

## TAKE ACTION AGAINST CITY.

Barton Street Manufacturers Seek an Injunction.

Writ Issued This Morning to Stop Asphalt Plant.

Toronto Engineers Here Looking For Pointers re Sewage.

A writ has been issued against the city by Messrs. Chisholm, Logie & McQueen on behalf of the Antracite Mining Co., Smart-Turner Co. and the Patterson-Miley Company, for an injunction to restrain the city from operating its asphalt plant at the corner of Ferguson avenue and Barton streets in the old round-house. The plaintiffs claim, that their machinery, supplies, etc., are injured owing to the large quantities of dust which escape from the chimneys of the asphalt plant and which settle on their premises.

Engineers Gill and Gray, of Toronto, were in the city yesterday inspecting the sewage disposal plant with a view of getting ideas for the new plant which the city of Toronto intends building. Toronto water is bad again and this is largely owing to the fact that there is no sewage disposal plant there. A west or east wind drives the refuse of the intake pipe and the only remedy possible is a plant to dispose of it.

The following building permits have been granted:

J. H. Williams for three brick dwellings at the corner of Ferguson avenue and Simcoe for M. Cohen, to cost \$4,000.

J. R. Oilmann, contractor, two brick dwellings at the corner of Sydney and King streets, \$2,400.

R. Pope, contractor, brick dwelling on Robinson street between Hess and Caroline for F. J. Hickey, \$2,000.

The mayor is at a loss to know who the owner of a letter, which was addressed in his care to Mrs. Warner, of this city. The letter was delivered at the City Hall this morning.

## RECOVERED THE BODY.

Remains of Charles Green Found In the Lake.

Badly decomposed, the body of Chas. Green was picked up in Lake Ontario on Saturday afternoon, about 4 o'clock, three miles out from Bronte, by three Toronto young men, H. A. Bailey, 43 Yonge street; G. W. Books and J. McRae. The young men were in a gasoline launch on a trip near Bronte to Hamilton, and when near Bronte they saw a body floating in the water. They at once put into Bronte to secure a rope to tow the body in, and made enquiries as to whether anybody had been drowned from there. Then they telephoned to Mr. Flemerfelt, the Bell telephone manager, notifying him of their gruesome find, and asking that a constable be sent.

The body was then placed in a boat-house, and Mr. Ira Green, undertaker, an uncle of the deceased, was notified. He at once proceeded to Bronte and identified the body. After embalming, the remains were brought to the city to Green's undertaking parlors, and afterwards to the home of the young man's mother, at Burlington, from where the funeral took place on Sunday afternoon at 3 o'clock. Services were conducted at the house by Rev. J. T. Smith and Rev. Alfred Andrews.

The burial was at the Carlisle Methodist burial ground, where a great crowd had gathered to pay their last respects to the popular young man.

The services at the grave were conducted by Rev. J. T. Smith, Rev. V. Vollick and Rev. Mr. Archer. Representatives from the 91st Highlanders were present. The pallbearers were Spencer Gunby, Burdge Butts, Victor Butts, Burdge Burdge, Murray Stock and Jack Flock.

The flowers were: Pillow, mother and brother; wreath, Sunday school; pillow, comrades of H. Co., 91st Highlanders; sickle, Wm. Gunby and Mrs. Harbottle; wreath, Mrs. Butts and Mrs. Colson; cross, Mrs. Gault and Mrs. Blessinger; sprays, Ira and Mrs. Green, Mrs. Webster and Mr. Bridle.

Charles Green was drowned on Saturday afternoon, July 3. He went out in the lake in a rowboat, and, divesting himself of his clothing, dove into the water, intending to have a swim; a strong wind was blowing, which caused the boat to drift, and in his endeavors to reach it he became exhausted or took cramps. Miss Isabelle Cameron was an eyewitness of the occurrence from the shore, but he had sunk before aid could arrive.

Grappling for the body was kept up for ten days under the superintendence of Mr. Hugh Reid, and after that time he has patrolled the shores every day since.

Coroner Speers decided that an inquest was not necessary.

## GLENELLAH IN ACCIDENT.

The steamer Glenellah, owned by the Inland Navigation Company, of this city, was damaged at Port Colborne yesterday. She had passed through the canal and was on her way out, and was nearing the breakwater when her wheel chain became clogged and she struck the breakwater head on, doing considerable damage. The forward compartments of the boat took in some water, but she was able to continue on her journey to Fort William, where she was bound for with a general cargo from Montreal.

## P. MCARDLE KILLED.

According to information received by the police Peter McArdle was killed recently by an explosion at Field, B. C. He is supposed to belong to Hamilton, and is believed to be the son of Bernard McArdle and Catherine Cowan. According to the register he was born at Kingston, Ont., January 30, 1845. Any one knowing anything of the deceased is kindly requested to communicate with the police.

## TEA TABLE GOSSIP.

The 91st Band will meet to-night in the band room.

Mrs. Warren and son, Master John Warren, of this city, were visiting in Norville over the holiday.

Owing to the holiday yesterday the jewellers of the city will not close to-morrow (Wednesday) afternoon.

Mrs. J. Hardy, of Utica, Mrs. Chas. Ruse and Miss Emily Ruse visited their cousin, Mayor Brown, St. Mary's, on the holiday.

At Buffalo yesterday a marriage license was issued by the city clerk to Richard Fivey, this city, and Miss Rose Stride, also of Hamilton.

The fire department was called out yesterday afternoon to the corner of Bay and Markland streets. It was merely some grass on fire.

Misses Madeline and Naomi Orr, of Hammond, Ind., are visiting at their aunt's, Mrs. E. N. Coon, 181 Stanley avenue; also Miss McKeown, of Chicago.

The police made a raid at 211 King street east on Sunday morning and took the names of seven young men who will be summoned on a charge of gambling.

Fifty cents to Toronto and return to-morrow afternoon, leaving Hamilton on Modjeska at 2.15 p. m. Macassa 3.30 p. m., returning, leaving Toronto 5.30 and 7.30 p. m.

Fireman E. Ladd, of Stanford avenue station, has taken French leave. Chief TenEyck announced this morning that he left without giving any intimation whatever of his intentions of so doing.

At the Gospel Temperance Reform 7th meeting on Sunday Mr. Ralls gave an excellent address. F. S. Morrison occupied the chair and Mrs. Hardy presided at the piano. Some excellent singing was heard.

In the Grand Order of Israel prize drawing the winning numbers were: 497, 299, 134, 929, 592, 163, 481, 12, 831, 285. Prizes can be had on Wednesday evening between 7 and 8 o'clock at 115 Napier street.

Miss Eva Burke, late of the Art School, is summing at The Hague, Holland, down by the seaside. She writes: "This is the grandest place ever—a regular Holland and German summer bathing resort."

The death occurred yesterday of John Herbert Gray, son of Patrick and Sarah Gray, at his parents' residence, 175 Forest avenue. The funeral will take place to-morrow morning to St. Patrick's Church, thence to St. Augustine's Cemetery, Dundas, where interment will take place.

## DID WELL.

Large and Well Pleased Crowds at Maple Leaf.

Not since opening day has the attendance at Maple Leaf Park been as large as it was yesterday. Both in the afternoon and at night there was a splendid attendance, and the management is more than delighted with the patronage. The driving club races were a special feature yesterday afternoon, and last night a special display of fireworks was an added feature. The latter performance was somewhat marred by the fireworks catching fire before the proper time, and for a while it looked as though there would be trouble. But some of the better displays were saved and despite the accident a fairly good show was given.

The free show at the park this week is the monkey circus in which the animals make all kinds of fun. It is the best act that has appeared at the park this season.

## FARMER KILLED.

Runaway Horse Jumped Into Buggy Causing His Death.

Kincardine, Ont., Aug. 3.—While Samuel Irwin, aged 50 years, a Greenock farmer, was cutting hay his horses took fright and, being thrown against the guards of the knife, Mr. Irwin had one of his thighs terribly mangled. Later, while Mr. Irwin was being taken home in a buggy, the horses, which had been attached to the motorcar and which had been unbridled, broke loose and, running down the road, one of them jumped into the buggy, crushing Mr. Irwin against the dashboard, breaking his shoulder. The unfortunate man died soon after.

## HON. MR. FISHER

Going to the Northwest and the Seattle Exhibition.

(Special Despatch to the Times.)

Ottawa, Aug. 3.—Hon. Sydney Fisher, Minister of Agriculture, left to-day on an extended trip through western Canada. He proposes to see the crops while standing, having heretofore been in the west only after the crops have been cut. Mr. Fisher will travel by both train and team. He will go over the Grand Trunk Pacific, and will make a number of addresses. He will take six weeks to reach the Pacific coast, and will visit the Seattle Exhibition before returning. Hon. Mr. Fisher is the fourth Minister of the Government to make a western trip this summer.

## The Clothing Manufacturer's

Heaviest purchases are in the most popular patterns—it is in these he becomes overstocked, and explains why \$17.50 buys a \$25 suit and \$13.50 buys an \$18 suit, latest patterns, greens, greys, tans and olives. The manufacturer bears the brunt of this; you get the benefit, at our sale.—Fralick & Co., 13 and 15 James street north.

## BROKE COLLARBONE.

Charles Gage, the well known baseball player, had the misfortune to have his collar bone broken while playing with the Eskimos against the fast Dundas team at Dundas yesterday. In the fourth inning Gage reached first base and in attempting to reach second ran against Binkley and was thrown to the ground, breaking his collar bone. Weir, the catcher for the Dundas team had one finger nail torn completely off. The Dundas team defeated the Eskimos by a score of 6-3.

A girl with a broken heart suffers almost as much as a man with toothache.

## THAW TRIAL.

Harry, His Mother and Countess of Yarmouth in Court.

Dr. Baker, Insanity Expert, Tells of Thaw's Asylum Life.

White Plains, N. Y., Aug. 3.—This was alienists' day again at the Thaw sanity hearing. Dr. Amos T. Baker, first assistant physician in Matteawan State Hospital for the Criminal Insane, whose testimony took up the greater part of the session yesterday afternoon, was recalled to-day. The other experts retained by the State, Dr. Austin Flint and Dr. Carlos B. MacDonald, who have sat all through the hearing, were reinforced by Dr. Wm. Hirsch, who testified in the trial. Thaw had the same trio of experts who have already declared that he is now sane, and who have been at the elbow of his counsel, Charles B. Morschauer, since the hearing began. They are Dr. Britton D. Evans, Dr. Isham G. Harris and Dr. Wm. J. Meyer.

Thaw strolled to the court room from the jail just around the corner, attended by his mother and sister, the former Countess of Yarmouth. Although the warden kept him in sight there was nothing that would indicate to the casual observer that the trio was other than an ordinary family party out for a morning walk.

Outside the jail Stanford White's lawyer is allowed all possible liberty. Inside the court room he moves about as he pleases.

As usual, the prisoner spent several hours last night reviewing the day's developments with his attorney in his room in the jail. He shook hands warmly in court to-day with Henry C. Harney, of New York city, when Mr. Harney stepped up to tell him that he was one of the jurors at the first trial who voted for acquittal on Wednesday.

"And you will win again," Mr. Harney added. Thaw smiled and looked pleased.

Although the impression left by Dr. Baker's testimony yesterday was that he had asserted that Thaw showed no signs of paranoia during his first three months in Matteawan, under Mr. Morschauer's cross-examination today he declared that he could not remember ever having made such a statement. He admitted that he might have said it.

The story of Thaw's life in the asylum was continued. The witness said that Thaw was allowed to stay up until 9 p. m. until his first sanity hearing in Poughkeepsie. After his return he was forced to go to his room and put out the lights an hour earlier. He arose about 6 a. m.

Mr. Morschauer went after the witness, aided by a memorandum, prepared with the assistance of his client last night. "Did you ever tell Mr. Thaw," he asked, "that there was nothing the matter with his brain?"

"No sir."

"Did you ever say to him that you did not believe in souls?"

"I cannot remember."

Dr. Baker said that in his testimony yesterday he did not repeat by any means all his conversation with Thaw. Justice Isaac N. Mills again stepped into the role of examiner at to-day's session of Thaw's insanity hearing, and Dr. Amos T. Baker, acting superintendent of the Matteawan Asylum, obtained the clearest statement yet expressed on the stand at the present proceedings regarding the mental condition of the slayer of Stanford White. The result of his questioning might be claimed as an advantage by either side. The witness said that he did not consider the opportunities he had to examine the prisoner sufficient to permit him to form a satisfactory conclusion. Nevertheless, he declared his belief that the prisoner was now insane, and that his release would be a menace to public safety. Justice Mills began with the observation that he considered Dr. Baker an extremely important witness since he was a state officer and therefore supposedly free from bias.

"What is your position?" he asked. "We have had a limited examination from which we consider the man insane," replied Dr. Baker.

"Do you consider that limited examinations sufficient to reach a firm conclusion as to his condition?"

"No, sir."

"You had him under observation eleven months. I don't understand why that was not sufficient."

"He has not answered our questions."

"Did not your notes of the past three months cover the subject?"

"They cover it in a way, but he would speak in metaphors and when pressed would fall back upon 'advice of counsel.'"

## SILVER WEDDING.

The china wedding of Mr. and Mrs. Maurice Roberts, 85 Wilson street, was very pleasantly and appropriately celebrated on Saturday evening. A number of friends and relatives were present, including their bridesmaid and groom. Music and games were indulged in, a dainty supper served, and appropriate speeches made and toasts drank to the honor of Mr. and Mrs. Roberts, their children and their aged parents. The many beautiful presents the happy couple received testified to the high esteem in which they are held. The party separated after expressing the hope that all would be present at the golden wedding.

## MR. FLATT BUYS CHODOKE.

Mr. Richard MacKay, real estate agent, has just completed the sale of the beautiful Chodoke property on the Mountain. The purchaser is Mr. W. D. Flatt, whose real estate operations during the past two years have resulted in a new and beautiful residential section being laid out in the south west.

## Breakfast Dishes.

By using our coffee a good cup is always assured. Sugar-cured breakfast bacon and ham, both being delicious and mild; strictly fresh eggs, O. A. C. creamy butter, none better made. Take your choice of the following breakfast foods: Shredded wheat, cream of wheat, malt breakfast food, corn flakes, rolled oats, grape nuts, force, laxa food, Swiss food, Ralston's food.—Peebles, Hobson & Co., Limited.

## Colonial Theatre.

Don't fail to see the celebrated "Passion Play" now being shown at the above theatre at the special price of 5c. Extra attractions at matinees. Bring the children.

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NOTICES OF BIRTHS, MARRIAGES AND DEATHS which are inserted in the Daily Times also appear in the Semi-Weekly Times. 50c first insertion; 25c for each subsequent insertion.

## BIRTHS

MULLEN—On Monday, August 2nd, 1908, a daughter to Mr. and Mrs. W. H. Mullen, of Oakville, Ontario.

RUTHERFORD—On Friday, July 30th, 1908, to Mr. and Mrs. F. H. Rutherford, a daughter.

## DEATHS

BOYD—On Sunday, Aug. 1, at her late residence, 485 Main street east, Helen Henderson, widow of the late James Boyd.

GRAY—In this city, on Monday, August 2nd, 1908, at her late residence, 139 Forest avenue, at 2 p. m., Sarah Gray, aged 19 years.

Funeral Wednesday, August 4th, 1908, at 2 p. m., to St. Patrick's Church, thence to Dundas cemetery.

CROWE—At the City Hospital on Saturday, 21st July, 1908, George Crowe, aged 45 years, son of Mr. and Mrs. W. H. Mullen, of Oakville, Ontario.

Funeral Wednesday, August 4th, 1908, at 2 p. m., to St. Patrick's Church, thence to Dundas cemetery.

PHILLIPS—At her parents' residence, 233 Garth street, on Sunday, 1st August, 1908, Beatrice, daughter of Mr. and Mrs. Edward Phillips, aged 19 years.

Funeral Wednesday, August 4th, 1908, at 2 p. m., to St. John's Evangelist Church, thence to Dundas cemetery.

SHARP—At her late residence, 120 Main street west, on Sunday, 1st August, 1908, Jessie, widow of George Sharp, aged 93 years.

Funeral Wednesday, August 4th, 1908, at 2 p. m., to St. John's Evangelist Church, thence to Dundas cemetery.

## THE WEATHER.

FORECASTS—Moderate southeast winds, fine and warm. Wednesday southerly winds, very warm and mostly fine, thunderstorms in a few localities.

## WEATHER NOTES.

Since Saturday the depression has been steadily increasing over the eastern portions of the continent and the barometer is now highest in the New England States and lowest in the Western Provinces. Showers have occurred in Manitoba and thunderstorms are reported this morning in the southwestern counties of Ontario.

Probs.—Fresh southwesterly winds, fine and warm.

Washington, Aug. 3.—Eastern States and Northern New York—Generally fair to-night and Wednesday, moderate temperature, variable winds, mostly east.

New York—Partly cloudy to-night and Wednesday.

Lakes Erie and Ontario—Moderate south winds, unsettled to-night and Wednesday.

Toronto, July 3, (11 a. m.)—Lakes—Fine and warm. Wednesday southerly winds, very warm and mostly fine, thunderstorms in a few localities.

The following is the temperature as registered at Parke & Parke's drug store:

9 a. m., 74; 11 a. m., 75; 1 p. m., 78. Lowest in 24 hours, 56; highest, 86.

## LAID AT REST.

Funeral of the Late Ex-Ald. Jas. Dickson.

The remains of ex-Ald. James Dickson, the well-known barrister, who died in England two weeks ago, arrived in this city on Saturday night at 8.10 and were taken to Blachford & Son's undertaking rooms, where they remained until this morning at 10 o'clock, when they were taken to Central Church and were in state there until 3.30 this afternoon, when the funeral took place to Hamilton Cemetery. Rev. W. H. Sedgewick conducted the services. The honorary pallbearers were Messrs. R. K. Hope, Thomas H. Hillier, Weyburn, Sask., G. R. Lloyd, C. A. Hunter, John E. Farmer, Norman Jones, Norman Slater, J. W. Lamoreaux, W. T. Creighton and C. V. Langs. The active pallbearers were Messrs. Fred C. Robins, James Bain, Thomas Porteous, Walter C. Elliott, Harry Howard and John Anderson. The chief mourners were Messrs. John Dickson, Robert Dickson, William Dickson, H. Temple, Robert Beck, George Hillier, J. G. Gauld and J. W. Nesbitt.

## CASES OF RABIES.

(Special Despatch to the Times.)  
Ottawa, Aug. 3.—The live stock branch, under Dr. Rutherford, considering measures which can be taken to effectually stamp out rabies, which has prevailed in western Ontario for some time. During the past two years over a hundred cases have been reported.

## THE REAL STUFF.

(Chicago Daily Socialist.)  
Scrivener wrote to his editor as follows: "I do not believe that you are paying me enough. George Ade is making \$50,000 a year. Mr. Dooley gets a big salary, and Mark Twain commands his own price. I believe that my work compares favorably with all three. Yours truly."

To his surprise the letter was printed in his column and he received a telegram from the editor, reading: "Ade-Dooley-Twain letter best thing you have sent for months. It made the proof-reader laugh."

The heiress who thinks of wedding a Count should wait and count the cost.

"Opportunity seldom calls when we are all dressed and waiting for it."

## TO INSURE A PLEASANT VACATION

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TOO LATE TO CLASSIFY  
LOST—AT BEACH, ON CIVIC HOLIDAY, a gold watch, initialed K. A. F. with leather fob attached. Reward, 25 King street east.

Winslow  
Watch Brothers, of Winslow, have been fishing in this section for the past few days.

Mr. Charles Smith is doing a job on the public works near Mr. E. Nevill's place. It is hoped that Mr. Smith will be able to have the work completed by January.

Mr. L. Lonsbury and family, of Toronto, are still visiting friends in this place.

Mr. David Voll and family, of Gainsborough, visited at Warner on Sunday last.

Mr. Emery Killins is able to be around again, after a vacation of two weeks from the effects of a bad cut of an axe across his knee.

Mr. Audry Lymburner, of Warner, made a business trip to Hamilton on Saturday last.

Mr. Franklin Folick, of this place, entertained visitors from Caistorville on Sunday.

The farmers of this place are busy preparing for fall seeding.

Mr. and Mrs. Samuel Cooper visited at Hamilton on Friday and Saturday last.

Mr. John Naergarth is preparing to erect a large silo.

North Seneca  
Mrs. (Dr.) Winchman and family, of Buffalo, have been visiting friends here.

Miss Elsie Shaw, of Guelph, has been spending a few days with relatives here.

Miss Bertha Smuck has returned home, after spending a week with friends in Hamilton.

Mr. and Mrs. Samuel Lindsay, of Hagersville, spent Sunday the guests of Mr. and Mrs. George T. Shaw.

A few from here attended the garden party at Harley.

Mrs. W. Jamieson was visiting her parents one day last week.

Steamship Arrivals.  
July 31—Kronland—At New York, from Antwerp. Venezuela—At New York, from Maracaibo.

August 1—Lusitania—At Queenstown, from New York. Hesperian—At Glasgow, from Montreal.

August 2—Caledonia—At Glasgow, from New York. Sunnidan—At Glasgow, from Boston.

August 3—Mongolian—At Glasgow, from Philadelphia. Arabic—At Liverpool, from New York.

United States—At Christianland, from New York. Frederick der Grosse—At Bremen, from New York.

August 4—Russia—At Rotterdam, from New York. Vaterland—At Antwerp, from New York.

Kaiser Wilhelm II.—At Cherbourg, from New York. Alice—At Gibraltar, from New York.

August 5—San Giovanni—At Naples, from Gibraltar. America—At Genoa, from New York.

August 6—Montezuma—At Quebec, from Antwerp. Minneapota—At New York, from Liverpool.

August 7—Lake Manitoba—At Quebec, from Liverpool. Portcharbon—At Quebec, from Glasgow.

August 8—Pousserain—At Glasgow, from Montreal. Laurentian—At Boston, from Glasgow.

August 9—Montreal, Aug. 3.—Empress of India left Yokohama for Vancouver this afternoon.

August 4—Berlin—At New York, from Naples. Kron Prinzessin Cecilie—At New York