HAVE YOU EATEN

HEARTS OF WHEAT

Most Delicious Food in the World

GOT RAILWAY SUBSIDIES BLOWS FROM AX FATAL

they are suing for over \$19,000 the National Investment Company for services arrested at North Bay on April 3.

Trust Company being trustees of the Bremner estate.

Near Cobalt by Gagnon, is Dead in Toronto.

heard his parents' cries and ran down-

Musicians of the Pacific Coast. Victoria, B.C., is one of the popular musical centres of the Pacific Coast.

Prominent among local artists is Mr.

tors of E. A. Bremner's Estate

For a Commission.

their duty and their statutory powers in agreeing to canvass the Dominion and Ontario Governments to subsidize the Temagami Railroad is the defence in the action

timber concession given by the Nicar-aguan Government, which had to do Maher tried to

mining promoter.

with a mahogany timber limit secured

any agreement and say that if Bremner did make such an agreement, he was acting for the Occidental Syndicate, which company would be liable. They

also say that Royce and Henderson allowed them, in ignorance of the claim, to give the Occidental Company a release of any Bremner liabilities in the

final adjustment.

Alian Royce, of Royce and Henderson, on the witness stand yesterday, explained the services rendered. Two applications had been made to the On-

tarlo Government for a subsidy. Brem-

ner had agreed to pay fees and expenses and ten per cent. additional on any subsidies obtained. The Dominion

Government had granted \$160,000 for 50 miles, with an additional rate per

John Craig, managing director of the Sturgeon Falls Paper Company, said he gave \$39,000 for the assets of Brem-ner's estate and valued the railway

charter in the offer at \$9000. For this offer they expected to get valuable

The case will be continued to-day,

Good Sum For Charity

The late Harriet Moore of Montreal left an estate valued at \$131,410. Of

this \$5 040 was in Bank of Toronto

stock. Some \$41,000 is left to various charities in Montreal and in County

Ireland. The remainder Azousins and friends of the de-

THAT TIRED FEELING.

Mr. F. H. Leard, Saskatoon, Sask, writes: "I have used Burdock Blood Bitters as a blood-builder, and think it an excellent remedy. Everyone should take it in the spring to cure that tired feeling that comes to so many at this time of year."

"SPRING FEVER."

The need of a spring medicine seems to be

universal. This is due to the fact that during the winter the blood becomes impure on account of

the hearty food eaten. This causes that tired,

weary, all-gone, don't-care-to-work feeling which

BURDOCK

BLOOD

BITTERS

"SPRING MEDICINE."

Mr. H. Langley, Hamilton, Ont

writes: "I have used Burdock

Blood Bitters as a spring tonic, and I find it the best thing I can take. It builds me right up, and I use it every spring. It is excellent for the blood."

is so prevalent at this time of year.

uyers R SALE.

al Estate CO.'S LIST Deer Park

SALE. RK, ON YONGE

or Park, 8 rooms, laundry tubs in ve and fireplace to beamed celling, sewer, water, up-to-date and to x 120, altern Plans can be

SOLID BRICK

E AVENUE, HOUSE DAVIS-

ON, LOT 80 x 185 toreys, 6 rooms water, new wood

PARK, FURNACE, gas, 6 rooms, lot 50 anged. ST, EGLINTON, ioned frame house, 0; will make fine

LIOL ST. DAVIS-4 rooms and good ning water, fruit

and cellar, coach horses, half cash. ST. DAVISVILLE, nd cellar, running room for 2 horses,

E PAIR OF SEMI-uses, 8 rooms, sew-Baker-avenue, Deer KE AVE. EGLIN-ns and bath, septic 0 x 150, terms to be

E ST., IN EGLIN-rounds, 9 rooms and ptic tank. Fruit; grand home, and is IOL ST. DAVIS-oms and bath, solid his is now building,

to suit purchase OOMS AND CEL-176. Ballioi-street;

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T., ROUGHCAST, SA LE.

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6, \$8 AND \$10.

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Toronto; sixteen greenhouses brick. good stable, with \$10,000. Terms to be INVESTMENT

RONTO, PREFER-A block of land, well wation, 5 to 15 acres, e for a gentleman's uick buyer for suit-

YORK TOWNSHIP

ormation BEAUTIFUL NEW ouse, in Egifaton, itself, on Briar, Hill-et, in Eglinton, fine vacant May 20. IN THE LAW COURTS

ANNOUNCEMENTS.

Osgoode Hall April 19, 1909 Judges' chambers will be held on Tue day, 20th inst., at 11 a.m.

Peremptory list for divisional court for uesday, 20th inst., at 11 a.m.; 1. Semi-Ready v. Tew. 2. Hendrie v. City of Toronto. 3. Milne v. Ontario Marble Quarries.

Peremptory list for court of appeal for ruesday, 20th inst., at 11 a.m.:

1. Sharpe v. White (to be continued).

2. McDonald v. G. T. Railway.

3. Caledonia Milling Co. v. G. T. Ry.

4. Toronto Railway Co. v. City of To-

Peremptory list for non-jury assize court, Tuesday, April 20, 1909, at the city hall, at 10.30 a.m.:

196. Lewis v. Cutts.
206. Cutts v. Vickens.
220. Kitchen v. Ironsides.
221. Downer v. Doldge.

Master's Chambers.

Before Cartwright, Master.

Dixon Incorporated v. Hubbard.—Williams (Johnston & Co.), for plaintiffs, moved for payment out of \$50 paid into court under C.R. 1299. Order made.

Hunter v. Brunskill.—J. A. Macintosh, for defendants, moved for an order dismissing action, without costs, and vacating certificate of lis pendens. Order made.

Lee v. Cook, J. E. C

LAWYERS SUE FOR FEES MURDER WILL BE CHARGED made.

Lee v. Cook.—J. E. Cook, for defendant, moved for an order dismissing action as against him. J. MacGregor, for plaintiff, asked enlargement. Enlarged until 24th Royce and Henderson Sue Execu- One of the Two Women Assaulted

Royce and Henderson, legal firm, of this city, are plaintiffs in a non-jury laid against Gagnon, a French-Canathey are suing for over \$19,000 the National Investment Company for services fluence of liquor, entered the house of That the plaintiffs were going against Ethel Crawford on the outskirts of Cobalt, and brutally beat her and a companion, Mary E. Smith, about the heads in agreeing to canvass the Dominion and Ontario Governments to subsidize the Temagami Railroad is the defence in the action.

Bremner, who was a well known capitalist, was prominent in connection with the establishment of large pulp and paper industries at Sturgeon Falls, now in the hands-of a receiver for the English bondholders. In 1900 and 1901 Bremner purchased the interest of local men in the railway charter from Sturgeon Falls to Lake Temagami and started out to promote a railway from this small beginning from Georgian Bay to James Bay, an ambitious project, intended to open up the timber and mineral wealth of that region and which, if built, would have opened up the Gowganda silver fields. Associated with Bremner in his promotions was tasted Charles Russell, son of the Lord

which, if built, would have opened up the Gowganda silver fields. Associated with Bremner in his promotions was Lord Charles Russell, son of the Lord Chief Justice of England.

The legal firm claim \$19,416.96 for services performed for Bremner, \$16,000 to the Bremner subsidy of \$160,000 to the Temagami Railway. The balance of the claim is for the making of an adjustment of a timber concession given by the Nicaralmost upright.

Maher tried to sit up and clutched at the bedciothes, which were sliding up around his head and neck. He tore at them, but even with the aid of his wife could not free himself of the covers. Then with his feet and arms he tried to force the bed back to its original position. When this proved futile he changed his position slightly to enable him and his wife to get air and cry for help.

stairs. By the time he reached their room the bed was closed upon them. He heard faint groans made by his father and mother. For ten minutes he tried to open the bed, but falled. Then he summoned assistance from the Cumberland- street Hospital. Dr. Pierce responded and helped to open the bed.

The physician found Mrs. Maher unconscious, but little injured, and her husband dead. Maher's neck was

Prominent among local artists is Mr. E. Parsons, organist of the Metropolitan Methodist Church. His good judgment is in evidence to-day in his purchase for his own studio of a handsome Baby Grand Piano of the old firm of Heintzman & Co., Limited, Toronto/ Another plano of this firm—a

Louis Upright, style B.—has gone to Mrs. Boulton, one of the leading music teachers in Victoria. It may be said that the Heintzman & Co. pianos have found a very large sale all throughout British Columbia.

Trial.

Before Teetzel, J.

Keown v. Windsor, Essex & Lake Shore Rapid Railway—A. H. Clarke, K.C., for plaintiff. J. M. Pike, K.C., for defendant, Judgment (H.). I think the proper interpretation of the answers of the jury to the questions submitted is that, while the plaintiff could by the exercise of reasonable care have avoided the collision nevertheless, after his position became apparent the defendants' servants were guilty of negligence in not stopping the car sooner than they did, and that dragging plaintiff, with his team and binder, the distance they did after the collision, was the cause of all his injuries. In other words, it is a case of liability for ultimate negligence. Judgment for the plaintiff for \$152 damages and costs on the county court scale, without set-off.

Before Falconbridge, C.J.

benefit of creditors of the Standard Cap Company. Defendants are merchants and manufacturers of caps, carrying on business in Toronto. Plaintiff alleges that the defendants wrongfully entered into the warehouse of the standard Cap Company, and wrongfully entered into the warehouse of the standard Cap Company, and wrongfully entered into the warehouse of the standard Cap Company, and wrongfully and without leave to ricease removed therefrom certain goods. This charge was not sustained by the evidence. The goods sued for were purchased by the defendants from the Cap Company under an arrangement which is very little-in dispute. This is not affected by the statute, and it will stand. The defendants have given satisfactory proof of their account; the \$3.29 paid into court balances the account, and the action must be dismissed. Plaintiff's course at long must be dismissed. Plaintiff's course at beginning of the trial said counsel at beginning of the trial said something about being taken by surprise and wishing a reference. There does not and wishing a reference or further contestation as reference or further contestation as necessity for to defendants account, but the plaintiff may have a recount, but the plaintiff may have a reference as to this if he should be so adderned at his own risk; otherwise action dismissed with costs. If plaintiff takes reference as to defendants account, costs to date to be payable forthwith by him to defendants, and further directions and

ubsequent costs reserved until after report. Thirty days' stay.

Divisional Court.

Before Mulock, C.J., Maclaren, J.A.,
Clute, J.

Re Brewer and City of Toronto.—Re
Robinson and City of Toronto.—A. M.
Lewis (Hamilton), for John Brewer. J.
B. Mackenzle for William Robinson. W.
C. Chisholm, K.C., and F. R. Mackelcan
for the city. Judgment (G.). These were
appeals from the order of Meredith, C.J.,
refusing to quash a bylaw of the city limiting the number of tavern licenses to
110. The two appeals were argued together. Appeals dismissed, with costs.

Before Mulock, C.J., Magee, J., Clute, J.
Martin v. Hopkins—W. E. Middleton, K.
C., for defendant, appellant. R. J. MoLaughlin, K.C., for plaintiff. Judgment
(G.) Appeal from the judgment of the
C.J. of the King's bench. The case was
tried at Lindsay and judgment given for
the plaintiffs. The defendant is a practising solicitor, and is holder of a first
mortgage on certain lands made by one
Carscadden. The sum of \$67.50 became
due for interest on this mortgage and
Carscadden applied to plaintiff Begg for
a loan of \$300, to be secured by a second
mortgage on same land. The mortgage
was made, and the moneys advanced in
two cheques, one of \$67.50 to pay the interest on the first mortgage, and the other
for \$218.85, the balance of Beggs' advance.
Carscadden took the two cheques to defendant, who applied them both in payment of a debt for \$344, due to the Bank
of Montreal, which defendant was collecting.
The question is whether he was not
bound to apply the \$67,50 in payment of
the interest on his mortgage. Carscadden was simply the messenger to deliver
the cheque to the payee, Hopkins, and it
was the duty of the latter to apply the
cheque to the purpose for which it was
sent to him. If he did not know what
that purpose was it was his duty to have
ascertained. Under the circumstances the
amount of the cheque must be treated as
a payment of the interest due to Hopkins,
and the appeal should be dismissed with
costs.

Before Mulock, C.J., Clute, J., Latchford, J.
Crawford v. Canadian Bank, of Com-

moved for any see converse of the purpose of the purpose of the converse of the purpose of the p

who will be lease upon the official guardan to be dead on the register. That the trustee way join to the lease upon the official guardan to be different to the lease upon the official guardan to the property of the sease of the sum of the sease. The sum of the sease of the sum of the sease of the sum of the sease of the sum of 1800 in lieu of any claims of the sease of 1800 in lieu of 1800 in lieu of any claims of the sease of 1800 in lieu of the sease of 1800 in lieu of 18

Before Falconbridge, C.A.

Langley v. Palter, J. Baird, K.C., and K. Mackenzie for plaintiff. R. J. Mc-Laughlin, K.C., for defendant, Judgment (H.). Plaintiff is the assignee for the benefit of creditors of the Standard Cap Company. Defendants are merchants and manufacturers of caps, carrying on busi-

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MURDER, THE VERDICT

ial.)—The adjourned inquest to discover the cause of Mrs. Kent's death evidence for over two and a half hours, the jury retired to find a verdict: "That Mrs. Kent came to her death by strychnine polsoning given or sent her by ome party or parties unknown with

intent to kill."
Beyond showing almost conclusively that murder had been committed, no new light was thrown on the case. Evidence given by the husband and sister discredited the theory that the woman took a drug to secure a mis-carriage, the husband saying it was her desire and his as well to have family. She was pleased at the pros-pect of becoming a mother in two months. The suicide theory was also negatived as the woman was in good spirits before and after taking a mysterious medicine left at the house.

All of the 250 immigrants who arrived in Toronto Sunday night and who were waiting to go on farms, had posi-

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ESTATE NOTICES

ADMINISTRATORS' NOTICE TO Creditors—In the Matter of the Estate of Arthur Sweatman, Lord Archbishop of the Diocese of Toron-to, Primate of all Canada, Deceased.

Archbishop of the Canada, Deceased.

NOTICE is hereby given pursuant to R.S.O. 1897, Chapter 129, and amending acts, that all persons having claims against the estate of Arthur Sweatman. Iste of the City of Toronto, in the County of York, deceased, who died on or about the 24th day of January, 1909, at Toronto, aforesaid, are required to send by post prepaid, or to deliver to the undersigned, administrators of the said estate, on or before the 7th day of May, 1909, their names, addresses and descriptions and a full statement of the particulars of their claims and the nature of the security (if any) held by them, duly certified.

And that after the said date the said Administrators will proceed to distribute the assets of the estate among the persons entitled thereto, having regard only to the claims of which they shall then have notice, as above required, and the said assets or for any part thereof to any person or persons of whose claim or claims notice shall not then have been received at the time of the said distribution.

JOHN SWEATMAN,

JOHN SWEATMAN,
HENRY J. WRIGHT,
Administrators.
By AYLESWORTH, WRIGHT, MOSS &
THOMPSON, their Solicitors, Traders'
Bank Building, Toronto.
Dated 5th April, 1909.

JUDICIAL NOTICE TO THE CHEDI-tors, Contributories and Members of The Montrose Paper Company, Lim-ited.

PURSUANT to the Winding-up Order herein, the undersigned will, on Wednesday, the 28th day of April, 1909, at the hour of three o'clock in the afternoon, at his Chambers, Home Life Building. Toronto, appoint a permanent liquidator of the above company and let all parties then attend.

Dated at Toronto, this 17th day of April, 1909. GEORGE KAPPELE, Official Referee

TO TRY LOWER CAR STEPS

Railway Company Agree on a Test re Dr. Helen MacMurchy's Application. Dr. Helen MacMurchy's application for an order compelling the Toronto Railway Company to equip its cars

with lower steps, was again heard by the Ontario Railway and Municipal Board yesterday. City Solicitor Chisholm, who appeared for Dr. MacMurchy, stated that no objection was made to single truck cars. The double truck or combination cars were the cause of complaint. Donald Campbell, manager of the Preston Car and Coach Co., gave tech-Preston Car and Coach Co., gave technical evidence on behalf of the city. He thought that the cars could be built lower with the bodies 40 inches from the ground. Some companies were lowering the bodies to 38 inches, out that was too much. With the bodies lowered to 40 inches, the top step could be 11 inches; second stap 14 inches, and lower step 15 inches. The cars were built about three inches off centre, leaning towards the devil strip to offset the weight of people getting on. If they were on the centre the lowering could be facilitated.

The hearing was adjourned till May 26, and in the interim the Toronto Railway Co. will submit a car for test pur-

H. S. Osler, K.C., appeared for the

A compilation of the moneys paid to the members of the royal family of Spain, shows that King Alfonso re-ceives a salary of \$1,211,658.

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