

JUSTIFIABLE HOMICIDE.

Ontario Woman Charged With Killing Man Who Sought Entrance to Her Home.

ACQUITTED BY JURY WHO WERE CHEERED BY SPECTATORS.

Woodstock, Ont., Oct. 4.—Mrs. Robert Kyle of Ingersoll is now a free woman, and the charge of the murder of Robert Magee on the morning of July eighteen is removed from her.

After a deliberation of two hours upon the case the jury last evening returned asking for information on a certain point. Mr. Justice MacMahon explained the difference between manslaughter and justifiable homicide, charging direct for an acquittal, and without retiring the jury reached their verdict.

"We believe the woman was perfectly justifiable," stated the foreman.

"I thoroughly concur in the verdict," replied his Lordship. And to the prisoner, "You are discharged." With spontaneous applause the large audience that filled the courtroom showed their approval of the verdict. In fact from the conclusion of the Crown's case the result was never in doubt. Through the long day of trial Mrs. Kyle faced the ordeal with a calm, almost defiant, air. Never did she show a trace of feeling, except during the Crown prosecutor's address, and then for but a few moments. The verdict brought a look of relief, and now she will return to Ingersoll freed of the charge. The case was not sensational, and the evidence was not contradictory.

MAGEE'S CHARACTER ATTACKED.

Magee was proven to have been a worthless character and a betrayer of women. Amongst the charges against him was one of a murderous attack upon the chief witness against him in a robbery case, while only two years ago he abducted a fourteen-year-old Toronto girl.

Knowing these things, Robert Kyle, the prisoner's husband, invited him to his house two weeks before the shooting, on July eighteen, in order to help him to do better. He came, bringing with him a girl, Annie Whitman, upon whom Mrs. Kyle took pity, to whom she furnished a home until honest employment could be secured for her.

But upon the hospitality of the Kyles the dead man intruded, visiting the house, especially during the husband's absence, morning, noon and night. Towards the women he became abusive, and one week before his death he attempted, to criminal assault Mrs. Kyle. Again he endeavored to get the girl to go to a large city with him. He was feared by the women in the household, and was

ordered from the premises both by them and by Kyle himself, who was informed of his actions. The doors were locked against him, but he persistently returned. That he succeeded in being in the house alone with the women several times was undoubted. But from his foul language and threats he was held in fear, and Kyle secured a revolver for his wife, at her request.

THE DAY OF THE SHOOTING.

On Tuesday, July eighteen, Magee spied upon the house, and when Kyle had gone to his work at seven o'clock appeared in the kitchen. The Whitman girl immediately fled, and Mrs. Kyle was left to combat him alone. From then to the finding of the dead body of Magee the story was told only by her.

Magee struck her several times in the face and chest. Succeeding in shoving him out of one door, she locked the other ere he could re-enter. Therefore he started in at the window, while she ran to the sitting-room and secured the revolver. To frighten him away she fired above his head, the ball lodging in the intervening door sill. But he kept coming, and she ran to the lawn. Making her way to the side of the house, she perceived him down the street, where he had meantime fled. He turned, and with curses upon his lips ran towards her. Placing his hand at his hip pocket he threatened to make the last of her. Then, with the idea of frightening him, and to make him stop in his onward rush, she fired two shots. One took effect while the man was ninety feet away, on the sidewalk, splitting his head. The other struck the bone over the left temple, part lodging in the brain, the rest in the muscles covering the skull.

The plea of the accused was self-defence and fear engendered by the man's threats and previous actions.

THE CROWN'S CASE.

The prosecution endeavored to show that there was a conspiracy between Magee and the women, that in the absence of the husband they kept a disorderly house, and that, embittered by an attack upon her chastity by him, Mrs. Kyle, in revenge, later killed him. They argued that from the position of the body the man could only have been going away, not returning, explaining that hearing a shot he turned and received the second in the temple. The Judge, however, addressed the jury in favor of the prisoner, speaking strongly for an acquittal.

promoting the interchange of trade between the Provinces and in the building up of the Dominion. Therefore they could stand a deficit upon the Intercolonial account, as they could on the canals for the same purposes. The lesson he sought to impress was that Canadians must learn to look at these great questions from a broad national standpoint, recognizing that whatever benefited a portion of the Dominion must be of advantage to the whole.

N. Y. LIFE IS CUT OUT.

Not Allowed to Do Business in State of Nevada.

Carson, Nev., Oct. 5.—State Controller and Insurance Commissioner S. P. Davis today revoked the license of the New York Life Insurance Company in this State. The following telegram was forwarded to the New York home office by the Controller:—"John A. McCall—Pending the investigation of the corrupt management and fraudulent disposal of funds entrusted to your company and as long as yourself and George Perkins retain offices of trust in the management of the New York Life Insurance Company, the license of the company to do business in the State of Nevada is hereby revoked. Upon advice of a change of management and satisfactory proof of honest management, the license will be reissued." A notice has been forwarded throughout the State warning all agents of the fact of the order and giving them two weeks to close the records.

LANGUISHED IN JAIL.

South African Veteran Could Not Pay His Debts.

Toronto Globe.—The English debtor or prisoner as pictured by Charles Dickens can scarcely excel that which came to light yesterday morning. Making her way to the side of the house, she perceived him down the street, where he had meantime fled. He turned, and with curses upon his lips ran towards her. Placing his hand at his hip pocket he threatened to make the last of her. Then, with the idea of frightening him, and to make him stop in his onward rush, she fired two shots. One took effect while the man was ninety feet away, on the sidewalk, splitting his head. The other struck the bone over the left temple, part lodging in the brain, the rest in the muscles covering the skull.

James F. Read was a member of the Strathcona Horse, returning from the war, the citizens of Smith's Falls presented him with a gold watch at a public function held in his honor. He and others embarked in a plumbing business under the firm name of J. F. Read & Co. To help his father he endorsed notes for him to the amount of six hundred and fifty-nine dollars, in favor of M. W. Everett. Finally J. F. Read & Co. made an assignment, their creditors realizing sixty cents on the dollar. The debt to Mr. Everett was a personal matter, however, and he could not realize on the firm's assets. Later some friends advanced Mr. Read sufficient money to take him out west. He returned to this city last February, when he was arrested for debt by the Sheriff of Toronto. A few days before his arrest he pawned the watch given him by the citizens of Smith's Falls for fifteen dollars, and this money was used to pay his board bill. He had absolutely no money to pay his accounts, and so long as his creditor chose to keep him in jail he had no way of earning any. Mr. T. H. Lennox, M. P. P., made application for his release, and after more than seven months of imprisonment, Mr. Read was yesterday a free man again. The land scrip which he became entitled to as a veteran had been held by creditors as the only available asset upon which they hoped to realize.

WHY SO WEARY?

Always Restless and Weak Isn't Natural—But It's Dangerous.

You have to work hard. This uses up lots of nerve force and tears down the body faster than it can build up. The result is a half dead feeling that you can't shake off. Somehow you must get more vitality. The water in your blood must be turned into nutriment and building material.

This is just what happens in using Ferrozone, which renews the blood and nerves, and makes each organ do the work that nature expected of it. Ferrozone quickly increases your weight, brings appetite and healthy color, instills a reserve of vigor into the system that defies weariness, exhaustion, debility or sickness of any kind.

The enormous strengthening power of Ferrozone is proved in the case of Mrs. Edward Hill, of Lake Ontario, who says:—"Two years ago I had a nervous breakdown. At night I tossed restlessly in bed, unable to get any rest from sleep. In the morning I suffered from over powering weakness. My appetite was poor. I grew pale, thin and despondent. A slight hacking cough also added to my burden. My doctor said to try Ferrozone, and it did me good in a few days. I increased in strength, the nervous sensations disappeared, and with my appetite came back my color and my good spirits. I have gained over 10 pounds in weight, and as my age is over 65, I consider that Ferrozone is a marvel." (Signed.) Mrs. Edward Hill.

REMEMBER THIS: Ferrozone is a true tonic—not an alcoholic stimulant. Fifty chocolate coated tablets in a box for fifty cents, or six boxes for \$2.50, at all dealers, or N. C. Polson & Co., Hartford, Conn., U. S. A., and Kingston, Ont.

There is some grim satisfaction in knowing that people who spoil their children have to live with them.

RADIANT WOMANHOOD.

The glory and satisfaction of beautiful womanhood can be known only to those possessing the limited advantages of health. No weak woman can be happy or enjoy half the pleasures of life. Pallid cheeks, sunken eyes, exhausted nerves tell of a terrible struggle to keep up. What the weak woman needs is Ferrozone; it renews, restores and vitalizes instantly—it's a "woman's remedy,"—that's why.

RAN DOWN HIS BACK.

Ronald Leitch of Erin Struck by Lightning.

Guelph, Ont., Oct. 5.—During the thunder storm Tuesday morning Ronald Leitch, 2nd line, Erin, narrowly escaped being killed by lightning. He, and his father and the hired man were on the stoop of the house watching the storm, when all at once the three were prostrated from a shock of electricity.

Ronald suffered most. The fluid ran down his back, burning it severely, tearing the boots off both his feet and one of his socks.

The other two men, although stunned for a time, are not, it is supposed, seriously injured, but in the case of Ronald Leitch it is different. If he recovers he will never be the same man again.

The lightning ran into the cellar and made abigglethere.

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HERALD OFFICE

GAVE THEM GOLD TOUCH.

Hon. Mr. Emmerson Talked Straight to Ontario Grumblers.

WHO WANT MILLIONS FOR CANAL EXTENSION BUT COMPLAIN OF I. C. R. DEFICIT.

Port Hope, Ont., Oct. 4.—The citizens of this thriving town are enthusiastic believers in its future and in the advantages which it offers as an outlet to the Trent Valley Canal system.

The merits of the route have been pressed upon the former and present ministers of railways with persistence, and the people were much gratified when Hon. H. R. Emmerson, with Mr. M. J. Butler, his deputy, and Mr. Collingwood Schreiber, Consulting Engineer, visited the town for the purpose of making a personal inspection of the proposed route. The Minister expressed no opinion as to the merits of the relative routes suggested, but awakened enthusiasm by frankly admitting himself a strong believer in the importance of the Trent waterways system, and incidentally called attention to the fact that the same people who were constantly crying out against the deficit on the Intercolonial Railway were loudest in their demand for the expenditure of \$15,000,000 on the Trent Canal system, which would involve a large addition to the annual deficit of \$1,000,000 on the canal systems.

Upon his arrival the Minister was met by provincial men and a train was taken to Garden Hill, where carriages were in waiting, and in a downpour of rain the party drove three miles to Bewdly, the point at which it is proposed the canal should leave Rice Lake and thence to Port Hope, following as closely as possible the line to be followed.

BELIEVES IN TRENT CANAL.

In the afternoon the visitors were the guests of the Port Hope Lake Association at luncheon at the St. Lawrence Hotel. Mayor T. B. Chalk presided, and in response to the toast "Our Guests," Mr. Emmerson declared himself an enthusiastic believer in the importance of the Trent valley waterways system. After continuous travelling since July twenty-ninth, the greater portion of the time up till Saturday week having been spent inspecting the Govern-

ment railways, he was, he said, somewhat wearied. With regard to the problems connected with the work in which the people of Port Hope were more directly interested, he had come in a receptive mood and with unbiassed mind. The people of Port Hope were asking for an expenditure of ten million dollars to bring the canal to Lake Ontario at that point. When in Orillia the other day he met a prominent citizen who said, "I am glad to meet you, even if you have a two million dollar deficit on the Intercolonial." This greeting furnished the text for Mr. Emmerson's subsequent remarks.

BENEFITS OF INTERCOLONIAL.

He pointed out that the construction of the Intercolonial had after the confederation diverted the trade of the Maritime Provinces from the New England States to upper Canada, and that the low freight rates on that railway contributed materially to that result. The people of upper and western Canada derived more benefit from the low rates than the Maritime Provinces, as shown by the fact that seventy-five per cent. of the through freight was from west to east. Therefore the people of Ontario had no cause to complain. But because the operation of the railway resulted in a deficit there was a great outcry. Yet not a word of cavil was ever heard from the Maritime Provinces about the million dollars deficit on the canal system from which the lower Provinces did not benefit. And the very men who talked most about that deficit on the Intercolonial were loudest in their demand for a large expenditure on the Trent Canal system, which would result in still further increasing the present deficit of one million dollars. Both were constructed for the same object—the facilitating of commerce—and he contended that in reality there was no deficit on the Intercolonial, but that there was surplus in the pockets of the people of Canada to its credit in