

A. E. WELCH SUES FOR \$70,000; BIG SUIT RE A MINING DEAL

Well-Known Local Broker Has Filed a Writ—Many Other Actions Entered for the Assizes.

A damage suit involving \$70,000 damages, and with a London man for the plaintiff, was today set down for the assizes, which open here next Monday.

A number of other interesting and important cases were also entered. Four of those entered today were held over from the assizes of last year.

The latest entries are:

Welch vs. Esperanza Company.—Because of the loss of valuable properties, upon which he held options and had paid several thousand dollars, through the alleged breaking of an agreement with the Esperanza Cobalt Mining Company, Alfred Ernest Welch, a broker, of this city, seeks to recover \$70,000 damages.

The statement of claim sets forth that the plaintiff held options on some valuable mining property in the Nipissing district which the defendant company agreed to purchase. An agreement was made between the parties, whereby the purchase payments were to be made on dates two days previous to the dates upon which the broker had to meet his obligations on his options.

The defendants failed, it is alleged, to make the first payment on the date agreed upon, nor have they made any payments since.

The plaintiff raised enough money, \$6,000 to meet the first payment on the options he held, but was forced

to surrender his holdings on the date of the second payment owing to lack of funds.

The defendants claim that they never entered into any agreement with the plaintiff.

T. H. Luscombe for plaintiff; Sutherland, Kenning & Cleary for defendants.

Roberts vs. Belton.—For the loss of certain household effects which she alleges the defendants, George Belton and Annie Belton, seized last October. Clara Gleason Roberts seeks to recover \$800 damages.

The property, which consisted of furniture, books, etc., was valued at \$300. The additional \$500 asked is for inconvenience in respect of the seizure and detention of the goods mentioned.

T. H. Luscombe for plaintiff; Meredith, Fisher & McDonald, for defendants.

Johnston vs. Tapp.—To recover \$550 and interest, alleged to be due on a promissory note Johnston Bros., bakers, have entered action against Jas. Tapp and Geo. W. Tapp, a mechanic and a baker, of London and St. Thomas, respectively. J. M. McEvoy for plaintiffs; Fitzgerald & Fitzgerald for defendants.

Scatcherd vs. Rouleau.—Annie and Edwin Scatcherd, of West Nisour, seek to recover \$1,000 damages or the enforcement of an agreement, alleged to have been made between themselves and Charles Rouleau, also of West Nisour, in reference to the purchasing of some farm lands. J. McEvoy, for plaintiffs; Scatcherd & Proudfoot, for defendant.

Non-Jury.
Butler vs. Spittal—Francis Henry

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WHEAT ESTIMATE TOO LOW

It Should Be 50,000,000 or 60,000,000 Instead of 45,000,000.

Ottawa, Oct. 3.—Dr. Saunders, director of experimental farms, who is keeping in close touch with crop conditions in Western Canada through a host of correspondents scattered over the three provinces, is inclined to the belief that the Winnipeg estimate of only 45,000,000 bushels of wheat fit for milling is below the estimate. Dr. Saunders places the probable crop at between 50 and 60 million bushels, and a considerable quantity in addition for feed. Winnipeg advices place the inferior grain at 25,000,000 bushels.

Recent reports to the Central Farm vary in their terms. The Brandon district reports an average crop. Moosejaw, a fair crop—better, indeed, than was expected; the Indian Head district promises only a half crop, while around Battleford the outlook is greatly improved.

WHAT HAPPENED TO DUGALD ROSS?

Disappearance of the Wealthy Young Man Cannot Be Explained.

LONDON, Oct. 3.—It transpires that the disappearance of Mr. Dugald Ross was more mysterious than at first related. On Tuesday last week he was motored from the Berkeley Hotel with a friend to the Bank of England. The friend, a Mr. X, stated that he had to call about a check for \$20,000. His friend waited for him in front of the bank for five and a half hours, until moved on by the police.

His car is believed to have been driven to the Berkeley Hotel, Ontario, Canada, and his notepaper indicated that he is an importer and breeder of Clydesdales and Hackneys. He is reputed to be a millionaire.

It has now been elicited that he visited Folkestone on the day following his disappearance from London, staying 24 hours at a hotel there, and leaving suddenly with only a small bag. He had previously stayed at this hotel, departing in the same sudden, eccentric manner wherein he has now disappeared, leaving his baggage behind. Absolutely no trace of him is discoverable, and the press is disseminating a description and photographs. The authorities at Folkestone will be asked today to thoroughly probe the matter on behalf of his relatives, who think that the young Canadian has met with foul play.

Mr. Ross is a young gentleman, 22 years of age, who in the past two or three years has made a good deal of money. He has a fine stock farm near Streetsville, and has been dealing largely in horses. One of his recent big transactions having been with the Government of Japan.

In a letter received by his brother, dated at the Berkeley Hotel on Friday, Sept. 20, Mr. Dugald Ross says that he proposed on the next day to sell his stock in the Kimberley Diamond Mines to the amount of \$250,000, and to sail for Canada on the Kron Prinz Wilhelm, leaving Plymouth on Sept. 25. The Kron Prinz Wilhelm got into New York on Tuesday night, and the North German Lloyd officials, in response to a message sent yesterday, state that Mr. Dugald Ross was not among her passengers.

The family are in possession of two facts indicating positively that Mr. Dugald Ross intended to return to Canada immediately. At his request an arrangement was made to hold a car at New York for him, and he had bought a number of houses he had bought. A Toronto real estate dealer had almost closed a deal with him for a residence on St. George street, to cost \$15,000. This he would not have bought had he not fully meant to close up his Kimberley and other English deals.

The Canadian colony in London is taking keen interest in the case, and it will no doubt be thoroughly gone into.

THE WEATHER

TOMORROW—SHOWERS.

FORECASTS.

Toronto, Oct. 3—8 a.m.

Fresh easterly to southerly winds; fair and warmer today; showers and local thunderstorms tonight and on Friday.

TEMPERATURES.

Stations. 8 a.m. Min. Weather.

Calgary 44 36 Fair

Winnipeg 44 36 Clear

Port Arthur 46 42 Fair

Perry Sound 46 42 Cloudy

Toronto 52 44 Fair

Ottawa 46 44 Fair

Montreal 46 42 Fair

Quebec 46 42 Fair

St. John 46 42 Fair

Halifax 46 42 Fair

London 46 42 Fair

Paris 46 42 Fair

Bombay 46 42 Fair

Calcutta 46 42 Fair

Rangoon 46 42 Fair

Singapore 46 42 Fair

Manila 46 42 Fair

Hankow 46 42 Fair

Peking 46 42 Fair

Tientsin 46 42 Fair

Yokohama 46 42 Fair

Kobe 46 42 Fair



What Would Happen if London Had Filtered River Water.

WHITTENBERGER IS BACK AGAIN

Popular Former London Railway Man Is Now With the Grand Trunk Railway.

Assistant Superintendent Nixon received an official circular from Montreal this morning announcing that Mr. H. E. Whittenberger, formerly of London, but latterly of Colorado, has been appointed superintendent of the eastern division, with headquarters at Montreal.

The circular also states that Mr. M. S. Blaiklock has been placed in charge of a new department, known as the maintenance of ways.

Mr. Blaiklock will have his headquarters in Montreal also.

Mr. Whittenberger made many friends in London, who will be pleased to hear of his return to Canada.

Mr. A. P. Reid Marlatt, of this city, has been his secretary for some years.

TRANSCONTINENTAL OPEN THIS WEEK

Traffic Is to Start Over 120 Miles of Completed Road at Once.

Ottawa, Oct. 3.—Traffic on the first completed section of the new transcontinental railway opens this week.

The railway commissions inspector at Winnipeg, Mr. H. A. K. Drury, has authorized the company to open for freight traffic 120 miles of the road, from Mile 54, Portage La Prairie, to Mile 176, at Saskatoon.

The inspector has reported the road to be a model one in every regard and equal to anything in the world.

The company has its engines and cars at Portage La Prairie to begin active traffic operations at once.

Connection is made with the C. P. R. and C. N. R. at Portage La Prairie.

Before the close of the year 200 miles of track will be opened for traffic.

Right to Transfer on Local Trolleys; Peculiar Case on an Ottawa Car

Manager King Says the Conductor Exceeded His Orders.

An interesting case occurred on an Ottawa avenue car yesterday afternoon.

An advertiser reporter was on the car, and three ladies—two city ladies and a visitor—paid their fare. Shortly after they asked for transfers for the ride to the city.

The reporter became interested in the case, and began inquiring into it, as he was under the impression that a passenger could transfer from one line to another under the provisions of bylaw 915, which chartered the company.

Manager King was interviewed.

Exceeded His Orders.

"Certainly, a passenger can transfer from the Ottawa avenue car to

the Rideau belt without paying another fare," he said, "and the conductor must have exceeded his rights in refusing the transfer, unless they were already riding on a transfer. The rule is that transfers will be given unless such transfer means a return trip, which would scarcely be fair to the company. All conductors have instructions to that effect."

Mr. Graydon Speaks.

Engineer Graydon also declared that a passenger could transfer from one line to another without paying extra fare.

"A passenger can transfer from one line to the other," he said, "that is in the bylaw. If these ladies were charged double fare, there is something wrong, and they should have refused or else reported the conductor, after paying the fare. The bylaw is very plain in that matter."

The bylaw was also consulted, and it distinctly states that a passenger may transfer from one line to another without being compelled to pay extra fare. So in this case the conductor on the Ottawa avenue car transgressed his right in refusing to give the ladies transfers.

ONE YEAR FOR A LOCAL DESERTER

Angus Melvin Was Tried by Court Martial and Convicted.

Angus Melvin Camp, who was arrested a couple of weeks ago in a local restaurant charged with deserting from the Canadian regular army, was tried by court martial yesterday and found guilty. He was sentenced to serve on year in the penitentiary, and to be dismissed from the army in disgrace.

Camp has been turned over to the local jail authorities.

ROADHOUSE FINED \$50

Charged With Using Insulting Language at Public Meeting.

Cobalt, Oct. 3.—R. Roadhouse, formerly of Hamilton, charged at Halesbury with using grossly insulting language at a public meeting, was fined \$50 and costs.

On advice of counsel, no defense was put in. Roadhouse's counsel will appeal the case.

DOG GNAWING A HUMAN ARM

Ghastly Find of Children in the North End of the City

Last night shortly before 8 o'clock some children who were playing near the corner of Piccadilly and William streets made a ghastly discovery upon one of the lawns near there.

They found a dog tearing a human arm to pieces. The dog was reluctant to give up the arm, and the police were notified.

The report shows that the income has at no time been overestimated. The income account shows that while the company paid \$40,000,000 in dividends in the year ended Dec. 31 last, it carried more than \$33,000,000, and left a surplus for the year something more than \$4,750,000. Added to the previous surplus the total surplus in profit and loss accounts amount to \$281,000,000, or more than nine times the amount of the great fire.

The balance sheet of the company shows totals of \$371,664,532, as compared with a capitalization of \$100,000,000.

St. Louis, Oct. 3.—President Roosevelt, in his speech here, declared it the nation's duty to control centrally interstate railroads and to restore the Mississippi River to its proper place as a great artery of commerce. He termed the proposed 14-foot channel from the lakes to the gulf a "national task."

John Jacobs Is the President Of the Local Branch of Labor Party

Trade and Labor Council Met Last Night and Elected Officers.

The press committee of the local Trades and Labor Council has given out the following account of the meeting of the council held last night: Last night there was an extremely large turnout of delegates to the meeting of the Trades and Labor Council.

After the privilege of the floor had been granted to Rev. Victor Gilpin, who spoke on behalf of the National Sunday Observance Society, the reports of the various committees appointed in connection with the by-election were taken up.

On motion it was decided to suspend the meeting of the trades council and open up under the auspices of the Canadian Labor Party.

Delegate Marks was called to the

chair, and the meeting declared open for the transaction of business.

It was decided that the entrance fee for admission to the new party should be 50 cents, and the dues \$1 per year, paid quarterly in advance.

Officers Elected.

The election of officers, which was keenly contested, resulted as follows: President—John Jacobs.

Recording secretary—Herbert Hollingshead.

Financial secretary—Herbert Fountain.

Treasurer—Jas. McCandless.

The election was held under the Hare-System system of proportional representation, which is coming into favor in labor circles.

Four candidates were nominated for the presidency. Neither received a majority at the first count of the vote but the lowest candidates were dropped, and then second choice votes transferred until the elected candidate had a clear majority. This only required

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Bowling Season at the Liberal Club

The executive of the Young Liberal Club met last evening, with President Arthur Sippi in the chair. It was decided to begin the bowling season on Nov. 1, when the trophy contest for the wards will be started.

These contests will be rolled two

nights a week. The teams will be strictly war teams.

The first series will end Jan. 1, and the second series will end April 1.

In addition there will be a valuable prize given away every week to the highest individual score of the week.

The meeting was largely attended by the members of the executive.

Grand Trunk Inspect East End; Look Over Improvements Being Made

Supt. Gillen Says the Coal Chutes Will Remain in London.

Mr. E. H. Fitzhugh, first vice-president of the Grand Trunk, accompanied by Superintendents Brownlee and Gillen, and Mr. W. Loudon, passed through the city this morning en route to Sarnia, where they will make an inspection of the tunnel.

The party remained over in the east end for nearly two hours and inspected the new building which is being added to the car shops.

All expressed themselves as well pleased with the progress that has been made.

Mr. Gillen Speaks.

To The Advertiser, Superintendent Gillen stated that the plan of building a coal chute at Woodstock has been abandoned, and that as soon as the new chutes at the Sarnia plant are in operation, the old street here, are constructed the old

ones will be moved about half a mile further east.

Mr. Gillen stated that the line would then be straightened, and that as soon as possible the dangerous double crossing at Eglinton street will be replaced with two tracks only, which will be arranged so that the objectionable features, such as the high board fence coming right up to the crossing, will be eliminated.

Line to Pottersburg.

Regarding the straightening of the line to Pottersburg, Mr. Gillen said that as the work was not pressing, he did not think it would be commenced this year.

He also intimated that the present yards in the east end will be very materially enlarged, as it is the intention of the company to rush as much fast freight over the new double tracks as possible.

Regarding the work at the Sarnia Tunnel, Mr. Gillen said, that the work was progressing rapidly, and that the opening would no doubt take place in the near future.

McWatters' Fund Is Now Complete; Child Will Soon Have Her Mother

Sum Contributed Totals \$151—Some Touching Stories Told.

The Martha McWatters relief fund is practically complete. It took but seven days to subscribe the required amount, \$150, to bring the little girl's mother over from her something more than a year's absence.

Capt. MacGillivray, of the Salvation Army, is out of the city today on business, and it is therefore impossible to obtain in detail the subscriptions received yesterday afternoon and today, but it was stated at the army headquarters this morning that the fund now totals \$151.

Many of the letters accompanying the contributions were almost as touching as the story of the little girl herself.

Some Stories.

One gentleman, who sent in \$5 to The Advertiser, toward the fund, wrote:

"The sweet little face of Martha

McWatters, whose picture was published in your valuable paper, was too touching to resist. My all charities be as worthy as hers."

A very prominent lady of this city in contributing \$5, wrote that she donated it "amount to assist in drying the tears of the sweet little girl whose picture she had seen."

Another contributor wrote: "I have little daughters of my own, and nothing appeals so to me as a motherless child."

Children Contribute.

Several contributions were from little girls, who had saved a dollar or so, and were willing to sacrifice their savings to the cause of their little Irish sister.

One notable feature of the cause was that it was not a people living in the city who contributed.

Farmers from nearby places sent in what they thought they could afford, and several contributions were received from men in hands, whose scanty wages meant their offering for more liberal than many of those from people to whom a \$5 bill is a trifle.

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STANDARD OIL COMPANY'S ACCOUNT TOTAL SURPLUS IS \$371,664,532

Income Account and Balance Sheet Made Public for First Time.

New York, Oct. 3.—For the first time there has just been made public the income account and balance sheet of the Standard Oil Company, of New Jersey, which is the parent of all the Standard Oil Companies of the world.

The report shows that the income has at no time been overestimated. The income account shows that while the company paid \$40,000,000 in dividends in the year ended Dec. 31 last, it carried more than \$33,000,000, and left a surplus for the year something more than \$4,750,000. Added to the previous surplus the total surplus in profit and loss accounts amount to \$281,000,000, or more than nine times the amount of the great fire.

The balance sheet of the company shows totals of \$371,664,532, as compared with a capitalization of \$100,000,000.

000,000. Apart from the capital stock outstanding and the profit and loss surplus, the only liabilities are accounts payable to the amount of \$12,264,000.

Frank B. Kellogg, counsel for the Government in its suit to dissolve the Standard Oil Company of New Jersey, will attempt to show that trust methods in restraining trade have resulted in railroads being unable to purchase any lubricating oil except from the Standard, at such prices as the Standard chose to charge. Mr. Kellogg expects to show that these prices are exorbitant.

The Standard, according to Mr. Kellogg's claim, has completely monopolized the lubricating oil market, and has either bought out or driven out practically every rival. In placing his evidence before Examiner Ferris the Government's lawyer will call to the witness stand several officials of the Galena-Signal Oil Company, a large interest in which is owned by the Standard Oil Company of New Jersey.

Several railroadmen will also be called.

Lost \$550 at Donnybrook Fair; Hard Luck of Seth Young of Chicago

Money Was Either Dropped or Was Taken by a Pickpocket.

To earn \$550 by doing the hardest kind of manual labor only to lose it out of his pocket, has been the experience of Mr. Seth Young, a former Londoner, who is at present on a visit to his brother, Mr. George Young, who conducts a blacksmith shop at 651 Dundas street.

About a week ago Mr. Young came to this city on a visit from Chicago, where he is interested in a blacksmithing business. With him he brought about \$550 in American bills of large denomination.

It was his intention to bank the money, but for some reason or another, he neglected to do so, and carried it around in his trousers pocket in a draw-bag.

Going to Donnybrook.

Yesterday afternoon Mr. Young started for the depot to catch a train for Donnybrook, where he intended to visit the Donnybrook Fair.

On the way to the depot he thought he would bank the bulk of the money in his pocket.

Learning, however, that he would not have time to do so and catch his

train, he postponed the matter until today.

After looking around the fair grounds at Donnybrook, Mr. Young started for the depot to catch the return train home.

On the platform of the train he felt in his pocket and discovered that the money was gone. Instead of getting off again and notifying the Donnybrook authorities of the matter, he came on to London and notified the authorities here.

This morning in company with a county constable he returned to Donnybrook in the hope of discovering some clue to the missing money. The bills were nearly all twenty-dollar, American gold certificates, and hope is entertained that the finder, if he be dishonest, or the thief, in the event of it having been a case of pocket-picking, will betray himself in attempting to change some of the money.

Cannot Understand It.

Mr. Young himself cannot understand how anyone could have taken the money from his pants pocket without his knowledge, and entertains the hope that the finder may prove to be honest enough to return the money.

Mr. Young lived in London all his life up until five years ago, when he came to Chicago.

For ten years he and his brother conducted a blacksmith shop on King street here, in which both were very successful.

Wants to Manufacture Engines, Etc.

Another firm has written to the manufacturers' committee asking for inducements to open a branch here. In the strictest sense it is not a firm as the promoter wants the citizens of London to subscribe between \$25,000 and \$30,000 to float the concern.

The promoter promises to employ

between 75 and 100 skilled laborers, and he will need three acres to locate his plant.

The company will manufacture engines and flash boilers, and such things.

Ald. Neil Cooper, chairman of the manufacturers' committee, will communicate with the man.

Methodist Minister Asphyxiated Was Well Known to Many Londoners

Connected With the Hamilton Conference—Interment at Melrose.

The death took place at Selkirk, near Cayuga, on Monday morning of Rev. Mr. Cohoe under circumstances that are unusually sad.

Mr. Cohoe was 61 years old, and for some time has been weak and ill. Latterly, it is stated, that his condition has been growing worse. He lived in a little cottage, and his daughter-in-law kept house for him.

Last week, it is said, she went away for a short visit.

For several days nothing was heard of the old gentleman, and a neighbor, Mr. Cotter, finally went to the house to investigate.

Failing to get any response to his knocking, he broke open a window, and upon investigation, was horrified

to find Mr. Cohoe lying upon the floor in an unconscious condition and black in the face.

Hurriedly summoning help, Mr. Cotter took Mr. Cohoe to his own home, and summoned Dr. Errel. The doctor's examination proved that the unfortunate man was suffering from asphyxiation. Mr. Cohoe never recovered consciousness, and passed away on Monday morning about half-past seven.

No one knows the story, but examination of the chimney showed that it was plugged up, and it is supposed that the old man, being cold, tried to start a fire, and was overcome by smoke and gas. Being in such a delicate state of health, he was too feeble to arouse the neighbors.

The late Mr. Cohoe