up some doubts still existing in the mind of Councillor Murphy as to the feasibility of the scheme and the wisdom of re-submitting it. The conference is said to have been a stormy one.

Vote a Tie.
Last night, when Councillor Howe moved for the re-submission of the bylaw at the municipal elections, the result was a tie; the mover and Councillors Burnaby and Irwin supporting and Mayor Brown and Councillors Grice and Murphy opposing.
The resignations of the four councillors precipitates an extraordinary condition of affairs in the town. The remaining members of the council cannot, it is said, legally accept the resignations thus tendered, and the act explicitly states that three months must pass before the seat of a councillor absenting himself can be declared vacant.

Solicitor Gibson declined last night to express an opinion as to the outcome, the situation being in many respects unique in the history of municipal government in this province.
Will Stay on the Job.
"Certainly I will continue to administer the duties of a chief magistrate until the end of the year, no matter what others may do," said Mayor Brown, at the World last night. "I cannot understand the action of the councillors in resigning, simply because they cannot have their own way." So said also Councillors Murphy and Grice.

"We resign as a protest against the action of these men who refuse to carry out the will of the people," said Councillor Burnaby, in voting the opinion of himself and the others. "We have shown by our efforts our determination to carry out the people's wishes and to forward the town's general business. We have only the best interests of the town at heart. My colleagues and myself have tried honestly to give effect to the will of the people."

GERMAN-AMERICANS PROTEST

U. S.-British Union of Defence Declared to Be "Absurd."
CINCINNATI, Ohio, Oct. 5.—The so-called union of defence, between the United States and Great Britain, to offset the growing military power of Germany, as advocated by Lords Northcliffe, Bessford and Closs of England, was declared to be absurd in a resolution offered to-day in the German Alliance National Convention, by Dr. Ernst Richards, professor of German in the University of Columbia, New York City.
The resolution also declares that any movement towards that end, as desired by England, would be certain to meet with strenuous opposition from the millions of German-Americans and Irish-Americans.

RUSSELL CASE ADJOURNED.

CLEVELAND, Ohio, Oct. 5.—(Special.)—The hearing of the case against W. Lockhart Russell of Lima, Ohio, whose extradition is sought by the Ontario Government, was deferred to Oct. 15, on account of the illness of Russell's attorney.

R. L. Borden, leader of the opposition, will file his brief towards the end of this week. On his way back he will see the managers of the Conservative party in Quebec and Montreal. Afterwards he will probably visit Toronto.

30 MEN KILLED D. C. MINE DISASTER.

Explosion in Wellington Colliery on Vancouver Island—Many Rescued Alive, But Injured.

NANAIMO, B.C., Oct. 5.—(Special.)—Thirty men are now known to be dead as a result of an explosion in No. 2 Mine Extension of the Wellington Colliery Co., 15 miles from here, at 9 a.m. to-day.

Up to 7 o'clock this evening eight bodies had been recovered, namely: T. Thomas, J. Molineux, Andrew Moffatt, A. Montague, Thomas O'Connell, W. Davidson, E. Dunn and one unidentified.

The work of rescue still continues, but it is not expected that any more bodies will be recovered before morning, as the portion of the mine where the explosion occurred is badly wrecked, the brattice being torn down, and the rescuing parties are very badly hampered by gas.

The majority of the men killed are old residents and well known. There were over 50 men entombed, but about 25 were rescued, the all were more or less burned and injured. The explosion was due to fire damp, the flames into levels at once catching fire and spreading with terrible rapidity.

Wives and relatives of the imprisoned men are in a hysterical state of apprehension. Residents of Nanaimo have been prevented from going to the extension and only rescuers, miners and officials are on the scene.

Only meagre details have filtered out owing to the distance of the mines from lines of communication. A miner who reached Ladysmith at noon from the mine said that as he and his father were leaving the mine, bringing out their gear, an explosion occurred. The shock was terrific. The stoping were blown out and doors unhinged. The effects of the explosion were confined to the slope where it occurred. All the men in other slopes and levels escaped.

EARL GREY REBUKED

Like the Lieutenant-Governor, He's Talking Too Freely.
OTTAWA, Oct. 5.—(Special.)—The Evening Free Press, local government organ, takes Earl Grey to task for his recent remarks in the west on German war scare and naval situation. It says:

"If our governor-generals are to retain the great respect which the people of the King entitles them to, they must keep out of politics. They must shut their mouths and refrain from such discussion. We can imagine rumors that would be created among large sections of the people of the British Isles if King Edward were to express such opinions as those uttered by Lord Grey, and why should the Canadian governor-general go further than the monarch whom he represents would dare to go?"

TO BUILD MODEL ROAD

Executors of Late Timothy Eaton Give Over \$100,000 to Township.
In accordance with the wish of the late Timothy Eaton, that the portion of Dundas-street westerly from Lambton Village to the Eaton farm, a distance of three miles, be properly constructed as a model stretch of "good road," the executors of the Eaton estate have made a grant of \$100,000 to the Etobicoke Township Council for the proposed improvements.

The new road will be macadamized, and will be under the supervision of A. W. Campbell, deputy minister of public works, Ontario.

ARCHITECTS' MEETING

Proposal to Federate All Societies Before Convention.
To make the Royal Architectural Institute of Canada a representative Canadian body, it was decided yesterday at their annual convention, which is being held in the rooms of the Ontario Society of Architects, at 26 West King-street, to invite all architectural societies in Canada to federate with them. Delegates from most of the societies are attending the convention.

President A. F. Dunlop of Montreal said in an address that the main object of the association was the better education of its members in the principles of architecture. He concluded the remarks by stating that he had been taken in from his province illegally.

SUGAR REFINERS OPPOSED

Tariff Preference to West Indies Product Not Wanted.
MONTREAL, Oct. 5.—At this afternoon's session of the West Indies royal commission, a number of local sugar refiners expressed themselves as opposed to the tariff preference for West Indies sugar, maintaining that as a result of the preference, they were prevented from going into the world's markets for sugar.

STILL THERE



Young Mr. Burnham makes an unsuccessful attempt to dislodge a hornets' nest.

GOAL MAGNATES ACCUSED ON CONSPIRACY CHARGES

U. M. W. Lay Information Against Three Nova Scotia Operators Whose Names Are Withheld.
HALIFAX, N.S., Oct. 5.—(Special.)—Information was laid here to-day before Stipendiary Magistrate George S. Fielding by James B. McLaughlin, secretary and treasurer of the United Mine Workers in Nova Scotia, against the well-known provincial coal magnates, charging them with conspiring and combining with each other and with others to unduly limit the facilities for the production and supplying of coal in Nova Scotia, and to unduly lessen competition in the production and sale of coal in the Province of Nova Scotia, and to unreasonably enhance the price.

The information charges them with having continued the conspiracy combination, etc., at divers times, from the first day of January, 1902, to the time of the laying of this information. The names of the magnates have been withheld from publication until the warrants are issued.

U. M. W. officials state that warrants and operations will be examined here before Stipendiary Fielding.

REJECTED, HANGS HIMSELF

Robert Butcher, a Farm Hand, Suicide After Receiving Letter.
ST. MARY'S, Oct. 5.—Shortly after Robert Butcher, employed on J. Lammond's farm, two miles south of here, had received a letter from a young woman of this town, indicating her preference for a young man in the old country, he went to the back bush and hanged himself. He was observed coming from the barn with a rope yesterday afternoon and the body was found to-day. He was 32 years old.

SOO HUNTS FOR LOST BOY

Father Fears Kidnapping and Blood-hounds Are Used.
SAULT STE. MARIE, Ont., Oct. 5.—Six-year-old Wilfred DeLesse mysteriously disappeared from his home Sunday.

The father says the boy has been kidnapped and bloodhounds have been put on the trail.

Mayor Simpson has organized a search party.

COUNT TOLSTOI'S HEALTH

Suffers Two Serious Fainting Spells During Trip to Moscow.
ST. PETERSBURG, Oct. 5.—The health of Count Leo Tolstoy is again exciting apprehension. He fainted twice after his return to Yasaya Polyana from his trip to Moscow. It was the first time he had been there in several years. One fainting fit lasted ten minutes.

The physician who is the count's constant companion, succeeded in restoring him to consciousness.

KING SENDS A SUMMONS TO ASQUITH.

Premier Leaves in Midst of Important Debate on the Budget, to Hurry to Balmoral Castle.

LONDON, Oct. 5.—Premier Asquith left London unexpectedly this evening for Balmoral, whither he was summoned by the King. The premier left the house of commons in the middle of the debate on the most important clauses of the budget.

The summons followed an interview between his majesty and Earl Cadow, one of the most influential of the opposition lords, and it is generally believed that the royal influence is being exerted to avert a grave constitutional struggle.

The first definite announcement from a member of the cabinet on a possibility of a general election was made at Manchester to-day by Viscount Morley of Blackburn, secretary of state for India, who mentioned "the coming struggle."

Lord Morley said that, without revealing a cabinet secret, he might say that the test shortly would be made.

A Mushroom Competition

The mayor of Wexford lapped on the window of the M. P. for South York on Sunday morning at half-past six. He had come a mile and a half to pay this visit, which was partly ceremonial, but chiefly of a mushroom-hunting character as he wore his carpenter's apron.

After the customary salutations that awaited him by Don Valley, the mayor was pleased to suggest that it had the marks of a morning for mushrooms. The M.P., owing to lack of alertness, replied indifferently that it might be so; not receiving the encouragement that he got he was entitled to an such a mission, the mayor called out: "Well I'm going over to George Fitzpatrick's meadow," and departed.

Thereupon the M.P., recovering himself, to the full of his mental endowment, began to turn things over in his mind and diagnosed that his friend had seen "slogs" the day before (and you can see the little button mushrooms the day before if you can trust yourself to leave them), and that the mayor was already on his way (and he had taken a sudden departure) to a great field on the way to Don Valley.

The mayor, under her maiden name of Mrs. Mabel Elizabeth Turner, alias Miller, alias Gmelin, who is charged with the murder of the Authers infant.

Mrs. Turner was Mabel Elizabeth Tomlinson, and was brought up with her sister, Sadie, by Mrs. and Mr. J. C. Comber, their aunt and uncle who lived on the twelfth concession of the Township of Reach, near the Village of Marsh Hill.

Comber made his livelihood from market gardening and farming in a small way. Lizzie Tomlinson, as she was known in the vicinity, was a bright and very pretty child. The children were reared by their relatives when their father and mother died, and the Combers took excellent care of the two. They attended school at Marsh Hill, and later Lizzie went into service at Uxbridge, where she met and married Ernest Pemberton, a young photographer. This was about 1887.

They lived together only about two years when Pemberton went to New York State, where he secured a divorce and married again, and is now living with his second wife and their little daughter at Avon, N.Y. It was not more than a year later that Lizzie Tomlinson, under her maiden name of Mabel Elizabeth Tomlinson, was married to William Edgar Turner, at Toronto, by Rev. W. B. Smith, who lived in this city. It is said that she was then married as a single woman. This was Sept. 23, 1897, and very shortly afterwards Turner went to California.

Both the police and Mr. Monahan preserve a stolid silence as to these matters, but at the registrar's office it was learned that the records were being searched, and access to them was refused both at that office and by the deputy attorney-general.

To Gmelin and Dunlop with whom Mrs. Turner has lived, during the last two years, the woman was never married.

Just what action is contemplated by the crown in making this search is also kept a close secret.

County Crown Attorney H. L. Drayton is expected in the city at the end of the week, and it is possible that he may be here in time to take charge of the proceedings at the inquest Friday night. He will at least be here for the sitting which it is thought will now be needed to complete the hearing after that date, and it has been suggested that he is likely to be appointed crown prosecutor for the assizes at which the trial will take place.

WESTERN LAND BY AUCTION.

LONDON, Oct. 5.—(C.A.P.)—It is stated reliably that the Southern Alberta Land Company intends auctioning a large proportion 400,000 acres in the spring.

So Canal Record.

SAULT STE. MARIE, Mich., Oct. 5.—All traffic records at the Soo locks, which have been broken by the records for September. The net September tonnage was \$227,190, the highest since 1902.

GENTLEMENLY JOURNALISTS

LONDON, Oct. 5.—H. W. Nevins and H. N. Bradford have resigned their positions as leader writers of The Daily News, as a protest against the government's treatment of suffragette prisoners.

FOR THE MAN WITH THE CAR.

It's a very cold job holding down the seat of a motor car even in these mild fall days. That is the reason the driver of a gasoline gig crawls to his car wraps early. The man with the car does not require high priced garments. What he needs is rough, warm and lasting furs. Dineen has just the garments for which desirable motorists are looking: Gloves, caps and coats of all descriptions, at prices that permit the wearing of two sets of them for the price of one. Call at the show-rooms, 140 Yonge-st., Toronto.