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BRITISH EMPIRE"

JOHN CATTO & SON THE WEATHER NEW GOODS Daily Arriving

Important Instalments

Dress Goods (Black and Colored)

French Printed

Challies and Delaines in good assortment of colorings and neat patterns.

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Big spread of reliable color, Clear Printed Cambrics, fresh crisp goods, 12 1 2c and 15c yard.

Silk Lounge Throws

Beautiful lot of High Art Italian Stripe Lounge Throw Silk Rugs. A handsome and useful addition to living room or "den." \$1.60 and \$2.00 each.

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New lot of splendid hard-wearing Scotch and Irish Pure Linen Towels, with handsomely wrought initial letter (2 f-2 inch), already worked on each. An ideal wedding present, \$6.00 and \$12.00 dozen.

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New array of Handsome Printed Art Table Covers, Bed Spreads, and Cushion Mounts. These are a decided novelty. Don't forget to ask to see them.

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50

Same as Self-Shopping, but minus the

JOHN CATTO & SON

STEEL CO.'S WIN

Continued From Page 1.

to pay their own costs in that re-The judgment declares that it was not a case wherein it was necessary to import by implication words into a contract in order to effectuate the common intention of the parties to it, and the strenuous contention of the Coal Company that the phrase "reasonably free from stone and shale," which ap-peared in the contract implied that the coal to be supplied to the Steel Com-

pany should be only as free from stone shale as reasonable and proper picking could make it apart from purities in the laminae permeating the coal, cannot be sustained. The words meant that the coal must be reasonably free in fact. As to the function of paragraph one in the contract, which the Coal Com-

pany alleged was merely to furnish the measure of supply, the court cannot accept that view. In the first place the detailed enumeration and description of the Steel Company's works con tained in the paragraph cannot have heen introduced as a measure of quantity. This is clear from the proviso at the end of the paragraph which it-self sets up a definite measure of quantity of different character and with no limitation as to the extent of the Steel Co. plant or necessities. In the absence of such limitation the enumeration could not afford any measure quantity, yet it must be taken to have been introduced for some purpose, and the only purpose it can apparently subserve is to specify precisely and detail the various uses to which the coal to be supplied was to be put. There would be no object, however, in doing this if the Coal Company was not at all concerned with suitability

of their coul for these uses. An Inconceivable Argument.

There is nothing in the contract to impose on the Coal Co. the duty to wash the coal unless it be found in the obligation to provide coal suitable for these purposes and if that dury had not been thus impliedly imposed upon them, it is difficult to see why special clauses should have been introduced

to relieve them from it.

The Dominien Coal Co. has a paidup stock of \$18,000,000, including \$3,000,000 preferred. The liabilities of about
six millions include five million dollars
of hard. The company has paid divi-The company has paid dividends on all its stock, and at last re-port had over a million dollar surplus. The directors include F. W. Wanklyn, Lord Strathcona, Hon. George A. Cox, H. F. Dimock, R. B. Angus, J. R. Wil-son, W. B. Ross, W. D. Matthews, Jas. Brothern, J. K. Osborne, Graham Fra-

Comments on the Decision.

Justice Longley, in commenting on the decision, is quoted as saying:
"I never could see that there
was ever any serious question of
law involved at all. The determination to give damages once for all which the privy council has made is a move in accordance with the act in case of breach of contract. I made the remedy specific performance because I thought that would operate less seriously upon

the Dominion Coal Co."

J. H.Plummer, president of the steel company, was in Ottawa yesterday,

COMING

OBSERVATORY, TORONTO, Feb. 11.—
(8 p.m.)—The weather has been generally fair thruout Canada to-day, with temperatures below zero in the prairie provinces, and more moderate elsewhere.

Minimum and maximum temperatures:
Dawson, 38 below—38 below; Atlin, 26 below—20 below; Port Simpson 10—26; Vancouver, 27—39; Kamloops, 6—10; Edmonton, 24 below—16 below; Battleford, 28 below—22 below; Calgary, 20 below—12 below; Moose Jaw, 15 below—14 below; Qu'Appelle, 20 below—16 below; Winnipeg, 16 below—2 below; Port Arthur, 6 below—16; Deronto, 20—27; Ottawa, 10—24; Montreal, 16—26; Quebec, 6—24; St. John, 28—34; Hall-dax, 10—46.

Probabilities.

MENDELSSOHN CHOIR

Magnificent Program—Last
Night of the Orchestra.

	THE	BARO	METER.	
			Bar. 29.48	Wind. 32 W.
2 p.m	••••••	27	29.68	36 N.W.
8 p.m		22	29.20	34 W.
age, 1	above; h	ighest,	27; lowes	om aver- st, 19.
	ames Land			

STEAMSHIP ARRIVALS. Feb. 11 .BostonAvonmouth

TO-DAY IN TORONTO. Feb. 12.
Canadian Forestry Association, Convocation Hall, 10.
Victorian Order of Nurses, annual meeting, City Hall, 4.
Public Library Board, 5.
Phoebe-street School ex-pupils' ban-

Park School Old Boys' banquet, 8.
Provincial Prior and visiting preceptories at Geoffrey de St. Aldemar Assembly, Temple Building, 8.
Board of Trade banquet, National

DEATHS. BAXTER—On Thursday, Feb. 11, 1909, at Toronto, Ellen, dearly beloved daughter of Mrs. Mary Baxter of Egremont, Ont., in her 33rd year.

Fineral from A. W. Miles' undertaking parlors, 396 College-street, Saturday, at 2 p.m. Interment in Prospect Cemetery. Friends please accept this notice.

and fiorid organ effect. The fugal movement of the voices sounded like rivers and streams and cascades of vocal sound rushing together into one harmonious tide.

Faning's "How Sweet the Moonlight" was repeated from Monday night with a result quite glorific. "Bold Turpin" was also repeated, and in response

HITCHENS.—At the Western Hospital on Wednesday evening, Feb. 10, 1909, William Hitchens, aged 69 years.
Funeral Saturday Feb. 13, at 2.30 p.m., from Rosar's undertaking rooms, 240 East King-street, to Mount Pleasant Cemetery.

Anal chorus of "Caractacus." This sounded as well as ever, tho some thought the chorus needed to work up to it thru the whole cantata to get the intensity of spirit it demands.

The orchestra, the pride of Chicago, under Frederick Stock, carried the

THE FINAL TRIBUTE In the hour of sorrow and be-reavement our quiet services will be appreciated. FUNERALS-\$50, \$75, \$100. W. H. STONE & CO. 32 Carlton St. North 3755.

with the general manager, and said: "The only point to be decided now is as to the question of costs, but that, as compared with the main issue at stake, is comparatively unimportant. The last word has been said, and we are now in a position to undertake a progressive and energetic policy of development. Whether or not the coal company will meet the judgment in an amicable spirit, and seek to carry an amicable spirit and seek to carry an amicable company will meet the judgment in an amicable spirit, and seek to carry out henceforth the terms of our bargain without any need of further complaint or trouble from us. I cannot say. But that the coal company will have to carry out its bargain is certain.

"On the whole, the judgment of the projve council should work out to the provide the company should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They might also report what should be retained for timber growth. They ma

privy council should work out to the The program is one of the most charmmutual interest of both companies with

mutual interest of both companies with resulting benefit to the whole industrial development of the Dominion."

The Effect in Montreal.

MONTREAL, Feb. 11.—(Special.)—
The sweeping victory in favor of the steel company was not allower by the steel company was not allower by the steel company. steel company was not altogether unexpected and as early as 9 o'clock this morning members began to gather on the floor of the exchange. No sooner had the sound of the gong died away than Rodolphe Forget offered 23 for

a well-known English actor, to-night committed suicide by hanging in his room at the Hotel Seymour.

CANADA'S SHARE.

£350,000, the thank-offering raised in connection with the Pan-Anglican Forty-two thousand pounds sterling

was earmarked for Canada. . Harper, Customs Broker, McKinnon Buinlding, Toronto.

A banquet at which addresses were delivered by Mayor Oliver, Controller Hocken, ex-Ald. Hales, and Ald. Granam and Welch was held last night in Dovercourt Presbyterian Church by lireduction workers in the Fifth.

Hugh Blain denied a rumor last the pre-arranged program without inthe position of collector of customs in the position of collector of last the position of last the pre-arranged program without inthe deliverance of very brief addresses by President Falconer of the university, James K. Hackett Principal Hutton after," said Mr. Blain. "and the position in no wise inferests me."

Philadelphia.

From Suspension Bridge, Friday, Seven or eight important rivers cross by President Falconer of the university, James K. Hackett Principal Hutton and Prof. Ramsay Wright between the opera.

Colorado of the performance was specialty. Write-for information, ed the deliverance of very brief addresses by President Falconer of the university, James K. Hackett Principal Hutton and Prof. Ramsay Wright between the opera. and Sixth Wards:

New Silks

New Silks

Lower Lakes and Georgian Bay—
Fresh westerly winds; fair and moderately cold; some local snow flurries.

Oriental Satins

Oriental Satins

And similar goods—now much in demand—at various prices, in full range of shades, including black, white and ivory.

And similar goods—now much in demand—at various prices, in full range of shades, including black, white and ivory.

And similar goods—now much in demand—at various prices, in full range of shades, including black, white and its production and the provinces—Fair and very cold.

And similar goods—now much in demand—at various prices, in full range of shades, including black, white and its predecessors in brilliance. An earthquake would have extinguished a majority of the notabilities.

Maritime—Fresh winds, mostly westerly; fair and moderately cold.

Maritime—Fresh winds, mostly westerly; fair and moderately cold.

Maritime—Fresh winds, fine and moderately cold.

Maritime—Fresh winds fine and cold; snow flurries, flux of glory, tho an extra program of special excellence will be rendered on Saturday evening by the choir, assisted by Miss Augusta Cottlow, the plants.

Fashionable audiences are familiar sights in Massey Hall, but last nights outvied its predecessors in brilliance.

An earthquake would have extinguished a majority of the notabilities.

Captal All All All A ald, A.D.C., and sat in a special box prepared in the northeast curve of the balcony. Mr. and Mrs. Scott Griffin and William Mackenzie's two pretty daughters sat on his excellency's right, and near by on the left were Senator, Mrs. and Miss Melvin Jones, Mr. Wal-ker returned to the centre of the balcony to sit with Mrs. Walker, and Lady Clark and Miss Elise Clark were near. Justice Anglin represented the bar, Dr. Reeve the profession, Peter Ryan suggested politics, and Eugne O'Keefe other considerations. Everybody else was there, too, and enjoying the program, to judge by the applause and encores. Dr. Vogt was in a happy frame and gave royally from his realm. The program was as beautiful as any of the three previous ones, but there was less novelty in lt. Tschaikowsky's hymn, "How Blest are They," was hymn, 'How Blest are They," was the first choral number and gave Dr. Vogt's choristers an opportunity to show their powers of sustained passages of exceeding softness, as they have rarely done before. The synchronous vibration of the blended voices in this number had a beautiful ef-fect. Bach's great "Sanctus" from the B. minor mass was a display of power, the resonance of the bass and tenor and the homogeneous response of the choir as a whole presenting a massive and florid organ effect. The fugal movement of the voices sounded like

Six different styles, from 24 to 30 inches long, plain and mink trimmed, made from the finest quality of Leipsic-dyed skins, lined with black and brocaded satins. This gives you a choice of any Persian lamb Cemetery. Friends please accept this notice.

BENSON—At Richmond Hill on Wednesday, Feb. 10, Esther Kitley, wife of David Benson.

Funeral on Friday, at 1 p.m., to St. John's Church, York Mills, arriving about 3 p.m.

Temple a result quite glorinc. Bold Turpin was also repeated, and in response to an encore Dr. Vogt gave "Scots Wha Hae." This was followed by Elgar's "Challenge of Thor," also from Monday, and equally well done. Von Storch's "Night Witchery" is an old friend marvelously rendered the purity coat in this store. You know that Persian lamb is our leader, and, as a consequence, you are assured of splendid values at our regular price, as we are the largest im-John's Church, York Mills, arriving about 3 p.m.

COE—Amy, the beloved daughter of Mr. and Mrs. Charles Coe, passed peacefully away on Wednesday afternoon, Feb. 10. 1909, aged 1 year 10 months.

Funeral takes place to Humbervale Cemetery Feb. 12 at 2.30. DOYLE—On Wednesday, Feb. 10, 1909, at her late residence, 5 Windsor-street, Margaret Dalton, dearly, beloved wife of William Doyle G.T.R., in her 46th year.

Storch's "Night Witchery" is an old friend marvelously rendered, the purity of the tenors being remarkable; and the audience was gratified by another number in response to an encore. Elgar's "Fly, Singing Bird" is an example of the daintiest qualities of the composer, and the prettiness of the accompaniment for two violins and plano impressed the audience. Dr. Vogt's own arrangement of "My Pretty" was one porters of Persian lamb in the Dominion year.

Funeral from above address on Saturday morning, at 9 o'clock, to St. Mary's Church, thence to Mount Hope Cemetry.

Vogt's own arrangement of My Proud and Pretty" was one of the delightsome bits of the program which closed vocally with the great final chorus of "Caractacus." This

fame of Theodore Thomas one day further on the reat careen before it. Do conductors, like Stock hypnotize their performers to get such unanimity of execution? To watch Mr. Stock wield his baton and see his whole body quiver as tho set on springs as he evokes a musical thunderclap from his orchestra is certainly to get suggestion of fas-

Saint Saens' Coronation March opened the program, in which Richard Strauss' Rondo had to be omitted on account of the illness of the first clarionet. Strauss' "Don Juan" was most acceptably substituted, but it was not The last word has been said, and we the harp is followed softly by the brass,

ing yet arranged and contains all the favorites of the week. A. E. S. S.

RUSSIAN ACTRESS HERE

Madame Nagimova Opens Short Engagement at Princess.

picture. And in the deeper and more tragic situations that follow, in the despairing efforts to keep her act a secret from her husband, in the revulsion that came with the recognition of the selfish side of her character, the transitions of mood and sentiment, resources of Ontario. Reviewing the LONDON, Feb. 11.—(C. /A. P.)—Canada allocated £57,000 of the total of £350,000, the thank-offering raised in £350,000, the thank-offering raised in £350,000 the £350,000 t play failed to convince this was due had aggregated \$44,250,000, and for to its inherent weakness, not to any lands and mining privileges \$9,000,000. deficiency on the part of its chief in- a total of \$50,250,000. There are now

terpreter.

Mme: Nazimova is well supported areas under license. by an excellent and well-balanced com-To-night Ibsen's Hedda Gabler will

HIS MAJESTY NOT ILL.

BERLIN, Feb. 11.—The indisposition lands running 100 miles south and 50 berlin, Feb. 11.—The indisposition of King Edward, who was suffering to-day from a mild attack of bronchial catarrh, is so slight that he was able to carry out the greater part of the pre-arranged program without inconvenience.

BERLIN, Feb. 11.—The indisposition lands running 100 miles south and 50 had possession of the Royal Alexandra. Theatre last night, when a real lively, time, was spent.

Province of Ontario, containing 16,000,—A feature of the performance was the deliverance of very brief addresses.

for the manufacture of the logs which would be floated down when settlers would be floated down when settlers flock in after the G. T. P. R. has been constructed. Next summer when thousands of men are at work on the G. T. P. R., there will be a veritable line of fire, and the damage of forest confla-grations will be enough to turn the hair

ges'ed to perfect its systems of fire rangers. Pay of Fire Rangers. Hon. W. A. Charlton said that the dre rangers were underpaid at \$2 a day, without food or shelter. His com-

pany paid \$75 a month, with food and

veyors, practical lumbermen and land the province long ago lost control of its cruisers. I would also suggest that a best land. The ownership of the forest geologist and mineralogist accompany land by the government was, for a long land by the government was, for a long each party, as I am sure that they would gather information of inestimable value to the several provinces. time, regarded as an embarrassment to the early settlement of the country and titles passed to individual holdings of any desired acreage, with most er-President Snowball called attention to the waste caused by the cutting and exporting of thousands of Christ-600 acres has been known to cover half Last night Mme. Nazimova opened her brief engagement at the Princess Theatre with "A Doll's House" by Henthalpe the president said:

"Why should we prohibit the export the properties of thousands of Christ-as the been known to come and exporting of thousands of Christ-as much again. Now the government is left with 1,500,000 acres of the poortees the president said:

"Why should we prohibit the export to the other; a really unknown to come and again. Now the government is left with 1,500,000 acres has been known to come as much again. Now the government is left with 1,500,000 acres has been known to come and exporting of thousands of Christ-as much again. Now the government is left with 1,500,000 acres has been known to come and exporting of thousands of Christ-as much again. Now the government is left with 1,500,000 acres of the poortees the properties of the properties are the princess and exportance and exportance are the princess are the princess and exportance are the princess areal transfer are the princess are the princess are the princess a than Rodolphe Forget offered 23 for 5 steel common, while 80 was bid for the preferred.

The trik ibsen.

The trik ibsen constructed with strong thuman interest. It may be taken as an allow those of a mantifered tring interest and allow those of a mantifered triving them into pulp instead of manufacturing them into pu

onse, a complete and effective sys-tem of fire ranging had been organized. A Good Beginning. Prof. Miller stated that the young department of forestry of New Brunswick University, which is under his charge, has 13 enthusiastic students.
M. J. McCowan reported on his explorations of the bog lands of Canada.
Many bog areas, he stated, could, by partial drainage, be converted into for-

The convention continues' to-day, and timated to contain 24 billions of pine, to-night the board of trade give a banrepresent an asset of the value of \$370.-000,000. This included pulp wood equal quet at the National Club. Students at the Theatre.

About 1500 students and their friends had possession of the Royal Alexandra
Theatre last night, when a real lively,

forestry problem.

\$75 Ladies' Fur-lined Coats \$49 12 only Ladies' Fur-lined Coats, made from fine green broadcloth, Persian lamb collar, linings of muskrat and squirrel, all

sizes, 50 inches long. Regular 49.00 \$75.00. Sale price \$50 Ladies' Fur-lined Coats \$29 3 only Ladies' Black Fur-lined Coats, linings of Nutria beaver, collars of bea er.

\$65 Ladies' Fur-lined Coats \$41

25 only Ladies' Fur-lined Coats, made

collars of No. 1 Alaska sable, all sizes, 50

inches long. Regular \$65. Sale 41.00

SELLERS-GOUGH

CLEARING OF

LADIES' FUR-LINED COATS

and PERSIAN LAMB COATS

Sale of Winnipeg Stock-35 to

50 Per Cent. Reduction

RIDAY AND SATURDAY will be two great days in this sale. We

coat and Persian lamb jacket in the house. We are determined to make

a clearing on these two days. We have made the prices so low that we

are practically assured our intention will be carried out. This is a

rare opportunity, and one the like of which you will possibly never

again see. The prices are good for the two days, Friday and Saturday,

have decided on an absolute clearing of every lady's fur-lined

\$75 and \$85 Ladies' Fur-lined Coats \$51

from finest quality French broadcloth, beautiful squirrel and muskrat lining, 30 only Ladies' Fur-lined Coats, made from finest black, blue and green broads cloths. Northern mink collars, lining of muskrat and squirrel, all sizes, 50 inches long. Regular \$75 to \$85. Sale 51.00

\$75 to \$85 Ladies' Opera Cloaks

Seven only Ladies' Opera Cloaks, assortment of colors, collars of mink, Arctic fox, and Thibet, linings of squirrel and

MAIL ORDERS RECEIVE PROMPT AND CAREFUL ATTENTION.

as long as the goods last.

\$150 to \$200 Persian Lamb

Jackets \$119

Continued From Page 1.

should have the whole of its wooded

area gone over by persons properly qualified to run survey lines between

each block; to correctly map the lakes, rivers, creeks, ridges, roads and other topographical features; to prepare

plans showing the kind and quantity

of timber on each block; to report upon the nature of the soil; and to state what lands are suitable for farming

and what should be retained for tim-

Pulpwood Question.

about 12,000 square miles of timber

The unlicensed timber areas are

which, with the other timber,

"The Largest Exclusive Fur House in the British Empire"

244-246-248-250 YONGE STREET

of the minister grey. But Ontario was doing all that could be reasonably sug-"A few ADVANTAGES of the Dia-mond Calk Horseshoe": It saves time, it saves money, it saves your horse.

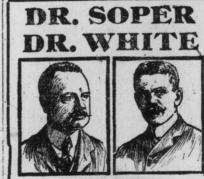
The calk, being adjustable, the shoe has not got to be removed to be resharpened. 340 Seorge Street, PETERBORO. ONT.

E. T. SANDELL French, Italian and Dutch artists. WINES AND LIQUORS 523-525 YONGE ST.

Goods shipped to any point in Ontario.

Special attention to mail orders.

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SPECIALISTS.

In diseases of Skin, Blood and Nerves, and Special Ailments of men only. One visit to office advisable, but if impossible, send his-tory and two-cent stamp for free reply. Hours—10 to 1 and 2 to 6: Sundays, 10 to 1. DRS. SOPER and WHITE 25 Toronto Street, Toronto, Ontario

The house of bishops of the Protestant Episcopal General Convention have elected Rev. Dr. Nathaniel Sey-mour Thomas of Philadelphia, Bishop of Wyoming, and the Rev. Benjamin

est lands, adding thousands of square miles to the present forest area. In this he believed lay one solution of the Western Colorado. NEW YORK, Feb. 11.—Justice Dowling to-day ruled, in the suit brought by Rockefeller, jr., against the publishers of The N. Y. American, that a

Drunkenness and Drug Habits our specialty. Write-for information. ed

87-89 King St. East.

AUCTION SALE Original **Water Colors**

Oil Paintings the work of prominent English.

SALE TO-DAY

at 37 King Street West" at 2.30 o'clock. No Reserve as every picture must be gold to close the consignment. Make it a point to attend.

BY-LAW NO. 38

CHAS. M. HENDERSON & CO.

Whereas the American Silver King Mfning Company, Limited, deem it expedient to change the Head Office of the Company from the Town of Halleybury in the District of Nipissing, to the City of Toronto, in the County of York.

Therefore, the American Silver King Mining Company, Limited, enacts as follows: lows: 1. That the Head Office of the American Silver King Mining Company, Limited, be and the same is hereby changed from the Town of Haileybury to the City of To-

onto.
Passed and enacted.
(Sgd.) C. N. WILBER, President/
(Sgd.) E. M. WILSON, Secretary.
(Seal).
(Seal). Certified a true copy.

C. N. WILBER, President.
E. M. WILSON, Secretary

NOTICE.

Take notice that the Canadian Casual-ty & Boiler Insurance Company will apply to the Legislative Assembly of Ontario at its next session for an act reducing the capital stock of the said company. MACDONALD & MACINTOSH, In Brewster of Salt Lake City, Bishop of

> Commander Spain, Dominion wreck commissioner, and J. F. Fraser, com-missioner of lights, have sent their resignations to the minister of marine,

Lakehurst Sanitarium, Ltd., Oakville, Ont prunkenness and Drug Habits our Philadelphia.