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LIBERAL LAWYERS DEMAND THAT CONSERVATIVE CORRUPTION BE PROBED BY MAGISTRATE DENISON

Insist That Tory Crookedness in West Elgin, Brockville, South Ontario and London Be Investigated at the Expense of Crown.

EVIDENCE HURTFUL TO CONSERVATIVES SIDETRACKED

Prosecution Balks, But Finally Promises to Place Matter Before the Attorney-General—Spy on the Liberals Tells a Tangled Tale and Is Laughed Out of Court—Messrs. J. C. Duffield and John Stevely on the Stand.

[By Our Own Reporter.]

Toronto, Nov. 2.—The feature of today's session of the London election conspiracy charges was the application by the lawyers for the defense for leave to investigate electoral corruption on the Conservative side in London, South Ontario, West Elgin and Brockville.

Messrs. Godfrey and Wilkie, who made the application before Magistrate Denison, declared that they had abundance of proof to show that for years electoral corruption had been rife in these constituencies on the Conservative side, but that when a witness was found who knew ill of the Conservatives, he was kept away by a partisan prosecution.

The Liberal lawyers declared that inasmuch as the investigation, by the declaration of Magistrate Denison, was a wide-open one, and one which would take in if necessary, every election held in Canada, it was only right and just that the crown should authorize the Liberals to show up corruption on the Conservative side, which was now being covered up by the prosecution.

The magistrate didn't manifest any desire to go into the contra charges, but Mr. DuVernet was forced to say that he would lay the matter before the Attorney-General on Saturday. The defense only asks that the crown bear the expense of bringing the witnesses to Toronto. If this is done, the Liberals declare they will show that the Conservatives have been guilty of every crime on the calendar in elections held in London and other places which have been investigated in the present inquiry.

The magistrate ordered that Frank Hutchinson, of West London, who, it is alleged, was kept away because he knew too much of Conservative corruption, should be produced in court next Wednesday. Mr. DuVernet said he had intended calling him, and understood he was to be in Toronto yesterday.

"But you didn't issue a warrant for him," said Mr. Wilkie sarcastically. Mr. Wilkie then asked that R. A. Jones, of West London, be brought to Toronto next week, and the magistrate consented.

Were Witnesses Kept Away. Edward Croden was recalled when the court resumed this afternoon. Before he was examined, Mr. Wilkie for the defense, asked that a number of witnesses who he said may be able to throw light on elections in London, Brockville, South Ontario and West Elgin, be brought to Toronto at the expense of the crown. Mr. Wilkie stated that he had been informed that certain witnesses who could tell stories which were not in accord with the opinions of the prosecution had been kept away. He instanced the case of Frank Hutchinson, of West London.

Magistrate Denison declared that if the crown would agree he was willing to issue the subpoenas. Hutchinson must appear at once, he said. Mr. DuVernet said that if Mr. Wilkie had any charges to make against anyone, there was a place to make it, and the crown would take up the charges and pay the cost of the investigation as in the present case.

Mr. Godfrey went on to say that he wanted no misunderstanding regarding the matter. He understood that the magistrate was endeavoring to get at the bottom of electoral corruption, no matter by whom it was committed.

Magistrate Objects. The magistrate surprised the Liberal counsel by saying that he was not there to inquire into all the conspiracies which had been entered into in Canada.

"I am only investigating the present conspiracy," he said. "Oh, we understood from what you said a while ago that you were here to get at the bottom of corruption," Mr. Godfrey replied.

"Now we are ready to assist the prosecution," Mr. Godfrey went on, "in the work of getting at the bottom of the corruption, and to punish those who have committed wrong, no mat-

ter who they may be. If we have knowledge that 100 men were benched in London, will my learned friend agree to pay the cost of bringing the witnesses here?"

Mr. DuVernet would not agree. He said he was not the attorney-general, and could not answer Mr. Godfrey. "But the Premier has stated that all wrongdoers will be punished, and if it can be shown that any wrongdoing has been going on, the attorney-general will be sure to take up the case." "If you can bring any evidence to show that there has been wrongdoing in Toronto, I will make out the charge," the magistrate said. "Unless it can be shown that there was a Toronto connection I will have no jurisdiction."

"I didn't know you were worried about jurisdiction," Mr. Godfrey said. "This conspiracy began here," the magistrate returned.

"What is there to show that Reid was connected with the conspiracy?" Mr. Godfrey asked.

The magistrate was forced to admit that there was nothing to connect Reid with the conspiracy at London. His worship declared, however, that there was quite a little evidence against Mulloy, O'Gorman, Servis, Wiley and Hardy.

Will See Attorney-General. Goaded by Mr. Wilkie and Mr. Godfrey, Mr. DuVernet finally declared that he would see the attorney-general on Saturday and if it could be shown that there was any evidence to connect the other side with electoral corruption he would see that the crown took up the prosecution.

Evidence Against Conservatives. "We will undertake to produce evidence against the other side equally as strong as anything which has been produced against Mulloy or O'Gorman," Mr. Godfrey said. "We understand this is a wide-open investigation, and we want the same show and the same machinery that were put at the disposal of the Conservatives." "This is a parliamentary conspiracy," the magistrate said again.

Cornered by Mr. Wilkie. "Well, we understood you to say that justice would not be hampered by legal technicalities," Mr. Wilkie retorted. "We want you to give us the same show and the same machinery you gave the Conservatives. We will show you what has been going on on the other side."

"Mr. Godfrey, who had remained in the box while the above discussion was going on, was then allowed to leave the stand without any further questions being asked."

Mr. John Stevely. John Stevely was the next witness. "What money, did you put up?" "About \$25 or \$30."

"Where did you get it?" "Out of my own pocket."

"What money did you get?" "General expenses."

"About \$15 or \$20."

"Who gave it to you?" "George M. Reid."

"Was that all you got from Mr. Reid?" "Yes."

"Did you get any money from anyone else?" "No."

"What is your business?" "Manufacturer."

"Whom did you pay?" "A man named Wightman \$5 and Lee \$5."

"What for?" "For scrutinizing."

"Will you swear that's all you paid?" "I'll swear I only paid out the amounts I have mentioned."

"Did you pay any money for votes, or promise anybody anything?" "No."

"Did you promise anything to anybody indirectly?" "There was some went that way."

"How much money—\$400?" "Not that much."

"Less than \$150?" "I don't think it was less than \$150."

"Where did you get the money?" "It was sent to me."

"From whom?" "I don't know."

"It came in envelopes?" "Yes."

"How much was in each envelope?" "I don't know."

"Whom did you give the envelopes to?" "Lee was one. Lake was another."

"Did you have any idea of who it came from?" the magistrate asked.

Denison Overrules. Mr. Wilkie objected, and the magistrate overruled. "The objection is noted and overruled," he said, with the air of a czar. Mr. Wilkie fought back.

"What's the use of arguing with me?" his worship asked.

"There may be none," Mr. Wilkie continued on Page Eleven.

Will Magistrate Denison Keep His Promise?

Time and again during the investigation of the London election conspiracy charges, counsel for the defense raised the point of a Toronto court's jurisdiction in the investigating of a London case, and also the investigating of elections which took place in West Elgin, Brockville, South Ontario, North Hastings, West Huron and elsewhere.

And time and again Magistrate Denison has retorted that he was there to get at the truth, and was not going to be hampered by legal quibbles or technicalities.

This has been his invariable reply to the Liberal lawyers who have found legal precedent and procedure thrown to the winds.

The Liberals were forced to accept the magistrate's declaration, and they took him at his word, when he said one day that if necessary he would probe all the elections held in Canada even as far back as 1800, or the flood, he said, in order to wipe out electoral corruption.

He declared that he cared not whom the investigation helped or hurt—he was there to get at the truth.

Yesterday he astounded the Liberal counsel by himself raising a point of law over which he has ridden rough-shod for five weeks—that of jurisdiction.

When asked to go into electoral corruption on the Conservative side, his worship declared that the matter of jurisdiction is a serious one.

In the examination of Hamilton Ramsay, a couple of weeks since, Mr. Wilkie, one of the counsel for the defense, raised an objection, and stated that the law had supplied certain rules of procedure, and he submitted that the court should be guided by them.

"Those rules were made for people who haven't any ability to think for themselves," replied his worship, "and they had better stick to them."

Magistrate Denison now says that he must be governed by the rules of law.

Will the magistrate now consent to a wide-open investigation?

CONDUCTORS WILL KNOW FATE SOON

That's the Feeling in G. T. R. Circles Today—Changes Go Into Effect.

There were no developments today in the case of the Grand Trunk conductors. All of the men were on their regular runs, but the feeling prevailed that on Monday there would be numerous changes, including those mentioned in The Advertiser last evening.

Conductor Higgins passed through the city last evening in charge of the Eastern Flyer, but it was his last run with the "dude" train. On what run he is to be placed is still unknown to even Conductor Higgins himself. Conductor Manley went to Toronto this morning in response to instructions from the superintendent's office, and it is certain that he will be placed on a new run, as Conductor Connolly, of Toronto, has been placed on Conductor Manley's old London and Suspension Bridge. Conductor McKenzie, of the L. H. and B., has gone to Toronto to take the run of Conductor Fluke, on the Toronto branch, Conductor Fluke having been chosen for service on the International Limited and the Eastern Flyer, in place of Conductor Higgins. Conductor Connolly, of the northern division, has taken Conductor McKenzie's old run.

It was reported today that it would be known on Monday what dismissals are to be made on the lines between Sarnia, Tunnel and Suspension Bridge.

KLEINGBEIL SENTENCED. The Belleville Man Who Slew His Wife Given Four Years.

Belleville, Ont., Nov. 3.—When the assizes opened this morning, Judge Britton ordered Kleingbeil, the wife-slayer, up for his sentence, and gave him four years in Kingston Penitentiary. The general opinion in this city is that the sentence is too light in the interests of justice. It is said, on the authority of a jurymen, that the jury in the Kleingbeil case were at first almost unanimous in favor of hanging the prisoner, but the minority fought hard, and at last the members in favor of extreme measures consented on account of the prisoner's age to a verdict of manslaughter. Had he been a young man, the prisoner would certainly have been found guilty of murder.

WANT SHORTER SEASON. Chicago, Ill., Nov. 3.—The American League will advocate a longer world's series, a shorter championship season, and a greater number of post-season games between teams of the major leagues for next season, as a part of the winter baseball campaign, according to an announcement made yesterday by President Johnson. There also will be efforts made to curb the practice of independent or city league clubs of hiring players under contract to National League clubs, with or without the consent of the teams to which they belong.

NEWFOUNDLAND MAY GO TO PRIVY COUNCIL

Likely to Carry Fisheries Dispute to the Highest Tribunal.

St. Johns, Nfld., Nov. 3.—In order to avoid the possibility of any legal defect or technicality vitiating the proposed test cases which the Newfoundland Government intends to bring against colonial fishermen employed on board of American herring vessels to determine whether the *modus vivendi* arranged between the United States and Great Britain is valid or otherwise, the Government will send competent legal counsel to the west coast to arrange for these prosecutions, and draft the necessary papers and to oversee the enforcement of the bait act. It is the purpose of the Government to carry these cases to the privy council if necessity arises.

RARE BURNS PAPERS CAPTURED BY MORGAN

\$200,000 Spent to Secure the Original MSS. of the Great Poet.

New York, Nov. 3.—J. Pierpont Morgan imported yesterday what is said to be the most complete set in existence of the original manuscripts and private letters of Robert Burns, the Scotch poet, says the Tribune today.

Mr. Morgan's agents have been scouring Great Britain for the last fifteen years in order to secure the documents. An expense of not less than \$200,000 is estimated to have been incurred.

The manuscripts are in two books of some 400 pages apiece. They were nominally appraised by the United States customs authorities at \$25,000 each, and subjected to a duty of 20 per cent ad valorem, so that the Morgan customs brokers paid \$10,000 duty.

It is believed to be the intention of Mr. Morgan to bestow the Burns manuscripts and letters to the Metropolitan Museum of Art, and that their importation is the forerunner of the arrival of numberless other European treasures of literature and art which Mr. Morgan is reported to have accumulated on the other side.

The value of his collections are said to be nearly \$15,000,000, but the heavy tariff has deterred him from bringing them over.

WEDDED—GOT PUNISHED

Mr. R. S. Hamby Violated Rules of Social Club.

Mr. and Mrs. R. St. Clare Hamby, of 880 Lorne avenue, were agreeably surprised last evening when 25 young gentlemen friends, loaded down with edibles of every description, took possession of their home. The "tinware shower," for that is really what it was arranged by members of a well-known local club, of which Mr. Hamby was a popular member.

It seems as though Mr. Hamby broke one of the rules of the club by taking unto himself a wife, and last night's affair was arranged by way of punishment for the dire offense. Judging by the quantity of pantry and kitchen utensils presented to the happy couple Mr. Hamby will not have to make any expenditures in those lines for many long years.

After an address of presentation had been read the party adjourned to the parlor and were pleasantly entertained with several vocal and instrumental numbers.

Miss Jessica Hamby, sister of the happy benedict, entertained splendidly with several recitations.

Mr. Bud McNab and Mr. Clay Gibson, the well-known baseball player, rendered in fine voice several splendid solos.

Mr. Richard Balfour, Mr. Benjamin Stapleton and Mr. Fred Hodges gave some very clever instrumental selections.

The affair was a most enjoyable one and the visitors, as well as Mr. and Mrs. Hamby, enjoyed themselves immensely.

DEATH OF JUDGE MADORE

Eminent Quebec Jurist and Ex-M. P. Passes Away.

Montreal, Que., Nov. 3.—Judge Madore, of St. Hyacinthe, died at the Glen-garry Hospital early this morning. Judge Madore, who was only 48 years of age had been suffering from a chronic illness for a long time. For nine years he was in law partnership with the present crown prosecutor, Mr. E. Guerin, and for a period he was identified with the late J. A. Drouin. In 1896 he was returned to the House of Commons for the constituency of Hochelaga and was re-elected in 1900. In 1903, Mr. Madore was elevated to the bench and attached to the district of St. Hyacinthe. He married in April last Miss Bechemin of that locality.

DEER HUNTER-DROWNED.

Hastings, Ont., Nov. 3.—News was received by telephone this morning from L'Amable of the drowning of John Murray at Crooked Lakes, Murray, in company with a few others from here, went deer-hunting on Monday last. The accident happened by the upsetting of his canoe. Mr. Murray had resided and carried on a successful butcher business in Hastings for a number of years.

MISSING WITH THE FUNDS.

Chicago, Ill., Nov. 3.—J. Christian Eckelson, of Chicago, three supreme treasurer of the Danish Brotherhood of America, is missing, and simultaneously it is found that from \$40,000 to \$50,000 of the order's funds is gone. Eckelson has not been seen since Oct. 25.

DAIRYMAN WILL BE PROSECUTED

Which Had Been Adulterated With Formaldehyde.

Medical Health Officer Hutchinson today tested a sample of milk left in his office by a citizen, and the result was that the milk was shown to be adulterated with formaldehyde.

The name of the milkman is not as yet known, but as soon as it is learned he will be prosecuted.

The milkman was brought to the city hall by a well-known citizen, who asked that it be tested. The gentleman left his card, and stated that if it was shown that the milk was adulterated he would hand in the milkman's name.

Now Dr. Hutchinson is waiting to hear from the citizen so that the prosecution may be commenced at once.

The offense is looked upon as unpardonable at this time of the year, when the weather is cool and there is no temptation to use formaldehyde to prevent the milk from spoiling.

It is thought that this particular dairyman had a quantity of milk left over at night, and that he used the formaldehyde to preserve it until he could get a chance to sell it.

Formaldehyde makes milk extremely sour, and its use is dangerous upon infants when fed on milk is baneful.

The law provides a severe penalty for its use, and it is likely that the milkman, unless he can show that the milk was adulterated when he bought it, will be heavily mulcted.

If the adulteration cannot be traced to the milkman, then an attempt will be made to prosecute the wholesaler.

"TOO SHORT FOR ME"

With This, Tall Bridegroom Dashes From Church, But Later Returns.

New York, Nov. 3.—Michael Harvilla, six feet tall, was married yesterday at St. Joseph's Catholic Church, on East Twenty-second street, Bayonne, to Miss Margaret Gorman, who is a little less than five feet tall. The difference in their height had apparently escaped Harvilla, until after the ceremony had been performed. Then he said to the blushing bride, "I think you are too short for me," and dashed from the church. The bride and some of the guests ran after him, but he eluded them.

After the bride was brought around she was assisted to her home. Toward evening the bridegroom returned. He said that he was sorry for what he had said and done, and that Margaret was quite tall enough for him. Margaret believed him, and forgave him. Then word was sent to the guests, and the wedding festivities went on.

HOUSE MEETS NOV. 22

The Tariff Policy To Be Submitted Before the Holidays.

Ottawa, Nov. 3.—At a meeting of the cabinet yesterday it was decided to summon Parliament for Nov. 22. The House will have three clear weeks in which to do business before rising for the Christmas and New Year holidays. These will probably last from about Dec. 20 until Jan. 7 or 8. The Government will submit their tariff policy very soon after the debate on the address has been disposed of, and considerable headway ought to be made before Christmas.

UTES GIVE IN; WAR SCARE OFF

Chief of U. S. Renegade Indians Will Discuss Troubles With President Roosevelt.

Sheridan, Wyo., Nov. 3.—A conference between the Indians and troops today resulted in an agreement on the part of the Utes to return with Col. Rogers to Fort Moen.

Dakota, to be taken care of there by the Government while Chiefs Redcap and Black Whiskers go to Washington to talk the matter over with President Roosevelt. The Utes will go overland with troops of the Sixth Cavalry. The Indians have not been disarmed and will not be as long as they take no threatening action.

BLOCKED STREET AGAIN

Thomas Michael, Peanut Vendor, Convicted at Police Court.

At the police court this morning, Thomas Michael, the peanut vendor, appeared to answer a charge of obstructing the street by leaving his cart standing too long in one place. The case was adjourned for one week, at the end of which time Michael will have to appear for sentence.

Wilson Brown, drunk and disorderly, was bound over to keep the peace in the sum of \$100 for six months.

Two first-time drunks were allowed to go.

JAP SPY CAUGHT.

New York, Nov. 3.—According to a Manila dispatch to the Herald, a Japanese captain of engineers, disguised as a common laborer, had been caught sketching fortifications in the Philippines. The Japanese Government has been communicated with regarding the deportation of the officer.

DID MR. WHITNEY CLASH WITH BECK?

A Toronto Journal Tells of Row Over Power Matters—The Premier Denies It.

Toronto, Nov. 3.—The Toronto Star of last night says: All it not harmony at the brown stone pile in Queen's Park where out great men of the province rule our affairs. Their power policy is getting the members of the cabinet into hot water with each other.

A few weeks ago Messrs. Cochrane and Beck were at loggerheads because the former, in contempt of the latter's Hydro-Electric Commission's report, had leased the Healy Falls power to private parties. Mr. Cochrane had the support of the cabinet, of course, or the lease would not have gone through. For a week or so it looked as though the power minister's sun had set. But, although Mr. Beck had received the worst of it in council, he proceeded to recover himself in the country. The response of the municipalities when he asked them to send in their applications for power to his commission must have encouraged him, and at the same time have shown Mr. Whitney that Mr. Beck has public opinion at his back.

It is said that Mr. Whitney has been restless under Mr. Beck's negotiations with the Ontario Power Company lest the public may respond to the cry that the Government were tying up a "Yankee company" to the injury of Canadian capital. A clash is said to have come this morning at the council board. Mr. Whitney exercised those qualities of courage and frankness of which he is possessed, and told Mr. Beck that any fool could get the applause of the public by leading them to believe they are going to get something for nothing. And Mr. Beck retorted in kind by telling the Premier he did not care for him or his cabinet, and that he would see whether the people were behind him or Mr. Whitney.

Then Mr. Beck came down town to cool off.

The proceedings at the council board are supposed to be secret, but The Star was told of this passage-at-arms upon such excellent authority that it is given for what it is worth. If true, it is an important indication of the dangers which threaten to overtake the Beck power policy.

When seen in regard to this statement, Mr. Whitney declared that there had been no clash and that the story was false.

GREAT NEW YORK FIRE

Piano Factory Destroyed at Great Loss—Firemen in Peril.

New York, Nov. 3.—Hundreds of men were thrown out of employment and money lost in excess of a quarter of a million dollars was carried away today by a fire which destroyed the piano factory of Jacob Bros. & Co., in West Thirty-ninth street. The fire started in the cellar, where oils, varnishes and other combustible material were stored, and worked steadily upwards until the flames burst through the roof of the seven-story structure. Fifty-five firemen, who had been sent into the building during an early stage of the fire, were forced to flee for their lives when barrels of oil caught in the cellar began to burst. All of them escaped, and from that time until the flames were put under control, the firemen fought the fire from the roofs of adjoining buildings.

SEARCH FOR GOLD IN SUNKEN HULL

An Attempt Will Be Made to Raise Treasure Lost in 1859.

London, Nov. 3.—Another search for lost treasure is about to begin under the auspices of a British company.

This time it is gold brought from Australia in 1859 that is the object of the search. It is believed to be in or near a wreck at Moelfre, on the coast of Anglesey.

The wreck in question was one of the most terrible in seafaring annals. The Royal Charter, a full-rigged ship, sailed from an Australian port, with nearly 500 persons, crew and passengers, on board.

A large proportion of the passengers were gold-diggers who had "made their pile," and were returning home as rich men. The gold they brought with them was contained partly in belts worn by the owners, but mainly in two great boxes.

The value of all the gold on the ship is estimated at more than \$1,500,000. The Royal Charter struck on a reef at Moelfre and became a total wreck. Four hundred and fifty-nine of her crew and passengers were drowned.

There have been many efforts to recover the gold from the wreck, and it is understood that the smaller of the chests that contained the bulk of the treasure was found at an early period.

Dwellers along the coast profited by digging in the sands, and even in recent years prospecting of this sort has been rewarded occasionally by the discovery of a few coins.

Preparations for the work are in active progress at Holyhead. Counselor Edward Owen, who is an expert in such matters, will superintend the operation.