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THE HAMILTON TIMES.

16 Pages

Hamilton, the Chief Electrical and Manufacturing City of Canada.

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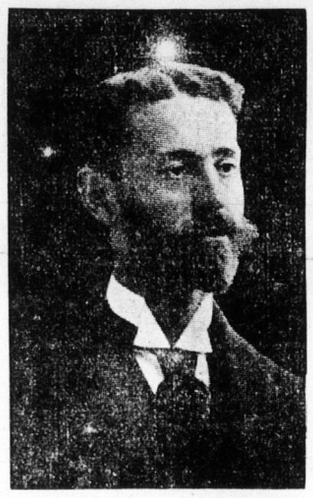
NO DESIRE TO ARREST FLORENCE KINRADE

Warrant Will Not be Executed If She Will Undertake to Attend the Inquest on Monday Night Voluntarily.

Technical Points Raised—Can Witness Who Has Once Been Dismissed be Required to Attend Again?—Other Possibilities.



GEO. LYNCH-STAUNTON,
Under whose advice Miss Kinrade did not attend the inquest last night.

GEO. TATE BLACKSTOCK,
Crown Counsel, who asked for Coroner's warrant for Florence Kinrade's arrest.

The technical objection on which George Lynch-Staunton, the Kinrade family lawyer, is said to be acting in advising Florence Kinrade to disobey the subpoeana served on her yesterday by Provincial Detective Miller, and, in disputing the authority of the Coroner to issue a bench warrant for her arrest, is said to raise the question of whether the Crown can recall a witness after dismissal.

Mr. Blackstock's "that will do, Miss Kinrade," at the close of her examination five weeks ago is said to be taken as a basis for the contention that she would not be required again and that a strict interpretation of the law would make further recall illegal. If this is the assumption on which Mr. Staunton is acting the Crown authorities do not think it will have much effect. They insist that a witness may be recaled at any time.

The authority on which the Crown is proceeding in having a bench warrant issued is the common law of England. There is no intention on the part of the Crown to act in a malicious manner towards Miss Kinrade. It is realized that she is not to blame for failing to appear, that she was acting under instructions. The Crown realized that there is nothing to be gained by taking her into custody now and holding her until the inquest is resumed. If she does not come voluntarily she will be brought to Hamilton late on Monday afternoon. It is said that this would permit the authorities to place her in the witness box before habeas corpus proceedings could be begun. Mr. Staunton, it is said, will immediately apply for a writ of habeaus corpus if the girl is arrested.

The Crown is not afraid of habeas corpus proceedings blocking the inquest for any length of time. It is understood that the matter could be threshed out inside of an hour before a high court judge and the Crown will be prepared for such a move. As to the question of bail in habeas corpus proceedings some of the local legal lights are not quite sure whether it can be granted.

As to the question of the dismissal of a witness after being examined, is is pointed out that in the Court of Appeal, even after a case is closed, a witness may be recalled. The scope of the coroner's investigation is said to be much wider.

Crown Attorney Washington, when asked about a point raised that a coroner cannot issue a bench warrant for the attendance of a witness outside the county over which he has jurisdiction, said there was no such restriction so far as he was aware. Coroner Anderson was simply limited to holding an inquest in Wentworth County and had power to compel Miss Kinrade's attendance, although she was removed from the county bounds.

Conjecture is rife as to what Mr. Staunton hopes to accomplish by the course pursued.

Is the move to secure protection for Florence Kinrade from further examination, as intimated by C. Montrose Wright, in an interview in a Toronto paper credited to him? If the authorities executed the warrant, would it afford Florence Kinrade any protection? They say not. She would be taken charge of as a material witness and, the Crown authorities say, obliged to testify.

It is suggested that a legal point may be raised that the coroner's warrant is outside his own county. Prominent legal men say there can be no doubt as to the power of the coroner to compel attendance by his warrant. Within the County of Wentworth this warrant may be executed directly by any police officer, and within the province, but outside of that county after it has been "backed" or certified by a local magistrate it may also be executed by the local police.

The bench warrant issued last night by Coroner Anderson for the arrest of Florence Kinrade, as a material witness, in the sensational murder mystery, which has been the talk of half a continent for nearly two months, may never be used. There is certainly no intention of executing it to-day and it is doubtful if the girl, who has attracted so much interest as the chief figure in the case, will be taken charge of by the officers on Monday if she shows any inclination to appear at the next session of the inquest or if the Crown authorities get some positive assurance that she will be present. Such, in effect, is the course decided upon, the Times is informed. The Crown is certainly determined though that Miss Kinrade shall be on hand Monday night. Mr. Blackstock from the first has insisted on calling the witnesses in certain order. According to present arrangements Florence Kinrade is the next witness to go on the stand. Had she appeared last night it is probable that she would have been under fire for four or five hours.

That Mr. Staunton's objection to the proceeding taken was made on some technical point that he has up his sleeve, the police have no doubt. Mr. Staunton displayed an air of cheerful confidence last night both before and after the Crown examiner had applied for the warrant, but he maintained strict silence as to his reasons for advising the Kinrades not to attend the inquest.

"I have nothing to say," was his smiling reply to every question fired at him by the newspapermen, who filled the court room.

WHAT THE WARRANT SAYS.

The bench warrant issued by Coroner Anderson, immediately after the adjournment, and handed to Provincial Detective Miller, read as follows:

To John Miller and John Bleakley, constables of the county of Wentworth, and to all others of His Majesty's officers of the peace in and for the said county:

Whereas, I have received credible information that Florence Kinrade, of the city of Hamilton, in the said county, can give material evidence on behalf of our Sovereign Lord the King touching the death of Ethel Kinrade, now lying dead in the said city of Hamilton;

And whereas the said Florence Kinrade, having been duly summoned to appear and give evidence before me and my inquest touching the premises at the time and place in the said summons specified, of which oath hath been duly made, before me, hath refused and neglected so to do, to the great hindrance and delay of justice;

These are therefore, by virtue of my office in His Majesty's name, to charge and command you, or one of you, without delay to apprehend and bring before me, one of His Majesty's Coroners for the said county of Wentworth, now sitting in the said city of Hamilton aforesaid, by virtue of my said office, the body of the said Florence Kinrade, that she may be dealt with according to law; and for so doing this is your warrant. Given under my hand and seal, this 23rd day of April.

(Signed)

James Anderson, M. D., Coroner.

JIMMIE BAUM INTERVIEWED.

Jimmie Baum, the actor-author-mechanic, who has been prominently connected with the case, because he appeared on the stage with Florence Kinrade in the south, and because he is in Hamilton to appear as a witness at the inquest, made his first visit to No. 3 police station last night. He was there with Detective Pender, the Pinkerton man, who accompanied him from the south, prepared to go on the stand and tell his story. It is said that his evidence will confirm many of the statements made by Florence Kinrade.

Mr. Baum had a busy time yesterday dodging camera fiends and giving evasive replies to questions fired at him by

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LITTLE LIFE CRUSHED OUT.

Four-Year-Old Girl Jumped in Front of Car.

Was Hurried to the Hospital But Died Later.

An Inquest Was Begun at the Institution To-day.

A bright and promising young life was cut off yesterday afternoon when Mary, the four-year-old daughter of Mr. and Mrs. A. L. Chown, 19 Locke street, was struck by a street car, and received injuries which resulted in her death about six hours later. The accident happened about 4 o'clock in front of the parents' residence. Mrs. Chown was busy working in the back of the house, and had left the front door open, with a chair across it to keep the children in. Mary had crawled over the chair, and was playing in the road when a car came along. She did not see it until it was very close, and then she jumped to one side. Unfortunately she jumped to the wrong side and was caught under the fender. The little body was rolled before the wheels for nearly twenty feet before the car could be stopped. The wheels did not pass over the body. The horrified motorman got out of the car and, picking up the injured girl, placed her in the car, and then went to a nearby store and telephoned for medical aid.

Dr. Rennie answered the call immediately in his automobile, and after a hasty examination, after his arrival, put the unfortunate child in the auto, and made a record run to the City Hospital. It was discovered that she had sustained two severe scalp wounds, and both her thighs were broken. The doctors operated, but their efforts proved of no avail, the unfortunate child passing away about 9 o'clock last evening. The accident happened about 4 o'clock.

The motorman, B. Clark, says that the little girl ran in front of the car, and he was unable to stop in time to save her life.

The grief-stricken parents are disconsolate, and can hardly realize that their loved one has been taken away from them without a vestage of warning. She was a dear little girl, and it was a cruel blow to them. The parents have the sympathy of all.

P. C. Barrett was ordered to notify jurors, and an inquest was opened at the City Hospital at noon to-day.

The funeral will take place on Sunday afternoon from her parents' residence.

RAVENSCLIFFE.

This Fine Property Sold and Will be Subdivided.

Ravenscliffe, the beautiful residence of the late Wm. J. Copp, at the head of Ravenscliffe avenue, and the five acres of land surrounding it, have been sold by Mr. R. Mackay, the well known real estate man, to Messrs. I. P. Thompson and Logie Donaldson, of this city. It is the intention of the purchasers to lay out the land in building sites. They will also dispose of the house. The price is private, but is said to have been over $20,000.

FATAL FIRE.

Four Persons Burned to Death at Topeka, Kan.

Topeka, Kan., April 24.—Four people were burned to death in a fire at the Central Hotel at an early hour to-day. Only one of them, J. W. Enchson, of Clay Centre, Kan., has been identified. Several guests were overcome by smoke, but it is believed none of them was seriously hurt.

The hotel was only partially destroyed. It was one of the finest in the city.

BY A TRAMP.

Death of Mrs. J. Jarmain and Her Infant From Fright.

London, Ont., April 23.—It was learned to-day that Mrs. J. Jarmain, wife of the farmer living near Delaware, has died as a direct result of being frightened by a tramp, who chased her from her home. The lady was in a delicate condition, and the shock resulted in her critical illness. She continued to sink rapidly. Her baby was born shortly afterward and died on Friday. Mrs. Jarmain was a daughter of Mrs. Adair, of Mount Brydges.

ONE MINUTE COURT.

It took Magistrate Jelfs exactly one minute to dispose of the Police Court business this morning. There was only one case on the roster, and that was dismissed, as neither complainant nor defendant showed up. Mark Thompkins charged the Canadian Iron Corporation with refusing to pay him $29.45 wages due. The case was settled out of court.

Make a Note of This.

Before you buy a gas range, we would suggest that you look carefully into the merits of the Hamilton Jewel, made by the old reliable firm, the Burrow, Stewart & Milne Co., Limited (see their advertisement in this issue). The new 1909 ranges have features which are more than mere talking points. Call and examine them for yourselves. They make over 100 varieties. Show rooms, corner Cannon and Hughson streets.

—Mr. W. W. Yeager, 555 York street, writes to the Times thanking the City Hospital staff and Nurses Rothwell, McGregor, Webster and Kennedy for the kindness and attention shown Mrs. Yeager during her sickness; also thanking friends for their kindness. Mrs. Yeager is now convalescent at home.

THE MAN IN OVERALLS

Shop early.

No doubt Delaware avenue has a grievance, but who hasn't?

Now watch the Y. W. C. A. building grow.

Is there no thermauturgist able to tell us when the power by-law will be voted on?

You will notice that Mr. Barrow usually manages to explode any charge brought against him. See his statement re mountain water supply. How will Mr. McCallum manage the knockers? He will have plenty of them, no doubt.

First join the Greater Hamilton Association. Then take off your coat and pitch in to win.

Even the Wentworth Tories are beginning to see that Mr. Sealey is their best friend.

Good for the English! St. George's Society was never so prosperous as it is to-day. Hurrah, for the Sons of St. George!

Now, don't fly off the handle. You are not asked to unravel the murder mystery.

This was Lord's Day Week. But I can't say that much attention was paid to it here. We take Sunday as a matter of course.

If you have any sympathy to spare, give it to those persecuted Armenians, and thank the good Lord that you live in a land of liberty and light.

Housecleaning! Isn't it awful?

Don't worry. Things might be worse.

"Fair Play" asks us "why the names of men caught in disorderly houses are not published as well as the females?" The letter is not published because the writer of it had not enough confidence in us to send name and address along with it. One reason is that the men thus caught are seldom arraigned in court, and seldom is any charge laid against them. When they are arraigned their names do appear. The law of libel is so stringent in regard to newspapers that were they to publish anything reflecting upon a man's private character, when no charge was laid publicly against him it would take hundreds, if not thousands, of dollars to defend suit in court, and whether they won or lost they would suffer heavy financial loss. "Fair Play" expresses sorrow for the weeping mother of the girl thus exposed, and we join in the regret. But what of the mother if the man were exposed? What of his wife, if he had one? What of his innocent daughters, if he had any? What family, the head of whose house had so demeaned himself, could hold up its head again in respectable society? How many homes would be broken up? Did you ever think of that, "Fair Play?" This is not an argument for non-publication of the names, but it shows some of the probable results of their publication.

An anonymous correspondent "gets back" at me by saying that "there would be fewer mean people around town if there were some place where they could be put out of the way, without much trouble or fuss." Sure thing.

A correspondent writes:

Thanks—How often must he be found to frequent before he can be convicted a "frequenter." This is the last question. No desire to attempt to drag you in further. Much obliged

F. R. B.

Webster's International Dictionary defines "frequenter" to be "One who frequents, one who often visits, or resorts to customarily." The Magistrate would be the judge as to the frequency of the visits necessary to make one a frequenter.

Two men were killed at Calgary and a third fatally injured by the caving in of a trench.

A BIT ABOUT HIGHFIELD.

Son of the Builder Here in Connection With Estate.

Mr. Walter Brown, of New York, is in the city, in connection with the Turner estate, of which he is one of the trustees. Mr. Brown is a son of the late Mr. John Brown, and a nephew of our own beloved Postmaster. It was his father who built Highfield, opened Bay street south, and set out many of those magnificient trees which adorn Aberdeen avenue and other streets in that section. The Turner estate still owns a portion of the Highfield property, but the trustees have decided to dispose of it.

It is exactly 50 years since the late Mr. Brown built Highfield. It is one of the most massive and substantial buildings in the country, of Ohio free stone, with walls three or four feet thick, and situated in a most picturesque spot. It is as good to-day as the day it was built. The late F. J. Rastrick was architect.

Highfield proper has had only three owners in the half century. Mr. Brown occupied it until 1874, and then sold to the late Senator James Turner, who lived there until his death, and his family some years afterwards. Mr. J. H. Collinson, principal of Highfield School, was the next purchaser, but in the meantime Lord and Lady Aberdeen occupied it for a year, and other tenants were also in it. Mr. Collinson secured between nine and ten acres, including the whole mountain front, of the original 14 acres which Mr. Brown bought in 1858.

Mr. Brown, who married a daughter of the late Senator Turner, and therefore has a double interest in the old property, is greatly impressed with the recent growth and development of Hamilton, and especially with the magnificent class of residences which have been, and are being erected on and around the Highfield property. He was much surprised to see the Spruceside, Mapleside and Beulah surveys, and to note the rapid growth and fine appearance of that section, which, when he was here only a few years ago, was almost all commons, Mr. W. D. Flatt, having not yet taken hold of the section.

MAPLE LEAF.

Good Progress Being Made at Amusement Park.

Although they have encountered a good deal of bad weather, those in charge of the construction work at Maple Leaf Park are losing no time, and have made better progress than even the management anticipated. The buildings that will be used for exhibition purposes during the exposition are well under, and work has been started on many of the amusement devices. One of the most interesting pieces of work going on at present is the building of the old mill. It requires a waterway nearly a mile long, and that is being built now. The mill will be situated at the northeast corner of the grounds, and the entrance will face the colonnade.

Manager Robertson will go to New York next week to book attractions for the Greater Hamilton Exposition, which opens at the park on Victoria Day, and, as he is working in conjunction with the Cleveland and Buffalo exposition people, he expects to get some great attractions. It is expected that large crowds will visit the park to-morrow if the weather is fine, as the management invites the public to take a jaunt down and view the work that has already been done.

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.

Do You Carry a Stick?

A fine assortment of walking canes, in all the newest styles, are shown at peace's cigar store. You can make a good selection now from the new stock at 107 king street east.

ALL POINTS AGREED ON.

Cataract Agreement is Now Ready For the Council.

Aldermen Will Advise Ratepayers to Vote For It.

Hamilton Cemetery Gets Favorable Notice Abroad.

The special Power Committee met General Manager Hawkins yesterday afternoon and practicaly agreed on all points in connection with the Cataract contract and the amendments to it. The lawyers are putting it in shape to-day and copies of the contract will be mailed to the aldermen this afternoon. The matter will be discussed at an informal session after the regular council meeting on Monday night and at a special meeting to be held later in the week the contract will be sent on to the people. The aldermen are so favorably impressed with the terms that it is believed they will recommend the people to vote for it.

"Park and Cemetery" a journal published in Chicago, has the following reference to Hamilton Cemetery and the good results achieved there of late years:

The annual report of F. R. Rutherford, Superintendent of Hamilton Cemetery, Hamilton, Ont., shows the excellent results that have followed the introduction of modern methods. Thirty-five cents a foot of lot sales is set aside for perpetual care, which includes weekly cutting of the grass, and trimming, raking and watering during the dry season. The formation of a separate fund for the maintenance of roads, buildings, fences, trees, etc., when all lots are sold has been begun, and when the ground is all sold the board will have on hand in the several funds over $200,000 for maintenance. The grounds are divided into five sections, each in charge of a foreman and telephone communication with each section was installed the past year. The cemetery is self-supporting with receipts of about $15,000 a year, and about $10,000 a year has been added to the perpetual care funds which now amount to $52,676. Mr. Rutherford strongly recommends removal of all lot enclosures in the older sections, and urges that the various organizations unite on one memorial day. There are about three thousand lot owners.

The health report for the week shows ten cases of scarlet fever, four of diphtheria, three of chickenpox, two of whooping cough and one each of erysipelas, measles and German measles.

The Street Railway Company will begin concrete work on James street on Monday.

The crew of the sandsucker have her her at work in the basins this week and on Monday cleaning operations will be in full blast.

The special committee appointed to pick out a new hospital site will make a trip of inspection on Monday afternoon.

MRS. WHIPPLE.

Death of the Widow of Late Vernon Whipple.

Mrs. Catharine A. Whipple, whose death at Niagara Falls was reported in yesterday's Times, she having either fallen or jumped and lost her life by going over the cataract, was a well-known Hamilton woman. She was the widow of the late Vernon Whipple, at one time city editor of the Spectator, and who subsequently carried on a printing business for many years. Mrs. Whipple was quite an able writer. Some years ago she published a very interesting illustrated brochure on Dundurn Park, and she had a great volume of story and short sketch manuscripts.

After her husband's death she left Hamilton, and had lived in Buffalo for the past year. She had no family.

In company with her sister, Mrs. Whipple had been visiting on the Canadian side. They started for home when Mrs. Whipple expressed a wish to visit the islands. They viewed the Falls, and to all appearances Mrs. Whipple was in a happy frame of mind. Hesitating about climbing up the stone stairway from Luna to Goat Island, the sisters started up a pathway. Mrs. Whipple walked behind. Turning her sister saw her in the water, and the next minute she was swept out of sight over the brink, the distance being very short.

SMALL FIRES.

Fire broke out in an unoccupied house at 38 Imperial street last night and over $200 damage was done before it was extinguished. The house was a frame dwelling, owned by Joseph Thwaites. The cause of the fire is unknown.

The fire department had a run to the Hamilton Steel and Iron Company's yard on Stuart street this morning. A spark alighted on the machine shed roof and started a blaze. The damage was practically nil.

Shavers

Look here, we have the best selected stock of shavers' supplies to be found anywhere. If it is a good razor you want, we have it, also strops, brushes, soaps, powders, etc. Get the habit; buy your supplies here and save money. No trouble to show goods. Parke & Parke, druggists.

Get Your Dog Ready

For the coming dog show by feeding him on Spratt's dog or puppy biscuits. We have them in cotton bags, that sell for fifty cents; also in fifty-pound boxes, or we sell them by the pound—all perfectly new baked.—Bain & Adams, 89-91 King east.

BATTLE AT CONSTANTINOPLE.

Army of Investment Fights Its Way Into the City---Opposed by Portion of Sultan's Army---Invaders Won.

ABDUL HAMID,
Sultan of Turkey, from a recent photograph.

MEHEMED RECHAD EFFENDI,
Brother of Abdul Tamid. He is 65 years old.

Constantinople, April 24.—Heavy rifle firing shortly after 5 o'clock this morning, mingled with the occasional rattle of artillery from the heights surrounding Yildiz Kiosk, marked the culmination of the expected clash between the favored troops of the Constantinople garrison and the army of investment which began its advance on the city yesterday.

The fighting started in the southwest part of Pera, near Yildiz Kiosk, between the troops under Gen. Mahmoud Schefket, commanding the army of investment, and part of those loyal to the Sultan. The Saloniki troops attacked the Matchcka and Tascha Kischla barracks, south of Yildiz Kiosk, where they met stubborn resistance. It is reported that casualties are heavy.

The firing caused a panic in the city and thousands began fleeing away. Detachments of military cadets, commanded by officers of the constitutionalists, are protecting the foreign embassies and every possible means has been taken to prevent disturbances in the city. Major Enfer Bey, one of the Young Turk leaders, has sent a company of infantry to guard each legation.

From the houses near Yildiz Kiosk the bodies of those who met death during the encounter near Tash Kishla barracks are plainly visible. The streets near the firing line were quickly cleared and non-combatants were ordered to remain indoors to prevent casualties and the possibility of mob violence, thus leaving the streets for the exclusive movement of the troops.

The public has been warned away from the neighborhood of Yildiz Kiosk and the lines are impenetrable.

Gen. Schefket, commanding the constitutional army, began to occupy Constantinople at dawn. Word came from the city at midnight saying that the long expected entry had been made, but people nevertheless went to bed skeptical only to be awakened in the Pera quarter by the sound of artillery and the ragged crash of rifle in the direction of Yildiz Kiosk.

A battalion of the Sultan's household guard occupied Tasch Kischla barracks about 800 strong and were resisting the advance of the investing army. Expecting an attack they were deployed outside the barracks when an officer from Gen Schefket demanded that they surrender but they refused. Within a minute after the representation from the constitutionalisits returned the firing began. The investing forces brought

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