Hamilton Happenings

voild subscribers in Hamilton are re-quested to register complaints as to careless 1 ss in lite delivery at the Mamilton office, room 7, Spectator Building. Phone 960.

BEHIND CLOSED DOORS JUDGE HEARS CHARGES

Two Farmers Found Guilty of Improper Conduct - Banquet

to Col. Gibson.

HAMILTON, Dec. 1.—(Special.)—
Judge Snider dealt with some serious criminal charges behind closed doors to-day. David Weir, a farmer from Weir's Corners, was acquitted of the charge af unnatural offence against his own 14-year-old daughter, but Roy Poiton and Allan Blasdell, two farmers, were found guilty of improper conduct and were remanded to the jail until Wednesday. The judge said he thought the father was guilty, but acquitted him because there was no corroborative evidence.

Itiffs, Order to go as asked. Belondaris to amend in four days. Costs to respondent in any event.

Little v. O'Donoghue—Macan (Beatty B. & Co.), for defendants, moved to set aside statement of claim as irregular.

(Curry & Co.) asked adjournment until Dec. 2. Enlarged accordingly.

Crawford v. Crawford—J. B. Holden, for defendants, moved to set aside or vary the order allowing discontinuance served; to amend in four days. Costs to respondent in any event.

Little v. O'Donoghue—Macan (Beatty B. & Co.), for defendants, moved to set aside statement of claim as irregular.

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Curry & Co.) asked adjournment until Dec. 2. Enlarged accordingly.

Crawford v. Crawford—J. B. Holden, for election of Nov. 28 to be vacated, or else to be varied by adding an understanding by plaintiff to elect in two days.

Saltery v. Prindibble—E. J. Hearn, K. C., for plaintiff, moved for an order for substitutional service of writ of summons in action for foreclosure. Order made.

Judges' Chambers.

Before Latchford, J.

governor, who replied in an appropri-

governor, who replied in an appropriate strain. Addresses of felicitations were given by Rev. Dr. Lyle, A. T. Freed and Inspector Smith.

No Blame.

Coroner Balfe concluded the enquiry to-night into the accident that caused the death of Mrs. Ververanan, the young Polish woman who wa sfatally injured Sunday while trying to save her dog from being run over by a radial car, and the jury brought in a verdict that her death resulted from a pure accident, with no blame attached to anyone.

deduct his costs out of the fund.

Before Boyd, C.

Re Pugh—Pugh v Pugh—C. Hewson, K. C. moved on consent to amend report. Order made to settle appeal case; A. C. McMaster, for plaintiff, contral the contral function of the fund.

Before Boyd, C.

Re Pugh—Pugh v Pugh—C. Hewson, K. C. moved on consent to amend report. Order made ase; A. C. McMaster, for plaintiff, contral walver. No costs.

O'Hara v Masterson—N. G. Heyd, for mother, moved for an order for payment of money out of court for maintenance; J. R. Meredith, for the infant. Order made asked.

Strobkirk v. Morrison—T. Hislop moved,

to anyone. Ald. Sweeney Out.

The Conservatives of Ward five have endorsed Ald. A. J. Wright, ex-Ald. Kennedy and George Hill, and have left Ald. Sweeney, one of the Cataract

left Ald. Sweeney, one of the Cataract supporters, out in the cold.

Thomas Hunt, Aldershot, was arrested to-day in the police court magistrate's office, on the charge of stealing a huffale robe.

in January, but to use the funds instead in improv-

In police court this morning the following were fined \$10 each for gambling on the Lord's Day: Alex. McKay, 67 Chatham-street; Frank and Arthur Ray, 65 Chatham-street; Samuel Rockmaker, 67 Margaret-street; James Branigan, 450 West Main-street; Thos. Walters, 83 Melbourne-street; John Male, 4 Tuckett-street; Clifford Laing.

IN THE LAW COURTS

IN THE HIGH COURT.

Osgoode Hall, Dec. 1, 1908. Motions set down for single court Wednesday, Dec. 2, at 11 a.m.; 1. Guest v. Knowles.

1. Grest V. Knowles.
2. Stortts v. Bentley.
3. Re S.S. No. 3 Walpole and Harrison.
4. Warren v. Bank of Montreal.
5 and 6. Standard Bank v. Weller-Sills.
7. Re Berlin District Steam Company.

Peremptory list for divisional court for Wednesday, Dec. 2, at 11 a.m.;

1. McNell v. Plotke, McCulley
Plotke (to be continued).

2. Rowe v. Dillon.

Peremptory list for court of appeal for Wednesday, Dec. 2, at 11 a.m.: 1. Dagg v. McLaughlin. 2. Wright v. Coleman Development Com-

pany.
3. Price & Stone v. Parry Sound.
4. Rex v. White & Pearce. Peremptory list for non-jury court, Dec.

2. city hall:
1. Foley v. Baker and Montrell v. Baker (continued). 2. McDougall v. McKee.
3. Allison v. Allison.
4. Smith v. Carter Powell.
5. O'Meara v. Stow.

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of, and incidental to, motion to defendants in any event.

Wiarton v. Canada Furniture—A. R. Cochrane, for defendant, the company, moved for leave to amend statement of defence; Davidson (Klimer & Co.), for other defendants; C. A. Moss, for plaintiffs, Order to go as asked. Defendants to amend in four days. Costs to respondent in any event.

quitted him because there was no corroborative evidence.

Justice Anglin this afternoon gave judgment for \$1162 against C. M. Alkine, in favor of the Brunswick Balke-Callander Co., Toronto, and dismissed the action with costs against George E. Mills.

Banquet to Lieutenant-Governor.

About 200 atended the banquet at the Royal Hotel this evening, tendered by the citizens of Hamilton to Lt.-Gov. Gibson. Robert Hebson presided and a civic address was presented to his honor by Mayor Stewart. Adam Brown proposed the toast to the lieutenant-governor, who replied in an appropriation. The official guardian may governor, who replied in an appropriation. The official guardian may deduct his costs out of the fund. deduct his costs out of the fund.

Strobkirk v. Morrison-T. Hislop moved,

At a meeting to-day, attended by Lt.-Gov. Gibson and the other directors of the Dominion Power and Transmission Co., it was decided not to pay the half-yearly dividend due in January, White wood v. Whitewood—R. Eyre, for plaintiff, moved for an order to commit defendant, Esther Whitewood, for nonbut to use the funds instead in improving the company's properties.

John C. Ryckman was this morning fined \$25 by Judge Snider for using the compliance with the order of Armour, C.J. J. T. Richardson, for defendant, contract of the bottles belonging to the Pure Milk Corporation.

son as shall be agreed upon between the parties hereafter.

Ray, 65 Chatham-street; Samuel Rockmaker, 67 Margaret-street; James Branigan, 450 West Main-street; John Male, 4 Tuckett-street; Clifford Laing, 66 Chatham-street; James Strupple, 9 Chatham-street; James Strupple, 9 Chatham-street; William Workman, 21 Sydney-street; George Cleary, 659 West King-street; George Cleary, 659 West King-street; George Trevaskis, 656 West King-street; and John Cruickshanks, Main and Garth-streets. William Workman, James Branigan, George Cleary, George Trevaskis, Lewis Benhett and Charles Smith did not appear, and warrants for their arrests were issued.

Tracing Draft of 1827.

Christopher Taylor, 105 Robeccastreet, and his sister, Mrs. Hallingreen, Hornby, are trying to trace a draft for \$15,000 remitted in 1827 by their grandfather, Nathaniel Taylor, of the Nineveh Brewing Co., Boroughbridge, England, and which they claim was never cashed. With interest, they figure the amount they are now entitled to is about \$100,000. They do not know what bank handled the draft.

Commercial Travelers' certificates are to be had off Fred Johnston, room 600, Bank of Hamilton Building, Hamilton.

Edit Goorge Trevaskis, Lewis Benhett and Charles street, and his sister, Mrs. Hallingreen, Hornby, are trying to trace a draft for \$15,000 remitted in 1827 by their grandfather, Nathaniel Taylor, of the Nineveh Brewing Co., Boroughbridge, England, and which they claim was never cashed. With interest, they figure the amount they are now entitled to is about \$100,000. They do not know what bank handled the draft.

Commercial Travelers' certificates are to be had off Fred Johnston, room 600, Bank of Hamilton Building, Hamilton.

Edit Goorge Trevaskis, Lewis Benhett and Charles have done and cannot interfere. As to the costs of networks and the only question for determination is that of costs. As to the costs of motion to pay out, I think the county court judge the power to deal therewith. If he has not done so, he may be added to be applied to. I make

Before MacMahon, J.

Martin v. Romleskie, Kulas, Pich, Majca, Minta (five actions)—W. Laidlaw, K.C., for the plaintiffs in each case; G. Delahaye, K.C., for the defendants. Action tried at Perth on Nov. 17. Judgment (H.). The plaintiffs are lumber dealers in the County of Renfrew, and are licensees of sixteen square miles of the Township of Sherwood. The licenses during recent years give the licensees full power to cut every description of timber on lands or lots unlocated and unsold, and pine trees on lands sold (orders-in-council of May 27, 1889) or located under the Free Grant Act, and have been cutting fallen pine timber, which was not necessary to be cut and removed for the processory to be cut and removed for the processor the processor to the processor to be cut and processor the processor to the processor to the processor to the processor the processor to the processor grants Act. The defendants are patentees under the Free Grant Act, and have been cutting fallen pine timber, which was not necessary to be cut and removed for fencing and building purposes, and made same into saw logs. Judgment for the plaintiffs, declaring that they are entitled to all the pine trees growing or being, on said lands subject to the right of the locatees or patentees to use such windfalls or butts for building or fencing purposes, or clearing their lands, and in the latter case they can convert them into saw logs pursuant to the provisions of the statute. By consent of counsel there will be a reference to D. J. Donohue, judge of the port. The injunction will be continued until after the report of the reference to be disposed of after the report of the referee.

2. McDougall v. McKee.
3. Allison v. Allison.
4. Smith v. Carter Powell.
5. O'Meara v. Stow.

Master's Chambers.
Before Cartwright, Master.
McDougall v. McKee—W. H. Price, for defendant, moved for a commission take evidence in England; S. H. Bradford, K.C., for plaintiff, contra. Motfor referred to the trial judge.
Kemp v. Giddings—D. O. Cameron, for plaintiff, moved for an order to examine witness de bene esse; M. Lockhart Gordon, for defendant, contra. Enlarged until Thursday to allow defendant to cross-examine.
Booth v. Lowrey—A. J. R. Snow, K.C., for plaintiffs, moved to amend statement of claim and particulars. D. Urquhart, for defendant, contra. O'Court of Appeal.
Booth v. Lowrey—A. J. R. Snow, K.C., for plaintiffs, moved to amend statement of claim and particulars. D. Urquhart, for defendant, contra. O'Court of appeal the court of appeal. The judgment appealed from dismissed. The judgment appealed from dismissed. The action, which was for specific performance, and directed the cancellation of the registered caution. The plaintiff has given the ordinary security required its normal beat and imparting twellous. They give such that no one need suffers, burly, for McCulley, Appeal from the judgment and McCulley v. Plotke and McCulley v. Plot v. Plotke and McCulley v. Plotke and McCulley v. Plot v. Plot v. Plot v. Plot v. Plot v. Pl

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by C.R. 826, and makes this application owing to the special direction in the judg-ment as to the cancellation of the cau-tion. Order to go as asked; costs to be costs in the appeal, and as the plaintiff submits to be put upon terms to bring on the appeal at the next January sittings of the court, the order may contain such Before Moss, C.J.; Osler, J.; Garrow, J.

a term.

Before Moss, C.J.; Osler, J.; Garrow, J.;

Maclaren, J.; Meredith, J.

Sovereign Bank v. Parsons—I. F. Hellmuth, K.C.; W. E. Middleton, K.C., and G. L. Smith, for defendants, appellants; R. B. Henderson, for receivers; W. J. Boland, for plaintiffs. Argument of appeal resumed from yesterday and concluded. Judgment reserved.

Wright v. The Coleman Development Company—J. Shilton, for plaintiff, appellant; W. M. Douglas, K.C., and A. G. Slaght, Haileybury, for defendants, respondents. The plaintiffs, holders of a recorded application for a mining claim upon the west half of the northwest quarter of north half of lot 2, in concession 3 of Coleman, applied in a summary way, under section 52 of the act, to the mining commissioner, to have it determined that the four applications of the Coleman Development Company, recorded on the same property, are invalid, that the applicant's title may thus be established or cleared of adverse claims. On Nov. 29, 1907, the mining commissioner delivered judgment ordering that the stakings and applications of the defendants are, and

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application of Tiberius J. Wright, recorded on Sept. 15, 1906, is the only valid on subsisting application upon said property. Defendants appealed to a divisional Mr. Sylvester Smith, Hampton, N.B., writes:—"I was troubled with palpitation of the heart and tried doctor's medicines, but they only gave me temporary relief. I heard of your Heart and Nerve Pills and bought two boxes and before I had used them I was completely cured and would recommend them to all similarly affected."

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