

WANT BODY EXHUMED AND INQUEST HELD.

Relatives of Hamilton Woman Who Recently Died in Brantford Suspect Foul Play, But Doctor in Brantford Says it Was a Case of Uremic Poisoning.

Yesterday afternoon the Times received a long distance call and was asked this question: "Is there any truth in a report that Hamilton and Brantford police are working on a murder theory in connection with the death of a Mrs. Smith, at Brantford?"

avenue at which the Sunfield-Radzyk murder took place. The woman belongs to one of the foreign families which are so numerous in that part of the city, and her people are greatly worked up over her death.

THE WIFE OF F. PINNEY EARLE HAS ARRIVED IN FRANCE.

She Has no Feeling Against Her Husband or His "Affinity," Miss Kummer

New York, Sept. 4.—Special despatches from Boulogne, France, reporting the arrival there of Mrs. Frederick Pinney Earle, wife of the American artist, who has voluntarily relinquished her husband to an "affinity," state that during the voyage Mrs. Earle faced her strange situation with a singular generosity toward both her husband and her rival.

stage she recited the story of her matrimonial life with simple directness, devoid of bitterness. "I am convinced," she said, "that this is the only solution. I have neither jealousy of Miss Kummer nor feeling against Mr. Earle. It is ordained by fate. She is a woman of excellent character, and I am convinced that my husband will be happy with her."

A GOOD DOG STORY

EMPEROR WILLIAM'S COSTLY PRESENT TO SIAM'S KING. Sent Him Fourteen Dogs From Which to Select Two, But Siam's Ruler Kept the Whole Lot—The Kaiser Laughed at the Affair.

New York, Sept. 14.—Kaiser Wilhelm, says a Berlin despatch to the Sun, has had an amusing and expensive experience in remembering the King of Siam's birthday. The King while the Kaiser's guest, expressed admiration for the Kaiser's two intelligent little dachshunds that follow their master everywhere.

"THE CREATION"

To be Given in Hamilton With Choir of 500.

At a meeting held on Friday evening it was decided to proceed with the formation of a society for the production of the oratorio "The Creation" by the Hamilton Oratorio Society, and it will be given at an early date.

VETERANS' DECORATION.

H. M. Army and Navy Veterans will assemble at the Foresters' Hall tomorrow afternoon and march to Hamilton Cemetery, where the decoration service will take place on the soldiers' plot at 3 o'clock.

SAFETY DEPOSIT BOXES.

To rent at \$2 a year and upwards, for the storing of deeds, bonds, stocks, wills, silver and other valuables, at the TRADERS BANK OF CANADA.

FALL WORK BEGUN.

Training Class and Reception Committee Hold Meetings. The workers' training class at the Y. M. C. A. had its opening session last evening. Twenty young men were present, and a very interesting evening was enjoyed.

CARPETS AND HOMEFURNISHINGS.

Great Opening Display at the Right House. The Right House opening display of carpets, rugs and home furnishings will be held Monday and all next week.

TO BE DEPORTED.

Mrs. Lillian Miller, sent from Toronto at the 1906 Fall Assizes to Kingston Penitentiary to serve a sentence of two years for supplying noxious drugs which led to the death of Mrs. Agnes Bridan, with whose murder she was first charged, has been liberated.

Medicines for Dogs and for Birds.

We have a full line of these remedies in capsule form for the different ailments of dogs and birds. A pamphlet with description of diseases and directions go with each package. These are sold at reasonable prices, 25c, and are imported from England by Parke & Parke, druggists.

QUEBEC BRIDGE.

One of the Bosses Said It Might Never be Finished.

New York, Sept. 14.—The World today says: Swenson & Swenson, real estate dealers at Flushing, gave out yesterday a letter said to have been written by their brother, Carl Swenson, a boss employed on the Quebec bridge, which fell on Aug. 20. Swenson's letter is dated the day before the disaster. He was killed.

WILL GET THE MONEY BACK.

IF LAKESEIDE PARK IS NOT GONE ON WITH.

But Local Persons Interested Still Believe the Project Will Be a Success and That Ingersoll Will Soon Be Here.

"If in view of the action of the Beach Commissioners the Lakeside Park at the Beach should not be built, which is highly improbable, everyone who has a dollar invested in it will receive the money back with a certain amount of the interest earned," said a prominent Hamilton man, who has been actively engaged in the project to the Times today.

FLOUR GOES UP.

City Millers Advanced Price to \$4.30 To-day. Flour is up again. The city millers raised the price this morning from \$4 to \$4.30 a barrel.

MUCH ADMIRER.

Many People Interested in the Times New Press. Quite a number of Hamilton's business men are calling at the Times office to see the magnificent new Hoe press which has just been installed, and which is one of the finest in Canada.

RAILWAY STRIKE.

General Tie-Up Threatened in England for Union Recognition. London, Sept. 14.—A general railroad strike is threatened in England, as the result of the long struggle of the railway men's union with the British railway companies for the recognition of their organization.

WRECKED OFFICE.

Dynamite the Reply to Newspaper Criticism of Public Affairs. Joplin, Mo., Sept. 14.—Dynamite last night wrecked the pressroom and the composing room of the Joplin News-Herald, an afternoon republican newspaper which has been conducting a crusade against the methods of the City Council and the Police Department.

MEANS MUCH IN FUTURE.

Widening Devil Strip Would Force Moving Back Sidewalks. Hydro Electric Power Has Brantford Guessing Some. Big Indianapolis Concern is Rushing Work.

City officials said this morning that the importance of the victory in the Ontario Railway Board's order over Herkimer street was contained in the fact that had the Board ruled otherwise as to the city's powers on this point it would have been a costly thing from the Council's standpoint in the future.

WOMEN DRINKERS.

I have been asked, Are there many drinking women in Hamilton? I could not answer the question. I do not think there are. At least, drunken women do not figure largely before the Police Magistrate, and I see few around the streets.

KNOWS IT ALL.

Another "Sure Thing" Clue in Barton Murder Case. Another clue in the celebrated Barton murder mystery has come to hand. Chief Smith received a letter a week or so ago, from a man whose name he withholds, who lives "more than two stone throws from the City Hall," and he says the story sounds very plausible.

Y. M. C. A. NOTES.

The Bible class, led by the general secretary at 3 p. m., is open to any young man who wishes to attend. The International Sunday School course of lessons are studied.

ASKS THEM TO GET.

Egyptian Leader Thinks Britain Should Leave Egypt. Paris, Sept. 14.—The Figaro this morning publishes a long letter from Mustapha Kamel Pass, the leader of the Egyptian National party, to the British Premier, reminding him that to-day, Sept. 14th, is the 25th anniversary of the British occupation of Egypt, and urging him to remove the "stain upon England's name by the fulfillment of the long outstanding promise to turn Egypt over to the Egyptians, who long since have been capable of governing themselves."

SHOT MAN.

Failed to Do the William Tell Act of Hitting the Apple. Rio Janeiro, Sept. 14.—Juan Espinosa, an expert Chilean marksman, while attempting to shoot an apple from the head of a man at a circus here, missed and killed the apple-bearer. The crowd at the exhibition made a rush for Espinosa, and he barely escaped lynching at their hands.

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Large, plump young ducks and chickens, oysters, peaches, thimbleberries, mushrooms, canned, smoked salmon, Bartlett pears, Rockefort melons, cauliflower, huckleberries, lettuce, butter beans, evergreen corn, all kinds of cheese, strictly fresh eggs, cooked meats, maple syrup, buckwheat flour, etc. Bain & Adams, 89-91 King street east.

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The Man In Overalls

If the Council will promise to be good I shall say no more about it.

What like will the School Board appropriation be next year? Give it time, and the Brockville Times will yet blame the Grits for the Vancouver riots.

This is Inspector Birrell's evening out. Under the ward system the city paid its way.

The school games should include a contest between the staff notation and the Spencerian system for points.

Now, girls, I don't mind a promenade on King and James streets on Saturday nights, but don't keep it up too late. The young fellows make remarks, even if they pretend otherwise.

None of the dailies seem to have done justice to Davie Hastings' speech at the Danville Board meeting. Perhaps he will have better luck with next week's Gazette.

Another clue has been found to the Barton murder mystery. But what the clue is still a mystery.

Borden's Danville meeting was a pretty dry affair. Not a drop of rain fell.

After that sensational expose, we may expect the Spectator's City Hall reporter to instruct his lawyers to bring a million dollar libel suit against the Herald slanderer.

Borden is doing his best these days to earn the salary Sir Wilfrid allows him.

But the public that reads the newspapers has no intention of passing a vote of censure on the reporters.

There is many a slip between the cup and the lip, but Lipton is to try again to lift the cup.

Now, if the Street Railway Company refuses to be forced into the "compromise" of buying the Council's consent to the wider devil strip, and instead narrows it, the city will be a party to the danger it creates and will have to pay for the paving material, too. What then?

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JUDGMENT GIVES CITY THE VICTORY.

Street Railway Company Ordered by Board to Narrow the Devil Strip.

City Must Provide Material for Fixing Between and Outside Rails.

The Ontario Railway and Municipal Board's judgement in Hamilton's application for an order compelling the Hamilton Street Railway to put its devil strip back to four feet on Herkimer street is hailed in civic circles as a victory for the city. The Board has decided that the company was wrong in widening the devil strip, and orders that the rails be relaid, so as to leave the strip four feet wide. It has decided that the grade was raised for the benefit of the city and orders the corporation to supply the material for macadamizing between the rails and for two feet outside, the company to do the work.

The aldermen have admitted that the five foot devil strip was an improvement on the street, and they really do not want the tracks moved back. Their objection in applying to the Board for the order was in the hope of a compromise, by which the company would be ordered to pay part of the cost of paving Herkimer street from Queen to Locke street. It is still hoped that the company will make some overtures, by which the devil strip will remain as at present and the city will assist in the street paving. The city solicitor said this morning that if both sides could reach an agreement the Board would no doubt vary the order.

Ald. McLaren was around bright and early to-day to congratulate Mr. Waddell. "It is one of the few times the city has beaten the company," he said.

The judgment is about what Mayor Stewart expected. After hearing the evidence he declared the other day that the Board would certainly uphold the city in its contention about the devil strip.

The Board's order in full is as follows: "In this case the city complains that the company in relaying its tracks on Herkimer street, between Queen and Locke streets, widened the devil strip from four to five feet that it raised the height of the rails several inches above the grade of the street, and has not properly filled in the space between the rails and for two feet outside thereof. This portion of Herkimer street has already been the subject of an order of this Board, dated the fifth day of July, 1907."

The clauses ordering that the old rails shall be removed from Herkimer street and relaid with the released rails from King street east are here quoted: "Before the company commenced relaying its tracks the City Engineer furnished it with a profile showing at each hundred feet station the height to which the city intended to raise the grade of Herkimer street, and directed the tracks to be laid according to that profile. The company laid the tracks at the level shown on the profile, but in doing so widened the devil strip from four feet to five feet. Nothing was shown on the profile which would justify the widening of the devil strip. No by-law or resolution was passed by the Council of Hamilton authorizing such widening. The City Engineer gave no instruction to widen the devil strip, and the widening was done without his knowledge, consent or acquiescence. In looking at the profile,

one would say that it was prepared on the assumption that no change was to be made in the width of the devil strip. The width of the devil strip is not expressly stated in by-law No. 624 of the city of Hamilton, passed March 26, 1892, respecting the Hamilton Street Railway Company, nor in the agreement of March 26, 1902, executed by the city, excepting the said by-law and agreeing to perform, observe and comply with all the terms and conditions therein contained.

Although the width of the devil strip is not expressly mentioned in the contract, it was evidently not the intention of the city to surrender to its dominion and control of the streets or to leave it to the unrestrained will of the company where and how the rails should be laid. The rails were to be laid in such manner as would least obstruct the ordinary use of the street and the passage of vehicles and carriages. All works of construction and repair were to be done under the supervision and to the satisfaction of the city engineer. The city engineer says that the widening of the devil strip will interfere with the vehicle traffic to the extent that the devil strip has been widened. He says that the work of construction and repair in question was not done under his supervision and to his satisfaction, that he did not know that the devil strip was widened until after it was done. Under the circumstances of this case the Board is of opinion that the company was wrong in widening the devil strip, and orders and directs that the rails shall be relaid so as to leave the devil strip four feet wide outside thereof. The raising of the grade was a work of construction undertaken by the city for the improvement of Herkimer street between Queen and Locke, which is a macadamized street.

Section five of by-law 624 makes it clear that the space between the rails upon any macadamized street and for two feet outside of such rails shall be constructed and kept in repair with such suitable material as the Board of Works from time to time directs. The material thereof is to be supplied by or at the expense of the city corporation.

The Board orders and directs the city to at once furnish suitable material for macadamizing between the rails and for two feet outside the rails, and that the company at once do the work necessary to put that part of the street in a good and sufficient state of repair to the grade set forth upon the city engineer's profile.

The street is dangerous in the condition in which it now is and the Board orders and directs the city to do its part of the work necessary to put the street in proper shape forthwith. The Board makes no order as to costs except that the city and company shall provide \$5 each for stamps for the judgment herein. The Board reserves further orders and directions.

TWO ARE MISSING.

Truancy Officer Hunter Looking for Runaway Boys. Truancy Officer William Hunter is looking for two runaway boys, who are supposed to be wandering around the city. One is Willie Lomas, 12 years old, who ran away from his parents' home, 40 Tisdale street, a day or so ago. The other is Charlie Mundy, of Bartonville, 15 years of age, and a ward of the Children's Aid Society. Mr. Hunter would be thankful for any information concerning the whereabouts of these boys.

STOLEN IRON.

Believed to Have Been Found in Sunken Boat. The discovery in ten feet of water of a small boat, weighted down with several pigs of iron, is believed to have solved the mystery attached to the disappearance from R. O. & A. B. MacKay's wharf of a quantity of iron. About the time the iron disappeared, three weeks ago, a small boat belonging to a man named Graham was stolen. The other day a man who lives in the north end discovered the sunken boat at the foot of Bay street. An effort was made to raise it, but in vain. The MacKay Company, in the belief that it is their property, will probably make an effort to recover it this afternoon. The police will likely be asked to make an investigation.

ILLUMINATION AT NIAGARA FALLS.

During September, by means of powerful searchlights, with candle power exceeding one million, the Falls are beautifully illuminated, and with all the colors of the rainbow. One can have no idea of the grandeur except by a visit. The Grand Trunk trains, leaving Hamilton at 5 and 6.05 p.m., will enable you to return same night and take it in. Call on C. E. Morgan, 11 James street north, or W. G. Webster, Stuart street.

FINE PIPES FOR PRESENTATIONS.

Genuine meerschaum pipes of the finest quality, with black amber mouthpieces, are sold at peace's pipe store. The best Vienna pipes imported into this country are shown at the headquarters, 107 King street east.

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EXPECT A SETTLEMENT.

A warrant has been issued for the arrest of George Moore, a well-known citizen and prominent member of the S. O. E., on a charge of misappropriation of funds of O'Brien Lodge, of which he was Financial Secretary. The amount involved is not large—said to be about \$100—and Moore's many friends hope he will be able to clear himself. As an arrest has not been made, it is believed the matter will be straightened out.

BRANTFORD TATTOO.

A special train will run over the T. H. & B. Railroad next Tuesday, September 17th, leaving Hunter street station at 7 p.m., returning leave Brantford at 10.30. This excursion will be under the auspices of the 13th and 14th Regiment Bands. Both bands will take part in the tattoo. Fare for round trip 65 cents. Tickets are on sale at Nordheimer's music store, 18 King street west.