

WATER FOR MOUNTAIN.

Cataract Contract Approved of by Committee.

Changes Authorized In the Fire Department.

Chief TenEyck Would Like an Electrician.

A meeting of the Fire and Water Committee was held in the City Hall last night. After the regular routine work had been transacted Chief TenEyck, of the fire department, submitted the resignation of W. Baker. It was accepted by the committee. On recommendation by the Secretary, Fireman E. Ladd, who took French leave from Sanford avenue station, was dismissed. The committee recommended that the next two available men on the sub-list be appointed to fill the vacancies. Chief TenEyck intimated that he would like an electrician appointed to assist him with the electrical appliances as he was unable to attend to the work himself at all times. Sometimes he had more than he could look after and while an electrician might not be kept busy at that work, there were other duties he could look after. The suggestion was laid over for further consideration.

Only three tenders were sent in for waterworks rolls, and the committee decided to accept the lowest, that of French Brothers, at \$52.50.

The report of the city engineer on a petition for a water main on Hilliard street was considered. It was decided that a six inch main be laid at a cost of \$1,365.

A letter from the Ontario Lamp and Lantern Company requesting the removal of a drinking fountain, situated in front of the site of their new building, was read. Mr. W. H. Ginder appeared for the company and said the fountain would cause them much annoyance if left in its present place. He thought it would be all right if moved twenty feet either way. If left where it is it would be impossible for them to load and unload. Chairman Clark suggested that some definite action would have to be taken with respect to these fountains as they could not be continually moving them; either they would have to be taken out entirely or be put in one place and left there. The committee felt it their duty to remove the fountain in question, as they had promised to do so, and a sub-committee was appointed to select a suitable place for it and report in the near future.

The report of the sub-committee re power for the mountain water system, was submitted and adopted. Alderman Hopkins took exception to the course taken by the committee and wished to move an amendment, but the chairman said they could do nothing in the way of refusing to allow the work to go on. Dr. Hopkins then asked that his objection be registered.

REQUEST FOR INFORMATION.

Greater Hamilton Association Keeping Up Active Campaign.

During the summer the officers of the Greater Hamilton Association have been busy gathering information, compiling statistics, locating properties and procuring the most up-to-date advertising matter, besides being themselves educated as to methods as well as the tribulations that seem to be part of any improvement for the general welfare. One important matter that has been forcibly brought to their notice necessitates the making public of a request, and they earnestly ask all citizens to assist them. It is found that very often some firm or individual may hear or know of a manufacturer who is looking for a location; some company organizing which will require a place; some business concern which intimates a desire to move. To all such the Association appeals, asking that they should at once call upon the President, John Hoodless, or communicate with the Secretary, Chas. A. Murton, phone 983, and prompt, full information will be sent, which will not only materially assist those who desire it, but the whole subject of Hamilton's advantages will be placed before them in a correct and attractive manner. It is not asking much that a post card or a telephone message be sent with the information, and much good to the city may come. Any such information will be promptly acted upon. The Association desires to thank several citizens who have taken the trouble to give information and can assure them that the correspondence will show that the Association is alive and energetic, even through the summer holidays.

GOT COPPERS

And These Children May Get Something Else.

A new scheme of obtaining money was thought out by some children on Tuesday night and they proceeded to see how it worked. It was good as far as they were concerned, but not so for J. H. Cambien, proprietor of the Gayety. In front of the Gayety stands a small glass globe, containing peanuts and the coppers which are dropped into it fall into a small box which fits closely up to the glass globe and is screwed on a board underneath. Although the theatre was open, the children waited until no person was near and then quietly removed the screws, also the money and the box. The culprits are known and a prosecution will follow.

FRUIT MEN AT WINONA.

Mr. Berry Further Discusses Western Market Question.

A well-attended meeting of fruit growers was held at the Institute Hall, Winona, on Wednesday evening, August 4th, for the purpose of considering the new co-operative scheme of handling fruit to the Northwest, already referred to at considerable length in last Thursday's Times.

Mr. Murray Pettit was elected to the chair. At the commencement of the proceedings Mr. Pettit referred to a paragraph which appears in this week's issue of the Weekly Sun, of Toronto, throwing a doubt on Mr. Berry's claim to have been connected with the organization of the Grain Growers' Company, of Manitoba, and asked Mr. Berry, the chief organizer of the proposed company, to give an explanation.

Mr. Berry, of Manitoba, in reply gave a complete history of his connection with the Grain Growers' Company from its inception in 1905 down to the present time, accompanied by newspaper reports from the Western papers in connection with its organization. He also produced a certificate from Mr. D. L. McCuaig, president of the Grain Growers' Company, at the present time, referring to Mr. Berry's high standing in the West and to his connection with that company.

Mr. Berry then addressed the fruit growers for nearly two hours, explaining the great need of such a co-operative company in the interests of both the consumers and distributors in the West, and producers in Ontario. He referred at considerable length to the great efforts the Dominion Government is making to help the Ontario Fruit Growers to capture and hold that Western market.

He also quoted the remarks of Mr. McNeill, present head of the fruit division, given before the Parliamentary Commission at Ottawa in April last, regarding the good and satisfactory work that co-operative societies were doing.

Mr. W. O. Sealey, M. P. of South Wentworth, was also doing good work, and was strongly in favor of retaining the present duty on American fruit in order to retain that market for Ontario growers.

Mr. Berry's remarks were listened to with close interest by the Winona fruit growers, and many questions were fired at him, which he answered to the apparent satisfaction of the meeting.

Mr. Fred Henry, of Winona, who was called upon by the chairman for some remarks, as he had had such a long experience in Manitoba, said that he could fully corroborate Mr. Berry as to the way in which Ontario fruit was slaughtered in the Winnipeg market, especially by the auction system of sales prevailing there.

He had himself bought quantities of Ontario tomatoes there at 10 cents per six-quart basket. He considered that some such scheme of co-operation as outlined by Mr. Berry would be of great benefit to the Ontario producers.

Mr. Berry, who has just returned from Belleville, referred to the way the growers there were being squeezed by the dealers and by the Western combine. He gave an instance of where apples bought from the grower at Belleville for \$1 cost \$5 to \$6 in Winnipeg.

He himself had bought three barrels of apples last fall in the West, for \$20, which only cost \$9 laid down in Winnipeg, and the difference of \$11 on the three barrels went into the pockets of the combine.

The general opinion of the growers present at the meeting seemed to be in favor of the scheme.

Mr. Berry concluded with an appeal to the Winona growers to join with him and the growers from St. Catharines and other portions of the Niagara district in breaking the power of the combine, and urged them to send some shareholders to represent them at the meeting to be held in the Court House, St. Catharines, at 2 p. m. on Saturday, August 7th, for the purpose of electing directors, completing the incorporation, and arranging the constitution of the company.

HAD HIS WAY.

John Coffey Left Hospital and is Now Dead.

John Coffey, who was picked up by the police at the corner of Victoria avenue and Main street on July 29, died in the City Hospital last night of heart disease. The deceased came to the city recently from Maryville, where he had been working for Mr. John Harrington, and had been corresponding with his nephew, Stephen Coffey, of Lonsdale, Ont. He had been in St. Joseph's Hospital for some time, and while there gained strength, and was able to move about quite briskly. He became dissatisfied and wanted to get out on the streets, and persisted in doing so, although the doctors at St. Joseph's told him he was physically unfit to leave them. On the same day the police picked him up and took him to the City Hospital, where he succumbed to the disease.

Keep Cool.

Drink lemonade made from Parke's Lemonade Powder, the handy package for camps and outings. 15c per package, 2 for 25c. Our pure West India Lime Juice, in 15c, 25c and 35c bottles, makes another cooling and refreshing drink. Many people prefer an effervescent drink in the warm weather. We have all the best sellers. Citrate Magnesia, 40c lb. Sherbet, 30c lb. Fruit Salts, 40c lb. Parke & Parke, druggists.

B. B. B. Briar Pipes.

This brand on a briar pipe is an absolute guarantee of the highest quality. They are made in England and sold in this city at peace's pipe store, 107 King street east.

WHY HE QUIT.

Montreal, Aug. 5.—G. A. Pratt, deputy governor of St. Vincent de Paul Penitentiary, has resigned after ten years' service. Insubordination, due to political influence, is assigned as the reason for Mr. Pratt's retirement.

ROSS WON IN COURT

And Policeman Must Go Before the Commissioners.

Minor Theft Cases Dismissed by the Magistrate.

John Paterson Under Arrest on Charge of Bigamy.

George Gray, who again came before the police magistrate this morning on a charge of stealing cabbages from Jas. McLeod on the market last Saturday, was acquitted. McLeod said he left his wagon with some cabbages while he went to get his horse, and during his absence the cabbages were taken. Mrs. Nicholson said she bought some cabbages from Gray for 40 cents a dozen.

P. C. Yaxley told of complaint being made to him by McLeod.

The magistrate was of the opinion there was not sufficient evidence to convict Gray of the theft.

Two young boys, Gordon Kephpen, 26 Leeming street, and Osa Flowers, 88 Wellington street north, were charged with stealing a tent from Thomas Anderson. Detective Sayers was notified and recovered the tent from the boys, who were camped in it near the mountain.

The boys evidently felt their disgrace, and, bearing good characters, his worship discharged them. It being their first offense. He, however, gave them some good, sound advice.

Old Father Time has dealt hardly with Donald Grant, inflicting several physical ailments on him, making him generally decrepit, one of which is deafness. "You are charged with being a vagrant," yelled a stentorian voice. Donald could not hear a word, so several officers shouted in his ear. When Donald understood the charge against him he held up his hands in utter disgust, and said, "No, not a vagrant; I live on Sanford avenue." P. C. McKay said Grant was sleeping in a vacant lot near Tisdale street, and that was his favorite resting place. Donald said he looks after some chickens owned by some people who are away. He was allowed to go.

Joseph May was charged with stealing a plug of tobacco from a box in the T. H. & B. freight shed, where he was employed as freight handler. George Roberts, foreman of the freight handlers, (Continued on Page 10.)

THE MAN IN OVERALLS

See that baby's milk is above suspicion.

His trousers were too short. As he passed the corner of King and James, a new cryer out, "Is your grandmother dead?" "No, why?" "Because your pants are at half-mast." (Laughter.)

The Harper case leads to the reflection that we should shun the very appearance of evil. Mrs. Grundy is ever watchful.

The crap-shooters should try bridge for a change, and see what the police would do.

We need more instead of fewer drinking fountains for both man and beast.

Go up and see the playgrounds in action, then turn in and root for more of them.

There is no doubt about it, this is the best season the Beach summer dwellers have had in years. You remember last year and the year before.

We are told to pour oil upon the troubled waters, and now we are pouring it upon the dusty roads.

You have still five months in which to nominate your Mayoralty candidates. But you can trot them out now and avoid the rush later on.

Those city employees who filled in their low lots may be said to have "wanted the earth."

But amid all the complaints against the car company I don't hear one of flat wheels.

Whitney has not yet found an answer to the stockbrokers' charges. Neither has the Herald and it is awfully anxious to say something.

I am always ready to say a good word for the police, because we pay them to do a lot of our dirty work, but I won't stand for abuse of a prisoner or saucer to the public.

Hamilton is still without a children's shelter, and the aldermen take shelter under the plea of no funds.

Gardner Duncan's Gore Park is looking nice just now. A look at the flowers is refreshing.

When I think of Alfonso and his troubles and the Car and his trials, I am thankful I am not a king.

Have the school children made as much progress with the staff as they did with the tonic so far? Let us have a report. We want to get this matter dead right.

That nurses' home which the Board has on its hands might be turned into a pest house.

Who was it that said the mountaineers were only hewers of wood and drawers of water, anyway?

Talking of the F. W. Bird Company slipping its new plant to Quebec, it may be mentioned that a bird in Hamilton is worth two in Quebec.



HARRY K. THAW.

From a snapshot photograph taken during the insanity hearing before Justice Mills at White Plains, N.Y.

TO OPEN UP ON WHITE.

Thaw's Attorney Will Make Another Attack on Dead Man.

District Attorney Rests For People, Decision in Few Days.

Main Attempt is to Show That Thaw Had No Delusions at All.

New York, Aug. 4.—Harry K. Thaw will devote his life to literature if he wins his fight for freedom from the Matteawan Asylum, and, anticipating such a victory, his mother, Mrs. Wm. Thaw, and her daughter, Alice, the former Countess of Yarmouth, have spent about \$25,000, it is reported, in fitting up a corner of the new Thaw home on Fifth avenue in Pittsburg as a literary den for Thaw.

Both Harry Thaw and his relatives have believed he would succeed in literary work, and for a year this has been the main subject under discussion between Harry, Alice and the mother when they visited him. If permitted to leave the asylum he will go with them to Pittsburg and engage in literary work, after a little vacation in Europe to brighten up.

Mother and sister will go with him to Europe if he is released.

Alice Thaw has also decided to cast in her lot with her brother in his literary career, in case he is liberated, and she has already shown herself a good business woman by making contracts for Thaw's writings which will surely prove profitable if he is allowed to get out to do the writing. It is claimed by close friends that Alice has secured contracts which will require a full year's work on the part of Harry and herself, and that \$20,000 is about the total the contracts call for.

In connection with this Pittsburg society is discussing a story concerning the devotion of Alice Thaw to her mother and brother. She is said to have received recently an offer of marriage (Continued on Page 16.)

AN ORGANIZER

Temperance People Will Likely Appoint One To-night.

No time is to be lost by the forces interested in license reduction in getting into work. The committee is to meet this evening, and one of the very first things to be done is the appointment of an organizer. It is the intention of the Federation to go into the campaign in a more systematic way than last year, when such a successful campaign was carried on. The organizer will be instructed to get his plans laid out at once so that the active work may be begun as soon as the vacation season is over.

Other plans will also be discussed to-night. Already the Federation has a number of candidates in view for controller and aldermen and, backed by a strong organization, the temperance people feel that they will succeed.

NEW MANAGER

Emmett Burke Takes Hold of Maple Leaf Park.

As the result of three separate meetings held yesterday the affairs of the Maple Leaf Park Company have all been straightened out and placed upon a footing which, it is felt by all concerned, will bring about the success of the enterprise. One meeting was held in the Waldorf Hotel, one in Chadwick Brothers' office, and then all parties interested met in the office of Bruce, Bruce & Connell. Mr. J. L. Connell, representing the creditors, presided. Mr. S. L. Robertson, the original promoter of the enterprise, resigned the management, and the creditors and shareholders united upon Mr. Emmett Burke and appointed him manager. He will have the earnest co-operation of those interested, and feels certain of success. Some very high class attractions have been secured. Business at the park has shown a steady improvement, and the aim of the new management will be to make the place popular.

The Voice of the West.

No single article of the series on "Canada of the Future" has been filled with more virile prophecy than that of Hon. R. P. Robin on "Manitoba in 1950," in the current issue (Aug. 7th) of Collier's. He asserts that fifty years from today will find a population of one million people in the city of Winnipeg, surrounded and supported by at least five million people, which will make Manitoba, with her seaport towns, positively the most important member of the sisterhood of the federation.

Home Grown.

Cantaloupes, huckleberries, plums, peaches, tomatoes, apples, egg plant, chimbaberries, cucumbers, vegetable marrow, green peas, lettuce, beans, carrots, beets, cabbage, black currants, red currants, red raspberries, also pineapples, oranges, bananas, spring chickens, ducks.—Bain & Adams, 59-91 King street east.

KEEPING WITHIN APPROPRIATIONS.

Civic Spending Departments Not Plunging the City Into Overdrafts This Year.

At the beginning of August the financial standing of the various departments of the civic service gives promise that Mayor McLaren's declaration against overdrafts is being carefully kept in view by the spending committees, and heads of departments. All the large spending committees are well within their appropriations, with the possible exception of the Fire and Water Committee on its construction account. Less than \$4,000 remains of the \$30,500 set apart for that purpose. The season's work, however, is far advanced and the appropriation is not likely to be over-run much, if any. The Board of Works, usually well through with its funds by this time of the year, has still over \$30,000 to its credit, and has hopes of getting \$60,000 more, which the city has obtained from the Kramer-Irwin Company. This time last year the charity account was considerably the worse for wear, but this year, thanks to good times, there is a balance of \$5,400 unexpended. The statement is as follows:

Table with 3 columns: Department Name, Amount, and Balance. Includes entries for Cemetery, City Hall, Charity, Fire department, Hospital, House of Refuge, Harbor, Interest, bank, Jail, Markets, Miscellaneous, Police department, Printing and advertising, General salaries, General sewer construction, Sewage disposal, Waterworks construction, Waterworks expense, Weigh scales, Damage claims, Industrial Committee, Eastern annex sewer system and extension, East end fire station, Smallpox hospital, Special paving account, Administration of criminal justice, Board of Works, Board of Health, Board of Health, smallpox.

The injunction against the city asphalt plant will in all probability not take effect before September. Mayor McLaren announced this morning that (Continued on Page 10.)

Fine Millionaire

London, Aug. 5.—Frank Jay Mackey, the well-known California millionaire, who has resided chiefly in England for a number of years, was fined \$10 and costs yesterday in the Leamington police court for riding a horse on a footpath.

Mr. Mackey declared that he had made a wager that he would ride into the local hotel and around the billiard table, and, having won the wager, he was sentenced to pay the fine.

A PITCH-IN.

Traveller Jumped and Had His Heel Slightly Hurt.

A pitch-in between two street cars on James street last night caused slight damage to the cars, but luckily no person was badly injured, although a number of the passengers were shaken and somewhat frightened, and one man had his heel hurt. An open car was standing at the corner of Gore and James streets and another one was running up James street, at just an ordinary rate of speed, and, when nearing the car, Motorman Merrit Zavitz applied the brakes, but the controller became locked and he could not shut off the power. The result was that the car struck the one in front. A commercial traveller named Flanders, when he saw what was coming, jumped, and in doing so injured his heel. Motorman Zavitz is the present occupant of the Kinrade house, on Herkimer street. He is a reliable, intelligent citizen, and has none of the fears which sometimes haunt questioning people about houses in which violent deaths have occurred. He and his little family have enjoyed health, happiness and peace since going into it.

WILCOX-REEVE.

Marriage of Member of the Hamilton Teaching Staff.

A happy event took place at Stoney Creek yesterday when Mr. A. E. Wilcox, a popular member of the teaching staff of this city, and Miss Jennie Reeve, of Stoney Creek, were married by Rev. Dr. George Clark, of Georgetown, formerly of that village, assisted by Rev. J. H. MacLachlan, the present minister of the Methodist Church there. The bride was a member of the choir of the church, and a very charming young lady. A beautiful array of very fine presents and the best wishes of the entire community showed how highly she is esteemed. After their wedding trip they will take up their residence in this city.

BOBY FOUND.

Bracebridge, Ont., Aug. 5.—The body of the 14-year-old boy, son of Edgar Goring, who was last seen playing about the falls on the Muskoka River on Sunday evening last, was recovered this morning a short distance below the falls.

MRS. BESANT.

Montreal, Aug. 5.—Mrs. Annie Besant, the famous theosophist, who has been lecturing in New York, has been invited to visit Montreal to speak on her creed. If she accepts she probably will speak in Ottawa and Toronto as well.

SAFETY DEPOSIT BOXES

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

HAYES WON HIS APPEAL

And May Sell Ice Cream at Dundurn on Sundays.

Judge Monck Considers It a Bona Fide Restaurant.

No Restriction as to Sort of Food to be Sold.

Judge Monck gave a written judgment this morning upon the appeal of Hugh Hayes, keeper of the Dundurn Park restaurant, against the conviction of Police Magistrate Jelfs, for selling ice cream on Sunday. He quashed the conviction, without costs. The decision is as follows:

The appellant, Hayes, purchased from the Parks Board of Hamilton the exclusive right to sell refreshments within Dundurn Park for the season of 1909, paying therefor \$550, and this privilege is for Sundays as well as week days. Under his contract he opened a restaurant or refreshment place, consisting of a large room containing a number of tables, where guests could be served and where he, during the seven days of the week, has been accustomed to serve tea, coffee, sandwiches, cake, ice cream, ice cream soda and like light refreshments. There were no regular meal hours, but the service was constant.

On July 4th (Sunday) a citizen with his son (about 11 years of age) and an adult friend went to the park about 7 a. m., the adult friend having had no breakfast. They amused themselves till 10.30 a. m., when they went to the refreshment room, ordered and ate cake and ice cream, after which another helping of cake and some ice cream was ordered for, and used by the boy, all being paid for. A policeman who was present in plain clothes testified that he ordered ice cream alone, and was told that ice cream could not be sold there except with a lunch.

Another case of complaint was stated by another policeman, who, in plain clothes, was entertaining friends there on the same day, and who saw many people eating ice cream with sandwiches, cake, etc., but saw no case where ice cream was served alone.

The place kept by the appellant is a bona fide restaurant, duly licensed, and the evidence shows that the proprietor at times serves hundreds of meals in a single day. This being the case, the law is settled by the well-considered judgment of His Honor the late Judge McDougall in Rex. vs. Alberts, which holds that a bona fide restaurant keeper may, notwithstanding the Lord's Day Act, sell his business on Sunday, and is not restricted by that or any other Act in the class or nature of the food which he supplies to his patrons.

On all the authorities the question to be considered seems to be: Is the place where the food is sold a bona fide restaurant? If it is, the proprietor may sell a full course meal or a single article of food, even ice cream, as may be required by the customer. The conviction will, therefore, be quashed without costs.

WIFE FROM SUNNY ITALY

Called on Wife No. 2, and a Man is Missing.

Haff Ne Nunzio, 86 Chatham street, has flown. It is alleged he has been living a double life for the past few years. De Nunzio came here from Italy some years ago, and married a woman in this city, who has had two children by him. Domestic felicity reigned supreme until yesterday.

He was carrying on his business at 27 1/2 John street north as clothing contractor when a little girl brought him a message, receiving it De Nunzio, it is said, turned deathly pale and immediately left. It later transpired that Mrs. De Nunzio No. 1 had arrived from Italy uninvited, and had called on Mrs. De Nunzio No. 2. What happened between them is not yet known.

The alleged bigamist has left his business on John street, and according to the statement of his successor will not live in Hamilton again. He left for Cleveland yesterday, it is said.

WAS KILLED.

Hamilton Moulder Lost His Life By Accident.

William Holleran, who until a few days ago resided in this city, died last night at Carleton Place, where he had gone to work. Deceased was struck by a train. He was removed to the hospital at Smith's Falls, and operated on, but he passed away while under the operation. He was 40 years of age, and has two sisters and one brother in this city. The remains will be brought to this city for interment. Mr. Holleran was a well known moulder, who had been out of work here on account of the trouble in the local shops.

LOST HIS SENSES.

Kingston, Aug. 5.—Stanley Sharpe, a C. P. R. telegraph messenger, met with a peculiar accident last night, which may result fatally. He was swinging some children at Lake Ontario Park, when one of the iron rods supporting the swing struck him in the head, causing concussion of the brain and rendering him unconscious. He has not yet regained consciousness, and his chances for recovery are not any too bright.

EARTH SHOOK.

Paris, Aug. 5.—An earthquake has been reported from Brest and the vicinity. A number of buildings were rocked by the quake and the people thrown into a state of panic, but so far as is known the disturbance was not serious.