

London Advertiser.

TWO DAILY EDITIONS AND WEEKLY.

The Leading Medium for Advertisers in Western Ontario.

THE LONDON ADVERTISER COMPANY (Limited.) LONDON, ONTARIO.

London Wednesday, Oct. 8.

The Legislature Upheld.

A board of county judges, sitting at Toronto, has set a precedent by interpreting an amendment to the assessment act, in harmony with the intention of the Ontario Legislature which framed it.

This amendment, which was unanimously adopted at the last session of the Legislature, was a second attempt to remedy the scrap-iron grievance. It provided that the property of any heat, light, power, telephone, or street-railway company should be assessed as realty, at a valuation such as would be placed upon it by an intending purchaser, except—and here was the loophole—"rolling stock, plant and appliances," which were not to be considered as land and were therefore not assessable. The Legislature clearly understood this to mean that the exemption extended only to rolling stock and such plant and appliances as were connected with rolling stock, situated upon the public highway. But a board of twenty judges at St. Catharines, in the case of the Cataract Power Company, decided that the exemption embraced all the machinery and plant of the company, whether fixed in buildings on private property, or attached to the rolling stock for use on public property. Such a decision of course placed the municipalities in a worse position than ever. Several large public service corporations in Toronto took advantage of it to appeal against their assessments, but these appeals have been dismissed by Judges McDougall, McCrimmon and McGibbin, who flatly contradict the St. Catharines judgment. They point out that the construction which the companies desire to place on subsection 4 of the amendment would be unjust and inequitable. We quote an extract from their judgment:

"Now, the whole scope and object of the act of 1902 was to clear away the separate assessment in wards, and also to end the scrap-iron theory. No one was complaining or had ever complained of the assessment against the companies of the portion of their machinery, plant and appliances fixed or situated in the companies' buildings on land not forming a part of the public street or highway. No exemption, no special scrap-iron theory had ever been sought to be applied to such portions of the plant and appliances. The contention had been over the street portion of their property. Can it be assumed that the Legislature ever contemplated for a moment putting the named companies upon a better footing than other companies in reference to their assessment liability? On the contrary, the effort was to get legislation that would subject their street plant and appliances to assessment upon the same basis as their other plant, and the act of 1902 was intended to accomplish this."

The judges go on to say that to apply the exemption to the plant and machinery fixed on private property would be as unjust as to "shock the conscience" of every ratepayer. No doubt the cases will go to the court of appeal. Hitherto the court of appeal appears to have exercised its ingenuity, not in endeavoring to find the intention of the Legislature, but in ascertaining whether the words of any clause could possibly be made to bear a meaning other than that in the minds of those who framed the clause.

Provincial Politics.

The Conservative press had words of praise for Mr. Ross' Strathroy speech, but his Newmarket speech finds no welcome in the same quarter. When a coalition was suggested—not by Mr. Ross—it was described as the device of a beaten and desperate politician to save himself from the wreck of his party's fortunes. He was anxious to hold on to office, even if he had to compromise his principles and share the spoils with the enemy. Now Mr. Ross says that he wants no coalition, and will fight it out. The London Free Press, which has been a vocal advocate of a coalition, calls his speech an insolent defiance, an attitude of very great audacity, showing the temper and ambition of a usurper. His conduct is likened to that of President Nunez, of Colombia, who plunged that republic in civil war, which cost 40,000 lives. The Toronto World has been talking in the same fool strain, and advising Conservatives to organize shotgun brigades. According to his opponents, Mr. Ross would be a pitiful man if he tried to compromise with them, and he is a usurper because he chooses to fight them. The only way in which he can please them is by throwing up the sponge, and advising the Lieutenant-Governor to send for the leader of the minority to form a cabinet. That would be both cowardice and folly. Mr. Ross is taking the only logical course in allowing the election petitions to go to trial and abiding by the results.

Sir Wilfrid's Departure.

Sir Wilfrid Laurier's European visit had a fitting climax yesterday, when he opened the new Produce Exchange at Liverpool. His reception was very cordial and a cheering crowd bade him adieu at the wharf. In the United Kingdom, France and Italy, Sir Wilfrid has been accorded public honors. The Canadian people, irrespective of party, feel proud of a Premier who can attract favorable attention in the capitals of Europe, and who can be

an ornament to any assembly in the old land. Apart from the social and ceremonial side of his visit, Sir Wilfrid has given a great deal of time and energy to practical concerns, with what results the country will soon learn. His public utterances have been models of good taste and discretion, and have been extolled by leading London journals, like the Spectator. The Premier has properly reserved any definite statements as to the work of the Imperial Conference, the fast Atlantic steamship service, French trade relations and other business questions, until his return to Canada. The fact that he has declined a banquet at Quebec upon his arrival is ascribed by the Conservative press to his reluctance to speak of the political situation in Canada. As the banquet was tendered by the Quebec Board of Trade, it is hardly likely the Premier would have the bad taste to discuss politics, even if he had accepted the invitation. Sir Wilfrid has been a martyr to foreign hospitality, having been gorged with public dinners for over four months, and he can be excused if he longs for a respite and thinks he is entitled to it at home. From all accounts his health has not been restored completely by his sojourn abroad. A cable dispatch yesterday speaks of him as looking worn and haggard. The best service his Canadian admirers can do him is to give him a rest for a time.

Ontario is Wise.

[Brantford Expositor.] A United States pulp company has purchased from the Quebec Government 600 square miles of timber lands on the Upper St. Maurice River. The objectionable feature of the deal is that the wood will be manufactured into pulp in the state of New Hampshire. No such ill-advised policy is pursued in Ontario.

Real Wealth.

[Topeka Herald.] He dabbled in stocks and won. For he was a lucky fellow; Not did he make his pile, But he has it in the cellar.

Utterly Worthless.

[Judge.] Cholly—Doctor, I want something for my head. Dr. Gruffly—My dear fellow, I wouldn't take it for a gift.

Playing "Daniel."

[Spare Moments.] Mother—Why, children, what's all this noise about? Little Freddie—We've had grandpa and Uncle Henry in the cupboard for an hour, and when they get a little angrier I'm going to play going into the lion's cage.

Indian Summer.

[Charles Hanson, Tor.] These are the hours that bring the vanished June Back to my heart, to warm it as of yore. These are the days, with all the hush of noon, That bring remembered sweetness to my door. Would that her face, now drifted from my sight, By some great miracle might come to Out of the dark of autumn and the night, Out of the shattered frame of memory!

Tells Its Own Story.

[Stratford Herald.] There is something pathetic in this item among the list of Oxford works probated in September: "Francis E. Nugent, Methodist minister, Plattsville, probate \$600." His treasure must be laid up in heaven, for he amassed none on earth. Now is his exception, but frequent among many churches. Such evidence ought to make the average churchgoer ready to cavil at his clergyman, feel small.

Still Worse.

[Judge.] Ethel—What is more aggravating than a man who tells you of his love and never mentions matrimony? Edith—Oh, a man who tells you of his money and never mentions matrimony.

You'd Better Scuttle.

[Hamilton Spectator.] Those things used to put coal in are Has-bins.

This is Funny.

[L. Louis Post-Dispatch.] If Americans continue to move into Canada the British Government will in a few years be confronted by a condition similar to that which exists in the United States. That is to say, the outsiders will get the upper hand and force annexation to the United States. So far as Canada is concerned, her natural destiny is either independence or union with this country. Perhaps after a season of independence annexation will follow. At any rate, the outsider American sentiment must be reckoned with.

Questions Answered.

To the Editor of The Advertiser: There is a road allowance in this township that has never been assumed nor opened for travel by the council; it has been for years fenced in and used by the parties owning land on each side. Last spring a few persons agitated the opening of the road, foremost among whom was the council, who is road commissioner for that division, and thinking he had the power, independent of the rest of the council, he ordered the parties to remove their fences and proceeded to stake out the turnpike. As the removal of the fences would not only expose the crop on the road allowance, but also a large part of one farm which the parties even threatened that if there was any delay to put on men, pull up the fences and burn them. About that time the parties received the following notice from the clerk:

Poplar Hill, May 30, 1902.—A. C. Attwood, Vannoe, P. O. Ont. Dear Sir:—Please remove fence on side road between lots 20 and 21, con. 9, Lobo, as the council intend to open up and grade said road. E. R. Barclay, clerk of Lobo. Per order of council.

Receiving the above notice, and not being posted in the law affecting the opening of such road allowances, we regarded it as fiscal, and immediately removed the fences, thus exposing the crop on the road allowance, and it being garden stuff and potatoes, were destroyed; and as it was impos-

Poems the World Has Read.

A Match.
[Algernon Charles Swinburne.]
If love were what the rose is,
And I were like the leaf,
Our lives would grow together
In sad or singing weather,
Blown fields or flowerful closes,
Green pleasure or gray grief;
If love were what the rose is,
And I were like the leaf,
If you were thrall to sorrow,
And I were page to joy,
We'd play for lives and seasons
With loving looks and treasons,
And tears of night and morn,
And laughs of maid and boy;
If you were thrall to sorrow,
And I were page to joy,
And I were queen of pleasure,
And you were king of pain,
We'd hunt down love together,
Pick out his flying feather,
And teach his feet a measure,
And find his mouth a rein;
If you were queen of pleasure,
And I were king of pain.

sible to put up side fences immediately, a field of what was also exposed, with the result that it was more or less run on by stock from the roads. Later on we find that the statute law provides that road allowances which have not been assumed by the council and are fenced and used, are practically for the time being the property of the party so using them, and his rights are as sacred as on his own land. Now, it is a positive fact that at the time the clause issued the above notice, a request had been made the council to open the road, nor yet had they taken any action in the matter, nor yet given the clerk authority to issue such notices; nor yet this council to use any authority in the matter. Now, what name would this council and the clerk come under, and also the council? And is there not good grounds to enter an action for trespass and damages against both the clerk and the council and how shall I proceed? A. C. Attwood, Vannoe, Oct. 1, 1902.

Note.—Upon the facts stated, for which you are responsible, the offense is called malfeasance of office. An action of trespass would be, but the damages might be only nominal. Consult a lawyer.—Editor Advertiser.

BUTTER.—Is there an act passed or being passed in Parliament to prohibit farmers with cream separators from putting butter on the market labeled creamery butter? Ans.—We are not aware of any special legislation on the subject. Such a label would be false as implying that the butter was made at a creamery, and under the criminal law the sale of such butter would be an offense of obtaining money under false pretenses, if the purchaser of it were deceived.

VANNECK.—We cannot decide upon any actual dispute which may come into the courts for decision. We might be considered guilty of contempt of court should our opinion not be in accord with that of the court. As an abstract proposition of law, a municipal or other public officer who exceeds his duty is liable to be indicted at common law. The recorder of a municipality which has not been opened by bylaw of the council has a right to maintain an action of trespass against anyone interfering with his possession. The damages, however, when such possession is interfered with on behalf of the public, although wrongfully, may be nominal. Cattle straying from the highways and doing damage are not the necessary result of the removal of fences.

BOXERS LED BY A WOMAN

Handsome Liao-Kuan-Yin Attracts Many Followers in China.

Victoria, B. C., Oct. 6.—Advices have been received from China of the increase of boxerism in that country, and Chi-Li. The Boxers of Sze Chuen are led by a woman, Liao-Kuan-Yin, who is alleged to be one of three sisters and the recorder of the rebellion of 1900, it being said that they were "the Boxer goddesses." Letters from Prince Tuan, Yung Lu and other Boxer leaders have been received in their possession. This woman, who is described as being handsome by Chinese papers, and attracted 10,000 boxers to her standard. It is estimated that 1,500 native Christians have been killed in this province. In Chi-Li the Boxers are secretly drilling every morning before daybreak, even in the vicinity of the capital.

Conspiracy Against the Czar.

London, Oct. 8.—Rumors are reported to have broken out again in St. Petersburg and in Pottava, while political curdles have been committed at Lodez. It is rumored that several officers of the First Regiment of the Imperial Guard have been arrested for a conspiracy against the Czar.

Irish Party's Attitude.

London, Oct. 8.—For three hours yesterday 32 Irish members discussed the party attitude on the Home Rule bill. It is believed that as a result of the meeting the Nationalist members will not decide on any definite line of action with regard to the bill until Parliament meets.

"IMPOSSIBLE," for you to enjoy motherhood," says the doctor. Sometimes he qualifies the statement, and says: "Impossible without an operation." Yet both these impossibilities have been made possible by the use of Dr. Pierce's Favorite Prescription. Many times the hindrances to motherhood are to be found in womanly diseases or weaknesses, which are perfectly and permanently cured by "Favorite Prescription."

This great medicine for women cures irregularity and dries debilitated drains. It heals inflammation and ulceration, and cures female weakness. It makes weak women strong and sick women well.

"I wish to add my testimony to hundreds of others as to the value of Dr. Pierce's Favorite Prescription. I have been a sufferer from this disease for many years, and have been in a hospital for treatment. My case has been regarded as a hopeless one, and I knew not what the trouble was. Heart was bad, stomach all out of order, tired out, severe pains in all parts of the body, and nearly every ailment a woman could have. I took many a bottle of patent medicines without effect. I began taking Dr. Pierce's Favorite Prescription, and ten months afterward I gave birth to a healthy boy. All this I have stated as a fact that I never could bear a child. Both the baby and myself were strong, and I am now splendidly restored to health." The Common Sense Medical Adviser, 1000 large pages, in paper covers, is sent free on receipt of 31 one-cent stamps to pay express of customs and mailing only. Address Dr. R. V. Pierce, Buffalo, N. Y.

The Great Bankrupt Sale

Of Runians, Carson & McKee Stock, amounting to \$67,460, and purchased at 55c on the dollar is the place where you can get your winters' supplies SO MUCH under market value.

Men's and Boys' Neckwear—Midgits, Ping-Pong, Knots, Bows, Four-in-Hand; this season's shapes, sold at 25c, for..... 18c
Men's Unlaundered White Shirts, linen breast and wrists reinforced; the price was 60c; the price is..... 39c
Men's Tiger Brand Pure Wool Underwear—Shirts and Drawers; price was 85c garment; the price is..... 50c
Men's Union Undershirts, price was 50c, price is..... 30c
Men's Kid Gloves, price was \$1 10; price is, pair..... 75c
Men's Navy Blue Serge Peak Caps, price was 25c, price is..... 12½c
Men's Black and Brown Stiff Hats, price was \$1 50 and \$2 00; price is, each..... 50c
Ladies' Cashmere Hose, seamless feet, English make, price was 25c, now..... 19c
Ladies' Plain Cashmere Hose, spliced heel and toe, price was 40c, price is..... 29c
Ladies' Ribbed Cashmere Hose, price was 35c, price is..... 25c
Ladies' Kid Gloves, ODD sizes, price was 75c, price is..... 25c
Ladies' French Kid Gloves, regular stock price was \$1 25, price is..... 75c
Ladies' Colored and Black French Kid Gloves (Runians, Carson & McKee's best), price was \$1 50, price is..... 99c

CORSETS.

Ladies' Erect Form Corsets, price was \$1 00, now is..... 75c
Ladies' Erect Form Corsets, blue, pink, white, price was \$1 25, for..... 95c
Ladies' Erect Form Corsets, odd sizes, price was \$1 00, for..... 50c

UNDERWEAR.

Ladies' Long-Sleeved Fleece-Lined Vest, price was 35c, price now is..... 25c
Ladies' Long-Sleeved Vest, price was 70c now is..... 50c

DRESS GOODS AND SILK DEPARTMENT.

SILK VELVETS, 18-inch, cerise, myrtle, cardinal, gray, mauve, sage, brown, sky, robin egg blue, cornflower blue, price was 75c, now is..... 34c
COLONIAL TAFFETA SILKS, navy, sky, pink, canary, bluette, slate, castor, fawn, brown, cardinal, resida, mauve, cornflower. All these colors have been put into one lot. The price varied from 75c to 85c per yard; the price now is..... 49c
Ladies' Worsted Serge, black and navy only, 60 inches wide; regular price was 90c, now is..... 59c
Brown Fine Melton for ladies' skirts, "West of England quality," really exceptional good quality, 56 inches wide, only an oddment, price was \$2 50, price is \$1 25
Ladies' String Ties, all shades, were 20c, are..... 14c
Ladies' Fancy Muslin Collars, were 50c, are..... 35c
Ladies' Silk Ties, hemstitched, were 50c, are..... 35c
Taffeta Ribbons, all shades, were 20c, are..... 14c
Sash Ribbons, extra wide, were 75c, are..... 37½c
Moire Ribbons, all shades, were 38c, are..... 35c
Paisley Ribbons, all shades, were 15c, are..... 9c

Just a month this great sale has lasted, during which time you have had some of the best bargains in Drygoods, Clothing, etc., ever given in this city. During the present month many lines will be still further reduced, as all must be sold.

KING & SMITH'S

DEMAND FOR OIL STOVES

New York Manufacturers Unable to Fill Orders.

New York, Oct. 7.—There has been such a demand for oil stoves for cooking and heating within the last few days that the manufacturers are unable to fill the orders that have come to them. Any kind of an oil stove is acceptable, whether it is up to date or the kind used at the time oil stoves first came into vogue.

Joseph Goldstein, who is the largest manufacturer of oil stoves in town, said that he had all the orders he was able to fill. "A representative of John Wanamaker came here yesterday from Philadelphia," said Mr. Goldstein, "and offered to purchase for spot-cash all the oil stoves we have on hand and all we can turn out for the next four months. We accepted an offer to supply Mr. Wanamaker with 1,000 oil stoves. If we had 50 factories going we could sell all their output. "One man came in here this afternoon and said he would take 50,000 of one kind if we could give them to him in four months. We couldn't accept his order."

EDITOR'S PRIZE FOR PIE

Rivalry Between Publishers of Sycamore Papers Becomes Acute.

Sycamore, Ill., Oct. 6.—Sycamore editors have a queer difference that threatens to baffle settlement. One of the offices is located on the ground floor and has a large show window in which the apples, peaches, pears and other fruits that subscribers bring in are displayed. Another office is located on the second floor, has no show window and in consequence all the good things going are given to the editor who is able to make something of a display with the names of the donors tacked on each exhibit. Now the editor of the other paper has offered a prize for the best pumpkin pie brought in by De-Kalb County housewives or their daughters. Not content with one pie, from which the award is to be made, he asked for two, is getting them, and now there is a steady flow of beautiful women and pie up the stairs of the elevated editor.

HINTS AT MARTIAL LAW

"If the Governor of Pennsylvania should send them, the Federal Government would then be in possession of the color of law. I only have a vague notion of the situation, but I have thought it possible that if the federal troops were in control at the mines there might be a legal excuse for a declaration of martial law. Then the Government would have the authority to operate the mines as a military necessity, and this condition of affairs might be continued until the coal famine were removed. "This is the merest theory, and I am not in a position to advance any real remedy. The martial law idea seems to come up repeatedly, however. It may not be entirely constitutional, but it would give us some coal. "Would you be in favor of taking off the tariff on bituminous coal, on the plea that the price of soft coal is also being raised, and that the tariff should be removed of all coal so as to bring the anthracite man to his senses? "I do not think that" would be the right way to go at it. The soft coal miners are not striking, and there is not at the present time any issue between them and the operators. This would mean that the miners, not the operators, are the bituminous men. There is practically no trade in anthracite coal. Technically there is a duty of 57 cents a ton on certain grades containing a low percentage of carbon. That might affect some kinds of anthracite coal, but the price is too insignificant to be worth considering during the present range of high prices for coal. We ought to do all we can to stimulate the production of soft coal, so as to take the place of anthracite as far as possible."

Are you Bilious?

Do you have Sick Headaches? You can be quickly and easily relieved by taking

Beecham's Pills

Sold Everywhere. In boxes, 25 cents.

CANADIAN PACIFIC

WILL ISSUE RETURN TICKETS.

Thanksgiving Day, 1902

As follows: SINGLE FIRST CLASS FARE, good going Oct. 15 and 16, good return up to and including Oct. 20. Between all stations in Canada, Fort William, Sault Ste. Marie, Windsor, Mich., Detroit, Mich., and to and from Buffalo, N. Y. "W. FULTON, city passenger agent, 161 Dundas street, corner Richmond, London, Ont. A. H. NOTMAN, assistant general passenger agent, 1 King street east, Toronto.

ALLAN LINE

ROYAL MAIL STEAMSHIPS.

MONTREAL to LIVERPOOL, via Mobile. RATES OF PASSAGE: First cabin, \$35 and upwards; second cabin, from \$25, third class, \$25 and \$25. Liverpool, Belfast, London, Glasgow. MONTREAL to GLASGOW, direct—S.S. Swifian, Oct. 8 and Nov. 12. First cabin, \$25; second cabin, \$25; third class, \$25. London Agents: E. De La Hooke, W. Fulton, F. B. Clark.

RAILWAYS AND NAVIGATION.

MICHIGAN CENTRAL

"The Niagara Falls Route."

Return Tickets

at Single Fare

on Oct. 15 and 16, good to return until Oct. 20 to all stations in Canada and Buffalo, Black Rock, Niagara Falls and Detroit, for

Thanksgiving Day.

Rates, tickets and all information at city passenger office, 356 Richmond street, or depot, corner Clarence and Bathurst streets. C. W. RUGGLES, JOHN PAUL, G. F. and T. A. C. F. and T. A.

INTERCOLONIAL RAILWAY

THE ROUTE OF

Canada's Famous Train.....

The "Maritime Express."

Leaves Montreal 12 noon, daily, except Saturday, for Quebec, St. John, Halifax and the Sydneys.

Moose Season

Opens Sept. 15,

in New Brunswick and Nova Scotia.

Toronto Office,

10 King Street West.

GRAND TRUNK RAILWAY SYSTEM

THANKSGIVING DAY,

Thursday, Oct. 16, 1902.

Round trip tickets will be sold between all stations in Canada, and to Detroit, Port Huron, Mich., Buffalo, Black Rock, Niagara Falls and Suspension Bridge, N. Y., at Single First Class Fare, good going Oct. 15 and 16, valid for return until Monday, Oct. 20, 1902.

One-Day Excursions.

During the month of October low rates are in effect to points in Colorado, Montana, Oregon, California and British Columbia.

Rates and information on application to agents.

Deer Hunting.

Open season, Nov. 1 to 15. Splendid hunting and fishing grounds throughout the "Highlands of Ontario." Copies of booklet entitled "Handbook of Fish and Game," sent on application to J. D. McDonald, district passenger agent, Toronto.