

The Toronto World

FOUNDED 1891.

A Morning Newspaper Published Every Day in the Year.
WORLD BUILDING, TORONTO.
Corner James and Richmond Streets.
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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 sold, and where the World is not offered.

THE PEERS AND THE LAND.

Great play is being made with the plea that the house of lords by requiring the budget bill to be referred for judgment to the electors is governed by sound democratic principle and should in this be commended rather than attacked. Were the upper house differently constituted or were its record other than it is the contention would be unchallengeable. To suspend a measure passed by a large majority of the representative house, particularly one concerning fiscal affairs, admittedly under its control, would even, if done by a non-partisan second chamber, be a step justifiable only by the strongest reasons. But the house of lords is not a second chamber of that kind. It is partisan in the worst sense and for a generation has made no pretension to impartiality. It has been influenced, not by public considerations, but by the private interests of its Conservative members or by the privileged interests with which it is intimate alliance.

No difficulty can be had by able politicians in finding arguments of a public character to justify action really intended to support the existing order. No one who has followed the course of the budget controversy can doubt that its land valuation and taxation proposals were the head and front of its offending. Without these the peers might have been won, but they would have swallowed the dose, however otherwise unpleasant. The laying of rude hands on the sacred ark of territorial privilege alone could not be tolerated and it was the land question that dominated the earlier stages of the fight. But the peers soon discovered that by this course they were giving themselves away and more prudent counsels prevailed. Whatever be the issue of this election land taxation reform must come and the sooner the better for the social betterment of the poor.

OATHS AND PERJURY.

Among the acts passed by the British parliament during the session just prorogued which have received the royal assent is one amending the procedure connected with the administration of oaths. Objection to the practice of kissing the Book has long been made on sanitary and other grounds and some years ago relief was given to all who expressed their preference for the Scottish form. The new act now prescribes that form, but in addition to the uplifted right hand requires the Bible to be held.

Criticism is offered that the repetition of the words of the oath by the witness entails a certain loss of time which is obviated by the English custom. But there can be no doubt regarding the greater solemnity attaching to the Scottish method and it may perhaps tend to check the increase in the crime of perjury noted and commented upon from the bench and not confined to any one country. Whether this tendency be due to easier morals, weakened religious sense or the prevalence of false conventional codes of honor, it should receive closer attention and severer treatment from the judges in those cases where perjury has been manifestly committed.

ELIMINATION OF THE "SMOKE NUISANCE."

If Toronto is to retain its reputation as one of the cleanest and most beautiful cities on the continent, the authorities will have to take measures to eliminate the "smoke nuisance." In this matter, the owners and managers of office buildings are as remiss as the proprietors of manufacturing plants. Not only is the pollution of buildings by the smoke of hot coal a downright misdemeanor, it is also an economic waste, very easily prevented.

Recently The World examined the heating plant of the Bank of Nova Scotia. The furnace room, doors and walls were altogether free from soot. This was the result of employing a very simple apparatus, technically called an "underfeed" which keeps the furnace constantly supplied with an adequate amount of coal. The usual way is to throw coal into the furnace and upon the burning mass. Inevitably carbon dust and black sooty smoke must go unburned and pass up the flues into the free air in a smutty state. By the "underfeed" method, the coal is delivered beneath the burning mass, and the carbon dust and smoke in passing thru the live coals are consumed. Economically viewed, the "underfeed" method results in reducing the cost of fuel to about one-half of the expense entailed by the old-fashioned method of throwing dead coal upon live coal. One would think that there should be no need of municipal ordinances to eliminate the so-called "smoke nuisance"; that common sense ideas of practical economy would dictate to owners and proprietors of manufacturing plants and to managers of office buildings a remedial policy. But if or-



A Royal Brew!

A good many men say that "Gold Label" is the finest Ale that we have ever brewed.

It's all a matter of taste. If you prefer a rich, old, creamy ale—that proves its quality by its delightful flavor—just try "Gold Label."

Every bottle sealed with an easily opened "Crown" stopper.

O'Keefe's "Gold Label" Ale

"The Beer that is always O.K." 198

AT OSGOOD HALL

ANNOUNCEMENTS.

Judge's Chambers will be held on Tuesday, 14th inst., at 11 a.m.:

Peremptory list for divisional court for Tuesday, 14th inst., at 11 a.m.:

1. Re Martin and Garlow (to be continued).

2. Wood v. Cobourg.

3. Letcher v. Toronto Railway Co.

4. Re Perkins and Dowling.

5. General Com. Co. v. Ottawa.

6. Maynard v. Stauffer.

7. Pearlman v. Sutcliffe.

Non-Jury Assize Court.

Peremptory list for non-jury assize court for Tuesday, Dec. 14, at city hall at 10.30 a.m.:

112. McCready v. Owen.

58. Imperial Trusts v. New York Life.

121. Colonial v. Mitchell.

31. Beamish v. Bell.

Jury County Court.

Peremptory list for jury county court before Judge Morgan Tuesday, Dec. 14, at city hall at 10.30 a.m.:

28. Ward v. Eastbury.

Master's Chambers.

Before Cartwright, K.C. Master.

Oakley v. Silver. W. J. McGuire, for third party, moved to discharge third party notice. E. P. Brown, for defendant, Silver, contra. Judgment: This action arises out of a sale of mining claims as to which Silver and one Bunker were original partners.

Bunker sold to Silver and Silver sold to plaintiffs. They now allege misrepresentation of the nature of the claims, and also shortage and ask for rescission and repayment. Bunker has filed affidavit stating that he had nothing to do with the properties after he sold to Silver, and had nothing to do with the sale by Silver to plaintiffs, which was at a much larger price. This alone brings the case within the decision in Miller v. Sarnia Gas Co., 2 O.L.R. 55. The third party notice should be discharged with costs.

Weir Wardrobe Co. v. Henderson. Cooper (Rowell & Co.), for defendants, moved on consent for order dismissing action without costs and vacating certificates of lien and its pendens. Order made.

Sovereign Bank v. McDonald. German (MacDonald & P.), for plaintiffs, moved for an order permitting service by mail of notice of intention to sign judgment on default of appearance. Order made.

Welch v. Henderson. Booth v. Henderson. Armstrong & Co. v. Henderson. Cooper (Rowell & Co.) moved on consent in these three actions for orders dismissing actions and vacating certificates of lien and its pendens. Orders made.

Michaelson v. Miller. Glyn Osler, for defendant, moved to postpone trial on grounds of absence of defendant and of absence of a material witness. Evidence is asked to be taken on commission. R. N. Macpherson, for plaintiff, stated that his witnesses cannot be here, after the end of the year. Order: The trial must be postponed until the next sittings and the commission asked for. If plaintiffs desire his witnesses may be examined de bene esse when next time if not now in Toronto. Costs in the cause.

Kemerer v. Willis. Glyn Osler, for defendant, Singlehurst, moved for better affidavit on production. A. W. Bannister, for plaintiff, contra. Order: Affidavit for further affidavit in a week. Costs to defendant, Singlehurst, in the cause in any event.

Colonial Investment and Loan Co. v. Fairbairn. A. C. Bedford Jones, for plaintiffs, moved for an order for a new day. Order made.

Symes v. McGregor. L. Davis, for plaintiff, moved on consent for judgment for possession without costs. Judgment asked.

Scully v. Bank of Toronto. L. Davis, for defendants, moved for an order for issue of a subpoena duces tecum to the registrar of deeds for County of Waterloo. Order made.

Brantford Gas Co. v. Brantford and Hamilton Electric Railway Co. S. G. Crowell, for plaintiffs, moved on consent for order for amendment of statement of defence. Order made. Plaintiffs to have 14 days thereafter to reply. Costs in cause.

Single Court.

Before Meredith, C.J.

Re Solicitor. E. C. Cattanaach, for client, appealed from taxation of solicitor's bill by local registrar at Cobourg. Grayson Smith, for solicitor, contra. Referred to J. H. Thom, senior taxing officer, who is to report what is a proper bill and then the motion to be reviewed.

McPherson v. McGuire. W. Laidlaw, K.C., for plaintiff, moved for order continuing injunction till trial restraining defendants from proceeding to transfer the license to cut timber in the district of Bryce and Baumbach in the district of Nipissing or to change the ownership thereof as against the plaintiff. J. T. White, for defendants, moved on consent for order to issue before 15th inst. and for defendants wish to show cause why it should not issue they are to be at liberty to do so on 15th inst.

Divisional Court.

Before Mulock, C.J., Clute, J.

Sutherland, J.

Gunn v. Miller. C. J. Holman, K.C., for plaintiffs, appealed from the judgment of the county court of York of Sept. 28, 1909. T. H. Lemox, K.C., for the defendant, contra. Plaintiffs, stock breeders and farmers near Beaverton, claim that they sold to defendant, a horse dealer and farmer near Stou-

ville, two horses for \$540 and paid \$10 for him at his request. They also claim that defendant had a contra account against them for \$377, and sue for the balance, \$160.41. Defendant counter-claimed for \$86.49 alleged to be due him beyond amount due plaintiffs. At the trial judgment was given dismissing plaintiffs' action with costs and giving judgment for defendant on his counter-claim for \$67.18 with costs. Plaintiff's appeal from that judgment argued and judgment reserved.

Crown Art v. Cooper. An appeal by the plaintiff from the judgment of the county court of Huron of May 11, 1909, in a proceeding under the Mechanics' Lien Act. F. McCarthy, for defendant, stated that counsel have agreed subject to the approval of court that the argument of this appeal stand adjourned until January sittings. Enlarged until January sittings.

Letcher v. Toronto Railway Co.—F. McCarthy, for defendants, on appeal from the judgment of Falconbridge, J., of Oct. 11, 1909. A. MacGregor for the plaintiff. At the request of defendants' counsel adjourned until to-morrow.

Schleusman v. Greenblatt. A. C. Bedford-Jones, for defendant, on appeal from the judgment of County Court Judge Morgan of June 22, 1909, stated that counsel desire this motion to be enlarged until 15th inst. Enlarged as asked.

Martin and Garlow. An appeal on behalf of William Martin from the order in chambers of Britton, J., of Nov. 13, 1909. H. W. Shapley, for the magistrates, contra. The original motion was for a certiorari to remove into the high court for the purpose of being quashed a certain order of dismissal by a justice or justices of the peace in and for the County of Brant of an information and complaint under the Indian Act. The application was dismissed without costs and this is an appeal from that order. Not concluded.

Supreme Court Judgments.

In the supreme court at Ottawa yesterday the following judgments were delivered:

In steamship Marshall v. harbor commissioners at Montreal, appeal dismissed without costs.

The City of Montreal v. the Montreal Light, Heat and Power Co., appeal dismissed without costs.

Canadian Northern Railway reference in regard to an order of the railway commission directing the fencing of the line of railway, the appeal is allowed as to the first question as to the lands and dismissed as to the enclosed lands.

Pitt v. Dickson, an appeal in a suit to recover the value of stock alleged to have been sold at par, thru misrepresentation of the value of the stock and judgment of the Ontario Appeal Court reversed.

Street v. C. P. R., Manitoba, appeal dismissed.

Angus v. Heinz (in which R. B. Angus, appellant, and Sir Thomas Shaughnessy had acquired the title to lands of the Columbia and Western Railway to divide them equally between themselves and Heinz, the respondent, who, however, refused to take a conveyance of his share, as the respondent was in some degree liable to taxation); appeal dismissed with costs.

Business Men

AND THE TUBES

"Tubes, I suppose," said H. T. Caulfield of Caulfield, Burns and Gibson when approached yesterday by The World. "Well, you can say that I am in strong favor of their speedy installation. They have worked elsewhere with pronounced success, and there is not the slightest doubt that they will pay well here in Toronto."

"This city is quite large enough for the construction of tubes," said Richard Tew, of Richard Tew & Co., assignees.

"The people who harp on the subject of expense should bear in mind that the longer this scheme is delayed, the greater proportionate increase there will be in the financial expenditure. This is a question of dealing with the congestion, and is the only means of bringing the outlying districts into touch with the rest of the city. The construction of a tube system will strengthen our hands when the question of extending the franchise to the street railway comes up."

"Yes," said H. T. Caulfield, the well-known tailor and outfitter, "I am certainly going to vote for the tube system."

"I have been at its operation in England and New York, and I know what a convenience it is to the traveling public. It will mean that the citizens of Toronto can come down to business or to school, and not get jammed into cars like sardines in a tin."

"It deserves the support of every business man in the city."

A CHRISTMAS GIFT WORTH WHILE

A Timely Suggestion Sure to Be Appreciated.

What more appropriate Christmas present—what more novel and unique gift could you make than "Salada" Tea? It will be appreciated three times a day by those who love the garden freshness and native purity of the finest Ceylon tea is perfectly preserved by "Salada" packets. We will send by express prepaid to any address 5, 10, 20 or 30 pounds of "Salada" Tea, in original cases, upon receipt of the price and the name of your grocer. Be sure and state whether black, mixed or green tea is desired. The finest quality of "Salada" is sold at 60c per pound, and other grades at 50c, 40c and 30c per pound. Write direct to the "Salada" Tea Co., 32 Yonge-street, Toronto.

Do You Suffer From Constipation?

You may have tried all known remedies without having obtained a cure.

There is exactly what hundreds of thousands of people have done. Do not delay a single day to follow the new treatment of John Marshall.

It is he who will cure you absolutely. He has brought back to health almost numberless sick, and will succeed with you also.

The treatment is sent by mail on receipt of \$1.00.

THE JOHN MARSHALL CO., 208 St. Denis St., Montreal.

EATON'S DAILY STORE NEWS

House Jackets and Lounging Robes

Christmas Gifts That All Men Like.



THERE is so much comfort and quiet restfulness in these long, warm robes and the shorter sack coats that no man can fail to be highly gratified with so sumptuous a Christmas present.

There is such a wealth of selection in pattern and color in the very extensive stocks we have gathered from the principal makers in Germany, New York and elsewhere that the thought of any difficulty in choosing to one's taste is out of the question.

From a thousand or more jackets and some hundreds of gowns these few items are taken as examples:

HOUSE JACKETS

At \$5.00—Oxford grey, navy blue, red, green and brown vicuna cloth, and camel's hair effects, one frog fastener, cord edge trimmings, some with revers, plaid on cuffs and collars, sizes 36 to 46. Price.....\$5.00

At \$6.50—German, American and English jackets, in checked back vicuna cloths, venetian finished materials and camel's hair effects, navy, wine, oxford grey and mid-grey colorings, reverse collars and cuffs and cord trimmings. Price.....\$6.50

At \$7.50—Fine finished vicunas and velours cloths, in brown, navy blue, olive and grey shades, two frog fasteners, reverse plaid trimmings. Price.....\$7.50

At \$8.50—Venetian finished and camel's hair effect materials, in plain navy, wine and

brown shades, reverse plaid on cuffs, collar and pockets, sizes 36 to 46. Price.....\$8.50

At \$12.50—That new striped Verumba cloth, a very fine finished fabric, hairline striped effects in grey, green and brown, plain colored collar, cuffs and pockets, silk cord edges. Price.....\$12.50

LOUNGING ROBES

At \$7.50—Camel's hair effect cloth, in dark red, broken patterns, good, full length, with three pockets, cord edges and girdle to match, sizes 36 to 46. Price.....\$7.50

At \$12.50—Plain dark grey or light brown and green, plaid effect, reverse plaid trimmings on collar, cuffs and pockets, silk and wool girdle with tassels, sizes 36 to 46. Price.....\$12.50

Main Floor—Queen Street.

Mail Orders Promptly Filled

We Emphasize the Importance of Our Diamond Ring Stock

Few people realize that in our Jewelry Section is carried a stock of diamond rings that makes this one of the most important sections in the house—here are rings as high as hundreds of dollars each—enough of them to offer a satisfactory choice to any man or woman, and in buying these diamonds experts are employed—men who know thoroughly the diamond business and who can ably judge the quality of a diamond.

The man or woman who is considering a gift of importance, a gift amounting to many dollars—a gift that will last a lifetime—will consider our diamond stock—first, because of the high quality—second, because of the sure savings our prices mean.

We buy the stones in parcels, and mount most of them ourselves: we guarantee every gem we sell—price gives no idea of their beauty, size or intrinsic worth—that's our idea of big value, and one thing to remember is—these diamonds are sold to you with the guarantee of the firm back of your purchase—if you're not thoroughly satisfied in every particular your money is here for you.

Price Reductions on These Few Diamonds for Quick Selling

A few odd rings that because of slight imperfections have been excluded from entering stock, so it's a matter of many dollars less on every price:

| | |
|---|---|
| Man's Belcher setting, one, reduced to \$78.00 | Turquoise and diamond, ruby and diamond |
| Man's Belcher setting, one, reduced to \$72.00 | and sapphire and diamond combination |
| Woman's Tiffany setting, one, reduced to \$80.00, \$87.00 | rings, reduced to, each.....\$20.00 |
| Woman's Tiffany setting, one, reduced to \$65.00, \$70.00 | Emerald, diamond, sapphire and diamond, |
| Woman's Tiffany setting, one, reduced to \$200.00 | reduced to.....\$8.95 |

Main Floor—Yonge Street.

Visit the Christmas Bazaar, Third Floor, for Gift Suggestions.

THE T. EATON CO. LIMITED CANADA

Extra Gift Sections Second Floor, Albert Street

Burned by Live Wire.

Two men were badly burned at the Canada Foundry yesterday thru grasping a live electric wire. Richard McCollin, 1234 Dufferin-street, caught hold of a wire which was supplying current for light. Both hands were scorched. As he was working under some machinery they had a hard job to extricate him.

Albert Woodley, 43 Kenilworth-avenue, was burned at the same time. Both were taken to St. Michael's Hospital.

Will Call for Opinions.

OTTAWA, Dec. 13.—The special committee appointed to consider Mr. Ver-ville's bill for an eight-hour-day on all public works, met this morning. It was decided to give everyone interested in the measure an opportunity of being heard. Copies of the bill are to be forwarded to manufacturers and others concerned.

New Voters on List.

About 1500 appeals have been made from citizens desirous of having their names on the voters' list and Judge Winchester yesterday placed about 1200 names on the list. The Conservatives organized, A. H. Birmingham, had a list of nearly 900 names.

The list of appeals was about as large as last year, but under the new system, Judge Winchester has been saved several days' work, as it is only a matter of verifying the names, the assessment department having looked into each individual case before hand.

When Going to New York, Travel via the Only Double Track Route.

Trains leave Toronto 4.32 and 6.10 p.m. daily, via Grand Trunk and Lehigh Valley. Former train has Pullman sleeper, Buffalo to New York, and 6.30 p.m. train, has Pullman sleeper, Toronto to New York. Tickets, berth

Children's Parties

Dinner Parties Card Parties

All kinds of Home Entertainments are enlivened and improved by

Michie's Merry Crackers

MICHIE & CO., Ltd., 7 King St. W., Toronto

reservations at city ticket office, north-west corner King and Yonge-streets. Phone Main 4299.

stances will not accomplish the end, then the city should specially demonstrate the value of underefed apparatus, and compel owners, lessees and managers of factories and office buildings to install the most improved underefed system along with their heating plants. In this regard the Bank of Nova Scotia holds up the ideal.

POET, BUT NOT GENTLEMAN.

Miss Asquith is of the opinion, according to cabled reports, that William Watson, the poet and candidate for Knighthood, is a thoro cad. The choice between an insane poet and a cad in a normal state of mind is a perplexing one, but most people will prefer the insane poet, especially with the Shakespearean authority to link the lunatic, the lover and the poet together.

There appears to be method in his madness, however, seeing that a new volume of his poems has just been presented to the public. It is recognized now in publishing circles that an author must do something sensational to attract public attention. The public will more readily buy poetry of a man who will insult a spender's wife and daughter than the books of an inoffensive bard who never even bowed to a baroness.

We may look after this for announcements that Clinton Burton has corrected Mrs. Taft's grammar, and his collected works are in the press; that Richard Markham has rebuked Mrs. Roosevelt for vilifying Abraham Lincoln, and that his latest ode will appear immediately; that Edwin Scollard has reproved Mrs. Morgan-Vandervelt for social extravagance, and his new book is to be had at all the stores. The Evening Telegram, which abuses intellectual achievement and pronounces scathingly last night on "twitted scholarship," with a fine disregard for accuracy also, makes Poet Watson a Scotsman. There is a thirteenth race than the Scots, and it inhabits the moors of Yorkshire. Poet Watson is of Yorkshire ancestry, and was born in the county of his fathers, at Burley-in-Wharfedale, 51 years ago. If this thrifty Yorkshireman is seeking free advertisement, he is having a highly successful campaign.

THE C. N. R. AND THE DON IMPROVEMENT.

Editor World: Mayor Oliver says in an evening paper that the Canadian Northern ought to be given a right of way down the east side of the Don River improvement. Will Mayor Oliver kindly look into the question whether this so-called right of way is to be for the radicals owned by Mr. Mackenzie's other companies rather than for the Canadian Northern, or to put it in another way, for both? And has the mayor considered what the Canadian Northern would charge for a right of way for the Bloor-street viaduct over Canadian Northern property in the Don valley? And has he considered whether that same Don Improvement should not be kept at least for an up and down track in connection with the tube system that we hope soon to have installed? Fair play is bonnie play, and the city has got to take care of itself at every turn or else it will be crushed.

Riverdale Business Man.

Christmas and New Year's Excursions. A Grand Tourist Railway System, between all stations in Canada, also to Detroit and Port Huron, Mich., Buffalo, Black Rock and Suspension Bridge, N.Y.

Single fare, good going Dec. 24 and 25, 1909, returning on or before Dec. 27, 1909; also good going Dec. 31, 1909, and Jan. 1, 1910, returning on or before Jan. 3, 1910.

At fare and one-third, good going Dec. 21, 22, 23, 24, 25, or Dec. 28, 1909, to Jan. 1, 1910, returning not later than Jan. 5, 1910.

Secure tickets at city ticket office, northwest corner King and Yonge-streets. Phone Main 4298.

Iron Stairway Falls on Him.

An iron stairway fell on Edward Mossett, 117 Bathurst-street, at the works of the Canadian Ornamental Iron Company, 120 East Richmond-street, yesterday afternoon, and when the cable which was supporting it broke George Carter, a helper, had a finger caught in it and crushed. Mossett's injuries were not serious. A rib was broken, his head cut and arm bruised. Both were attended at St. Michael's Hospital.

PILES

Dr. Chase's Ointment is a certain and guaranteed cure for hemorrhoids and protruding piles. See testimonials in the press and ask your neighbors about it. You can use it and get your money back if not satisfied. See all dealers or Dr. Chase, 100 St. George St., Toronto.

DR. CHASE'S OINTMENT.