

The Toronto World

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A Morning Newspaper Published Every Day in the Year.
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Corner James and Richmond Streets.
TELEPHONE CALLS:
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MAIN 5308.
Is The World's New Telephone Number.

WEDNESDAY, FEBRUARY 8, 1911.

THE PEOPLE AND THE TARIFF.

When we make a tariff in parliament it is introduced, discussed, altered, rediscussed, amended, discussed again, another deputation heard, and so on. It is thrashed out and everybody is heard, then more or less compromised. And it is a different thing when it is signed by the governor from what it was when it came into the house.

But here in this Knox-Fielding deal, the most momentous tariff change ever introduced in Canada, there is to be discussion, but discussion to no advantage, there is to be no amendment, no compromise. It is to be jammed thru.

The Canadian people for the first time in their history have no freedom to make their tariff. The people of the United States do make it for them. What do you think of it?

LACK OF BACKBONE.

There is much need of backbone these days. Half the world is lying down before abuses and aggressions that they ought to fight. And many of those who are thus timid are the ones who can afford to fight. Things are going on in our midst that call for outspoken protest, but the protest is not spoken. But there's a lot of thinking under way all the same.

THE NEW NATIONAL PARTY.

A new political party is springing into life out of the reduplication proposals. It will be a national party, for the first plank will be to uphold and maintain Canadian nationality on this continent, the very basic idea of which is complete tariff and fiscal independence of the United States. The Canadian system of government is better than the American system and therefore must be maintained. That's the first plank.

The second plank turns on public franchises, that the main consideration in all things is service to the people, to the nation, and that national regulation is, in some cases national ownership may be essential.

A new party starting with these two planks will meet with widespread approval.

RAILWAY EXTENSION IN NEW ONTARIO.

Attention will be directed in an emphatic way to the needs of Northern Ontario by the big delegation which is to wait on the government next Wednesday. The direct object of the deputation is to ask for the extension of the T. and N. O. Railway from the end of the present Charlton branch thru Elk Lake to Gowganda. The purpose is to open up the Montreal River country, and it is mentioned as an illustration both of the necessity of the railway, and the undoubted profitability of the enterprise, that the amount paid in the last two years to carry freight in from the T. and N. O. terminus would have built the line from Charlton to Elk Lake and Gowganda; would have equipped it with rolling stock, and built handsome stone stations at all station points.

At the present time, when business is not over brisk, more than a hundred teams of horses are engaged in hauling in passengers and freight, and there is considerable outgoing traffic also, which would increase with proper facilities.

THE CITY BILL.

Citizens do not hear much about what is contemplated in the city bill, which is to come before the legislature. It is understood to be in a forward state of preparation. There could be no harm done if the authorities allowed the citizens to have some idea of what is being dealt with, before it is too late to make suggestions.

We hope the city is asking for power to appoint a public utilities commission, to look after the electric installation and the street car system which is to develop the suburbs. It might very well look after the waterworks also, with the electric pumps, which are to be installed.

The city ought to have power to reform the tax conditions. It is not fair that Toronto should be built up in the path of progress along which cities like Vancouver are hastening to outstrip us on account of this immense advantage.

LACK OF EQUIPMENT.

What makes railway accidents in bad or severe weather? Lack of equipment, lack of slings, lack of telegraph operators, lack of men. Our roads are fair weather organizations. When severe weather comes trains begin to go late, and get later; a little breakdown here, another there; still later grows the train.

Then some one mis-reads or forgets an order, the storm may become blinding—and a collision. And men are overworked. Canadian railways should be double-manned in severe winter weather and during storms. One essential of railroading in bad weather is that trains start on time and keep it up.

MR. ELLIS BARKER ON FREE TRADE.

Mr. J. Ellis Barker's indictment of free trade at the Empire Club created a profound impression on those who heard it, and his calm and orderly statement made it easy to understand how, in spite of his German nativity, Mr. Barker has been recognized as a foremost exponent of tariff reform in England. A debate between Mr. Barker and Sir Alfred Mond would possess fervent interest.

Mr. Barker's argument was chiefly based on the belief that Great Britain was living on her capital, with the inevitable inference that such a state of things could not last. The British Empire being essentially maritime and naval in character its life depended on its naval strength and defence. A navy was a luxury to an inland empire, but essential to Britain, and it was the vital link between her and her colonies.

Canada at present might be satisfied that the United States was not aggressive, and that Japan was unlikely to make an attack, but such views were very short-sighted. A man built his front door and his window shutters, not in accordance with the character of his neighbors, but with regard to the value of his possessions. Britain was potentially the richest empire in the world, and Canada was an enormously wealthy country. They should measure their defences not by their possible enemies, but by the magnitude of their wealth.

The longest purse provided the strongest fleet. Great Britain was finding it harder from year to year to defend the empire single-handed. While the colonies were merely trading stations, England had to carry the burden alone. Now that the colonies had become nations, the case was different. England had a population of forty-five millions; Germany of sixty millions, the United States of nearly one hundred millions. England had to provide her defence from a much smaller number of people than other great powers, and the taxation fell even more and more heavily on her population.

England's wealth was shrinking or stationary on account of free trade. British agricultural statistics were only available from 1873, and since then the wheat acreage had diminished from 3,670,000 acres to 1,844,000 in 1908. The total shrinkage in that time in wheat, barley, oats, potatoes, turnips, beans, etc., was 4,238,000 acres, and in fruit and hops the shrinkage was enormous.

The effect on employment was similar. From 1869 till 1901 there were 300,000 fewer laborers employed. In Scotland the reduction was 70,000. In Ireland it had fallen from 850,000 to 212,000. For Canada Mr. Barker thought the parallels of Ireland would be more exact. Ireland in 1905 exported 296,000 quarters of wheat, and in 1905 3,323,000, or enough to feed three or four millions of people. Ireland had 8,000,000 of a population then, so that she produced enough wheat to feed 12,000,000. When free trade was introduced agriculture declined, and in 1909 Ireland only produced 48,000 quarters, or one-twentieth of her former crop. Oats had sunk by half. The population had gone down from nine million to 4,300,000. But for the manufacturing industries developed around Belfast the decrease in population would have been greater.

The net result in Britain was that agriculture had lost since 1873 two thousand millions of pounds sterling, or ten thousand million dollars, an amount three times as great as the British national debt. But a greater loss than that of capital was the driving of ten millions of the best of the people out of the country bringing about the destruction and deterioration of the national physique. The deterioration, he declared, was evident to every visitor to England. When nine-tenths of the people were crowded into the towns and unable to go to the country the physique must decay.

Canada was interested in the problem quite as much as Britain, for if not protected Canada would fall into the hands of one of those powers which desired to extend their territory. In Europe there were at present strained relations existing, but at any moment some bold and far-reaching statesman might arise who would unite the diverse interests. The nations then might ask why they should be crowded in their close quarters, and why burden themselves keeping up an armed camp while the Anglo-Saxons were cornering the whole earth.

Mr. Barker considered the formation of a great central state in Europe on the reconstitution of the ancient German empire might occur sooner than was thought possible. Against such a state with a population of 150,000,000 Great Britain would be unable to hold her own. China also in ten or twenty years would be as powerful as or more so than Japan.

The interests of Great Britain and Canada were inextricably interwoven. Canada, concluded Mr. Barker, should defend England, not only as the banker, but as the citadel and the naval base of the British Empire.

AT OSGOOD HALL ANNOUNCEMENTS.

Feb. 7, 1911.

Motions down for single court for Wednesday, 8th inst., at 10 a.m.:

- 1—Pays v. Heffer.
- 2—Van Evers v. White.
- 3—Maraden v. Sieber.
- 4—Lindsay v. Currie.
- 5—Clarkson v. Robins.
- 6—McGowan v. McKinn.
- 7—Dent v. Porter.
- 8—Re Janet McLaurin Estate.

Peremptory list for divisional court for Wednesday, 8th inst., at 11 a.m.:

- 1—Nuttall v. Toronto and York Radial Railway.
- 2—Curlette v. Vermilyea.
- 3—Fitzgibbon v. Scott.
- 4—Northern Crown Bank v. International.
- 5—Garon v. Ottawa.
- 6—Fox v. London.

Non-Jury Assizes.

Peremptory list for non-jury assizes to-day at 10.30 a.m.:

- 47—Hogworth v. Sinclair.
- 48—Purdy v. Sinclair.
- 50—Johnston v. Levy.

Master's Chambers.

Before Cartwright, K.C., Master. Natural Resources v. Saturday Night. G. M. Clark for defendant. B. O. Leach for plaintiff. Motion by defendant to have certain parts of paragraphs 5, 9 and 10, and all of paragraphs 6 and 7 struck out as irrelevant and embarrassing.

Judgment: I do not see how paragraphs 5, 6 and 7 can be supported. The facts set out, even if true, do not come within the terms of C. R. 281. The parts of paragraph 10 which complained of will also be struck out. The plaintiffs should have leave to amend if they wish to do so. The defendants will have leave to plead thereafter. Costs of this motion to defendants in the case.

Brunswick-Balke-Collender Co. v. Mills and Atkins—W. A. Proudfoot, for plaintiff. Motion by plaintiff for an order for examination of an alleged transferee of the defendant Atkins. Order made. Costs reserved.

Re Lea Mortgage and Trustee Relief Act. A. H. O'Hara for defendant. B. O. Leach for plaintiff. Motion by defendant for an order for payment into court of surplus after sale being \$184.61, less costs fixed at \$25. Order made.

Johnston v. Levy—W. A. Lamport, for defendant. J. E. Jones, for plaintiff. Motion for an order for a commission to take evidence of defendant at Berlin. Defendant's motion for an order for examination of an alleged transferee of the defendant Atkins. Order made. Costs reserved.

Canada Land Lime Pressed Brick Co. v. Corin—Frost (Wherry & B.) for defendant. Motion by a defendant for an order dismissing action without costs and vacating certificate of its pendency. Order made.

Davis v. Gill—Conant (Dewart & Co.) for defendant. Motion by defendant on consent for an order vacating certificate of its pendency. Order made.

Judge's Chambers.

Before the Chancellor. Russell v. Greenhills—J. F. Hellmuth, K.C., for plaintiff. W. Nesbitt, K.C., for defendant. An appeal by plaintiff from the order of the master in chambers of Jan. 10, 1911, setting aside the order for the issue of a writ for service out of the jurisdiction and the service of same. Reserved.

Before Falconbridge, C.J.

Re McLaughlin—F. McCarthy, for applicant. Motion for an order declaring lunacy. Order made. Reference to the master at Windsor to make enquiry into the accounts and propound a scheme.

Before Middleton, J.

Re Pinnelee and Thompson—J. King, K.C., for Pinnelee. T. P. Galt, K.C., for Thompson. H. E. Rose, K.C., for defendant. An appeal by Pinnelee from the order of the master in chambers of Jan. 10, 1911, setting aside the order for the issue of a writ for service out of the jurisdiction and the service of same. Reserved.

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GRIPPLE FROM RHEUMATISM

Now in perfect health thanks to Fruit-A-Tives!

"I am well acquainted with a man known to thousands in Vancouver, Victoria and New Westminster, who for nearly a year was practically a cripple from Rheumatism. He was so troubled with the disease that he found it difficult to even turn over in bed. His heart appeared so weak that he could hardly walk upstairs."

"Last June he received a sample of 'Fruit-A-Tives'. He used them and dates his recovery from that time. Today there is no man in Vancouver enjoying better health."

"He was building a house this fall and shingled a good part of the roof in a driving rain, without suffering any bad effects."

John B. Lacy, Mr. E. E. Mills (assistant postmaster at Knowlton, Que.) also writes: "I honestly believe that 'Fruit-A-Tives' is the greatest Rheumatism cure in the world." Try it yourself.

50c a box, 6 for \$2.50, trial size 25c. At all dealers, or from Fruit-A-Tives, Limited, Ottawa.

Made for payment of \$100 a year until fund exhausted.

Re v. T. A. R. J. Gibson for defendant. T. L. McLaughlin for plaintiff. Motion on behalf of defendant for a certiorari. Enlarged one week.

Single Court.

Re Albert Downes—Trusts and Guarantee Co. v. Cutler—V. A. Sinclair (Hilkinson) for all adult parties. F. W. Hancock, K.C., for infant. Motion by plaintiff for judgment pursuant to consent.

Judgment declaring that upon defendant, Hugh E. Cutler, admitting that he holds certain lands in trust for infant defendant, the plaintiff, as administrator of Albert Downes, is entitled to certain other described lands freed and discharged from all claims at the instance of defendant, ordering the defendant, Cutler, to convey the lands on payment of \$30 for his services and his costs of an application made by him, and ordering a sale of the lands. Order made.

Helm v. Palmerston—J. W. Hancock, K.C., for plaintiff. J. W. Hancock, K.C., for infant. Motion by plaintiff for judgment pursuant to consent; minute.

Judgment pursuant to terms of consent declaring widow entitled to \$100, to the use of a house on one piece of land for life with the privilege of cutting dead timber for firewood, etc.

Divisional Court.

Before Mulock, C.J.; Teetzel, J.; Merritt, J. Before the County Court for defendants. An appeal by plaintiff from the judgment of Magee, J., of June 4, 1910. A request of defendant for a new trial. Reserved.

Before Mulock, C.J.; Teetzel, J.; Merritt, J. Before the County Court for defendants. An appeal by plaintiff from the judgment of Magee, J., of June 4, 1910. A request of defendant for a new trial. Reserved.

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JURY RETURNS VERDICT AGAINST MRS. DEVANEY

No Damages For Alleged Conspiracy, But Slander Charge May Be Brought.

The trial suit by Mrs. Devaney against Rev. G. R. Flesken, ex-Mayor of Vancouver, and James Keogh, closed yesterday with a verdict from the jury against the plaintiff, Mrs. Devaney.

Witnesses were called by the defence to prove that the meals were unsatisfactory and the dining-room ill-kept, but matters were evened up on that score by witnesses for the plaintiff, who swore to the exact opposite.

Mr. McKay, K.C., counsel for Keogh, H. H. Dewar, K.C., for Mr. Urquhart, and Thomas Cowen, K.C., for Rev. Flesken, all made addresses on the various legal viewpoints of libel and conspiracy, for slander, one of the original charges, was struck out as an embarrassment to the other charges by Justice Riddell. George Lynch-Staunton, K.C., for Mrs. Devaney, made such an ample address to the jury that he was complimented by his lordship.

Judge's Summing Up. In his summing up, Justice Riddell enlarged, as had the counsel, on the various legal ways from which the verdict must be approached. In the first place, he ordered the jury to treat the case as if the plaintiff were not a woman, but an ordinary individual. The statutes of the province let the newspaper out of the case because nothing had been proved against them, but it would still leave the defendants open to conviction, because it often happens that two parties were guilty and only one case could be proved. He declared that the temperance people had a perfect right to try to induce the inspectors to close the hotel, as they adhered strictly to the truth.

"Mr. Staunton called them temperance cranks," said the justice, "but I don't know if we should call them that now. It is because, like the cranks in the factory, they are constantly making revolutions."

Agreed With Jury. The jury were given seven questions on which to enter their findings, all relating to libel and conspiracy, and all of which were returned in favor of the defence. No suggestions of libel or conspiracy were found. The jury, however, reserved the right to the plaintiff of bringing separate charges of slander. The costs, except those occasioned by the dropping of the slander charges, must be assumed by Mrs. Devaney.

Why the Grand Truck Continues to Be the Popular Route to Montreal. This line offers every feature pertaining to comfortable travel; moreover, it is the only "double-track" route, laid with 100-lb steel rails, also the only line operating the world-renowned Pullman sleepers between Toronto and Montreal. An additional advantage of traveling via this route is that tickets purchased in Toronto are valid returning from Montreal on the "International Limited," Canada's fastest and finest train (only seven and one-half hours Montreal to Toronto). Four trains leave Toronto daily, 7:15 a.m., 8:30 a.m., 10:30 p.m. The 8 a.m. train carries parlor-library car and dining car to Montreal, also Pullman sleepers to Montreal and Boston. 10:30 p.m. train carries five or more modern Pullman sleepers to Montreal daily, also through Ottawa sleeper. Tickets, berth reservations and full information at Grand Trunk City Ticket Office, northwest corner, King and Yonge-sts. Phone Main 6209.

DROPPED FRAUD CHARGES.

Plaintiffs Argue That Sale of Tobacco Company's Plant Was Bonafide.

The suit of E. O. Fleming, James A. Strath and Robert Pinchla against General McAlpine, Charles Pratt of New York, and the McAlpine Consumer Tobacco Co., and Col. B. B. McAlpine, came to a close yesterday, when the plaintiffs withdrew all charges of fraud and wrongdoing against the defendants, claiming the charges made at the trial to be groundless, and that the sale to Col. McAlpine was bona fide and regularly carried out. The sum of \$2000 was paid to the defendants by Messrs. Fleming, Strath and Pinchla as settlement and other costs will be paid by each party.

The case was heard all day Monday before Justice Middleton in the non-jury assizes. The plaintiffs, as shareholders of the tobacco company, sued the persons in the defence for \$151,500, which they claimed was lost by the company in the sale of the concern to Col. McAlpine, who paid \$100,000 for it. The defence claimed that the company was unable to do business longer, and that the property had been properly sold to the highest bidder, D. L. McCarthy, K.C., acted for the plaintiffs, and N. Somerville for the defendants.

Pay your gas account early and avoid overcrowding. Last discount day Feb. 15. 12456

Railway Legislation.

A conference is being held at Ottawa between Chairman Leitch of the Ontario Railway and Municipal Board and Chairman Malloy of the Dominion Board respecting joint legislation by the Dominion and Ontario on railway matters.

Accused of Forgery.

KINGSTON, Feb. 7. (Special.)—Sergeant Harvie, Canadian Permanent Force, Kingston, absent without leave, is believed to have deserted and is also accused of forging the name of Lieut. E. Russell Hale to a cheque for \$20. He was at Watertown, N.Y. His wife and two children are here without means.

New York Excursion.

\$10.00 round trip from Suspension Bridge, via Lehigh Valley R.R., Tuesday, Feb. 15. Tickets good ten days. Particulars 8 King St. East, Toronto. 459445134

The Famous Rayo

Gives the Best Light at Any Price

When you pay more than the Rayo price for a lamp, you are paying for extra decorations that cannot add to the quality of the light. You can't pay for a better light, because there is none. An oil lamp has the least effect on the human eye, and the Rayo Lamp is the best oil lamp made, though low in price. You can pay \$5.50, or \$20 for another oil lamp, and although you get a more costly lamp, you can't get a better light than the white, mellow, diffused, unflattering light of the low-priced Rayo.

Has a strong, durable shade-holder. This season's burner adds to the strength and appearance. Made of solid brass, nickel-plated, and easily polished.

Once a Rayo User, Always One

The Queen City Oil Company Limited.

Dealers Everywhere. If not at yours, write for descriptive circular to the nearest agent of the

Most Men Use Coffee For Breakfast

and are interested in the kind of coffee they get.

Michie's finest blend of Java and Mocha coffee is in a class by itself—money cannot buy better. IT IS A BREAKFAST NECESSITY

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BRICKS

TORONTO FIRE BRICK COMPANY Manufacturers of High Grade Red Pressed Bricks

Rich Red Colors, and made of pure shale. Also Field Tile. Prompt shipments. Office and Works—Mimico. Phone Park 2856. NIGHTS—Park 2597

MAY SUE COLLEAGUES

Controller Church Not Satisfied to Let Serious Charges Drop.

Controller Church promises to make matters interesting for someone in connection with statements which occasioned the tilt between Ald. McBride, Maguire and Heyd in the council meeting on Monday.

Unless someone does some retracting, there is every possibility that the end of the controversy has not yet been heard.

"Ald. Heyd denies that he ever said the liquor men subscribed to my campaign," said Controller Church last night. "Ald. McBride intended to harm, but his repeating hearsay talk of a libellous nature was libel itself."

"I never, in my seven campaigns, got a cent from any one. Neither have I had any advertisements in any of the daily or evening papers in the seven campaigns in which I have been elected. I have never paid a worker."

"I am much annoyed at currency being given to such a libel, and am going to bring the matter to the attention of the council at the next meeting," declared the controller.

"Ald. Heyd tells me he has never mentioned my name at all. Ald. McBride said he was told that Ald. Heyd had made mention of my name in this connection."

"If both Ald. Heyd and Ald. McBride do not make a public denial of this statement at the next meeting of the council, I will proceed against them."

Rev. Mr. Rochester, Back. Rev. Mr. Rochester of the Lord's Day Alliance has returned to the city after a visit to the west. Mr. Rochester has been attending to the Alliance work in Regina and Winnipeg.

"Pneumonia"

Pneumonia is nothing more or less than "Lung Fever," or as it used to be called, "Inflammation of the Lungs," and the results come entirely from a local source, such as taking a violent cold.

There is more or less difficulty in breathing; a cough, at first dry, but soon accompanied by raising a thick, sticky, rusty-colored matter, composed of a mixture of phlegm and blood.

There is only one way to prevent Pneumonia, and that is to cure the cold just as soon as it appears. Dr. Wood's Norway Pine Syrup will do this quickly and effectively.

Mrs. G. W. Bowman, Pattullo, Ont., writes: "Three years ago I caught a cold which ended in a severe attack of Pneumonia. Since that time, at the beginning of each winter, I seem to catch cold very easily. I have been so hoarse that I was unable to speak loud enough to be heard across the room. Last winter, however, a friend advised me to try Dr. Wood's Norway Pine Syrup, saying it had helped her. I bought a bottle and before it was half used I was completely cured. I also find it a good medicine for the children when they have colds."

Dr. Wood's Norway Pine Syrup is put up in a yellow wrapper; three pine trees the trade mark; the price 25 cents. Manufactured only by The T. Millburn Co., Limited, Toronto, Ont.

An Old Traveler's Opinion. At full tariff rates, taking the Canadian Pacific passenger equipment into consideration, every day is a bargain day.