LONDON, ONT., FRIDAY, MARCH 1, 1907.—10 PAGES.

TWO CENTS.

THA

His Wife's "Natural, Real Goodness" Triumphed Over Attorney's Wiles

AN UNINTERESTING DAY

Dr. Evans on Stand Throughout Session Under Cross-Examination

"With chances millions to one against her, after the catastrophe 1901, it is wonderful that Mrs. H. K. Thaw prevailed in the cross-examination against the prosecution backed by black-legs. Her testimony was absotruth."-Corrected state-of Harry K. Thaw in

NEW YORK, Feb. 28 .- Harry Thaw enlivened the extremely dull session of his trial to-day by furnishing the newspapermen with a brief statement, in which he accused District Attorney Jerome of having made unprofessional remarks in court, asserted that his wife's testimony was absolute truth, and declared that Mrs. Thaw's "natural, real goodness," was above the comprehension of the prosecutor. It was just before adjournment for the day, and after long hours of weari-

some expert testimony as to the sane or insane character of the defendant from the extracts of eight letters writ-ten by the defendant and hitherto read court, which caused the sensation by giving his statement in court. The cirumstances attending the delivery of the statement to the newspapermen were about as interesting as the statement Itself, which reads as follows:
"This is Mr. Thaw's second

statement since August 18. With chances millions to one against her, after the catastrophe 1901, it is wonderful that Mrs. K. Thaw prevailed in the cross-examination against the prosecution, backed by blacklegs. testimony was absolute

ting near the defendant read over the latter's shoulders the two opening para-terday with the extracts from his stateprinted in display type, Thaw was much chagrined.

To-day, in court, he took the reporter o task. He said he had not intended making the statement public until the end of the trial. He further asserted that many mistakes appeared in the portion of the statement which was published, and added that he might make a correc-

Last night in his cell in the Tombs, Thaw completed his statement, and to-day after he had spoken to the reporter who had looked over his shoulder, he handed the original draft to another reporter, whom he has known for many years, and in whom he had implicit con-He also handed the newspaper

man a brown envelope.
"Seal the statement in this envelope," said Thaw, "and write your name across the flap. I am going to have some typewritten copies made, and when they are completed I want you to compare them with the original, and if they are all right they will be given out.'

Statement Appears. Daniel O'Reilly, one of Thaw's coun-

of Thaw's statement, but could not give it out until the defendant directed him to do so.
Later the typewritten copy suddenly appeared in court. Attention was first attracted to them by Thaw's handing a carbon copy to his newspaper friend, and asking him to compare it with the original. Four or five other copies lay on the counsel's table in front of the defendant. One of the reporters reached over, picked up the copies, and hastily left the court room. He was quickly followed by other reporters, and soon the statement was flashed into newspapers through out the country. The copies and the original were exact, and then said that he was content to have the statement released as a correc ion of the garbled statement which appeared yesterday afternoon and to-day i Hartridge, of Thaw's counsel, and Mr. Delmas declared later that they had no knowledge of the statement having been prepared or issued.

Dr. Britton D. Evans, the alienist, was in the witness chair all of to-day undergoing cross-examination at the hands of Attorney Jerome.

Continued on Page Eight. CLOUDY AND MILDER

Special to the Free Press.
TORONTO, Feb. 28, 8 p. m.—Showers
have occurred to-day in Southern British Columbia and very little flurries in Ontario. Otherwise fair weather has prevailed throughout Canada, with no immum and maximum temperatures: LONDON, 6-26.5; Dawson, 26 below-4below; Atlin. 4-10; Victoria, 42-52; Vanbelow; Atlin, 4—10; Victoria, 42—52; Vancouver, 36—42; Calgary, 6—32; Edmonton,
10 below—26; Qu'Appelle, 12 below—6;
Winnipeg, 20 below—8; Port Arthur, 2
below—18; Parry Sound, zero—20; Toronto,
9—20; Ottawa, 6 below—6; Montreal, 4
below—6; Quebec, 10 below—4; St. John,
6 below—10; Halifax, 6 below—14.
LOWER LAKES—EASTERLY WINDS;
CLOUDY, WITH HIGHER TEMPERATURE AND SOME LIGHT LOCAL
SNOWFALLS OR FLURRIES.
Georgian Bay—Cloudy, with higher tem-Georgian Bay-Cloudy, with higher temperature and light snowfalls.
Ottawa Valley and Upper St. Lawrence—Fair, with rising temperature and light local snowfalls at night.
Lower St. Lawrence and Gulf—Fine and

Maritime Provinces-Fair and cold. Lake Superior-Moderately cold, with light snewfalls.

temperature and some light snowfalls.
Saskatchewan and Alberta—Fair; a months' service. little higher temperature.

SHIPPING New York—Teutonic. Queenstown—Saxonia, Majestic. Hamburg-Amerika. Naples-Cedric.

REPORTED BY WIRELESS. BROWHEAD, Feb. 28.—Steamer Staten-lam, from New York, for Boulogne and Rotterdam, was in wireless telegraph communication while passing south of BROWHEAD, Feb. 28.—Steamer Fin-

NEWS SUMMARY

LOCAL.

School officials state that London schools are practically free from danger of fatal fires, because of efficiency of fire drill. One school needs fire escapes Leslie Jones sentenced to one year Central prison on old charge of being implicated in hold-up, because of recent

Charles Christie states that for eight years he has been persecuted by people who seek life, and writes of case to

Manager McGuigan states that freight embargo will not be moved for some time to come.

Board of works considers granting \$500 to London Rowing Club, also build-ing of pavement on Clarence street, be-

tween Dundas and York streets.

Brakeman MacDonnell tells story of International Limited wreck in London yards last week to jury in Renton in-

WESTERN ONTARIO

Funeral of late Chas. Rankin at Stratford largest cortege ever seen in city. Brantford council considering removal of all restrictions on market.

The Brantford board of trade pass resolution urging help for C. N. R. proposed Sudbury branch. Presentation made to J. A. Henderson, of Ingersoll, on eve of his departure.

Settlement reached in Chatham gas Company agrees to live up to statutes. Case of smallpox discovered in home of Lorenzo house at Ingersoll. Windsor seeking permission to lighting commission formed. Protest lodged by some corporations.

Fred. Churchill, young Englishman, missing from his home in East Zorra

for three weeks. Guelph man struck by engine, escapes unhurt, being carried on pilot of engine. cooped up in box car with fighting stallions Messrs. Paisley, of Lucan, have

terrible experience between London and DOMESTIC

Strathroy.

Montreal is to have a new burlesque Citizens of Montreal demand that fire escapes be placed on schools of that

Hon. Jacques Bureau was returned by acclamation in the Three Rivers by election necessitated by his appointment to the solicitor-generalship. Mr. Oliver in House yesterday said that the account of the North Atlantic Trad-ing Company will shortly be laid on the It has been determined that the Monreal school fire originated in some rubbish in the cellar. Wiarton Echo claims that pupils at tend school in Bruce peninsula with small-pox cases in their homes. Sir Richard outlines his aged pension ideas before senate.
Col. Matheson, provincial treasurer, makes budget speech in Legislature. Mr. Pense rep. es for Opposition.

The New York hearing in the Harriwas finished yesterday. It

The worst blizzard of the season raged yesterday at the head of Lake Superior. Mayor Bright, editor of Christian Work, is dead at Barrytown, N. Y. Ambassador Bryce reaches the age limit of 70 years in May, 1908, but will

ikely be retained. British laborers by hundreds answer advertisement for help to build Canadian railroads. Harry Thaw makes statement claiming

Thaw's statement was absolute. Dr. Evans again under cross-ex-Britain's expenditure in battleships during the next five years depends on action at Hague tribunal.

May wheat closes 1/2 up on Chicago market. Prices were steady throughout. Rally in prices follows close of Harriman investigation. Both time and call money firmer. Market closed strong and active.

The Oaklawn Jockey Club of Hot Springs will test the validity of the anti-betting law.

Spittal and Smith, the Ottawa hockey sel, said later that he also had a copy players, was fined \$20 for assaulting members of the Montreal team. Eastern League adopts schedule as arranged by committee. Crowley, of Peterboro O. H. A. seniors,

will turn professional. The entire team probably follow suit. A heavy rainstorm at New Orleans causes the handlcap to be declared off.

The Berlin O. H. A. intermediates defeats Smith's Falls at Port Hope in semi-final match 3 to 0. C. I hockey team defeats Ingersoll C. I.

C. N.'s BILL HEARD

Mr. Emmerson Objects to Giving Toc Long Extension to Road. From Our Own Correspondent.

OTTAWA. Feb 28 .-- When he Canadian

Northern Railway bill, authorizing ten duced the inneagon nothing. new branch lines in Ontario, was taken up by the railway committee this morning a discussion arose as to the wording of the clause limiting the time for the construction of the several lines of the company. The clause read: "Unless the company commences within two years, and completes within five years, after the passing of this act, the lines of railway which is hereby or has heretofore been authorized to construct, the power granted for construction power granted for construction shall cease with respect to so much of the said lines as there remain uncompleted." Mr. Emmerson objected to the phrase "or has heretofore been" as giving a blanket extension to all the company's existing charters. He regarded it as a surreptitious attempt to obain legislation. Upon the minister's suggestion the bill

BRYCE'S RETIREMENT

general examination.

Reaches Age Limit in May, 1908, but Will Likely be Retained.

LONDON, Feb. 28 .- In the House of Commons to-day Mr. Liddell, Unionist. wanted to know whether Ambassador Bryce at Washington would be compeli-Manitoba-Cloudy, with much the same seventy in May, 1908, and whether he

Foreign Secretary Grey, in reply, said the Premier would recommend to the business methods were exercised in classes. King the retention of the ambassador's every department of the Government, matter to

BUREAU BY ACCLAMATION. From Our Own Correspondent.
MONTREAL, Feb. 28.—Hon. Jacques

"I have no apologies to make for the increased expenditure. We had the money and we spent it. We paid it out for the people. When our opponents talk of increased expenditure, as they no doubt will, I do not want them to be vague. I want them to say where the increase went."—Col. Matheson in the Legislature vesterday.

Col. Matheson's Able Presentation Government's Financial Condition Shows Strong Businesslike Methods Lennox (S. Simcoe) called attention to the fact that the records in the department of justice were incomplete respect-

Provincial Treasurer Points to Surplus of \$1,050,000 in Two Years and Defends Increased Expenditure as Being for the Good of the People

From Our Own Correspondent. TORONTO, Feb. 28.-In the legislature to-day Col. Matheson, the provincial treasurer, delivered his annual financial

It was characterized later on by Mr. Pense, the opposition's critic, as "a great budget speech." Hon. Richard Harcourt, who since the Conservatives came into power, has appeared in the capacity for his colleagues, was not in his place during the afternoon. He took his seat this evening only while Mr. Pense was speaking. Mr. I. B. Lucas concluded the debate for the moment, an adjournment being then agreed upon until Tuesday. Premier Whitney occasion to suggest that more work must be done each day, the session to-night was the first of its kind this session, if prorogation were to be reached by

Eastertide. Hon. Mr. Matheson said that in laying before the House the financial statement of the province, he wished to express his regret at the absence who was for five years, before the accession of the present ministry, pro-nounced treasurer of the province. He was glad that the member in question had been selected by the Dominion government for an honorable place of rest n his old age.

Reason for Greater Outlay Mr. Matheson wished to draw attention to the growth of the province during the r it two years, which had involved a uch greater outlay, especially for cation. All the services of the property e had been found stinted by the polynomial entire the old regime, it was necessary to employ control of the property of the pr ploy capital expenditure to meet the

requirements of the service. Simply by treating the resources of Thaw began the preparation of the statement yesterday afternoon. One of the newspaper tables adjoins the one used by his counsel, and a reporter sitting near the defendant read over the withstanding a largely increased expenditure, they were able to announce a

In the two years there had been, over and above all expenditures, a surplus of \$1,050,000. During the past year there were two loans, most of which had gone into the Temiskaming Railway. The lands, forests and mines revenue was \$216,000 in excess of expenditure, one-half of which came from the sale of Cobalt Lake. Their predecessors had sold a pulp concession for next to nothing, but the present minister had abrogated the contract and then sold the concession for \$300,000.

Mr. Graham wanted to know if the mills had to be erected in New Ontario. To Be Built at Ottawa Mr. Matheson replied that they were to be built at Ottawa, which would en-able them to be supplied by Canadian merchants, and would not permit of contracts going to American concerns,

as was the case under the old admin-Turning to the amounts mentioned in the estimates the speaker said that the total expenditure was \$383,000 less than was mentioned in the estimates. To his mind it was necessary that he treasurer of the province should see that everything was done that would maintain the credit of the province, so that capital would not be discouraged. They had been urged to tax railways off the face of the earth. That was not in the public interest. Michigan was held up as an example. But last year, as a result of their laws, only 88 miles of railway were built in a State that required just as much railway as did Ontario. Here the tax was, in his opinion, just about what it should slight advance might be neces-But during the year the total amount of railway constructed in Ontario was 462 as against 88 in Michigan. Surely it was more for the benefit of taining an annuity guaranteed by the the people of this country that they state for his years of age. He said that should have competition between several lines than would accrue merely from a high rate of taxation. The people were the opportunity of buying a willing to aid railways in every way, in the form of an annuity. so great was the desire for superior railway facilities. In Michigan, on the hand, oppressive taxes had reduced the mileage of new construction

Capital Account

Capital account was made up bonuses on timber limits and from the sale of mines. Capital account had no reference to any revenue that would not be counted upon from year to year. The capital receipts were \$635,000, while after meeting all capital. there was a surplus of \$400,000, a thing which could not be said under the old Government. Under the former regime the difference was made up by the sale of timber limits. In the expenditure of 1906 there had been an increase of over one million, apparently, but not really. The Temiskaming Railway had brought to the

treasury \$150,000, enough to pay the interest on the loan required to construct to a sub-committee for railway tax-a thing there had never The increases on civil government were of public institutions also made large stances of all the patients in asylums an hour and on

> of \$146,000. Business Methods Everywhere

TWO YEARS OF GOOD GOVERNMENT

By treating the resources of the province as business men the present government had not only been able to pay their way, not-withstanding a largely increased expenditure, but were able to an-

In two years there has been over and above all expenditures a surplus of \$1,050,000.

The lands, forests and mines revenue was \$216,000 in excess of expenditure, one-half of which came from sale of Cobalt Lake railroads had not been overtaxed, as urged by the opposi-

tion. Michigan was. Eight y-eight miles of railroad was built there last year, against 462 in Ontario. The increased expenditure in civil service was due to need of

The Temiskaming road is on a paying basis, due to Mr. Englehart. The government has enough to finish the railread and all its branches.

REALLY GREAT SPEECH MR. PENSE'S ADMISSION

Provincial Treasurer Matheson's Budget Address

From Our Own Correspondent. TORONTO, Feb. 28.-In opening his reply to the budget speech of Col. Matheson in the Legislature to-day, Mr. Pense, of Kingston, said that he wished there were more bouquets thrown across the floor of the House. The treasurer had spoken appreciatively of the Hon. G. W. Ross; it was now his pleasant

Opposition Finds Little to Critservative Government, unlike some others, was rich beyond the dreams of varice. Mr. Pense said they were probably reaping the reward of their victues. (Ironical laughter.)

Canada had experienced three of prosperity; in the sixties when the commerce reciprocity treaty existed between Canada and the United States; in the seventies and early eighties, which would please the honorable gentlemen opposite, when the C. P. R. opened up another empire in the west; and now when the Grand Trunk Pacific about to extend the bounds of the inhabitable regions far to the part that the Liberal party had taken in building the Temiskaming and Nor-thern Ontario Railway enabled the Opposition of the day to claim no small measure of credit for the satisfactory udget that the provincial treasurer had been enabled to announce that day. Continued on Page Five.

SIR RICHARD LAYS PENSION MEASURE BEFORE SENATORS

Points Out That Scheme to Pro- Wiarton Echo Points Out Startvide for Aged Workers Can Be Carried Out Without Cost to the Government

From Our Own Correspondent. OTTAWA, Feb. 28 .- Sir Richard Cartwright announced in the Senate to-day that although the rules did not permit the introduction of a money bill in the Senate, he had drawn up a bill embodying his ideals on the subject of old-age pensions and would submit the bill to the Upper House for discussion. In his opinion the assurance to every wageearner that he could look forward to an assured income provided by the state, in old age, would in many

found to encourage improvidence. Sir Richard said he did not believe in old-age pensions for Canada, but thought the wage-earner should be given an opportunity at a reasonable cost of obstate for his years of age. He said that Canada could at no expense or at infinitismal expense afford wage-earners the opportunity of buying a competence Three Things Necessary

To make any scheme of old-age an-

nuities a success three things were ne-

cessary. In the first place, it should be absolutely safe and therefore should be undertaken by the state. In the second place there must be absolute freedom from any forfeiture. No scheme would be of much use to a working man if, on ceasing his pay for There must be provision allowing ther, anyway, where people are the resuming of payments interrupted at any time and the annuity must be exempt from seizure. No creditor should be allowed to lay his clutches on the annuity or any part of it. In the third place there should be no possibility of anticipating the benefits. There should, however, be a provision if a man died his heirs could recover the money he had pald in with reasonable interest. He had ascertained that allowing an interest rate of three and one-half or three and three-quarters per

cent. with the present average wage and the present average duration of chiefly made on account of the in- the present average duration of life-creases in the service. The inspection in Canada, this result could be obtained, with little or no cost to the state; nameinroads in the treasury; the circum- ly any man, by paying the earnings of not paying anything had to be examin-ed—a work that demanded a vast amount of time and labor—but which was ex-of 21 years, could be assured at the laurier, the mayor of Toronto age of 60 years of an annuity of \$120 legislature by Mayor Ekers. Available for Farmers While chiefly intended for wage-earn-

ers, annuities would be also available Mr. Matheson said he believed that and of benefit to farmers and all other Government, matter which he would like to see disservices after the age of seventy if it and that was the reason for attacks that cussed and recognized that its success was in the interest of the public service to do so. No ambassador, however, was not entitled to diplomatic pension until he had served ten years abroad.

and that was the reason for attacks that cussed and recognized that its success to depended upon the co-operation of the were cut off. The number of patients in the asylums increased in 1906 over 1904 by 383, and, on the same basis of a scheme was farge. The Government management as was indicated under the Liberal regime, the cost would have run up to \$789,000. Notwithstanding the additions made, the cost in 1906, instead tion of these could profitably invest in BROWHEAD. Feb. 28.—Steamer Finland. from New York, for Antwerp, was 100 miles south of Browhead 11 5.55 p.m.
Will reach Antwerp early Foundary.

Wontreal to-day.

MONTREAL. Feb. 28.—Hon. Jacques of being \$789,000, was only \$705,000. That annuities. The scheme would give hundred annuities. The scheme would give hundred to the death of the young man dress to the government of the countrest in th

ATTENU SCHOOLS WITH SMALLPOX CASES IN HOMES

ling Conditions in Bruce Peninsula-Men With Disease Keep on Working-Censure Board

WIARTON, Ont., Feb. 28.-Referring to the epidemic of smallpox on the Bruce Peninsula, The Wiarton Echo to-day

The Echo has not said anything about

smallpox on the peninsula, although for a few weeks we have known that this disease is rampant in St. Edmunds. Lindsay, and we are informed throughout parts of Eastnor. A newspaper, perof being quiet. No one wants to publish a thing like this from the house-But we are convinced that for silence has ceased, and the time for plain speaking has begun. Information has been given us by a prominent resident of the upper townships which throws a light upon the way that the whole thing has been handled, and which calls, if true, for most severe censure upon the local board of health. "There has practically been very lit-tle quarantine. Children from infected houses have attended school. Men stricken with this loathsome disease have kept on with their work, and others from houses where has been, have gone into public places of every kind. If these things are true, the sooner the provincial health officer is on the ground the better for "Because the disease if of a mild type is no reason for indifference, for it may develop into a type of the most

the peninsula and for this town. time, he should lost what he had put virulent character. During the cold weaback as last August we were told there was smallpox on the peninsula and that on the last days of February it should be epidemic calls for censure upon the part of those whose duty it has been to look after this matter."

MONTREAL INDIGNANT

Hochelaga School Horror Arouse People ---Fire Escapes Demanded.

From Our Own Correspondent. MONTREAL, Feb. 28.-In connection with the disastrous fire which carried desolation into so many Montreal homes, letters of sympathy have been received from Lord Strathcona, Sir Wilfrid Laurier, the mayor of Toronto, and the pected to recoup the province by a a year, and if he were willing to fore-iarge addition to the pay list of pati-ents in these institutions. In agriculture of age he could be paid an annuity then there was an increase of \$26,000. For of \$200. tablished.

The funeral of Miss Maxweil. heroine head mistress, took place today. The body was followed to the grave by an immense cortege of school children and teachers. Different schools contributed floral offerings in of the woman who gave her life to save her charges. The civic authorities will to-morrow conduct the funeral of the tots who were asphyxiated in the school death-trap.

STILL UNKNOWN

TORONTO, Feb. 28 .- Coroner Young

Had Insurance Commission Counsel Constantly in Communication, But Was Careful to Put Nothing in Writing-Records Handed Down Incomplete Opposition Claims. From Our Own Correspondent.

AYLESWORTH BOASTS

OTTAWA, Feb. 28.—Upon motion in the house to-day to go into comply, Mr. Lennox (S. Simcoe) called attention to ing the communications between the minister and counsel for the insurance commission since last May. At that time Mr. Avlesworth became minister of jus-The return brought down to the house would indicate that correspondence ceased from that date. It was evident that communications must have passed between this department and these solicitors. Indeed Mr. Aylesworth admitted that he had communicated with Mr. Shepley and Mr. Tilley frequently but not in writing. Such proceeding, Mr.

Lennox denounced as unusual, sensa

tional and unwarranted. During Mr. Fitzpatrick's incumbency, the minister of justice had refused detailed reports of every day's proceed-ings rather by letter or telegraph. How comes it that after Mr. Aylesworth came in there was not a single line, either written or received, by the minister of justice respecting these investigations? Mr. Aylesworth began his reply by saying that Mr. Lennox and others had prophesied that as minister of justice he would prove an absolute failure. He was glad that he had not pleased the member for South Simcoe by doing so. He claimed that Mr. Shepley had ceased to file reports while Mr. Fitz-patrick was still in office. They had not been resumed, and in his opinion they

Mr. Aylesworth denied that he had in any way directed the commission. He would be quite proud if he could claim part of the credit for their excellent work. He had not interfered with Mr.

ercise any supervision over the insur- porter ance commission.

tempted to privately influence the course of the insurance commission. Hon. George E. Foster said that he did not contend that the minister of

was significant, however, that a daily correspondence was carried on for months between Mr. Fitzpatrick and Mr. Shepley, and that offer Mr. Shepley, and that offer Mr. Shepley are shepley and that Mr. Shepley are shepley and that Mr. Sorden had left the firm in 1905, and the circumstance of the shepley are shepley are shepley and the circumstance of the shepley are shepley are shepley are shepley and the circumstance of the shepley are shepley are shepley and the circumstance of the shepley are shep months between Mr. Fitzpatrick and Mr. Shepley, and that, after Mr. Aylesworth came in, all correspondence ceased. True it appeared from the latter's statement that this was due to the fact that he had made it a point to put nothing on Mr. Borden went on to say that since had made it a communicate with both Mr. shepley and Mr. Tilley verbally.

Mr. Foster-"What were those instructions about? Were you discussing potatoe patches or pleasure trips? (Laughter.) Of course it was about the insurance investigation. He denounced the minister's conduct in doing public business in such a way as to have no re-cord of what he did. Were such a course to go unrebuked and to be generally adopted, it would mean the abolition of ministerial responsibility and indeed the

THE SAME JAS. WHITE

More "Easy Money" for Mr. Hyman's

Ottawa Friend From Our Own Correspondent. OTTAWA, Feb. 28.—In committee of supply in the House to-night there was a long discussion over the item of \$400,-000 for the proposed new departmental buildings, which, with a half million for the land, the acting minister said would cost three and a half millions of

dollars Mr. Taylor ventured the prediction that at the present rate of expenditure the buildings would cost nearly five millions.

The total cost of valuing and purchasing the property was \$16,514. The last property purchased was St. John's Church for \$80,000. Mr. Bennett asked if the Mr. James White, who received a large commission for valuation of this matter, was the president of the Liberal Association

who went to London to help in Mr. Hyman's election. The minister, after some hesitation, said he believed Mr. White was the Reform Association president, but did not know anything about his having gone Dr. Sproule thought that this easy money earned by Mr. White in working for the public works department district explained how he came to be so free with his funds in helping to elect the minister of public works in London.

After some further instances of public

works graft had been exposed, the item for the new buildings stood over and the

STRUCK BY ENGINE

House adjourned at 12.20 a. m

Guelph Man Carried Some Distance on Pilot

From Our Own Correspondent. GUELPH, Feb. 28.—Another narrow escape from death by a Grand Trunk en-gine was experienced last evening shortly after 6 o'clock by Mr. John Ellis, of Edinburgh road, an old resident of this city. He was returning to his home in passenger train struck his venicle E. Squarely. The horse bolted, getting off S.), cuninjured, and the sleigh was smashed cant to atoms, and by a peculiar act of Provi-dence Mr. Ellis was carried on the fender of the locomotive some distance No inconvenience had been caused by until the train stopped.

Except for some severe bruises and the shock Mr. Ellis was unhurt. He was conveyed to his home, where he will be sir John A. Macdonald with those made confined for some time, being a man nearly 70 years of age.

KENT FARMERS KICK

A. B. McCoia, M. P. P., is Seeking Remedy Against Old Law. TORONTO, Feb. 28.-Mr. A. B. Mc-

Coig. Liberal member for West Kent, is bringing a bill before the Legislature to amend the Canada Land Act. The grievance for which remedy is an old one. It appears the tion granted a large section of Southwesterin Upper Canada to a syndicate. They sold to farmers, retaining the mineral rights. Now that oil has been discovered on much of this land they are erecting derricks and other machines much to the anneyance of 709 farmers, who own 56,000 acres of the land.

FILL N. S. VACANCY NOT A FAILURE AS JUSTICE MINISTER THIS MONTH MR. AYLESWORTH

Tactics of Minister of Justice Brings Motion of Censure in House

POLITICAL JUDICIARY

Mr. Bennett Points to Degradation of Bench by Laurier Administration

From Our Own Correspondent. OTTAWA, Feb. 28.-Mr. R. L. Borden again censured the action, or rather the inaction, of the Government in failing to appoint a judge to the supreme court of Nova Scotia.

Upon two previous occasions the leader of the Opposition has proded the Government on this topic, but without

To-day Mr. Borden proceeded by the nore formal and effective methods of a straight resolution of censure.

Introducing his motion, Mr. Borden pointed out how since March 27, 1906, when Mr. D. C. Fraser was taken from the bench and appointed to the gover-norship of Nova Scotia, the vacancy in Shepley's conduct of the investigation.

It would have been useless. Moreover, Mr. Shepley would not have submitted duced the quota, with the result that the judicial business of the province the judicial business of the province the province the province that the situ-Mr. Porter (W. Hastings), said that Mr. Aylesworth was trying to evade the issue. How had the minister performed his duties? Apparently he failed to expectation was a scandal, and all this so that the position of a judgeship could be kept dangling before a political support of the failed to expectation.

Mr. Borden here observed that upon Sir Wilfrid Laurier doubted if it were the rather indelicate manner in which any part of Mr. Aylesworth's duties to follow up the various commissions and question put in the House as to protest follow up the various commissions and committees. He denied that the Government or any member thereof had attempted to privately influence the course of "Borden, Ritchie & Christie."

The fact was that Mr. Borden had

paper and to communicate with both Mr. pointments had been made in Canada. yet this one in Nova Scotia had to be Mr. Aylesworth—"Did I say that I gave them instructions about insurance matters."

Mr. Foster—"What were those instructions are instructions about insurance matters."

Mr. Foster—"What were those instructions are instructions are instructions about insurance matter of this serious question as a matter of common political patronage. Mr. Bor-den concluded by moving a resolution setting forth the facts as to the vacancy in Nova Scotia, and declaring that in the absence of any reasonable explanation "the prolonged delay constitutes a disregard of public duty which the disapproval of this House.

Mr. Aylesworth contended that there was nothing unusual in the case. It frequently happened in other parts of Canada that a court of appelate jurisdiction was deprived of a quorum because one of the judges happened to be the trial judge in a particular case. He pleaded ignorance of the fact of Mr. Borden's absolute retirement from the firm supposing that his name was was nothing unusual in the case. the firm, supposing that his name was left on as his own was in Toronto, for the sake of what prestige it might be

supposed to bring.
"I told the minister the facts two
weeks ago," said Mr. Borden.
Persists in Contention All the same the minister said it meant no offence. As to the legal sit-uation in Nova Scotia there would be no important sittings until the spring assizes, except a small appeal docket in March and the appointment would be made before that date.

At this there was stage whispers of "Good-bye, Laurence" from the opposi-

tion.
Mr. Lancaster (Lincoln and Niagara). paid his respects to Mr. Aylesworth. It had been a matter of surprise when the Premier had appointed him to his present place. The Opposition took the position that they would give Mr. Aylesworth a fair show, but it was idle to show him any consideration. Every day he becomes more offensive to the House and indifferent to the rights of the peo-ple. He could not find time to appoint a supreme judge in Nova Scotia, but he had found time to create a new office and to appoint his brother, G. A. Aylesworth, to the position Mr. Roche (Liberal, Halifax), thought there was no crying demand in Nova Scotia for another judge. He could not find anybody there had ever given the matter a thought. Mr. Roche then eulo-

gized the supreme court of Nova Scotia. He thought that it was far ahead of the supreme court of Canada.

Roche , the Dodger Mr. Boyce (Algoma), was not surprised that Mr. Roche did not want any judges appointed. That gentleman had been dodging courts and judges for three years; otherwise he would not be in the House to-day. The delay in filing this vacancy helped to further prevent the trial of the Halifax election cases. Mr. Boyce asked if the gentleman for Colchester (Mr. Laurence), had not been promised the appointment. Mr. Aylesworth denied that he had. E. M. MacDonald (Liberal, Pictou, N.

S.), one of the candidates for the va-cant judgeship, defended the Government. Public business had not suffered through the failure to fill this vacancy.

by the present Government. He commented upon the pending resolution. Was it not a breach of duty on the part of the Government to allow any important office to remain vacant for more than eleven months? Could there be any dispute but that the Laurier Government had degraded our judiciary? Prof. Goldwin Smith had expressed this opinion and had commented unsparingly upon the translation of Sir Wm. Mulock from the Cabinet to the

Upon division the Government was sustained. Mr. Borden's resolution being defeated. Yeas, 50; nays, 83. It was a straight party vote. The House then

CHILD WRECK VICTIM BURIED

From Our Own Correspondent GUELPH, Feb. 28.—The funeral of little Eunice Walker, the child who was a victim of Tuesday's wreck, took place this afternoon from the residence of her grandfather, Mr. J. Walker, on Yorkshire street. The services, which were amprivate, were conducted by the Rev. W.

J. Smith. Dublin Street Church.