

NO BALL FOR KIMBALL UNTIL CASE IS HEARD

Neighbors Say He Shot at Fugitive When Latter Was But Four Feet Away.

CHATHAM, July 29.—(Special.)—Elliott Kimball, Leamington's chief of police, is still in jail and the crown attorney, in whose hands the matter rests, says the question of ball will not be considered until after the preliminary hearing on Monday. Friends are willing to put up \$10,000 cash ball.

While Kimball has hitherto been held in the highest respect, public sentiment seems to be that he acted altogether too hastily in shooting, and the crown will prosecute the charge against him without favor.

It has been said that Kimball has been heard to declare that he never liked to have a prisoner get away once he had him.

In this case Healey was but three or four feet away and partly stooping, when the revolver was discharged. Mrs. Joseph Marchand and Mrs. D. H. Smith, neighbors, say that they saw Healey jump the fence, followed by Kimball, who on the other side pulled his gun and shot the fugitive in the back when only four feet away.

"I meant only to scare the man," said Kimball to-day, "and I very much intend to shoot to kill him. When I was getting over the fence or following up my prisoner, the gun went off and it was quite accidental."

Kimball declares that so far as he himself is concerned, he is willing to take all the punishment that may be coming to him, but he is very sorry on account of his wife and two daughters. He is a man 50 years of age, has been county constable for over 20 years and chief in Leamington for about a year.

The prisoner did not ask for and was not given any newspapers to read to-day. It was thought that by reading press accounts of the tragedy the prisoner would only be made to feel his position the more. He is a native of many Wellington, an intimate acquaintance of the dead man, and whom many thought was his wife, but he was married two years ago in London, when his wife and mother reside, states that Kimball did not call to the fleeing Healey before shooting. She was right on the ground as the tragedy occurred in front of the house of her mother, where Healey stayed while in Tilbury. The wound was a frightful one, the bullet entering the back, severing the lungs, traversing the throat to the head, where it was lost.

As a matter of fact, Kimball had no authority to make the arrest, as he was a quarter of a mile from Essex County line, in which county his warrant was issued, and it was not endorsed by a Kent County magistrate. The amount involved in the "jumped" board bill was \$2.50.

RACE TRACK LICENSES.

Sidelines on the Fort Erie Bar-Room Venture—Travelers' Rights.

The absence of Provincial Secretary Hanna is a lucky thing for those who are running the liquor bar at the Fort Erie race course. That Fort Erie would get the privilege withheld from the Woodbine and Hamilton is improbable in the extreme. The license department only recognizes tavern and liquor licenses for the sale of liquors. The difficulty with the race course bar is that it does not accord with the conditions laid down in the law for either class of license. Premises licensed for the sale of liquor by the glass are required to have bedrooms and to furnish meals. Licensed premises, too, must be accessible to the public free of charge. Where an hotel is within the gates of a race course, according to a leading authority consulted by the Fort Erie, thirsty pilgrims along life's highway are entitled to demand right of way to such hotel, even if a race meeting is in progress. He must, however, unless a bona-fide traveler, be liable to payment as a lodger if he loitered in the race course hotel after imbibing.

HAD TO TELL OF CRIME.

New Yorker Arrested in Indianapolis for Committing Murder.

INDIANAPOLIS, Ind., July 29.—Otto Schiller, aged 24, living at 252 East 34th-street, New York, was captured in a suburb to-day by city police officers. He is wanted in New York for the murder of an Italian named Solomoni, living in Manhattan. Schiller, eight weeks ago, Schiller to-day confessed his guilt and said the burden on his mind had increased beyond endurance and he was compelled to tell a companion of the crime, this led to his capture. He said his mother was attacked and robbed by Solomoni and when she resisted Solomoni shot her. Schiller told the Italian in a Bowery saloon later and shot him twice.

Perhaps He's Romancing.

NEW YORK, July 29.—The police here have no record of any such murder as that described by Otto Schiller, who is under arrest at Indianapolis. It is suspected that Schiller is trying to get a free ride back to New York.

CUMMINGS' CLEVER COUP.

A clever business coup was accomplished yesterday when Charles C. Cummings, limited, proprietor of the Slater Shoe Store, 110 Yonge-street, bought from Frank Mercer, proprietor of the Dolly Varden Shoe Store, 110 Yonge-street, his stock of Dolly Varden and Post-it shoes. The stock is valued at \$55,000. Mr. Cummings had heard that Mr. Mercer wanted to take advantage of an opportunity in Canada, and when the enterprise which has made the Slater Shoe Store under his management so successful, Mr. Cummings began immediately negotiations with the result that he now owns the largest retail shoe stock in Canada.

The general public will be interested in this announcement, as Mr. Cummings, with his usual business acumen, will make it an opportunity to divide with them the profits of this clever purchase.

H. Beatty, vice-president of the Dolly Varden Shoe Co., Boston, who had been in the city negotiating the sale, left last night for the West.

HAMILTON Happenings

MAYOR FIRMLY REFUSES THE COL. GIBSON ASKS

"Power's Off"—Fatality at Steely Plant—Roberts to Visit Stony Creek—Serious Cases.

HAMILTON, July 29.—(Special.)—Mayor Stewart is receiving congratulations on all sides for his refusal to sign the Cataract Power bylaw. Col. Gibson called on him personally this morning and asked him to sign, but his worship declined, and it is likely that mandamus proceedings will be taken at once. Some of the Cataract aldermen were quite eager to hasten the cost of the proceedings on the city, but the law says the action must be begun by ratepayers.

The public school games will be held in October. Three buffaloes, loaned by the Dominion Government, arrived at Dundurn Park this morning. One was born on the trip from the coast.

The H. Dragnet Case, a young Englishman, who disappeared last winter, has turned up in England. It was thought at the time of his disappearance that he had committed suicide, and organized searching parties hunted for his body.

Jacob Ross, secretary of the Boot and Shoe Workers' Union, died this morning at his home, 100 St. George-st. M. J. O'Reilly, K. C., is in Ottawa trying to get the minister of justice to commute the sentence of Giuseppe Greco, an Italian, sentenced to be hanged on Aug. 21 for the murder of Antonio Rleszo.

Norman Stuart Easter, 281 West Main-street, fell 100 feet at the steel plant this afternoon and was almost instantly killed. He was only twenty years of age. He was engaged in painting a funnel when a rope slipped, allowing him to fall.

After preparing to work up a fine brand of indignation at the prospect of Lord Roberts' visit being canceled, Hamilton was relieved this morning when Mayor Stewart received a telegram from Col. Gibson, announcing that the original arrangement for the field marshal to arrive here from Toronto a week from to-morrow had been good. The announcement that "Bobs" will visit London is evidently incorrect, for Col. Hendrie wires that the visit to London has been canceled. "Bobs" has accepted an invitation extended him by Mrs. John Calder, president of the Women's Warrenton Historical Society, to visit the firm at the monument to be erected on the Stony Creek battlefield. He will stop off on his way to the Falls to officiate.

Fire this morning did about \$3000 damage to M. J. Udvin's furniture store, East King-street. As soon as the blaze was extinguished Chief Tom Beck seized the books and turned them over to the police, who are making an investigation. Udvin appears in court next week on complaint of his wife, as the result of a family squabble, and was bound over in the sum of \$100 to keep the peace.

Thomas Fisher, West Flamboro, who was arrested on a charge of a defamatory libel and sending immoral literature thru his majesty's mails, was released on \$400 bail this morning, until his case is heard on Friday. The plaintiff, Edith Riley, was once engaged to Fisher, and she alleges that because she would not look with favor on him again he sent letters to her mother and Clifford Markle, a young man with whom she keeps company, which are the subject of the complaint.

The New Arlington. Now open for visitors. Complete new building, home comforts, very central. Excellent cuisine, billiards, \$1.50. Geo. Midwinter. Phone 3452.

Skedden & Son, Painted, Decorators. Paperhangers. 163 King-street W.

HOTEL DEAD BEATS.

Up to the Clerks to Protect Employers From the Impetuous.

In legal circles at the Parliament Buildings the projected hotelkeepers' movement to have their debts collectible in the police court is not regarded with much favor. It was pointed out to the World yesterday that the whole tendency of the British courts for the past half century has been strongly against treating the non-payment of debt as a crime. The police court is held to only be available when the transaction has a fraudulent phase. The hotelkeeper, it is claimed, enjoys a privileged position in being unable to hold the baggage of any delinquent guest. It is argued that it is up to the alert hotel clerk to protect his employer, while the police are in reserve in all cases of actual fraud.

POWER MINISTER BUSY.

Making Active Efforts to Deal With the Tenders This Week.

Hon. Adam Beck, chairman of the Ontario Hydro-Electric Power Commission, is having little time to consider the potency of July temperatures. He has been besieged at the commission offices by those interested in the power project. Yesterday he left for a couple of days investigation at Niagara. On his return the matters will likely be sufficiently advanced for an immediate meeting of the commission to take up the tenders.

Evidence Via Three Languages.

Theodore Nasti's evidence in his own behalf before Judge Morson yesterday when charged with assaulting ten-year-old Ethel Good came thru in three ways to the English tongue. Theo spoke Bulgarian, a fellow-countryman helped it into French, from which language Rev. George M. Atlas lifted it into English. In the end the benefit of the doubt saved Nasti. He was acquitted.

Going to Lindsay High School.

LINDSAY, July 29.—H. A. Robertson of the Stratford high school has been appointed to the position of commercial master at a salary of \$1200 a year in the local collegiate institute.

HAMILTON BUSINESS DIRECTORY

HAMILTON HOTELS.

HOTEL ROYAL. Every room completely renovated and newly carpeted during 1907. \$2.50 to \$4.00 per day, American plan. ed 7

FOR RENT

Suitable for OFFICES OR STORE. Premises lately occupied by THE WORLD in the Royal Block, JAMES AND MERRICK STREETS. Apply to "Robina Limited," Hamilton. dtf

GREAT YEAR FOR WEST THINKS T. C. IRVING

Merchants and Banks Pursuing Wise Policy Till Country is on Upgrade Again.

T. C. Irving, general manager of Bradstreet's, who has been in Calgary since-up conditions, said to The Calgary Alberta that there could be no better outlook for the country, and that he had seen during the past couple of weeks would surprise even the most optimistic, and he has so reporting to his principals in New York.

The failures thruout Canada for the first six months of this year had been slightly greater than for the corresponding six months last year, but this was not to be wondered at in view of the comparative crop failure of 1907, and the financial depression.

The merchants in the west, were showing a wise discretion in the matter of buying goods, until they see for a certainty how the crop is going to pan out. The banks, too, are, in his opinion, pursuing a wise policy in the matter of loans, but the general feeling thruout the country there is a gradually increased acreage under cultivation, but the average yield promises to be very high. This cannot fail to attract attention to Western Canada from all over the world, and be the cause of a great influx of the best class of immigrants and capital for the development of the resources of the country.

ELECTRIC RAILWAY PROJECT.

Capitalists to Connect Dunnville With Beausville.

WELLAND, July 28.—There is a revival of the project for the construction of an electric railway from Dunnville across the Niagara Peninsula. James A. Ross, M.L.A., of Welland, who is president of the company which holds the franchise, got into communication with George Dunstan of Toronto and P. T. McGrath of Worcester, Mass., and they have expressed themselves as willing to finance the road if their terms are met. The line they propose to build would run from Dunnville by way of Welland, Port and St. Anne to Beausville and connect there with the Hamilton, Grimsby & Beausville Electric Railway. In connection with their proposal they are offering to build a coal railway from here to Smithville is also a possibility, but at present is a pigeon-hole in the United States railway magnates, who control the roads mentioned.

2 YEARS FOR JAIL BREAKING.

Soo Burglar Recaptured and Given an Added Sentence.

Sault-Ste. Marie, Ont., July 29.—(Special.)—Jos. Trumbley, who broke jail on Monday, was arrested this morning at Tagono, brought before a magistrate and given two years in Kingston. When he broke jail he was serving an eight-months' sentence for burglary at Blind River.

NATURALIZING CANADIANS.

OTTAWA, July 29.—According to returns received by the state department 87,404 aliens have taken out naturalization papers as British subjects in Canada since the act went into force in 1902; between July 1, 1906, and December 31, 1907, 729 United States subjects were naturalized and 306 Japanese.

C. P. R. Will Accept.

OTTAWA, July 29.—William Whyte, general superintendent of the C.P.R., western division, writes to the labor department that they will accept the findings of the conciliation board at Winnipeg, tho' all are not satisfactory to them, to assist the spirit of the Lemieux Act.

Hotelman Appeals.

AMHERSTBURG, Ont., July 29.—Acting for George Holmes, proprietor of the Amherst Hotel, who was fined \$100 on a charge of Sunday liquor selling, Attorney Hanna of Windsor has given notice of an appeal from the decision of Magistrate McGee. The claim set up by Holmes is that there was not sufficient evidence to warrant a conviction.

Going to Ottawa. There is no doubt that Rev. W. J. Hunter of Toronto will succeed Rev. P. L. Richardson in the pastorate of McLeod Street Church as soon as the necessary formalities are thru.

"The Factory Behind the Store"

FOR LEASE. No. 93 Yonge St., next to Shee's Theatre. Also 2 large show-rooms upstairs. Apply The McCre Real Estate Co., 93 YONGE STREET. ed

SUMMER RESORTS

HOTEL BRANT, BURLINGTON. Canada's Best Summer Hotel. Open June to October. Garage in connection. Furnished cottages, with sanitary plumbing, to let. LOVE & DE SANCTIS, 246 Proprietors.

CLUB BAGS, SUIT CASES, FOR CIVIC HOLIDAY TRAVELLERS

At \$2.95—Handsome Club Bags, fine grain leather, strong lock and side catches, newest colors, worth \$4.00 each, sizes 14 to 16 inches.

At \$3.25—Beautiful leather Suit Cases, brass locks and catches, newest colors, worth \$4.50, size 14 inches.

EAST & CO. 300 YONGE ST.

AMUSEMENTS.

THE CITY OF ILLUSIONS. Scarborough Beach. SEAN-BIG FEATURES-FUN. Headed by the Daring Athlete.

LOTTO. The Human Arrow, in the limit of all sensational acts, a dive from Scarborough Beach Tower.

THE FIVE BOIES. Startling Aerialists. AND MANY OTHER FREE FEATURES.

Regular Features Improved, including THE TICKLER. GRENADA and FEDORA in Startling Wire Walks.

SPECIAL.—The water is fine for swimming now. Accommodation for 250 bathers. Splendid bath-houses for ladies and gentlemen.

Baseball Hanlan's Point

TO-DAY, 3:45—Eastern League. JERSEY CITY-TORONTO. COMBINATION Grand Stand and Ferry Tickets on sale at the Street Wharves, 50c. Ladies, 25c. Tickets at Hanlan's Point.

BIG NICKEL DEPOSITS.

Peterboro Prospector Claims to Have Made Discoveries.

PORT ARTHUR, July 29.—The existence of large and valuable deposits of nickel north of the Transcontinental Railway and a hundred miles west of here, is reported by T. H. Crowley of Peterboro, a prospector who has had long experience in all parts of Ontario. Crowley arrived in the city to-day en route home, after spending several weeks in that country, and showed a number of excellent samples. One contained both silver and free gold, and he said lots of it was to be found north of Wabigoon and Sturgeon Lakes. He also claimed to have uncovered at a point some distance further east a vein of almost pure nickel, and expressed the opinion that a larger range of it would be found to exist there.

"If the richness of the nickel in this country was apparent in the Larder Lake country, people would be going wild over it," said Crowley.

At Osgoode Hall. Alfred S. Wilson has entered action at Osgoode Hall against Rutherford Crowley, at their respective offices, in partnership and for an accounting. Colin McArthur & Co. are plaintiffs in an action to recover \$1389.55 from John and Edith Cornellius. The claim is over bills of exchange.

Anna Radford and I. Henry Radford of Port Erie have entered action at Osgoode Hall against H. R. Cohen and Charles Bushman of the same place to set aside an agreement to exchange property in Buffalo for property in Brooklyn.

Pierce Flight at Coal Mine. WHEELING, W. Va., July 29.—In a riot to-day at the Providence coal mines in Belmont County, Ohio, thirty Montenegrins, employed as miners, held 400 natives and foreign miners at bay until the arrival of Sheriff Amrine and a posse, when after a brief but fierce battle peace was restored temporarily at least. Four persons, including Supt. Thomas, were injured. The Montenegrins were discharged yesterday because they looted inferior coal on the mine cars.

C. P. R. Holiday Rates. For Toronto Civic Holiday the C.P.R. will issue round trip tickets at one-way fare, to all stations in Canada east of Port Arthur, and to Detroit and Buffalo. They will be good going on the 30th, 31st and 1st of August, and the return limit is Tuesday, August 4th. City ticket office, corner King and Yonge-streets. 345

Holiday Tents. The Niagara Navigation Company will have all four steamers in commission on the holiday, and will keep their city ticket office (Traders' Bank Building) open 7 to 10 p.m. Saturday, including Supt. Thomas, were injured. The Montenegrins were discharged yesterday because they looted inferior coal on the mine cars.

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PUBLIC AUCTION

The undersigned have received instructions from E. R. C. Clarkson & Sons, Assignees, to offer for sale by Public Auction, at their premises, Wellington-street West, Toronto, on THURSDAY, JULY 30TH, 1908, at 2 o'clock p.m., the assets of the estate of The Sovereign Jewelry Co., Toronto, consisting of: Lot 1. Merchandise, consisting of Jewellery—stock in trade, about \$190.98. Sundries, about \$642.65. Fixtures and furniture, about \$73.50. \$774.13

Lot 2. Merchandise, consisting of Jewellery—stock in trade, \$638.30. Terms of Sale: One-third cash, 30 per cent. at the time of sale, and balance in 4 and 6 months, with interest at 8 per cent. satisfactorily secured. Evenly may be seen upon the premises or upon application to E. R. C. Clarkson & Sons, Assignees, 23 Scott-street, Toronto. SUCKLING & CO., Toronto, July 29, 1908. 43

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AMBULANCES. THE H. ELLIS PRIVATE AMBULANCE SERVICE, fitted with latest sanitary apparatus, 333 College-street. Phone C. 170.

ESTES & DODDS, PRIVATE AMBULANCE, fitted with latest sanitary apparatus; experienced attendants; 84 Queen W., Phone Park 81.

THE J. A. HUMPHREY & SON, Private Ambulance Service, 475 Church street. Phone 1940.

THE ONTARIO MARKET, 432 Queen W., John Gehbel, College 506.

J. M. SIMPSON, ANTIQUARY, 365 Yonge-street. Old Silver, Sheffield Plate, Works of Art, etc., bought and sold. Also Carpets, Rugs, etc.

CANADIAN GAS POWER AND HEATING ENGINEERS. Office, 145 Dufferin St.; Show Rooms, corner Lake and York Sts., Toronto.

HOUSE MOVING AND RAISING done. J. Nelson, 104 Jarvis-street.

FARMS FOR SALE. ONE OF THE BEST 100-ACRE FARMS in the County of York, being the north half of Lot 34, Con. B, Township of Scarborough, is now being offered for sale in settling up an estate. The farm is only eight miles from St. Lawrence Market, Toronto. It is suitable for either dairy or mixed farming. The soil is a clay loam, easy to work and a good crop-getter. It is clean and well tiled, and has a fine natural drainage. It is convenient to postoffice, school and churches. Inspection invited. For full particulars address E. H. Martin, Administrator, 98 Front-street East, Toronto. ed

A FREE TRIP TO THE WEST TO purchasers inspecting our lands; you are entering the business proposition worth your consideration; I will show you the best full lands on the continent at \$3.50 and \$5 per acre; bring this over and make arrangements to join my party August 4th. W. A. Lawson, 48 Adelaide-street East, Toronto. 165

SITUATIONS WANTED. YOUNG LADY, EDUCATED, NURSE'S diploma, wants situation in doctor's office. References, Box 41, World.

VETERINARY SURGEONS. THE ONTARIO VETERINARY COLLEGE, Limited,