

WE OFFER NEW ISSUE:—
COSMOS IMPERIAL MILLS, LIMITED,
6 1/2 P.C. 1ST MORTGAGE BONDS
 Due November 15, 1944. Price 99 and Interest.
TO YIELD 6.57 P.C.
 COMPANY IS AMALGAMATION OF:
 Cosmos Cotton Co., Ltd., Yarmouth, Ontario, established 1883, and
 Imperial Cotton Co., Ltd., Hamilton, Ontario, established 1900.
WRITE FOR DESCRIPTIVE CIRCULAR.
JOHNSTON & WARD,
 Members Montreal Stock Exchange, Toronto Stock Exchange.
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 nov4.10

Stock Market News

NEW YORK, Nov. 4. NOTICE—Election Day, New York Stock Exchange Closed.

To-day's Montreal Opening.

Can. Ind. Alcohol	42 1/2
Brazilian	51 1/2
Can. Steamships Ptd.	57
Laurentide Power	80 1/2
Montreal Power	184 1/2
National Breweries	61 1/2
Shawinigan	133
Spanish River Com.	102

(From Boston News Bureau, Oct. 30.)

ST. PAUL.
 September Earnings Best Monthly Net in Six Years and October Net Likely to be Largest in Company's History.

N.Y.—With one of the most substantial fall grain movements in its history under momentum, St. Paul's September net, which was over 13% ahead of the corresponding 1923 period, reflected the establishment of the best monthly net in six years.

Outstanding accomplishment of the September showing was the cut of \$68,493 in operating expenses to \$10,824,800, in the face of the \$328,352 gain in gross, resulting in decrease of operating ratio of .2% to 71.5%, lowest for any month of the current year. Had it not been for the decided falling off in the month's passenger business, against 1923, net would have been \$500,000 greater than then.

Progressive increase in October traffic, aggregates thus far show, indicates that the month's statement will reveal the largest monthly net in St. Paul's career. Preliminary estimates place net at between \$3,700,000 and \$4,000,000, against \$2,626,004 actual net in the same month of 1923.

and gross at about \$16,500,000, against \$15,365,219 last October.

Such a result would carry net for 10 months and substantially over \$14,000,000, against \$15,288,088 in 1923 and tend to substantiate predictions of the management that about \$21,500,000 fixed charges for 1924 will be fully covered.

To accomplish earning of 1924 charges, it will be necessary for the road to earn an average monthly net of about \$3,250,000 in the last quarter. While December ordinarily reflects curtailment in traffic volume, existing big grain traffic is expected to keep St. Paul busy until well into November while recent resumption in miscellaneous traffic will probably gain momentum from now on.

Valuable Art Collection

FOR THE U.S. PUBLIC.

NEW YORK—(Canadian Press)—An art collection worth \$50,000,000 will be presented to the United States public on the death of its owner, Mr. Joseph E. Widener, financier and art connoisseur, of Philadelphia. Mr. Widener announced this intention during the trial of an action between himself and Prince Youssouf, a Russian nobleman, who wants to regain paintings Mr. Widener bought from him in 1921.

The collection is being built up in memory of his father by Mr. Widener. It includes a Bellini worth \$600,000, and two Rembrandts, valued at over \$350,000 each. The Philadelphia connoisseur intends to make his collection the best in the world. "I have nothing for sale and I hope I never

Supreme Court

The King vs. James Whiteford McNeilly.

The Chief Justice, Mr. Justice Johnson and Mr. Justice Kent delivered separate judgments on the validity of the Grand Jury.

The Chief Justice and Mr. Justice Kent held that the jury was competent to perform its functions.

Mr. Justice Johnson disagreed. Owing to pressure on our space we are unable to give the judgments in full in to-day's issue. In another column appears an installment of the judgment of Mr. Justice Kent the concluding portion of which will appear to-morrow.

The King vs. Leonard G. Reid. The indictment charging manslaughter was read to the accused who pleaded not guilty.

Mr. C. E. Hunt for the Crown asked that the case be set for the 17th before a special jury.

Mr. L. E. Emerson for the accused made a motion for bail. Bail in the sum of \$100,000.00 was renewed.

King vs. Albert Maidment. Charged with breaking from the penitentiary during the month of October. The accused pleaded guilty. The court sentenced the prisoner to serve a further term of 12 months in prison.

King vs. Thomas Hekey. Charged with forging a number of cheques. He pleaded guilty. The prisoner was sentenced to serve two years in the penitentiary.

King vs. J. T. Meaney. Mr. Winter asked to be allowed to cross examine Mr. Meaney on his affidavit made at a previous hearing.

Mr. Fox entered a plea—that the prosecution should not be proceeded with and further elaborated the argument which he made last week on the garrett case. He pointed out that the impression Meaney had gained when he placed himself at the disposal of the Crown was that he was freeing himself from any ill consequences. In reference to his refusal to give evidence before the Magistrate, Counsel claimed that it was only hesitation on his part because he was under arrest and his trial was proceeding.

Mr. Meaney, called and examined by Mr. Winter, said there was no reference to any shortage in the Controller's Department in the notice of suspension which he received in the department. The only reason given for his final dismissal was some statements he had made in reference to a burglary. He was informed that the Prime Minister was moving for his arrest and prosecution for alleged larceny of money and goods from the Department of Controller. Witness stated that his counsel had informed him that he (counsel) had assurances from the Justice Department that proceedings for his arrest would be stopped. There was no warrant for his arrest issued at the time, but the witness believed that his arrest was pending. In reply to further questions witness said that at a conference between himself, Sir William Coaker, and the then Attorney General and his counsel the whole of the matters concerned in the indictment as he understood the situation then was discussed. Witness said he understood that the department had given him an assurance going beyond matters contained in the documents which he had submitted. Witness also said that at the Enquiry he was not questioned upon all the facts which he gave the Attorney General, because the Commission only covered the payment of moneys.

Following the examination Mr. Knight made a short examination of the witness in order to fix some dates. In giving evidence at the preliminary Enquiry in the matter of Sir Richard Squires, witness said he claimed his privilege because he was ordered to do so by his counsel, and the same was true on his appearance before the Grand Jury.

The Court arose at 1 p.m. until 3 o'clock, when the evidence of the former Attorney General and Mr. W. J. Higgins will be given.

shall have," he said. "Yes, I suppose I am lucky, and the American public will be later on."

Joseph E. Widener bought two portraits from the Prince in 1921, on a contract stipulating they might be bought back for the purchase price plus 8 per cent. interest. This contract was replaced by another 15 days later, which the Prince's attorneys argue is invalid. Attorneys for Mr. Widener contend the first contract was a mere chattel mortgage. Widener declares he will fight to the last for the portraits, for the memory of his father and the welfare of the American public. He has refused an offer of over half a million dollars from the Prince for them.

That Joseph Widener's great gift to the public will be eventually housed in the huge \$10,000,000 art museum now being erected at Fairmount Park, Philadelphia, is the opinion of New York Connoisseurs. The only definite knowledge of Mr. Widener's intentions, however, is that on his death he will leave his extensive collection to the public as a memorial to his father.

THE TRAINS.—Sunday's express arrived at Port-aux-Basques 8.15 last night. The local Carbonar train arrived at 12.25 p.m. The express for foreign countries went out at 1 p.m.

Supreme Court.

THE KING VS. JAMES WHITEFORD McNEILLY.

Judgment of Mr. Justice Kent.

In this case we have to decide certain objections raised by the accused to the validity of the Grand Jury and to the indictment it has found against him. The Grand Jury found a true bill against the accused upon bill of indictment preferred against him by the Crown charging him in twelve counts with stealing money contrary to sec. 17 (2) (a) of the Larceny Act, 1916, and in twelve other counts with offences against the Falsification of Accounts Act, 1875. Upon being called to the bar to plead to this indictment he, through his counsel, enters a plea in abatement to the indictment; he also challenged the array of the Grand Jury that had found the indictment against him and moved to quash the indictment. All three proceedings are based on the same allegations, namely:—

(1) That the cards containing the names of the Grand Jurors were not compared with the revised list of Jurors by the Registrar or the Deputy Registrar of the Court immediately before this present Fall Session; but the last time they were so compared was before the Winter Session, 1924; and no such comparison was made during the Spring Session, 1924;

(2) that the said cards were not put into the box, nor were the said alleged Grand Jurors drawn in the presence of the Registrar or Deputy Registrar of the Court;

(3) that the first twenty-three persons whose names were first drawn from the box were not summoned to serve nor did they serve on the said alleged Grand Jury but only eighteen were so summoned;

(4) that the five persons, namely, George Baird, Archibald Forbes, J. Penney, Francis Cooper, and William Chancy, who were among the twenty three first drawn, were not summoned;

(5) that two persons, namely, Terence G. Cooper and Wilbur Chancy, whose names were not upon the present revised list of jurors had attended and taken part in the deliberations of the alleged Grand Jury and were parties to its finding of the present alleged indictment;

(6) that the cards in the box did not correspond with the revised list as furnished by the Revising Magistrate because since the list was received the following changes have been made by some person unknown:

(a) the name Joseph Perry has been struck out and the name of Joseph Perez substituted;

(b) the name of Edward Perry has been struck out and the name of Edward Perez substituted; and

(c) the name of Archibald S. Lewis has been struck out and the

name of Archibald S. Lewis has been substituted; which said alterations are apparent upon the face of the Revised List;

(7) that Thomas James, one of the alleged Grand Jurors, who has attended and taken part in the deliberations of the Grand Jury and concurred in their findings, is a person holding an office of emolument under and at the will of the Crown, namely, Customs Officer, and therefore he is not a proper person to be a member of a Grand Jury in a prosecution by the Crown;

(8) that the alleged Grand Jury was not drawn from a box containing cards bearing the names of all the qualified Grand Jurors set forth in the present revised list of Grand Jurors; but twenty-seven of the said names were missing from the box when the said alleged Grand Jury was drawn;

(9) that it is uncertain whether the names of all the qualified Grand Jurors upon the revised list were in the box or not when the said alleged Grand Jury was drawn, because it appears from the evidence of the Sheriff that upon various occasions when panels of special jurors were drawn from the box since the last time the contents of the box were comprised in the said panels were afterwards returned into the box without being counted or checked or compared with the revised list of Grand Jurors or with any list.

I propose to consider these objections separately, but where it seems to me that any two or more of them are related or inter dependent I shall consider them together.

First, as to the first, second, eighth and ninth objections, these objections are related, in that, if the provisions of the statute as to comparing the cards containing the names of the Grand Jurors with the revised list, and as to drawing the second objections were not observed, had been strictly followed in every detail, the fact that certain cards, bearing the names of some of the persons, were not in the box from which the names of the grand jurors were drawn, as alleged in the eighth and ninth objections, would have been discovered and the omission remedied. I shall therefore consider these four objections together. Evidence has been produced before us in regard to the allegations of fact made by the accused in these objections. I think the evidence establishes the following facts and circumstances. The annual revised list of Grand Jurors for the year 1923 was received by the Sheriff from the Revising Magistrate in the month of December 1923, previous to the opening of the winter session of this Court, that revised list containing the names of all persons qualified to serve as Grand Jurors for the year 1924. Sometime between the time the list was received by the Sheriff and the commencement of the Winter Session of the Court, the names of all persons on the revised list with their respective occupations and addresses were written on separate cards, and before the opening of the Session on the 5th of January the Sheriff attended with these cards before the Deputy Registrar of the Court, who compared them with the revised list of Grand Jurors, and the cards were put into the jury box in the presence of the said Deputy. The evidence satisfies me that the officer who made this comparison and saw the cards put into the box was the Deputy Registrar, because while the Sheriff swears positively that the office was either the Registrar or the Deputy Registrar, the Registrar swears it was he, but the Deputy Registrar was unable to remember whether it was he or not. I am satisfied that the Deputy was the officer who performed these duties on that occasion. The names of the twenty-three jurors who were to serve as Grand Jurors for the Winter Session were drawn in the presence of the Deputy Registrar and duly attended and served. It is clearly established therefore that at that time the names of all qualified jurors and none but qualified jurors were in the box. This is corroborated by a comparison of the cards with revised list which was made about the same time by the sub-Sheriff and Mr. Cross, one of the bailiffs attached to his office. No other comparison of the cards with the list was made before the time these comparisons were made and the drawing of the Grand Jurors to serve on the Grand Jury for the present session, nor was any such comparison made before the present Grand Jury was drawn. In the meantime the box containing the cards was in the custody and control of the Sheriff and was kept by him under lock and key, no one having access thereto except the Sheriff and the sub-Sheriff, who alone held keys to the place in which the box was deposited. The box was not disturbed during that period, except when required by either the Sheriff or sub-Sheriff for the purpose of drawing Grand or Special Jurors, as was from time to time required, and was deposited again to its place of deposit. Several jurors were drawn during that period, and it was the practice of the Sheriff to return the jury cards drawn for the purpose of special jurors after the purpose for which they were required had been completed, but he negligently did so without previously counting the number of cards so returned to the box. This was the position when the Grand Jurors to serve during the present session were drawn.

(To be continued.)

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"OVER THE HILL S'MANTHY"
 A Beautiful Domestic Comedy-Drama of Folks that live next door to you.
 WEDNESDAY & THURSDAY Your Favourite Play
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 Book Your Seats Early.
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 Reserved Seats, 50c. General Admission, 35c. Children, 15c.
 Popular Prices: \$1.00, 75c., 50c., 35c., 25c. Seats Now Selling at Hutton's
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"KEEPS YOUR HAIR LOOKING ITS BEST."
 To all the Girls Who like pretty curls That cluster-in-close and wave. The best bet yet is our "WAVETTE". To make bobbed hair behave. WAVETTE is greaseless and non-sticky. It is the best curling cream for bobbed hair. Just try it.
 Price 45c. bottle.
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 THE DRUGGIST,
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Our Brands of Tea:
HEATHER, TRYMORE and BLUE BIRD
 are second to none.
Baird & Co., Ltd.,
 Water Street East.

A Mansion of Mystery
 London has lost one of its most fantastic sights. The grotesque mansion that stood at the corner of Oakley Street, Chelsea, and was famous by reason of the weird legend associated with it, has been demolished.
 Plastered from top to bottom with a riot of elaborate ornamentation, the house was built by a wealthy eccentric, Dr. John Phene and was supposed to contain a bridal chamber prepared for a wedding which death never permitted to take place.
 The Sealed Room.
 Recently the house was sold to an architect, and housebreakers have now left of it nothing but bare walls. It is to be entirely reconstructed, and small houses, with labor-saving devices are being built on what was once a tangled wilderness of a garden.
 Dr. Phene is supposed to have designed the house as a home for his future bride, and the story is that death stepped in and claimed the bride on the morning of the wedding day.
 The heart-broken bridegroom gave orders that the bridal chamber should be sealed up and never entered, and he would not allow the house to be occupied.
 Dr. Phene died about twelve years ago, and the house afterwards changed hands several times.

SPECIALS FOR EARLY WEEK

NEW GOODS at interesting Prices.

MONTREAL SAUSAGES—
 Fresh Supply just received 30c. lb.

WELCH'S GRAPE JUICE—
 Nice with Lemonade as Lemon Punch.
 Nips 15c.

GRANULATED SUGAR—
 8 1/2 c. lb.

HANSENS JUNKET—
 Assorted Flavours. 18c. Pkt. 3 for . . . 50c.

BOYERS CORN—
 1924 Pack, regular size. 23c. Can. 3 for . . . 65c.

PEAS—
 Standard grade, No. 4 seive, regular size. 25c. Can. 3 for 69c.

PEACHES—
 Regular 2 1/2 size Can. California pack. Sliced or halves 32c. Can.

CAMPBELL'S SOUPS—
 15c. Can. 3 for 43c.

MUSSELS in BOTTLES—
 Daintily packed. 35c. Bottle. 3 Btls. for . . \$1.00

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 TWO STORES
 DUCKWORTH STREET & QUEEN'S ROAD.

HUTWALKER'S HEAVY
NEW YORK BONELESS FLANK BEEF
 AT LOWEST PRICES.
 Just arrived ex. S.S. Rosalind from New York
150 Brls. Choice Boneless Flank Beef
 FOR SALE BY
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10-Day Tube Free Mail the coupon

FILM the worst enemy to teeth
 You can feel it with your tongue

Now find out
 what beauty is beneath the dingy film that clouds your teeth

You may actually have dazzlingly clear teeth and yet not realize it. Send the coupon, make this unique test, as advised by world's leading dentists.

THIS offers you a test which millions have made with surprising results.
 Modern science has found a new way to clearer, healthier teeth. A way that proves that scores of people who go through life wishing for dazzlingly white teeth already have them, yet never reveal them, or know they have them.
 You may be one of those people. This is a simple way to find out without cost.

How it invites tooth troubles
 Film is charged with most tooth troubles. It clings to teeth, gets into crevices and stays. Germs by the millions breed in it. And they, with tartar, are the chief cause of pyorrhea.
 You must remove it at least three times daily. And thus constantly combat it. You can't have pretty teeth, unless you do. For it is ever present, ever forming—a constant danger in your mouth.

Removed without scouring
 Now new methods have been found and embodied in a new-type dentifrice called Pepsodent, different in formula, action and effect from any other dentifrice.
 Its action is to curdle film, then harmlessly to remove it. No soap, no chalk, no harsh grit dangerous to enamel.

Results are quick
 Mail the coupon. Test note results. Mark the glistening whiteness it brings; the amazingly clean feel it gives your teeth, the beautiful polish and luster. Don't hide your pretty teeth any longer.

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