

IRVINE COMMITTED,
But Magistrate Commented on Weakness of Identification.
Mr. Benjamin Arnold Caught a Burglar in His House.

Pursued and Caught Frederick Fowle, Who Pleaded Guilty.

David Irvine again appeared this morning in police court on a charge of assault and attempt to rob Fred Porteous on the night of July 18 last. Through his counsel, A. M. Lewis, he pleaded not guilty and declined to elect.

Mr. Porteous was the first witness called, and told the same story of the assault as the trial of Tompkins. When asked if prisoner was the man with Tompkins on the night of the assault he said he was, and added that he had identified him at Brantford a few weeks ago, when Irvine was arrested there for vagrancy. Irvine, with others, was lined up in Brantford police station and he (witness) picked out prisoner as one of the men who had assaulted him.

During the cross-examination by A. M. Lewis quite a little harangue took place over the identification of Tompkins, which Mr. Lewis claimed was of importance in the present case.

"When did you first recognize the man whom you knew as Tompkins some years ago?" asked the counsel for the defence. Witness answered that he did not know Tompkins at any time by name, though some years ago the face of Tompkins was familiar to him.

"Is it true you said you did not get a good look at the man with Tompkins?" asked Mr. Lewis.

"I don't remember."
"Did you tell anybody that you could not identify the second man?"
"I won't swear?"

Mr. Lewis then read from witness' evidence at the Tompkins trial to show that he did not even describe the man's features though he said the man was taller, wore a dark suit and dark Christy hat.

Mr. Lewis submitted there was no case on which to send Irvine for trial. His worship said the identification was very uncertain, and the prisoner stood a good chance of getting free at the higher court. He committed him for trial.

The peaceful sleep of Benjamin Arnold was disturbed by a bold, but burglar, Frederick Fowle, in his bedroom at 2:30 this morning.

When Mr. Arnold woke up imagine his consternation to see a bootless man ransacking his pockets, that contained \$50. As soon as he was disturbed the burglar made for the door and down the stairs, followed in hot pursuit by Mr. Arnold, who caught him in the kitchen after a struggle. Neighbors were awakened and called in to help hold the prisoner while the police were called. P. C's. May and McLean were soon on the job and arrested Fowle.

When searched at the police station he had on him the regular tramp's outfit, consisting of a razor, matches, etc., and a piece of candle.

He entered the house by removing the screen in the pantry window, and when in the kitchen took off his boots and went upstairs. After his capture he begged leave to put his boots on in the kitchen, but his request was refused, whereat he attempted to attack Mr. Arnold with one of them.

Prisoner pleaded guilty and was remanded for a week to allow inquiries to be made as to his past record.

Market day attracted Peter Schuler to the city from Hagersville. Being an Indian, the waters distilled at Walkerville and other places are forbidden, but Peter ignored the law and imbibed so much that he lost his steering abilities. When charged with being drunk he said: "Guess I was a little pickled. I want you to forgive me for the first and last time." The price of forgiveness was \$2.

An ardent lover of Bacchus is Pat Lynch, but for some time he has not courted the god. However, yesterday he paid homage, which cost him \$2 this morning.

Thomas Condon, Merrick street, was summoned for a breach of the Liquor Act. It was alleged he sold liquor to one said to be an Indian list, but it was proved that the proper papers had not been served, so the case was dismissed.

Gordon Legacy, 214 Ferris street, was charged with theft. It is alleged that he stole the rudder of the boat belonging to Christopher Decepy, on August the 19th. He pleaded not guilty and he was remanded till to-morrow.

For driving his automobile above the speed limit of ten miles an hour, on Barton street east, S. B. Cunningham was fined \$20. P. C. Cameron and Barrett testified that he was going at 14 miles an hour, according to the time, registered by stop watches.

R. Hobson also drove his automobile over ten miles an hour, and was fined \$20.

William Stone, charged with driving his auto at an excessive speed, did not appear, but S. Washington acted for him and pleaded guilty. Fined \$20.

The dog owned by A. J. Knapman roamed yesterday so he was fined \$2.

The case of Lawrence & Sons and Goss, over wages, was again up for hearing. Judgment was given in favor of Goss, the defendant. Lawrence, jun., did not appear, but he will be made to, as soon as he is found.

A Grand Old School.

The Canada Business College, Hamilton's old-established popular business school, will resume its fall term on the 1st of September. Mr. Gallagher, the principal, announces that this will be the best year his school has ever had. During the past year this college placed over two hundred students in the best-paying positions, and the demand has been greater than the supply.

In the finals of the Canadian Lacrosse Association juvenile series Newmarket has been selected to play Hamilton in this city next Saturday. Kelly, of Brantford, will referee.

TEA TABLE GOSSIP.

Mr. R. T. Steele has returned from an enjoyable visit to Ottawa Beach, Mich.

The Ninety-First Highlanders' Band will give an open air concert at Woodlands Park to-morrow night.

Miss K. P. Sadeir, of this city, has been elected a member of the executive of the Chartered Stenographers' Association.

There was a small fire at the residence of William Berwick, 57 Caroline street south, yesterday afternoon. A summer house was destroyed.

G. R. T. Sawle, formerly of Welland, and well-known as an Ontario newspaper man, is publishing the Prince Rupert, a new paper in the G. T. P. terminal city.

Despite the cool weather, the three Clonts continue to attract good crowds to Maple Leaf Park. Their act ranks among the best that have been seen here. They are without doubt the best attraction that the park has had, and are well worth going to see.

Rev. Father Cleary, an old Hamilton boy, was the recipient of a handsome carriage the past week, presented by the parishioners in Hagersville and Walpole. The gift is one of value and shows the esteem in which Father Cleary is held in that charge.

Mr. W. E. Bell, Division Superintendent of the American Telephone and Telegraph Company, Chicago, is a guest of Mr. Chester Fearman. He visited the Victoria Bowling lawn yesterday and gave a scientific demonstration of the Bell method of bowling.

Owners of gramophones will be interested in the announcement made in this issue by Manager Wickins, of the Victor and Edison salesrooms, 109 King street east. His September stock of records is now complete and includes all the latest song successes and orchestra hits. Visitors are always welcome at the store, where any record may be heard.

THE MYSTERY OF ETHEL MANNING.

(Continued from Page 1.)

had stopped in front of her house several times and had spoken to her. Each time she had a little boy about three years old with her. The girl on one occasion had told her she was visiting in the city, and Mrs. Quigley understood her to say she was from a city in Ohio.

Frank King, who live at the corner of Wellington and Pictou streets, on Monday afternoon said he saw a man and girl behind the crematory building, and the girl seemed to be struggling, and appeared to be trying to get away from the man.

The theory in the district is that the girl has been kidnapped, and is being kept shut up by some one. She again think she may have wandered in a semi-fainting condition to one of the many docks at the bay and fallen into the water. However, that theory seems incredible, as there are always a number of men working round the docks who would have seen her.

The theory held by the police and also by Mrs. Swaine is that the girl has been kidnapped and carried bodily away.

Her sister is confident she could not have been lured away, as she was not in any way credulous and her heart could not be so easily won over by a stranger. A decided nasal accent is noticeable when she talks. She looks older than she is, and may be described as quite a young woman.

Mrs. Swaine came to Hamilton from Lansing, Mich., last February, but she has lived in various cities in the States since she was married.

The family were born in Stratford, Ont., and moved to Paris some years ago, where the father died.

SHE WAS FOLLOWED.
This morning Mrs. Swaine and Ida Manning, sister of the missing girl, were in the police office and told Chief Smith a remarkable story about a man following the girl on Sunday afternoon.

Mrs. Swaine said that on that afternoon Ethel took the little boy out for a walk. After going two blocks a boy named Hume, who lives opposite 162 Macaulay street east, shouted to Ethel there was a man following her. The girl did not stop to look back, but at once picked up the child and ran home as fast as she could. She was much excited. No man could be seen around when they looked out.

Mrs. Greenaway, 154 Macaulay street east, says on Sunday she saw a man standing opposite the girl's house when it was getting dusk. When Mrs. Swaine left the house the man stood behind the electric light post, so that he could not be seen. His description has been furnished to the police. That story substantiates to a degree the one told to Mrs. Quigley about seeing a girl in company with a man behind the crematory building on Monday afternoon.

Last night the mother and sister of the missing girl arrived from Paris, and the mother is very much out over the mystery. Miss Ida Manning says that the girl was very friendly, but not credulous.

Moonlight Sail.
Every night during Toronto Exhibition via steamer Turbinia, leaving Hamilton 5:30 p. m. on Tuesday, Thursday and Saturday; 10:30 p. m. on Monday, Wednesday and Friday. This late trip, at 10:30 p. m., gives the excursionists an opportunity to view Exhibition fireworks. Round trip only 50c. The street railway will have cars to meet all late boats, with no extra night fare charge.

It's Worth More Than It Costs to.
Be well dressed. Clothes don't make the man, but they have a good deal to do with it. Fralick & Co. have planned to sell \$24 suits at \$17.50, \$18 suits at \$13.50, and \$15 suits at \$9.98. Watch our windows. You'll be repaid in many dollars. Fralick & Co., 13 and 15 James street north.

MARRIAGES.

HENDERSON-OLIVER.—On Sept. 1, 1909, at 59 Kinross avenue, by the Rev. C. E. Burrell. Ernest F. Henderson to Ida May Oliver, all of Hamilton.

DEATHS.

HAMILTON.—At Hamilton Beach, on Tuesday, Aug. 24th, 1909, Frances Reid, beloved wife of William H. Hamilton, aged 64 years. Funeral from her late residence, 105 Locomotive street, on Thursday at 3 p. m. Interment at Hamilton cemetery. Private.

BRETT.—At his late residence, 54 York street, on Tuesday, 31st August, 1909, George Brett, aged 69 years. Service this evening at the above address at 8 o'clock. Funeral to the G. T. P. Kinross street station Thursday at 8 a. m. Interment at the Methodist Church, Chesapeake, Ont.

CULLEN.—At his late residence, 105 Simcoe street east, on Wednesday, Sept. 1st, 1909, Arthur Cullen. Funeral notice later.

COLEMAN.—At his residence, 136 Jackson street west, Hamilton, on Tuesday, 31st Aug., 1909, Richard Coleman, son of the late Dr. Francis Coleman, Hyatt, Kent, Eng., in his 78th year. Funeral from his late residence, Thursday at 3 p. m. (Private.) Interment at Hamilton cemetery.

THATCHER.—In this city, on Tuesday, Aug. 31st, 1909, Ezekiel Thatcher, in his 77th year. Funeral from the residence of his son, Thatcher, No. 9 Aurora street, on Thursday at 2 p. m. Interment at Hamilton cemetery. Friends please accept this intimation.

WING ON FIRE.

Parliament Buildings, Toronto, Blazing This Afternoon.
Roof of West Wing Fell in and Fire Still Raging.

Toronto, Ont., Sept. 1.—The west wing of the Parliament buildings took fire shortly before one o'clock this afternoon, and before a few minutes had elapsed the roof fell in. The fire is still raging. No cause has been as yet discovered.

FIRE UNDER CONTROL.

The fire at the Parliament buildings assumed serious proportions by 1:30 o'clock, and the whole of the west wing seemed doomed. The law clerks' department, with all the valuable records and documents which were not locked in the safe, are probably lost, as the floor of the office fell in, burying the papers, documents, etc.

The fire started in the roof, and is now supposed to be due to defective wiring. The library, the archives and all the offices in the west wing are partially or wholly destroyed, and the loss will be heavy. In actual material, but the great loss will be documents and records which cannot be replaced. The fire is now well under control, from all appearances.

THE WEATHER.

FORECASTS.—Decreasing northwesterly to northerly winds, fine and cool to-day, and on Thursday; light local frosts to-night.

WEATHER NOTES.
The depression which covered the upper lake region yesterday morning has now reached the St. Lawrence Valley while the northwest cool wave has spread into Ontario. Rain has fallen heavily in many portions of Ontario and generally in Quebec, attended by moderate gales on the lakes.

Washington, Sept. 1.—Eastern States and Northern New York—Fair to-night and Thursday, color to-night; frost in northern portion; moderate northwest winds, becoming light and variable.

Lower Lakes—Moderate northwesterly to-night, becoming light and variable Thursday; fair weather.

Western New York—Fair to-night with probably light frost in interior.

Toronto, Sept. 1. (11 a. m.)—Fine and cool with light frosts to-night. Following is the temperature for the past 24 hours, as registered by Parke & Parke: 9 a. m., 56; 11 a. m., 65; 1 p. m., 65; lowest at 24 hours, 54; highest in 24 hours, 78.

BURGLARS

Disturbed While Trying to Enter Will Applegath's.

A daring attempt at robbery was made by two burglars this morning at Will Applegath's furnishing store, on the corner of King and MacNab streets. By reason of the fire there last Thursday night, the plate glass in the door on MacNab street had been broken out, and Mr. Applegath had taken the precaution to have the gap securely boarded up.

This morning the night watchman heard someone attempting to pry the boards off, and at once went to investigate, and he saw two men at the door trying to get in, who when they saw they were detected, took to their heels. The watchman chased them down through the alleyway, but they escaped.

There is little doubt that they were professional burglars. There were some pieces of glass left in the door, but they overcame this difficulty by cutting the heavy plate with a diamond, and marks on the door and door-frame showed that they had tools especially adapted for that kind of business. No damage was done to the store, as the robbers were detected too soon.

NOT NOISY ABOUT IT.

An old, insane deaf and dumb man created quite a stir on James street, between Main and King, yesterday afternoon. He approached a newsboy and after making numerous motions the boy "got wise" that he wished to purchase a paper. The old man walked into the G. T. P. Telegraph Office and was walking out without the paper when the newsboy noticed it and tried a little of the sign-making himself in an effort to make the old man understand that he had forgotten the paper. He, however, evidently thought the boy was making fun of him, for, by signs, he threatened to cut the boy's head off. The old man, however, soon quieted down and departed without carrying out his threat.

New Arrivals.

Pine apples, green root ginger, preserved ginger, White House coffee, olive oil, grape vinegar, chicken soup, honey in sections. California grapes, peaches, pears, plums, sweet potatoes, evaporated and condensed milk, tins, carbonated apple juice, Welch's grape juice, Maggi Bouillon tablets.—Peebles, Robson & Co., Limited.

EDUCATIONAL.

CONSERVATORY TEACHING TALKS

NO. 2
(See issues of Aug. 25th and 28th.)

Possibly we should mention atmosphere as the term commanding the place of second importance in the advantages of Conservatory education. In Conservatory many students are industriously working intent on the highest proficiency in their chosen studies. The exchange of ideas, the many recitals, lectures and classes create a mutual atmosphere which is at once a stimulus and a discipline. The critical faculties are sharpened by hearing the performances of other pupils and comparing merits. Confidence, ease and grace are acquired in performing before the audience and a refined and cultivated taste is rapidly acquired under these stimulating influences. Free admission is given to numerous lectures, classes and recitals so that the student's life is so permeated with matters musical as to compel the broadened view so necessary to real culture.

The School Opens Wednesday, September 1

CONSERVATORY OF MUSIC

Hill Croft Bobcaygeon, Ont.
A Residential School in the Country for Young Boys

Boys prepared for the Senior Boarding Schools. New and specially designed building. Hot water heating. Electric light. Ample grounds.

Apply for information and prospectus to W. T. COMBER, B.A., (Oxford), Headmaster.

THE CANADA Business College

This college, established over 48 years, has by its advanced work attained to the first place amongst the very highest rank of such institutions. A beautiful prospectus will tell you all about it. Write for it to R. E. GALLAGHER, Principal.

Clark's BUSINESS COLLEGE

We own our schools, and realize that every assistance rendered a graduate increases the popularity of the school. For this reason we have awarded neither prizes nor papers in securing the services of the best of our teachers obtainable, that our students may receive the highest quality of instruction.

Miss Ina Springer, A. T. C. M.

TEACHER OF PIANO AND THE VIOLIN. CLASSES RESUMED SEPT. 1ST. Studio—Conservatory of Music.

A JUBILEE.

Golden Wedding of Mr. and Mrs. W. H. Strongman.

Mr. and Mrs. Wm. H. Strongman, in 115 Dundurn street, celebrated the 50th anniversary of their wedding last evening, with their children and numerous grandchildren present, forming a re-united family, together with a few old friends.

The children and grandchildren presented the old folks with a purse of gold, accompanied by a beautiful address, read by their oldest son, William, the youngest grandchild making the presentation.

In addition to this and the valuable presents from friends, the officials of Zion Tabernacle Methodist Church, of which Mr. and Mrs. Strongman have been members for nearly 40 years, presented the couple with a fine silver service of 40 pieces, valued at \$100.

Mr. W. H. Nichols, a friend of 40 years, presided, and proposed a toast to the couple. This was followed by impromptu remarks by the children, relatives and friends, including the Rev. A. H. Goss, all of whom paid very beautiful tributes to the bride and groom of 50 years ago, testifying to the affection of the family and the high esteem in which the old folks are held. Recitations and music by the children and friends, and the sumptuous table provided by the hostess, which was elaborately decorated with appropriate flowers, furnished a most delightful evening for all present.

TO SET ASIDE

Writ Issued in Toronto Over Hamilton Land Transfer.

Toronto, Sept. 1.—A writ was issued to-day at Osgoode Hall on behalf of Ruby Eva Konard, residing at Sioux Falls, South Dakota, against William Victor and Markle Shaver, of Toronto, claiming to have set aside as having been obtained by alleged fraud, misrepresentation and undue influence, a deed of conveyance made February 17, 1908, by Susannah Shaver, and the plaintiff as grantors to the defendant as grantee of lands in Hamilton, situated in the block between Hess, Napier, Peter and Queen streets, and having dimensions of a hundred and forty-four feet by twenty-one feet. A lis pendens is also claimed.

It isn't a charitable instinct that prompts a man to give himself away.

Labor Day

UNDER AUSPICES OF TRADES AND LABOR COUNCIL

TO MILE ROAD RACE
Herald 5-mile post and return, at 10:30 a. m.

BRITANNIA PARK, AT 8 P. M.
Open Athletic Events—100 yards; 200 yards; quarter mile; 1 mile; quarter mile; boys; 3 miles; boys; half mile, two and three mile bicycle races; five miles, George Adams vs. Alf. Sellers, Toronto. All events handicaps.

DUNDURN PARK, AT 2 P. M.
Soft Ball Tournament; Union Events, Games for Women and Children, etc. Ninety-First Band in attendance.

GRAND PRIZE DRAWING
At Evening performance for 83 prizes. Tickets 10c; can be secured at Committee Rooms, Dundurn Park, or at Britannia Park until 9 p. m.

BOBBY KERR Will Compete
Admission, including grand stand, 25c; children, 10c.
Ninety-First Band in attendance.
Every lady presented with FREE DRAWING ticket for \$50 Gold Watch, donated by Klein & Biplkey.

Is Your Money Safe?

It is if you have it in a chequing account with a strong bank. You can then pay all your bills by cheque and need carry with you only enough money for your incidental expenses.

This bank is not only strong in physical resources, but rich in the experience of competent officers, and of prominent directors, all of whom are leaders in the business of this country. Your account is invited no matter what its size.

The Traders Bank

of Canada,
21 and 23 King West

EXECUTOR AND TRUSTEE

This Company may be appointed executor and trustee under your will, thus securing a permanency of office and absolute security, such as no private individual could give, at an expense which is no greater than occurs when private individuals are chosen in similar capacities.

The TRUSTS AND GUARANTEE Co., Ltd.
43-45 KING STREET WEST, TORONTO

Capital Subscribed \$2,000,000.00
Capital Paid Up and Surplus, over \$1,200,000.00
JAMES WARREN, Managing Director.

THE ROYAL BANK OF CANADA

INCORPORATED 1869
Capital Paid Up \$4,800,000
Reserve Fund \$5,500,000
Total Assets \$58,000,000

Head Office, MONTREAL
A Branch of this Bank has been opened in the Commercial Chambers, No. 38 James Street South.

MERCANTILE TRUST CO., OF CANADA, LIMITED

Bank of Hamilton Building
Hon. Wm. Gibson, President.
S. C. Macdonald, Manager.

COAL

INLAND NAVIGATION CO., Limited
604 Bank of Hamilton Bldg.
PHONES 282 and 283

ROOTED OUT.

Two Large Gypsy Camps Beyond High Level Bridge.

A gang of gypsies, which came to this section a week ago, camped a short distance beyond the high level bridge. There were two camps, one of fourteen and the other of twelve people. Complaints soon began to be made about fences being destroyed and fruit stolen.

Last night Constables Hill and Wallis were dispatched to tell the Bohemians to move on. The officers waited until the followers of Ishmael had packed up and then started them off on their way. They said they were going to Woodstock.

They claimed to have come here from New York. One party was made up of colored people, purporting to the American horn. The others said they were Scotch.

Steamship Arrivals.
Aug. 31.—Empress of Britain—At Belle Isle, from Liverpool.
Germania—At New York, from Marseilles.
Lake Champlain—At Liverpool, from Montreal.
Montcalm—At Liverpool, from Montreal.
Oscar II.—At Copenhagen, from New York.
Kaiser Wilhelm der Grosse—At Bremen, from New York.
Vadriana—At Antwerp, from New York.
Cincinnati—At Cherbourg, from New York.
Madonna—At Marseilles, from New York.
Abruzzi—At Genoa, from New York.
Marche—At Washington, from New York.
Athena—At Piraeus, from New York.
Constantin—At Cape Race, from Liverpool.
Tunislan—At Belle Isle, from Liverpool.
Gramplan—At Montreal, from Glasgow.
Kron. Prinz Wilhelm—At New York, from Bremen.
C. F. Tietzen—At New York, from Copenhagen.
Caird—At Quebec, from Middlesboro.
Syrina—At Belle Isle, from London.
Verina—At Queensferry, from Boston.

Southampton, Sept. 1.—The steamer Adriatic left here to-day for New York with a full complement of passengers, nearly three thousand.
Sisconet, Mass., Sept. 1.—Steamer President Grant, Hamburg for New York, was 245 miles east of Sandy Hook at 7 a. m. Dock about 7:30 a. m. Thursday.
Cape Race, Nfld., Sept. 1.—Steamer Auguste Victoria, Hamburg for New York, was 120 miles east of Sandy Hook at 10:30 p. m. 31st. Dock Friday night or 7:30 a. m. Saturday.

It is estimated that one rat which has access to a granary will destroy grain valued at 80 cents in the course of a year. Of oatmeal it will eat three times this value.

AMUSEMENTS.

MOUNTAIN TO-NIGHT THE SUMMERS STOCK CO. A Woman's Defence

500 seats free with inclose coupon-ticket. Reserve seats 15c.

BENNETT'S

Every Afternoon and Evening—Devil & Tom Walker, Ed. Morton, The Vivians, Five Musical Melodians, Pete Baker, Overton Trio, Christmas Eve, The Kinograph, Eve.—11, 25, 35 and 50c. Mat. 10, 15, 25c.

MAPLE LEAF PARK

The place where you can have a hot time in cool weather. Big free show and something in the way of fun doing all the time.

TURBINIA

TORONTO AND RETURN 50c
During Toronto Exhibition
TIME TABLE
In effect Monday, Aug. 30th. Leave Hamilton—3:30 a. m., 5:30 p. m. Leave Toronto—3 p. m. daily. 9 p. m. Tuesday, Thursday, Saturday, 10:30 p. m.—Monday, Wednesday, Friday.

MACASSA AND MODJESKA
Leave Hamilton—8 a. m., 2:15, 7 p. m. Leave Toronto—9 a. m., 11 a. m., 5 p. m. Macassa and Modjeska tickets honored on Turbinia, and vice versa.

Small Accounts

large one are welcome here. You need not wait until you have a large sum to deposit before opening an account.

Do it To-day

and get THREE AND ONE-HALF per cent. from day money is received until day withdrawn.

Landed Banking & Loan Co.

Cor. Main and James.

Mortgage Sale of City Property

Under and by virtue of the power of sale