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TWENTY-FOURTH YEAR

EIGHT PAGES—FRIDAY MORNING AUGUST 28 1903—EIGHT PAGES

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THE GUTTA PERCHA & RUBBER MFG. CO.
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Race for America's Cup Was Declared Off Yachts Failed to Finish Inside the Limit

Reliance Ahead of Shamrock By 12 Minutes 30 Seconds at the Outer Mark.

The third race between the Shamrock and Reliance yesterday for the America's Cup, over a course to the windward and return, did not bring to a decision the possession of the cup, as the possession of the cup was not made in time to allow the race to be sailed Saturday. Shamrock was badly handed at the start, both yachts crossing the line on the port tack, the challenger crossing 37 seconds behind the Reliance. Reliance gained on the windward beat and turned the outer buoy by 12 minutes and 30 seconds ahead of the Shamrock, a mile astern. The wind freshened when the defender neared home, but too late, as the race was declared off. The race will be sailed Saturday over the same course.

BOTH TOO SLOW.

New York, Aug. 27.—With Reliance less than third of a mile from the finish and Shamrock III fully two miles astern of the gallant defender, the fourth race, like the first of the present series for the America's Cup, today was declared off because of the expiration of the time limit of five and one-half hours. Although the race was not a race, the defeat administered to the challenger was so signal that whatever lingering hope remained in the breast of the friends of Shamrock III, it faded into thin air. Reliance's victory was in every way more decisive than that of last Saturday. Outrigger, outpointed and outfitted, it was a procession from start to finish.



YANKEE VIEW OF LIPTON.

Shamrock, but with the exciting struggle of Reliance in the last half hour to reach the finish line before the Regatta Committee fired the gun which should announce the expiration of the time limit. Had the wind freshened 20 minutes earlier than it did, the defender would have ended today with three straight wins for the defender and five straight for the challenger. The race was the most disastrously worsted challenger in the history of the cup contest.

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BUNGLING CHARGED.

New York, Aug. 27.—The Herald says: It signs do not fall, the Shamrock people, from Sir Thomas Lipton down through his corps of admirals and officers to the last of the crew, have decided that the challenger will fall to win a single race. They do not endorse Capt. Wringe's theory of the race. Friends of Sir Thomas, however, are quite outspoken, and they are not easily misanderstood. It is held by these friends that the months of preparation given to the Shamrock that she might be in a perfect condition for the match have been partly thrown away. They hold that even now the race is not ready. They hint that she is only in a sort of half-and-half condition, and her not being fully up to the mark is due to negligence.

They think the Shamrock had more speed abroad than she has shown here, and believe that the experiments made with her trim since arrival have been detrimental. They compare the snap and energy shown by the men of the Reliance with the happy-go-lucky work of the Shamrock crew, and are sure that the ways of the latter in a cup race never turned out a winning boat.

These friends also say that the bungling of the Shamrock's head-sails Saturday was inexcusable, and wonder why the ill-fitting masts of that day was carried. They do not endorse Capt. Wringe's start of Tuesday, and intimate that Sir Thomas knew nothing of the 19 second handicap until yesterday morning, when he was greatly surprised.

In a word, these friends are sure in many ways the interests of Sir Thomas have lacked that attention that is necessary to send a boat over the line a winner.

More money for judges is Fitzpatrick's desire. Gives Notice of a Resolution Respecting Judges of Supreme Court in Ontario.

Senator Ferguson Finds Fault With Manner in Which Commissioner is Conducting It.

Ottawa, Aug. 27.—(Special.)—Mr. Fitzpatrick has given notice of a resolution respecting the salaries of the judges of the Supreme Court of Justice of Ontario.

Chief Justice of Ontario, \$9000; four Justices of Appeal, each \$8400; Chief Justice of the High Court of Justice, King Bench division, each \$7000; Chancery division, each \$6000; Chief Justice of the High Court of Justice, Chancery division, each \$5000; Chief Justice of Common Pleas, each \$4000; Chief Justice of the High Court of Justice, Exchequer division, each \$3000.

If the Chief Justice of King's Bench, the Chief Justice of Ontario, Chief Justice of Common Pleas or Chief Justice of Exchequer division is appointed to the Court of Appeal, the Governor in Council may direct that he be paid a salary not less than that previously enjoyed by him as such Chief Justice or Chancellor.

4000 SMITHS IN REUNION.
Morristown, N.J., Aug. 27.—Descendants of John Smith, founder of the Smith family, gathered today in their twenty-eighth annual reunion at Smith's Grove, on the farm of the late Peter J. Smith, near Peapack. There were more than four thousand Smiths in attendance, and nobody but Smiths. A band was busy all day and night, playing the music of the reunion. The reunion was a success in every way.

Smokers 10c, cigars 4 for 25c; Martini, 10c; Boston, Fortuna, Alive Bold.

VESUVIUS QUIETING DOWN.
Rome, Aug. 27.—The eruption of Mount Vesuvius is slowly decreasing. The stream of lava has diminished in velocity, having widened to about 100 feet. Several fissures near the crater are enlarging, some towards Naples by about 100 feet. A clear sky is being maintained, and no danger is apprehended of preventing tourists approaching the dangerous spot.

Smokers 10c, cigars 4 for 25c; Martini, 10c; Boston, Fortuna, Alive Bold.

Try the decenter at Thomas, three for a nickel.

GAVE FAMILY \$204. Captains of Commerce Take Up Subscription for a Dead Engineer.

Port Huron, Mich., Aug. 27.—A noteworthy feature of the tour which the delegates of the Chambers of Commerce of Canada took place today while the party were en route by steamer to Toronto. Having learned that an accident in one of the railroad yards at Windsor, Ont., just before the arrival of the special train carrying the delegation, a Canadian locomotive engineer had been killed, leaving a wife and four children to mourn his loss. It was suggested by one of the members that a letter of sympathy be sent to the widow and that the party be given an opportunity to contribute what they wished to accompany the letter. This suggestion was carried out, and several of the young ladies in the party passed among the delegates, and the result that two hundred and three dollars and eighty cents was subscribed and forwarded to the bereaved family.

KILLED IN A UNAWAY.
Young Farmer Named Wood Meets
Death Near Owen Sound.

Owen Sound, Aug. 27.—(Special.)—A sad accident occurred in Sydenham, eight miles from Owen Sound, yesterday morning by which Joseph T. Wood, a young farmer, was killed. He was driving a team of horses down a hill near the Fish hook when the top of the load slipped forward, striking the animal, which ran away. Wood was caught in between the wheel and the horse, and he was conscious long enough to tell his story, but died last night at 6 o'clock. The young man was a son of a well-to-do family in the second concession of Sydenham, near Garry.

STUDIED HIMSELF TO DEATH.
Unable to Stand Strain of Learning
Law, Stenography and Medicine.

Washington, Aug. 27.—According to his physicians, William Windom Merkle, who died in the Sibley Hospital today, studied himself to death. Mr. Merkle came to this city from New York about four years ago, and since then had studied law, stenography and medicine. He had been admitted to practice in the Supreme Court of the district, had made himself an expert in stenography, and had taken up the study of medicine. All of this he did while attending to his duties as agent of the Grand Trunk Pacific Railway. Mr. Merkle was a very energetic man, and he was not satisfied with his work until he had mastered all three professions. He died last night at 6 o'clock.

CHIEF WILL INVESTIGATE.
Constables in Charge of Quecken-
bush Trial Will Have to Explain.

Chief Gwinnest has ordered an investigation into the recent escape of Doyle and the almost successful attempt of Queen's Bench and Gallagher to escape from the Toronto jail. Every officer who had anything to do with the matter has been summoned to the bench on the charge of neglect. The investigation will be held in the chief's offices today at ten.

TO THE MCMULLEN.
New York Tribune: Canadian Senator McMullen seems to be afraid of American investigation, and thinks the best policy to avast it is to hurry up the building of the new Pacific railroad far north, which the new Pacific bank north reach only on snowshoes. As a senator, McMullen has a duty to perform, and it is his duty to see that the interests of the province are protected.

WADE, ROWELL, DUFF.
London, Aug. 27.—(Telegram Cable.)—The appointments for the Junior Counsel on the Alaskan Boundary Commission are: W. Wade, Rowell, Duff, and N. W. Rowell is not in the city and could not be seen.

BRITISH M.P.'S DIE.
Quebec, Aug. 27.—The British parliament party leader, Mr. W. R. Brock, died today at 11 o'clock. He was 70 years old. He was a member of the House of Commons for many years. He was a distinguished statesman and a member of the cabinet.

BURGLARS GOT \$400.
Brockville, Aug. 27.—Burglars broke into the residence of R. H. Fenwick, a well-known merchant, last night, and stole \$400. The burglar was caught and is now in jail. The burglar was a stranger to the town.

DEATHS.
HEBER—On Aug. 26, 1903, at his late residence, Dutch Farm Hotel, Danforth road, Frances Heber, beloved wife of Charles Heber, aged 71 years. Funeral Saturday, Aug. 29, at 9:30 a.m., to St. Joseph's church, thence to St. Michael's cemetery.

SMARKE—On Thursday, Aug. 27, 1903, Geo. E. Smarke, aged 56 years, suddenly, of heart failure. Funeral from his late residence, 55 Charles-street, on Saturday, Aug. 29, at 2 p.m., to Mount Pleasant cemetery.

GOING TO JAPAN.
Winnipeg, Aug. 27.—Lady Minto will be in the city Sept. 1, on her way to Vancouver and Victoria, en route to Japan, via Empress of China. Her two daughters will accompany her.

WILL GET BETTER.
Kingston, Aug. 27.—The danger point has been passed in the condition of W. C. Caldwell, M.L.A., Lark's, and his recovery is now fully expected.

JOHN BERTRAM CHAIRMAN OF BELATED TRANSPORTATION COMMISSION

W. R. Brock in Favor of Government Ownership If It Would Pay.
Ottawa, Aug. 27.—(Special.)—The names of the gentlemen who are to compose the belated transportation commission were announced by the Prime Minister in the House today. John Bertram of Toronto is to be chairman of the commission. Associated with him are Mr. Reford of Montreal and Mr. Foy of Quebec.

Denies That He Would Accept a Position as Minister of Mines Under Conservatives.
Milverton, Aug. 27.—(Special.)—"I would not take a position in the Conservative or any other cabinet were offered to me to-morrow," said Robert Roswell Gamey in a speech before a large audience here today. The occasion was a picnic under the auspices of the Public Library. The Agricultural Hall was packed to the doors to hear Gamey's address.

Wade's Own Opinion.
Mr. Wade argued that the Grand Trunk Pacific Railway scheme would not affect the Georgian Bay Canal project. The two were entirely separate propositions. There would be no difficulty in carrying out the provisions in the contract which give other companies running rights over the Grand Trunk Pacific. He instanced the case of the Grand Trunk Railway and the Washab Railway, which operate under similar conditions, and he stated that the Washab Railway is not permitted to solicit local traffic on this line, which it uses in common with the Grand Trunk.

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COLLINGWOOD'S OLD BOYS. Second Day of the Home Gathering Was a Big Affair.

Collingwood, Aug. 27.—(Special.)—This was the big day of the celebration attendant upon the Old Boys' reunion, and the town was crowded with visitors. They have been coming in all week, but the arrival of the special train bearing the members of the Toronto association, accompanied by the pipers and full military band, headed by the 48th Highland Regiment, brought the enthusiasm up to the highest pitch. The town was packed with people, and the streets were filled with the sound of music. The day was a great success, and the old boys were well received.

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