

HE POPPED THE QUESTION.

A. O. Brown Swears None Else Heard Miss Hopper's Yes.

The Lawyer Was Looking For Corroborative Evidence.

Question as to the Automobile Presented to the Actress.

Toronto, Jan. 7.—Albert O. Brown's proposal of marriage to Edna Wallace Hopper and the automobile and the life insurance policies he gave her were the subject of inquiries yesterday before John J. Townsend, referee in bankruptcy, at 45 Cedar street.

Mr. Brown had scarcely taken the stand when lawyer Hays fired this question at him.

"Was any one present when you proposed to Miss Edna Wallace Hopper?"

Lawyer Hays waited a moment for an answer, and noting that the question had confused the witness a bit answered the question himself with, "I assume nobody."

The witness smilingly nodded assent. "Well, this engagement then; do you remember where it was made?"

"Yes, at her home."

"Was any one present when you gave her the automobile; that is, any one but you and Miss Hopper?"

"No," replied the witness.

"What was the substance of your conversation with her after you became engaged, that is with reference to the automobile?"

"I said I wanted to make her a present, and told her I would like to give her the machine. She accepted."

"How long after the engagement was it that you gave her the present?"

"The same day," replied the witness; "March 2, 1908."

Lawyer Hays asked the witness just when it was that his initials had been removed from the automobile and Miss Hopper's substituted, and wanted to know why it was done.

"It was about a week after the suspension of the firm, wasn't it, Mr. Brown," asked the lawyer, "that the initials on the door of the car were changed from yours to hers?"

"I suggested it a long time before," he said, "but Miss Hopper said she liked my initials better."

Lawyer Hays then asked about Mr. Brown's life insurance policies which had been made out in favor of Miss Hopper. Mr. Brown said that the policies were originally in favor of his wife, who died several years ago, and that he bought them to Miss Hopper and told her to get her lawyer to have them fixed up for her.

He was asked concerning the truth of stories that he and Miss Hopper are now married.

Lawyer Hays then called Edward F. Buchanan, a member of the firm, and asked him about the sale of stock of the Buchanan Mining Company of Prescott, Ariz., which has been occupying his attention since the failure of the firm.

The name of the mining company was taken to be a combination of "Buck," as Mr. Buchanan is known to his friends, and the abbreviation of Anthony of Kansas. Mr. Buchanan said that he had no financial interest in the mining company. The company was just being organized, he said, by James O'Connor, who had been his private secretary.

"I have just been trying to help him by selling some of the treaty stock on commission," said Mr. Buchanan.

The hearing will be continued to-morrow afternoon.

VISITS KHEDIVE.

U. S. Fleet Officers Having Good Time at Cairo.

Port Said, Jan. 7.—The battleships Georgia, New Jersey and Nebraska have arrived here. The Virginia and Louisiana have proceeded to Beirut, Syria.

Cairo, Jan. 7.—Rear Admiral Wm. P. Potter, commander of the fourth division of the United States Atlantic fleet, and a number of his officers of this division paid an official visit to Cairo to-day, and were received by the Khedive of Egypt, Sir Eldon Gorst, the British diplomatic agent in Cairo.

Speaking for Admiral Sperry, Rear Admiral Potter presented to the Khedive the respects of President Roosevelt and the fleet. In reply the Khedive expressed his great pleasure at meeting the officers.

The visitors were entertained at luncheon by Sir Eldon Gorst, and this evening they will be the guests of the Khedive at a banquet in the Abdin Palace.

A GOOD ACT.

Carnegie Gives \$125,000 to Help Dr. Koch in His Work.

Berlin, Jan. 6.—David Jayne Hill, the United States ambassador, paid into the Zehandlung Bank to-day Andrew Carnegie's gift of \$125,000 to the Koch Institute for tuberculosis research. Mr. Hill also communicated to the president, Mr. Carnegie's cordial acknowledgment of the gratification he felt on being elected as honorable member, and his good wishes for the success of so beneficent a work.

TREADWELL A BANKRUPT.

San Francisco, Jan. 7.—Jas. Treadwell, one of the multi-millionaire, one of the promoters of the world-famous Treadwell mines, of Alaska, and a former director of the California Safe Deposit & Trust Co., of this city, which suspended during the panic of 1907, was yesterday adjudged a bankrupt in the Federal court on petition of the then depositors of the bank. Treadwell is under indictment by the grand jury in connection with the failure of the bank.

\$200,000 FIRE.

Texarkana, Ark., Jan. 7.—Fire early to-day in the Hayden Dry Goods Co. and the E. L. Chatfield Hardware Co.'s establishment and Cassidy's saloon, in East Broad street, caused \$200,000 damage.

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.



JUST BEFORE THE BALLOON STARTED SKYWARD.

In the basket are Mrs. Thomas Rose and Mrs. W. L. Norcross, contestants for the Eldridge-Simmerman cup, who made the ascent, accompanied by Dr. Thomas E. Eldridge and Dr. George H. Simmerman. Dr. Eldridge is in the background ready to climb aboard.

HELD HIM ON.

Colonel Who Needed Men to Keep Him on His Horse.

Congressmen Have Some Fun With the U. S. Army.

Washington, Jan. 7.—Sharp criticism of the U. S. army and its management is being heard about the capital. Some of the most pointed remarks have been published in the official record of the testimony taken before the house committee on military affairs in connection with the army appropriation bill. It developed that \$10,490 had been expended for mileage in connection with the horse-manship tests ordered by the president.

This money, it was explained, was disbursed in order to assemble the officers on what was deemed a proper course, such as at Fort Ethan Allen, in Vermont, and Fort Myer in Virginia.

"That \$10,000 is a useless expense," declared Representative Anthony of Kansas. "Those tests could just as well be taken at the posts where the officers are stationed."

"Yes, or riding around a fair ground," suggested Representative Slaiden, of Texas.

Chairman Hull, of Iowa, came to the rescue of the money that the president suggested. He suggested it would be well to have the officers ride in schools with some one to watch them as he understood that at the last ride at Fort Myer, "some old colonel had to have a man on each side of him to see that he stayed on his horse."

At this point Representative Parker, of New Jersey, was moved to say: "You know we have decorated forty old fellows who are no good but who are broken down with drink, and that will save the government a lot of money."

Representative Capron, of Rhode Island, expressed the opinion that the same test might be applied to members of Congress, whereupon Representative Prince, of Illinois, suggested that the secret service would take care of that, as "that is what the president wants."

SISTER FORGIVES.

Sends Money to Jail to Buy Luxuries For Brother Who Beat Her.

London, Jan. 7.—The fidelity of woman was again evidenced at the jail yesterday when a little woman walked timidly into the sheriff's office and left the sum of \$4 to be spent in securing luxuries for her brother.

There are many who attempt to secure delicacies for their friends who are confined in the jail, but this case is somewhat different, as George Cook, the man for whom the money was left, was Tuesday sentenced to a charge preferred against him by the police for beating this same sister who is now taking him aid to the jail.

CATHEDRAL SHAKY.

Toledo, Spain, Jan. 7.—A board of architects has pronounced the cathedral at Toledo, one of the largest and most celebrated Gothic edifices in Europe, unsafe and liable to collapse. The cathedral services are now being conducted in the Church of Trinity.

THE MAN IN OVERALLS

The Hamilton branch of the Victorian Order of Nurses needs money, and it deserves it. Can you help it?

It is not so much Hydro-Electric as license reduction that is worrying some people.

Some of the "also rans" feel quite pleased about it, while some others are still sitting in gloom, and refusing to be comforted.

The Magistrate seems to have revised his tariff this year and is hating out some hot as well as just ones.

Better to have run and lost than never to have run at all.

True enough, the Crit party took no part in Monday's elections, still it is fairly well pleased with the result.

I now tremble to think what is to become of the Jolley Out. Has it got no friends in this large and populous city?

Some of these nights Ald. Nicholson will be absent-mindedly wandering down town to a committee meeting.

Notice how mad the Herald gets when you suggest graft? Suspicious!

The automobilists and the bikers should have got out and humped for the good roads by-law.

Mr. Zero appears to be in a hurry to make up for lost time.

When the "maebben" broke down in No. 4 Ward it must have been in bad shape.

If we can't have license reduction, how would high license do? The money would come in handy for the nurses' home.

I did not congratulate No. 1 Ward for electing four Grits. I hated it for the lack for electing a quartette of good men.

Now let us all forget our differences and work harmoniously for the good of this good city.

These are happy days for the cool man and the ice man.

In the meantime, when is the city to vote that \$1,000 for the earthquake sufferers?

We should now be able to get a sprinkling of Grits on the independent boards.

Returns are now beginning to come in from the men who swore off at New Year's. Some are still on the rock, while others have fallen off with a splash. The old, old story.

Shut that door!

OPERATED ON.

Henry Buswell Has Better Chance of Recovery Now.

Henry Buswell, the Englishman who was badly used up in the New Year's morning fracas on King William street, was operated on at the City Hospital this morning, as his condition seemed too serious to take chances of his getting well without the operation.

A clot of blood was removed from the brain where it was seriously interfering with his chances of recovery. This afternoon it was reported that while his condition was serious, Buswell stands a good chance of getting well, a much better chance than he did before. Dr. Olmsted performed the operation.

For the first time this year the bay was frozen last night. If the cold weather continues for this week there is every likelihood of good skating.

MAKING IT WORSE.

Magistrate Gives Clergyman a Great Setting Out.

(Special Despatch to the Times.) Montreal, Jan. 7.—Recorder Dupuis provided a sensation in the Police Court when he gave Rev. Arthur French a terrific tongue lashing on his methods of exposing the sexual evil. By his methods he was making many young people familiar with a phase of life to which they might otherwise remain strangers.

MAY QUIT.

Chatham Man Disgruntled Over His Small Vote.

Chatham, Ont., Jan. 7.—Col. Sam Holmes, brother of the police chief, got only 247 votes in his run for alderman, and he is so disgruntled with the verdict of the people that he says he has a notion to sell out his property here and go to the Northwest. He cannot understand why a man who has lived here fifty-seven years and paid from \$100 to \$200 taxes for 40 years could not get more votes.

Another Large Barrel

of that delicious crisp slender shredded sauerkraut, every shred crisp, tender, white. It's not ordinary kroust, not the kind that is cut in chunks. It's made with every care, made as good kroust should be made. It sells at fifteen cents a quart, or two quarts for twenty-five cents. Pigeons are selling fast. Have you secured yours? Bain & Adams, 89, 91 King street east.

APPOINTED RECEIVER.

Bay City, Texas, Jan. 7.—In the suit of James H. Burham and others against the Hardy Oil Co., the Texas Land & Cattle Co., and others, involving the Marham oil field, Wm. Holland of Bay City, was appointed receiver. The value of the property involved is \$2,100,000, in which Burham claims an interest.

MILITARY JOB.

Ottawa, Jan. 7.—Major H. C. Thacker, P. S. C., will succeed Major H. A. Pagant as Deputy Adjutant General. Major Pagant will assume command of B. Battery, Kingston, June 1.

English Shag Tobacco.

W. D. & H. O. Wills, of Bristol, England, are the manufacturers of the celebrated Superior Shag smoking tobacco, which is sold in this city for 20 cents a tin at peace's cigar store, 107 king street east.

JUDGMENT MEANS BIG LOSS TO CITY.

Cannot Claim Any of the \$16,000 the Aldermen Felt Confident of Getting.

The full text of the judgment in the Court of Appeal in the Cataract Power Company's application to have the street lighting arbitration re-opened for the purpose of submitting new evidence arrived from Toronto to-day, and from the company's view it looks like a victory for the Cataract. The first point is in connection with Judge Snider's award of \$16,000 to the city for overcharging by the company, before the time of the award. The court holds, according to the company, that the learned Judge had not the power to go beyond the time in dispute, and that the company is not bound to pay over to the city that amount. The other important point, on which the company is a winner, is that in the event of the city asking for nothing arbitration, and should Judge Snider hold that the city is entitled to a reduction on the price of the lighting, he shall only have the right to date the reduction from the time of the signing of the award. He has not the power to go back. This means that all the time that has elapsed since the last award is not taken into consideration at all. Each party pays its own costs.

That is the company's interpretation of the decision. The city looks at it in a different light, says Mayor Stewart. He has the best of authority, he declares, for saying that the reason the arbitration was referred back was because Judge Snider went further than he was empowered in fixing the total amount of the rebate to the city, instead of fixing the rate. His Honor has the right to fix the rate, and the Mayor says he is satisfied the city can collect all overcharges from the time the city had the right to go to arbitration, although it may be necessary to collect the money through the courts.

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HE BACKED A NOTE AND IS SORRY NOW.

Case of Alleged Theft of Electric Current In Police Court To-day.

R. Barrow, son of City Engineer Barrow, has been made acquainted with the folly of backing other people's notes. He backed a note for \$400 last March at Ancaster, and now has to pay the whole shot, as the assets of the maker of the note are said to be worth about as much as the paper the note is written on. On March 16 of last year Hugh G. Stout bought a team of horses from J. McNiven, and he gave a note for them, for \$400. McNiven wanted the note backed by some person who was capable of paying him, and Barrow endorsed it. He claims that he understood Stout to say that he owned a store and some land at the head of the East End Incline, a short distance from Mount Hamilton, and that is why he endorsed the note. Since then the note has fallen due and McNiven was unable to collect from Stout, so called on Barrow for payment. Barrow told the police that when he investigated he discovered that the store and property on the mountain were in Stout's wife's name. He promptly laid an information against Stout, and Detective Sayers and Campbell arrested him last evening. E. Morrison appeared for Stout and obtained a remand till to-morrow. The charge is obtaining Barrow's signature and making him liable to McNiven, by false pretences.

A case of a very rare kind was on the list this morning. The Hamilton Electric Light & Power Co., Limited, charged J. A. Lather, who lives at 495 Cannon street east, with theft. The alleged theft consisted of obtaining electric current for his house lighting that had not passed through his meter. The case was discovered by Inspector Green, who reported that he found a "jumper" on the wires which led to the meter.

Luther was summoned by Detective Sayers, and appeared this morning, but the case was laid over for a week, owing to the fact that Inspector Green fell on the edge of a bath tub last night while taking his bath, and injured himself severely. James Ogilvie appeared for the defendant, and Leroy Avey for the complainants. Mr. Ogilvie said that his client was an expert meter man, and had nothing to do with the working of the jumper, but that a man who called on him had done something to the meter in the cellar, and he did not know what it was nor had he investigated. The complainants state that the pegs which should have held the wires held pieces of string highly resembling the wires, and the wires ran down behind the meter and connected on the inside of the house again.

Charles Wamsley, 68 1/2 York street, was summoned to appear to-day on a charge of selling liquor without a license at the above address, which is a club room where dances are held. A Christmas dinner was served at the club, and the allegation is that booze was an extra. Those who had paid for tickets with their last nickel and had a dry meal were very sore, and one of them laid the information against Wamsley. When the case was called this morning neither the defendant or the prosecutor were on hand. A warrant was issued for Wamsley, and he will be arrested, but whether or not the case will go on remains to be seen.

William Hunting Macnab and Market streets, and Albert Bingham, Barrie, were fined \$5 each for being drunk and disorderly. Constable Aikin arrested them last evening for fighting on the market.

Judgment was entered against Jacob Kauffman, 25 John street south, for \$10 wages sued for by Samuel Koplin.

If the temperance people cannot carry license reduction in the Council, a by-law cannot be submitted before next January. The question has to be dealt with before March if there is any chance of license reduction can go before the Council in the shape of a question, such as was submitted in Toronto. The municipal act provides that such questions can only be submitted at municipal elections.

City Clerk Kent this morning received a letter from C. Connolly, who lives at 113 Rebecca street, was used as a store at the municipal elections, stating that he found a ballot on the floor the morning after the election. The ballot was marked for Ryan, Martin and Ross. In case of a recount in Ward 6 this might prove of some importance as Alderman Ryan was only a narrow vote ahead of Ex-Ald. Howard. The City Clerk says it would be impossible to tell whether the vote was counted in the official returns until the ballots were counted again. He thinks there is a recount, and it is shown that the ballot is properly signed by the returning officer. He has advised Mr. Connolly to send him the ballot. Ald. Ryan has consulted his solicitors in the matter. H. S. Stevenson is the deputy returning officer at this booth.

In connection with the proposed removal of the Otis-Fenson Elevator Company, of this city, to Toronto, the Telegram of that city, says: "The promotion of the deal to give the Otis-Fenson Company a strange hold on the future of the Ashbridge Bay district is expected to get it through the new council at an early meeting. The council at present lines up 11 in favor of the deal and 10 against it with two members still to decide."

Welland is also making a strong bid for the company. Welland offers to give a free site, connected with the railroads, and also having deep water connection.

A special meeting of the Board of Health will be held to-morrow night to discuss the establishment of a laboratory in the City Hall in connection with the Health department.

HIS LONG HOME.

Alex. Rose Off to Kingston, Penitentiary For Life.

Toronto, Jan. 7.—Alexander Rose, the thug and jail breaker, who was sentenced on Tuesday to imprisonment for life, left for Kingston Penitentiary this morning in charge of two county constables. Rose's father and two brothers said good-bye to him in the coach, and they supplied him with fruits and confectionery.

CHOSE PEPPER.

Toronto, Jan. 7.—The Canadian Horse Breeders' Association for the 25th consecutive year has chosen Mr. Geo. Pepper as its representative on the Canadian National Exhibition. Mr. Pepper has exhibited at the Fair for an even longer period than any other exhibitor. He has won many prizes with heavier winnings than any other exhibitor of horses.

GROCERS' CASE.

Evidence All In and Argument Begun This Afternoon.

Toronto, Ont., Jan. 7.—The Grocers' Combine case continued before Chief Justice Falconbridge at Osgoode Hall this morning, some new evidence being introduced by the crown, with a view to rebutting statements made by the Pacific Selling Company, of New York, denying that an agency in Toronto had been cut off as the result of action by the Grocers' Guild. William Hudson, of the Canadian Brokerage Company, was the witness. He maintained that the reason his firm had lost the agency was because the guild had brought pressure to bear. There will be no more evidence. The argument is in progress this afternoon.

HAS EXPIRED.

Foundrymen Do Not Wish the Agreement Continued.

The annual meeting of Moulders' Union No. 26 was held last night, and the following officers were elected: President—Chris Newman. Vice President—John Egan. Recording Secretary—John O'Grady. Financial Secretary—Wm. Ford. Treasurer—Wm. Williams. Corresponding Secretary—James W. Ripley. Trustees—Patrick McBride, W. L. Lucas, Jas. W. Ripley. Auditors—W. J. Lucas, M. Foley, John Christie.

Entertainment Committee—Wm. L. Reid, J. Stacey, W. Heim, W. Cleary. A circular letter from the international secretary was read, stating that the agreement between Stone Foundry National Association of the United States and the International M. U., under which the moulders have been working for the past two years, has been continued for one more year—till January 1, 1910.

A notice was received from the local foundrymen stating that the agreement under which the moulders have been working here expired on January 1st, and that they did not desire to continue it. As all the foundries are closed now, stock taking nothing was done in the matter, the bosses not having asked for a conference.

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