

43RD YEAR NO. 19008

THE ADVERTISER, LONDON, ONTARIO, MONDAY, APRIL 8, 1907—TEN PAGES.

PRICE TWO CENTS.

## MAY BE BATTLE TO FINISH BETWEEN CITY AND MARQUETTE

Latter to Build New Bridges Between Here and Port and Charge It to London.

MAY BE A BLUFF BUT, THERE IS \$50,000 INVOLVED

The city of London and the Pere Marquette Railway appear to be arranging the preliminaries for a legal battle to a finish over the question who shall pay for new bridges over the Thames at London and over the Kettle Creek at Port Stanley on the line of the L. and P. S. R.

Some time ago the city informed General Manager Cottam of the Pere Marquette, which line operated by the L. and P. S. R., under a lease held by the city, and transferred to the P. M. that the city is not compelled to erect new bridges under the provision of the lease referred to, and that consequently, if new bridges are required, it is up to the Pere Marquette to build and pay for them.

P. M. Ultimatum.

General Manager Cottam's answer was read at a meeting of the L. and P. S. R. board held this morning. Mayor Judd, Ald. Beattie, Stevely, Gilman, Stevenson, Booth, Cooper, President A. W. White of the board of trade and City Clerk Baker being present. The answer is straight to the point.

Mr. Cottam, in brief, says he will build the bridges, both of which are necessary, and that he will look for reimbursement to the city.

He has in the past estimated the cost at about \$50,000, and as his company pays the city annually about \$25,000 for the lease of the L. and P. S. R., he may make trouble by holding on to the rental until the bridges are paid for. In such event, that the city and company will look horns in the court is a certainty.

Is it a Bluff?

In civic circles, the threat of the P. M. is looked upon as a bluff, however, the mayor professing to make light of the whole affair.

At the meeting held today City Clerk Baker was instructed to ascertain from

City Solicitor Meredith if it will be necessary to write the Pere Marquette that the company may go ahead and build all the bridges it likes, but that the city will not pay for them. It is thought that in order to protect itself such a communication will have to be sent by the city to the company.

The correspondence in the case was read at today's meeting. A lengthy letter from the city solicitor was read in which Mr. Meredith stated that there is no ground for the contention of the P. M. manager that made with the Lake Erie, the city is compelled to erect new bridges for the strengthening and renewing of the bridges over the Thames, but Mr. Meredith shows that the Lake Erie Company asked in August, 1895, to have all such works done, and they were completed to the satisfaction of the Lake Erie people. Mr. Meredith's contention is that clause 24 merely relates to the putting of the road in repair in accordance with the demands made by the Lake Erie Company, when the lease was made, and that the clause was never intended to mean that any time the company wanted a new bridge the city will have to construct it.

City Solicitor's Opinion.

After quoting from the correspondence between the city and the company as far back as 1893, Mr. Meredith says: "I have read a letter from Mr. Cottam dated the 21st of December last, written to the mayor, which letter I return to you herewith, so that you may return it to the mayor, in which Mr. Cottam takes it for granted that the L. and P. S. R. Company is bound under the lease to renew the bridges over the Thames at London, and at Kettle Creek, at Port Stanley, when the lessees deem it necessary, and requests it in writing. I do not agree with the opinion so expressed by Mr. Cottam. I suppose Mr. Cottam

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## PUERTO CORTEZ FALLS

Mobile Hears Nicaraguans Have Also Taken Cuba.

Mobile, Ala., April 8. — A steamer which has just arrived here brings the news that Puerto Cortez has fallen. Honduras is also in the hands of the Nicaraguans.

## COL. VIDAL APPOINTED

Succeeds Lord Aylmer as Inspector-General of the Militia.

Ottawa, April 8. — Col. Vidal has been appointed inspector-general of the Canadian militia forces in succession to Lord Aylmer, with Col. F. L. Lessard, acting adjutant-general for some months past, has been appointed adjutant-general, in succession to Col. Vidal. It is understood that a few months hence there will be a further shift in the department, and Gen. Otter will probably be brought from Toronto to join the headquarters staff, Col. Vidal retiring.

## SEALED LETTER OF DR. ORONHYATEKHA

The Executors To Be Governed by It in Administration of the Estate.

[Special to The Advertiser.]

Toronto, April 8. — Dr. Oronhyatekha ruled, both in the British Empire and in the United States. The will was made Oct. 24, 1905. His personality amounted to \$33,699, \$4,089 in wearing apparel and jewelry, and \$27,000 in real estate. His executors, the Union Trust Company, are given \$12,000 to be disposed of as directed in a sealed letter. The estate is divided between the direct heirs. The last clause reads: "I direct that the sealed letter attached to this will shall be opened by my executors on my death in administration of my estate. I desire my executors to govern themselves in accordance with the contents of the sealed letter. Should the contents of this letter conflict with the foregoing, I direct that my executors govern themselves in accordance with the contents of the said sealed letter."

## HON. J. W. ST. JOHN PASSES AWAY

Speaker of the Legislature Succumbs to Illness After Long and Brave Fight.

Toronto, April 7. — Speaker the Hon. J. W. St. John died at his residence here at midday today. Mr. J. W. St. John had been gradually sinking for several days. A fortnight ago he was operated on for appendicitis. The operation proved successful and it was expected that he would recover, but unfortunately complications set in which were to terminate fatally. Expressions of genuine regret are heard on all sides, as the late speaker was most popular with all members of the Legislature, as well as with a large circle of friends in business and private life.

Hon. Mr. Graham, Opposition leader, expressed his keen regret, while Premier Whitney spoke in highest terms of the dead speaker, both in his official and private capacities. It is expected that the Legislature will adjourn today until after the funeral, which will be of a public character.

Hon. Joseph Wesley St. John was the son of James St. John and was born in the township of Brock in 1854. He was educated in the old Victoria College at Cobourg, from which he graduated with the degree of B. A. in 1881. He then studied law, being admitted as an attorney three years later, and called to the bar in 1894. In the same year he was elected to the Ontario Legislature for West York.

In the elections of 1893 he was defeated, but in 1902 was again returned by a majority of 400, which in the election of 1905 was increased to over 1,300. Upon the accession of the Whitney Government to power he was appointed speaker on the construction of the cabinet, an appointment which met with the approval of both sides of the House.

He was for some years a member of the senate of the University of Toronto, and was at the time of his death a member of the senate of his alma mater, Victoria University. In the affairs of which he took a deep interest. In religion he was a Methodist, being a member of the Dunn Avenue congregation.

He was also prominent in lodge circles, being a Knight Templar in St. Albans Proceprocity, a high priest in the Order of the Mystic Shrine, and also a member of both the I. O. E. and A. O. U. W.

WANTS SUBWAY UNDER L. E. AND D. R.

Farmer Objects to Heavy Grade and Suggests a Remedy.

At the meeting of the L. and P. S. R. board at noon today, William Nichol complained that the crossing over the L. and P. S. R. tracks at the seventh concession, Westminster, has a grade of 1 foot in 12, instead of 1 foot in 20, as provided by law. He suggested that a subway should be built there. The letter was filed, the mayor remarking that in regard to the matter, but that Mr. Nichol is a little late in asking for a subway.

"He should have looked after the matter when the line was built 50 years ago," said his worship facetiously.

Ald. Stevely drew attention to the fact that last summer the company pulled up the long platform at Port Stanley and that patrons of the port were as a consequence compelled to walk in cinders, which in wet weather ruined the dresses of the ladies.

Mr. Baker will write the Pere Marquette on the subject.

It was also stated by the mayor that Mr. Graydon, city engineer, will immediately commence his annual inspection of the road, so that many things needed will be brought to the attention of the Pere Marquette.

THE WEATHER.

TOMORROW—FAIR AND COOL. FORECASTS.

Monday, April 8—8 a.m. local. Today—Westerly winds; some local showers, but clearing.

Tuesday—Strong northwesterly winds; fair and cool.

TEMPERATURES.

| Stations.    | 8 a.m. | Min. | Weather. |
|--------------|--------|------|----------|
| Calgary      | 25     | 24   | Fair     |
| Winnipeg     | 24     | 24   | Cloudy   |
| Port Arthur  | 34     | 30   | Cloudy   |
| Parry Sound  | 35     | 32   | Cloudy   |
| Toronto      | 40     | 35   | Cloudy   |
| Ottawa       | 30     | 30   | Snow     |
| Montreal     | 30     | 30   | Snow     |
| Quebec       | 30     | 24   | Cloudy   |
| Father Point | 30     | 15   | Clear    |

The first column in the above table records the temperatures at 8 o'clock this morning, while the second column records the minimum temperatures during the 24 hours previous.

A FATAL RUNAWAY.

Paris, April 7.—Robert McNaught, a farmer living three miles northwest of here, died yesterday afternoon as a result of injuries received in a runaway a few hours before. His horse became frightened at the top of Grand River street hill, near the subway and dashed down at a breakneck speed, striking the iron drinking fountain at the Arlington Hotel. The man's head struck either the fountain or the pavement and his skull was fractured.

## Will Call In City Auditor Before Deciding Question

POPULATION DROPS IN NO. ONE WARD

Driven Out by Manufacturing Plants, But Not Lost to City.

Assessment Commissioner Grant stated to The Advertiser today that as far as he has gone in the assessment of the business district of No. 1 ward, the population figures this year show a decrease.

This is owing to the fact that manufacturing plants are continually driving out the residences. The population is not lost to the city—it merely goes to another section.

The cutting off of several hotels has also resulted in a loss of population in the downtown district.

## DIED ON RETURN FROM HOLIDAY TRIP

Sudden Passing at the Grand Trunk Depot of Miss Norah Madden.

Miss Norah Madden, 21 years of age, and a niece of Mr. Peter Madden, of 507 Pall Mall street, died very unexpectedly at the Grand Trunk depot at 4:30 yesterday afternoon. Miss Madden had just arrived in the city on No. 2 express from Port Huron, when she was taken ill and passed away before medical aid could be procured.

The deceased had been in Port Huron for the past ten days, having gone there on Good Friday in company with her cousin, Miss Madden, of Pall Mall street, the intention being to remain there until the following Sunday as the guests of the latter's brother, Mr. Peter Madden, janitor of the Grand Trunk depot. Miss Madden was taken ill, and on Sunday her condition was such that she decided to stay a few days longer. Yesterday she was so much improved that she decided to return home on the afternoon express.

When the train arrived here about 4:30, Miss Madden walked to the ladies' waiting room, where she fell to the floor in an unconscious condition. Dr. Graham, who arrived in a few minutes, saw at a glance that the young woman would not recover. However, he did everything possible to revive her, but this was impossible, death resulting in a short time.

The remains were unidentified for some time. The station officials were satisfied as a search of the deceased's handbag revealed some miniature photos taken at a local gallery, and also some London street railway tickets, while the gloves worn had been purchased in a London store. It was also thought that if the young woman was a stranger and had been coming to visit friends, she would have been met at the depot on her arrival.

Rev. Father White, of St. Peter's Cathedral, finally identified the remains as those of Miss Madden, the deceased having been a member of his congregation.

Miss Madden came to Canada about ten months ago from Eyrewood, Galway, Ireland, where her father, Mr. John Madden, resides. During her stay here she lived with her uncle on Pall Mall street.

Coroner MacLaren was notified of the affair, and after making inquiries decided an inquest was unnecessary.

The funeral will be held on Wednesday morning at 9 o'clock, at St. Peter's Cathedral.

JACKIE KEPT HIS WORD

Got a "Lift" From City, and Had the Money Returned.

The Americans have a way of doing things quickly which makes a hit with most people.

Thursday Inspector McCallum gave a pass to an American sailor off the ship Washington, lying at Philadelphia.

The sailor's name was Harry H. Barron, not Barnes, as previously stated. He told the inspector that his grand father had been in the city to visit his parents. There being no United States consul here, he was compelled to appeal to the charity of the city to assist him, and he promised that as soon as he reached his ship he would pay back the price of the ticket necessary to carry him to United States territory.

Barron proved himself a gentleman and a credit to the Star and Stripes, for today Mr. McCallum received a money order for \$3.65, the price of the ticket furnished the sailor.

The order was sent by Mr. W. H. H. Webster, United States consul at Niagara Falls, who thanked the city of London and Mr. McCallum for what they had done for the sailor. Barron, the consul stated, had told his story at the frontier, and had been sent on to join his ship at Philadelphia.

SALE IS MADE

Gorman, Eckert & Co. Will Get Hospital Engines and Generators.

The hospital trust met at noon today and opened tenders for the engines and generators at Victoria Hospital.

Gorman, Eckert & Co. put in the same offer as made a couple of weeks ago. It was the highest, being for \$1,200, and it was accepted. Under authority given by the trust at the last meeting of the city council, the engines and generators are now finally sold to the Gorman-Eckert Company.

## THAW TRIAL NOW IN LAST STAGE

State and Defense After Brief Session Rest Cases.

COURT ORDERS JURY SHUT UP

Delmas Starts His Argument This Afternoon and May Occupy Several Days Time.

New York, April 8.—When the Thaw trial opened this morning it was believed that it had at last entered its final week. Eleven weeks have already been consumed in the trial, making it the longest in the history of New York's criminal courts. Harry Thaw's family were early in court and took the seats they have occupied on all occasions when they have been allowed in the court room. Evelyn Nesbit Thaw wore the familiar blue suit and the black sailor hat which for several days replaced the blue one trimmed with violets which she wore during the early days of the trial. She occupied a seat on the aisle. Next to her sat Mrs. Wm. Thaw, the Countess of Yara, Mrs. and Edward Thaw. In the front row of seats were Mr. and Mrs. George L. Carnegie and Josiah Thaw.

No Argument, Says Jerome.

Justice Fitzgerald was a few minutes late in taking the bench. When he did so and before the jury had been brought into the room, District Attorney Jerome rose and said he would formally ask that the report of the commission in lunacy which declared Thaw sane be not confirmed. He had no argument to offer.

Justice Fitzgerald quietly reached for the report which lay on his desk and signed his name across it.

"The trial will proceed," he ordered. The jury then filed into the box and Harry Thaw was called to the bar. Delphin M. Delmas, of counsel for the defense, quietly asked the clerk to call Dr. Allan McLane Hamilton, the alienist who was on the stand when the trial was interrupted more than two weeks ago. Mr. Delmas wanted to get from Dr. Hamilton the opinion that Thaw was insane when he shot and killed Sanford White. As soon as Dr. Hamilton was seated in the witness chair, District Attorney Jerome objected. He said Dr. Hamilton should have been called as a witness by the defense in its direct case. To call him in rebuttal, he declared, meant the reopening of the entire case. Justice Fitzgerald sustained the objection.

After he had done so, Mr. Delmas argued that Dr. Hamilton should be allowed to testify for the reason Mr. Jerome had on the last day of the trial said he would withdraw his objection if Dr. Hamilton was allowed to tell everything.

"We accepted that offer," said Mr. Delmas, "and therefore feel we have the right to proceed under the agreement."

"The court, as I understand the law," said Justice Fitzgerald, "has no discretion in the matter. There was no occasion to rule on the question when it came up before. Had it come up at that time I would have been forced to rule as I rule now. The objection is sustained."

Both Sides Rest.

After a moment's consultation with the other attorneys, Mr. Delmas said: "The defense rests."

"The people rest," said Mr. Jerome.

The Jury Shut Up.

Justice Fitzgerald then announced that in view of the importance of the case he thought it would be necessary to keep the jury together until the close of the trial. He therefore ordered that the jury be confined under the same conditions as exists at the beginning of the trial. District Attorney Jerome suggested that as this would be something of a hardship on the jurors, who had had no notice of it, they should be allowed to go until 12 o'clock in order to arrange their affairs. This Justice Fitzgerald agreed to, and a recess until 2 o'clock was ordered.

Justice Fitzgerald asked the attorneys to submit to him in writing any requests they might have to make as to his charge to the jury. Mr. Delmas announced that he would begin his summing up address at 2 o'clock. District Attorney Jerome asked if he could be given an idea of the time the defense would require.

"In a case of this character," said Mr. Delmas, "where the testimony has been voluminous, and where there have been so many interruptions, I deem it my duty to refresh the minds of the jury as to testimony so far as possible. It may take two or three or four hours to do this. If my remarks are not concluded tonight and if it is necessary to intrude into tomorrow's session, I shall agree to an adjournment until the next day to meet the district attorney's request that he be allowed a day to himself in which to make an uninterrupted address."

"The court, then, is powerless to determine how long Mr. Delmas will require," said Justice Fitzgerald.

He cautioned the jurors particularly not to discuss the case during their few remaining hours of liberty, and informed them that after 2 o'clock they would be kept together until the end is reached.

SISTER CURRAN DEAD.

Ottawa, Ont., April 8. — Rev. Sister Curran, of the Gray Nuns, is dead. She was for 20 years secretary of the general council of the order and was 63 years of age, having been in the convent since the age of 5. Mr. Justice Curran, of Montreal, is a brother.

NEW SCHOOL FOR OBLATES.

Ottawa, Ont., April 8. — The Oblate Order are thinking of erecting a theological grand seminary on Ottawa University grounds. Since the burning of the university here, private premises have been occupied by those students studying for the Oblate Order, or the priesthood. A sub-committee shortly will report on the best means of building an addition to the university for this purpose.

THE STATE AND THE INDIVIDUAL

Interesting Address by Rev. Dr. Stewart Before the Canadian Club.

Rev. Dr. Stewart, of the Rochester Theological Seminary was the guest of the Canadian Club today at their noon-day luncheon. He delivered an eloquent and thoughtful address on "The State and the Individual."

There was a very good attendance in spite of the chapter of accidents that militated against the attendance. In his opening remarks, the speaker referred to the fact that he was Canadian-born, and that he had spent a large portion of his life in this country. He was proud of the fact that he was a Canadian, he was proud of the Canadian spirit, a spirit that made for character, and earnestness in the individual's work in the world.

The speaker was bringing the individual to the front, he declared. It was the age of democratic government. The people ruled, both in the British Empire as well as in the United States, and in a limited degree in many other countries. There was one feature of American Government that he was opposed to, and that was manhood suffrage.

"I am opposed to manhood suffrage," he declared. "Not every man is fit to vote. There should be a property or educational qualification. That is a weakness of the American system, that

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LABOR DISPUTE BILL

Is Working Smoothly

Springhill Miners Back to Work —Westerners Ask for Arbitration.

[Special to The Advertiser.]

Ottawa, April 8.—In the House this forenoon the Minister of Labor stated that the first experiment with the labor disputes bill was very successful. The workers who had announced their determination to strike at Springhill, Nova Scotia, had returned to work.

The following telegram was received by the Deputy Minister of Labor from Mr. Hector McInnes:

"Halifax, April 8.

"I have pleasure in advising you that all men at Springhill collieries have returned to work, and no question was raised as to open or closed shop. Under circumstances it would be unnecessary to take any further steps on application for reference submitted by Cumberland Railway and Coal Company."

Mr. Lemieux extended his congratulations to the men for the action they had taken. Mr. Herron brought up the strike at labor, Alberta, and urged upon the Government the necessity of looking into the matter at once.

Mr. Lemieux in reply announced that the coal operators at Calgary are sending forward an application to the labor department for a board of arbitration to consider the matters which are in dispute and upon what they failed to come to an agreement recently.

DOUGLAS IS AGAIN PRESIDENT

EAST RIDING LIBERALS ELECT

Annual Meeting of Reform Association at Hyman Hall—Officers Chosen.

The annual meeting of the East Middlesex Reform Association was held on Saturday afternoon at Hyman Hall, corner of Park and Queen's avenues. The president, Mr. Edward Douglas, of Iderton, was in the chair, and there was a very fair attendance. Nearly every sub-division in the riding was represented.

The election of officers was the principal business before the gathering. That the staff for the past year has given satisfaction was evidenced by the fact that it was re-elected, with the exception of one—a township chairman—who withdrew. The officers are: President—Ed Douglas, Iderton. Vice-President—Peter Anderson, White Oak. Secretary—Jared Vining, London. Treasurer—Alfred Bailey, Thorncliffe. Township Chairmen—London, Wm. Kennedy, Iderton; Wm. Smitbert, Bryanston; John Anderson, The Grove.

West Nissouri—Alfred Bailey, Thorncliffe; Frank Ashman, Rebecca. North Dorchester—Daniel McIntyre, Dorchester; N. N. McCallum, Gladstone. Westminster—David Lawson, Hubrey; Ezra Hunt, Tempo; Wm. Grieve, White Oak.

The calling of a convention to nominate a candidate for either the Dominion or provincial house, was left in the hands of the executive.

Secretary Vining read the address prepared by a committee of the association and presented to Sir Wilfrid Laurier at the banquet tendered the Premier in Toronto a year ago.

At the conclusion of the business proceedings, a number of addresses were made. Mr. J. H. Fowler, secretary of the London Reform Association, was present, and on behalf of the association he made a neatly-worded address, welcoming the Liberals of the east riding on the occasion of their first meeting in the party's new London headquarters.

The speakers included Dr. Routledge, ex-M. P. for East Middlesex; Mr. T. H. Purdon, K.C.; Mr. J. M. McEvoy, and Mr. John Gibson.

The meeting concluded with cheers for the King, Sir Wilfrid Laurier and the Liberal Party.

Hon. George P. Graham.