

The Toronto World

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A Morning Newspaper Published Every Day in the Year.

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In The World's New Telephone Number.

WEDNESDAY MORNING, OCT. 5, 1910.

SOUTH WELLINGTON'S CHOICE.

It is satisfactory to find that the probable successor to Mr. Joseph P. Downey is a young man. Nothing is more needed in the Ontario Legislature than young and aggressive men. It is true that they may not get a warm reception in some quarters. They are not less, but all the more necessary on that account.

There are evidences that in some respect the legislature may suffer from over-maturity, which is not a mild way of saying something stronger, but merely a simple recognition of a disturbing fact. There are many problems which have been put aside until the pressing problems have been attended to. Meanwhile those which have been put aside have become more urgent than some of the original ones. If Mr. J. Ransom Howitt takes an active and progressive part in the political field, he need not fear what veteran politicians can do to him. The people want something done in support of the two or three live men in the government, and an infusion of young blood is a happy omen. Mr. Howitt will not be the only young man in the house, but he will have the opportunity to choose in afflicting himself with the campers or the prospectors.

FOR THE OLD FLAG.

It is one thing to march down the home streets with the crowds applauding and the friends and relatives smiling welcome and the old town all alight with the sweetness that belongs nowhere but home. And it is another thing altogether to have marched those weary miles, with blistered feet, with aching bones, with muscles stretched to the limit of fatigue, and with the plodding grime of a tired but unflinching soul. Read Zola's "Downfall" if you want to understand all that misery.

You can't be too good to the boys who did it. It was done for Canada, done for Toronto, done for the old flag. All honor to Sir Henry, who made it possible. The boys will tell you they would not do it again, not for ten thousand dollars. Of course they wouldn't, not for the sake of going to England. But if the empire asked it, if Canada needed it, if the King called for them, do you think the boys would hang back? That is the eternal wonder of patriotism and loyalty and sacrifice, and our Canadian boys have blazed the path.

THE NEW NORTHWEST EXPLORATION.

Of great national interest is the report of exploration undertaken during the years 1908 and 1909 by Mr. Frank J. P. Crean, C.E., in the New Northwest, and comprising part of Saskatchewan and Alberta, to the north of the surveyed area. His journeys were made on the instructions of Mr. R. E. Young, chief Dominion geographer and superintendent of the railway lands branch of the department of the interior, and his report, with many photographs and plans and an excellent map, has just been issued by that department. The area traversed lies to the south of the parallel of latitude passing thru York Factory on Hudson Bay, and the character of the soil in exclusive districts and the agricultural prospects are frequently referred to by Mr. Crean in very favorable terms. The climate is described as not more severe than in the more southerly parts of Saskatchewan; wheat, oats and all kinds of vegetables grow freely and the natural hay crop is in many places of exceptional value.

According to Mr. Crean's own observations and the reports of other explorers, good prospects exist that considerable mineral deposits will be found. The country in the vicinity of Lac la Poudre has been located there and also in the vicinity of Stanley. There are many points also where water powers can be developed, particularly on the Beaver River at Grand Rapids, and on Clearwater River. Especially important are the vast deposits of tar sand exposed on the banks of the Athabasca River, and extending from 30 miles south of McMurray to 40 miles north of that point. They have been estimated to contain 30,000,000,000 tons of bitumen, and form the largest of their kind in the world. They differ, however, from the European deposits, which are formed of bituminous limestone, the Athabasca mineral being bituminous sand or silica, this sand consisting of grains of pure vitreous quartz, suitable for the manufacture of the finest white glass. Natural gas has been struck at various points and

It is believed by some authorities that petroleum will also be found. Evidently the possibilities of the New Northwest are considerable, and its opening up by railroads is the one thing needed to have them thoroughly investigated.

AT OSGOOD HALL ANNOUNCEMENTS.

October 4, 1910.
Motions set down for single court for Wednesday, Oct. 5, at 11 a.m.:
1. Re Alfred Hall.
2. Re Todd-Todd v. Woodley.
Peremptory list for divisional court for Wednesday, Oct. 5, at 11 a.m.:
1. Wisig v. G. T. Ry. Co.
2. New Hamburg v. Webb.
3. Cronkite v. Foy.
4. Mickleborough v. Strathay.
5. Davis v. Winn.
6. Sager v. Sheffer.
Argument in McLachlan v. Schlievert will be resumed at 2 p.m.

Non-Jury Assizes.
Cases at city hall Wednesday at 10:30 a.m.:
Bryant v. Farah.
Nagle v. the King.
Ontario Bank v. Taylor.
Sullivan v. Murphy.
Krukowski v. Zerkewitch.
Webb v. St. Mary's and W. O. Railway.

Jury Assizes.
Pepper v. Colonial Mining Co.
Stewart v. Cook.
Spears v. C. P. Railway.
Pryor v. Clifton.
Davis v. Winn.
Sill v. Alexander.

Master's Chambers.
Before Cartwright, K.C., Master.
Woodruff v. Alton—C. H. Connor (St. Catharines), for plaintiff. F. W. Harcourt, K.C., for defendant.
Motion by plaintiff for a judgment for foreclosure. Judgment as asked.
Hoover v. Sovereign Life—Williams (Montgomery & Co.), for plaintiff. Motion by defendant on consent for an order dismissing action without costs. Order made.

Wilkinson v. Montreal Star—J. Hales, for plaintiff. H. L. Lodge, for defendant. Motion by plaintiff for particulars of statement of defence. Reserved.

Wright v. Butler—J. J. Gray (Forcible Entry), for plaintiff. G. Grant, for defendant. Motion by plaintiff for leave to add a party defendant. Order made. Costs in case. Writ and statement of claim to be amended.

Reinhardt v. David—J. W. Hefferman, for plaintiff. M. J. O'Connor, K.C., for defendant. Motion by plaintiff for judgment under C.R. 602. Judgment for plaintiff for \$96.18 and costs. Plaintiffs to be at liberty to proceed for balance.

Monrohouse v. Perry—A. E. Knox, for defendant. G. Grant, for plaintiff. Motion by defendant for an order dismissing the action for default in discovery. Production having been made since motion launched, motion dismissed. Costs to defendant in any event.

Turner v. Doty Engine Works—F. E. Brown, for plaintiff. W. Woodruff, K.C., for defendant. Motion by plaintiff for an order striking out parts of paragraphs three and four as embarrassing. Reserved.

F. T. Case, Trustee of Co. v. Allen—G. H. Sedgewick, for defendant. J. G. Falconbridge, for plaintiff. Motion by defendant to set aside interlocutory judgment. Order to go when satisfied by parties.

Wallace and Eastwood v. Stevenson—Williams (Montgomery & Co.), for plaintiff. R. C. Levesque, for defendant. Motion by plaintiff for judgment under C.R. 602. Enlarged for cross-examination of defendant.

Fleming v. McAlpine—T. A. Rowan, for defendant. F. McCarthy, for plaintiff. Motion by defendant for an order for further examination for discovery. Order that plaintiff Fleming attend at his own expense for further examination and waive former objections. Pinchin to attend for further examination at his own expense on defendant's motion to amend defence and counter claim. Judgment reserved.

Davies v. Dick—G. H. Sedgewick, for defendant. No one contra. Motion by defendant for an order dismissing action for want of prosecution. Order made.

Judge's Chambers.
Before Sutherland, J.
Re Doucette—F. W. Harcourt, K.C., for infants. Motion on behalf of infants for the allowance of \$200 a year for educational purposes, with the privilege of the official guardian. Order made.

Re Shears—F. W. Harcourt, K.C., for infants. Motion on behalf of three infants for an order allowing \$25 per year for each of the infants with the privilege of the official guardian. Order made.

Re Dyce—F. W. Harcourt, K.C., for infants. Motion on behalf of four infants for an order allowing \$25 a year for each of the infants for maintenance. Order made.

Re King v. Quick—F. Aylesworth, for defendant. J. R. Cartwright, K.C., for the crown. Motion by the crown to compel a magistrate to state a case for the opinion of the court under section 15 of the code. Motion enlarged until 18th inst., on consent of the attorney-general, but subject to objection.

Re Monarch Bank—G. Russell, for defendant. C. A. Masten, K.C., for liquidator. Motion by Dr. Graham.

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Livingston and Ostrom, for leave to appeal from the report of the official referee. Order allowing an extension of time for two weeks from to-day on payment of costs.
Pryor v. Clifton Hotel Co.—A. McL. Macdonell for plaintiff. W. R. Smyth, K.C., for defendant. Motion by plaintiff for an order compelling George R. Major, manager of defendant's company, to attend and answer certain questions he refused to answer on his examination for discovery. Reserved.

Single Court.
Before Sutherland, J.
Kozlowski v. Elora Mines Co.—W. H. Price for plaintiff. F. W. Harcourt, K.C., for defendant. Motion by plaintiff on consent for judgment. The action was for damages for the death of Andrew Kozlowski, who was alleged, was killed by taking hold of an unbalanced handle to the switch to turn on the electric current. Judgment by consent for \$1000 and costs, of which \$400 is to be paid to the widow and the balance in equal shares of the two infants in equal shares.
Before Middleton, J.
Toronto and Niagara Power Co. v. Paris Alabastine Co.—R. B. Henderson for plaintiff. E. A. Raney, K.C., for defendant. An injunction restraining the defendant, the Paris Alabastine Co., and the Grand Trunk Railway Co., from entering upon or trespassing on the lands of the plaintiff, by laying a railway switch across same. Injunction as asked for one week, with leave reserved to defendants to move to dissolve on 24 hours' notice.

Divisional Court.
Before Falconbridge, C.J.; MacLaren, J.A.; Riddell, J.
Hunter v. Peterson—W. E. Raney, K.C., for plaintiff. A. C. McMaster for defendant. Motion by plaintiff for leave to set down an appeal from the judgment of the county court of Hamilton, notwithstanding time for so doing has lapsed. Reserved.

Wigg v. G. T. Railway—H. J. Martin for plaintiff. D. S. Macdonell, K.C., for defendant. An appeal by plaintiff from the judgment of the county court of Hamilton of June 15, 1910. At plaintiff's request hearing of appeal enlarged until 18th inst.

Charbonneau v. McCusker—J. A. MacInnes (Vankleek Hill) for defendant. C. G. O'Brien (L'Orignal), for plaintiff. Motion by plaintiff for judgment from the judgment of the county court of Prescott and Russell of April 22, 1910. This was an action by a farmer of Township of Alfred for \$200 damages for trespass upon his land by defendant, another farmer of said township, and cutting of timber thereon, and for an injunction to restrain said trespasser from re-entering said land. Judgment was given plaintiff for \$25 damages and for the injunction asked.

McLachlan v. Schlievert—E. D. Armstrong, K.C., and A. Burwash (Armstrong) for plaintiff. R. J. Slatery (Armstrong) for defendant. Motion by plaintiff from the judgment of the county court of Renfrew. This was an action for \$200 damages for trespass and alleged wrongful acts on plaintiff's land and for an injunction to restrain repetition of same. At the trial judgment was given for plaintiff for \$1 damages complained of other than the use of the right of way without appeal, and declaring that defendant as owner and occupier of lot 41, in the Town of Arnprior, is entitled to a right of way over Reserve Z from the rear of said lot 41. Argument of appeal not concluded.

Grand Trunk Engineers.
For the purpose of selecting a committee representing the engineers of the Grand Trunk Railway System has been in conference with the superintendent of motive power. So quietly did the matter proceed that it was not until the twenty-sixth of September that although twenty-six of them were domiciled at a Montreal hotel for weeks, there has been no publicity about the matter. The negotiations were carried on both sides, and now it is pleasant to record an agreement has been reached satisfactory to all concerned.

The engineers asked for a substantial increase of pay, amounting, it is understood, to something like 12 per cent. The Grand Trunk was willing from the first to grant them an increase, and the result of friendly negotiations is the agreement concluded last Thursday. The representatives of the engineers are interviewed by the result of their mission to Montreal.

IMMIGRATION TO CANADA
An Increase of 76 Per Cent in First Three Months of Fiscal Year.

OTTAWA, Oct. 4.—(Special.)—For April, May and June, the first three months of the present fiscal year, the total immigration to Canada has been 191,381 persons, or an increase of 76 per cent over the corresponding months of last year. Those arriving at ocean ports numbered 84,881, as compared with 47,125 in the corresponding months of 1909, or an increase of 108 per cent, while the immigration from the United States was 45,500, as against 29,624 for the same period last year, or an increase of 55 per cent.

For the month of June, 1910, the total immigration was 34,560, as against 20,859 in June, 1909, or an increase of 66 per cent.

An Assignment.
Jeffery & Purvis, auctioneers, West King-street, have assigned to N. L. Martin, assignee, for the benefit of creditors. Further details are unknown.

The Shakespeare Club
Of the Margaret Eaton School of Literature and Expression begins its year's work this (Wednesday) morning at 11 o'clock with the study of "The Merchant of Venice." The study of Shakespeare is invited to join this class. For further information telephone North 4544.

CHIEF DEFENDS HIMSELF FROM CHARGES OF "PULL"

Recent Promotions Were Made Strictly on Merit and in Best Interests of City and Department.

"Make your statement now. I'm ready to defend myself."
"No, I won't make it just now."
This interchange between Fire Chief Thompson and Ald. Maguire, at the meeting of the fire and light committee yesterday, brought to a close a discussion on allegations in the by the fire department of "pull" in making promotions. It began when the chief reported the recent promotions to the posts of captain and lieutenant, published last week.

"Are these men senior and better qualified than other men; or are others being overlooked?" queried Ald. Maguire. The selections I made, in my opinion, were most suitable from their work and conduct and knowledge of the district. They were in the best interests of the fire department," replied the chief, with some heat. "I followed the principle of length of service constant with qualifications. The men appointed captains have all been lieutenants for six years."

"Seniority is not a necessary thing," persisted the alderman. "I never said I was bound to take senior men," retorted the chief. "Run for the City's Good."

Ald. Maguire remarked that there was nothing personal between the chief and himself. Every man should get a square deal, however, and he wanted to know whether the best men had been appointed.

"Insinuations of this kind are decidedly injurious to me and to the department," declared the chief. "If you can point to any specific case where special favors were shown, specify the case and I will defend myself. I want to say that pull is not running the fire department since I have been in charge of it. It is not going to obtain with me. I am going to run it in the best interests of the city and the ratepayers, and the insurance men whom Ald. Maguire represents."

"I'm here as an alderman," parried Ald. Maguire. "All I want the chief to say is that there is no pull."
"He has said it," said several committee members in chorus. "I want to say that the greatest pull was evident for the men who have got promotion, but for the men who have not," asserted the chief, pointedly, and the debate ended.

No More Permits.
A policy of not granting to the Toronto Electric Light Co. any more permits for the erection of poles until the litigation situation clears, was decided upon, on the suggestion of Controller Church, who moved that the corporation counsel be instructed to "draft the necessary notices ordering the company to remove all poles erected off the streets, and revoking permits issued, and, in the meantime, to enter a bill of indictment against them for nuisance."

Mr. Drayton advised against the latter course, asking that the resolution be referred to him, as he hoped to have a working arrangement with the company by the next meeting of the committee.

On Ald. McGowan's suggestion, Secretary McGowan of the fire department will report on what should be done to light the streets in the outlying districts. He thought a year's wait for the hydro-electric system too long, and suggested that gas lighting be arranged for.

Would Work Wrong Way.
Controller Church advocated that 12 of the largest cities in Canada should renew the demand on the Dominion Government, unsuccessfully made four years ago, that all electric lighting companies be compelled to put their wires underground.

He suggested, however, that this might prove too costly for the municipal system, which would have to follow suit, and no action was taken.

Ald. May suggested of insufficient number of fire alarm boxes in the fifth ward, but the chief said nothing could be done until the completion of the new fire alarm system, which would take some months yet.

HUSBANDS HAVE SOME RIGHTS

So Judge Denton Says, Dismissing Abduction Charge.

Declaring that husbands have some rights in respect to their children, and that he believed the woman's story, as regards her husband's alleged abduction of their child, Judge Denton yesterday acquitted Scott Cowan and Thos. Collins, accused of abducting Cowan's 5-year-old child from his wife, from whom he was separated.

"This woman took her husband for better or for worse; she wanted all the better, and did not consider the worse," said his honor, who suggested a reconciliation.

This man was eager to agree to, but the woman demurred. Joseph Capper, charged with theft by John Lavin, by whom he was employed as a collector, was acquitted because the indictment charged theft from two women from whom he had collected, but had failed to turn in to Lavin. His counsel pointed out that as he was authorized to make the collections, no theft had been committed, as charged. A new indictment will be drawn up.

To straighten out the points of law involved, the case of James Ryan, accused of theft of \$100 in goods from Basil McTanner, goes over until Monday. Ryan was a sub-tenant at 1075 College-street, and as the original occupant, W. R. Hunter, who rented the building from Lee Ling, owed him \$200, he didn't know he was liable for unpaid rent, for which a seizure had been made. Ryan had appropriated \$100 in goods after the seizure.

Geo. Payne was found guilty of stealing chickens, with a strong recommendation to mercy.

Tried to Blow Up Mayor.
BAZZ, Spain Oct. 4.—A bomb exploded under a window of the mayor's office, badly damaging the town hall to-day. There were no casualties.

Dr. Chase's Ointment is a certain and guaranteed cure for all forms of itching, bleeding and protruding piles. See testimonials in the press and ask your money back if not satisfied. 60c. at all dealers or EDWARDS, BATES & CO., Toronto.

DR. CHASE'S OINTMENT.



"Money Saved" is "Money Made"

Every merchant and every manufacturer knows this.

What many a business man does not know, however, is that the biggest kind of a saving can be effected—for any business with a second storey—by the installation of a freight elevator.

We don't expect you to grasp this idea "right off." But we do trust you're a keen enough business man to want to know more—keen enough to send for our book, which tells in plainest English just how a good elevator makes money for the man that owns it.

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The Globe

TORONTO.

THE BOY SCOUTS

The Globe's Saturday issue will each week contain the latest gossip in the ranks of the Boy Scouts. New troops are being organized every few days in Toronto and Ontario, and The Globe is keeping in touch with the promoters, and will therefore be able to give its Scout readers the latest information.

CANADA'S NATIONAL NEWSPAPER.

CONSTABLE MUST RESIGN

Commissioners Will Be Intimate to Mr. Bradley.

Policeman Arthur Bradley (324) will be asked to resign from the force, so the commissioners yesterday decided. Bradley joined the force when over the age limit. The fault was discovered when the time came to give evidence against three men whom he had charged with attempting to bribe him in connection with a seizure of opium from a Chinaman.

The board was ready to consider a charge of improper conduct against Staff Inspector Kennedy, in not consulting Crown Attorney Corley before issuing the warrant for the arrest of Dr. E. E. Hawke, upon a charge of attempting to procure an abortion. It is said that the reason the staff inspector did not do so was that, on the former occasion, he was attending a wedding. He came along when this was over, but found that the board meeting had adjourned. His complaint will be taken up two weeks hence.

Constable Kerr, 57, was awarded a merit mark in connection with his midnight capture of Frank Rodda.

Tenders have been recently received for the officers' winter clothing. They were awarded to Malcolm McBain.

Constable Craig, 124, handed in his resignation, but it was refused by the management. Two probationers have been added—William H. Bruce and Thos. Rea.

\$5.10—Buffalo and Return—\$3.10, via Grand Trunk Railway System, Oct. 7 and 11.

Account Buffalo Industrial Exhibition. Trains leave Toronto 9 a.m., 4.32 p.m. and 6.10 p.m. Tickets valid returning October 9 and 12. Remember that the Grand Trunk is the only double track line to Buffalo.

Full particulars and tickets at city ticket office, northwest corner King and Yonge-streets. Phone Main 4209.

Pioneers Want New Home.
At yesterday's meeting of the York Pioneers, it was reported that during the existing 100,000 people had visited the association's old log cabin on the grounds. It was suggested that the city and Ontario Government should assist in erecting a more suitable building.

Serious Rioting at Cologne.
COLOGNE, Oct. 4.—Thirty persons were wounded in conflicts between the police and striking excavators during last night. One policeman probably will die from his injuries.

ALBERT HOLMES PLACED ON TRIAL FOR MURDER

Defence Will Be Mental Irresponsibility—Killed His Cousin With an Ax.

BROCKVILLE, Oct. 4.—(Special.)—The trial of Albert Holmes, accused of murdering Nathan Bolton, his cousin, on April 31 last, in the Township of Edwardsburg, opened this afternoon before Chancellor Boyd. The grand jury after a short deliberation found a "true bill," and the hearing immediately proceeded, with George T. Blackstock as crown prosecutor.

There is no dispute as to the crime having been committed by Holmes. This is admitted by the defence, which will attempt to set up that the prisoner was not mentally responsible.

The murder was perpetrated. It will be remembered, while the two men were engaged carving the carcass of a hog on the premises of Holmes. Seizing an ax Holmes struck Bolton on the head, death ensuing shortly afterwards.

Only two witnesses were called by the prosecution, when an adjournment was made until to-morrow morning, the jury being left in charge of the sheriff.

Miss Ethel Holmes, daughter of the accused, was on the stand nearly two hours. She first discovered Bolton in a dying condition and told of her father's flight to the woods. The crown elicited the fact that the two men were alone in the shed, adjoining the house. There was no apparent dispute and her attention was directed to the tragedy by the groans of Bolton.

The defence attorney, J. A. Hutcheson, K.C., spent much time getting from the witness a mass of details of the strange actions of her father for many months preceding the crime. He was greatly worried over a wayward son, to whom Mrs. Holmes induced the accused to make over the homestead on the fourth concession, in the Township of Edwardsburg, much against his will. He brooded over the transaction, and after removing to a new home, purchased from Bolton, he was more dissatisfied than ever, and on many occasions threatened to take his life.

Once he drank poison, and the night before the murder searched the house for a revolver, which Mrs. Holmes had hidden in a trunk. Miss Holmes testified that the prisoner and Bolton were on the best of terms.

Holmes when brought into court presented a sorry appearance. He wept bitterly through the session, often sobbing aloud, burying his head in his hands. It is feared that he will completely collapse under the strain.

STEAMER BURNED.
CHICAGO, Oct. 4.—According to a wireless message received here, the steamer Frank L. Vance of Duluth, was burned to the water's edge in mid-lake off Ludington, Mich., to-day. The steamer Maggie Marshall rescued the entire crew, while the Fire Marquette ferry No. 19 stood by and played the hose on the burning vessel. The captain of the Vance refused to leave her, until it became apparent that his craft could not be saved.

For peeping into houses in the West-on-road at a late hour Monday night, William Killen paid \$2 and costs in police court yesterday morning.

PEELING TOM FINED.
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CELEBRATED NICHOLSON'S DRY GIN

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MICHIE'S

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Toronto Free Hospital for Consumptives

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Further particulars may be had by addressing Secretary, 347 King St. West, Toronto, Canada. Phone Main 224.

PROTECTION FOR REPORTERS

Badges Suggested When They Have to Work in Riotous Mobs.

BERLIN, Oct. 4.—The imperial chancellor, Dr. Von Bethmann-Hollweg, has sent a letter to the foreign correspondents' association, expressing regret at the Moabit incident, in which several correspondents were attacked by the police, while watching the riots in the district, and informing the association that the matter is under investigation by the minister of the interior.

The police president, Herr Von Jagow, has also written to the association, reasserting his position that the laws make no provision to protect reporters in mobs. He intimates that badges for newspaper workers may be introduced, in order to save reporters from mistakes by the police. Von Jagow adds that he is anxious to have reporters present whenever energetic measures on the part of the police are necessary in order to forestall false or sensational reports.

A Peeping Tom Fined.
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