

STOLE FROM HIS FATHER.

Norman Freeman Was Having a Time In Detroit With Money He Had Taken From Father's Till.

Will be Tried In Police Court To-morrow Morning.

This morning a long list of cases were tried in the Criminal Court before Judge Monk.

C. Douglas, in giving evidence against Edward Coolican, whom he had charged with cutting, said he had had considerable trouble with Coolican on July 21, when they were playing a game of cards.

Coolican then struck him and he retaliated and went away. He was followed, however, by Coolican and felt a knife stick in his back on the right shoulder.

Dr. Greenway dressed the wound. Douglas's brother, the next witness, told of his brother going to see him after the cutting.

He took him to the magistrate's office but not before he had bathed his shoulder.

Coolican, in giving his side of the case, said he and Douglas were playing "seven-up" but Douglas refused to put up his money and after a short argument Douglas kicked him in the mouth.

He followed Douglas, who again struck him. He didn't cut Douglas but he cut probably was caused by his hitting on something.

His Honor gave judgment without delay and said: "Guilty of assault, fined \$50 or three months in jail."

GOLDBERG CASE DROPPED. The case of Sam Goldberg, charged by the Hamilton Gaslight Company with the theft of \$32.62 on June 9, last, was dismissed.

Goldberg pleaded not guilty. He had obtained some iron from the company, valued at \$32.62 on the understanding that he was the representative of the Goldberg Iron Company.

He was not at that time their agent, but is now and the Gas Company therefore didn't want to prosecute.

A CHANCE TO MAKE GOOD. The local treasurer of the Tobacco Workers' Union, W. J. Milligan, said the secretary, J. Meehan, was supposed to turn a money order to him, but had failed to do so.

The money order for \$39.40 that was collected on August 21, of this year.

A book was shown which stated Meehan had received the amount from the International Union.

The president of the local union, William Kershaw, said he and Mr. Laboie met the prisoner and referred to the state of the accounts, and, at that time, the prisoner expressed himself aware of the fact that a warrant had been issued for him and he said he was waiting for them to arrest him.

He said before the arrest. The accounts were in very poor condition and it was hard to make anything out of them.

A. M. Lewis, for the prisoner, asked Mr. Kershaw if a resolution had not been passed at a meeting last Friday to allow Meehan to pay back the money and he replied that such was the case, but the meeting was illegal.

Meehan said his purpose in keeping back the money was to pay the sick claims. In some way the money was not all at hand as shown by the accounts and the Union had him arrested.

He said it was not his intention to "skin" the Union and was quite willing to pay back the shortage.

Mr. Lewis contended there had been no intention of stealing.

His Honor found the prisoner guilty, but said the charge was of such a nature that he would allow him to go on suspended sentence.

Crown Attorney Washington wanted to know if the money would be paid back to the Union by Meehan.

His Honor replied that as it was a criminal offence and the prisoner was liable to punishment he could not very well order him to pay back the money, but Meehan could be brought up for sentence at any time.

POLICE NOT VINDICTIVE. Arthur Solvishburg, who was charged with assaulting P. C.'s, James Clark and W. Campaign, jun., through his solicitor, James A. Ogilvie, pleaded guilty.

TRYING TO AVOID SOME LITIGATION.

Aldermen Hope to Keep Out of Law With the Cataract Company.

Now that the Council has closed a contract with the Hydro Commission for the supply of a thousand horse power the next move will be to try and avoid litigation with the Cataract Company, which insists that the contract made by last year's Council is binding.

TANGLED UP IN THE WIRES.

Litigation Likely to Follow Series of Mishaps.

Result of Moving Sand Excavator Across Tracks.

Need of Amended By-law Imposed Upon the Officials.

Litigation is promised as a result of a series of accidents yesterday afternoon, when a sand excavator being moved across the street car tracks tore down the company's wires, caused one man to be rendered unconscious from an electrical shock, frightened a horse, which ran away, broke a bicycle close to the curb and caused general consternation among a crowd which stood on the sidewalks.

James H. Yeates, jun., contractor, is the owner of the sand excavator. He was moving it from Cannon street east to the corner of Barton and Crooks street. When he got to James street yesterday Traction Manager Coleman received a request that the company move its wires to permit the machine to pass under. He demanded to know if the contractor had a permit from the city.

In the meantime he went to the beach to keep an appointment, and while he was gone a message reached the company's offices that unless the wires were moved in a hurry they would be torn down.

Next the company heard of it a section of the wires was down and street railway traffic was blocked at the crossing, a boom on the excavator having become tangled in the wires.

The company says the damage to its property and the loss owing to the traffic being blocked amounts to \$500. It will look to Mr. Yeates to make this good. It is expected that the owners of the horse which ran away and the bicycle which was damaged will file claims also.

The man who was knocked unconscious from the wires came down was one of Mr. Yeates' employees.

Mr. Yeates says that he asked Inspector Pearson, of the Street Railway Company, if he could take the machine over the tracks. It is said that the inspector replied that he had no objection if Mr. Yeates could get it through without touching the wires.

There is a city by-law which says that the street cars have right of way and that to block them means a fine of \$10 and costs. This does not relieve anyone from liability for damage caused to the company's property or loss through blocking traffic. The by-law adds that where large objects are to be moved across the tracks a permit must be obtained from the City Engineer. This was not done. City Engineer Macaulm intimated to-day that there might be a prosecution. As the city granted no permit, he does not see how the city can be liable.

The accident has called the attention of the city officials to the fact that the by-law is badly in need of amending. They think Hamilton is too big a city now to have the street railway traffic tied up in the day time, and that the by-law should be provided that any house or other obstacle to be moved across the tracks should be moved at night or at some hour when traffic is light.

AGED 90.

Old Resident of Dundas Died at St. Peter's Infirmary.

At the venerable age of 90 years, Peter Case, for nearly fifty years a resident of Dundas, passed away at 11 a. m. on Sunday morning at St. Peter's Infirmary, of this city. He was a well known character in and around Dundas, and had had many and varied occupations until 1905, when the council decided to have him cared for at the infirmary. With the exception of several cousins, Mr. Case had outlived all his relatives. The funeral took place this afternoon from Dundas to Lock Chapel where the interment took place.

Time is Getting Short. Do your Christmas cooking now. See our samples of fruit before placing your order elsewhere. We're noted for quality.

Loose Muscatels, Valencia's, Sultanas, seedless Valencia's, seedless raisins, peels, spices, all kinds of flavoring extracts, shelled almonds, walnuts, raw sugar, New Orleans molasses West India molasses, cider, dates, prunes, etc.—Bain & Adams.

The Man In Overalls

Are you buying? When a man gets soaked on Sunday the Magistrate is quite right in soaking him.

Ho's a' w' ye, the nict? Brawley, thank ye for speerin'.

Some day the citizens will awaken to the importance, beauty and utility of the reversion wall.

Wouldn't it be awful if the Government were to pass a law against bridge? Christmas will be here in a hurry. Get busy.

It might be as well, however, to ask yourself the question what you are doing here anyway? If you are merely killing time or having a good time is it worth while?

Now let the hotel men come out in the open and state their case. The temperance men will soon catch their second wind.

The Times' Christmas number is to be a real beauty, with all kinds of nice things for the readers. Are you advertising in it?

No, I'm not hitting at anybody particularly. But I like to see a young fellow have some snap and go in him. Step lively now.

Only 25 days to Christmas. Count them.

"You are quite right about people not knowing how to walk," he said. "I have often laughed at them myself."

Is anybody picking out sites for public playgrounds? We should have a few choice ones for spring.

Adversity struck the Ottawas just as soon as they struck Varsity, said my Irish friend.

Gompers is not in jail yet. Neither has the Standard Oil Trust paid that \$28,000,000 fine.

The city is about evenly divided into two classes—those who are controller candidates and those who are not.

It is to be hoped that the effort to unseat the Tory chairman of Ward No. 5 will not succeed. Mr. Gould is no particular friend of mine, but I hate to see a man jumped upon because he won't cough up every time he is asked.

By the bye— Last evening as I was walking home quite innocent like, talking to nobody, not even to myself, I passed two gentlemen who were bidding each other good bye on a street corner. One of the gentlemen turned and walked in the direction I was going, but kept looking back while he smiled to me. Pretty soon a little dog came scampering up and the gentleman turned to me and said, "I knew he wouldn't go far with him. He came back as soon as he found out his mistake. Dogs know quite a lot."

"Yes," said I, tentatively, "not knowing what was expected of me. Some dogs know much more than people think."

"There's a story about a dog I always like to tell," said my unknown friend, in a friendly way. "Yes," said I, encouragingly. "Two men were going home one night. One of them was somewhat the worse for liquor, and his friend was seeing him home. But the tipsy friend had too much, and he became noisy and was attracting a crowd. His friend took a hold of his arm and said, 'Come on, Harry. Don't you see you are gathering a crowd?' Harry replied by swinging his arms and shouting, 'Let me loose you blooming dog.' 'Harry,' said his friend, 'I wouldn't call you a 'blooming dog' for a dog is a good and faithful friend.' 'That was a good one on Harry,' said my new found and unknown friend, and we passed as ships pass in the night."

ARCHBISHOP OF YORK.

Declares He Will Vote Against Lord Lansdowne's Amendment.

London, Nov. 30.—This was a day in the history of the House of Lords long to be remembered. The session was given over to the concluding arguments and division on the Government's budget bill, and the debate was the most interesting heard in the Upper Chamber in many years.

The galleries were more crowded than on any preceding day since the debate began, and the peers, whose presence in view of a probable division had been urged by the party whips, gathered in force. The Episcopal benches were filled, a majority of the bishops being present to hear their colleague, the Archbishop of York, who was the first speaker of the afternoon.

Several peers, who had never even taken the oath of the chamber, were sworn in order that they might vote at the evening division.

The Archbishop of York said he would have to take a position somewhat different from that of the Primate, and that if he voted he would vote against Lord Lansdowne's amendment. He joined those, he said, who deplored the introduction of the amendment, and he had not heard argument sufficiently persuasive to prove to his satisfaction that the budget was bad enough to justify the unprecedented course proposed by Lord Lansdowne.

SAFETY DEPOSIT BOXES. To rent at \$2 a year and upwards, for the storing of deeds, bonds, stocks, wills, silver and other valuables. TRADERS BANK OF CANADA.

LEFT FORTUNE. Paris, Nov. 30.—A special from Havre to-day says that Marie Mallet, an aged cook, died suddenly leaving to her heirs a great fortune, which had come to her from a brother, a California "Forty-niner."

ROLLED DICE ON THE LORD'S DAY.

Two Players Fined \$10 Each—Peculiar Outcome of Dog Killing Case.

The axiom, "He as takes what isn't his'n, when he's cotech he goes to prison," is not always true. For instance, Ernest Wiggins, 270 Jackson street west, stole a \$25 watch from Ernest Dowrie; he acknowledged his guilt, but instead of being sent to prison he was let go on deferred sentence. He was before the Magisterial throne in Police Court this morning for theft of the aforementioned chronometer. The evidence was that defendant borrowed the watch some time ago, took it to a James street pawnbroker and left it there for \$5; hence the charge.

Defendant's father came forward and volunteered to make re-litigation, but the defendant said he has lost the pawn ticket. A policeman will go to the pawnbroker with an order from the Magistrate, and when the watch is reclaimed defendant will have to pay \$9.

Charles Gassen, 228 King street west, and John Garbett, 79 George street, gambled with dice on the Lord's day; they said so. Frank Todd, King street west, and Baron Caddie, York street, did not gamble on that sacred day, though they were arraigned for so doing. They pleaded not guilty.

P. C. Ince said at 2:10 o'clock on Sunday afternoon the two defendants who pleaded guilty were throwing dice on (Continued on Page 10.)

New York Tragedy

New York, Nov. 30.—Patrick H. Rafferty killed his wife in their Brooklyn home early to-day by cutting her throat with a razor.

Frank Ohland, a brother-in-law, attempted to interfere, as did Mrs. Margaret Kelly, mother of Mrs. Rafferty. Ohland was severely cut and Mrs. Kelly's skull was fractured by a blow from a broomstick. Rafferty then ran into the yard and attempted to kill himself by cutting his own throat with the razor he had used on his wife.

Mrs. Kelly and Rafferty are in the hospital, where it is believed both will die.

Rafferty had been staying out late at night, according to relatives, and when he returned this morning his wife remonstrated with him.

OUTRAGE ON FRENCHMEN.

Nicaraguan Government Will Have to Answer to France.

Bound Two French Subjects and Threatened to Shoot Them.

The Housekeeper Brutally Treated By Nicaraguans.

New Orleans, La., Nov. 30.—A cable from San Jose, Costa Rica, says that the French Government has been drawn into the Nicaraguan trouble in a way that promises serious consequences for Zelaya, as a result of brutal outrages on French citizens residing in Nicaragua.

An official complaint has been lodged with the French Consul-General in Costa Rica by Faustino Montiel, a Frenchman. Montiel, who was manager of a farm owned by M. Menier, of Paris, and situated on the southeast coast of the great lake of Nicaragua, says:

"On the 22nd of October last we were surprised by a large detachment of troops, commanded by a gentleman called Larose, who, we were told, is an aide-de-camp of the President of Nicaragua. Immediately Mr. Ruinat and myself were bound and dragged to the edge of a lake, where, after a mockery of a trial, they threatened to shoot us—a threat which they repeated three times."

"As soon as we were safely in the lock-up the soldiers returned to sack the farm, wresting the keys from the housekeeper and carrying off all objects of value on which they could lay their hands, some of which we recognized later in Lourta. We had to regain possession of our own horses by purchasing them from those to whom they had sold them."

"During the operations at the farm the housekeeper was brutally treated by Larose, and it was with difficulty that she saved her life. They completely stripped the farm, not taking into account the French flag, which was perched over the house."

"The election of officers resulted as follows: President, James Lennie; Vice-President, Gerald Kuhry; Corresponding and Financial Secretary, J. A. Honeycomb; Inside Guard, David Lamb."

After the meeting the members adjourned on the invitation of the Stonecutters' Union, whose guests they were for the balance of the evening. A very enjoyable social time was spent. The tailors, in the near future, hope to return the hospitality of their brothers, the stonecutters.

NO JAIL YET.

Gompers, Mitchell and Morrison Got Sentence Stayed.

Washington, Nov. 30.—The Court of Appeals of the District of Columbia to-day granted the petition of Samuel Gompers, John Mitchell and Frank Morrison, of the American Federation of Labor, in the contempt cases against them, for a stay of execution of the mandate of the court sending them to jail. The mandate is stayed indefinitely, pending appeal to the Supreme Court of the United States.

IN THE STORM. Norfolk, Va., Nov. 30.—Battered by mountainous seas during a northwest gale throughout last night the German steamer Brewster, which struck on the inner Diamond Shoals Sunday night while bound from Kingston, Jamaica to New York with cargo of bananas and coconuts, had this morning changed her position to some extent. The crew rescued yesterday by life savers are still at Hatteras.

UNCLE VS. HIS NEPHEW.

Mearns Case in the High Court This Morning. Was Referred to the Local Master For Adjustment.

A Reference Also in Case of Smith vs. Allith.

The High Court sitting which was opened yesterday afternoon by Sir John Alexander Boyd, chancellor, will likely be concluded within a couple of days, as very few cases remain and they are of an unimportant nature.

The first taken up was that of H. C. Smith vs. Allith Company, Limited. The plaintiff, who resides in Chicago, was the holder of certain patents for sliding doors, and hangers. He gave the license to the Allith Company, Hamilton, to manufacture them. He himself was connected with the Chicago Allith Company, which was also manufacturing the article. The action was for royalties amounting to \$750 a year for a period of 15 years. The defence of the local company was that the contract had been cancelled.

His Lordship, after hearing both sides, held that the local company was entitled to dispose of the goods it had on hand, but the plaintiff was entitled to a royalty—the amount to be decided by the local Master. C. Miller for plaintiff; H. C. Meekins, K. C., for defendant.

In C. H. Meekins vs. W. G. Meekins, the plaintiff, Geo. H. Meekins, sought to have an account of moneys received by the defendant while acting as trustee of the plaintiff's property on Erie avenue. On Sept. 26, 1900, the defendant took charge of his uncle's property as trustee, and admitted that during that time, while acting in such capacity, he received \$67.07, which he offered to pay to the plaintiff, less the commission of \$250.45.

The plaintiff also claimed that money had been paid out, which should not have been, and for that reason he desired an accounting. He further asked a reconveyance of lands still in the hands of the defendant as trustee. The plaintiff said the defendant had sold one of the houses for \$2,900. He had cut off five feet of the adjacent lot and added it to the part sold. For the house and lot sold he had been offered \$2,700, and that, together with the \$500 which he valued the five feet, made it a total of \$3,200. The reason the property was so valuable was because of the depth, 237 feet. At the time of sale he had notified his nephew that he was ready for a settlement. Later his nephew wrote notifying him of the sale and sending the amount received for it. The letter also stated that it would not do any good to seek litigation, as his expenses would be heavy.

After hearing the arguments of both sides His Lordship referred it to the Local Master, J. Farmer for plaintiff; C. J. Holman, K. C., for defendant.

In the case of G. Lynch-Staunton vs. Kerr, the plaintiff, a local solicitor, endeavored to obtain money for services rendered, in connection with a deal between the Eli Van Allen Company and the Van Allen Company. The Eli Van Allen Company was formed for the purpose of taking over the business of the Van Allen Company. The defendant and plaintiff had been in Montreal in regard to the negotiations. The amount suggested as a final payment for services was \$200,000. Nothing was accomplished at that meeting, but an understanding was arrived at that further negotiations would be held. When the settlement was arrived at the plaintiff and defendant were in Montreal all one afternoon, up to 12 o'clock at night, drafting up an agreement.

The plaintiff claimed the defendant had given him an undertaking that his expenses would be paid. When he notified the defendant as to the amount he considered it all right, but later objected, claiming that certain parts should be paid by the Van Allen Company. He acknowledged he saw a letter written by the defendant to Mr. Van Allen. He notified the defendant that his expenses were \$200, and he agreed to it, as the purchasers had considered it right.

When Mr. Staunton was asked as to who the purchasers were, he replied that he did not know at that time, and was not sure now. He thought they were two Montreal firms.

His Lordship considered the plaintiff entitled to the amount sued for, but deferred judgment to look up certain matters.

REV. COLLING.

Former Pastor of Hamilton Conference Died at Drayton.

The death took place in Drayton on Sunday of Rev. Thomas Colling, a well known minister of the Methodist Church. He was born at Lowville, Ont., on May 14, 1840, and was educated at Victoria University, from which he graduated with honors in 1859, being ordained in the same year at Toronto by Rev. Morley Punshon. The circuits he travelled were Dundas, Okaville, Leckie, St. Catharines, St. Thomas, London (Askin street), St. Catharines (Welland avenue) Beamsville, Welland, Simcoe, Plattsville, St. George, Paisley, Warton, Niagara Falls, Durham and Drayton. He was in his third year at Drayton, and last year was president of the Hamilton conference.

Mrs. Colling, who survives him, is the daughter of Mrs. Elizabeth Ingram, London. Three sons and three daughters also survive. Mrs. (Rev.) Robert Pearson, of Edmonton, is one of the daughters.

The interment is to take place in London on Thursday.

Alexander Misener, of Troy, bailiff of the fourth division court, has been appointed bailiff of the second division court, succeeding Alex. Galbreath, resigned.

MERRY MEN.

Union Tailors and Stone Cutters Fraternalized Last Night.

Hamilton Branch No. 149 of the Journeymen Tailors' Union held a most successful meeting last evening, which was largely attended. Twenty applications for membership were received. The auditors' report showed a surplus over all expenditures. Favorable comment was passed as to the large increase in the demand for the union label by the patrons of custom made clothing.

The election of officers resulted as follows: President, James Lennie; Vice-President, Gerald Kuhry; Corresponding and Financial Secretary, J. A. Honeycomb; Inside Guard, David Lamb.

After the meeting the members adjourned on the invitation of the Stonecutters' Union, whose guests they were for the balance of the evening. A very enjoyable social time was spent. The tailors, in the near future, hope to return the hospitality of their brothers, the stonecutters.

LAST TRIP TO TORONTO.

The staunch steamer Maracsa will make the last trip of a long and successful season on Saturday next, December 4th. She started this season on April 1st, making from one to three round trips daily between this city and Toronto, and in all the months missed but one trip, and that on account of bad weather. For the balance of the week she will leave at her regular hours, Hamilton 9 a. m., Toronto 4:30 p. m. The usual rate, making from one to three round trips, and 50c single fares are still in force. The steamer is steam heated throughout.

Just Received. A fresh stock of Whiteleas's sanitary paper diapers. They are soft and strong, and perfectly absorbent. To be worn inside the regular diaper and thrown away or burnt when soiled. Put up in packages of 50 and sold for 65c.—Parke & Parke, druggists.