

HAINS TRIAL.

Proposal to Do Aw y With Medical Experts in Case.

Slow Business Getting a Jury to Hear the Trial.

Fishing, N. Y., April 21.—A proposition for the elimination of expert medical testimony from the trial of Captain Peter C. Hains, jun., was made to-day to the prosecution by counsel for Capt. Hains, who is on trial here before the Supreme Court, Justice Carrozzese, for the killing of William E. Annis. What the outcome of the proposal will be is not known, as District Attorney Dewitt, to whom the proposition was advanced by John F. McIntyre, of counsel for Captain Hains, took the matter under advisement, without giving any indication of his ideas in the matter. Mr. Dewitt had already retained Drs. Geo. V. Foster and Austin G. Flint, of New York, and Dr. A. C. Coombs, of Cornell, as medical experts for the prosecution. The third day of the trial began with only a few of the talesmen on the regular panel of 48, and the special panel of 150, which had been called when the trial opened, remaining to be examined. It was thought probable that the list would be exhausted before the day was over, with the indications, judging from the percentage of jurors obtained preceding days of the trial, that not more than one or two jurors would be added to the five men already occupying seats in the jury box.

WILLING TO FORGET ALL.

(Continued from Page 1.)

at his pockets. The one-legged man objected, and finally one of the other men knocked him down. One held him while the other took something from his pocket and transferred it to his own. Phillips groaned horribly, but when he was picked up and the three disappeared, going towards James street.

"Do these look like the men?" asked the crown, pointing to the two prisoners. "I think they do, sir," replied Mrs. Moss.

George Cruickshanks told much the same story. He lived at Dean's hotel, and on the night of the robbery was sitting in his room when he heard a noise. Upon looking out of the window he saw two men holding Phillips down. One of them got down on his knees and took something from Phillips' pocket that looked like paper money. Then they took him down the street with them.

"Do you want to ask the witness any questions?" asked the Magistrate, turning to the prisoners. "Why should we take him across James street and over to Dr. Dillabough if we had robbed him? Did you see any money?" demanded Walsh, jumping up.

"I saw what looked like money," answered the witness.

James Rosch, 338 James street north, gave evidence to the same effect. Governor Ogilvie swore that he had paid Phillips \$50 when he left the jail last Monday noon, and Inspector McMahon testified as to Phillips making the complaint. He said that he had been drinking with Walsh and Hildreth, and after leaving the bar on Vine street the two had knocked him down and taken \$45 from him.

"Do you wish to testify on your own behalf?" enquired the Magistrate of the prisoners. "We have nothing to say," replied the prisoners.

"You are committed for trial." Edward Edwards was down again on the roster for a breach of the Lord's Day Act, but did not appear. The Magistrate gave instructions that a warrant be issued.

A colored man, James Matthews, was arrested last night by Detectives Sayers and Campbell on a charge of defrauding Edward Leonard by means of leading tickets. The case was remanded until Monday.

LeRoy Avey, acting for William Smith, who is charged with illegal gambling on the bay by Inspector Kerr, asked for a remand until to-morrow. The enlargement was granted.

GREATER HAMILTON.

All the business men of Hamilton who are interested in the growth and welfare of their city and desirous of securing increased prosperity should attend the meeting to be held at the Board of Trade rooms on Friday afternoon next at 4.30 o'clock.

President Hoodless and other officers will speak on the aims and objects of the association.

This is Hamilton's only and greatest opportunity to back up the efforts of the gentlemen who are behind this movement. It means that Hamilton must either go ahead or take a back seat to other cities who are actively at work on the same lines.

SWINBURNE, GOOD-BYE.

One purple star, a night bird's trill, A poet's love-light flutters down, To pass beyond the April hills, And far across the dreaming towns, Then meets the blue, kind, ebbing sea, To gather to its central deep, On peaceful pinnacles, wide and free, Its sweetheart, in the arms of sleep. —J. A. Sinclair.

TEA TABLE GOSSIP.

—Galt has decided to use hydro-electric power when it can get it. Mr. Wm. Marshall leaves this week for the old country on a business trip. —A recital by the pupils of Miss Ethel McAndrew will be given to-morrow evening at the Conservatory of Music. —During the reconstruction of the tracks on James street, the H. & D. cars will leave and enter the city via Main and Hesse streets. —Ross Wallace, the victim of the stabbing fray last Sunday, is progressing nicely at the City Hospital. His condition was much improved this morning. The new stone crusher, which the Board of Works has experienced a great deal of difficulty in getting in operation, was in working order this morning. —The literary society of Emerald Street Methodist Church will have an oratorical contest in the church to-morrow evening. There will be six contestants.

—Mr. William Richards, brother of Mr. A. F. Richards, of this city, who was a victim with respect to last Thursday, at London, is still unconscious, and no hope is held out for his recovery. —The luncheon of the Canadian Club in honor of the Greater Hamilton Association, to be held to-morrow evening, promises to be one of the best this season. In addition to the speakers some music has been arranged for.

—Nightwatchman W. Jamieson has been adjudged insane and will be sent to the Asylum as soon as room can be found for him in that institution. Mr. Jamieson was a veteran of the Crimea and was a familiar figure on the streets of Hamilton.

—An order for the discharge of A. Moccletta, the Italian who was fined \$50 and six months in jail by Magistrate Jelfs about a month ago for indecent behavior, was asked for at the High Court in Toronto yesterday. Mr. Justice Riddell reserved judgment. —At the Colonial Theatre, beginning to-morrow, one of Edison's masterpieces, "The Western Frontier," is being shown by the moving picture machine. Another good film, a humorous one, is "The Ingenious Suburbanite's Alarm." The admission to the theatre is only 5 cents.

—An incident happened in the doorway of a King street west millinery store yesterday afternoon that amused quite a number of passers-by. A well-known east end lady got caught in the doorway, her hat being too wide for the opening. The hat stuck fast and she had to get from under it before it was released. —Two extra acts were put on at Bennett's last evening by local entertainers, Maurice Kaufman in his popular song and piano act, and J. Simpson in illustrated songs. The occasion was the Letter Carriers' benefit. Mr. Kaufman introduced for the first time his one man three act melodrama and it proved a laughable hit.

OBITUARY.

Mrs. A. Elmore Richards, Wentworth street south, will receive on Thursday, April 22, and not again this season. The funeral of John Caffery took place this morning at 8.30 from his sister's residence, 152 Forest avenue. Rev. Father Walsh said mass, and Rev. Father Coy officiated at the grave at Holy Sepulchre cemetery. The pallbearers were Messrs. John McDonald, Thomas McDonald, Robert Lavelle, John Caffery, M. Padden and Wm. Lavelle.

At the funeral of the late John Barry this morning, Rev. Father Bonomi said mass at St. Mary's Cathedral and Father Lyles officiated at the grave. The pallbearers were M. Sullivan, L. Farrell, Thos. Regg, J. Tuck, A. Bigley, and W. Campbell.

ANOTHER WRIT.

Gibson, Osborne, Levy & O'Reilly issued a writ this afternoon on behalf of the Cataract Power, Light and Traction Company against the Grand Valley Railway of Brantford for the recovery of \$750 for the rental of electrical machinery.

O. A. C. Butter is Good Butter.

It's a pretty broad statement to make, but the facts warrant the assertion, that O. A. C. Butter excels all others. Made at the Ontario Agricultural College, Guelph, where no efforts or expense are spared to produce the greatest butter fat, where the sanitary arrangements equal the best appointed city home, and where every scientific arrangement is at hand to produce a really fine article. Why shouldn't it excel? Have we your standing order for some? Peebles-Hobson Co., Ltd.

ENTERTAINED HER CLASS.

A very pleasant evening was spent at the residence of Miss H. M. Dymond, 61 Victoria avenue north, last evening, when she entertained her Sunday School class and friends to the number of forty. Games and singing were enjoyed and refreshments were served. Mr. Morris Festing, in a very happy manner, tendered a vote of thanks to Miss Dymond on behalf of those present for the very pleasant evening enjoyed. The gathering dispersed after the singing of "For She's a Jolly Good Fellow."

FORTY EXECUTED.

Constantinople, April 21.—Ten agitators, who were caught among the constitutional troops trying to undermine their loyalty to their commanders, were executed by shooting at San Stefano today after a summary trial by court-martial. Forty other men have been apprehended by the constitutionalists during the last few days on similar charges.

WILL STRIKE.

Pittsburg, April 21.—Employees of the Pittsburg Railway Company have voted almost unanimously to strike unless at a conference to-day the company should concede their demand for a half a cent an hour advance.

The Author—Say, old man, you know my new play will be produced to-night, and I want you to treat me as well as you can. The Critic—Sure! I won't print a word about it.—Cleveland Leader.

FORTY THOUSAND WERE MASSACRED.

(Continued from Page 1.)

of Americans, has brought satisfaction, one might even say a sense of security, to Americans here, and in the Syrian coast cities of Merzina, Beirut and Alexandria. Great Britain, France and Italy already have warships on this coast, while Germany is sending vessels and in addition all the great powers maintain guardships at Constantinople. The consuls and the consular agents stationed on the Syrian coast sent in telegrams yesterday, all declaring that the missionaries were receiving strong protection at the hands of the Turkish authorities.

J. B. Jackson, the American Consul at Aleppo, however, expresses some concern for the outlying missionaries who have given asylum to Christian refugees. BRITISH LAND MEN. Later reports from the Syrian coast show that the racial fanaticism is extending in the vilayet of Aleppo. Disturbances have broken out at Atioch and Birejik, and foreigners have taken refuge in the British vice-consulate. The British cruiser Diana has landed fifty men in Alexandria.

The Sheik Islam, the head of the church, has telegraphed the ecclesiastical authorities in Syria to exert every effort to put a stop to the disorders; the civil and military authorities appear to be powerless effectively to control the situation. A telegram received here to-day from Wm. Chambers, an American missionary in Adana, dated yesterday, says: "The trouble here is still very quiet, in evening of April 16 Adana was quiet, and peace still continues. The town is under martial law. Many people were killed, there was much looting, great damage was done by fire, the market was almost totally destroyed and the district was in a turmoil."

ABDUL TO STAY. London, April 21.—A special despatch received here from Constantinople states a definite agreement between the government and the committee of union and progress has been concluded. Abdul Hamid is to remain as Sultan of Turkey but the present cabinet will resign immediately.

IF YOU WANT THE NEWS READ THE TIMES

JIMMY BAUM AND DETECTIVE PENDER.

(Continued from Page 1.)

BIGAMY CASE.

Blizzard Trial Enlarged, Minister Could Not Come.

(Special Despatch to the Times.) St. Catharines, Ont., April 21.—Owing to the court's inability to bring Rev. Wm. C. Yates, of Lockport, N. Y., who is said to have officiated at the Blizzard-Crick wedding in September last, to give evidence in the trial of Walter Blizzard, charged with bigamy, was further enlarged by his Honor Judge Garrahan this morning to May 9th. In the meantime a commission will take Mr. Yates' evidence in Lockport, and probably another commission will investigate the alleged first marriage of Blizzard with Mary Mahoney, of Chicago, which, if proved, will show Blizzard to be guilty of bigamy on two counts.

WAS LUCKY.

William Donnelly Had Remarkable Escape at Chatham.

Chatham, April 21.—W. O. Donnelly, of Hamilton, had a marvellous escape from death Tuesday afternoon. He is a lineman of the Bell Telephone Company, and while fifteen feet up a pole at the corner of William and Wellington streets he came into contact with a live wire. As the current went through his body he writhed with pain, but could not let go of the wire. He called to a fellow workman in a crowd near at hand, who rushed to his assistance, grabbing him by the coat tail and pulling him from the pole. Donnelly fell to the ground, and for half an hour was stunned. No bones were broken and Dr. J. P. Rutherford fixed him up.

William Donnelly who had the unpleasant experience, is a Hamilton man, living at Crown Point. He is a member of the Bell Telephone underground gang now working at Chatham, and at the local offices no one could understand why he should be up a pole.

Bain & Adams' List.

Small, bright red beets, in tins, pitted cherries, strawberries, raspberries, plums, peaches, apricots, blueberries, pears, pineapples, all carefully packed in tin also a full line of preserved fruit in glass jars. We possibly carry the largest variety of canned and preserved fruit in the city.—Bain & Adams, 89, 91 King street east.

A Fresh Coat

Of paint will brighten up your home and make it fresh and clean. Japalac on your furniture will renew the finish and give it that bright new appearance. Come in and let us show you color cards. We keep a full line of brushes, kalsomines and Alabastine. Our prices are right. Parke & Parke, druggists.

PATTEN TO INSPECT CROP.

Chicago, April 21.—Jas. A. Patten, the bull leader in wheat, left this city today to inspect the crop outlook, particularly as it bears on the amount of wheat which is to be delivered to him on July contracts. The market was rather featureless early in the session to-day. July reluctantly rose a cent from yesterday's close, but the May price seemed content with the position given it during the previous session.

Time to Run.

"Ah, yes," murmured Miss Serecher, after the first selection at the musicale, "I have had some exciting experiences. I found over from the other side a terrible storm arose, and I had to sing to quiet the immigrants. You should have seen the heavy sea running." And the big, rude man in the pink necktie rolled another cigarette and gazed out of the window. "I don't blame the sea for running," he said, gruffly.—Chicago News.

Even a lightning calculator may fail accurately to estimate the speed of an automobile when he attempts to cross the street ahead of it.—Chicago News. Louisville & Nor. 1384

Habit

People often talk about the strength of habits—bad habits; but good habits are just as strong, and the strongest habit of all, when once acquired, is the Savings habit.

One dollar will open an interest bearing account with the Dominion Bank.

GET THE SAVINGS HABIT. The DOMINION BANK. Main Office—39 MacNab St. N. East End Branch—Corner King and Wentworth Sts. W. K. PEARCE, Manager.

MARRIAGES

MOORE-CRISPIN—On Tuesday, April 20th, 1909, by Pastor Edgerton, the parsonage, Nellie Crispin, of Normandy, Grey County, to Geo. Moore, son of Thomas Moore, city.

DEATHS

GARDNER—In Hamilton, Ont., on Tuesday, April 20th, 1909, Henry Gardner, formerly of St. Catharines, aged 76 years. Funeral private. Interment at St. Catharines.

McDERMOTT—At her late residence, 322 Catherine street north, on Wednesday, April 21st, 1909, Louisa Wiles, widow of George McDermott, aged 74 years. Funeral on Friday at 2.00 p. m. to Dunlop cemetery. Friends will please accept this intimation.

THE WEATHER.

FORECASTS—Strong easterly and southeasterly winds with rain. Thursday westerly winds, mostly fair and continued cool.

The following is issued by the Department of Marine and Fisheries: Temperature. 8 a.m. Min. Weather.

Table with 2 columns: Location and Weather. Locations include Calgary, Winnipeg, Port Arthur, Parry Sound, Toronto, Ottawa, Montreal, Quebec, Father Point.

SOME LATE SPORTING ITEMS

A meeting of the Church Baseball League will be held in F. H. Skerrett's store, King street east, to-morrow evening at 7.30. All teams intending to enter the League are requested to have representatives present.

Epsom, April 21.—The City and Suburban Handicap of 2,000 sovereigns, for three-year-olds and upwards, distance about one mile and a quarter, was run here to-day, and won by White Eagle, owned by W. Hall Walker, Dean Swift was second and Lafayette third.

There were 18 starters, among them August Belmont's Norman III. A social was held at the Victoria Lawn Bowling Club quarters, at the Victoria rink, last night. An enjoyable time was spent by the members.

Los Angeles, Cal., April 21.—Upon receipt of the news that James J. Jeffries had announced that he would fight Jack Johnson, Manager McCarrey, of the Pacific A. C., sent an offer of \$50,000 to Jeffries as his end of the purse, win, lose or draw. Should the big fellow accept, a suitable proposition will be made to Johnson.

In case McCarrey is successful in getting the fight for his club, the contest will be held in the Vernon Arena, formerly owned by the Jeffries Athletic Club and probably will be carded for 45 rounds.

Steamship Arrivals

April 20, 1909. Monterey—At St. John, from Liverpool. Rydam—At New York, from Rotterdam. Carmania—At New York, from Liverpool. Oceania—At New York, from Trieste. Furusua—At New York, from Glasgow. United States—At New York, from Copenhagen.

Paris—At New York, from Smyrna. Carthage—At St. John, from Glasgow. Friesland—At Queenstown, from Philadelphia. Mauretania—At Liverpool, from New York. America—At Hamburg, from New York. Zealand—At Antwerp, from New York. Koegaen Luitse—At Gibraltar, from New York.

Lombardi—At Naples, from New York. Indiana—At Genoa, from New York. Liguria—At Genoa, from New York. Crete—At Genoa, from New York. Argentina—At Trieste, from New York.

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PREPARE FOR YOUR SUMMER TRIP

It is wise to secure with your ocean accommodation a letter of credit or other means of replenishing your exchequer on the other side.

Such facilities available in Europe, the near and far East and the U. S. furnished by

THE TRADERS BANK OF CANADA HAMILTON PERSONAL CALLS INVITED A. B. ORD, Manager.

A Trust Company's Special Function is to act as EXECUTOR THE TRUSTS AND GUARANTEE COMPANY, LIMITED 43 & 45 KING STREET WEST, TORONTO. Established 1897. JAMES J. WARREN, Managing Director

Greater Hamilton Association

A meeting of the BUSINESS MEN OF HAMILTON, who are interested in the WELFARE AND GROWTH of their city and are desirous of ADVANCING THEIR OWN INTERESTS at the same time, will be held at the BOARD OF TRADE ROOMS ON FRIDAY AFTERNOON NEXT, APRIL 23RD, at 4.30 O'CLOCK SHARP.

President Hoodless and other officers will address the meeting on the aims and objects of the association. Make note of this date and come to the meeting.

This is HAMILTON'S GOLDEN OPPORTUNITY, and means much to every citizen.

Sam, "but I had a banty rooster that would have been twenty-nine years old had it lived until the 23rd of next month."

Sam became so attached to his venerable friend that he is having the rooster stuffed.

THE WEATHER. FORECASTS—Strong easterly and southeasterly winds with rain. Thursday westerly winds, mostly fair and continued cool.

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FOR SALE Successful Lumber Business. Tenders addressed to the undersigned will be received until noon, Saturday, April 24th, 1909, for the purchase of the business, good will and stock-in-trade of the Lumber Business formerly carried on by James Thomson & Co. on York street in the city of Hamilton.

The Finest Effects in Wall Paper. Are not necessarily expensive. We have designs and colorings at 10c and 15c that easily pass for 25c and 35c papers.

A. C. TURNBULL Importer of fine Wall Paper, 17 King St. E.

BITTERS! BITTERS! We sell the following: Angostura, Bonnekamp, French Vermouth, Fernet Branca, Italian Vermouth, John Bull, Turner's, Stoughton, James Osborne & Son Importers, TEL. 186. 830. 12 and 14 James St. S.

Notice. Until further notice Dundas cars will leave and enter Hamilton over B. & H. tracks.

Lawn Mowers. Get yours sharpened early and avoid the rush at E. TAYLOR'S Phone 2541. 11 MacNab North

TOO LATE TO CLASSIFY. LOST—A MINK STOLE. REWARD AT YOUNG MAN WANTS WORK OF ANY kind. Edward Martin, 121 Bold street.

Automobile for Sale. 5 passenger touring car, 20-24 h.p. a snap at \$200.00. THE AUTOMOBILE GARAGE CO., 60-82 Bay street north.

NATURAL GAS GOODS. Very Cheap at BIRMINGHAM'S Phone 1389. 30 John Street South.

AMUSEMENTS

GRAND MRS. TEMPLE'S TELEGRAM 100 75 50 35 25 TO-MORROW EVENING

WILLIAM FAVERSHAM AND COMPANY INCLUDING JULIE OPP In the Season's Greatest Success THE WORLD AND HIS WIFE SEATS SELLING \$1.50, \$1.75c, 90c, 25c

FRIDAY AND SATURDAY "IT'S NEVER TOO LATE TO MEND" NEXT MONDAY EVENING CHARLES FROHMAN Will Present the Great Dramatic Sensation THE

THIEF A GOOD PLAY FOR RU-BANDS AND WIVES TO SEE Seat Sale Friday \$1.50, \$1.75c, 90c, 25c

BENNETT'S Hamilton's Home Special returns engagement. Eva Fay, Howard's musical notes and dogs; Wynne and Lewis, the College Boys; Patricia, in Her New Comedy Sketch; Bob and Bertha Grand; Ida O'Day, Adolph Rio; The Benvenuto. Prices—15, 25, 35 and 50c. Matinee daily, 10, 15 and 25c. Phone 25c.

COLONIAL THEATRE BEGINNING THURSDAY Edition's Masterpiece ON THE WESTERN FRONTIER Also J. FRANK MACKAY & CO. IN THE INGENUOUS SUBURBANITE'S ALARM Souvenirs to children Saturday. 5c-70 ALL-5c.

56th ANNUAL ORPHANS' FESTIVAL SAVOY THEATRE THURSDAY, APRIL 22nd The Village Singers, of Boston, Mass., with Mr. James Treshway, a graduate of London, Eng., and Leipzig, Germany. Plan opens April 20th. Admission 25c to \$1.00.

KILTIES' BAND Conductor, H. A. STARES. 10 CENTS PROMENADE CONCERT. TO-MORROW NIGHT NEW ARMORIES ATLANTIC CITY, N.J.

Along the Ocean Front HOTEL TRAYMORE Noted for the perfection of its equipment and luxury. The Hotel that affords the ideal condition of hotel hospitality and real comfort to visitors to ATLANTIC CITY THE HOTEL TRAYMORE is open throughout the year. A most central location on the boardwalk with ocean view from nearly every room. Hot and cold sea water baths, large exchanges and sun parlors. Service and cuisine at the highest standard. Orchestra of Soloists. TRAYMORE HOTEL COMPANY HAS. O. MARQUETTE, Mgr. D. S. WHITE, Pres.

Wah Lee Laundry 111 James Street North, Opposite Grand Opera House. REDUCED PRICES: Shirts, 7c; Collars, 1 1/2c; Cuffs, 3c per pair; Ladies' Blouses, 10c All work guaranteed. Parcels called for and delivered.

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