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NINE YEARS' DAMAGES MUST BE PAID TO MR. SAUNBY

Effect of the Judgment Given in the Suit Brought
Against Water Commissioners and London.

CITY MUST ALSO PAY ENTIRE COSTS OF THE CASE

The judgment of the privy council in the case of Saunby vs. the water commissioners and London was received this morning by Messrs. Ivey and Dromgole, solicitors for the plaintiff, and Messrs. Meredith and Fisher, solicitors for the defense.

The privy council sets aside the judgment of the supreme court of Canada, given on April 27, 1904, in favor of the city, and confirms the judgment of the court of appeal of Ontario, dated Sept. 14, 1903, which upheld the finding of the trial judge, Chief Justice Falconbridge, awarding damages to Saunby, and granting an injunction to prevent the city from continuing the use of the Springbank dam, when such effected the operation of the plaintiff's mill.

The damages to be awarded to the plaintiff are to be confined to the period beginning six months previous to the issue of the writ, Aug. 27, 1897, and the city is in addition to pay all the costs of the action, including those of the appeal to both the supreme court and the privy council.

So far as the expropriation is concerned, the effect of the judgment is that when steps are taken to expropriate the Saunby property the injunction will come to an end.

When Chief Justice Falconbridge gave his decision in the case, he ordered that the plaintiff be awarded damages for six years previous to the commencement of the trial of the action, but when the city's appeal reached the supreme court, Mr. Helmuth, acting for Saunby, and contemplating a decision there adverse to the city, agreed to accept damages dating from six months prior to the suit. The judgment went against Saunby, and as this offer on the part of Mr. Helmuth appeared in the records submitted to the privy council, a member of the latter body asked Mr. Helmuth if he was willing to accept damages from that date. The reply was in the affirmative. Hence the damages do not extend back further.

However as it now stands the judgment will mean a heavy bill to be met by the city, as Mr. Saunby will receive damages from Feb. 27, 1897, until they are assessed, or a period of nine years, and the city will have to foot the entire bill of costs.

The assessment of the damages will be made by Judge Plinkie, of Woodstock. Under ordinary circumstances this would have been done by the local master, Mr. R. K. Cowan, but the latter was one of the witnesses for the defense, and was therefore debarred. The case is probably the first taken from London to the privy council, and the solicitors for the plaintiff are naturally jubilant over the outcome.

While he could give nothing definite, Mr. Ivey said today that the suit may cost the city \$20,000, in addition to what it will have to pay for the Saunby property, should it see fit to expropriate it.

STACK COLLAPSED; WORKMAN INJURED

Joseph Ryckman Had a Narrow
Escape from Being In-
stantly Killed.

Joseph Ryckman, of Simcoe street, an employee of the London Rolling Mills, was struck on the head by a piece of falling scaffolding yesterday afternoon and sustained a very severe scalp wound. He was removed to Victoria Hospital, where he was cared for. It is little short of a miracle that Ryckman was not killed. A number of workmen were engaged in putting up a scaffolding, and had been blown down by the wind, when the stack and the scaffolding they had built around it suddenly collapsed without warning. Ryckman was struck on the head by a piece ten feet long, which fell a distance of 25 or 30 feet. He was rendered unconscious. Medical aid was summoned, and Ryckman was ordered to the hospital, where his injuries were attended to. Today he is suffering greatly from the effects of a wound of the scalp, but an examination has shown that the skull is not seriously injured. The stack which was being erected is about 75 or 80 feet high, and it was scaffolded almost to the top. Through some cause the stack sagged to one side and fell, carrying the scaffolding with it. The ground for a distance every side is littered with the debris of the scaffolding, and the stack is badly damaged.

About a dozen men were working with Ryckman when the accident occurred, but fortunately none of them were injured.

The Cabinet Not to Blame for Indemnity Measure

Hon. Mr. Fielding Thinks That It Was Too Hastily Con-
sidered—Approves Salaries of Leaders
and the Pension Bill.

[By Our Own Reporter.]
Barnia, Nov. 20.—The closing meeting in the Liberal interests in the West Lambton by-election was the best of the campaign. In spite of the rumors circulated by the Opposition to the effect that neither Hon. Mr. Fielding nor any other speaker would be present to address the meeting, the Boys' Brigade Hall was packed to the doors with the most enthusiastic gathering. The principal speaker of the evening was the Hon. Mr. Fielding, minister of finance. He made one of his best speeches, and it carried conviction with it. He handled the much-discussed salary grab in splendid style, and left no doubt as to his stand. He declared that the bill had been passed too hastily. Of that there was no doubt. It should have come up at an earlier stage of the sitting, and the people taken more into the confidence of the Government. Had that been done, there would be very little discussion on that subject at this time. He upheld the grant to the judges, and the Prime Minister, and declared that much could be said in favor of the pension system. The electors of West Lambton could declare their minds on

SASKATCHEWAN ELECTIONS

Writs Have Been Issued—Polling on
December 23.

Ottawa, Nov. 21.—Writs have been issued for the Saskatchewan elections to be held on Dec. 23.

PROPHESIES MILD WINTER

Two Crops of Summer Vegetable
an Unfailing Sign.

Reading, Nov. 21.—George Hertman, a local weather prognosticator, made the prediction today that there will be no snowfall this winter heavier than one inch. As the basis for his belief he says:

"It is known that we have a summer in this climate that produces two crops of vegetables. Such was the summer of 1905. Whenever it occurs it is followed by a mild winter."

"The summer of 1877 produced two crops of vegetables and there was very little snow the next winter. This winter this winter will be very similar to that of 28 years ago."

HELD UP BERNHARDT

Actress Swoons, Crowd Is Enraged,
and Reserves Are Called.

New York, Nov. 12.—Nearly two thousand people, the greater part of them French, saw the "divine" Sarah Bernhardt rudely sold yesterday afternoon at the Morton street exit of the French Line pier. "Shocking!" "Mis-rable!" "Ignor-ramus!" "Thee-head!" and a dozen like ejaculations were hurled at the actress who had the audacity to hold up the idol of the French, and all because Mme. Bernhardt didn't have her jewel bag labeled. Madame fainted, and for the first time gave a sympathetic audience a view of the great tragedienne in a natural swoon. Colonel Jerome, who represents her collector, was Bernhardt's escort; at least, Madame had permitted her to take the colonel's arm, but she was dumfounded to find that an ordinary night watchman could hold up both the colonel and his precious charge. "Miserable!" "What can you matter?" Mme. Bernhardt ejaculated as she fell into a chair. Then up from the crowd gathered outside and from the hosts inside went a yell that was threatening the big gates of the French line pier, and a zealous patrolman scented danger. He sent in an alarm that brought the police, and the crowd of the great tragedienne. While they were pounding the streets order came out of chaos, and Madame, triumphant, was carried bodily to a carriage and driven away.

SMASHED THE FURNITURE

Found Guilty of Trespass and Must
Settle for Damages.

Fred Blackwell, who with a couple of companions smashed the furniture of Mrs. Dennis Flanagan's home in London Township on a recent Sunday, appeared before Squire Lacey yesterday afternoon and was found guilty of trespass and damages. He was fined \$10 and costs, and must pay for the damage done. In default of payment he will have to serve 30 days in jail. He has no money, as yet, paid as yet. John McPherson was brought in on a charge of trespass. He has been hanging about the reserve in Carleton, and has been caught several times. Yesterday a warrant was sworn out for him before the Indian agent, S. Sutherland, who remanded him for a week. He is said to be a vagrant and has no settled abode or means of livelihood.

This morning Chief Constable McLeod received a telephone message to the effect that a man was trespassing strangely near Squire Edwards, and was remanded for a week. Investigation as to his sanity will be carried on this week.

IMPROVING THE HERDS

Growing Demand for High Bred
Cattle by Breeders.

[Special to The Advertiser.]
Ottawa, Nov. 21.—It would appear from the high prices realized at recent sales of pure-bred live stock that the farmers and breeders throughout the country are fully alive to the importance of improving the standard of their herds of both the beef and the dairy breeds. The contention that there is always a demand for good animals at handsome prices is fully borne out. A good animal costs no more to feed than an inferior one, and more and more is the farmer becoming convinced of the fact, that although the initial cost of the introduction of a pure-bred sire into a herd may be large, that the improvement resulting justifies the price paid in the corresponding increase in the herd value. Not only are breeders of established herds introducing new blood but foundations for new herds are being laid by men not hitherto considered breeders of pure-bred stock.

At two recent sales of Shorthorns 100 head brought \$35,123, an average of \$351.23 each. At the Flatt sale, at Hamilton, 64 cattle were sold for \$27,303, an average of \$426.61. This lot included a dozen or more calves under 6 months of age. The highest price paid for a sire was \$2,100, and for a dam \$1,500. At the same sale, 100 head were sold for \$110. At the Attridge sale, at London, 30 head realized \$7,700, an average price of \$257. The highest price paid for a sire was \$500. At the Hunter sale of Ayrshires, at Maxwell, 47 animals realized \$8,225, an average price of \$173. One bull brought \$700 and one cow \$675. In this lot was included a number of calves under 2 months of age. These prices are probably the highest ever received for animals of the Ayrshire breed.

The teachings of the Farmers' Institute, the Live Stock Associations and the work of the Dominion and Provincial Departments of Agriculture is bearing fruit, it is apparent from the above facts.

TRIAL FOR FLEXEN IN DECEMBER

Prisoner Takes Committal With
Indifference—Police Tell of
Gun Play at the Cove.

ONLY ONE CONSERVATIVE

Liberal Declared Elected in High
River by Six Votes.

Calgary, Nov. 21.—On the recount of votes in High River, R. A. Wallace, Liberal, is declared elected by six votes. This means that only one Conservative is elected in Alberta. A feature of the result is that the Liberals in the election were criticised for their foreign support, yet the only Conservative candidate elected is a Russian Mennonite.

WILL ASSIST PRINTERS

Four Cents a Head to Aid in Eight
Hour Fight.

Pittsburg, Nov. 21.—At the session of the American Federation of Labor, Frank K. Foster, of Boston, secretary of the committee on President Gompers' report, read a supplementary report. The matter of the eight-hour day for the union printers was indorsed and the executive council in giving the printers moral aid and financial support was commended. The committee was instructed to continue their aid to the printers if it is necessary after Jan. 1, 1906. The committee reported that the eight-hour day for printers is in force in 268 cities and towns in the United States and Canada. An assessment of 4 cents a member was ordered by the federation to aid the printers in their contest. This assessment is expected to yield about \$30,000. The 50-cent assessment made by the International Typographical Union has been indorsed by that body by a vote of 25,948 to 6,334. Delegate Johansen, of Chicago, made a severe attack on the Industrial Workers of the World, characterizing them as enemies of free speech and free government.

ROUMANIA WANTS TWINE

Machinery Also in Demand—B. C.
Lumber in Australia.

[Special to The Advertiser.]
Ottawa, Nov. 21.—Harbeson Watson, Canadian representative of the trade branch of the high commission of the British Empire, reports to the department here that there are large quantities of binder twine and agricultural machinery required in Roumania.

H. Ross, Canada's commissioner in Australia, writes to the department that Australian farmers complain that the duty of 25 per cent on their lumber in the same marketable conditions as the Puget Sound mills, is a heavy burden. He is equal to Oregon pine, but it is not kept up to the same standard in regard to sawing, etc. This, he says, must be remedied if a fair share of this business is obtained.

IS THE TURK GIVING IN?

Sultan's Ministers in Frequent and
Prolonged Conferences.

Constantinople, Nov. 21.—The frequent and prolonged conferences of the Council of Ministers at the Yildiz Palace are believed to indicate preparations for a final decision on the demand of the powers for the acceptance of the financial reforms decided upon for Macedonia. Probably, however, the Turkish Government will make further attempts to secure modifications of the plans before definitely accepting the full programme.

The arrival of the international fleet at Piraeus is likely to hasten the Turkish decision.

A BASEBALL WAR

Comiskey Says Johnson Wants to
Sell Out to a National.

Chicago, Nov. 21.—A serious breach between President Ben Johnson, of the American League, and Charles Comiskey, president of the Chicago Club, is being organized, is treated at the annual meeting of the American League, which will begin Wednesday at the Auditorium Annex. Comiskey, who is at the head of the former organization, while Comiskey does not promise to bring any direct charges against Johnson at the meeting of the American League, he is expected to make Comiskey's direct accusation is that Johnson is on the verge of dissolution if President Johnson shall remain as his head.

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Johnson is continuing with President Hermann, of the Cincinnati National League Club, chairman of the National Baseball Commission, to consolidate the American and the National Leagues.

THE WEATHER.

Tomorrow—Milder.

London, Tuesday, Nov. 21.
Sun rises: 7:19 a.m. Moon rises: 12:43 p.m.
Sun sets: 4:48 p.m. Moon sets: 1:34 a.m.
Toronto, Nov. 20—8 p.m.
The weather remains everywhere fine and continued cold from Ontario to the Maritime Provinces; elsewhere comparatively mild.

Minimum and maximum temperatures: Victoria, 34—46; Edmonton, 30—38; Calgary, 24—38; Qu'Appelle, 32—42; Winnipeg, 28—42; Port Arthur, 26—38; Pelly Sound, 22—30; Toronto, 32—38; Ottawa, 34—42; Montreal, 36—40; Quebec, 34—42; St. John, 38—46; Halifax, 44—50.

FORECASTS.

Tuesday, Nov. 21—8 a.m.
Today—Fine.
Wednesday—Moderate to fresh easterly winds, and a little rain.

Stations.	Max.	Min.	Weather.
Calgary	32	10	Fair
Edmonton	30	18	Fair
Winnipeg	32	20	Fair
Port Arthur	26	14	Fair
Ottawa	34	16	Fair
Montreal	36	18	Fair
Quebec	34	20	Fair
St. John	38	22	Fair
Halifax	44	30	Fair

Fine weather prevails everywhere, with no present indication of any immediate return to stormy conditions. The temperature is likely to rise somewhat in Ontario and Quebec.

The highest and lowest readings of the thermometer at the local observatory for the 24 hours ended at 8 p.m. Monday were: Highest, 21.5°; lowest, 2° above.

SOME WANT HIGHER DUTIES, OTHERS ASK FOR REDUCTION

Various Interests Represented at This Morning's
Session of the Dominion Tariff Commissioners.

PREFERENTIAL TARIFF HITS SOME MANUFACTURERS

Hon. Joseph Chamberlain figured indirectly in the second day's session of the tariff commission in this city. The commission in its inquiry was waited upon by a gentleman representing the Bolt and Screw Company of Ingersoll, who claimed that since the preferential tariff came into force competition from Great Britain is becoming so keen in screws, nuts, etc., that the company is finding it very difficult to maintain its trade in Canada. The point of this matter is that Mr. Chamberlain, who made his wealth in a large screw factory in Birmingham, was the man who organized the great screw combine of Great Britain, and this combine is now coming into competition with Canadian-made screws. Thus do Canadian interests and Mr. Chamberlain's products come into contact, and Mr. Chamberlain's imperialism is also involved.

The London Rolling Mills Company asked that the duty on soft coal be reduced by 50 per cent, and Mr. White, the manager, declared himself as well pleased with the tariff in other respects as it affected him.

The cigarmakers, through a deputation, presented a resolution asking the Government not to interfere with the present excise stamps, despite the fact that certain cigar manufacturers had asked for a change in the stamps and in the duty on foreign leaf, and the resolution suggested that the Government establish experimental farms for the growing of Canadian leaf, which the men claim is not as yet a success either in growth or in the manufacture of cigars.

Several other deputations were heard, and it was nearly 1:30 when the commission adjourned to meet this afternoon. The session is being resumed this afternoon.

An Iron Duty.

J. Anderson Coulter, Morrow Machine Screw Company, Ingersoll, said that in milled machine screws and cold-punched nuts he himself was well pleased with the tariff in other respects as it affected him.

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BACK FROM THE

LABRADOR WILDS

Mrs. Hubbard Completes the
Work Which Her Late
Husband Began.

Quebec, Nov. 21.—Mrs. Leonidas Hubbard, jun., arrived here from Labrador yesterday afternoon on the steamer King Edward from Ungava, and left at once for New York via Montreal. George Elson, of Mississauga, her half-brother, who accompanied her husband on his final trip in 1903, is with her.

Mrs. Hubbard has solved the secret of her husband's fatal mistake. Leaving Grand Lake, he had ascended the Susa River by mistake instead of the Nascapee, which entered the lake three miles from its head, and behind an island which partially conceals it. By following a different course Mrs. Hubbard succeeded in ascending the Nascapee River to near its source, and also in finding the headwaters of the George River which she ascended in safety to Ungava Bay. Here she remained at the Hudson Bay fort for some weeks until the company steamer Pelican which two years ago was at Etiolet at the same time when her husband came there for furs on his way to England, passed by her passage by it to Hamilton Inlet, where she connected with the King Edward for Quebec a week ago.

NO BALLOON FOR BERNIER

Going after the Pole Again But
It Will Be in Ship.

Montreal, Nov. 21.—Capt. Bernier, addressing the Canadian Club after luncheon yesterday, said that he believed the north pole would be discovered by the Arctic expedition which he was undertaking. He said that he was not going to the pole in a balloon, but in a ship. He said that he was not going to the pole in a balloon, but in a ship. He said that he was not going to the pole in a balloon, but in a ship.

CLOSE TO DEATH

Muncie, Ind., Nov. 21.—Carried three hundred feet on the

plot of an engine, with her babe in her arms, Mrs. Wm. Joseph Davis, residing north of Muncie, had a remarkable escape from death this morning.

Mrs. Davis, with her two children, was driving into the city in a dairy wagon, and failed to hear the approaching train. The engine struck the wagon broadside, demolishing it.

The engine was stopped about two hundred feet from the crossing, when the engineer, expecting to find the mangled remains of the victims, was surprised to see Mrs. Davis step from the pilot with her child in her arms. The other child was thrown by the roadside several feet away, but was not hurt.

REV. DR. MCKAY'S CONDITION.

Word has been received here that Rev. Dr. W. A. McKay, of Woodstock, has suffered a relapse, and that his condition is now serious. The gentleman was under treatment in this city for a considerable time, but recently he returned to his home in Woodstock, apparently much improved. Now my wife, Mrs. McKay's numerous friends in this community will hear of my trip, for which I think she deserves credit.