

ALL DEPENDS UPON FINE LEGAL POINT

If Local Option Will Stand in Saltfleet.

Has Judge Power Beyond Simple Recount,

Decision Will be Given Monday Morning.

While not giving his final decision yesterday afternoon Judge Snider gave the temperance people of the township of Saltfleet to understand that they had lost the case in the local option scrutiny that was held in the Town Hall in Stone Creek. The point on which Dr. Clark and his colleagues failed to make good was over the right of the deputy returning officers and the poll clerks to vote on a by-law in the election. His Honor did not take much time to decide that they had no right to vote on the ground that they were entitled to vote in municipal elections, but not on by-law. His Honor when giving this decision said that this would take off 9 votes, thus reducing the majority of the Local Option vote, and defeating it. There was another man, Jacob Robinson, of Clinton Township, who had moved from the township of Saltfleet on the 13th of December and in doing so lost his right to vote in the township. This in all made 10 votes that would have to be thrown out, and in so doing the temperance party lost the right to have Local Option in the Township of Saltfleet by 2 votes. There is also a legal point, raised by Mr. Kerr, which the judge has yet to give his decision on. If Judge Snider's decision is not upset it will be law for three years, Mr. Staunton announced.

Mr. George S. Kerr, K. C., for the Temperance people, said he thought it only right that the deputy returning officers and poll clerks should be called and be sworn as to whether they had put in a ballot for or against the by-law. His Honor said he could not go behind the voters' list for the purpose of examining every man who voted. He had to assume that each officer and clerk had voted for the by-law.

Twelve witnesses were called by Mr. George Lynde Staunton, K. C., counsel for the voters' list for the purpose of examining every man who voted. He had to assume that each officer and clerk had voted for the by-law.

Mary Jane Cooper was the first one to cause a ripple of amusement when she was asked if she was a widow, replied, "That she didn't know." She said that she voted as such in Division No. 2. When asked by Mr. Staunton where her husband was, Mrs. Cooper declined to answer until Judge Snider put the question to her. She then said that she had not seen or heard of her husband for the last twenty years or more, and for all she knew he was dead.

Susan Dewey was called and said that she voted on the by-law, but that she was a spinster.

Charles E. Barr was called on behalf of his son, Fred Barr, and in answer to a query of Mr. Staunton as to where his son had been, said that he had been out in the Northwest for the past six months, but had returned a couple of weeks before Christmas. He also stated that his son had a return ticket to Winnipeg, but would not say that he was going to use it.

Mrs. Regina Griffiths was another lady who had not seen or heard of her husband for many years, and believed that he was dead.

Jacob Robinson, the man who moved to Grimsby, and thereby had his vote cancelled, said that before he had moved he owned about forty acres of property on top of the mountain.

Among the witnesses were Miss Ida Cowan, Miss Laura Atkinson, Joseph Bowlsough, Enos Clark, G. B. Jacobs, M. Wilbur and John Marshall.

Mr. Staunton in his argument submitted that his honor should take off the votes of deputy returning officers (Continued on page 5.)

Sabine Canal

Houston, Texas, Jan. 25.—The first shipment through the Sabine Lake Canal, the last cut in which was made by the Government yesterday, was of export lumber for England by a lumber company of Orange, Texas. Congress has expended \$5,500,000 on this canal. It is fifteen miles long, connecting the Sabine and Teche Rivers.

NEW HOTEL.

C. P. R. "Empress" Opened at Victoria Last Night.

Victoria, B. C., Jan. 24.—There was a flood of melody and light in Victoria to-night, when the opening of the new C. P. R. Hotel was celebrated. While no idea of a public demonstration was entertained to-night, the elite of Vancouver Island turned out in great numbers to celebrate the biggest event on this island since George Vancouver sailed through the waters of Juan de Fuca and told England she had another outpost of the empire.

A great gathering there was of ladies fair and their escorts at the "Empress" to-night, where everything betokened a new era for this western world.

The city of Victoria, on Vancouver Island, may now claim the finest equipped hotel on the continent of America. It is named "The Empress," and commands a position in which scenic effect with commercial convenience is combined.

No more beautiful site or surrounding might be selected than the ample acreage upon which this million dollar structure stands.

BRITISH FLOTILLA.

Assurances Given Regarding West River Piracy.

Pekin, Jan. 25.—Vice-Admiral Sir Arthur William Moore, commander in chief of the British naval forces on the Chinese coast, has advised the British legation here that he is entirely satisfied with the promises given him by the Viceroy of Canton regarding the future patrol of the West River and consequently the British flotilla which has been patrolling this river since Dec. 3 for the purpose of suppressing piracy was withdrawn yesterday. The paying of the Saisam indemnity by the Chinese also influenced Vice-Admiral Moore to withdraw from the river. The Canton Viceroy has agreed to increase the efficiency of the Chinese patrol boats and place them under the command of an officer named Li Chun, who has been trained in modern naval methods.

SAD IF TRUE.

Detroit Lying-in Hospitals and Canadian Girls.

Detroit, Jan. 25.—That Federal prosecutions against the keepers of some of the local lying-in hospitals may result from the investigation conducted into their methods by the United States authorities is now a probability. Investigation by the immigration officers not only showed that about thirty per cent. of the unfortunate women patients in local hospitals during the past three months were from Canada, mostly from Ontario, west of Toronto, but a still more startling phase of the situation is that proprietors of these lying-in homes have been trafficking in illegitimate children born to Canadian girls in Canada and exacting from the mothers as large a fee as it was possible to extort, never in excess of about thirty dollars for each child. It was proved that eleven illegitimate infants born in Canada have been received within seven months.

—Mr. Norman Ellis, of this city, spoke at the annual banquet of the Jewelers' Association of Ontario, in Toronto, last evening.

BURNED TO DEATH.

Body of Martin Murphy Found in Ruins of Home.

Niagara Falls, N. Y., Jan. 25.—Martin Murphy, 50 years old, for thirty years a resident of the vicinity of Youngstown, was cremated early yesterday morning in a fire that destroyed his home, which was located a short distance outside of the village. For the last five or six years Murphy lived a recluse. He was well known in Youngstown and the surrounding country. George Carter, a neighbor, was awakened in the morning about 5 o'clock and, looking in the direction of Murphy's house, a two-story frame structure, saw flames leaping from the roof. Carter rushed to the Murphy house, believing that Murphy was asleep inside. Carter tried to climb through a side window, but was beaten back by the fire. Many of the villagers gathered, but were powerless to check the flames, and the house was reduced to ashes before their eyes.

A few hours after the fire a search of the premises was made and the charred remains of Murphy were found in what was once the dining room. The location of the body indicated that he had made a struggle for escape, but was overcome. He was buried beyond recognition.

The cause of the fire has not been ascertained. On Wednesday Murphy was in Youngstown and appeared to be in the best of spirits. He is survived by three brothers and two sisters, all residents of this locality, well known and highly respected.

DIAMOND MYSTERY.

Sensational Statement in the Lemoine Case.

Paris, Jan. 25.—There was a sensational development last night in the case of Henri Lemoine, the diamond maker, which was being heard before an examining Magistrate. M. De Haan, a diamond merchant, testified that several of the diamonds which Lemoine gave to Sir Julius Wernher, of the De Beers Mining Company, alleging them to have been manufactured, had been sold to Madame Lemoine by De Haan. The witness has selected these stones from several which were produced in court last night.

Immediately following the disclosure, last night, the President of the Jewelers' Association of France lodged a complaint of fraud against Lemoine.

The morning newspapers say that the diamond mystery has been proved to be a comedy of legends and interpret the identification of the stones by M. De Haan as an exposure of Lemoine.

Interviewed by one of the newspapers De Haan said: "The amusing point is that the diamonds I sold Mme. Lemoine came from Wernher's own mine at Jagersfontein."

AFFLICTED FAMILY.

Nathan Fields Loses Child and Two Others Sick.

Dundas, Jan. 25.—The school caretaker, Oliver Hobson, was unable owing to illness to go on duty yesterday. The substitute provided, not being acquainted with the heating system, was unable to keep the temperature of the building up to the requirement, and as a result five rooms in the Public School were closed yesterday.

Yesterday the little child of Nathan Fields, aged about a year and a half, was buried. The cause of death was mumps. Their other two children, girls are in the isolation hospital, suffering from scarlet fever.

WANT HIM RELEASED.

Petition in Circulation in Favor of J. M. Barker.

A petition is being circulated, for presentation to the Minister of Justice, asking for the release, from Central Prison, of Mr. J. M. Barker, former proprietor of the Flamboro Hotel, Merrick street, who was sentenced, last fall, to eighteen months imprisonment for cutting and wounding F. Jaggard. The petitioners advance the argument that Barker has already sufficiently punished, having been forced to sell his business at somewhat of a sacrifice, besides having already served almost three months of his term. He has a wife and family dependent upon him.

A NEW LEADER.

Manager Driscoll, of Bennett's theatre, has engaged Mr. James H. McDougal, of New York, and an old pupil of the late Prof. Bauman, as leader of the orchestra at the theatre. Mr. McDougal's many friends here will be glad to learn of his return to the city. He is an expert player on both piano and violin and has studied under leading professors in New York, Boston and Philadelphia. He has had wide experience in theatrical playing. He will take charge of the orchestra at Bennett's at once.

THE FIRST IN CANADA.

To retain the flavor and color E. D. Smith has preserved those nice little whole beets in gold lined tins. They are very suitable for salads, etc. All of the E. D. S. canned goods are of the finest quality. Ask your grocer for them.

Bain & Adams' List.

Pine apples, marmalade oranges, bananas, green peppers, ripe tomatoes, mushrooms, grape fruit, Boston head lettuce, radishes, spinach, rhubarb, new potatoes, green onions, cucumbers, sweet potatoes, celery, Bermuda onions, asparagus, turkeys, ducks, chickens, pigeons, mackerel, blotters, ciscoes, haddie.—Bain & Adams, 89, 91 King street east.

SAFETY DEPOSIT BOXES.

To rent at \$2 a year and upwards, for the storing of deeds, bonds, stocks, wills, silver and other valuables.

THE MAN IN OVERALLS.

Furnace drawing all right!

So there will be no Grit on the License Commission.

Is the Industrial Committee ex-officio the Reception Committee?

Mr. Barrow's new arrangement would let the Minister of Labor be asked to give them a minute's consideration. What makes the difference in some jobs from others?

What the mountain needs now are water, sewerage, and a trolley line. Then see it grow.

Will the independent boards demand the full pound of flesh this year?

I know quite a few workmen who might get discharged fifty times and no Minister of Labor would be asked to give them a minute's consideration. What makes the difference in some jobs from others?

Any Leap Year weddings yet? Any such should be held in the skating rink, where we could all see them.

Adam Beck is so anxious to give us cheap power that he doesn't want anybody else to give it to us.

Advertisers can only reach Times readers through the Times.

Mr. Zimmerman is still determined to see that Hamilton's interests are properly protected before the Radial bill becomes law.

What's the matter with eight wards and twenty-four aldermen? This is going to be a big city, and half a dozen men can't spare the time to look after its business.

Are you attending to your horse these days of slippery streets?

If you know of anyone around out of work and needing a lift you can do it on the quiet. The doing of it will do you good. Try it.

The next thing the Beach Duma will be wanting will be a navy.

The Vancouver crowd should now apologize to the Japs.

Mr. Whitney does not appear to feel disposed to have an investigation to find out if our lodge dues are safe, and good for our insurance benefit.

Those by-elections show how the general elections will go in the sweet by and bye.

STABBED HIM.

Murder This Morning of a Washington Saloonkeeper.

Washington, Jan. 25.—H. W. Reed, the proprietor of a saloon at Massachusetts avenue and North Capitol street, this city, was stabbed to death at his place of business early today by an unknown man, who escaped.

QUEEN ROBBED.

Valuable Miniatures of Her Daughters Missing.

London, Jan. 25.—Three valuable miniatures of the Duchess of Fife, the Queen of Norway and Princess Victoria, all belonging to Queen Alexandra, have been stolen by burglars from the studio of an engraver in London to which they had been sent for reproduction.

A CASE OF HURRY UP.

Only Five More Days of the Great West Housefurnishing Sales in History of Right House.

Only five days left in which to get your share of the great carpet, rug, curtain and bedding bargains that are drawing crowds to The Right House every day.

For the next five days The Right House will make, lay and line all carpets free. This is in addition to great reductions on desirable lines.

Hundreds of people are supplying their spring needs now in order to share in the savings. Think of buying elegant rich \$1.75 Axminster or Wilton carpets at \$1.25 a yard and then getting them made, laid and lined free—a further saving of 12 to 14 a yard. Or you may buy desirable, hard wearing \$1.05 Brussels carpet at 79c, and get it made, laid and lined free. Worth while, isn't it? Small wonder that the old reliable Right House is thronged each day with eager buyers.

U. S. CITIZENS MUST REGISTER.

Books for the registration of United States citizens residing temporarily in this consular district are now open at the U. S. consulate, in the Provident & Loan Society building.

HERE ARE ANSWERS.

To Many Questions About the Children's Hospital.

The trustees for the Sick Children's Hospital fund have been appointed, and the details of the management of the fund have been definitely settled. The trustees will be Mayor Stewart, John Billings, Chairman of the Hospital Board, and Miss Jeanette Lewis, to whose efforts the scheme is now under way, and promises to be most successful.

It is officially announced that all tickets which may be sold for Bennett's theatre, and which are not used, will not in any way benefit Bennett's. The whole proceeds of such sales will go to the Hospital fund, and Bennett's will get a percentage of only such tickets as are used.

It is officially announced by the trustees that when the hospital is built, it will be taken over by the city, and managed as a city institution. The money which is raised will be deposited in the Bank of Montreal here, until March 14, when it will be re-deposited in the city treasury. If it should happen that Miss Lewis should not raise enough money to build the hospital, the money will be given to charities in the city by the trustees. But Miss Lewis says that the money will be raised, and that it will not be necessary to give it to any other charity.

ROYAL ARCH.

Hiram Chapter Makes Presentation to Retiring Principal.

Last evening, at the Masonic Hall, was held one of the most successful meetings of the Royal Arch. The Grand First Principal, John Leslie, of Winnipeg, and the Grand Second Principal, Geo. Moore, of this city, being present, as well as a large number of Past Principals, including A. G. Bain, T. M. Davis, Gavin Stewart, Jas. Hooper, T. Smith, F. Miller, John Wilson, T. Pedlar, and a large number of others prominently connected with the order.

A pleasing feature of the evening was the presentation of a Past Principal's jewel to the retiring First Principal, J. G. Gibson. The newly elected presiding officer, Walter Bates, assisted George Moore, H. P. P., A. G. Bain, T. M. Davies and A. Peene, performed the degree work to the satisfaction of the Grand Principal.

After the close of the chapter a very enjoyable time was spent in the banquet room, where oratory, music and wit pleased all present. This Chapter, the Hiram, No. 2, second oldest in the Dominion, was founded in Ancaster in 1820.

NO HELP THERE.

Brazil and an Improbable Jap—U. S. War.

Rio de Janeiro, Jan. 25.—Baron Rio Branco, Minister of Foreign Affairs gives out a denial of the statement contained in an interview sent out from Rio de Janeiro during the recent visit of the American fleet quoting him as saying that in the event of war between the United States and Japan it was probable Brazil would be willing to sell the three battleships of the dread-nought type to the former power. These vessels are now building in British shipyards.

A BRAVE GIRL.

Saved the Life of Workman at the Westinghouse.

Bert Little, of the electrical department of the Canadian Westinghouse Co., came near losing his life on Thursday afternoon while at work, and it is owing to the bravery of Miss Mabel Dexter that he is alive now. While at work at a motor he fell across some highly charged wires, and was lying there with a heavy current passing through him and a number of men and boys in the room gazing at him unable to decide what to do. Miss Dexter saw his predicament, and, rushing past the group of frightened men, threw the almost senseless man off the wires and saved his life. He is still in a serious condition, and is suffering from burns, but will recover.

LEG AMPUTATED.

Thomas Bell Underwent Operation at Hospital.

Thomas Bell, Glanford station, whose leg was broken by a line of hose at the fire at the McLaren coffee and spice building a week ago today, and who is now proceeding against the city for damages, has lost his leg as a result of the accident. The bone was fractured badly in two places, and after doing all in their power to save the leg, the doctors were forced to amputate it. His condition since the operation is better, and it is expected he will survive the shock all right.

LICENSE MATTERS.

At a meeting of the License Commissioners yesterday afternoon the license of the Volunteer Hotel was transferred from Mr. Rapp to Mr. Gill. As far as can be learned, William Armstrong is the likely man for the position made vacant by the death of Mr. E. A. Dalley. It is expected that the appointment will be made in a few days.

CAP. BONGARD.

Cobourg, Ont., Jan. 25.—The ice-breaking tug Saginaw arrived here last night from Kingston. The Saginaw is commanded by Captain Bongard, and will be used here during the winter to keep the inner harbor and car ferry slip free of ice.

GOVERNORS' PLAN MAY CAUSE TROUBLE

Indian Famine

New York, Jan. 25.—Replying to the message by cable inquiring as to actual famine conditions in India, and tendering help if desired, Lord Minto, Governor-General and Viceroy, has sent the following cable despatch to the Christian Herald of this city:

"Calcutta, Jan. 24.—Most grateful for generous offer. Will distribute any help America sends, but distress not yet so acute as to appeal to her liberality. Letter follows. (Signed) Viceroy."

TO CHANGE TIME

Of Making the Assessment on Burlington Beach.

A number of changes will have to be made in the Beach bill at the coming session of the Legislature. Besides the changes which are required to straighten out the hotel license question, the Commissioners will ask for a number of alterations. One of the changes proposed by the Commissioners is that the time for making the assessment and closing the rolls be three months later than at present. Their idea is that the assessment should take place in June or July, when the summer residents are occupying their cottages or shacks. The Minister of Crown Lands will be asked to have this alteration made, when the Commissioners confer with him next week in regard to Beach matters.

STOLE POULTRY.

Small Boy Caught With Basket of Poultry.

This morning a small boy named Stanley Cunningham, Caroline street north, was arrested on the market on a charge of having stolen ten pairs of chickens from Frank Atkinson, a farmer. He was found guilty in the police court and remained till Monday for sentence. When Atkinson arrived on the market this morning he unheeded his horses and, taking them to a stable, noticed the young boy walking away from his wagon with a filled basket, which he had an idea he recognized. Going to the boy he looked at the basket and found ten pairs of his fowls in it. He lectured the boy and let him go, but Constable Nichol hearing of the affair had the boy pointed out to him and arrested him. Cunningham gave two wrong addresses but gave his right one at last.

SEED GRAIN.

The Government to Spend Million For the Farmers.

Ottawa, Ont., Jan. 25.—(Special)—The Dominion Government, has decided to advance to those settlers of Alberta and Saskatchewan, whose crops were a failure sufficient funds to enable them to purchase seed grain. These advances will be made by way of a loan. It will take about four million dollars to finance the whole scheme. Seed oats will likely be purchased in Britain and probably in Norway and Sweden, so as to introduce diversified cereal crops in the western provinces.

SURPRISE PARTY.

Last evening Mr. and Mrs. Smith, of 48 Shaw street, gave a surprise party in honor of their son Harry, to over twenty young friends. All kinds of parlor games suitable for little folks were indulged in and refreshments served and a good time was given all.

Every Man Should Have One.

A Well pipe prevents the nicotine from coming up to the mouth, and smokes cool, dry and clean. Well patent pipes are sold for 25 cents at peace's pipe store, the headquarters, 107 King street east.

DASHED CARBOLIC ACID FROM WOULD-BE SUICIDE

"Coo" Kingston Badly Burned About Face and Hands, But May Recover.

After brooding over some words he had with his father this morning, and also over the death of his mother, which took place a short time ago, George Kingston, 221 Park street north, made a determined attempt to end his life this morning at 11 o'clock while in the pool room of the Atlantic Hotel, MacNab and Market streets, by taking carbolic acid. He is a tobacco worker at the Tuckett factory, and was not working to-day. Purchasing some carbolic acid at a drug store he went to the hotel and had several drinks. He then went into the pool room, and produced a bottle of carbolic acid, and when asked what it was for by several of the men in the room, replied he had purchased it to heal a sore on his knee. Interest in his movements waned then, and was centered on

Medical Health Officer Already Is Objecting.

Radial Bill Will Not Come Up Tuesday.

Some Objections to Engagement of Sothman.

The action of the Board of Hospital Governors yesterday in approving of the suggestion to enlarge the present isolation hospital instead of building a new one, and the Mayor's endorsement of the scheme, promises to stir up a hornet's nest. "I guess the Board of Health will have something to say about that," said Dr. Roberts, Medical Health Officer, this morning. The Board, he says, has one of two little surprises up its sleeve. A year or so ago, he says, Chairman Billings, of the Hospital Board, wrote to Dr. Bruce Smith, the Provincial Inspector, and asked him to recommend that an isolation hospital be built on a site separate from the present hospital buildings. Dr. Bruce Smith, according to the Medical Health Officer, made this recommendation in writing. Dr. Roberts says the people voted \$75,000 for a specific purpose, and that the money can only be issued by the Chairman of the Board of Health attaching his signature. This point was up yesterday, and the Mayor pointed out that it would be an easy thing to pass another by-law. "But not without submitting it to the people," argued the doctor to-day. This same matter was the cause of a lively clash between the Board of Hospital Governors and the Board of Health last year. A meeting of the Board of Health for re-organization purposes has been called for 5 o'clock on Monday afternoon, and it is likely that the matter will come up then. Dr. Roberts said this morning that it was very nice to talk of spending \$100,000 enlarging the present buildings, but it would more likely be \$200,000. If the new hospital is not to be built on a separate site he admits that it would be better to spend a small sum fixing up the old buildings than sinking a lot of money in new buildings on the hospital grounds.

The Board of Works recommendation that it be authorized to engage an independent engineer to prepare specifications for the municipal lighting plant and pass on the estimates, promises to cause a lively time in the council meeting on Monday night. Mayor Stewart is strongly opposed to this course, but a majority of the aldermen are said to favor it. Although the Mayor has stated that he has a man prepared to build the plant for \$150,000, city officials say that no specifications have been prepared yet. All that the city has an Engineer to prepare the specifications, and pass on his own estimates. Although Mr. Sothman may be a very good man, they say it would be just as reasonable to ask the city to engage the Cataract Power Company's engineer as Mr. Sothman.

Consideration of the Hamilton Radial Railway bill, which was fixed for next Tuesday's meeting of the Railway Committee, will be postponed, owing to a telegram received to-day by Hon. Geo. P. Graham from Hon. J. J. Foy, Attorney-General of Ontario, as an Ottawa despatch. The latter asked for conference on the question of railway jurisdiction, which has been prominent lately in the discussions on the bill mentioned and others. Mr. Foy suggested Tuesday at Ottawa as the time and place of the conference. Hon. Mr. Graham promptly replied, agreeing to the suggestion. Representatives of the company and other parties interested were consequently notified that the bill would not be taken up on the day previously fixed, and they will later be instructed as to when it will be dealt with.

The health report for the week shows four cases of chickenpox, five of scarlet fever, and one of typhoid fever. (Continued on page 3.)