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## The Toronto World

A Morning Newspaper Published Every Day In the Year. MAIN OFFICE, 83 YONGE STREET TORONTO.

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THE PEOPLE AND THE MAN. How many people appreciate the tragedy of the defeat of Mr. Bryan? We have read and heard of incidents in the lives and careers of many men, but we do not think there is a greater tragedy in the lives of any of them than in the defeat of Mr. Bryan. How he will really take it we do not know. Much depends on his strength of character, his greatness of soul, and his fund of humor. Humor is the saving grace of many a situation, and Bryan may be saved in this way. A still greater solace may be in his religion, and any one who reads Mr. Bryan's religious lectures will be impressed by

But to give his life to the public, even tho he had found a way to make his living out of it (and that is more to his credit), and then to have the public turn him down, as he has been turned down now on three occasions, is the severest strain that could be put on

The public is never quite fair in its attitude towards its big men, and one their communal affairs. has only to go back to the case of Abraham Lincoln to find a man whose very soul was tried by his devotion to public duty, and by an apparent lack ASK CITY TO GIVE AID very soul was tried by his devotion to of appreciation on the part of many

What makes the situation all the more galling is that Mr. Bryan had much to do with the making of Roosevelt; that notwithstanding that he Medical Men Wait on Board of helped to make Roosevelt, and was the logical heir of Roosevelt in the presidential chair, the people selected Mr. Taft over Mr. Bryan, the man who was to our mind the inspiration of Roosevelt, and who set the rule of conduct for Mr. Taft.

Bryan may never get the office, but he has played his part. He has influenced his kind almost more than any other man in his own country, and in some way a proper appreciation of his name, if not of himself, will arrive. That is the best that any man devoted

UNIFORM MUNICIPAL ACCOUNTING.

Now that the report of the special civic audit has been published it suggests the advisability of providing a uniform statutory system of municipal to correct passes as a desirable substitute for certification where the latter couldn't be had, but Dr. Sheard draws attention to the attitude of the milk expert, Dr. G. R. Goler, medical health officer of gests the advisability of providing a uniform statutory system of municipal to correct passes as a desirable substitute for certification where the latter couldn't be had, but Dr. Sheard draws attention to the attitude of the milk expert, Dr. G. R. Goler, medical health officer of advisability of providing a uniform statutory system of municipal passes. The correct passes as a desirable substitute for certification where the latter couldn't be had, but Dr. Sheard draws attention to the attitude of the milk expert, Dr. G. R. Goler, medical health officer of defendant company. Enlarged for three weeks, pending negotiations.

Resolicitors etc.—W. E. Middleton. accounting. This matter came before the eighth annual convention of the Union of Canadian Municipalities held that to compet pasternization all the burden upon the vendor.

James Acton, president of the Pure Milk League, told of that organization's certified. in July last at Montreal and during the discussion an address was delivered by Mr. S. Morley Wickett strongly advocating municipal publicity thru uniformity in the method of presenting the municipal accounts. In the course of his address Mr. Wickett noted the advances made by other countries in this direction. In England, for to be pure to the children of poor families during the summer, when 15,000 half-pint bottles were distributed. The district stations in charge of deaconesses, and the milk was supplied at 8 cents a quart, the same price as uncertified milk. The league's fund of \$280 was subscribed to by about thirty people, and receipts were \$242. Dr. Helen MacMurchy was ant to settlement, for \$600 and costs the discussion an address was delivertries in this direction. In England, for example, uniformity is largely attained thru the supervision exercised by the local government board, a govern- were due to impure milk. He suggestthe local government board, a government department which "has large ed that the city help to enlarge the scope of the work. He hoped there powers of audit and publishes detailed scope of the work. He hoped there would be four stations next year. There analyses of financial returns for over should be a central station for steri-34,000 local authorities of various kinds ia England and Wales." Even more exact and elaborate is the system in tion of the board of health. vogue in Germany. Each large German town has a special statistical office under a trained official and there officials meet in yearly convention and and that of 80.000 quarts of milk conco-operate in the preparation of a year sumed daily in Toronto about 5000 quarts might be obtained absolutely book containing "complete information pure. He advocated pasteurization, esor industrial, sanitary, vital, financial pecially when milk was uncertified.

Or. J. A. Amyot, provincial analyst, out comparatively and with percen- of out comparatively and with percen-of Medicine, said he would regard as tage figures." Much has also been done ideal milk that did not contain more in this direction in the United States, where the commissioner of labor now

compiles an abstract of statistics of

cities over 30,000 in population.

No one who considers the question will doubt the propriety and advantage of giving the fullest possible information regarding the numerous phases of civic life and accounts, and that in a form intelligible to the ordinary citizen. As Mr. Wickett rightly points out his object is not attained by the mere presentation of the various with the mere presentation with the mere presentati incomes and expenditures unaccompanied by analysis showing the exact ren's health and created scarlet fever. cost of each department of every The city should either take charge separate branch of the administration.

He quotes as an example of classification. He intended to devote much tion of municipal revenues and expen-tho he expected great opposition from ditures the outline proposed by Professor Rowe, in which the National N. E. Brown also spoke, favoring certified milk as against pasteurization, aims to show the actual cost of each branch of work and as a valuable adjunct it enables a comparison to be instituted among the municipalities of the same class. Accounting of this kind is evidently of the utmost importance in disclosing whether due regard is had to economy and whether sufficient vigilance is being exercised in the conduct of the city's business. Further support is given the proposal for a uniform municipal accounting by the fact that systems of similar nature have been adopted by many large corporations in the United States and are in force here as regards banks, insurance companies and street railways. It is understood that before long the provincial government will be approached and asked to promulgate an official scheme for Ontarian

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municipalities. This is in accordance with the resolution unanimously adopted by the Union of Canadian Municipalities and a sub-committee of the executive has since had in hand the preparation of a suggested system. Our Brown v. British America. Assurcity council should give the proposal favorable consideration, as it is one certainly making for the efficiency of municipal government and is further the cause in the consolidated action. Brown v. British America: Assurance Co.—J. G. Crawford (C. & H. D. Gamble and B.), for defendants, moved on consent for order dismissing action. Order as asked.

# IN CAUSE OF PURE MILK

Health and Tell What

prepared in Toronto was afforded in the large deputation of medical men and others who waited on the local board of health yesterday afternoon.

That is the best that any man devoted to public service can hope to come ed out afterwards by Dr. Sheard, is the difference of opinion among doctors as to the value of pasteurization. Sev-

experience in supplying milk certified to be pure to the children of poor fami-

were 500 deaths last year of children inder five years, and that 25 per cent. lizing milk, as the certified milk was sometimes found too strong. The sterilizing should be under the jurisdic-

Dr. C. J. O. Hastings of the milk commission of the Canadian Medical Association said only a limited supply of certified milk could be hoped for,

of the milk commission of the Academy than 10,000 bacteria per cubic centimetre, being about one-quarter of a teaspoonful. There were more tuberculous cattle than he cared to mention. The city should inspect them and refuse licenses when diseased.

council had decided the city had no William Oldright favored pasteurization in cases where certified milk couldn't be had, but didn't wish

Sheard replied that the privy

convinced that the milk supplied in To-ronto was very prejudicial to childtime to securing proper legislation, al-

producers and middlemen. Dr. J. T. Fotheringham and Dr. J.

DESERONTO, Nov. 4.—John Free-man, hotelkeeper here, was charged with selling liquor to John McGregor who, it is said, was in a drunken condition and who afterwards died from the effects of exposure. The magistrate imposed a fine of ten dollars and

Liquor Fines in Temiskaming. It is stated that the fines collected in the license district of Temiskaming for violation of the Liquor License Act from May 1 to Oct. 31, 1908, inclusive, amount to :6663.

#### IN THE LAW COURTS

IN THE HIGH COURT.

Osgoode Hall, Nov. 4. Announcements.

Motions set down for single court for Thursday, 5th inst.: 1, Crawford v. Miller; 2, Pitt v. Warren; 3, re Solictors; 4, Gareau v.Gareau; 5, Pond v. Wedrick; 6, Seelye v. Caldwell; 7. Whytock v. Whytock.

Peremptory list for divisional court for Thursday, 5th inst.: 1, Allan v. Willard; 2, Higgins v. C. P. R.; 3, re McGrath and Durham; 4, Bassett v. Clarke Standard; 5, re Milne and Gamble; 6, re Burke Estate.

Master's Chambers. Before Cartwright, Master. Metropolitan Bank v. Bishop.—R. H. Parmenter, for plaintiff, moved to discharge attaching order. J. T. Richardson, for garnishee. Order discharged without costs.

Curran v. Curran.-J. T. White, for defendant, moved for extension of time for delivery of defence. H. C. Macdonties of cashiers and clerks ald, for plaintiff, contra. Order as asked on defendant undertaking to assent to an order allowing case to go on trial list as soon as set down. Costs in

Sudbury Brewing Co. v. Auerbach and Auerbach v. Sudbury Brewing Co.—McLarty (Heyd & Heyd), moved

municipal government and is further calculated to stimulate the interest of the citizens in the management of their communal affairs.

Le Seuer v. Morang—Judgment (H.). Motion to set aside certain parts of statement of claim as embarrassing and improperly pleaded. If so desired by the defendants the plaintiff can amend and the statement of defence should be delivered in eight days, thereafter. Costs in the cause, There is no affidavit that defendants cannot thereafter. Costs in the cause. There is no affidavit that defendants cannot plead to the statement of claim in its present shape. If the objection is really that no cause of action is shown this must be disposed of as provided by C. R. 261. J. H. Moss, K.C., for the motion; W. E. Middleton, K.C., contra. Pringle v. The Financial Post.—Judgment (H.). Motion for security for ment (H.). Motion for security for costs, as insolvency of plaintiff is adis Being Done.

Further evidence of the seriousness of the campaign for pure milk being prepared in Toronto was afforded in the large deputation of medical men and others who waited on the local board of health yesterday afternoon. The visitors were given a very atten-

> Before Meredith, C.J. v. Welch.—J. Mitchell, for plaintiff, stated that parties had agreed that motion for injunction be enlarged to trial. Enlarged till trial accord-

> Dominion District S. H. Co. v. Berlin District S. H. Co.—J. A. Macintosh, Solicitors, etc.-W. E. Middleton,

K.C., for applicant, asked enlargement

medical supervisor.

Ant to settlement, for \$600 and costs Mr. Acton said that in Toronto there and the amount of the doctor's bill. Money to be paid into court to credit of infant.

Re Bartlett Estate.-H. J. Martin, for executors of Hannah Bartlett, and for administrators of William Baillie. W. E. Middleton, K.C., for J.B. Rogers. M. C. Cameron, for three penenciaries.
F. W. Harcourt, K.C., for two infants.
Motion for construction of will of Hanfund separate from her own estate, that trustees cannot resort to her eslegacies in case of deficiency in the fund, that the other legacles are not to rank in priority to leg-acy to J. B. Rogers, but they must all abate ratably in case of deficiency, that J. B. Rogers is to be paid for maintenance, a sum not exceeding the interest on his legacy as it is shown that testatrix stood in loco parrentis to him. entis to him. Testamentary expenses to be paid out of general estate. Order that the Baillies do represent parties in the same interest not served. Cost of motion to all parties out of

estate. Cobalt Silver Queen v. Township of Coleman.—R. McKay, for plaintiff, moved for an injunction to restrain defendants from levying more than \$245.99 from defendants for for the year 1908. H. E. Rose, K.C., for the defendants. By consent motion turned into motion for judgment and SUIT MARKED DOWN TO \$1.98 judgment declaring that defendants are not entitled to collect from the plaintiff more than one-third of the amount paid to the Ontario Govern-

ment for royalty during the year, for Hutton v. Larder Lake .- R. McKav terms of report of local master at North Bay. No one contra. Judgment for plaintiff for \$314.58, with costs and dismissing counter claim. Judgment not to issue until it is ascertained when parties of \$1.98.) The judge will decide ther the company is being wound up.

Before Britton, J. ferring or dealing with a certain pro-

Before Latchford, J. Boyd v. Shaw.-Cassels & Co. to confirm with a variation the report of the master at Bracebridge, dated rowed down to \$50 for rent of premises, The master finds the defendants in-

Does not Color the Hair Destroys Dandruff AYER'S HAIR VIGOR

\$456.60. The plaintiff seeks to have this sum increased by \$750, allowed by the master to the defendants as damages sustained by them owing to the breach by the plaintiff of a contract in writ-ing made between the plaintiff and the

defendants on Aug. 25, 1900.

Plaintiff was on the date of the agreement entitled to a renewal of a license to cut timber on certain territory of the crown in the district of Muskoka, but owed about \$1100 ground rent which he was unable to pay Derent, which he was unable to pay. De-fendants are tanners and needed bark

signed to the defendants. He was also to peel, pile and deliver to defendants, free from any lien, not less than 500 cords of hemlock bark in each year, beginning in 1901, and defendants were to pay the current tannery price for the bark, deducting and retaining \$1 per cord on each cord so delivered, to

Plaintiff did not peel and deliver any bark, as agreed; the defendants en-tered on the lands and peeled, and the master allowed \$750 as the damages for such failure on the part of the plaintiff. The defendants also proceeded to take off logs, which, as against the plaintiff, they had no right

Defendants cross-appealed because \$158.90 paid by them for crown dues. Cross-appeal dismissed. Report confirmed with the variation applied for by the plaintiff. The amount found due by defendants increased by \$750. interest from date of report, and costs for action and reference and of this W. E. Middleton, K.C., and A. A. Mahaffy, K.C., for defendants.

Before the Chancellor, Magee, J., Latchford, J. Berkinshaw v. Henderson.—Judgent (G)-The evidence falls short of establishing any agreement binding upon the defendants. The matters disussed and the understanding arrived at were embodied and were intended to be embodied in the bylaws of the there is no such evidence of a valid and distinct agreement, as would be sufficient even apart from the Statute of Frauds. The defence is a distinct denial of any such preceding agreement and in face of the lapse of time impairing the recollection of the actors of the omission of the all-important term as to unanimity from the written evidence of the actual agreement, of the contradiction among the witnesses, of the uncertainty of the plaintiff's own recollection on various matters, this is eminently a case in which the provisions of the Statute of

Frauds may be invoked. The Statute of Frauds was not pleaded by the defendants, but upon the pleadings as framed by the plaintiff in paragraphs 5, 6 and 7, it lay upon him o prove a valid agreement in writing, and in that view it was not rrquired to plead the statute. But if leave to plead the statute is needful, this is a case in which that may be given. There appears to be a great deal of unneonly such costs should be given on the dismissal of the action as would have been incurred had the Statute pending arrangements. No one contra. Enlarged sine die, to be replaced on list by either party on two days' no-

Before Falconbridge, C.J.; Britton, J.; Riddell, J. Re Coxworth and Hensall .- J. B. Mackenzie, for James Coxworth, moved by way of appeal from the order of Mulock, C.J., of 9th June, 1908, refusing to quash a bylaw of idefendants known as a local option bylaw. E. L. Dickinson, K.C., for Samuel Smillie, ntervenor, contra. Reserved.

Grip v. Thompson.-Judgment was delivered orally on the appeal argued last night. Appeal dismissed with

J. A. Paterson, K.C., for defendants, H. R. Frost for plaintiffs, respondents.

Drewry v. Percival,-Judgment was lelivered orally on this appeal, argued Monday. The defendant may elect within two weeks at his own risk to cross-examine witnesses Drewry and Graham. If election made cross-examination to be had before the district judge or a special examiner, and the matter then again to be mentioned. If election not made, appeal will be disnissed with costs. C. Miller for appellant. G. R. Geary

K.C., for respondent. Smith v. Hill .- J. Lorn Macdougall Cobalt) for defendant Hill moved to quash plaintiff's appeal on ground that reasons of appeal were not stated in the notice of appeal. E. B. Ryckman, K.C., for plaintiff, contra. Motion refused and argument on appeal from the order of mining com-

and judgment reserved. Sum of \$5000 Was at First Involved in This Legal Action.

mission of Sept. 6, 1908, proceeded with

Chief Justice Mulock has been hearng for the past two days, in the nonjury court, a case which, starting with a counter claim of \$5000 on the part of the defendant, has been narrowed down

to a difference between the contending as to the big Issues this morning.
In 1907 Henry Stanyon, a mechani-Before Britton, J.

Husband v. Colvin.—G. Grant, for plaintiff, moved ex-parte for an injunction. Injunction granted until Wednesday, Nov. 11, restraining the defendants and each of them from selling, negotiating, endorsing, transselling, negotiating, endorsing, trans- back the goods. Stanyon brought Fox missory note made by the plaintiff to D. Colvin, dated Sept. 22, 1908, with liberty to file and use further material on return of motion.

Single Court.

Fox entered a counter-claim of \$5000, Boyd v. Shaw.—Cassels & Co.— which he said should have been his udgment.—(H).)—Motion by plaintiff profits, but his counsel dropped the count yesterday, so the claim was nar-\$48 for an electric light will, which the plaintiff. Stanyon, will pay, clearing Fox of indebtedness, and now there remains for Fox out of a big counterclaim the munificent sum of \$1.98, but he is free from debt.

Justice Mulock took a hand in the examination of several witnesses yes-terday as to the value of roller bear-ings in Canada, and came to the conclusion that tho there was a big field there was but little money to be made out of them for some little time

## EATON'S FRIDAY BARGAINS



## CLOTHING BARGAINS FOR MEN

SUITS-In dark tweeds and medium dark worsteds; English and Canadian cloths; 3-buttoned, single-breasted sacque shape, broad lapels, strong linings of Italian cloth, well made, sizes 36 to 44; regularly \$7.50 and \$8.50, for ..... 4.85

WINTER OVERCOATS-In 46-inch length Chesterfield; beavers, meltons and Kersey materials, in Oxford grey and black, velvet collars, deep back vent, broad lapels; Italian linings of good quality, sizes 35 to 44; regularly \$10.50 and \$12.50, for ..... 7.95

HEAVY PEAJACKETS or Reefers; black frieze cloth lined with strong, warm tweed; sizes 35 to 44; Friday ...... 2.95 HEAVY TWEED AND WORSTED TROUSERS—In neat striped pattern, with side and hip pocket; good strong trimmings; sizes 32 to 42-inch waist; regularly \$2.00 to \$2.50, Friday. 1.39

CLOTHING BARGAINS FOR BOYS

SUITS-Two-piece Norfolk, in dark brown tweeds, Winter weight tweeds and some fancy worsteds, double-breasted styles, good strong linings, knee pants; sizes 28 to 33; regularly \$4 to \$6, for 3.29 TWO-PIECE NORFOLK SUITS In neat

dark brown tweed, Winter weight, plain doublebreasted style with belt in loops, knee pants, Italian lined; sizes 24 to 28; regularly \$4.00, for . . 2.95 WINTER OVERCOATS - Heavy black cheviot, "College Ulster" style, 4-inch collar, but-toned close at neck, well made and lined throughout;

#### sizes 30 to 33; Friday ..... 3.95 MEN'S HEADWEAR AND FURS.

FUR-LINED COATS-High dark otter storm collar, notch style; Canadian Spring muskrat lining; fine beavercloth shell, full box style, 50 inches long; regularly \$65.00, for ........... 49.00

NEW FALL DERBIES-Genuine fur felt. latest style, narrow brims, flat set or rolling; cushion 

GOLF CAPS-Assorted fancy tweeds, with inside fur, turn bands to cover ears; less than half 

#### MEN'S SHIRTS, SWEATERS, TIES.

FLEECE-LINED UNDERWEAR-Shirts or Drawers, fawn shade, soft, heavy fleece; double ribbed cuffs and ankles; slightly imperfect, but not enough to hurt the wearing qualities; sizes 34 to 44, 

FANCY COLORED NEGLIGEE SHIRTS Separate or attached, made from fine corded shirting material, up-to-date patterns, in light medium colors; sizes 14 to 18; regularly 75c and \$1.00, 

FINE IMPORTED FLANNELETTE PY-JAMAS or Sleeping Suits-Military collar and pearl buttons, in neat stripes; sizes 34 to 44; regular-

MEN'S AND BOYS' NECKWEAR-Silk and washing four-in-hand, neat patterns; regularly 

HEAVY WOOL SWEATERS AND SWEATER COATS—The sweaters have deep roll striped collars, close ribbed cuffs and racket skirt; in the lot are navy blue, black, cardinal, grey and brown; they have colored trimming down front; re-

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## GRANDFATHER CLOCKS-Mission oak.

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Four-Piece Tea Set; regularly \$30, for 15.00
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construction of this blanket, which guarantees satisfaction, thoroughly scoured, well napped, pink or blue borders, 7-pound, size 64 x 84; regularly \$3.50. STRIPED FLANNELETTE—Heavy quality, made from best Canadian yarn, well assorted pat-

terns and colorings, fast colors, 32 inches wide; regu-PRINTED WRAPPERETTE-Fine cashmere finish, very pretty, neat designs, in large assortment, fast dyes, suitable for ladies' and children's wear, 28 inches wide; regularly 10c, for, per

LONGCLOTH-Full bleached, fine English cloth, very even thread, soft, pure needle finish, me-

#### THREE GOOD HOSIERY BAR-GAINS

WOMEN'S PLAIN BLACK CASHMERE and colored LISLE THREAD HOSIERY, in fawn, violet, grey, cardinal, royal and greens, some seamless, some fashioned, all have double heel and toe, full range of sizes; regularly 25c and 35c, for 3 

MEN'S PLAIN RIBBED AND FANCY EMBROIDERED BLACK CASHMERE SOX -With double heel and toe and tight-fitting ribbed tops, sizes 10, 101/2 and 11; regularly 35c and 

BOYS' HEAVY 2-1 RIBBED WOOL STOCKINGS-Extra heavy yarns, dyed fast black, seamless feet, for school wear, sizes 61/2 to 10; regu-

## WOMEN'S UNDERWEAR SAVINGS

CORSETS-Made of, fine coutil, medium high bust, long hip, steel filled, hose supporters, lace and ribbon trimmed, color white, sizes 18 to 26 inches; GOWNS-Made of good quality flannelette, in plain shades of pink or white, Mother Hubbard style,

finished with fine flannelette embroidery insertion, tucks and frills of fine flannelette embroidery, lengths 56, 58 and 60 inches; regularly \$1.75, for ..... 1.00 COMBINATIONS-Fine imported wool, unshrinkable, high neck, long sleeves and ankle length,

sizes 32 to 42 inches; regularly \$1.75, for ... 1.25 VESTS AND DRAWERS-Merino wool and cotton mixture, high neck, long sleeves and button front, drawers are ankle length, both styles, sizes 32 to 38, natural only; regularly 45c, for ..... 29

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FINE CHOCOLATES-11b. boxes, assorted licious combination of caramel and marshmallow; to introduce, Friday, per lb. ...... ICE CREAM CHOCOLATE DROPS DE vors; Friday bargain, per lb. ...............................10

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500 LBS. SPECIAL BLEND INDIA AND CEYLON TEA-Friday bargain, per MORTON'S IMPORTED KIPPER HERRING OR PRESERVED BLOAT-NEW FILLIATRE CURRANTS Cleaned; Friday bargain, 4 lbs. for ..., .25 NEW MIXED PEEL-Lemon, orange and citron; Friday bargain, per lb. ...... 14 FINEST ROLLED WHEAT-Friday E. D. SMITH'S PEAR, PEACH AND PLUM JAM—Ilb. jar, Friday ...... 17 CANNED ASPARAGUS-Friday bar-

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500 Young Geese, per lb., 11c to .......12 500 Young Ducks, per lb., 12c to .....16 1000 Young Chickens, per lb., 121/2c to. .15 Choicest Beef-Lowest Prices of the Year. Pickled Shoulder of Pork, per lb ..... 9 Boneless Breakfast Bacon, per lb. ........17

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