

CARS ARE OVERCROWDED EVEN RAILWAY SAYS SO

Evidence as to Danger to Health Given—Crown's Case is Nearly Finished.

By to-night the crown's case against the Toronto Street Railway will be concluded, and an adjournment of the trial will then be made until Monday morning, when the company will proceed with its defence.

This was agreed to before Justice Riddell at the adjournment last evening. His lordship assured the company's counsel that they could have more time if they wished, and suggested that if he were in their position he would likely take all the time he could get in preparing a defence, but after a brief consultation amongst Messrs. Nesbitt, Dewar and McCarthy, they declared that they were fully prepared to tackle it on Monday.

Admitted Overcrowding.

Two features of yesterday's proceedings were the partial admission by Wallace Nesbitt, C., for the company of overcrowding of cars, and the submission by the crown of expert medical testimony to show that there was grave danger of the spread of disease through persons with coughs being crowded close to other people.

Mr. Nesbitt said that if it would shorten the case any he was prepared to admit overcrowding of cars, but he would not admit that this overcrowding was endangering the health of the public, unless he could be convinced that it was a fact. He wanted the "health" clause separated from the other.

"You will have to go the whole way," replied the judge. "You will either have to admit or deny, and the menace to health clause is included."

Not Enough Cars.

"No, I will only admit that with the present number of cars we cannot carry the crowds,"

Here Mr. Nesbitt turned to General Manager Fleming for corroboration.

"Yes," returned R. J., promptly. "We cannot handle the crowds with the present number of cars, and we cannot handle any more cars on the tracks we now have."

Later on in the proceedings Justice Riddell remarked:

"Now the admission is, that for three years past, at certain periods of the day, the Toronto Railway Company has been carrying passengers in such a way that the cars are overcrowded."

Spread of Disease.

Expert medical evidence as to the danger of a cough in a confined atmosphere to persons close by was given by Dr. Nesbitt, city bacteriologist. People suffering from diseases as tuberculosis, pneumonia, or a gripe might easily spread germs of those diseases amongst persons to their mouths, he said. Witness produced samples, containing colonies of bacteria made from cultures obtained at two and three feet from a cougher's mouth. These cultures had been made at the Isolation Hospital. In six cases they looked like diphtheria bacilli.

Dr. Nesbitt, K. C., protested that while he did not object to this class of evidence going in, he didn't want to come into contact with diphtheria germs, and would like them removed.

Cross-examined by Mr. Dewar, Dr. Nesbitt said he had never traced any cases of infection to street car happenings.

"Would there not be just as great danger to persons traveling in elevators or ordinary railroad coaches?"

"Yes, there is a danger."

Dr. Macdonald Testifies.

Dr. Bruce Macdonald, principal of St. Andrew's College, said he had experienced overcrowding on two occasions on Carlton-street cars he had lost buttons off his overcoat.

"Yesterday, between 5.30 and 6 o'clock," continued the witness, "I was forced to stand in close proximity to a gentleman who suffered from a cold. He was coughing not only in my face, but in the faces of others, and I consider that is not in the best interests of my own health or of the others."

To Mr. Nesbitt, witness replied that he didn't consider that there was as much danger in a crowded theatre as in a crowded car, because the crowding in a theatre was not so dense, and as for a baseball crowd, the open air was in the crowd's favor. As for the revival crowds in Massey Hall, there could be no comparison. There might be, too, in crowded elevators or departmental stores.

Passengers' Experiences.

More evidence as to inability to obtain a seat in coming down to work mornings was given by D. E. Hughes, Allan Taylor, a master of St. Andrew's College, said he had seen ladies jammed and jostled and passageways of cars utterly blocked.

Further evidence as to the killing of Philip Copeland and William Cummings, who were killed by a car, was given by Mr. Trotter, who was put in.

Dangerous Y-ling.

The last witness of the day was J. L. Stewart, an engineer, who produced plans showing points at which the street cars were wont to back up in Y-ling. There has been some allusion to this practice being dangerous to life and limb.

Mr. Nesbitt said that if it could be shown that there was any other way of operating at these points without backing up, the company would be willing to stop it at once. He objected to the word "Y-ling" showing some annoyance at the indifference of witnesses to respond to their summonses. Five persons called yesterday did not appear and he threatened bench warrants if the occurrence is repeated.

Crawled Into Furnace.

NESBITON, B. C. Jan. 17.—A Chinaman employed as porter in the Strathcona Hotel, committed suicide in a room at the hotel. He was found dead in the furnace. He had crawled in with wood, and then crawled on top of the fuel. When discovered the body was almost consumed.

Thirty Accidents.

OTTAWA, Jan. 17.—A return presented to the house of commons yesterday by the minister of railways showed that between April 1, 1909, and Feb. 28, 1910, there had been some 30 accidents on the Intercolonial, in which 19 people were killed and 16 injured.

Carried Power Below.

SEASIDE, N. B. Jan. 17.—A below ground power line, which was carried here yesterday by a vote of 37 to 12.

Old Dutch Cleanser

Full directions and many uses on Large Sifter-Can

CHURCH NOTES.

A Laymen's Missionary campaign among the men of the Baptist Churches of Ottawa, in which several Toronto men are to take part, begins there on Friday next. The featured men of the campaign are a big united men's supper on Friday evening; a field day on Sunday, when all Baptist pulpits will be occupied by representatives of the Laymen's Missionary Movement, an every-member canvass under the leadership of the joint missionary committees of the Ottawa churches, continuing from Saturday until Wednesday, during which the missionary obligation will be placed individually before every Baptist man in the city.

Among the men from outside who are helping in the campaign are: Rev. John MacNeill, pastor of Walmer-road Baptist Church, Toronto; Rev. Dr. W. E. Norton, home mission superintendent, Toronto; Rev. C. N. Mitchell, returned missionary from Bolivia; Rev. E. G. Smith, returned missionary from India; Charles P. Rice of Montreal; James Ryle and W. C. Senior of Toronto.

Mr. Senior, who is directing the campaign, is holding Laymen's Missionary Movement meetings at Port Hope and Cornwall on the way down to Ottawa.

MISS PORTER'S RECITAL.

A highly-gifted pupil of Dr. Torrington, Miss Marion Porter of Woodbridge, was heard in a recital at the Toronto College of Music on Monday evening, Jan. 16, an delighted her audience by the clearness of her interpretations, the clearness and facility of her technique.

Miss Porter was assisted by Miss Olive Lloyd Casey, soprano, who sang very charmingly.

The vocal duet, "I Feel the Angel Spirit" (Graham-Hoffman), by Miss Casey and Mr. J. D. Richardson, was cordially received.

Miss Olive Blain, A.T.C.M., proved herself an efficient and artistic accompanist.

Redmond Re-elected.

DUBLIN, Jan. 17.—At a private meeting to-day the Irish parliamentary party selected John E. Redmond chairman. The other officers were also re-elected, and resolutions governing the party were reaffirmed.

When the Stomach Stops Working Properly, Because There Is Wind in It, Use Stuart's Dyspepsia Tablets to Set It Going Again.

A Trial Package Free.

The doctors tell it flatly, "wind" unprofessional folk know it as "flatulence on the stomach," and a most distressing state of things it is. It is a serious condition of the great motor organ. Always annoying and painful in the extreme, at times often leading to more serious and even fatal results. The stomach, embarrassed and hampered with wind, cannot take care of its food properly and indigestion follows, and this has a train too appalling to contemplate. The entire system is implicated—made an active or passive factor in this trouble, and life soon becomes a questionable boon.

All this is explained in doctor books; how undigested food causes gases by fermentation and fermentation in which process some essential fluids are destroyed—burnt up—wasted by chemical action, followed by indigestion and the distribution through the alimentary tract of chemically wrong elements, and as a consequence the stomach and entire system is spoiled. Plenty of food you eat, but it is not properly digested and is worthless.

A deranged stomach is the epitome of evil; nothing too bad to emanate from it, but the gas which is produced has its worst primary effect, and the only way to do away with this trouble is to remove the cause. Stuart's Dyspepsia Tablets go to the root of this trouble. They attack the gas-making foods and render them harmless. Flatulence or wind on the stomach simply cannot exist where these powerful and wonder-working little tablets are in evidence.

They were made for this very purpose, to attack gas-making foods and convert them into proper nutriment. This is their province and office. Whole books could be written about them and then not all told that might be told with profit to sufferers from this painful disease, dyspepsia. It would mention the years of patient and expensive experiment, and the results at this result—of failures innumerable and at last success. It would make mention of the different stomachic remedies that enter into this tablet and make it faithfully represent all.

Stuart's Dyspepsia Tablets are not alone intended for the sick, but well folks as well; for the person who craves hearty foods and wants to eat heartily and run no risks of bad effects, they are like a charm and make eating and digestion a delight and pleasure. They keep the stomach active and energetic and able and willing to do extra work without special labor or effort. Don't forget this. Well people are often neglected, but the Stuart Dyspepsia Tablets have them in mind.

A free trial package will be sent anyone who wants to know just what they are, how they look and taste, before beginning treatment with them. After this go to the drug store for them; everywhere, here or at home, they are 50 cents a box, and by getting them at home you will save time and postage. Your doctor will prescribe them; they say there are 40,000 doctors using them, but when you know just is the matter with yourself, why go to the expense of a prescription? For free trial package address: F. A. Stuart Co., 150 Stuart Building, Marshall, Mich.

We want every person who is suffering from any skin injury or disease to personally prove the merits of Zam-Buk.

Read the experience of these three persons—possibly one of them may be well known to you—and then make it a personal matter. If you out out this advertisement, write across it the name of this paper and mail it to us with a 1c stamp (to pay return postage) we will send you a trial box of Zam-Buk free!

Zam-Buk is a proved cure for eczema, ulcers, abscesses, poisoned sores, chapped hands, cold sores, eruptions, cuts, bruises, burns, scalds, sores, balding, chafed or chapped skin, and all skin injuries and diseases. It also cures piles. All druggists and stores for 50c, or post free from Zam-Buk Co., Toronto.

What Followed a Scratch.

Mrs. Brown 7 Calumet Ave., Montreal, says: "While busy in the kitchen one day the oven door fell off, striking my right leg and inflicting a nasty scratch. While this was painful, I never thought it would become a serious wound, but to my surprise it became very much inflamed and very painful. I found that the scratch had become a sore, and it was very painful. The pain and inflammation got worse and the wound discharged freely. At this stage someone advised me to try Zam-Buk and I obtained a supply. This cream seemed to reduce the inflammation and soothed the wound. I naturally persevered with Zam-Buk and within a few weeks the wound was quite healed."

Eczema Banished.

To be covered with sores which sometimes itch and burn and then, when rubbed, cause acute agony—sores which look repulsive as well as cause pain—sores which have defied all remedies that have been applied to them—what could be worse? Yes, this is the lot of such sufferers we will send trial box of Zam-Buk free! Write us, sending 1c stamp to pay return postage.

Mr. Wm. Dugan, 688 Lipton St., Winnipeg, says: "Last winter I suffered from Eczema. After trying lotions, ointments and powders given me by the doctor, which failed to do me any good, I tried Zam-Buk. This proved equal to my case and cured me."

Use as a Household Balm.

Mrs. W. Blair, 91 St. Catharines St., Hamilton, speaks of the value of Zam-Buk as a household balm. She says: "One day I slipped and fell against a Morris rocker, knocking my knee very badly. The knee turned black and blue and was very painful. I rubbed Zam-Buk well into the injured member and it was indeed surprising how quickly I found relief. The swelling was soon reduced and pain and discoloration banished. By perseverance with Zam-Buk my injured knee was well again in a couple of days."

"I have since proved it to be the handiest and best balm for household purposes. A few applications of Zam-Buk gave me ease from rheumatism also!"

ONTARIO LEADS WORLD IN REFORM OF PRISONS

Hon. W. J. Hanna Speaks of Revolution in Methods Before North-Toronto Conservatives.

Prison reform was described in a clear and comprehensive address before the North Toronto Conservative Association by Hon. W. J. Hanna, provincial secretary, Friday night at Cumberland Hall. The president of the association, Mr. Lawton, was chairman.

Hon. Mr. Hanna referred to the conditions as he found them five years ago, when the Central Prison, contract labor, at steel-bar prison, contract labor, and without any jail-bird appearance to London, Eng., after his visit to Guelph, had written a letter to Sir James Whitney, which was the greatest of the association in the prison reform world has seen."

Sir Allan Co-operated.

Hon. Mr. Hanna said that Sir Allan Aylesworth, the justice of the peace, and co-operated heartily in the work, and particularly in the establishment of the parole board, which was a very important feature of the problem.

John Shaw, M.L.A., expressed the hearty and policy which Mr. Hanna had so impressively described.

ARRESTED NEAR LINDSAY

Baltimore Officer Here to Take Back Abraham Burfield.

Detective Davis of Baltimore was at the parliament buildings yesterday afternoon respecting the extradition of Abraham Burfield, who was recently arrested at Woodville, near Lindsay.

Burfield is charged with stealing jewelry to the value of \$1,000, and has been committed to Lindsay Jail by Judge Hardy, pending his extradition.

HOUSE OF INDUSTRY REPORT.

The monthly meeting of the board of the House of Industry was held yesterday with Henry O'Hara in the chair. The report showed 510 families assisted, including 89 children, during the month, making total of 551 families receiving relief.

Three hundred and thirty tons of coal, 74 cords of wood, 41,434 large loaves of bread and 6,898 lbs. of groceries were distributed. Seventeen tons of stone were broken by applicants for relief.

Three hundred and eighty-two cases, including 373 men and 9 women, were sheltered 1,933 nights and received 5,253 meals. One hundred and eighty-one tons of stone were broken.

And thirty of above from outside municipalities. There are 183 inmates in the house, 150 men and 33 women.

A. F. Webster & Co., General Agents for the Cunard Line, report having booked the following Toronto passengers on the "Lusitania," the largest and finest boat afloat, for England and the continent.

Mr. T. H. O'Neill, Mr. N. C. Smith, Mr. F. B. Roberts, Mr. S. F. Johnston, Mr. W. D. Winslow, Mr. Fred W. Hudson, Mr. D. F. Fasker, Mr. W. Mackenzie, Mr. G. G. Cowan, Mr. W. J. Mitchell, Mrs. G. G. Magan, Miss Grace Allen, Mr. R. A. Smith, Mrs. Bradney, Mr. H. Whitaker, Mr. William Cooley, Mr. Geo. Knox, Mr. John Lang, Mr. A. Merriman, Mr. Joseph Down, Mr. R. H. Hawkes, Mr. John Perry, Mr. Frank Allan, Mr. W. G. Sparrow, Mr. R. Barker, Miss E. James, Mr. Henry W. Nett, Mrs. Winnet, Mrs. Clements, Mrs. Thompson.

Tariff Reformers Back.

A. C. Pratt, M.L.A. for South Norfolk, and A. W. Wright, are back from their participation in the British elections. They addressed a number of meetings chiefly in Scotland. The audiences heeded a good deal, but gave them fair play and evinced great interest in the discussion of the tariff question from the Canadian national policy standpoint.

Victor Collins Remanded.

Victor Collins, a young man of 23 years, pleaded not guilty to a charge of stealing a car from the Ontario Motor Co., in the police court yesterday. He was accused of diverting the amount of a cheque which had been given him to pay an account on Dec. 29. The charge stands over for a week for further investigation. Collins was arrested on his return from London, where he had been over the holidays.

Licensees Must Move.

Judgment was given yesterday by Chief Justice Falconbridge in favor of Alex. W. Galbraith, who sought to secure possession of the property at 2974, Prince-st., from the Connell Anthracite Mining Coal Company, Ltd., to whom he had leased the property in May, 1907, for a period of one year. At the expiration of the lease the company did not vacate the premises, and on Oct. 30, 1909, Galbraith notified them to do so.

There is HEALTH and STRENGTH in every cup of EPPS'S COCOA

Children thrive on "EPPS'S."

Its fine invigorating qualities suit people of all ages. Rich in cocoa butter, and FREE FROM CHEMICALS. GRATEFUL AND COMFORTING.

It is Enough to Frighen

any woman to think of the amount of work involved in keeping all the drapes, portieres, scarfs, etc., about the house clean, to say nothing of all the washing. Don't worry. Phone Main 4500. Fountain, the cleaner, will do your work economically and well. We have the equipment and experience.

"MY VALET"

30 Adelaide W.

CARNEGIE PLEADED GUILTY

Counterfeiter Offered No Defence—His Son Will Be Tried To-day.

James F. Carnegie pleaded guilty before Magistrate Denison yesterday of manufacturing counterfeit coins, offering no defence to the charge. His son Hugh is charged with issuing the coins, and the case will go on to-day, while Mrs. Annie Carnegie, the mother, was remanded on her own bail for trial.

Two little children who were taken to the shelter after the arrest were allowed to go home with her.

Ottawa and Return, \$7.70 From Toronto.

Tickets good going via Grand Trunk Railway System daily until Jan. 20, account Eastern Ontario Live Stock and Poultry Show.

Through sleeper, Toronto to Ottawa, on 10.35 p.m. train. Tickets valid returning until Monday, Jan. 23. Secure tickets and berth reservations at Grand Trunk city ticket office, northwest corner King and Yonge-streets. Phone Main 1292.

Much Baggage at Union Station.

More baggage is handled at the Union Station than at Montreal or Chicago and during the month of December 112,540 pieces were handled. This is almost double the amount of that handled in 1909. The number handled by the different railroads last month is as follows: Grand Trunk, 69,355; Canadian Pacific, 42,067; Canadian Northern, 418.

Stole Pair of Shoes.

Young John Wainwright, 10 years old, saw two men lift a pair of shoes from an outside counter of the St. Leger Shoe Company last Saturday afternoon and gave the alarm. Although the shoes fitted neither of them, John W. Smith and Thomas Lowe received thirty days each.

Close Squeeze for Lodges.

BOSTON, Jan. 17.—Altho backed by eight majority in the upper branch of the legislature, U. S. Senator Henry Cabot Lodge failed by three votes to obtain a re-endorsement in the house to-day, but if there is no shift during the night, the joint convention to-morrow will send him back to Washington for a fourth term, with just the vote necessary for a choice.

Want Crossing Protection.

ARNPRIOR, Jan. 17.—At the Inquest upon Daniel Wall, killed at a level crossing, the jury urged an appeal to the railway commission for adequate protection of the spot, and were strong against both the Canadian Pacific Railway and the G. T. R.

Colonel Hanson Dead.

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The deceased was born at Berthelville, on Oct. 4, 1879, and for many years was engaged in military affairs, having been for 20 years on the general staff of the province.

Represented at Coronation.

LONDON, Jan. 17.—(C. A. P. Cable.)—It is practically decided that the representative M.P.s from the colonies will be invited to the coronation.

C. P. R. Traffic.

MONTREAL, Jan. 17.—C. P. R. traffic for the week ended Jan. 14, 1911, was \$1,154,000. For the same week last year it was \$1,342,000.

If your bread supply is poor—not what you would like—you are not getting TOMLIN'S BREAD

The loaf that pleases everyone

Phone Coll. 3561 for it to-day.

MEN WHO RISE TO THE TOP.

Ottawa Journal: Prominent among the leaders of the recent farmers' tower tariff deputation were three former Ottawans who have risen to eminence and fortune in the west.

At the head of the manufacturers' higher tariff deputation yesterday was Mr. W. H. Rowley, who remains in Ottawa, has built up a great manufacturing concern that supplies millions of people with certain necessities of civilization.

Ottawa men, whether they go on their travels or remain at home, seem to have the knack of rising to the top, and taking a leading part in the life of the community or class of which they form a part.

Crashed Into Bridge.

ST. CATHARINES, Jan. 17.—As the result of a coasting accident which occurred at Thorold, Vincent Battle, son of Matthew Battle of that town, is at the General Hospital suffering from serious internal injuries. He, together with his cousin, Miss Tillie Battle and Miss A. Lee Dooley of Buffalo, and Leonard Battle, were coasting on the hill, which is quite steep, and when a wagon was noticed approaching, the sleigh ran out of its course and crashed into the side of the canal bridge. Battle, who was steering, was rendered unconscious. Miss Dooley sustained a sprained ankle.

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AMUSEMENTS.

ALEXANDRA Seats—\$1.00 to \$1.50. Matinee To-day, 50c to \$1.00. IN "TILLIE'S NIGHTMARE" THIRD SEASON 389 TIMES IN NEW YORK. SEATS TO-MORROW. THEATRE. THE FOURTH ESTATE. PRICES—Evening, 50c to \$1.50. Sat. Mat., 25c to \$1.00.

PRINCESS The Permanent Montreal Opera. Co. of the. — Massenet's Mignon, in French, with Frances Alda. Thursday. Puccini's Amico Fritz, in Italian. Sat. Ev'g.—Delibes's Carmen, in French. Sat. Ev'g.—Bizet's Carmen, in French with Edmond Clement.

To-Morrow (Thursday) Ev'g. The National Chorus. MARGARET KEYS. YOLANDA MERO. Seats reserved, \$1.00, \$1.50 and \$2.00. at Massey Hall and the Piano Warehouse, 146 Yonge St.

SH A. THEATRE Matinee To-day, 25c; Evening, 25c, 50c, 75c. Week of January 16. The Photo Shop, De Renzo and La Due, Albert Hall, Harry Pratt & Co., Willis and Hassen, Paul LaCroix, Clair Bernice, The Kinetograph, York and Adams.

GAYETY DAILY MATS. BURLESQUE & VAUDEVILLE. 'Trocadero' Burlesquers. FRANK FINNEY and America's Prettiest Chorus. THE BIG SMILING CLOWN. Next Week—NEW JERSEY LIARS.

GRAND MATS WED 25c & 50c OPERA IN OLD HOUSE KENTUCKY. Next—The Shepherd King.

STAR BURLESQUE. SMOKE IF YOU LIKE DAILY MATINEES. CHERRY BLOSSOM and "THAT" famous chorus. Next Week—Cosy Corner Girls.

MUTUAL STREET RINK HOCKEY MATCH TO-NIGHT. Argonauts vs. Varsity. Reserve Seat Plan at Spalding's.

ATLANTIC CITY HOTELS. HOTEL DEVILLE. "The hotel for comfort, splendid location, between piers, excellent table d'hôte, private bath, steam heat, sun parlor. Reasonable rates. Booklet. J. P. GIBSON, Prop. Atlantic City, N.J."

WAITED A YEAR Delay in Instituting Ottawa Printing Bureau Enquiry. OTTAWA, Jan. 17.—(Special.)—The opposition drew first blood in the printing bureau enquiry before the public accounts committee of the Parliament, when Mr. G. H. Patterson, who was Guelph's assistant, was under examination to-day. He admitted that he had told a friend of his outside the bureau that there was something wrong, and that supplies were being piled up at an enormous rate. This friend, Mr. Bourdreaux by name, told the secretary of state, Hon. Chas. Murphy, that there was something wrong. That was in 1909, but it was not until the summer of 1910 that Mr. Murphy bestirred himself. Mr. Patterson admitted that in the interval supplies were being purchased at an extraordinary rate, and at an extravagant price.

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