## The Toronto World

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Montreal Star, also? And The Spectator of Hamilton and The Citizen of Ottawa?

The Kingston Whig, following the Forward all complaints to the circulation department. The World Office, 83 Yonge-street, Toronto.

IT'S UP TO SIR JAMES WHITNEY,

The over-issue of capital or the wrongful manipulation of securities by corporations holding public franchises is, to our mind, the evil of the day. It has been ventilated in the Canadian House of Commons in regard to the Canadian Pacific, but the same ques-tion comes up in connection with other tion comes up in connection with other ada," the main points of objection taken public franchises controlled here in Ontario by the legislature of this province. gration are: The injection of water, the forming of that they constitute an element which, on account of its character, canholding companies and then issuing, not be readily assimilated. thru these holding companies, great blocks of watered stock, is as dangerous to the public here as it is in the Dominion; and the government of the province under Sir Ismae. Whitney will tled British community. been done in the State of New York. In that state no company holding a public franchise, whether it be in connection with street railway, gas lighting election. The state of New York is a state of New York. In the standard of labor remuneration and impair the standard of labor remuneration with street railway, gas lighting election. The state of New York is a state of New York. In the standard of labor remuneration with home employment and impair the standard of labor remuneration with street railway, gas lighting election. The state of New York is a state of New York. In the standard of labor remuneration with home employment and impair the standard of labor remuneration. The state of New York is a state of New York. In the standard of labor remuneration with home employment and impair the standard of labor remuneration with street railway, gas lighting elections and the standard of labor remuneration with street railway, gas lighting elections and the standard of labor remuneration with street railway, gas lighting elections and the standard of labor remuneration with street railway, gas lighting elections and the standard of labor remuneration with street railway, gas lighting elections and standard of labor remuneration with street railway gas lighting elections and the standard of labor remuneration with street railway, gas lighting, electric power or steam railway, can now but out a single dollar of new securities without receiving the sanction of the board of public-service commission-ers. And these securities, or their pro-treeds, must go into the treasury of the company. We must do the same thing in Ontario, and we must do it right in Ontario, and a Nor. The Standard Mutual Fire Insur

. 55. A common carrier or street railway corporation may issue stocks, bonds, notes or other evi-dence of indebtedness, when necessary for the acquisition of property, the construction, completion, ex-tension or improvement of its facilities, or for the improvement or maintenance of its service, for the discharge or lawful refunding of its obligations, provided, and not other-wise, that there should have been secured from the public service commission an order authorizing such issue, and the amount thereof, and stating that, in the opinion of the commission, the issue of the capital to be secured by such stocks, bonds, notes or other evidence of indebtedness is reasonably required for the said purposes of the corporation. For the purpose of enabling it to determine whether it should issue such an order the com mission should make such enquiry or investigation, hold such hearings and examine such witnesses, books, papers, documents or contracts as it may deem of import-

enabling it to reach a determination. The securities issued on account of the surface tractions of New York City

exceed \$650,000,000, and of this only \$75,-000,000 was actually spent, Justice William J. Gaynor, a member of the appellate division of the supreme

court of the State of New York, a bold guarded. 55-56 V., s. 255. and outspoken defender of public rights. whose high judicial position and reputation give his words exceptional weight, described the infamous manipufations connected with these valuable franchises in the following terms: "We have in Manhattan and The

Bronx the most valuable street railroad routes and franchises in the whole world, and yielding by far the largest revenues of any in the world. And yet for going on two years they have all been in bankruptcy, and operated by a United States court thru receivers. It fin-ally came to pass that their enormous revenues were insufficient to pay their fixed charges of interest on bonds and guaranteed dividends on stock; and the result was bankruptcy, the shrinkage of large issue stocks, in one case from \$265 down to \$16 a share, and a general swindle of honest investors. It is enough to say that hones and stocks were piled up, issue upon issue, until the infamous total of nearly \$700,000,000 was reached, including the stocks and bonds of the holding companies, or, excluding them about \$550,000,000. When the crash came, did the financiers who did this thing

own these stocks that fell down on honest people? Nay, nay; they have a maxim that a fool is born

while they sell them and pocket the cash. You may well pause and ask in wonder how such a thing could possibly have happened in the civilized and enlightened City of New

The public service law above quoted has stopped all such "high financing." A similar law here would not allow a single dollar of watered stock to enter the capitalization of our public service

If Sir James Whitney wishes to see how efficacious this New York law is-and it is not yet two years old-we respectfully suggest to him that he request the secretary of the public service commission at Albany to send him the printed rulings and orders of the commission on the several applications that have already been made in regard to issues of additional stocks, bonds, etc., of public franchise corporations in New York State. These rulings are most illuminating.

MUM ON THE GREAT ISSUE. The question of supreme importance to the people of Canada to-day is that of the capitalization of public fran-

Chicago, Ill.—The Chicago Newspaper party newspapers—are nearly all mum.

Agency, 170 Madison-avenue.

What does The Clobe thinks of the

by the opponents of unrestricted immi-

### CONTRARY TO THE LAW

Editor World: I would like to ask ou, thru the columns of your paper, are following question, which is in the The neighborhood, and in the southern portion of Ontario, and the time has come when Sir James Whitney must frame a law on lines similar to the law in the State of New York for the protection of the public. Here is the New York law:

The neighborhood of Hamilton and all the southern portion of Ontario, and the seen on the dark, foggy night in question until it was too late. Is there no law to prevent these apparently irresponsible people from leaving these death traps unprotected within a few feet of a well-traveled road?

The criminal and Mr. Brooks being drowned and on two scows used in connection therewith, and restraining the defendants, Margaret Irvine and Alexander Coghill, from receiving any such insurance money or loss, and from dealing with, assigning or transferring, the said companies, on Dredge No. 7, her tackle, etc., and on two scows used in connection therewith, and restraining the defendants, Margaret Irvine and Alexander Coghill, from receiving any such insurance money or loss, and from dealing with, assigning or transferring, the said companies, on Dredge No. 7, her tackle, etc., and on two scows used in connection therewith, and restraining the defendants, Margaret Irvine and Alexander Coghill, from receiving any such insurance money or loss, and from dealing with, assigning or transferring, the said companies, on Dredge No. 7, her tackle, etc., and on two scows used in connection therewith, and restraining the defendants, Margaret Irvine and Alexander Coghill, from receiving any such insurance money or loss, and from dealing with, assigning or transferring, the said companies, on Dredge No. 7, her tackle, etc., and on two scows used in connection therewith, and restraining the defendants, Margaret Irvine and Alexander Coghill, from receiving any such insurance money or loss, and from dealing with a significant connection therewith, and restraining the said connection therewith, and restraining the said connection therewith, and restraining the said connection therewith and connection therewi

Being the owner, manager or superintendent of any abandoned or unused mine or quarry or property, upon or in which there is any excavation of sufficient area and depth to endanver human life, leaves the same unguarded and unenclosed by guard or fence of sufficient height and strength to pre-

Everyone whose duty it is to

Shoppers Want Red Tickets.
Editor World: Re over-crowding of
the street cars: First, let the red tickets or Mmited ones, as they are called, be used from 4.30 instead of 5 o'clock as now, so as to enable the shoppers to get home a little earlier. Then when the work people leave work at 5 they will find room in the cars to get a seat instead of standing, as now. For the shoppers will wait till 5 o'clock, so as to get home on the red ticket. I am sure there are a lot of shoppers would get home sooner than now if they could get home on the red ones. F. W. Keen,

Motorman's Sentence.
BERLIN, Germany, Feb. 7.—One of the drivers of the electric trains on the Berlin Electric Railway which collided on Sept. 26 last, resulting in the death and injury of many people, was sentenced to twenty-one months' imprisonment

Wealthy Planter Poisoned Wife. UNION, S.C., Feb. 7.-W. T. Jones, wealthy planter, who has been on trial here on the charge of murdering his wife by poison last July, was found guilty. A recommendation for clemency was appended to the Verdict. The jury had the case a little over

### IN THE LAW COURTS

ANNOUNCEMENTS.

Osgoode Hall, Feb. 6, 1909.

Motions set down for single court for Monday, 8th inst., at 11 a.m.:

1. Re Canadian McVicar E. Co. Smith and Cornwell.
Anderson v. Ross.
Will v. Bruce Mines.
Re Sherman and Keenleyside.
Re Sisson Estate.

Currah v. Ray. Currah v. Ray. Re Taylor and Belle River. McGannon v. McGannon. Menzies v. Farnow. Heatherly v. Knight.
Pilcher v. Jarvis.
Re S. S. 3, Walpole and Harrison.

Peremptory list for divisiona Monday, 8th inst., at 11 a.m.: 1. Hill v. Telford.

2. Lester v. Fluker.
3. Cole v. Smith and cross-appeal.
4. Sovereign Bank v. McDonald.
5. Groulx v. Lavigne. Peremptory list for court of appeal for Monday, 8th inst., at 11 a.m.: 1. The Florence Mining Co., Limited, v. the Cobalt Lake Mining Co., Limited (to be continued) 2 Owens v. Haslett

Master's Chambers. Before Cartwright, Master.
Rex ex el Ingoldsby v. Speirs.—W. H.
McFadden, K.C., for relator, moved for
a flat to serve notice of motion by way of
quo warranto. Flat given.
Sovereign Jewelry Co. v. Leask.—L. M.
Singer, for plaintiffs, moved for order for

party newspapers—are nearly all mum. What does The Globe think of the order-in-council authorizing the Canadian Pacific to divide \$30,000,000 among its shareholders as a "meion" bonus?

What does The Mail, The News, The Star think about this matter? The Montreal Star, also? And The Spectator of Hamilton and The Citizen of Ottawa?

The Kingston Whig, following the lead of The Montreal Gazette Conservative) and The Montreal Gazette Conservative) and The Montreal Harad (Liberal), says Mr. Maclean is an iconocial considered desirable citizen for the Hariff and the United States panic, not the inflationists, the stock waterers, the Harrimans and the like!

ASIATICS AS UNDESIRABLES.

Trusts and Guarantee Co., v. Ritchie,—as the who asks why "Asiatics are not considered desirable citizens for Canack Pacific Country of the Montrea of the Montreal Harid Control of the Montreal Gazette Conservative of the Montreal Gazette Conservati Battle v. C. P. Railway.-A. D. Armour

Before Britton, J.

McBrady v. Irvine,—R. R. Waddell, for plaintiff, moved ex parte for an injunction. Injunction granted until Wednesday, 10th inst.; restraining the defendants, the propers of the property of the property

The criminal code says:

287. Everyone is guilty of an offence and liable, on summary conviction, to a fine or imprisonment, with or without hard labor, or both, who

(1) (a) Cuts or makes, or causes to be cut or made, any hole, opening, aperture or place, of sufficient size or area to endanger human life, thru the ice on any navigable or other water opened to or frequented by the public, and leaves such hole, opening, aperture or place, while it is in a state dangerous to human life, whether the same is frozen over or not, unenclosed by bushes or trees, or guarded by a guard or fence, of sufficient height and strength to prevent any person from accidentally riding, driving, walking, skating or falling therein; or,

sufficient height and strength to prevent any person from accidentally riding, driving, walking or falling therein; or

(c) Omits within five days after conviction of such offence to so guard or enclose the same or to construct around or over such opening or excavation a guard or fence of such height and strength.

(2) Everyone whose duty it is to greatly such as the such condition of affairs has not been caused by any negligence on the part of the defendants in the laying of the pipes, which was done largely under the supervision of the expert supplied by the plaintiffs. The pipes were not reasonably fit for the purpose for which they were supplied. The chief, but not the sole, defect is in the coupling, which proved to be absolutely defective. But there is also evidence that to some extent the series and used to the purposes for which they were wanted. And I find that such condition of affairs has not been caused by any negligence on the part of the defendants in the laying of the pipes, which was done largely under the supervision of the expert supplied by the plaintiffs. The pipes were not reasonably fit for the purposes for which they were wanted. And I find that such condition of affairs has not been caused by any negligence on the part of the defendants in the laying of the pipes, which was done largely under the supervision of the expert supplied by the plaintiffs. The pipes were not reasonably fit for the purpose for which they were supplied. The chief, but not the sole, defect is in the coupling, which proved to be absolutely defective. But there is also evidence that to some extent around that such condition of affairs has not been caused by any negligence on the part of the defendants in the laying of its composition, the well-known hymn, "There's a Friend for Little Children." was sung in many Toronto churches and elsewhere—through the coupling of its composition, the well-known hymn, "There's a Friend for Little Children." was sung in many Toronto churches and elsewhere—through the part of the par Speaking recently at New Rochelle, Justice William J. Gaynor, a member of the appellate division of the suprement of the State-of New York, a bold fourt of the State-of New York, a bold to the suprement of the State-of New York, a bold fourt of the State-of New York, a bold to the suprement of the State-of New York, a bold fourt of the State-of New York, a bold to the suprement of the state-of New York, a bold fourt of the State-of New York, a bold to the suprement of the state-of New York, a bold fourt of the State-of New York and the State-of New York and

ter to ascertain the damages. Thirty days stay.

Before Teetzel, J.

Alice v. Braund.—S. White, K.C., for plaintiff. F. D. Kerr (Peterboro), for defendants, Braund and Dixon. J. M. Macnamara (North Bay), for defendant, Crowley. Judgment (B.). The plaintiff sues for goods sold and delivered to the defendants, and as assignee of other accounts, owing by defendants. Under an agreement of 30th January, 1907, the defendants are joint owners of six mining claims in the District of Nipissing, and it is recited in the said agreements that the parties have agreed to merge or pool their respective interests in such claims upon the terms thereinafter stated; and it is agreed that the defendant, Crowley, is entitled to an undivided one-quarter interest therein, and that the parties should be entitled to the net proceeds of the sale of the said claims, or of any part thereof, that may be sold, as well as of all the mineral that may be sold therefrom in the same proportions. As to whether the agreement constituted a copartnership or co-ownership, I am of opinion that it was a co-partnership agreement. I think upon its face it covers the terms necessary to constitute the relationship of partners within the auagreement. I think upon its face it covers the terms necessary to constitute the relationship of partners within the authorities, but I find upon the evidence that it was dissolved as between the parties, and would also find that, as between the parties, Crowley ceased to have authority to pledge his associates' credit. Two of the claims for wages assigned to the plaintiff, amounting to \$40, cannot be allowed against the defendants, Braund and Dixon, as the assignors were minors; but the defendant, Growley, consented as against him to the allowance of these claims. Judgment will, therefore, be against the defendants, Braund and Dixon, for \$200.85, and against the defendant, Crowley, for \$240.85, with costs against all the defendants.

# Why Are Book Plays

with costs.

Trusts and Guarantee Co. v. Ritchie.—Gower (Rowell & Co.), for plaintiffs, moved for an order for leave to issue writ for service out of the jurisdiction, and for service of it. Order made.

White v. Walkerton & Lucknow Railway Company.—G. A. Walker, for detendants, moved for an order for amendment of statement of defence. G. W. Wright, for plaintiff, contra. Order made, with costs to plaintiff in any event.

Brimstin v. Martin.—J. M. Ferguson, for plaintiff, moved for judgment. McGregor Young, K.C., for defendant, contra. Motion dismissed. Costs in the cause.

evening.

Letters will be received up to Satur-

PENSION FOR EX-PRESIDENTS.

WASHINGTON, Feb. 7. - African hunts and magazine writing will not be necessary as the occupation of expresidents of the United States if a bill introduced by Representative Vol

Dominion Parole Officer Archibald gave an instructive address on prison reform at the Y. M. C. A. West End Club yesterday afternoon, at a special meeting, which was well attended, "I often hear propositions," he said,

fill all the requirements, etc. I find that the pipes have not filled such requirements, but have proved unsatisfactory, insufficient and unsuited for the purposes ing them useful avocations."

monger.

To Go Back to China. BUFFALO, Feb. 7.—The four Chinanen who crawled onto the Breakwater sides to true mathematical segments so that when assembled they would form a perfect circle. There was a total failure six of their companions were being of consideration, and the plaintiffs action is dismissed, with costs. There will be judgment for the defendants upon the counter-claim, with reference to the massent back to China.

INCORPORATED 1885

of Canada and Surplus \$6,350,000 \$34,000,000

Commercial and savings accounts solicited and best terms offered.

THE BANK FOR THE PEOPLE FIVE BRANCHES:

Yonge and Bloor Sts. King St. and Spadina Ave. Yonge and Colborne Sts. Avenue Road, cor. Davenport Queen and Broadview Ave.

EATON'S DAILY STORE NEWS

A Price to Bring Men "Suit" Buying We've selected one hundred and fifty stylish, excellently

tailored suits and price-reduced them heavily for a day of special business. They are in the three-button double-breasted sack style; made from heavy winter weight English tweeds, in dark browns, greys and olives. Well lined with Italian cloth. Sizes 36 to 44 chest measure. Come and save greatly on a good, 5.95

serviceable suit. The price ..... A Tuesday Extra! 150 Pairs Trousers at \$1.19

Heavy dark brown striped English tweeds; side and hip pockets. A good-wearing garment, well tailored. Sizes 32 to 40. February Sale price, while they last, pair .....

And still hundreds of pairs at ....... 2.29 Hairline Tweeds and Worsteds Fine Quality Worsteds at .... 2.49

A \$2.00 Two-piece Suit for Boys Durable Domestic Tweeds-dark shades, with neat pattern. Singlebreasted coat, pleated down front; strong Italian lining. Knee pants.

Sizes 24 to 28. A wonderful little suit for the money. Price... 2.00 MAIN FLOOR-QUEEN STREET. Men's Fur-Lined Coats

A WINTER VALUE AT MILD WEATHER PRICE This shell is of English beaver cloth, perfectly tailored in the newest style, and lined with full-furred, evenly-matched skins of Canadian muskrat, high storm otter collar. There are only 10 of these coats and Tuesday we will place them on our tables. Frice, and Tuesday we will place them on our tables. Frice, and Tuesday we will place them on our tables. Frice, and Tuesday we will place them on our tables. Frice, and Tuesday we will place them on our tables. Frice, and Tuesday we will place them on our tables. and Tuesday we will place them on our tables. Price,

Men's Winter Underwear CLEARING OUR SHELVES FOR NEW ARRIVALS. Sanitary fleece-lined underwear, shirts or drawers, soft heavy fleece, in stripes and

# Tuesday For Sweaters

mottled grey. Sizes 34 to 44. This is the

And the boys are sure to take advantage of them at this price, which represents half price and less on some of them. Made with deep roll collars, closeribbed cuffs and skirt, in plain navy blue or cardinal, also fancy-striped bodies and fancy pineapple effects. 

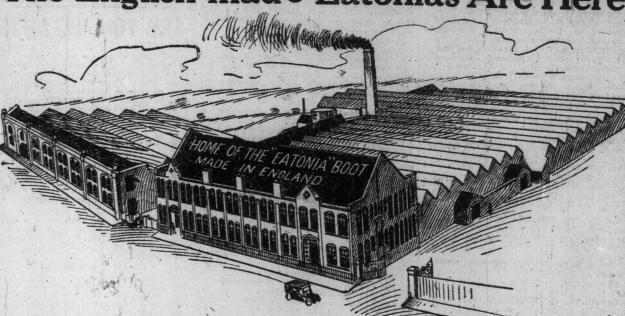
## Shirts Spell Dressiness

Men's Fine Neglige Shirts, made from fancycolored shirting material, with small American cuffs attached, good washing colors, in blue and white, and black and white stripes and figures. 

Men's Gloves and Mitts

Split Horsehide and Calf-faced Gloves and Mitts, also some Black Leather Gauntlet Gloves; the qualities and values will surprise you, for they have been greatly reduced to clear; great wearing satisfaction and warmth in this line. Some have elastic wrist, while others have patent cord and fastener all wool-lined. Price, per pair .............................39 MAIN FLOOR-YONGE STREET.

The English-made Eatonias Are Here



THE special display of English Eatonias for Tuesday will be an event in which all men interested in the new footwear styles should participate. The good reputation of this high-class shoe has been earned through the satisfaction they American styles taken to England are used in their productions, giving you

everything that's up to date in style, with the best workmanship and material procurable. You'll see laced and Blucher styles in various models, to meet requirements of the different types of feet, a shoe of ALL LEATHER, finished inside with the same careful attention to detail. Perfectly smooth innersoles, ho tacks used to cause discomfort. Best English tanned leather in black box calf, fine black vici kid, also tan calf.

We want you to come and see this display Tuesday; always

SECOND FLOOR-QUEEN STREET.

T. EATON COLIMITED

190 YONGE STREET TORO NTO

Miners' Demands.

INDIANAPOLIS, Feb. 7.—After se-O'Keefe's lecting Indianapolis for the convention next year the convention of the United Mine Workers of America adjourned. The Penna. scale committee demands an eight hour day with no reduction in pay, and the complete recognition of the miners' union. A five and ten per cent. increase in wages is also asked for.

Bad Wreck, But No One Killed.
LOUISIANA, Mo., Feb. 7.—When
train No. 11 (the Nightingale) westbound on the Chicago & Alton R. R. struck a broken rail five miles west of here, the express car, the combination car and the chair car went over a ten foot embankment. The mail car

No one was killed or badly injured.

Extra mild, mind you. Brewed for those who find that ordinary Porter is too

> heavy. Order O'Keele's, remember.

MICHIE'S

Finest blend Java and Mocha Coffee at 45c lb. is in a class by itself. It is a breakfast necessity.

Michie & Co., Ltd 7 King St. West.

Three Boys Drown.
FISHKILL LANDING, N.Y., Feb. 7 -While sledding on the ice on the Hudson River near Dutchess Junction three young boys broke thru the ice

NEV

JOHN

FAB

Our sprin to hand. A of the choi terials, such Worsteds, C meres, Hen tians, San T ORIENT are bound leaders. The beautiful, sesses most

The Satin ols' are fa character a with certain own.

GOWN MAKIN Our Modi ready to pr entire satis behind then

LACE G PATTER We are s Shaped Lac Ivory, in a ranging fro

LADIES AND SU See the s RAINCO We have of Ladies' I these were \$5.00.

NEW W The adva is now in host of sple bric Prints Stripes, Do etc., etc —r ue at 12 1-2

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