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Fresh winds, mostly westerly; snow flurries, but mostly fair. PROBS-Jjan09-11004 SENATE P O TWELVE PAGES-WEDNESDAY MORNING DECEMBER 9 1908-TWELVE PAGES

Toronto World.

Bloor and Dundas, light on three sides, lot 160 x 249; price \$12,000 for quick sale. H. H. WILLIAMS & CO., Realty Brokers, 26 Victoria St.

D 51 28TH YEA? "

FACTORY SITE

CHEAP POWER SCHEME WILL NOT BE BLOCKED Says He Has Personal Knowledge That Legislature Intended that Municipal Councils Should Have Power to. Enter into Contracts With Hydro - Electric Commis-

sion. Sir James P. Whitney's decison to efuse a flat in the Toronto and London lectric power cases was given to the press yesterday evening after it had been handed to counsel in the cases. This was after six o'clock and Sir James had gone home. He had nothing to add, however, to the written decision itself, in which the premier's ic humor displays itself in the last paragraph.

AFTER THE LEGISLATURE GETS THRU WITH THE MATTER IT IS SAFE TO ASSUME THAT THE ELECTRIC CORPORATION INTER-ESTS WILL BE SATISFIED TO LEAVE IT ALONE.

The application for a flat, which is the necessary consent of the crown to ermit an action to be brought against itself, arose out of actions brought by ratepayers in London and Toronto to wash the municipal electric bylaws. Justice Anglin decided that in order to proceed in the matter the hydroelectric power commission would have to be made a party to the defence. Messrs. Beardmore and Smith accordingly asked for a flat to make the commission, a defendant. The effect would have been to bring the whole

government power policy into the

courts. The result would have been

## FIAT REFUSED.

Smith v. London. Beardmore v. Toronto. In re applications for fiats in the above cases." These applications were fully argued before me by counsel repre-

TEL 55

he

senting the different interest on Dec. 1.

I am expected, apparently on the mere statement of a plaintiff that the members of the Hydro-Electric Power Commission were guilty of fraud and deception, as set out in the statements of claim, to assume the truth of the statement, and, therefore, grant a fiat. Under this doctrine it would be simply necessary for a plaintiff to interject into his pleading any allegation calculated, if true, to justify the issue of a fiat, and a fiat would follow as a matter of course. As I cannot agree with this, and, as under such circumstances fiats have been many times refused, I do not see my way clear to grant these applications.

Apart from the question of fraud, the plaintiffs' contention in each case rests upon the view that the municipal councils had not the power under<sup>®</sup>the statute to finally enter into contracts with the Hydro-Electric Power Commission without submitting the terms of them to the ratepayers. I have personal knowledge that this was not the intention of the legislature, and I cannot divest myself of this knowledge. It may be that at its next session, which cannot now be long delayed, the legislature may make a declaration on the subject.

In refusing the applications now, I reserve leave to the applicants to renew them after the opening of the session.

J. P. WHITNEY, Acting Attorney-General.



vaded Manitoba Last July, Co. Was Head of Toronto Fatally Wounded in



Stories of How Men Became Rich in a day in New Silver Wonderland at Gow Ganda Lake.

The man who told me the story of the discovery of silver at Gow Ganda is to-day half a millionaire. He was a discouraged prospector 120 days ago. As he told me the story, simple in detail but fascinating in interest, I stood within ten feet of a slab of pure silver two inches wide, which seemed to blaze from the vein like a flame in the grate frozen solid by the frosts of winter. That vein meandered back thru the rock for 150 feet, and one could walk for that distance along a seam of silver. The pay streak will be stripped farther, of course, as development goes

But this is not all that this young prospector has unearthed. He and his partner, on four claims, can point out four other veins which carry silver in the same phenomenal values. With the glamour of wealth in its native hills casting its spell upon me, I listened to Alfred L. Reeve tell of the memorable Aug. 4, 1908, when Gow Ganda, rival of Cobalt, was revealed to the world the world. Two prospectors were sleeping up

a little point d' rock about half way up the west shore of Lake Gow Ganda on August 4. They were Alfred L. Reeve and Samuel L. Dobie. Throwing their blankets aside they rose and replenished the camp fire. After eat ing a few beans which they had left and picking the spare bones of a "Whiskey Jack" they prepared to strike into the woods on their last chance. About 300 feet distant was anothe

little camp fire, over which Charles Mann and Wilfrid Ryan bolled their tea in a dinged and blackened pail. Reeve shouted across to the Ryan

perfect in ment is committed to the policy, and and appearthe legislature, as Sir James states. will have something to say about and coat smoothing out any creases in the legal parchment of the cheap Niagara power

**Power Conference** 

At the meeting held in Windsor after the recent visit of Hon. Adam Beck, the country are heavy losers by the It was decided to invite all the cities company's collapse. and towns between St. Thomas and

Windsor to a power conference on Friday next at 1.30 p.m. The repre-er of that amount. sentatives have been asked to submit the amount of power their municipalities will be likely to require. The conference will deliberate with ers. St. Mary's Roman Catholic Aca-

a view to the submission of, electric demy, Nauvoo, Ill., is entirely ruined by the failure. power bylaws in January. The Hydro-Electric Commission have until February to close the additional contracts arranged for at the cheap rates under the original McGuigan contract. Prompt action by the municipalities in the west will enable these rates to be

taken advantage of. The success of high tension long dis-an and McAdam, which was after-wards merged in the Toronto Wood & tance lines, such as the commission contemplates in indicated by a teleaddressed to the Grand Rapids and

**Cataract Underbids** 

GALT, Dec. 8 .- (Special.)-The Cat-

aract Power Co. have come before the

town council with an offer to supply

power at 10 per cent. or less than the

The offer was approved by the

Power's Price Cut.

NIAGARA FALLS, Ont., Dec. 8 .--

(Special.)--Another reduction in the price of electric power was decided on

at a meeting of the electric light com-

mittee to-night. In future the price per horse power will be \$20 yearly. Last year the price was \$27.

TRADE WITH MEXICO.

MONTREAL, Dec. 8 .- (Special) .-

Exports from Canada to Mexico during

the past season of navigation have increased 100 per cent. according to a statement issued to day by D.A. Ansell,

consul-general of Mexico. Imports from

Mexico have also increased greatly. The greatest jump in Canadian ex-

Muskegon Power Cd. at Jackson, Mich. "Have been operating 50 miles trans-mission line since July 18 last, at 110,-000 volts with perfect satisfaction."

commission.

distribution bylaw.

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by furs

eneral \$15.00. 9.00

rey Lamb pe, even 1.95 Lamb. ite China ur Sleigh Regu-Wednes-

2.69 

and three

e river in a nd sank. Two Another was an. But Huyer, aed not to use

delay to no purpose, as the govern-Wood & Shingle Co. When it Failed Here

NEW YORK, Dec. 8.-(Special.)-

In Western Towns Lion of this city, presided of the banks persons.

(Signed)

The total liabilities of the collapsed Michael Mullane, policeman; Lola Pratt,

John W. Gates, Windsor Trust Company. Carnegie Trust Company and streets to investigate a case of alleged United States Mortagage and Trust abduction.

Police After Kieran. NEW YORK, Dec. 8.—The police have been asked to arrest P. J. Kieran, form-er president of the Fidelity Funding Company, but at a late hour to-night had not located him.

Kieran at one time lived in Toronto. He was head of the coal firm of Kier-

Shingle Co. When the latter company failed a When the latter company failed a gram received in reply to an enquiry large number of Toronto firms suffer ed heavy losses.

IN BRITISH COMMONS Hydro Power at Galt

Lloyd-George Introduces Bill Prohibit Use of Hop Substi-

tutes in Beer.

LONDON, Dec. 8.—A bill prohibit-ing the use of hop substitutes in the with a shotgun she shouted to the offifigures estimated by the hydro-electric manufacture of beer was introduced cers: "Come on, you fiends." The beat in the house of commons to-day by was only a few feet from the bank of mayor, whom the courts recently sus-tained in his refusal to sign the power Chancellor of the Exchequer David the river and several officers dashed to-Lloyd-George.

This bill, which the tariff reformers hail as a protective measure, was read she sprang into a rowboat and begar for the first time. In addition to stop- to row into the middle of the river. ping the use of hop substitutes, it prohibits the importation of hops except pulled the oars more vigorously. in bags properly marked.

MASONIC PRESENTATIONS.

Retiring Master J. W. Regis, St. Andrew's Masonic Lodge, was last night presented with a past-master's jewel and Bro. T. H. Lee, who has been a panions of "Adam God," and mother

Exports From Canada Increased One Hundred Per Cent. DR. WORKMAN'S DEFENCE.

The court of appeals of the Methodist Church last night heard the opening of the appeal of Rev. Dr. Workman of the Methodist College, Montreal, who is ac-cused of heresy. His defence is that the college governors have no power to deal summarily with questions of doctrine.

ports has been in barley, which is used largely by Mezican brewers. Continue Death Penalty. Mr. Ansell urges Canadian merch-ants to take advantage of business in Mexico by sending representatives 201 decided in favor of continuing the berg work and Saskatchewan, and the Royal PARIS, Dec. 8 .- The chamber mere who can speak the language. death penalty in France.

Battle With Kansas City Authorities. KANSAS CITY, Mo., Dec. 8 .- In the

According to disclosures just made by shadow of the city hall, a riot in which Receiver Thomas F. Gilroy, Jr., who religious fanatics and the police partiwas placed in charge of the Fidelity cipated, resulted this afternoon in the Funding Company, a financial corpora- death of one person, the fatal injury of tion of this city, presided over by P. four others, and severe injury to two

and individuals as well as a large A. O. Dalbow, policeman, was killed, resolution was unanimously carried on number of Catholic priests, nuns, lay- and the fatally injured are: Patrick men and church institutions thruout Clark, police lieutenant; John Shorp, a street preacher 'known as "Adam God";

Fidelity Funding Company are nearly a girl 14 years old. Probation Officer Holt of the juvenile court to-day went to Fifth and Main-

Probation Officer Holt met Sharp,

who was exhorting a crowd on the street. With Sharp was a woman named Selzer and five children, rangthen enquired as to the identity of the

children. The woman replied that the officer "had better attend to his own business." The officer persevered in his enquiries, and "Adam God," who wears a long white beard and hair, struck him a blow behind the ear with a pistol, inflicting an ugly wound.

Sharp and his companions were with-in 50 yards of the police station when officers stepped into the street. The Sharpites, with profane abuse, served notice on all that they would preach right "under the eyes of the police station, and the police cannot prevent us." The officers did not, however, expect erious trouble, and were not prepared for the volley of bullets which met

them almost immediately after they appeared on the scene, A riot call brought policemen from all directions. Thoroly aroused, the officers closed in on Sharp and his followers, to firing as they went. When the firing ceased "Adam God" lay fatally wound-

ed The woman and the children fled to a houseboat on the Missouri River. Fifty policemen followed them and that the woman had barricaded herself in the houseboat. Standing on the boat

ward it. The woman dropped her weapon, and seizing two of the children,

She was ordered to stop, but she only The police fired a volley at the rowboat. One struck Lola Pratt, tearing away the greater part of the child's face. She cannot live, it is said. The wo-man then surrendered.

member for 50 years, with an arm- of the wounded child. chair. Louis Pratt, who Louis Pratt, who was with the preacher when the first shooting took place, was arrested uninjured.

Sharp Known in Canada. WINNIPEG, Dec. 8.—(Special.)—John Sharp, the man why styled himself "Adam God," and whose career as religious fanatic ended in bloody battle in Kansas City to-day, is the man who last July invaded Canada from Missouri and for two or three weeks defi-

Northwest Mounted Police.

City Will Ask for Hearing and Will Send Deputation to Premier Whitney.

motion of Controller Spence, with Ald.

"That the board of control be

asked to send on for approval of the

council an instruction to the cor-poration counsel to make an appli-

cation before the board of railway commissioners for a hearing rela-

tive to suburban service on behalf

rounding municipalities." Ald. Church was in the chair and

POOR BAIRNS' BANQUET

Christmas, 1908.

Balance from newsboys' ban-quet, 1907
M: C. (a Roman Catholic)....
Geo. H. Gooderham, M.L.A...

Blacksmiths and helpers, J. & J. Taylor Safe Works. "Aileen and Ivan". W. Thomas

W. Thomas B. Rutter, per World..... A. E., per World.... Father Mother and Children

Y. M. A. per World. R. B. Andrews. James Dale Dr. E. J. Barrick.

Fred A. Ward..... Harold A. Gordon

00 I Miss L. Howden.

Cash handed to.

Mrs. Tucker ..... Mrs. Carrie Embury... John S. Malville .....

Miss Ellen S. Drummond. Miss Maud R. Miss Maud M.

John Brown, 5 pairs boots ..

dinners. J. M. Wilkinson, 258 Yonge-street.

W. Burgess...

Robt. T. McLean. J. W. Beaty ..... Frank McMahon

Mayor Oliver ...

R. H. Graham as seconder:

missioners.

FOR SUBURBAN SERVICE

APPLY TO COMMISSIO

-William Sanford Evans was to-day, elected mayor. With six pells to hear from he has 4134 votes, R. A. C. Man-The city does not intend to give up ning. 3691 and the dark horse, W. S. the battle before the railway commis-Eades, 82, giving Evans a lead sion for a suburban service. At a joint 643. meeting of the special civic commit-

For controllers, R. D. Waugh and \$51,300 damages in the non-jury astee and the sub-committee of the var-J. W. Cockburn with eleven votes be-tween them, are 1100 ahead of the next ious municipalities held at the city competitors, A. A. McArthur and J. G. Harvey, Jeel Baker making a poor hall yesterday afternoon the following

Will you walk into my parlor," said the spider to the fly.

Winnipeg's Mayor

Has a Thousand Majority Over His

Next Opponent, R. A. C. Manning.

WINNIPEG, Man., Dec. 8.-(Special.)

Sanford Evans

No figures on the bylaws are obtainable, but it is believed the bylaw for \$409,000 for an overhead bridge, and one for \$215.400, carried with substantial majorities.

Senate Commission **Is Against Treaty** the others present were Controller Spence, Ald. R. H. Graham, McMur-rich and Bredin; Mayor Davis, Oak-ville; S. G. Curry, and W. F. Maclean, M.P.

French Minister Will Prepare Statement to Meet Points Raised by

Opposition.

The chairman, Ald. Graham, and Mr. Maclean were appointed a deputation to wait on Premier Whitney and ask the co-operation of the att rney-general's department to act on behalf of the oth-PARIS, Dec. 8 .- Despite the explaer municipalities in the province in nations of M. Cruppi, the minister of the hearing before the railway comcommerce, at to-day's meeting, the

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1 50

ariff commission of the senate maintained its opposition to many of the provisions of the Franco-Canadian Commercial Convention. The minister decided to prepare statement for presentation to the commission, which would fully meet all the points raised by those who are op-

Our first Financial State-ment. This is not intended for "Vain Show", but to stimulate others to do likewise. Watch this list grow. Subscrip-lons to banquer. posed to the convention.

Sir Montague Allan Silent on London Office

Report That He May Succeed Lord Strathcona Neither Confirmed Nor Denied.

MONTREAL, Dec. 8 .- (Special.)-It s understood that Sir Montagu Allan an have the high commissionership when Lord Strathcona wants to retire, and that the scipend will be increased to \$25,000.

This London despatch was read to Sir Montagu this morning, when he re-plied that he did not wish to discuss it at present. 'You do not wish either to confirm it 

or deny it?" he was asked. "Yes," he replied, "that is it, exactly.

## King Edward's Movements.

LONDON', Dec. 8 .- King Edward w'll go to Brighton to-morrow, where he will be the guest of Arthur Sassoon. It is officially announced that the king did not suffer in any way by his jour-

ney to London. Dr. Orr Ill. Dr. J. O. Orr, manager of the exhib'ion, is suffering from a severe attack

\$123 85 ...500 of influenza, but expects to be out in \$128 % Next statement Saturday, Dec. 12. If you prefer to have it "Friend of a day or two. N.B.-Ten dollars pays for forty

Arrested for False Pretences.

party: "Hope you will find silver ga-lore to-day, fellows," and Mann salut-ed back: "Same luck to you." Both parties were then swallowed up E. Kenyon Stow, Prominent in Cobalt Circles, in Trouble by the

**CAPITALIST ARRESTED** 

Over Otisse Suit.

and has occupied quarters at the King Edward Hotel since that time.

REV. J. J. RICE INJURED.

Thrown Twenty Feet by Car, and is Still Unconscious.

sizes.

y the forest. That afternoon both struck rich veins

of silver over a mile apart. Reeve had located a vein at the base of a ridge of diabase. Doble came over and both commenced to use their picks. Doble turned loose a lump of bloom. Reeve's pick pried over a piece of silver Justice Riddell yesterday afternoon ordered the arrest of E. Kenyon Stow, defendant in a mining action involving of silver. They had struck it and on their last

"How did you feel about it?" asked

At the close of the hearing Justice The World. "Well. I cannot say that I felt par-

Riddell in giving judgment to the Riddell in giving judgment to the plaintiff declared that Stow had sworn falsely when he said that he had not promised to give 10 per cent. of the stock of a mining company to J. Carl-ing Kelly and ordered his arrest for perfury. Sfow was taken into custody by De-tective Kennedy upon a warrant which the detective swore to, the charge be

he detective swore to, the charge beoutcroppings of native silver. This is now one of the several show veins of

ing: "That E. Kenyon Stow as part of his evidence under oath in open court made an assertion that he did not agree to give one T. Carling Kelly ten per cent. of the stock of a company to be form-of the stock of a company to be form-

an assertion that he dut not up cent, give one T. Carling Kelly ten per cent, of the stock of a company to be form-ed to take over the Otisse Mining Com-pany, such assertion being known to said Stow to be faise and being intend-ed by him to mislead the court.' Ball has been fixed at \$2000, Stow having offered \$1000 cash. Bail was ac-cepted by S. L. Owens, local manager of the Bank of Ottawa. Justice Riddell allowed Mr. O'Meara to amend his claim from \$51,300 to \$100.-he 000. ter, is suing Mr. Stow for \$51,300. J. Carling Kelly is a financial agent, who

In the meantime several other par-ties became aware of the new strike, and during the latter days of August had an option on a mining property owned by Messrs. Currie and Otisse, many claims were staked and record-

owned by Messrs. Currie and Otisse, and in bringing about a sale between these men Stow says he was to receive \$1300 commission and 10 per cent. of the stock. Kelly afterwards assigned his claims to O'Meara, who then sued Stow for 10 per cent. of the value of the stock and Kelly's commission. Mr. Stow in the box denied that he was to give Kelly 10 per cent. interest in the mine. He said that he always struck out any mention of commissions in the negotiations and claimed that he did not purchase the property as agreed to because he could not get a clear title. **Represents Syndicates.** Kenyon Stow is an Englishman of

were stolen and tig prices were paid for those which could be repurchased. At Kenyon Stow is an Englishman of good birth. He came to Toronto in 1907 night miles of waterway were marked with the idea of investing in Cobalt. He spent several months in Cobalt and out by the camp fires of the prospectis understood to have bought consid-erable Nipissing stock for his English

On September 2 a party got thru and commenced to stake. Scores, then hundreds, poured in from Bushkong. friends. He returned to England last h fall, but came back again this spring, Gow Ganda Lake was dotted with canoes, and its shores became one great camp ground. The whole district for eight miles north and south and for four miles east and wast was staked up in frenzied haste.

Among the rich discoveries made during those days of wild excitement Rev. J. J. Rice, retired pastor of the Methodist Church, was thrown a distance of twenty feet by a Parliament-street car westbound on Gerrard-street at the gates of the General Hospital yesterday. He was on his way to the hospital, where he has been Methodist chaplain during the two years of his superannuation. The doctor was in front of the car, which was coming at a high speed and before he could back away it struck him.

cial organ of the Toronto Railway said. him. Dr. C. M. Hincks, 195 Avenue-road, who was with Dr. Rice, aided by a passerby. carried the old man into the hospital in an unconscious condition. At an early hour this morning he had not recovered consciousness and is in an extremely grave condition owing to his great age. hands in order to save his honor and dis-

Arrested for False Pretences. Bernard Blumenthall, 189 University-avenue, was arrested yesterday noon by Detective McKenny, charged with obtain-ing \$175 by false pretences from Michael Steinworzel. Boy Hit by Car. Clarence Goldsmith, 9 years, 113 Clare-mont-street, was struck by a Dundas-street car yesterday while playing in the roadway. His leg was severely cut.