

LAWYER WON THIS CASE.

Mr. McClellon Sustained by the Courts This Morning.

The Outcome of a Bitter Dispute Between Two Neighbors.

Justice Latchford Comments on Howell vs. Patterson.

At the Assizes yesterday His Lordship Justice Latchford, heard the action of William Howell, of Ancaster, against George R. Patterson, of Jerseyville. The statement of claim alleged that under a lease of agreement the defendant, Patterson, took possession of a farm of 143 acres of the plaintiff, and agreed to pay \$400 a year. The lease was dated April 1st, 1907. The defendant occupied the farm until April 1st, 1908, when he terminated the lease. The plaintiff claimed \$500 for unpaid rent, etc. The defendant claimed that it was understood that the house on the farm was to be shingled and sided, and other work done in the nature of improvements, which were not done. The defendant also put in a counter claim for damages and for services rendered. S. C. Biggs, Toronto, appeared for the plaintiff and W. M. McClellon for the defendant.

In reserving judgment until this morning, His Lordship had a few remarks to make about people who are not qualified to draw up deeds and other legal instruments. He said that from the evidence in this case there was no doubt that "it was the outcome of cheap conveyancing, by men who do not know their business." The lease or agreement which had been drawn up was full of errors and inconsistencies. The conveyancing was not done by either of the lawyers in the case.

This morning judgment was given for the plaintiff for \$155, with an allowance of \$25 to the defendant for material not delivered. Costs were allowed to the plaintiff on the County Court scale, with no order for costs to the defendant on his allowance. The Judge took occasion to remark that it was a pity that such a case should have been allowed to take up the time of the Assize Court. The jury in the action of Baldwin vs. Soule, for damages for injury, brought in a verdict for \$100 for the plaintiff. His Lordship directed that the costs on the High Court scale be granted to the defendant and County Court costs to the plaintiff. G. L. Staunton appeared for the plaintiff and J. L. Scheller for the defense.

The action of Brown vs. McClellon was tried this morning, and after hearing the evidence of several witnesses for the plaintiff and one for the defendant, was dismissed with costs. Martin Malone appeared for Brown, and A. M. Lewis for Mr. W. M. McClellon. The action arose over alleged negligence of Mr. McClellon, who some time ago acted as solicitor for Brown in the transfer of some property to the latter. He purchased in September, 1905, Mr. McClellon was employed to investigate the title to the land, which he did. At the time the deed was drawn, there was a shed on the plaintiff's property, which extended over the next lot, owned by a man named Harper. This shed was not included in the deed. When Brown took possession of the land he found that Harper had cut a hole in the end of the shed and was using it to dump refuse on the plaintiff's property, and raising it on jacks he moved the whole shed on his property. In consequence of this Harper entered a suit in the county court against Brown, and obtained an injunction and later was given a judgment by the court for \$249 against Brown. Mr. Malone alleged that Mr. McClellon had been negligent in the drawing up of the deed. His Lordship found otherwise, said there was nothing to support that contention, and dismissed the action with full costs against the plaintiff.

The next action taken was that of William Reid against the P. L. Robertson Manufacturing Company, of Milton, for wages and damages for wrongful dismissal. S. F. Washington, K. C., appeared for the plaintiff, and George T. Blackstock, K. C., for the defense. The statement of claim sets out that the plaintiff is a broker and a traveller. On Dec. 7, 1907, he was appointed secretary of the company, but the amount of "wages" was not agreed upon. On March 17, 1908, he was dismissed. He claims \$500 for the time he was thrown out of employment and \$733 for damages for wrongful dismissal. The defense alleged that on Jan. 19, 1908, the plaintiff tendered his resignation as secretary, and that on no time was he called on to perform any services to the company other than the selling of stock for which he was paid in commission.

ART EXHIBIT.

Some of Mr. G. A. Reid's Fine Pictures Are Here.

Mr. G. A. Reid, president of the Royal Canadian Academy of Painters, member of the Ontario Society of Artists, and one of the most prominent painters of this country, will have a representative exhibition of his work placed upon view, which will be formally opened at the municipal art gallery to-night at 8 o'clock. Mr. Reid's work is quite in contrast with the exhibition of the works of Childe Hassam, which has just closed. Mr. Reid carefully chooses his subjects, and paints historical and sentimental subjects which are of course of more interest to the public, as is shown in his very large and beautiful painting called "The Homeseekers," now on view at the galleries of the Ontario Society of Artists. Mr. Reid's modern "Madonna," which was painted some time ago, and has been reproduced in nearly all of the magazines in this country and abroad, is another of his typical subjects.

WHITE SLAVERY.

Belleville, Ont., March 5.—E. H. O'Donnell, a Chicago lawyer, claims he has been here and found evidence that Ella Gingles, formerly of this city, who says she was assaulted in Chicago, was one of many young Irish girls who were brought to this country under a system of peonage, with the object of making them victims of the "white slave" traffic. The case is said to be taking on sensational aspects in Chicago.

AN OPENING WEDGE TO-MORROW

\$10,000 WORTH MEN'S SPRING HATS

A BIG SENSATION OF EXTRAORDINARY VALUES FOR THREE WEEKS

Grand Opportunity to Secure EASTER HATS at TREMENDOUS SAVINGS

As the saying goes many manufacturing concerns will BREAK THEIR NECKS to establish a connection with these TWO TREBLE STORES.

The large Treble orders and spot cash are worth something, and as an OPENING WEDGE to further trade almost any price sacrifice is considered justifiable to land the first big order. It's just such a fortunate trade circumstance—AN OPENING WEDGE that brings us these splendid values in new Spring Hats, the best offering in the history of Hamilton.

Table with 6 columns: LOT 1, LOT 2, LOT 3, LOT 4, LOT 5, LOT 6. Each lot lists hat styles and prices (e.g., \$1.59 Regular \$2.50).

Great Values in Boot Dept., Cor. King and John. \$2.25 Shoes, McKay sewn, worth \$3.00. \$2.75, Velours and Dongolas, worth \$3.50. Slippers and Rubbers at great savings.

SHOP EARLY. SEE OUR WINDOWS.

Treble's Two Stores (N. E. Corner King and James. N. E. Corner King and John.)

TEA TABLE GOSSIP.

Precommunion service will be held in Central Church this evening at 8 o'clock. Rev. W. H. Sedgewick will preach. Mr. and Mrs. W. J. Aitchison and Mr. S. H. Alexander sail from New York on the steamship Prince George for Bermuda this week. John McRobert and wife and W. G. E. Boyd and family sail from New York Friday per steamship Araphoe for Jacksonville, Florida. Preparatory service will be held in St. John's Presbyterian Church this evening, when thirty-four new communicants will be received into full membership. Mr. Stanley Roberts wishes to thank the many kind friends for their expression of sympathy in his recent bereavement in the loss of his mother. The second meeting of La Petite Causerie was held at the residence of Mrs. W. H. Loring, at Charlton avenue west, on Thursday afternoon, the members spending a most enjoyable hour over tea and French. Mrs. Ernest Lazier will be the hostess at the next meeting. A representative exhibition of the works of Mr. G. A. Reid, president of the Royal Canadian Academy, and member of the Ontario Society of Artists, will be formally opened this evening at 8 o'clock. Mr. Reid will be present, and every member of the Art League should attend at the municipal art gallery, Library building. There promises to be a record breaking crowd at the basketball game at the Alexandra rink next Tuesday night, when the Buffalo Germans and the Hamiltons clash in the third game of the series for the world's championship. The advance sale is at Honnessy's drug store. Judge Monck presided over the Ninth Division Court this morning. An interesting lecture, "Tour to Europe and Beyond," was given in Unity Church Wednesday evening by Rev. W. Delos Smith. Many beautiful views were shown on the screen, which fittingly illustrated the subject. Places of historical interest especially were considered, and this instruction as well as entertainment was given. Despite the inclement weather, a fair sized audience was present. The address was given under the auspices of the Young People's Religious Union.

FINER THAN EVER.

Latest Samples From the Bartlett, Cow Ganda. We have just received notice of a new lot of nuggets of silver taken from about a twenty-foot level on this wonderful property, which will be at this office on Monday and Tuesday of next week. These new samples, it is understood, far outclass anything that has been taken from the mines to date, and far in advance of the fine samples shown in Hamilton last week. Mr. J. W. Bartlett, of the firm of F. R. Bartlett & Co., Limited, Toronto, will be here to give any information relative to the recent discoveries on these properties. The Hamilton office is 303, Bank of Hamilton building, E. B. Arthur, representative.

G. T. R. MEN'S TRIAL.

Toronto, Ont., March 5.—The trial of Daniel Corrigan and Frank McCallum, Grand Trunk Railway conductors, and Harry Rosenbald and Joseph Woods, Hebbrows, on charges of conspiring to defraud the Grand Trunk Railway, commenced before Judge Winchester this morning.

NEARLY DROWNED.

Welland, Ont., March 5.—Five school children narrowly escaped death by drowning at Marshville, near here, yesterday. They were playing on the ice on the feeder, when the ice suddenly gave way, plunging all into the icy water. Although the feeder is eleven feet deep, all the children, by prompt action, were rescued little the worse for their experience.

Fralick & Co. Make a Sensational

Purchase of 200 men's suits, on sale to-morrow at a third under price, every new whim of fashion embodied in these garments, \$13 suits \$8.98; \$20 suits, \$13.34; \$15 suits, \$9.98; \$25 suits \$17; \$35.50 men's pants, \$25.00. 13 and 15. James street north.

Notices of Births, Marriages and Deaths which are inserted in the Daily Times also appear in the Semi-weekly Times. 50c first insertion; 25c for each subsequent insertion.

DEATHS

COLLAR—At Cedar Bank, Plains Road, on Thursday, March 4th, 1909, James Collier, formerly of Detroit, aged 75 years. Funeral from the residence of his brother-in-law, Mr. J. W. Snook, on Saturday at 2:30 p. m. Interment at Hamilton Cemetery. Friends please accept our sympathies. Detroit papers please copy.

THE RANGERS.

Had Fine Banquet at Y.M.C.A. Last Night. The Rangers' Basketball team held their first annual banquet last evening, 16 members, ex-members and officials being present. The banquet featured the club by the manager, T. F. Best. After ample justice had been done the good things provided, a brief programme was enjoyed. Professor F. H. Burt, of Toronto, was the soloist, and his efforts were well received. Bronze watch fobs mounted on black ribbon, with gold-plated attachments were presented to the winners of the four team league, who were Messrs. Geo. Turnbull, T. Marshall, C. Athawes, R. Eccleston, C. Prosser and J. McCullough. Short speeches were made by each of the winners and by J. McCullough, a popular referee.

QUIET TO-DAY.

There are no new developments at the Wilcox & Doolittle quarry at Dundas to-day. The two Italians who were arrested yesterday were before the Magistrate this morning, charged with disorderly conduct, but the case was laid over until to-morrow. The foreigners have all quit the quarry, and many of them have left town. The trouble is over pay. The men have been receiving \$12.5 a day, and made a demand for \$1.50. Fearing that trouble would follow, two supposed ringleaders were arrested.

SENT FOR TRIAL.

(Special Despatch to the Times.) St. Catharines, Ont., March 5.—Emil Bieber, the German from Welland, who was arrested in Toronto on Tuesday, charged with uttering a forged cheque for \$13, signed Louis Kottmeier, was this morning committed for trial by Police Magistrate Campbell.

The Season's Delicacies.

Live and boiled lobsters, shell and bulk oysters, turkeys, chickens, ducks, geese, lamb, beef, Cambridge sausage, squabs, Grimshy tomatoes, mushrooms, cauliflower, celery, wax beans, lettuce, radishes, green onions, cucumbers, rhubarb, sweet potatoes, grape fruit, Malaga grapes, pineapples, ripe strawberries, pears, plums, muffins, crumpets, maple syrup, cheese, bulk olives, bulk pickles. —Peables, Hobson & Co., Limited.

Habit

People often talk about the strength of habits—bad habits; but good habits are just as strong, and the strongest habit of all, when once acquired, is the Savings habit. One dollar will open an interest bearing account with the Dominion Bank. GET THE SAVINGS HABIT.

THE DOMINION BANK

Main Office—39 MacNab St. N. East End Branch—Corner King and Wentworth Sts. W. K. PEARCE, Manager.

THE WEATHER.

FORECASTS—Winds becoming variable, fine and cold to-day. Saturday fair with higher temperature. The following is issued by the Department of Marine and Fisheries: Temperature. 8 a.m. Min. Weather. Victoria ... 46 32 Clear Calgary ... 54 22 Clear Winnipeg ... 26 10 Clear Port Arthur ... 18 4 Clear Perry Sound ... 24 2 Clear Toronto ... 30 0 Clear Ottawa ... 22 8 Snow Montreal ... 20 10 Snow Quebec ... 24 18 Snow Father Point ... 34 22 Rain

SPECIAL VALUES FOR SATURDAY'S SELLING AT SHEA'S.

Silk undershirts, \$4.50 to \$6, for \$2.95; net, silk and lace blouses, \$5 and \$6, for \$2.95; black and colored dress goods, \$2 to \$6, for 50c; women's and misses' coats, \$5 to \$7.50, for \$2.95; women's coats, \$7 to \$10, \$5; women's coats, \$10 to \$15, for \$7.50; \$15 to \$25 coats, \$10; \$25 to \$50 coats for \$15; women's satens, taffetine and heatherbroom unshirts, taffetine and heatherbroom unshirts, worth \$3 and \$3.50, for \$1.95; deskins, worth \$5 to \$7.50, for \$2.95; women's new and best white lawn waists in Canada for \$1; all the new corsets, in long back styles, from \$1 to \$4; special offerings in small wares; hooks and eyes four for 5c; 5 pins, two for 5c; 5c needles, two for 5c; 5c safety pins, two for 5c; tape, six for 5c; darning wool, four for 5c; 5c hairpins, two for 5c; 15c hose supporters for 10c; 25c hose supporters for 15c; elastic belts, worth 25c, for 15c; dress skirts, from \$5 to \$12.50, on sale from \$3.95 to \$7.50. Shop in the morning.—James Shea.

MONTEAL ELIZZARD.

Montreal, Que., March 5.—The snow-storm and blizzard, which set in yesterday, is proceeding in even more lively fashion to-day, and as a consequence the railways are more inconvenienced in the moving of trains than at any time of the winter in this section. A heavy wind-storm, in addition to the snowfall, ransing large drifts, and the railways are battling with the snow in country districts.

Steamship Arrivals.

March 5.—Barré of Ireland—At Halifax, from Liverpool. March 6.—At New York, from Naples. Liverpool—At Boston, from Liverpool. March 7.—At Quebec, from Portland. La Savoie—At Havre, from New York. Caronia—At Naples, from New York. Louisiana—At New York, from Liverpool. March 8.—Lunenburg—At New York, from Liverpool. Deutschland—At New York, from Hamburg. Citta di Palermo—At New York, from Genoa. Sanawonnet, Mar. 5.—Steamer Pennsylvania, Hamburg for New York, was 288 miles east of Sandy Hook at 3 a. m. Dock about 8:30 a. m. Sunday. New York, Mar. 5.—Steamer Celtic, Liverpool for New York, was 149 miles east of Sandy Hook at 3:15 a. m. Dock about 8:30 a. m. Sunday. Haeckel in Resign. Ernst Haeckel, the scientist, who has just celebrated his seventy-fifth birthday, intends to resign the professorship of zoology at the University of Jena, which he has held for forty-six years. He will devote his time to his phylogenetic museum, in which he is studying the evolution of species and groups in biology.

Women's Accounts

are especially welcomed by this Bank. Not only is absolute safety assured, but every convenience is extended, and both officers and employees are glad to give every possible assistance. There is a comfortable reception room, provided with writing materials and desks. None but new money, whether coin or paper, is given to the Bank's customers.

THE TRADERS BANK OF CANADA

KING STREET WEST

NOTICE TO CONTRACTORS

Tenders for Shops East of Winnipeg. SEALED TENDERS addressed to the undersigned and marked on the envelope "Tender for Shops East of the Dominion of Canada, payable to the order of the Commissionaries of the Transcontinental Railway, at Ottawa, 12 o'clock noon on the 19th day of March, 1909, for the construction and erection complete, in accordance with the plans and specifications of the Commissionaries, of shops east of Winnipeg. Plans, details and specifications may be seen at the office of Mr. Hugh D. Lumden, chief engineer, Ottawa, Ont., and Mr. R. P. Poulin, district engineer, Winnipeg, Man. Persons tendering are notified that tenders will not be considered unless made on the printed forms supplied by the Commissionaries, which may be had on application to Mr. Hugh D. Lumden, chief engineer, Ottawa, Ont. Each tender must be signed and sealed by all the parties to the tender, and witnessed, and be accompanied by an accepted cheque on a chartered bank of the Dominion of Canada, payable to the order of the Commissionaries of the Transcontinental Railway for the sum of one hundred thousand dollars (\$100,000). The cheque deposited by the party whose tender is accepted will be deposited to the credit of the Receiver-General of Canada as security for the due and faithful performance of the contract according to its terms. Cheques deposited by parties whose tenders are rejected will be returned within ten days after the signing of the contract. The right is reserved to reject any or all tenders. By Order. P. R. EVAN, Secretary. The Commissionaries of the Transcontinental Railway. Dated at Ottawa, 29th January, 1909. Newspapers inserting this advertisement without authority from the Commissionaries will not be paid for.

NOTICE

Required for Quarantine Service, Halifax, N.S. STEAMBOAT of about the following dimensions—50 feet long, 20 feet beam, 3 feet draft, speed about 10 knots. Seaboard offers such a vessel addressed to the undersigned, marked "OFFER OF STEAMBOAT FOR QUARANTINE PURPOSES," will be received up to 12 o'clock mid-day, Wednesday, 11th March, 1909. It is desired that the following particulars respecting the vessel accompany the offer: Name of ship, name of owner, name of captain, when and where built, year of construction, length and width, description of engine and boilers, and where lying for inspection. Price offered, and name of agent. Date when delivery is to be made and where. All offers received will be submitted to a Board to be appointed by the Minister of Agriculture, and report not to be necessary to be accepted. A. L. JARVIS, Secretary, Department of Agriculture, Ottawa, 2nd March, 1909. N.B.—Unauthorized publication of this advertisement will not be paid for.

COLD STORAGE

Rooms for the storage of Fruits, Meats, Vegetables, Cheese, Butter and Furs. APPLY TO F. W. FEARMAN CO., LIMITED REBECCA STREET

H. G. MEADOWS

The Buffalo Broker Found Guilty of Grand Larceny. Buffalo, N. Y., March 5.—The jury in the case of Harold G. Meadows, of the defunct brokerage firm of Meadows, Williams & Co., on trial on the charge of grand larceny, after being out all night, returned a verdict of guilty this morning. The brokers failed last August for over a million dollars. Meadows was accused of wrongfully appropriating \$72,000 belonging to William E. Silverthorne, a lumber merchant of this city.

Have You

Seen the facilities afforded by our new building for caring for your savings? You are invited to inspect the premises. THREE AND ONE-HALF PER CENT. ON DAILY BALANCE Landed Banking & Loan Co., Cor. James and Main

Parke & Parke Say

Come In and get one of those Stone Hot Water bottles from England. They are the best foot-warmers we have ever had in stock. Come in and see them. Our stock of foot-warmers is very complete. We have them at different prices, from 50c to \$1.00 each.

For the Lenten Season

Drink Budweiser It is almost non-alcoholic James Osborne & Son 212, 186, 830, 12 and 14 James St. S.

AMUSEMENTS

GRAND OPERA HOUSE To-morrow MATINEE AND NIGHT 45 MINUTES FROM BROADWAY GEO. M. COHAN'S MUSICAL PLAY With Some Excellent Company as Seen Here Last Season Included. SCOTT WELSH and FRANCES GORDON

SAVOY ALL THIS WEEK

JOSEPH SELMAN CO. Presents The Picturoque Military Play. NORTHERN LIGHTS Prices—Mat., 10, 15, 25; eve., 15, 20, 35, 50c. Sovereigns' Band every Tuesday.

BENNETT'S

Bond & Buntin & Co., in Their Comedy SNYDER & BUCKER, Musical Comedians. Colby & May, Solinski & Grovitz, Stafford & Stone, Cartmel & Harris, Harry Burghyne, Banquetograph. Matinees, 10, 15, 25c; eve., 15, 25, 35 and 50c. Phone 2928.

Twilight Recital

CENTENARY CHURCH To-morrow (Saturday) Afternoon, at four o'clock. W. H. HEWLETT, organist, assisted by J. F. HOLLINGSHEAD, tenor, of Toronto. Admission, silver collection of ten cents.

PHILIP MAURO

A Washington lawyer, in the GOSPEL TABERNACLE TO-NIGHT, at 8 o'clock. LAST CHANCE to hear this gifted Bible expositor. Come.

Britannia Roller Rink

TO-NIGHT SATURDAY NIGHT Ladies' Band in Attendance. Irish Carnival, March 17.

THISTLERINK

Skating Band to-night

HAMILTON GAS LIGHT COMPANY

The Annual General Meeting of the shareholders of the above company will be held at the company's office, Park street, north, in the City of Hamilton, on Monday, March 15th, 1909, at 12 o'clock, noon, to receive the report of the directors for the past year, for the election of directors for the ensuing year and for the transaction of other business. By Order. JOHN KEILLOR, Superintendent.

Spring Wall Papers

Now Arriving A. C. TURNBULL 17 King Street East

LISTEN TO THIS

This is the last week of this giving away sale and it has been the best we ever had. Every lady that came to our show room went away with a genuine bargain and now for these few days we will give you ladies' bonnets at half price, all styles at half price. A number of those 10c felt shapes on sale yet. Come and get one. All trimmed hats in winter materials at half price. This week 25 per cent. off colored ostrich plumes, 25 per cent. off all ladies' dress caps, 50 per cent. off mourning goods. See those new black silk turbans for mourning wear just in from New York, only \$1.50 each. Come and see them. We are making this the best week of all to clear out the stock to make room for the imported goods that are coming in. Also the novelties from New York, the result of Mrs. Himmans' visit to that great millinery centre.

Jersey Green Baking Powder

Is Absolutely Pure. "Canada's Best"

KNIVES

We carry the largest assortment in Hamilton of Kitchen and Dutch Knives. Quality guaranteed. E. TAYLOR 11 MacNab St. North

COAL

INLAND NAVIGATION CO., Limited 604 Bank of Hamilton Bldg. Phones 2662 and 2663

GREEN BROS., Funeral Directors

OPEN DAY AND NIGHT. Charge most reasonable and satisfaction guaranteed. IRA GREEN, Prop., Tel. 20, 125 King St. E.

FORD AUTOMOBILE \$1,000.00

A sample of the touring car is to hand. See it at Automobile Garage Co., 80-82 Bay north, Hamilton agents.

NATURAL GAS GOODS

Very Cheap at BERMINGHAM'S Phone 1200, 30 John Street South.