

# Gov. Morrison to Idaho Law Makers

Newly Installed Executive Addresses His First Message to The Legislature—Makes Recommendations Regarding Needed Changes in Irrigation System—Also Favors a Re-apportionment of Legislative Districts.

## SUMMARY OF GOV. MORRISON'S MESSAGE

Congratulations to the people of Idaho on the state's unbounded resources and prevailing prosperity. Felicitations upon the large and desirable increase in population and production that a still faster growth is assured. Review of the various state institutions and the needs of stronger and better laws governing public health. A better system of keeping vital statistics is called for and the passage of a new marriage law is recommended. Irrigation receives much attention and the legislature is asked that this important subject be given special consideration. Lately in the state banking law is pointed out and the necessity of appointing an expert traveling accountant is suggested. The present legislative apportionment law is strongly criticized and the enactment of a new one advised. The passage of a law more equitably taxing mines and mining property is also urged. Attention is called to the St. Louis Fair of 1904 and the Portland Fair of 1905 and the recommendation made that Idaho should be well represented at each.

(Special to the "News.")

Boise, Idaho, Jan. 6.—The Idaho legislature entered upon the second day of its existence this morning. Naturally there has been little or nothing done as yet beyond organization and the preliminary outlining of work upon the matters that are to receive consideration at the hands of the law-makers. The message of Gov. John T. Morrison which was to have been read yesterday noon went over until today when the new incumbent of the office delivered it to the assembled solons who listened attentively to it. The document was lengthy and covered a wide range, much space being devoted to irrigation and other live topics now occupying the attention of the people of Idaho. The message which will be read with interest follows:

### GOV. MORRISON'S MESSAGE.

To the Senate and House of Representatives:

The fundamental principles of our scheme of government clearly separate the executive and legislative departments, yet hold them in such relation that the one is essential to the other. That relationship makes it my pleasant duty to address you on the present occasion. Our convention is by direction of the constitution of our state, and thoroughly established by precedent, yet you, as individuals, are new to the situation and must be impressed with the significance of those political conditions the issue of which has thus placed us in high and responsible positions. Time will bring into review our every act, and, as the mutations of time bring succeeding elections, the people, whose servants we are, will pass a righteous verdict upon our every act. This thought ought to impress itself with special emphasis and a guiding influence upon those of us whose political party has passed into control in Idaho.

And now allow me to congratulate you most sincerely upon the bright and happy auspices and the many favoring conditions under which you as the chosen representatives of the people of Idaho are here assembled. Seldom have the people of any community been presented with more abundant cause for self-congratulation, as well as for the most devout thankfulness to the Supreme Dispenser of all benefits and blessings. It is most gratifying to be able to say that in every branch of industry the most healthful and prosperous conditions prevail.

Naturally the material interests of our people, as now developed and pursued, group themselves under three heads, viz., the agricultural, the stock raising and the mining industries. With these have been connected, either directly or indirectly, all our activities which develop and foster wealth and its uses. In each department or line of activity thus classified there is the most encouraging outlook, and the immediate future promises the development of a fourth line which in point of importance, because of its relationship to all the others, will rival the manufacturing industry, just beginning, and which our state offers a most inviting field.

In general review, I am glad to note that the tiller of the soil has received the reward of arduous labor in abundant crops, while the markets for all the products of the farm are so satisfactory that the farmer is able to determine to expand his operations and increase the area of production. Our almost limitless grazing lands are proving their possibilities as summer ranges of wealth. Winter and summer range have been developed, and the herds of cattle and horses, in the increasing numbers, by the process of product of tangle and field upon which they are fed into commercial products. In the world, the needs, thus comparatively of comfort, prosperity and happiness of all who may be directly or indirectly engaged or interested in the branch of industry. The opening of new mining districts and the discovery of new and richer deposits in the state occurrence that our state is attracting the attention of the mining world and the world at large. It needs no prophet's vision to foresee that very soon Idaho will take her place as a foremost mineral producing state. The



GOVERNOR JOHN T. MORRISON,  
Whose First Message to the Idaho Legislature was Read Today.

assured further development of all these industries, the market open for our lumber in all its manufactured forms, the possibilities of the sugar beet as an Idaho product, and the optional opportunities for the development of power development, all contribute in furnishing assurances of large manufacturing industries yet to develop and take place in the material economy of our state. Coupled with this happy outlook and as directly involved with all phases of our material prosperity is the fact that Idaho is now attracting, as never before, the attention of the sister states of the east. A large and desirable increase in our population is assured during the years immediately to follow.

These favorable conditions, while furnishing abundant reason for congratulation at this time, are also suggestive of duties to be performed, interests to be conserved, and limitations within various covers may safely be exercised. The wise statesman will give ear to the voice which sounds the warning of constitutional limitations and admonishes us to develop and strengthen those departments of administration for which provision is made in the constitution to the end that they may efficiently accomplish the work incident to an expanding and rapidly developing commonwealth.

A disposition to create new departments and new offices rather than make more comprehensive and efficient those which exist, when indulged, as shown by past experiences, has met with public condemnation and the offices created proven little less than political sinecures. In respect to the letter of those statutes which are useful in the regulation of the affairs of our state, and independent of their supervision or administration, it may be stated as a guiding fact worthy of serious consideration in your legislative councils that once the business affairs within a state become adjusted to the laws, as they exist, radical changes and new statutes which are out of harmony disturb the stability of affairs and often work serious injury to business interests. If, therefore, you abolish some offices the duties of which can be rightly and efficiently be discharged in other ways; make, in laws now extant, those amendments and changes only which experience and changed conditions have demonstrated to be desirable, enact a few useful new laws, and help to a wider and more useful employment of the executive department, you will make a legislative record worthy of the opportunity which now confronts you. Section 17 of article 4 of the state constitution provides that all officers of the executive department and of all public institutions of the state shall be elected and approved by the legislative session of the legislature, make full and complete reports of their official transactions to the governor, who shall transmit the same to the legislature. I have the honor to sub-

mit, herewith, said of said reports as have been filed. Owing to delay in their preparation they, with two exceptions, have not been available for use in the preparation of this message. Consideration of many facts pertaining to the executive department, as exhibited by these reports, to which it would be proper, if indeed not incumbent, to direct your attention in specific terms and recommendations, must be passed or reserved for future communications. The reports themselves will furnish you with many suggestions and, at the beginning of your legislative duties, ought to be carefully studied and mastered. In view of the embarrassment incident to delay in the making of these reports, the suggestion for your serious consideration the advisability of a law, in harmony with said constitutional provision, making it incumbent upon the officers indicated to have their reports available by the first day of December preceding each regular session of the legislature.

### STATE UNIVERSITY.

At the head of our educational system stands the state university, an institution which by name and intent indicates an assemblage of schools with professors for instructing students in the various branches of learning. Its location is established by statute, and confirmed by the constitution. There have been obstacles in the way of development, not the least of which has been a disposition to ignore the university idea and locate some of the colleges or departments in other sections of the state. A resulting lack of loyalty to all the interests of the university in a measure retarded its growth and avoided a may and material support essential to its best interests. Local and temporary organizations have, at times, induced criticism of the location, and urged the diversified idea of schools and a consequent weakening of that which should be the great center of our educational system. Friends, less wise and less diplomatic, than earnest and urgent, have sometimes antagonized by claiming the institution as "theirs" and advocating its support from community interest and local pride. Happily these and kindred opposing influences have been largely relegated, and the university advanced to the front rank of state institutions.

# Senator Hoar On the Trusts

Discusses Them—Points Out Dangers Ahead—Greater From Corporations Than Individuals—Ten Specific Evils Indicated.

Washington, D. C. Jan. 6, 1903.—Senator Hoar's speech was devoted entirely to the question of trusts and partly to an explanation of his recently introduced trust bill. He began his address with the assumption that all thoughtful men are agreed as to the necessity of legislation, state or national, for the control of trusts. He said that as yet there had been only apprehension and a large but not serious inquiry, except in the case of the recent coal strike on account of trusts. On the contrary, the progress of our prosperity had been greater in the past few years than ever before had been known and our workmen were better off. Still there, he said, actual peril and it is none the less real because it involves only the future and not the present.

The senator then took up the discussion of the effect of the control of vast wealth by individuals, saying that in such a system there was much to threaten Republican liberty. Most of the vast fortunes of the present day have been accumulated within 30 years. RICH GROWING RICHER. "Is there anything to render it unlikely," he asked, "if one of these vast fortunes has grown from a hundred thousand to a hundred million or a thousand million in 30 years that in the hands of the next possessor in another 30 years the hundred million may become a hundred thousand million or the thousand million a thousand thousand million? Is there anything to stop the accumulation of wealth? Can it not be the same power and business ability and capital that control all the petroleum in the country by and by control all the coal? Can it not control the railroads and the ocean carrying trade? Can it not buy up and hold in one man's grasp the agricultural and the mining lands of new and great states and the coal mines and the silver mines and copper mines? But stop! Have the possibilities of the accumulation of great wealth in individuals he did not find in such accumulation the same peril that is found in corporate control of such wealth.

Mr. Hoar then took up the question of trusts as they now exist, pointing out what he conceived to be their chances, as follows:

- 1.—Destruction of competition.
- 2.—The management of local industries by absentees in the interest of absentee capitalists.
- 3.—Destruction of local public spirit.
- 4.—Fraudulent capitalization.
- 5.—Secrecy.
- 6.—Management for the private benefit of the officials.
- 7.—The power to corrupt elections and in some cases to corrupt the courts.
- 8.—The want of personal responsibility to public sentiment.
- 9.—The absence of personal liability for contracts or wrongdoings.
- 10.—The holding of vast properties in mortmain, in the dead hand, if we may use the ancient phrase of the English lawyers.

But it has life enough for all purposes of power to serve the will that wields it. It is dead only to the influence of any nerve which comes from the brain or heart of the people.

Mr. Hoar said that many as were the evils in great combinations of capital some of them would be counterbalanced by corresponding advantages and added:

REFERS TO MR. MORGAN.

"I confess I like to see Pierpont Morgan buying up great lines of business. I like to hear of foreign potentates and principalities and powers bowing down when he visits the continent of Europe. We need great strength. We need great individual

thing to be avoided, even by suggestion, is legislation regulating the business of the country, beyond such as will accomplish this end.

"In my judgment a monopoly in any industry would be impossible in this country, where money is abundant and cheap and in the hands of or within the reach of men of high character and high ability. I am not at all disposed to be assured of a fair and open field, and protected against unfair, artificial and discriminating practices.

Washington, Jan. 6.—Atty.-Gen. Knox has addressed identical letters to Senator Hoar, chairman of the senate judiciary committee and Rep. Littlefield, chairman of the sub-committee of the house judiciary committee, giving his views on the subject of trusts. These letters are in reply to communications sent him by Senator Hoar and Mr. Littlefield, asking the views of Mr. Knox. The letter embraces three subjects, the questions which have been decided by the courts, the questions which are pending in the courts and suggestions respecting further legislation. Under the latter head Mr. Knox says:

"In view of the wide experience of the committee in dealing legislatively with legal and economic questions I venture upon the line of suggestion with much hesitation and feeling that the utmost the committee desires in the short period allowed for consideration during the life of this present Congress.

"I think it proper enough to briefly premise such suggestions as I should make for immediate action by a statement of some of the reasons upon which they are based.

END DESIRED.

"The end desired by the overwhelming majority of the people of all sections of the country is that combinations of capital should be regulated and not destroyed, and that measures should be taken to correct the tendency toward monopolization of the industrial business of the country. I assume a

power if we are to rival foreign nations in the great matters which they also control by individual power. We must, if we can, look out in protecting ourselves, not to destroy them, nor to stamp them. We can give them a law which will not impair their strength, and not check their natural and rightful growth and that I hope is all we mean to do."

"But great wealth should be controlled as the servant of man and of government and should not be given the reins of control. We must keep control over agencies which can make cities grow or wither."

Mr. Hoar said that he did not agree with those who think they find an adequate remedy for the evils of the trusts in the removal of the tariff from all trust-made articles. He opposed the tariff on trusts which might employ industries, including coal mines and railroads. Socialism, he said, furnished no remedy but would be quite as bad as the trusts themselves.

POWER OVER CORPORATIONS.

Speaking of corporations, Mr. Hoar said no power less than that of the empire nation is capable of dealing with them. The question is the most important that has come up for a long time, "for," he said, "we are to deal not only with foreign commerce, but with that compared with which the United States is a small island in the sea."

NEW YORK HAS A SUICIDE EPIDEMIC.

New York, Jan. 6.—Suicide seems to be epidemic in this city, says the News. Reports of self-destruction kept coming in to the coroners' offices in a steady stream yesterday and the medical examiners were busy holding post mortems and making preliminary investigations. Eleven cases had been reported up to dark.

Col. James Price Canby Dead.

Denver, Colo., Jan. 6.—Col. James Price Canby, retired, is dead at his home in this city, aged 70 years. Col. Canby served as paymaster in the army and was retired in 1897. A son, Capt. James Canby, is now in the paymaster's department of the army. His wife, a daughter, Margaret, survive the colonel. Col. Canby had been ill for several years of stomach trouble, which was aggravated by the death of his wife, who died at Wilmington, Del., the birthplace of the deceased, for burial.

Fair's Estate Appraised.

San Francisco, Jan. 6.—The report of the appraisers appointed by the superior court to place a value upon the estate of the late Charles L. Fair, has been filed in the probate department of the county clerk's office. The report shows that the estate of the late Fair was valued at \$1,000,000. The late Fair was a prominent citizen of San Francisco and was killed in an automobile accident near Paris.

Gen. A. L. Pearson Dead.

Pittsburg, Jan. 6.—Gen. A. L. Pearson, past national commander of the Grand Army of the Republic, died at his home in Pittsburg, Pa., of pneumonia. At the close of the civil war, Gen. Pearson was brevetted major-general for bravery and later was awarded a medal of honor by Congress. During the railroad riots of 1877 he was in command of the national guard in this city. At the time of his death he was a member of the board of directors of the National Home for Disabled Soldiers.

German Exports to America.

Berlin, Jan. 5.—The total exports from Germany to the United States during the year 1902, amounted to \$114,495,502, an increase of \$14,575,710 over the preceding year. The largest gain, that of \$2,389,800, was made in the export of iron and steel. The commodities in the textile district also show large gains of exports to the United States for 1902, of the 35 American commodities in Germany, 25 show increased exports, while seven show decreases.

Armour & Co. After N.Y. Creameries.

New York, Jan. 6.—Representatives of Armour & Company of Chicago have been through the dairy sections of central and western New York, says a Syracuse dispatch to the Times, asking the creameries to name terms under which their firm could purchase the entire butter output of this district, amounting to about 100,000,000 pounds of first-class creamery butter per annum. No terms of contract have been offered by the agents, who have simply asked the creameries to name prices at which they would sell, exclusively to Armour & Company.

North of England Coal Trade.

New York, Jan. 6.—The year has opened with excellent prospects for the north of England coal trade, says the Tribune's London correspondent. The conditions which applied at the close of 1902 still obtain, and are even accentuated, as it is abundantly evident that the American demand is destined to continue for some time yet. The West India trade is new under the necessity of obtaining coal from this country, and positive orders are in the market for Havana and Cienfuegos in addition to those for New York, Boston and Providence. The demand for coal is being regularly fixed to load in the "Tyne." The American demand for English coal has had an outlook for effect in preventing the expected decline in the price of coal, and the average selling prices during the past three months have been so well maintained that a conciliation board has agreed that wages shall remain unchanged for the succeeding three months.

Found Wealth and Then Died.

Chicago, Jan. 6.—David Thompson, one of the best known prospectors of the West, who was killed by a falling log struck a ledge of great richness, yesterday after 15 minutes' joyful demonstrations of delight felt that he had struck the main vein. The log was found in the subject, he says, should be limited to common carriers.

LEGISLATION SUGGESTED.

Mr. Knox suggests legislation directed against those who give and receive advantages enabling discrimination in prices. This to take the form of penalizing the transportation of goods and commodities should be given the power to restrain such transportation. He says the present law is not sufficient to meet existing conditions. The operation of any law on the subject, he says, should be limited to common carriers.

An additional publication should be made, he said, to reach corporations, combinations and associations which produce and manufacture wholly within a state, but whose products or sales enter into interstate commerce. It should relate, first, to such concerns as operate in transportation and second to concerns which sell below the market price of commodities and are engaged in interstate and foreign commerce essential to a full understanding and to compel observation of the law.

RECOMMENDATIONS.

He recommends a commission to aid in carrying out the act of July 2, 1899, which shall make an investigation into the operations and practices of concerns engaged in interstate and foreign commerce essential to a full understanding and to compel observation of the law.

Continuing, Mr. Knox says: "Legislation to correct trust abuses should be developed with great care for it is not nearly so important to act quickly as to act wisely."

Rector of Catholic University.

Washington, Jan. 6.—It is stated at the Catholic university that the report from Rome expressing the belief that Monsignor O'Connell, bishop of Portland, Maine, will be appointed rector of the Catholic university at Washington undoubtedly refers to Monsignor Dennis O'Connell, who was at one time rector of the American college at Rome and who is at present in this city, and not to the bishop of Portland.

Richard Manzili, Astronomer Dead.

Chicago, Jan. 6.—Richard Manzili, astronomer, scientist and author, is dead at Rock Island, Ill., of Bright's disease, aged 71 years. He was a native of Staffordshire, England, but had resided in Rock Island since 20 years of age.

His annual "Almanac of Planetary Meteorology" was first published in 1876, and appeared regularly until 1901. It circulated over this country and in England and was accepted as standard everywhere.

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# New Complaint In Payne Case.

Doctor is Now Charged With Murder in the Second Degree, to Which He Pleads "Not Guilty" This Morning—Several Witnesses Give Important Testimony, Dr. Mayo Among Them.

The preliminary hearing in the Payne murder case, attracted a room full of spectators in Judge Dier's branch of the city court this morning. The defendant appeared in court accompanied by his attorney, Will F. Wanless, Mrs. Payne and her little five-year-old daughter. Mrs. Payne appeared cheerful and confident, but the doctor looked haggard and nervous, a condition due no doubt to his incarceration.

The prosecution is in the hands of the new county attorney, George Westervelt, and his assistant, Dana T. Smith. District Attorney Elchorn was present for a time as he was desirous of familiarizing himself with the facts in the case.

When the case was called, County Attorney Westervelt announced that a new complaint was to be filed immediately. He stated that it would charge Payne with murder in the second degree. The first complaint alleged the graver crime.

Just before the complaint was read, Mrs. Hunt of East Jordan, mother of Mrs. Payne and her lady relative, entered the court room and their greeting was very affectionate.

After the reading of the complaint, Dr. Payne entered his plea of "not guilty" in a firm tone of voice. Bert Olsen was sworn as stenographer.

THE FIRST WITNESS.

G. E. Place, a reporter was the first witness called. He testified that he first saw Dr. Payne at the police station about 1 p. m. on Saturday, Dec. 20. Later he went to Dr. Payne's office in company with an officer and there found Dr. Payne on a couch in Payne's office. The body was fully clothed with the exception of her street jacket and hat. On cross examination, Mr. Place said he paid particular attention to the dead woman's eyes.

"What was the condition of the eyes?" asked Mr. Wanless. "Were the pupils dilated?"

"Yes they were dilated."

Mr. Place said he was unable to detect any odor from Miss Hill's lips.

PROF. MCKAY CALLED.

Prof. G. N. McKay of the Lovell school, was next called. He testified that Miss Hill lived at his house and that the last time he saw her alive was on Saturday, December 20, in the morning. He said he first heard of Miss Hill's death about 1:40 p. m. on the same day. He immediately went to Payne's office and there found the school teacher. Dr. Payne was with her. Answering Mr. Wanless, witness said Miss Hill ate her usual breakfast on the morning of the 20th.

BOUGHT SURGERY CLOTH.

John G. L. Jackson, a clerk in Auerbach's store, testified that he saw Miss Hill's body at the undertaker's on the day after her death. He said that on Tuesday morning, January 1, he saw the body of Miss Hill purchased from him four yards of

ETHEL SAUNDERS, 2355 Indiana avenue, died in the ambulance on her way to the hospital. She is said to have been the niece of Mrs. Perry.

THE INJURED.

T. W. Parker, broken ankle and severe bruises. Emilie Saracaz, cut by broken glass. C. A. Wrightman, badly cut about face and hand.

William Farnse, elevator boy, affected by smoke and cut by flying glass. It is thought that Mrs. Perry first became aware of the fire and aroused her daughters. The latter, however, appear to have quickly overcome, both having been found on their beds, while the body of Mrs. Perry lay on the floor near the window. The elevator conductor, who was on duty at the time, is said to have been shouting a warning and carrying many of the guests from the building.

Although the woman and her daughters who perished in the fire were registered at and known about the hotel under the name of Perry, Edward Saunders, a coachman, employed on the south side, declared them to be his wife and daughters, and gave the names of the children as Rita and Marie. It was learned, however, that Saunders was known in Toronto as Perry and assumed the former name when he came here.

"The young woman also died in the ambulance and was partially identified as Ethel Saunders. It is now believed to be another daughter of Mrs. Perry.

GREAT BRITAIN MAKES PROTEST

It is to the Turkish Government Against Permission Granted Russia to Take Underground Torpedo Destroyers Through The Dardanelles Into the Black Sea.

Constantinople, Jan. 6.—Great Britain has vigorously protested to the Turkish government against the permission granted in September last to the Russian torpedo boat destroyers to pass through the Dardanelles into the Black Sea, under the commercial flag of Russia. The protest has caused irritation in Russian circles and concern on the part of Turkish authorities, who fear that other powers will follow the example of Great Britain.

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