

45TH. YEAR. NO. 19510

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MAGISTRATE REFUSED WARRANT WHEN MERCHANT WAS ARRESTED

Mr. John Garvey Determined to Put Carling Street Case to Test.

WARM TIME WITH POLICE

Magistrate Holds That There Is a Case Before the Council and Mr. Garvey Was Released.

Events moved more rapidly in connection with the driving of wagons on Carling street this morning than they have for some time, and for about fifteen minutes there was a lively row.

About 10 o'clock a teamster named Egan drove up with a lorry loaded with goods for John Garvey.

Sergeant Downs happened to be coming from the police station at the time, and seeing that Egan was about to drive up on the sidewalk with the wagon, told him not to do so or he would be arrested. Egan said all right.

Chief Gave Orders.

Just then Chief Williams came along and told Sergeant Down to arrest the man if he went to drive on the walk. The chief continued his way to his office.

In the meantime Mr. Garvey appeared on the scene and told the teamster to get off the rig and let him drive up to the door.

Sergeant Down remonstrated, but Mr. Garvey told him to get out of the way or he would be run over, and taking the lines drove the horse up to his door.

Wholesaler Arrested.

Mr. Garvey was promptly arrested, and a big crowd followed as Sgt. Down took him across the road to the police station.

Chief Williams hearing the noise, opened his office windows and looked out, and seeing Mr. Garvey coming in charge of the sergeant, went into Magistrate Love's office to get him to sign an information for Mr. Garvey's arrest.

A Nice Point.

Magistrate Love refused, however, to do so, and said that Mr. Garvey ought not to have been arrested, as there was a case before the court still unsettled, and awaiting some action by the city council.

Chief Williams returned hotly that he was going to do his duty and act under the bylaw, as it is at present. Without any signature of the magistrate, however, the chief was powerless to arrest Mr. Garvey, and had to let him go.

Mr. Garvey states that he is ready for any trouble that the police may try to make for him, as he is at perfect liberty to drive on his own property if he likes.

Chief Williams Speaks.

Chief Williams, when seen by The Advertiser, at noon, stated that yesterday he had received the following letter:

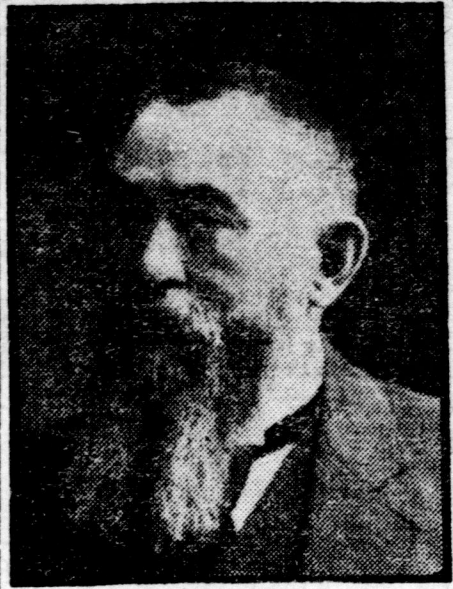
"W. T. T. Williams, Chief of Police: 'Dear Sir.—On behalf of certain property-owners on Carling street, we are instructed to notify you that the city bylaw relating to driving on sidewalks is being daily, almost hourly, broken opposite the premises of John Garvey, A. Sorensen, M. Masurek & Co., and D. S. Parrin & Co., and perhaps other places on Carling street. It appears to our clients and to us that the master of the enforcement of the city bylaw is scarcely one within the discretion of the police department, but that it is your duty as chief of police to see that no discrimination is made in the administration of justice, and on behalf of our clients we have to request you to do your duty in the matter. It is not necessary that a private citizen should lay such information; it is the duty of the police, under your instructions, to protect the public interests and enforce the bylaws. Your truly, 'BLACKBURN & WEEKES.'"

Dr. Wilson Complains.

Dr. James Wilson had also come to his office and told him that a meeting of the ratepayers had been held that morning, and that they wished him to take action.

In consequence of this, he had notified all merchants and others whose stores have entrances on Carling street not to drive on the sidewalks. The teamster driving up to Mr. Garvey's was the first case that had come under his notice since, and Sergeant Down was acting under instructions in ordering the man not to drive on the walk.

Chief Williams says that all he is trying to do is to obey the bylaw, and until it is changed or some action is taken by the council regarding it, he has no other course.



MR. JOHN GARVEY.

SECTIONMAN KILLED AT TECUMSEH, ONT.

Tecumseh, Ont., Nov. 13.—Sectionman F. Hennin was struck and instantly killed here this morning by a Wabash passenger train No. 1, going west. He was standing on the track watching the way freight-shunting, and did not notice the approaching train.

KIMBALL RELEASED ON \$15,000 BAIL

Chatham, Nov. 12.—An order was received here today directing Elliott J. Kimball, the former police chief of Leamington, who is awaiting his second trial for slaying a fleeing man, be released on bail till next spring. Bail is fixed at \$5,000 for Kimball himself, and two securities of \$5,000 each, making \$15,000 in all.

MR. W. S. SAUNDERS TO BE APPOINTED

Will Likely Be Named Assistant City Treasurer of London.

The question of an assistant treasurer will be taken up this afternoon by the finance committee. It is quite probable that Mr. W. S. Saunders, son of A. H. John H. Saunders, will be given the place. There are many applicants for the place.

MARJORIE STEVENSON WON PRIZE IN COLLEGIATE COMPETITION

Bright South London Girl Wrote on the Subject "Canada of the Twentieth Century" and Was Presented With the Gilean Ring—Other Prize Winners.

The annual presentation of prizes to the Collegiate pupils took place this afternoon at the institute. Both assembly rooms were filled to capacity by the students and their friends. The board of education attended in a body, and Mayor Stevely, ex-Ald. Gilean, and Vice-Principal R. A. Little presided over the senior assembly room, and Mr. Guy Andrus over the junior. The affair was most successful.

Won Gilean Ring.

The winner of the Gilean diamond ring was announced, and the prize was awarded to Miss Marjorie Stevenson of South London. Her subject was "Canada of the Twentieth Century." Ex-Ald. Gilean also donated a ring to the prize winner, Miss Marjorie Whittaker.

The winner of the \$10 prize donated by Mr. Fred W. Daly for the best essay on "Peace vs. War," was won by Gladys Pulling, who last year won the Gilean prize.

The essay prize donated by Mr. Frank Lawson was won by Jack Barnard, who wrote on "A Personal Experience." The Dick Grant trophy for the relay race between the St. Marys, Stratford and London Collegiate Institutes was presented to the team of winners—Tom Walker, Lawrence Gillis, Chas. Wortman and Will Mann.

WILLIAM WATCHER WAS COMMITTED

East Middlesex Alleged Bribery Case Given Preliminary Hearing.

WILL COME UP IN JANUARY

Counsel for the Defence Saves His Powder for a Higher Court.

The preliminary hearing of the case of William Watcher, accused of attempted bribery in the recent East Middlesex election, came up for hearing before Squire Chittick yesterday afternoon, Watcher being committed for trial.

Mr. James B. McKillop was the prosecuting attorney, with Mr. P. H. Bartlett assisting him. Mr. J. M. McKillop acted for the defendant, though making little effort to influence the case, saving the powder, as he said, for the more serious consideration of the matter in another court.

James Johnston, who lives on the town line between Dorchester and Westminster, was the first witness called. He told of the accused's visit to him on the evening of the 21st of October.

A spirited set-to occurred between Mr. McKillop and Mr. McKillop, regarding the admission of the conversation between Johnston and Watcher as evidence. Magistrate Chittick was of the opinion that the evidence was to the point, and Mr. McKillop challenged the decision in rather warm language, saying it was unfair.

"I have a right to my opinion, I think," replied the magistrate. "Did Watcher tell you the object of his visit?" asked Mr. McKillop.

"Yes, he asked me what I would take to stay away from the polls," replied Johnston.

Mr. McKillop again challenged the evidence, remarking that if this testimony, which had no bearing on the case of Cinnamon Piott, who was alleged to have been bribed, and hence so manifestly against justice, was allowed, he would withdraw from the case, and by mutual consent, Johnston's answer was dropped from the evidence.

Cinnamon Piott.

Cinnamon Piott was the next witness called. He was a resident of North Dorchester, was entitled to vote, and had known the accused for a number of years.

He had met Watcher on Tuesday, Oct. 20, when about a mile from home (Continued on Page Two.)

Other Prizes. Among the other prizes presented were the following: The Beck Medalist—Christine Merchant. The White Medalist—Muriel Boyce. The Pocock Prizewinner—Robert C. Copeland. The Alan Gibbons Memorial Medalist—Jessie R. Phoenix.

The Barnard Medalist—Marjorie Plastow. The Graham Medalist—Eleanor Stinson and Challoner Benson. The Stevely Medalist—Olivia Ball and Jack Barnard. The Westervelt Medalist—Clifford Richardson. Armstrong Prizewinner—Wilbur Knott.

Winners of Diplomas—Commercial Course. Vivian Ackland, Edith Emery, Ethel Jarvis, Wilbur Knott, Lorne Linford, McRae, M. Robinson, Clifford Richardson, Josephine Whitehead and Robert Stephenson.

Winners of Diplomas—General Course. Pass—Nina Clark. Honors—Challoner Benson, Irene Challoner, Vida England, William Ford, George Ironsides, Gertrude Manning, Allan MacDonald, Victor Mooney, Gladys Pulling, Glenn Pulling, Lillian Robinson, Eric Reid, Eleanor Sifton, George Shaw, Bert Shaver, Leah Thomas, Stella Winnett, Tom Walker.

Winners of Penmanship Certificates. Vivian Ackland, Clifford Blackall, Edith Emery, Gladys Freeland, William McGeoch, Mary Robinson. Senior Championship—Jack Pope. Junior Championship—Ralph McPhillips.

Miss McIntosh, formerly teacher of domestic science at the Collegiate, received a presentation from the teachers on the staff.

TWELVE CARS PASSED ACROSS HIS BODY

Orillia, Ont., Nov. 13.—While John Campbell was coupling cars this morning at 12:30 he slipped between two of them, twelve cars passing over his body. He was not missed for some time, when the crew of another train saw the remains on the track. He had been employed as brakeman by the G. T. R. for eighteen months.

Building Permits Will Increase.

There will be a large increase in the number of building permits issued this year, owing to the new regulations. It is necessary now to take out permits for every sort of building, and as a result City Engineer Graydon can keep tab on every building erected in the city.

This morning six permits were taken out, as follows: By Mr. Thomas Copp, for a two-story brick residence on Beaconsfield avenue; Charles Bricklin, for a story and a half brick veneer on Regent street; A. Patterson, for a two-story brick veneer dwelling on Colborne street; Mrs. Little V. Chalcroft, for a one-story brick veneer cottage on Colborne street north; and S. H. Foxworthy, for a story and a half brick dwelling on Colborne street.

NO TRACK ELEVATION AS YET WILL GO OVER TILL NEXT YEAR

Feeling Around the City Hall That the Grand Trunk Railway Will Make No Move Until Municipal Elections Are Over in London.

The impression prevails at the city hall that no serious negotiations will be entered into by the Grand Trunk Railway Company for the elevation of the tracks in the city until after the new year.

No word has been received by City Engineer Graydon nor Mayor Stevely as to the time when Chief Engineer Kelly will visit London and go over the ground. At Sarnia yesterday it was stated by a man high up in official circles that none of the officials really knew when Mr. Kelly would come, or when the discussion would be taken up seriously.

A New Council.

There is but a short time until a new council will be chosen, no more than seven weeks. To talk over the negotiations with the present council would be a waste of time, as there is no doubt the matter could not be settled in the intervening time.

It will take a considerable length of time to discuss the question from every angle, and with a number of aldermen looking for votes, the railway people think that they would not get as good a deal as under other circumstances.

Will Come Eventually.

There was no doubt expressed among

Favorably Impressed.

Mayor Stevely has brought the matter to the attention of the officials, and they were favorably impressed with the arguments advanced by him and Ald. Beattie for track elevation, and they have consented to open negotiations.

But there is no doubt that nothing will be done this year, and it is also more than probable that Mr. Kelly, the engineer, will not be in London until after the new year.

He is at present going over the original plans of Mr. McGuigan to familiarize himself with the work.

Husky Party Started a Fight Arrested, Bailed and Back for More

Was Finally Kicked Out of Hotel and P. M. Fined Him Ten.

A peculiar case was heard in the police court this morning, when a husky-looking party appeared on a charge of being drunk and disorderly. It seems that the culprit went into a local hotel last night under the influence of liquor, and asked for a glass of buttermilk. He got into an altercation with the bartender, and a fight resulted. The police were called, and the obstreperous one was taken to the police station. He at once went back to the hotel and started more trouble with the same bartender. Finally he was thrown out of the hotel.

"You certainly were looking for trouble," said Magistrate Love, "and I will fine you \$5 and \$4 10 cents."

William McDonald, an Indian listed, was fined \$10 and \$2 cents for being drunk.

John Collins, a young farmer from Strathroy, came into the city yesterday and got helplessly drunk. The police found him wandering around the streets with a large sum of money in his pockets, and fearing that he would be robbed, took him to the station. This morning, Collins absolutely denied that he had been drunk at all. Had he admitted the offence he would have been let go as a first-timer, but in order to prove to him that he was drunk, Magistrate Love remanded Collins until tomorrow, when the evidence will be taken, and in all probability he will be fined.

Five wheelmen paid one dollar each for riding on a sidewalk.

Several first-time drunks were allowed to go.

Police Are After Overcoat Thieves Who Made a Raid the Other Night

Many Valuable Garmen's Taken When Sheffield Choir Entertainment Was On.

The local detectives are trying to round up a gang of overcoat thieves who on the night of the visit of the Sheffield Choir went around to different hotels and succeeded in purloining at four valuable overcoats.

At the Tecumseh House a valuable coonskin coat worth \$125, the property of Mr. John Dillon, was taken, and a coat belonging to Col. A. M. Smith. At the Grigg House the thieves stole a coat belonging to Mr. R. D. McIntyre. The theft of another coat has also been reported at the police station.

The detectives are warning all hotel-keepers to be on their guard, as they believe the thefts are the work of an organized gang of thieves.

at fault not to work, and that it would be folly to put any more of the stuff on the street, as it would do no good, and in a short time the road would be as bad as ever.

They are willing, however, to make a good macadam road out of it. They will roll a lot of good gravel into it, and put it in first-class condition, provided, of course, the city will release the \$300 held back as a guarantee.

City Engineer Graydon favors this plan, and declares that nothing but a macadam road can be made out of it. The whole matter will be allowed to go over to next year's council to deal with, as it is impossible to fix the street this year.

and Mr. Goodeve, Conservative, beat Mr. Smith-Curtis in Kootenay. Yale-Cariboo—Burrell, Conservative, 2,781; Ross, Liberal, 1,943. Bunting, Socialist, 417. Kootenay—Goodeve, Conservative, 3,100; Curtis, Liberal, 2,178; Davidson, Socialist, 1,213.

THE GRAND TRUNK CELEBRATES ELECTRIFICATION OF TUNNEL

Notable Gathering of Railway Officials Attend Formal Opening of the Big Tube at Sarnia Under the New Conditions.

[By Our Own Man.] Sarnia, Nov. 12.—The electrification of the Sarnia tunnel was completed today, when the Grand Trunk Railway Company officially took over the tunnel from the Westinghouse Electrical Company. There was a notable gathering of railroad officials and newspapermen from Canada and the United States. A banquet was held at the Vendome Hotel after the inspection, and the company and the contractors were congratulated on the successful consummation of so important a work.

The tunnel was completed in 1890, and has been in operation eighteen years, a monster type of engines being used to haul the trains. Under the old system a trip through the big hole was not a pleasant experience. There was always a large amount of gas present, especially on a damp day, and this constituted a menace to both railwaymen and passengers. About five years ago six trainmen were suffocated in the tunnel, when a train broke in

two. Since then the Grand Trunk has been endeavoring to solve the problem. It was a difficult task, but the success of the experiments persuaded the company, as well as the Westinghouse people, to whom the work was intrusted, and operated successfully. A few months ago the work was completed, and since then trains have been brought through by electricity. Yesterday marked the final taking over of the work.

A Wonderful Improvement. And the improvement is really wonderful. A trip through the tube is no longer to be dreaded, but rather is a pleasure, so much so that one of the speakers at the banquet suggested that the company run moonlight excursions, as he was sure it would be a success.

In the morning the railwaymen and newspaper writers arrived at Sarnia. Two special cars were attached to No. 1, containing the Canadian officials, and they were joined at Port Huron by the American party.

Welcomed by the Mayors. Mayor Proctor of Sarnia and Mayor

(Continued on Page Three.)

Western Fair of 1909, Sept. 10 to 18 Board Has a Surplus of \$10,334

Reports Read at a Meeting Held Yesterday Were Highly Satisfactory.

The regular board meeting of the Western Fair Association was held in the board room of the association on Thursday at 2:30 p.m., with the president, W. J. Reid, in the chair. Those present were: George G. McCormick, J. W. Little, George Scatcherd, Wm. McNeill, J. Murray, J. W. Jones, R. McKeown, Ald. Saunders, Dr. Routledge, Wm. Moore, C. E. Treblecock, R. A. Carrothers, Superintendent Brown and Secretary A. M. Hunt.

The minutes of the last regular meeting and the intervening executive meeting were read and approved.

Next Year's Fair. The date of next year's exhibition was fixed to be from Sept. 10 to 18. Following this a statement was read of the amount of prizes offered, the amount of prizes won, the number of

entry fees taken, and the number of exhibitors in each class, the secretary to furnish each member of the board with a list of the above upon request. A recommendation was drafted to the new board suggesting that more classes be added in several of the departments for next year's exhibition.

Very Satisfactory. The secretary reported a very satisfactory year, everything having been settled without difficulty. The affairs of the association proved to be in a very flourishing condition, with everything pointing to even greater prosperity in the future.

After expending \$6,000 on the buildings and grounds, and defraying every expense connected with this year's exhibition, there will be a comfortable balance of \$10,334 still standing to the credit of the association.

At the regular annual meeting of the association, to be held the third Wednesday in February, the new board will be elected and reorganized, and matters put into shape for next year's exhibition.

London Co. Will Build Apparatus For the Two New Fire Stations

No. 3 Committee Recommends Acceptance of Tender at the Meeting Last Night.

A meeting of No. 3 committee of the city council was held in the city hall yesterday afternoon at 5 o'clock, and various important matters were dealt with, including a raise in salary for Chief Aitken and the extension of the street-lighting contract with the London Electric Company.

It was decided to recommend that Mr. Aitken be given \$1,400 per annum.

Mr. Judd Objects. The new contract with the London Electric Company, as drafted by the city solicitor, was strongly objected to

by Mr. J. C. Judd and Mr. C. B. Hunt, on behalf of the London Electric Company, as one clause, it was claimed, practically cancelled the company's franchise.

"We will sign a contract that contains the additional clauses as recommended by the committee, but we certainly object to that contract, and although we will sign it, we will have nothing to do with it," said Mr. Judd.

What Was Understood. The aldermen were under the impression that the contract was but a continuation of the old one, with the understanding that the city was to pay for all extensions; that the contract could be cancelled by a three months' notice, and that should the contract be continued for five years the money paid by the city for extensions should be

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New Great Canadian Iron Company

Montreal, Nov. 12.—The announcement is made of the formation of a gigantic consolidated company, comprising the various iron industrial concerns, owned and controlled by the Messrs. Drummond, of this city, with a capital of \$8,000,000, and will be known as the Canada Iron Corporation, with Mr. Thomas J. Drummond, as president.

Chief among the industries which will form the newly-organized corporation is the Canadian Iron and Foundry Company, of which Mr. T. J. Drummond is vice-president, and one of the leading spirits, with works at Fort William, St. Thomas and Hamilton, in the Province of Ontario, and Montreal and Three Rivers, in the Province of Quebec, and Londonderry in the Province of Nova Scotia.

Dan McGillicuddy Appeals the Case

Calgary, Alta., Nov. 12.—The Daily News, in view of Mr. McGillicuddy's appeal to the supreme court of the province, feels the case to be subjudice, and was therefore not in a position to make a direct editorial comment today.

The fact that the jury added a rider advising the Eye-Opener to be suppressed if filthy matter is published in future, combined with Judge Beck's condemnation of the paper as "debasing, corrupting and immoral," and the releasing of the defendant from the paying of costs, is regarded by

those whom the college desires to honor at this time. Among these are four alumni of Knox, including Rev. Wm. J. Clark, of Westmount, Montreal, formerly pastor of the First Presbyterian Church in this city.