

## The Toronto World

FOUNDED 1881.  
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Every Day in the Year.  
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TELEPHONE CALLS.  
Main 5306—Private Exchange Connecting  
All Departments.

Readers of The World will confer a  
favor upon the publishers if they will  
send information to this office of any  
news stand or railway train where a  
Toronto paper should be on sale and  
where The World is not offered.

FRIDAY, JANUARY 28, 1910

## THE SPANISH RIVER TRAGEDY.

High officials in the Canadian Pacific  
service are reported to have complained  
about the sensational news served up  
by the press in connection with the  
regrettable Spanish River accident. If  
they have reason for complaint it ap-  
pears to rest exclusively with their  
own local representatives. At this  
time of day it shows a lamentable lack  
of judgment to imagine that any ad-  
vantage can be gained by preventing  
or hindering accurate information from  
being obtained. The obstructions ap-  
parently thrown in the way of the  
press correspondents were of no ad-  
vantage even to the company. These  
were responsible for any inaccuracies  
that occurred and railway and other  
public service corporations may per-  
haps become more fully assured that  
publicity is for their own ultimate ad-  
vantage. No reputable newspaper in  
Canada has any other desire than to  
meet the legitimate wants of the peo-  
ple. If opportunity is denied, respon-  
sibility must rest, not with the news-  
papers, but with the local railway  
staff that have become indoctrinated  
with the notion that publicity means  
hostility to their employers' interests.  
This is one of the points that might  
with advantage be included in the gov-  
ernment investigation.

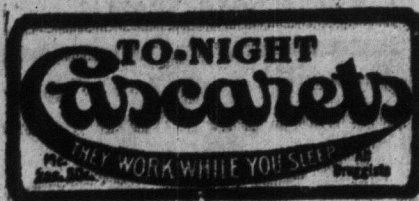
## THE IRONY OF INVENTION.

A marked irony of life these days is  
the fact that many of the great new  
inventions and discoveries are used for  
the more effective bleeding of the pub-  
lic by monopolists and capitalists who  
get hold of them. Take the so-called  
bleeding of cold storage, hailed with  
such applause some years ago. It has  
become a powerful instrument in the  
hands of the food trusts to do two  
things: first, it lets them buy provi-  
sions and live stock in great quantities  
when they are cheap, freeze them in  
cold storage until the public can be  
charged the highest price; next, it lets  
them use it to depress prices to pro-  
ducers, as in the case of farmers who  
have live stock—that is, animals can  
be killed when they are easiest fatten-  
ed, put into cold storage, and the meat  
kept, according to a New York state-  
ment, for months, if not for years.  
Eggs bought at ten cents are kept for  
years in cold storage, and the same is  
true of nearly everything that goes on  
the consumer's table; the net result to  
the public of "the boon" of cold stor-  
age being high prices and a deteriorat-  
ed produce, because there is a time  
limit to the excellence of these frozen  
food fabrics. Furthermore, all kinds  
of inferior grades of goods, which  
would otherwise have to be used at  
once, or even destroyed, can now be in-  
definitely prolonged by cold storage.  
There is coming probably the great-  
est invention in railways for many  
years, the single-rail gyroscope car, in-  
vented by Brennan. Chances are that  
it will pass into the hands of the rail-  
ways and be used rather to exploit the  
public than to benefit them!

## BRITISH POLITICAL POSSIBILITIES.

From some of the comment made on  
the present British political situation,  
the inference might easily be drawn  
that it is unprecedented and impos-  
sible of continuance for more than a  
very brief period. But under much less  
favorable circumstances for the preser-  
vation of a working alliance between  
Liberals and Irish Nationalists the  
parliament that assembled in August,  
1892, endured for nearly three years,  
and the Liberal government fell rather  
from internal dissension than attack  
from without. At the general elections  
of that year there were four distinct  
parties returned: Gladstone Liberals  
274, Irish Nationalists 81, Conservatives  
288, and Liberal Unionists 46. This  
gave the Gladstonian-Nationalist al-  
liance a voting strength of 355, as against  
a Unionist strength of 315, or only 40  
of a majority, reduced almost immedi-  
ately as the result of a by-election to 38.  
Yet it survived the retirement of Mr.  
Gladstone in March, 1894, and the suc-  
cession of Lord Rosebery, whose admin-  
istration resigned only after the adverse  
result of a snap division over an alleged  
deficiency in the stock of cordite.

Taking the present Unionist anti-  
cipations of the outcome of this gen-  
eral election, that party will number 282,  
as against 268 Liberals, 48 Laborites  
and 82 Nationalists. Mr. Asquith will  
thus be sustained by a majority of 106  
in the whole house of commons, and will  
have a Liberal-Labor majority of 24  
over the Unionists. In this connection  
it must be remembered also that quite  
a number of seats were lost to the  
Unionists through a split vote, and this  
undoubtedly enhanced the Unionist  
gains. But as it stands, the result may  
be even more favorable to Mr. Asquith  
than the opposition estimate allows,  
for any small addition obtained can-  
not, of course, materially alter his po-  
sition. This much is clear enough that

AT OSGOODE HALL  
ANNOUNCEMENTS.

January 27, 1910.  
Judges' chambers will be held on  
Friday, 28th inst., at 11 a.m.

Peremptory list for divisional court  
for Friday, 28th inst., at 11 a.m.:  
1. Gossell v. McTamney, (to be con-  
tinued).  
2. Bank of Ottawa v. McIlwaine.  
3. Shields v. Elyan.

Peremptory list for court of appeal  
for Friday, 28th inst., at 11 a.m.:  
1. Toronto Club v. Imperial Trust Co.  
(to be continued).  
2. Toronto Club v. Dominion Bank,  
(to be continued).  
3. Toronto Club v. Imperial Bank, (to  
be continued).  
4. Ontario Bank v. Trusts and Guar-  
antee Co.  
5. Cowie v. Cowie.

Non-Jury Assize Court.  
Peremptory list for non-jury assize  
court, before Chief Justice Meredith,  
Friday, Jan. 28, at city hall at 10.30  
a.m.:  
86. Solosh v. Bell.  
21. Kitchen v. Ironsides.  
Peremptory list for non-jury assize  
court, before Chief Justice Meredith,  
Friday, Jan. 28, at city hall at 10.30  
a.m.:  
56. Pritchett v. C. N. O. Ry. & Lloyd.  
57. Dolley v. McCann-Knox.  
58. Young v. Toronto Railway.

Jury Assize Court.  
Peremptory list for jury assize court,  
before Justice Latchford, Friday, Jan.  
28, at city hall, at 10.30 a.m.:  
56. Pritchett v. C. N. O. Ry. & Lloyd.  
57. Dolley v. McCann-Knox.  
58. Young v. Toronto Railway.

Hon. Mr. Foy a Witness.  
In the jury assize court yesterday  
the jury awarded Nathaniel Strom a  
verdict for \$500, in his action against  
the Berna Motor Company. While rid-  
ing a bicycle on Army street, he was  
run down by a taxicab. Hon. J. J.  
Foy was in the taxi and he was called  
as a witness, and gave as his im-  
pression that the man was riding the  
bicycle on the Army grounds and  
not on the street, when he first saw  
him. He said the driver stopped very  
promptly when the danger became  
imminent.

Master's Chambers.  
Before Cartwright, K. C., Master.  
Northern Sulphite v. Craig-Boyd  
(Royce & H.), for plaintiff, moved for  
leave to issue writ for service out of  
jurisdiction and for substitutional ser-  
vice of same. Order made.  
Whelan v. Baker-Leak (Watson &  
Co.), for plaintiff, moved for order dis-  
missing action and vacating its pen-  
dents. Order made.  
Meir v. National Typewriter Co.—H.  
R. Frost, for plaintiff, moved for an  
order for substitutional service of writ  
and other proceedings. Order made.

Single Court.  
Before Clute, J.  
Camden v. Hamilton Amusement  
Co.—J. V. McBrayne, (Hamilton), for  
plaintiff, moved for judgment pursuant  
to findings of report. No one contra.  
Judgment for plaintiff for \$1089.73, with  
costs of action and reference.  
Canadian Drawn Steel v. City of

Hamilton—F. F. Treleven (Hamilton),  
for plaintiff, moved to continue injunc-  
tion. F. R. Waddell (Hamilton) for  
defendants. Injunction dissolved, the  
defendants undertaking not to put  
down any sewer thru plaintiff's prop-  
erty less than six feet in depth. Mo-  
tion enlarged until 20th March. No or-  
der now as to costs.  
Inspector of Prisons v. Macdonald—  
F. Aylesworth, for defendant, Alexan-  
der McDougall, moved to set aside  
order of 23rd December, 1908, made  
without notice to defendant, J. A. Mac-  
donald, K.C., and G. R. Geary, K.C.,  
for plaintiff. F. W. Harcourt, K.C.,  
for infant. Order allowing defendant  
in to defend, and striking out clause  
three and amending clause two of the  
order of 23rd December, 1908, by ap-  
pointing plaintiff executor until trial or  
other final disposition of action. Costs  
of this motion to McDougall in any  
event. No costs of motion to plaintiff.  
Thompson v. Downs—J. T. White,  
for plaintiff, moved for representation  
order. S. W. Burns, for defendant, J.  
V. O'Sullivan for Father Hand, a le-  
gatee. F. W. Harcourt, K.C., for  
defendant. Order made, adding two of  
the parties as defendants, Father Hand  
not wishing to be added as a party  
and submitting to be bound by the pro-  
ceedings.

Garfunkel v. Jaffray—W. R. Wads-  
worth, for plaintiff, moved to continue  
injunction. J. A. Jaffray, a defendant,  
in person. Injunction restraining de-  
fendants from carrying on a Chinese  
laundry at No. 385 Roncesvalles ave-  
nue, until March next. Costs in cause  
unless trial judge otherwise orders.

Trial.  
Before Mulock, C.J.  
Hagle v. Lanthier—R. A. Pringle, K.  
C., and Smith for plaintiff, G. I. Gogo  
and J. G. Harkness (Cornwall) for  
defendant. Action by widow of George  
Hagle against proprietor and keeper of  
Windsor Hotel, Cornwall, for damages  
for loss of his life in the fire which de-  
stroyed the hotel on 23rd March, 1909,  
on the ground that the hotel was not  
provided with requisite appliances re-  
quired by statute for prevention of ac-  
cidents. Judgment: Room No. 11, in  
third storey occupied by deceased, was  
not provided with a fire escape. If it  
had been so provided, the fair infer-  
ence would be that deceased would  
have endeavored to descend by such  
fire escape, and I think the evidence  
warrants the conclusion that its ab-  
sence compelled him to seek some other  
means of escape, and that in the effort  
he lost his life. This the defendant's  
failure to perform his statutory duty  
was the direct cause of deceased's  
death. Judgment for the plaintiff for  
\$2500, to be apportioned \$1500 to the  
widow and \$1000 in equal shares to the  
two children. The latter amount to  
be paid into court and applied for the  
benefit of the infants. The plaintiff is  
entitled to her costs of action.

Trial.  
Before Teetzel, J.  
McMullin v. County of Oxford, J. C.  
Hegler, K.C., and W. T. McMullen  
(Woodstock), for plaintiff, S. G. Mc-  
Kay (Woodstock), for defendant.  
Plaintiff charged that defendant  
wrongfully engaged in repairing a high-  
way, and that defendant's contractor  
wrongfully constructed certain grades  
and ditches along and certain culverts  
thru the highway so as to divert wa-  
ter from the highway and from an ad-  
joining highway over which they had

not assumed control, and from other  
lands into and upon the plaintiff's  
farm, for which he claimed damages,  
and an injunction. Judgment: The evi-  
dence as to damages was conflicting,  
but I think there can be no doubt that  
the excess of water discharged on the  
plaintiff's land does cause some loss  
and inconvenience to him, and will  
have a depreciating effect upon the  
value of his farm. In lieu of an in-  
junction, I would fix the plaintiff's  
damages past and future at \$450, and  
I direct judgment to be entered in his  
favor for that sum with costs. Thirty  
days stay.

Divisional Court.  
Before Mulock, C.J., Stacey, J., Suth-  
erland, J.  
Coultier v. Elvin—F. E. O'Flynn  
(Belleville), for plaintiff, on appeal  
from judgment of Latchford, J., of  
16th December, 1909. S. Masson (Bel-  
leville), for defendant, contra. Ar-  
gument of appeal resumed from yes-  
terday and concluded. Judgment re-  
served.

Gossell v. McTamney—G. Grant, for  
defendant, appealed from the judg-  
ment of the county court of York, dat-  
ed 12th November, 1909. A. K. Lewis,  
K.C., for the plaintiff, contra. The  
action was against a landlord's bailiff  
to compel return of a piano seized for  
rent, the plaintiff, a chattel mortgagee,  
claiming to be the owner thereof. The  
county court judge gave judgment for  
the plaintiff, and ordered the piano to  
be returned. Defendants' appeals  
from that judgment. Not concluded.

Court of Appeal.  
Before Moss, C.J.O., Osler, J.A., Gar-  
row, J.A., MacLaren, J.A.  
Re Ontario Bank and Bank of Mont-  
real—J. Bicknell, K.C., and G. E.  
Strathly, for Liquidator Royal Trust  
Company. L. F. Hellmuth, K.C., J. A.  
Ferguson, K.C., and Glyn Osler, for W.  
J. McFarland and contributing share-  
holders, appellants. W. Nesbitt, K.C.,  
J. J. Gormully, K.C., and J. A. Wor-  
rell, K.C., for Bank of Montreal, re-  
spondents. Argument of appeal re-  
sumed from yesterday and concluded.  
Judgment reserved.

Attorney-General v. Devlin—G. H.  
Kilmer, K.C., for the attorney-general  
on appeal from the judgment of Latch-  
ford, J., at the trial dismissing the ac-  
tion with costs. J. J. Curry (North-  
York), for defendant, contra. This ap-  
peal was argued last November, and  
now by direction of court further evi-  
dence was taken. Appeal argued on  
the new evidence and judgment re-  
served.

Before Osler, J.A., Garrow, J.A., Mac-  
Laren, J.A.  
Toronto Club v. Imperial Trusts Co.;  
Toronto Club v. Dominion Bank; To-  
ronto Club v. Imperial Bank—G. E.  
Shepley, K.C., for plaintiffs, appellants.  
L. F. Hellmuth, K.C., J. Bicknell, K.C.,  
and G. B. Strathly, for the Imperial  
Bank, L. F. Hellmuth, K.C., and G. H.  
D. Lee, for Dominion Bank, A. McL.  
Macdonell, K.C., for Imperial Trusts  
Company. These actions were brought  
by the appellants against the respon-  
dents for the alleged conversion by the  
respondents respectively of certain  
cheques belonging to the appellants  
and alleged by the appellants to have  
been indorsed and delivered to the  
respondents respectively without any  
authority, or in the alternative, to recover  
the amount of the conversions in each  
case as money had and received by the  
respondents for the use of the appel-  
lants. The actions were tried together  
before the chancellor, and he gave  
judgment dismissing the actions with  
costs. By leave plaintiffs now ap-  
peal direct to this court. Not con-  
cluded.

Fractured Spine.  
Arch. McDonald, aged 23, who lives on  
Bathurst street, north of St. Clair ave-  
nue, fell from a scaffold on the car-  
barns at Lansdowne avenue and Wal-  
lace street, yesterday, and fractured  
his spine. The scaffold collapsed. There  
is but small hope held out for his re-  
covery. He was taken to St. Michael's  
Hospital.

McLean Bros. gent's furnishings, 588  
West Bloor, have assigned to N. L.  
Martin.

## EATON'S DAILY STORE NEWS

New Arrivals in Boots For  
Men and Women

The new goods bringing with them  
the first breath of spring stir one's inter-  
est and curiosity. New styles in boots are  
as interesting as  
anything else and  
these we show Sat-

urday have many new features. Some lines of the women's boots show decided  
inclination towards narrow toes. Short vamps are very popular and if anything  
men's boots are dressier than ever.

A BEAUTIFUL PATENT COLTSKIN WALKING BOOT for women. This boot contains  
the good features, graceful lines and superior workmanship which all go to make a boot perfect;  
two styles, medium and pointed toes, Goodyear welt sewn soles, a dainty Cuban heel, 3.00  
the blucher tops are dull kid. All sizes.

FOR MEN, A NEW TAN WILLOW calfskin  
blucher boot, just a medium light shade; an ideal  
boot for business wear, strictly up-to-date in every  
respect, blucher tops, Goodyear welt sewn soles, two  
styles, the straight tip and one with the 3.00  
popular wing tip; all sizes.

MEN'S BOX-CALF LEATHER, for early spring  
wear, excels anything we have ever shown in value,  
the leather in every pair is carefully selec-  
ted, welted sewn soles guaranteed; all sizes 3.00

PROSPECTORS' BOOTS, 10 in. leg, excellent  
quality of black visco calf, bellows tongue and back  
strap to top; this boot is extra well made  
and is an ideal fitter; all sizes 3.00

WALK EASY BOOTS, women's in fine dongola  
kid blucher tops, men's in box calf, skin blucher  
tops, early spring weight; all sizes 2.00

SECOND FLOOR—QUEEN ST.

January Sale of  
Waists  
THE T. EATON CO LIMITED  
TORONTO, CANADA  
January  
Whitewear  
Sale

WHEN YOU GO OUT  
TO LUNCH TO-DAY  
be good to yourself and  
order a bottle of  
O'KEEFE'S  
"PILSENER" LAGER  
It's the best appetizer and aid to di-  
gestion. Brewed as they brew lager  
in Pilsen, Germany—of pure Barley  
Malt, Hops and filtered water—the  
beer is filtered again after it is brewed  
and pasteurized after being bottled.  
Ask for  
The Beer With a Reputation  
THE LIGHT BEER IN  
THE LIGHT BOTTLE

ALWAYS  
Everywhere in Canada  
The Leaders  
of Light  
Since 1851  
ASK  
FOR  
Eddy's  
Matches  
The  
Most  
Perfect  
Matches  
You Ever  
Struck!

JAPAN'S FOREIGN RELATIONS  
Baron Komura Declares That Every-  
thing is Friendly.  
TOKIO, Jan. 27.—Baron Komura,  
minister for foreign affairs, addressed  
the diet this afternoon upon the  
subject of diplomatic relations. Regarding  
Russia he said: "I assure you with per-  
fect frankness and sincerity that the  
bonds of amity are being constantly  
strengthened. The friendship between  
Japan and the United States stands  
firm and enduring."  
The Anglo-Japan alliance, the minis-  
ter said, was increasingly satisfactory.  
Referring to the Japanese-British exhi-  
bition to be held in London, he said  
that the enterprise would be instru-  
mental to a great extent in develop-  
ing the trade and consolidating the  
friendship between the two countries.  
On the subject of new treaties Baron  
Komura said that the government in-  
tended to conclude agreements based  
entirely on reciprocity eliminating all  
unequal engagements and the un-  
ilateral conventional tariff law.

Most Men Use  
Coffee For Breakfast  
and are interested in the  
kind of coffee they get.  
Michie's finest blend of  
Java and Mocha coffee is  
in a class by itself—  
money cannot buy better.  
IT IS A BREAKFAST NECESSITY  
MICHIE & CO., Ltd.,  
7 King St. W., Toronto

STRIKE LEADERS SENTENCED  
Australian Miners Convicted of Ob-  
structing Work.  
SYDNEY, N.S.W., Jan. 27.—President  
Bowling of the Northern Miners' Fed-  
eration, was to-day convicted of ob-  
structing work at the mines during  
the strike and sentenced to one year  
at hard labor in prison. Three other  
strike leaders were given sentences  
each of eight months at hard labor,  
while a number of miners were con-  
demned to briefer terms of imprison-  
ment.  
Alex. Davis, grocer, 582 West Bloor-  
street, assigned to Henry Barber &  
Co., assignees, yesterday, for the ben-  
efit of creditors.

Falls Thru Window.  
Wm. Brown, aged 18, 224 East Front-  
street, fell while sweeping out the  
floor at William Mara's store yester-  
day, and in endeavoring to regain his  
balance shoved his arm thru a window.  
He was taken to St. Michael's Hospital,  
where the gashes he sustained were  
sewn up.

Open-Air Horse Parade.  
The annual meeting of the Toronto  
Open Air Horse Parade Association  
will be held on Thursday, Feb. 3, at 4  
o'clock in the afternoon, in the King  
Edward Hotel.

HASSAN  
CORK TIP  
CIGARETTES  
The  
Oriental  
Smoke  
TEN FOR 10 CTS