

DETAILS OF FARM DEAL

Told In a Suit at the Present Fall Assizes.

Dr. Borrett Thinks Another Doctor Took Him In.

All the Jury Cases at the Assizes Disposed Of.

The last of the jury cases at the Wentworth fall assizes was disposed of yesterday afternoon and the petit jurors discharged. The non-jury cases were then taken up.

The case of Barrett vs. Guesner, to set aside sale of a fruit farm near Grimsby, took up the most of the afternoon.

The plaintiff claimed the farm was not as represented to him at the time of sale. Dr. Borrett, the plaintiff, in an examination that lasted over an hour, stated that he had been in the express business here and later practiced as an electrical doctor in Toronto.

He decided to buy a fruit farm, and negotiated with Mr. Shepherd, the agent for Dr. Guesner. He was taken out to Grimsby to see the farm and Dr. Guesner gave permission to look it over.

After notifying Dr. Guesner at that time that the house was satisfactory, he said that as he was unacquainted with farming, a signed statement in regard to the farm itself would be required and the defendant promised to give the plaintiff such a statement.

Witness said at that time Dr. Guesner stated there were 1,700 fruit trees living and bearing fruit. Of the 1,700 trees, 100 were supposed to be peach, 100 cherry, 100 pear and the rest plum. He and Dr. Guesner finally came to terms and agreed upon the price, \$9,500, \$6,000 of which was to be a mortgage, to be arranged by H. Henderson. In all the price, including certain interest, amounted to over \$9,000.

The contract for the purchase was not signed by him for some days after the terms had been arranged.

"Did you receive the statement Dr. Guesner promised you as to the condition of the farm," asked S. F. Washington, K. C., counsel for plaintiff.

"Yes, but he did not send it until he was forced to. When I received the statement I made out a cheque for \$100 to cover another cheque I had given him which could only be drawn after he had given me the statement promised."

"When did you take possession?" asked Mr. Washington.

"On June 1. "Where there as many trees as you had been led to believe?" he asked.

FAIR FAKIRS.

Provincial Government Is Sending Out Detectives.

(Special Despatch to the Times).

Toronto, Sept. 29.—It having come to the knowledge of the Provincial Government that a large number of fakirs have been carrying on illegal practices at fairs and exhibitions in different parts of the Province, J. Lockie Willson, superintendent of agricultural societies, has arranged to send a number of private detectives to the various fairs in Ontario, who will see to it that the law is rigidly enforced.

The penalty for those detected as being sent out by the Government without the knowledge or request of the fair officials. In many instances these gamblers carry on their nefarious practices without the knowledge of the directors—having secured space on the grounds ostensibly for legitimate business.

The penalty for the infringement of the provisions of the agricultural societies act is not less than \$20, and not more than \$100.

MANAGERS' SALE.

Opening of This Sale To-morrow at Stanley Mills.

Announcement is made to-day in a large ad. to the effect that the managers' sale, which has been such an important feature in connection with the business of Stanley Mills & Co., Limited, will open to-morrow morning.

This makes the seventeenth time this progressive firm have made this announcement, thus the popularity of the managers' sale cannot be questioned.

Nothing of such magnitude has ever been attempted and during the nine days of the sale people flock to this city in almost unlimited numbers, from outside points, and Hamilton itself is enriched by the enterprise of this firm.

For this managers' sale "The Store That Makes Good" has been making gradual preparation, and when the store opens to-morrow morning there will be witnessed throughout every department many wonderful bargains at prices for materials that cannot help but astonish.

Profits, for the time being, are sacrificed to the interests of the managers' sale, and this is the one time to secure what one may wish for fall and winter wear, at greatly reduced prices.

For the next ten days this sale will continue, and a visit to this store will speedily convince one of the fact, when crowds are filling the store.

In connection with the opening of the managers' sale, a special buyers' excursion has been arranged from Brantford. Thousands are expected from that city, and the store of Stanley Mills & Co., Limited, will be in fete.

Throughout the next ten days excursions will be run from different points which are touched by the radial railways running out of this city. Watch the announcements in the paper every night.

MAHER CASE.

Parents Will Not Get Children Who Have Good Homes.

This morning Mr. and Mrs. Charles Maher made application through their solicitor, Mr. A. M. Lewis, to regain their children from the Children's Aid Society.

CONDEMNED.

Canadian Labor Federation on U. M. W. Methods.

(Special Despatch to the Times).

Ottawa, Ont., Sept. 29.—The Canadian Federation of Labor this morning adopted a resolution supporting the stand of the Provincial Workmen's Association, in connection with the Glace Bay strike, and condemning the "astorically" methods of the United Mine Workers' Union during the strike.

A further resolution was adopted asking the Government to put a tax on all foreign labor brought in by the non-Canadian companies doing business in Canada.

The committee appointed yesterday to consider the question of securing the amalgamation of the Canadian Brotherhood of Railway Employees and the P. W. U. with the Federation went into private conference with representatives of these two associations to discuss the proposal.

It is considered probable that the union will become effective.

NEW TRIAL FOR BLYTHE.

(Special Despatch to the Times).

Toronto, Ont., Sept. 29.—Walter Blythe, who murdered his wife with a poker at Agincourt last winter, and was sentenced to be hanged, twice reprieved, and expected to be hanged on Friday morning next, has been granted a new trial by the Ontario Court of Appeal.

Fralick & Co. Have Planned

A big suit sale for Saturday and Monday; don't miss it. Hand some all wool suits at \$9.98, and some of the finest suits in Canada at \$16 and \$18, regular \$22 and \$24 suits. Fralick & Co., 25 James street north.

DIRIGIBLE RACE.

New York, Sept. 29.—Tomlinson got away in his dirigible balloon at 11.30, and Baldwin 11.39, in the race to Albany for the New York World prize.

NOTICES OF BIRTHS, MARRIAGES AND DEATHS

which are inserted in the Daily Times also appear in the Semi-Weekly Times. 50c first insertion; 25c for each subsequent insertion.

DEATHS.

DUFFIE.—At her late residence, 357 Wilson street, on Wednesday, Sept. 28th, 1909, Lucretia Beatrice, beloved wife of Blake M. Duffie, in her 84th year.

GRIFPIN.—On September 29th, 1909, at his late residence, Red Hill, Bartonville, John Griffin.

HOGARTH.—At 130 Herkimer street, Hamilton, on Tuesday, Sept. 28th, 1909, the beloved daughter of Mr. and Mrs. E. S. Hogarth, aged 11 years.

STAUFFER.—At her late residence, 412 Mac-Nab street north, on Tuesday, Sept. 28th, 1909, Anna Louise, beloved wife of Nelson Stauffer, and second daughter of Mr. and Mrs. Frederick Heber, in her 82nd year.

YOUNG.—Suddenly in this city on Monday, September 27th, 1909, Mrs. Edward Young, Funeral from her late residence, 466 St. Mary's Cathedral, thence to Holy Sepulchre Cemetery. Friends and acquaintances please accept this intimation.

THE WEATHER.

FORECASTS—Strong breezes or moderate gales, westerly to northerly, showery. Thursday fair and cool.

The following is issued by the Department of Marine and Fisheries: Washington, Sept. 29, 1909. 8 a.m. Min. Weather.

Victoria ... 64 62 Rain
Calgary ... 78 44 Fair
Winnipeg ... 72 44 Cloudy
Port Arthur ... 58 44 Cloudy
Parry Sound ... 60 48 Rain
Toronto ... 62 56 Rain
Ottawa ... 56 36 Fair
Montreal ... 52 42 Clear
Quebec ... 54 44 Clear
Father Point ... 62 42 Rain

WEATHER NOTES.

The Atlantic depression has now dispersed which caused the depression with increasing energy covering the lake region. Rain has fallen again heavily in Quebec and many portions of the Maritime Provinces and showers are now occurring in Ontario.

Western New York—Showers to-night or Thursday, warmer in the east portion to-night, cooler Thursday.

Lower Lakes—Brisk southerly shifting to northwesterly winds; showers to-night; Thursday partly cloudy.

Toronto, Sept. 29. (11 a.m.)—Forecasts for Thursday: Fair and cool. Following is the temperature as registered at the Park, druggists: 9 a.m., 58; 11 a.m., 59; 2 p.m., 59; lowest in 24 hours, 48; highest, 62.

H. J. C. Entries.

Hamilton Jockey Club's fall meeting, Thursday, Sept. 30, third day. First race—Maiden three-year-olds and up; one and one-sixteenth miles:

Inez Sister ... 104
Cliff Edge ... 107
Allonby ... 109
Elgin ... 109
Maximum ... 112
Miss Greenan ... 104
Caroline ... 109
Kyrona ... 109
Chearned ... 109
Charnvari ... 117

SIGNALERS INSPECTED.

The annual inspection of the 91st signalling corps took place last evening before Lieut. Ford of the 77th, District Signalling Officer, assisted by Sergeant McEwen of the 2nd Kingston. A full class attended and the drill, signalling by semaphore, Morse and lamps, was done satisfactorily, the inspecting officers expressing themselves well pleased with the work.

Greater Effort is Required

ON than the larger.

VERY many accustomed to large financial transactions know of and avail themselves of our service.

BUT those whose banking is limited, or to whom the occasion is rarely presented, can avail themselves just as well with every assurance of careful attention and courtesy extended.

The Traders Bank

of Canada
21 and 23 King West

WOMEN'S DEPARTMENT—King Street 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., Limited
43-45 KING STREET WEST, TORONTO

Capital Subscribed ... \$2,000,000.00
Capital Paid Up and Surplus, over ... \$1,400,000.00
JAMES WARREN, Managing Director.

NOTICE

Is hereby given that the Council of the Corporation of the City of Hamilton, in pursuance of the provisions of the Municipal Act intended to construct a system of pipe sewers, local improvements, as hereinafter described:

Commencing at the well of the Eastern Avenue Sewage Disposal Works; thence northerly through private property to the centre of the Base Line; thence westerly to the Base Line to a point six feet east of the east line of the right of way of the Toronto, Hamilton & Buffalo Railway spur line. On private property from a point on the south-west line of Base Line three feet easterly from easterly right of way line of the Toronto, Hamilton & Buffalo Railway spur line to the Hamilton Street & Iron Company premises; thence southerly across the right of way of the Hamilton Radial Electric Railway and parallel with the east line of the right of way of the Toronto, Hamilton & Buffalo spur line to the Hamilton Street & Iron Company premises to the north limit of the right of way of the Grand Trunk Railway (Northern and Northwestern Division); thence southerly to the right of way of the Grand Trunk Railway (Northern and Northwestern Division); thence southerly to the right of way of the Toronto, Hamilton & Buffalo Railway spur line to the centre of the right of way of the Toronto, Hamilton & Buffalo Railway spur line to a point 140 feet southerly from the south line of the right of way of the Grand Trunk Railway (Northern and Northwestern Division); thence southerly to the right of way of the Toronto, Hamilton & Buffalo Railway spur line to the centre of the right of way of the Toronto, Hamilton & Buffalo Railway spur line to a point 140 feet southerly from the south line of the right of way of the Grand Trunk Railway (Northern and Northwestern Division); 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