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\$3,500
Beech Avenue, an ideal situation for
gentleman's residence, a corner lot,
100 x 100, choice ravine view and out-
look over lake.
H. H. WILLIAMS & CO.,
Real Estate Brokers, 24 Victoria St.

PROBS.—South to west winds; a few local
showers, but generally fair and mild.

AYLESWORTH SAYS ONTARIO'S A THIEF

Condemns Popular Ratifica- tion of Whitney Govern- ment Policy Toward the Florence Min- ing Co.

OTTAWA, March 1.—(Special.)—"I only trust that the day will never come when they may see reason to regret from personal experience that they (the voters of Ontario) did not condemn at the polls, as it ought to have been, this manifest encroachment upon the rights of property and the right to resort to courts," said Mr. Aylesworth, in concluding a speech this afternoon on a motion of A. H. Clark (Essex) for papers in connection with the request of the Florence Mining Co. for disallowance of the act respecting Cobalt and Kerr Lakes, passed by the Ontario Legislature in 1907.

Mr. Clark declared the act to be a clear violation of the eighth commandment, inasmuch as it not only confiscated private property, but prevented the Florence Mining Co., the prior claimants, from following up their case in the courts. The Florence Mining Co. had appealed in vain to both the lieutenant-governor and the governor in council at Ottawa to disallow the act, while Justice Riddell had decided that even to the extent of confiscation of private rights, the legislature was acting within its competence.

The proposition to refer the matter to appeal to decide whether the property was open for exploration was refused. The act of 1906 was upheld, thus, when the Florence Mining Co. believe took from them property worth over a million dollars, without compensation. The company would take the case, if necessary, to the foot of the throne. Independent opinion in the country would be such that the private council uphold the action of the Ontario Legislature. Measures should be taken to provide a remedy even to the required an amendment to the B. N. A. Act.

Legislature Will Be Fair.
Mr. Wilson of Laval pointed out that in the rivers and streams bill case the imperial privy council upheld the power of the provincial legislature in all matters of property and civil rights. The remedy, he said, lay with the legislature of Ontario. If their claim was just, justice would be done.

Mr. Boyce (Algoma) held that Mr. Clark took a mistaken view. In order to preserve to the public domain, supposed to be rich in minerals, an order in council was passed Aug. 14, 1906, by the Ontario Government, withdrawing Cobalt Lake from exploration. The Florence Mining Co., as a speculator, bought up the speculative rights of prospectors to run up against this order in council. The order in council of October did not open up Cobalt Lake to crown land, but absolute discretion to withdraw from occupation.

It may have been a shock to the conscience of hon. gentlemen, who, while the act was in the making, exposed last session, to observe how the Ontario Government, by putting the property up to public tenders, had obtained for these rights a price of \$1,000,000, not for a handful of grafters, but for the people of Ontario. The legislation referred to had been examined by the minister of justice and not interfered with.

John Haggart pointed out that, even admitting the facts to be as stated by Mr. Clark, in all matters of property and civil rights the province was the supreme power.

Mr. Aylesworth Explains.
Mr. Aylesworth pointed out that there was not only the application for disallowance to which Mr. Clark had referred, but an application for a claim discovered in July, 1905. These claims had not attempted to pass upon the successors of Green, the Florence Mining Co., but sufficient faith in their claim to fight for it in the courts. It was from the standpoint of an adviser of his excellency that the minister of justice viewed the application for disallowance. If this identical question had arisen before 1896, this application for disallowance would have succeeded.

He would agree, indeed, with Mr. Haggart, that the purpose of giving the federal government the power of disallowance was that it might be exercised in preventing private citizens from being wrongfully stripped of their property by provincial legislation.

Up to 1893 there were the distinct statements of successive ministers of justice, that even if provincial legislation interfered with the rights of property that action should not be interfered with. Every legislature ought to be supreme. This was even of greater importance to the Province of Ontario as a whole than even the loss of private rights or ownership. Mr. Aylesworth's view was that the legislature should be given full and absolute rights of property within the province, even to the repeal of the Habeas Corpus Act. That was the true spirit of the constitution.

The doctrine of provincial rights which had always been the peculiar properties of the political party of which he is a member had of late years found strong supporters even in the ranks of political opponents. But he welcomed these accessions to the ranks of the Reform party, and acting on these principles, he had advised his colleagues that this power of disallowance should not be exercised, even to the act which was sought to be disallowed went the length of taking his farm without any compensation to him.

Continued on Page 7

Alberta Cons. Enter Contest To Bad Start

Haven't Got Copies of New Elec- tion and Redistribution Acts, The Libs. Are Provided

OTTAWA, March 1.—(Special.)—Alberta Conservatives claim that they have been placed at a serious disadvantage by reason of the sudden calling of the provincial elections. The legislature was prorogued last Thursday and dissolution followed on Friday, nominations being fixed for March 15.

It is stated that the new Alberta Election Act has not been printed, and the government supporters are supplied with copies of it.

It is also said that the Redistribution Act has not been printed, and the Conservative candidates are unable to learn the boundaries of the places at which nomination meetings are to be held.

NEW YORK FINANCES

Special Committee Reports—Advocate Supply Purchase Bureau.

NEW YORK, March 1.—The Cassidy-Merritt committee, appointed to investigate the finances of New York City, has submitted its report, together with the testimony taken, to the legislature. The report says that the city should be required by law to establish a bureau for the purchase of supplies, a bureau of uniform accounting, and a bureau of real estate.

It also recommends that the constitution should be amended so as to provide improved methods for condemnation of real property.

The report places the present contract liabilities and land liabilities of the city at approximately \$57,000,000, which will not fully accrue for a period of three to five years. As the city bonds are being amortized at a rate of \$10,000,000 a year, the immediate necessity for subway extension can be cared for by the expenditure of \$50,000,000 a year.

CONTROL OF STREETS

Montreal Municipalities Will Protest to Government.

MONTREAL, March 1.—(Special.)—A meeting of mayors and representatives of municipalities on and in the neighborhood of the Island of Montreal will hold to-day to take united action with a view to protecting the interests of the municipalities and the public against the encroachments of private companies.

W. D. Lighthall, secretary of the Association of Canadian Municipalities, said the municipalities should stand united in a protest to the government against the rights to control their own streets being over-ridden by any charter granted to private companies by parliament or the legislature, and this was endorsed by the whole company present.

PENNSYLVANIA RY. REPORT

Big Decreases in Earnings Are Shown for the Past Year.

PHILADELPHIA, March 1.—The annual report of the Pennsylvania Railroad Co. for the year 1908, made public to-night, shows a decrease in gross earnings compared with the preceding year of \$2,467,229, a decrease in net earnings of \$7,438,297, due to industrial depression.

The volume of freight tonnage decreased over 18 per cent, while the mileage and the gross earnings therefrom show a falling off of about 21 per cent. Passenger traffic shows a reduction of about 3 per cent, in mileage and over 7 per cent, in revenue. The average rate received from the transportation of passengers was less than two cents per mile.

RESTRAIN SALE OF ARMS

E. N. Lewis Introduces a Preventive Bill in the Commons.

OTTAWA, March 1.—(Special.)—E. N. Lewis introduced a bill in the house to-day to amend the criminal code respecting offensive weapons and capital offences.

An immigrant landing in Canada was almost sure to display knives and revolvers in pawn shop windows, which encouraged him to regard weapons as necessary. The bill would permit the sale of weapons by license. All capital sentences he would have executed at the nearest penitentiary, instead of in the county jail. Hangings, under existing conditions, really constituted incentives to crime.

In reply to Mr. Monk the minister of agriculture stated that Dr. J. G. Ruthford had tendered his resignation as veterinary director-general, but had withdrawn it.

A question by Mr. Foster elicited the information that subscriptions by the provinces and private individuals to the Quebec Battlefields Fund amounted to \$460,880. Towards the centennial fund the Dominion Government subscribed \$300,000, sales of tickets for pageants yielded \$32,280, refunds, etc., \$3557; total \$335,833. There was spent on the celebrations \$1,188,000, out of the \$1,450,000, \$244,500 only have been spent, leaving \$436,426 in the fund.

SUDDEN DEATH.

PERTH, March 1.—Mr. A. Montgomery, driver of a motor car, died suddenly to-day near McDonald's Corners. The cause of his death is supposed to be heart failure. He was 79 years of age, and was one of the best horse and cattle judges in this section.

A Woman Arrested.
Mary Hooper, 98 Gould-street, was arrested yesterday by P. C. McGrath, to whom she was pointed out by Mrs. Jean Love, 87 Gould-street, who said that she was the woman who some days ago picked up her muff in a carriage.

FOR REDUCED PHONE RATES

Haughton Lennox Opens up a Discussion and Finally Divides the House.

OTTAWA, March 1.—(Special.)—That it is the duty of the government to initiate measures to remove long existing abuses in regard to the telephone service of the people of Canada and secure a rate at least as moderate as in countries where a national telephone service is maintained, was urged by Haughton Lennox, who moved to-night a resolution along these lines.

The report of Francis Daggar, who had investigated the question, and the opinion of Sir Wm. Mulock, strongly bore out the statement that Canadians were paying 100 per cent. more for telephone service than any other people in the world, he said. While not arguing for government ownership he maintained that the government should do something to relieve the people from the heavy burden they were bearing. Since he had given notice of his intention of bringing up this matter, the government had got busy and the telephone companies had been asked to submit their tariffs to the railway commission.

After 11 months of government ownership and operation of telephones, the Manitoba Government had a surplus of \$23,000 after 148 miles long distance had been added and 218 new stations established. In European countries government telephones had shown a handsome surplus.

A. K. MacLean (Lunenburg), denied that the people of the three western provinces where the government owned and operated the telephone service were paying less for telephones than those of the other provinces. He claimed the national telephone service in Europe was as a rule miserably bad and the rates there could not fairly be compared with rates in Canada. Instead, it could be easily shown that there had been a deficit while the rates in Alberta were not lower than in the County of Simcoe.

He moved an amendment expressing approval of the government placing telephones under the control of the railway board.

Mr. Armstrong criticized the manner in which independent lines were treated by the Bell Co. in the matter of connections.

W. D. Lighthall, supporting the amendment, made comparison to show that telephone service was cheaper in New Brunswick than in the province of Ontario, where it was owned, than in Manitoba under government ownership.

Mr. Burrell (Yale-Cariboo) asked for comparison with 50 miles of wire, as the service party of East Toronto at Victoria Hall. "He has done more than the two parties put together, and I am a great sympathizer of his, and The World and The Telegram are the most independent newspapers in Canada, and no amount of money will buy them."

Joseph Russell, M.P., thanked those present for the good lift they gave him on the 26th of October last.

"I have been treated pretty well at Ottawa, and was well received as a new member. I have met a great number of men down there who claim to be independent, but when it comes to a vote I have noticed they always line up with their party."

"W. F. Maclean is right on a good many things," continued Mr. Russell, "and especially in opposing the right of the C.P.R. to issue more of its stock."

He believed the senate as at present constituted was useless, and that if the vote had been taken on Wednesday last the upper house would have been abolished.

H. E. Joslin, referring to the association, said the organization had been formed as a result of the many breaking away from the rule of the reform, past president of Eastern Ontario, having for its purpose the election of good honest representatives.

HOLLAND NEARLY GOT OUT

Lawyer Served With Habeas Corpus, But Missed a Point.

The release of Christopher Holland from the Philadelphia jail, where he is held on more than a dozen charges of uttering forgeries on Toronto banks, was narrowly averted Saturday afternoon.

Holland had been held under the jurisdiction of the city police court since his arrest, and was transferred to that of the federal courts under an extradition warrant sworn to by the resident British consul. The waiving of the nominal charge by the city sheriff and the police judge was secured Saturday noon, and Holland formally placed in the custody of the federal authorities.

When he was being transferred back to the jail, 10 minutes after the transfer of custody, Holland's counsel, who is the leader of the criminal bar of the Quaker City, served upon the city authorities a writ of habeas corpus returnable yesterday. This was, however, inoperative against the new charge laid.

All haste is being made to forward the final warrants to Detective Mackie lest any further attempt be made to release Holland from custody.

As determined by the Philadelphia police to have Holland out of the country, that even should he evade extradition it is likely that he would be deported to Canada as an undesirable.

Insurance on Great Lakes.

NEW YORK, March 1.—A special London despatch to The World says: W. A. Prime, insurance broker of New York, is in London with a power of attorney representing shipping on the great lakes valued at upwards of ten million dollars, for the purpose of effecting with the big insurance agencies of Great Britain on the subject of rates on load lines.

Ice at Port Arthur.
PORT ARTHUR, March 1.—(Special.)—Fears of an ice famine in Port Arthur next summer are dispelled. Thunder Bay is frozen over and the crop now being taken is 16 inches thick, half the usual thickness.

NO RESPECT FOR OLD AGE



EAST INDEPENDENTS HAVE FIRST "SMOKER"

Joe Russell Has Found Members of Parliament Who Don't Vote as Freely as They Talk.

"No man would make a mistake if he took his eye from W. F. Maclean," is what Joe Russell stated last night at the smoker of the Independent Conservative party of East Toronto at Victoria Hall. "He has done more than the two parties put together, and I am a great sympathizer of his, and The World and The Telegram are the most independent newspapers in Canada, and no amount of money will buy them."

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MOTORMEN SUSPENDED

And Other Car Men Think the "Spotter" Liable.

Employees at the Yorkville car barns are aroused over the suspension of four motormen.

It is claimed that a "spotter" waited at Avenue-road and Bernard-avenue on the night of Feb. 23 and reported that the motormen had disregarded the signals of would-be passengers waiting at the corner.

Some of the men say they didn't see any such passengers left and are worried lest they become the victims of false reports.

Honored Novelist Poe.
LONDON, March 1.—A brilliant company gathered to-night at a banquet at the invitation of the Authors' Club to celebrate the centenary of the birth of Edgar Allan Poe. Sir Arthur Conan Doyle presided, and was supported by Ambassador Reid and Mrs. Humphry Ward, many leading British authors, and a large number of American residents of London. Among the guests was Captain Poe, the oldest surviving member of the Poe family.

BANK'S CASHIER IS GONE WITH WOMAN AND \$5000

Saskatoon Employee of the North- ern Crown, Formerly of London, Ont., Suddenly Left Town.

SASKATOON, Sask., March 1.—(Special.)—Considerable astonishment was aroused locally when it was stated this morning that Frank Lee, teller in the Northern Crown Bank here, is missing along with some \$5000 in cash. Lee was a young fellow and well-liked and no one suspected anything wrong. About ten days ago he got leave to visit his mother in the east, who was reported to be dying, and left hurriedly. It is now rumored that along with Lee, a woman from the red light district went on the same train.

Inspector Wile of Winnipeg and Local Manager R. R. Morgan will say nothing other than that they look to the bonding company to make good the shortage in his accounts.

In addition to being tellers, Lee would also act as an accountant, and it would be an easy matter for him to "cook" the books to cover up any shortage.

It is supposed Lee has gone south. Lee came from near London, Ont., a couple of years ago, and had previously held positions in the bank at Ratville, Man., and at Nokomis, Sask. The loss is fully guaranteed to the bank by the Imperial Guarantee and Accident Company.

ACCIDENTAL DEATH.

Dr. Fred Winnett's jury last night found that James Ross had come to his death in the Watts Mill by accident. The jury were divided as to whether negligence by employees had been shown.

KILLED ON RAILWAY TRACK

Unknown Man Victim of Train Near Agincourt.

An unknown man, 75 years of age, and roughly dressed, was struck by an eastbound C.P.R. freight train, immediately west of Agincourt, fourteen miles from Toronto, at 3.30 yesterday afternoon. The body was picked up unconscious, but still alive, and placed on a train coming into the city; he died on the way. Dr. Crawford met the train at North Toronto. The body was taken to the morgue, where Coroner Singer will open an inquest at 4 o'clock.

The old man seemed not to hear the train, which overtook him in a heavy snowstorm.

He was five feet 6 inches tall, weighed about 150 pounds, and had on a suit of dark clothes and a sweater. He was clean shaven and his hair was white. The front teeth were gone on the lower and upper jaws. He had in his pockets the names of the city relief officer and a Salvation Army captain.

Sifton Will Be Asked.
WINNIPEG, March 1.—The legislative committee appointed to investigate the charges as to the Manitoba lists at the last election have decided to ask Hon. C. Clifford Sifton to appear to give evidence. As the Ottawa house is in session he cannot be summoned. The Liberals still refuse to take any part in the enquiry.

Find Quicksilver.
PRINCE ALBERT, Sask., March 1.—(Special.)—Quicksilver has been discovered a hundred miles down the river from here.

DEFENCE BUY WITNESS FROM STATE'S COUNSEL

Peculiar Transaction Takes Place in Court During the Carmack Murder Trial.

NASHVILLE, Tenn., March 1.—A spectacle of counsel on one side not only selling a witness to the opposition but bargaining over the terms, was one of the incidents that occurred to-day in the trial of Col. D. B. Cooper, Robin Cooper and John D. Sharp for the slaying of former Senator E. W. Carmack.

The subject of the commercial transaction was Dr. McPheters Glasgow, who had been employed by the prosecution to go to Columbia and perform an autopsy on Senator Carmack's body.

He reported his findings to the prosecutors. He was subpoenaed by the state, but was not used. The defense learned of the autopsy and summoned Dr. Glasgow to do counsel for the defense that his services as an expert had been retained by the state and that he would not discuss the case except with the attorney-general, who finally made the proposition, that if the defense would pay the costs of the autopsy, including Dr. Glasgow's fee, the state would waive its rights.

Judge Hart said the defence wanted to see the goods before they bought, and they offered to confer with Dr. Glasgow, and if they decided to use him as a witness, to reimburse the state for the cost of the autopsy.

There was a hurried conference and the defense bought "the goods in the bag" and Dr. Glasgow became their witness. The significance of his testimony was that any one of the three wounds sustained by Carmack was necessarily and instantly fatal and that if the senator did not fire the first shot he could not have fired at all.

CHICAGO TO CELEBRATE

Business Will Stop and Whistles Blow During the Inauguration.

CHICAGO, March 1.—Mayor Buse to-day issued a proclamation calling on the people of Chicago to participate in a demonstration at the hour of the inauguration of the oath to President Taft in Washington next Thursday.

The proclamation requests that 11 m. central time, all factories blow their whistles steadily for five minutes and that all persons during that period suspend their various pursuits. Prayers for the success of the new administration will be offered in the churches.

GUILTY OF GRAFT.

PITTSBURGH, March 1.—After being out nearly 60 hours, the jury in the case of Counsellman Klein and Isaac Brand returned a verdict finding them guilty.

W. W. Ramsey, the banker, was found not guilty on instructions from the court.

MR. MOREL.

NORTH BAY, March 1.—(Special.)—Harry Morel, M.P., for Niagara, was seriously ill at his home at Mattawa with pneumonia.

FOR RENT
Office and warehouse flat in centre of wholesale district, five thousand square feet, two large rooms, heating, excellent shipping facilities.
H. H. WILLIAMS & CO.,
Real Estate Brokers, 24 Victoria St.

11 29TH YEAR

NEW VERSION OF SHOOTING

Miss Kinrade Again Inter- viewed by Detectives— In Condition of Hys- teria—Says She Was Shot At.

HAMILTON, March 1.—(Special.)—Miss Florence Kinrade was this morning interrogated by Provincial Detective Miller and City Detectives Bleakley and Coulter.

The detectives will interview Miss Florence Kinrade again to-morrow morning. They say in spite of reports to the contrary, that she appeared to be quite calm and collected during their interview this morning, the laboring under a strain, until they were coming away when she went into hysterics again.

The fact that she has told the four different stories has proved baffling to them. To-day she said that when she jumped out of the side window, the man grabbed her and pulled her back into the house again. The police say that there were no indications of a struggle having taken place at the window, and they can find no trace of the bullets she says were fired after her when she jumped out of the window and when she rushed from the house to give the alarm.

Not a Tramp.
She said to-day that when she was upstairs she heard shots fired, that she ran downstairs past the man and got out of a side window, the man firing several shots after her.

She also said that when she came back into the house she grappled with him, and that when she ran out of the front door to give an alarm he fired several more shots after her.

She said that the murderer was not a tramp, as he was too well dressed. She could not be sure whether she would know him again.

The autopsy has confirmed the fact that seven shots were fired into the body of the murdered girl.

A Denial From the Police.
The police deny that they found a blood-stained scarf in the back yard, that was inspected by the medical men after the shooting. They found a rag from an apron lying in the bushes, but say that it had no blood stains on it, and they attach no significance to it.

Interest is now being centred on the inquest, which is due for to-morrow night. It is not certain that Miss Kinrade will be able to be present to testify, according to her father's opinion to-night. It is anticipated, however, that there will be some surprising information from the medical men who made the post-mortem examination.

Meanwhile, everybody has a theory of his own. One prominent military man declares that the shooting was done by a man about five strong man, well used to firearms, else the bullets would not all have found their billet, and in such a close range. It is certain some shots were fired while the woman was prostrate.

When Was Shooting Done?
Another man who has been following the case closely holds to the theory that the shooting was done by a man who knew the family and the house; that Miss Florence realized that her sister was in danger and ran upstairs to tell her to lock herself in her room; that the shooting was done some time before Miss Florence notified the neighbors, but that this delay was due to the fact that she likely had some shots in her interval. This theory is supported, in a way, in the statement that the coroner found the dead girl's hand cold, as the death had taken place some time before; while it would also account for the fact that no man was noticed to leave the house just previous to Miss Kinrade's giving the alarm. Many other theories and stories are in circulation.

Offer \$1000 Reward.
Mr. Kinrade has decided to offer the reward of \$1000 for the detection of the murderer. Mrs. Kinrade knows that her daughter came to her death, but has been told that it was the result of an accident.

Mr. Kinrade talks of taking his family away from the scene of the tragedy for a time. Miss Kinrade will, however, be allowed to leave the city, as she is required as a material witness. The constables who have been out looking for suspicious tramps returned without making any arrests. They claim that they found the surrounding country overrun by armed hordes.

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