

DUTY TO THE PUBLIC, SAYS THE DEFENDANT

C. G. Booker Files Statement of Defence In the Action for Slander.

Writs Issued To-day In Personal Injury Cases--Suing on Grocery Account.

This morning Mr. Charles Booker, through his solicitors, Kerr & Thompson, filed his statement of defence in the action of the Hamilton Amusement Company, Limited, vs. Charles Booker.

1. The defendant denies all the allegations contained in the statement of claim.

2. The defendant says that if it be proved that he did publish the words set out in paragraphs 2 and 3 of the statement of claim, he did so under the following circumstances:

3. The plaintiff's business apparently wholly consisted in exhibiting to the public a number of moving pictures and photographs each enclosed in a case and so constructed as to become visible upon one cent being dropped into a slot attached to each case.

4. The said exhibition was daily attended by a large number of school children who were permitted to and did view the said pictures or photographs.

5. The defendant was at the time of the alleged publication and still is a member of the Board of Education of the City of Hamilton which has charge of the proper education of the children attending the Public Schools in said city.

6. If the defendant spoke or published the words complained of he did so in his capacity as a member of said Board of Education at a public meeting of said board and because the defendant considered that the said exhibition was indecent and was immoral in its tendencies and suggestive of unchaste ideas to the minds of children (if any) were made to his

fellows members of the Board of Education who were equally interested with the defendant in properly educating the school children of said city and in preserving their minds from any kind of moral corruption.

7. The defendant further says that he acted in good faith in such publications (if any such publications be proved), reasonably and in good faith believing the same to be true and acted in the manner aforesaid without malice, and the publications complained of concerned a matter of public interest and were made for the public benefit and were not privileged communications.

8. The defendant further says that such publications (if any such publications be proved) were made in pursuance of a social and moral duty which the defendant owed to the public.

9. The defendant says that the words complained of in the statement of claim are true in substance and in fact.

Lee & Farmer have issued a writ in the County Court on behalf of J. M. Brown, grocer, against Mrs. Jane Burton, \$122.23. The account is for groceries supplied to the defendant.

Inter Machir, through his solicitors, Lee & Farmer, has issued a writ against the Aylmer Canning Company for \$1,000 damages for injuries received. The plaintiff fell down the elevator shaft and sustained serious injuries, breaking his jawbone in two places, besides receiving other injuries.

Acting on behalf of his next friend, George Lister, Kerr & Thompson have issued a writ against the Canada Screw Co. for \$1,000 damages for injuries sustained while in the company's employ. He had his hand crushed while working on a grindstone.

Kerr & Thompson have also issued a writ against Walker Morton on behalf of Mrs. Mary Pitt for the recovery of \$2,250.00 under a covenant on a mortgage.



PREMIER CAMPBELL-BANNERMAN.

BRITISH PREMIER SERIOUSLY ILL.

Sudden Attack of Heart Trouble--Has Cancelled All His Engagements.

Bristol, Eng., Nov. 14.—The Premier, Sir Henry Campbell-Bannerman, after addressing a political meeting was seized with sudden illness last night at the residence here of Wm. Howell Davis, Liberal member of Parliament for South Bristol.

Doctors attended the sufferer for over an hour and although the sharpness of the attack has ceased, the Premier's condition is such that London doctors have been summoned. Heart trouble is believed to be the cause of the illness.

Sir Henry had planned to make several political speeches, but he has given up all his engagements and has requested Chief Secretary for Ireland Birrell to take them up.

Sir Henry Campbell-Bannerman, Prime Minister and First Lord of the Treasury since 1905, was born in 1838.

Later it was announced that the Premier's sudden illness was due to a severe spasm of the heart, which gradually was relieved by restoratives. He was progressing favorably this afternoon.

The Man In Overalls

Sealey sure. When a Provincial Government employee can get \$9,000 a year for doing nothing it is time for a change.

The overdraft is a product of the large system. The "peak load" and the "kilowatt hour" is so much Dutch to many of us.

Barrow is now expected to report whether he should be bounced or retained.

Mayor Stewart says he has heard of no complaints up at the Cemetery about the management of the place. No, the people up there are very quiet.

An explanation as to how the sand-sucker came to be burned would now be in order.

So Dr. Pyne thinks the Dominion College should build the Technical College. Well, one excuse for fooling Hamilton is as good as another.

Mr. Whitney won't be able to do anything this session about the Technical College. It will be held over until the elections, so that it can be dangled before the electors.

The deputations didn't say so, but Whitney understood that the College business is intended to settle Studholme's business.

There were no sand-sucker rackets under the ward system. Do you notice how abusive the Herald becomes when it gets caught at any of its mean little tricks?

Buy them now, so you won't have to carry home your parcels. No doubt, if somebody should report that the road roller was one of the penitentiary, the aldermen would demand an investigation. They're the easy ones, and everybody laughing.

This is a gay life. The deputations' ultimatum: "Mr. Whitney, we've got to get some sort of a promise of a technical school to carry us through the election. Something to talk on, you know."

Did it ever occur to you that the purse-snatcher and the Barton murderer were one and the same gentleman? If the Dundas Star would only keep quiet nobody would suspect that it wasn't all there.

It has been suggested to me that on the occasion of the unveiling of the Queen's statue there should be a procession of the subscribers to the fund, provided that light refreshments were served on the ground.

We don't hear of any Grits voting for Ptolemy. But what compensation are we to get for the loss of our Beach? That's another thing Whitney took from us.

Have you seen the pictures yet? The poor horses had an awful time of it this morning on the slippery streets.

Either the Spec, or someone else has been lying about the sucker. It's the crazy man who always thinks the other fellow is crazy. Read this from the Dundas Star: Is the Hamilton Asylum so overcrowded that a place cannot be found therein for the "Man in Overalls" of the Hamilton Times? His daily paragraphs would indicate that he is a fit subject for that institution.

BLAMES THE SPEC. Sir—You ask why Sir John turned his back on West Hamilton, etc. Simply because of his profound disgust at the outlandishness of the matter emanating from the castings made by the Hamilton Spectator Co. He has turned his back on that foundry. I wonder at your failure to judge the reason, Yours, A Times Reader, Jordan Station, Ont., Nov. 13, 1907.

A BAD FALL. Mr. Tate, Jones Street, injured jumping from car.

Mr. Tate, Jones street, was severely injured near the intersection of King and Emerald streets last evening, by jumping from a rapidly moving car, which was going east. He landed on his head on the hard pavement and sustained a wound in his temple three or four inches long. The car was stopped and the conductor assisted the man, who was very much dazed, to Dr. Arnett's surgery, where the wound was sewed up.

It is claimed the man wanted to get off at Emerald street, and when he saw the car was not going to be stopped at that point, he jumped. The accident happened about 20 feet west of the crossing.

Salvation Ships. London, Nov. 14.—According to the Shipping Gazette there is a probability that the Salvation Army will soon own several trans-Atlantic liners. The steamers will be used in connection with the army's scheme for promoting Canadian immigration.

Beecham's Do-good. Lintiment is a relief and cure for pain either internal or external, and is good for human and animal ailments. No home should be without this lintiment for cuts, sprains, bruises and stiffness. It is indispensable. Sold in 25c bottles by Parke & Duggan, Druggists.

FOUND DEAD. Boy Who Had Evidently Been Shot By Hunters.

Ottawa, Nov. 14.—(Special)—In the bush about seven miles from Pembroke a lad about 15 years of age was found dead, with a bullet hole through the heart. It is thought that he was hit by a stray shot from hunters, who were in that vicinity.

Venison Steak. Received to-day two splendid carcasses of venison. Place your order now for steaks, chops, roasts, boiling pieces. Another lot of Long Point ducks received to-day. Also one barrel of that long, slender strip sauerkraut. Large, select cabbages, hot house lettuce, radishes, cucumbers, mushrooms, tomatoes, etc.—Bain & Adams, 89, 91 King street east.

VENISON STEAK. Received to-day two splendid carcasses of venison. Place your order now for steaks, chops, roasts, boiling pieces. Another lot of Long Point ducks received to-day. Also one barrel of that long, slender strip sauerkraut. Large, select cabbages, hot house lettuce, radishes, cucumbers, mushrooms, tomatoes, etc.—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. TRADERS BANK OF CANADA

CLEVER WORK OF PLAIN CLOTHES MEN

Results In Capture of Four Men Suspected of Numerous Housebreakings.

About \$500 Worth of Watches, Chains and Jewelry Recovered by the Police.

To Constable Harry Sayers and Arthur Robson, plain clothes men, belongs the credit for an arrest that the police say will clear up the majority of the mysterious robberies which have taken place in the city lately. For three weeks these two men have been on the track of four young men, all well known in this city, who were suspected of being the mysterious thieves. The thefts have all taken place while the occupants of the houses were away from their homes, in church, at theatres and other places. Many of them have been daylight robberies, which led the police to believe that the thieves were men who knew the city and the police, and who did not work. Their search led them to suspect "Soldier" Doyle, alias William Hildreth, 287 Emerald street north; George Young, 70 Hess street north; John Campbell, 98 Westworth street north, and Howard Campbell, 80 John street north. These men, they discovered, were well supplied with money, and yet not one of them did any work to speak of.

The two acting detectives shadowed them for three weeks and when they got one of them alone they would tackle him. One of the Campbells and Doyle and Young were held up on the street by them and searched yet nothing incriminating was found on them, and they carried little cash. The officers still stuck to them, however, and last night the whole number decided to "blow." They went to the T. H. & B. station and stood on the platform for half an hour or more. The \$10 train for Toronto came in 13 minutes late and the men stood around for a while and watched the crowd board the train. Word was telephoned to headquarters that the men were very likely going to skip and several men were despatched to the station, but did not feel justified in going near it as the four were keeping watch on all quarters of the compass. As the train pulled out and the men still stood there, Sayers and Robson still stood there, Sayers and Robson

sauntered slowly out and the four made a break for the train and caught the second to last coach as it was crossing James street. The plain clothes men waited till they disappeared into the train and then chased it for half a block, keeping behind it, and jumped on the last coach some distance from the station. The men who were on the watch from headquarters under Inspector McMahon had no chance to get to the train so the inspector telephoned to Detective Mackie in Toronto that he wanted some men to assist the locals in effecting the capture when they arrived. Officers Mackie, Newton, Wallace and pocket immediately took a car to Parkdale and boarded the train separately there. The car in which the four suspects were sitting all unsuspecting could not be surrounded as the men were all at one end of it so that one of the train men was detailed to go through and hold the door. When he got to the door the detectives walked in. They had no trouble in shackling their men as they were all more or less under the influence of drink that they had taken along with them. They were brought back to the city by Sayers and Robson and when they appeared at the court this morning the Crown Attorney obtained a remand for eight days. When the men were searched in Toronto in the police station they gave up a pile of jewellery that might easily be worth \$500. They kept their mouths shut and did not have anything to say to the policemen. One time in the train the policemen were forced to dodge into a toilet room on the approach of one of the suspects and they had to stay there almost half an hour until the men settled down again. The police expect that the jewellery, which is not hard to identify, having monograms and marks on it, will soon be claimed by the people who have been the victims of recent robberies.

The Chief is well satisfied with the work of the officers, and expressed himself as such this morning. Doyle and Young are two of the famous Mulholland crowd who were supposed to have been in the Thomas Maisey hold up a year or so ago and for which "Reddy" New and "Bill" Edmondstone were sent down. The other two men are not known to the police as bad ones.

Notwithstanding all the hard knocks that are being handed to Mr. Eli Van Allen, Chairman of the Beach Commission, the "King" has many loyal supporters among the summer residents of the Beach, and they will make a protest against the official axe being used, as in Mr. Henry New's case. They say that while he may be taking an obstinate stand in connection with the proposed amusement park at the Beach, the other two Commissioners can override his decision, and that there is no need to dismiss him to obtain the necessary permission to establish the park. They say that his good work in connection with bringing the Radial Railway Company to time entitles him to a seat on the Board for another term.

When it was announced that the Board was meeting at the office of the Minister of Crown Lands in the Parliament buildings on Tuesday, some surprise was expressed that Mr. VanAllen was present, in view of his statement

that he would not go to Toronto to consult with the Minister in regard to the park—that his mind was made up and he couldn't be moved in the matter. It has just leaked out that Mr. Van Allen was "trapped." He went to Toronto to consult with the Minister on the question of issuing debentures to establish a water system. The two Hamilton Commissioners were hardly seated in the Minister's office when the Canadian Amusement Co. promoters, headed by ex-Mayor Biggar, were announced. Some of the deputations say that when Mr. Van Allen saw the deputations he knew an interesting study in black and white when he called at the Commissioners' office yesterday morning.

Asked this morning if he had called a meeting to reconsider the by-laws, Mr. VanAllen said, politely, he knows how. "There is nothing for the press today." "Then there is no change in the Beach situation?" asked the reporter. "No, I didn't say that," replied the Chairman.

Mr. VanAllen has denied to friends the rumor that he intends to resign.

WAS VAN ALLEN TRAPPED IN THE BEACH MATTER?

Story of How He Was Got to Attend the Meeting at Toronto.

Notwithstanding all the hard knocks that are being handed to Mr. Eli Van Allen, Chairman of the Beach Commission, the "King" has many loyal supporters among the summer residents of the Beach, and they will make a protest against the official axe being used, as in Mr. Henry New's case. They say that while he may be taking an obstinate stand in connection with the proposed amusement park at the Beach, the other two Commissioners can override his decision, and that there is no need to dismiss him to obtain the necessary permission to establish the park. They say that his good work in connection with bringing the Radial Railway Company to time entitles him to a seat on the Board for another term.

When it was announced that the Board was meeting at the office of the Minister of Crown Lands in the Parliament buildings on Tuesday, some surprise was expressed that Mr. VanAllen was present, in view of his statement

that he would not go to Toronto to consult with the Minister in regard to the park—that his mind was made up and he couldn't be moved in the matter. It has just leaked out that Mr. Van Allen was "trapped." He went to Toronto to consult with the Minister on the question of issuing debentures to establish a water system. The two Hamilton Commissioners were hardly seated in the Minister's office when the Canadian Amusement Co. promoters, headed by ex-Mayor Biggar, were announced. Some of the deputations say that when Mr. Van Allen saw the deputations he knew an interesting study in black and white when he called at the Commissioners' office yesterday morning.

Asked this morning if he had called a meeting to reconsider the by-laws, Mr. VanAllen said, politely, he knows how. "There is nothing for the press today." "Then there is no change in the Beach situation?" asked the reporter. "No, I didn't say that," replied the Chairman.

Mr. VanAllen has denied to friends the rumor that he intends to resign.

A FREELTON MAN. Henry Chambers Who Was Killed In Muskoka.

Henry Chambers, who was accidentally shot in Muskoka, while deer hunting, was a Freelton man. He and his nephew, a friend from Ayr, and others from Millgrove, composed the party. Just before the accident they had separated, and Henry's friend mistaking him for a deer at the distance, fired, the bullet penetrating Chambers' body.

A doctor was sent for, but as they had 31 miles to go for one, the unfortunate man breathed his last, about 10 o'clock the night of the accident. The body was shipped home, and the funeral was held on Monday afternoon. Henry was 66 years of age.

STRANGE WILL. Toronto, Ont., Nov. 14.—Application is being made at Osgoode Hall by the executors of the estate of William Battershall, of Ellice township, who left a rather remarkable will. Battershall bequeathed the interest of \$4,000 to purchase clothes for children from 6 to 11 years of age, whose parents were not paupers, but yet poor, in order that they might go to Sunday school.

The interest on \$500 for the best developed children of the age of one, six and ten years, to be completed for \$250 to provide reading for jails and refugees. It turns out now that there is not enough money in the estate to carry out these bequests.

They Will Never Burn. Asbestos pipes are light in the mouth, easily cleaned and absolutely fireproof. It is the cleanest and drestest pipe to smoke. They are sold for 50 cents at peace's pipe store, 107 King street east.

MERCURY'S TRANSIT. Boston, Nov. 14.—The last portion of disc was successfully observed and numerous photographs were taken at the Harvard Observatory to-day.

TRIES TO SAVE OTHERS; NOW HERSELF A VICTIM.

Wealthy Woman Ensnared by Chinese With Whom 'See Was Engaged In Settlement Work.

Pittsburg, Pa., Nov. 14.—A victim of the ensnaring drug habit, a habit to cure the Chinese of which she turned missionary, is the sad plight of Mrs. W. L. Reese, 30 years old, a rich and pretty settlement worker of Altoona, Pa., who is under arrest in Pittsburg. She was arrested walking arm in arm on a prominent street with an Americanized Chinese. Mrs. Reese told Captain of Detectives Edwin T. McGough, that her Chinese companion, Al Sing Dean, from New York, had drugged her and took her to Pittsburg, and also that he is back of a

proposed raid upon Pittsburg by the notorious Hip Sing Long, a Chinese high-binder assassin, equivalent to the Italian Black Hand. Mrs. Reese says she first met Dean when he volunteered to act as interpreter for her Chinese Sunday school class in the First Lutheran Church, Altoona. She charges that Dean induced her to eat a candy like crystal yesterday and that after that everything he asked her to do seemed the right thing, whereupon he induced her to board a train and abducted her to Pittsburg. Her husband, said to be a member of a large boiler making establishment in Altoona, where the family had a home, is on his way to Pittsburg.

DRAGGED BY HORSE, SHE SHIELDS BABY.

Woman, With Child In Arms, Clings to Perilous Position Until She Catches Reins.

Waterbury, Conn., Nov. 14.—With her child two months old in her arms, Mrs. Nellie Magnes, wife of a hardware dealer of this place, clung to the shafts of a light carriage and was dragged two miles by a runaway horse here yesterday, while an automobile sped at a furious pace in pursuit and brought the animal to a halt as it was about to plunge into a ditch.

Mrs. Magnes, who is about thirty years old, was driving with her son, Harold, and her coachman, James Ryan, on the Middlebury road, when they stopped at a farm house and she sent Ryan on an errand. A minute or two later the automobile came bowling noisily along the road. The horse, taking fright, started off with the carriage.

So sudden was the jolt that Mrs. Magnes, with the baby in her arms, was flung headlong over the dashboard and found herself floundering on the shafts immediately behind the frightened animal. She kept her hand on the child with one arm, and, with extraordinary presence of mind, managed to swing the other around the shafts. In this position she hung on tenaciously for the entire distance, in danger of death every minute.

Mrs. Magnes received frequent blows from the flying hoofs of the horse. Two of her ribs were broken and she was bruised from head to foot, but eventually she managed to catch the reins, and with a quick jerk brought the horse's nose to the ground and stopped him.

When the auto reached her she was unconscious, but collapsed almost immediately. The child, apparently unharmed, was crying lustily. Physicians found that, apart from two broken ribs, Mrs. Magnes probably had received severe internal injuries.

AFTER HOTEL MEN. Windsor, Ont., Nov. 14.—Stricter observance of the liquor law in Windsor probably will be the result of the large number of liquor prosecutions that have recently come before Magistrate Bartlett in the Police Court. Eight hotel-keepers have appeared before the Magistrate within the last week or two, some to pay fines of \$100 for second offences.

MRS. HUMMEL GETS ALIMONY. In the suit for alimony brought by Mrs. Gebhart Hummel, a bride of a few months, against her husband, W. H. Blake, K. C., for plaintiff, moved for order for interim alimony, and disbursements. No one for defendant. Order granted allowing interim alimony at \$8 per week and \$40 for interim disbursements.

TWO ELECTIONS. Ottawa, Ont., Nov. 14.—(Special)—Elections in Lavalle and Nicolet will take place early in December.

GERMANY OBJECTS.

Trouble Over Damage Caused by Bombardment of Casa Blanca.

Paris, Nov. 14.—The Matin this morning declares that the reply of Germany to the Spanish-France note proposing an international commission to examine into the claims for damages arising from the bombardment of Casa Blanca by French and Spanish warships, similar to the Alexandria commission of 1882, is most unfavorable. It presents obstacles to the speedy settlement of the question and demands, in addition a separate German commission to settle the claims of German merchants.

FOR THE KIDS.

International Juvenile Court Society Formed in Chicago.

Chicago, Nov. 14.—The nucleus of what is intended to be the most extensive and aggressive organization for the betterment of the physical and moral conditions surrounding children, was formed here yesterday, under the name of the International Juvenile Court Society. The scope of the society is to be world-wide. Judge B. M. Lindsey, Denver, was elected president.

LAST OF SEASON.

Highlanders Clothing and Accoutrements in Good Shape.

The Ninety-first Regiment held the last parade of the season last evening, when Captain Layborne, of the staff at Toronto, inspected the armories, the clothing and accoutrements of the regiment. He was greatly pleased with the condition in which he found everything, and so expressed himself. The inspection Captain Layborne was entertained by the officers. The regiment did not do any drill work, and was dismissed after the inspection.

Like Butterfly

Paris, Nov. 14.—M. Santos-Dumont has just completed the construction of a new aeroplane on a principle different from that previously employed by him. The new machine is shaped like a butterfly. The trials already held, when it was towed by an automobile, have been successful. The engine will be installed, and the new machine launched as soon as the weather permits.

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

AGAIN REMANDED.

But Another Charge Has Been Laid Against Jackson.

Woodstock, Ont., Nov. 14.—(Special)—The preliminary hearing of Arthur Jackson, the colored man held here on the charge of holding up Harry Walcott, C. P. R. night operator here, some weeks ago, and robbing him of over \$60, was adjourned for another week this morning. A surprise was sprung in the court when another charge against the man was read, that of stealing a revolver and cartridges from Benjamin Workman, of Woodstock. It is said that this was the revolver with which the alleged hold-up was negotiated. Jackson's wife came up from Hamilton on Sunday and had an interview with her husband at the jail. It is stated by the authorities that he wanted her to promise to swear at the trial that he was in Hamilton the night of the hold-up. She said she could not, as she did not remember the date, and Jackson's violent demonstration of temper at her reply. Both cases will be heard next Thursday.

SMALL COLLECTION.

Eloquent Appeal Draws But 3 Cents Per Head.

Detroit, Nov. 14.—Bishop Charles D. Williams, of the Protestant Episcopal diocese of Michigan, yesterday in his annual address to the diocesan convention criticized Episcopalians in his diocese for lack of public spirit and small contributions to the church. He had previously urged the erection of a cathedral and a church hospital in Detroit. "There is plenty of money to spend on personal enjoyment," said he, "I have preached many a sermon to an elegantly dressed congregation and then received as an offering for my emergency fund an average of three cents per head. That is the established average of these offerings throughout the diocese. This is not due to stinginess. It is a lack of public spirit. The Episcopal Church boasts of its strength but it sometimes seems to me that it is more congregational than the Congregationalists themselves."

FOUND DEAD.

Boy Who Had Evidently Been Shot By Hunters.

Ottawa, Nov. 14.—(Special)—In the bush about seven miles from Pembroke a lad about 15 years of age was found dead, with a bullet hole through the heart. It is thought that he was hit by a stray shot from hunters, who were in that vicinity.

VENISON STEAK.

Received to-day two splendid carcasses of venison. Place your order now for steaks, chops, roasts, boiling pieces. Another lot of Long Point ducks received to-day. Also one barrel of that long, slender strip sauerkraut. Large, select cabbages, hot house lettuce, radishes, cucumbers, mushrooms, tomatoes, etc.—Bain & Adams, 89, 91 King street east.