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A TENDER HEARTED MAN.

ONE CENT

# OLICE STOP CARS; COMPANY QUITS SERVICE CITY COUNCIL CALL UPON THE RAILWAY BOARD

Sensational Episodes Follow Decision of Police Commissioners to Assist Aldermen in Enforcing the Agreement-Prompt Co-operation Expected From Provincial Board and Interim Order Probable Tomorrow-Meanwhile Engineer May Arrange for Temperary Vehicular Service on Disorgenized Routes.

### OARD WAS ALSO APPEALED TO TO PREVENT THE OVERCROWDING

"The Board recommend that an immediate application be made to the Ontario Railway and Municipal Board to forthwith compel the Toronto Railway Company to operate the routes discontinued to-day and to take over the Toronto Railway Company's system and operate it pending the enforcement of the greement between the city and the Toronto Railway Company, and to take any other measures as they may see at under the circumstances; also that the city engineer be instructed to confer with the owners of vans and other suitable vehicles, with a

other suitable vehicles, with a view to provide transportation of the loops is inapplicable to the new conditions. He also facilities for those citizens who are inconvenienced by the discontinuance of the Bathurst-street, Arthur-street and Winchester-street, Arthur-street and Winchester-street ears."

The foregoing resolution, unanimously carried at another special meeting of the city council as the city with wiful delay in the hearing of the appeal case before the privy council.

Jan. 22, 1907.

His Worship the Mayor,

City Hall, Toronto.

City Hall, Toronto.

The foregoing resolution, unanimously carried at another special meeting of the city council at 8 o'clock last inght, means that the Ontario Railway Co. on their Bathurst and Municipal Board is called upon to deal with the largest question, not excepting the Hamilton street car strike situation, that has been brought before it as yet for adjudication, the action of the public and that notwinstanding ignorant or malicious reports to the contrary, many more cars are now being used since the construction of the loops has made their use possible.

Changed Conditions.

That no no omitted the consider the city engineer's letter of Jan. 17, which, however, names no time, nor does it state any proposed action on the part of the city, but is a mere direction to carry out the provisions of the city supported by the company were thereupon compelled to ecase operating these routes in ordering out the constables, and the routes of the company were immediately afterwards taken by other crews in mediate by afterwards taken by other crews in the three affected lines having brought before the public and that notwinstanding ignorant or malicious reports to the contrary, many more cars after use possible service to the public and that notwinstanding ignorant or malicious reports to the contrary, many more cars after use possible service to the public and that notwinstanding ignorant or malicious reports to the contrary, many more cars after use possible.

Changed Condition

He admitted, however, that, pending legal advice, no cars would be run upon the three suspended routes-Bath urst. Arthur and Winchester-streets. In order to inconvenience the public as little as possible, a number of extra cars were put on adjacent routes dur ing the day to feed the districts af-

Mr. Fleming stated that during the rush hours 100 more cars have been in use since the opening of the loops than before the loop service was instituted and that 70 more cars had been placed on general service thruout the city,

Application to Board. Assistant City Solicitor Johnston filed the following application yesterday with the municipal and railway board at the parliament buildings, asking the

the parliament buildings, asking the board to deal with the overcrowding of the street cars. The application was made by Craig Chisholm, city solicitor. "Corporation of the City of Toronto, applicants, and the Toronto Railway Company: -Notice of application-

"The applicants are a municipal corporation. Under and by virtue of an agreement dated Sept. 1, 1891, made between the applicants and George W. Kiely and others, which agreement is validated by the statute. 55 Victoria, chapter 99, it is provided that ears are not to be overcrowded (a comfortable number of passengers for each class of cars to be determined by the city engineer and approved by the city council). The respondents have been, and are now. violating the said agreement by allowing their cars to be overcrowd-"The applicants request that the

## MANAGER FLEMING'S DEFENCE

for all loss and damage.

"In the evident desire to harass and injure the company convenience of citizens has been

greatest possible service.

carry out the schedule of April, 1904, which is entirely inapplicable to present conditions."

# FLEMING ACCUSES CITY OF BLOCKING ATTEMPTS TO HURRY UP THE CASE

The subjoined letter from Manager did not choose to do this, the service on these routes must stop until the company is advised as to the proper course to take under the circumnight. Mr. Fleming points out that stances. the city engineer's letter of 17th inst.

was a mere direction to carry out the schedule of April, 1904, which since that the greatest service to the public

respondents be ordered to cease allowing their cars to be overcrowded, by providing a sufficient number

of cars to carry their passengers, or that such order may be made by the board in reference to the mat-

ters in question, as to the board may seem proper, for enforcing the

"The application will be heard by the board after ten days from the

date of service hereof or earlier as

the board may appoint, at such time

James Leitch, K.C., chairman of the

board, gave Mr. Johnston permission to serve short notice of motion on the To-

ronto Railway, returnable before the board at 11 o'clock Friday morning, for

In view of the present relations be

phases of which are the subject of liti-

gation between the parties, Mr. Leitch

possible for him to discuss matters sub

The act empowers the railway board

ween the city and the railway, several

he hearing of the application.

the board may order and direct."

provisions of the said agreement.

LITIGATION ALREADY IN PROGRESS

Phone Main 2770

The act empowers the railway board to enforce agreements between railways and municipalities if, on investigation.

If he found that such agreements have

"The routes have been selected as giving the

the construction of the loops is inap- is what produces the greatest revenue

"The action of the city is a deliberate breach of the agreement and in contempt of the courts. "The company will hold the city responsible

utterly disregarded.

"The engineer's letter is a mere direction to

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For Loose Leaf Supplies call M. 6874 Universal Systems, Limited. Ask for representative to call.

Smoke No. 7 cool Smoking Tobacco. Bollard.

our guns, men, I implore you. Perhaps the gentlemanly robber will rob us of less than we think.

Affraged points as well as a point of the consistent of the constable, and the constable and the constable

The Fisheries Debate. "The courage, the fortitude, the hero-ism, the self-devotion of the men of MAY TIE HANDS OF RAILWAY BOARD Canada in early times stands out in historic eminence from which well may flow the deep and unending stream of a great national patriotism.

Hmpress Hotel. Yonge and Gould Davis, the governor replied: "That is a matter between myself and Rearhistoric eminence from which well may in the courts as to be beyond the jurisdiction of any other authority.

The railway board, as City Counsel and training themselves in the art of

Fullerton pointed out last week, should have been applied to in the first instance, and the present drastic action thru the police authorities is probably

At the Board of Control.

After Police Commissioners Coats
Continued on Page 8.

Continued on Page 8.

Though the prices are greatly reducd in all lines no difference will be tade in our standard of tailoring. It's ill the same. Hobberlin's, 153 Yonge Hubberlin's, 154 Yonge Hubberlin's, 155 Yong Though the prices are greatly reduced in all lines no difference will be made in our standard of tailoring. It's still the same. Hobberlin's, 153 Yonge Street. whatever conclusion your parliament reaches will be a conclusion dictated by sincere and intelligent and a right-minded determination to furil the full duty of your representatives to those people whose rights they are bound to ronto Railway, returnable before the board at 11 o'clock Friday morning, for an order to shorten the time for the railway's reply, and to fix a date for people whose rights they are bound to maintain and protect. Whatever the conclusions may be, however much any may differ from it, all men will be Do you want accident or sickness in-surance? See Walter H. Blight, city bound to respect it. gation between the parties, Mr. Leitch took the position that it was quite in Corporation, Traders' Bank Building.

Proud of Canada. "I speak the sentiment of millions of my own countrymen in saying that we look upon the great material and spiritual progress of Canada with no feelings of jealousy, but with admiration, with hope and with gratification. (Ap-

be found that such agreements nave been violated. The many suits pending between the city and the Toronto Railbetween the city and the differences where the city and the differences where the city and the city and the differences the city and the city and the differences the city and cit way make it doubtful, however, whether the case is not now so tied up Dean rents toboggans. Tel. Park 436 of each day and generation are but

ADDUSTRAT COD

and spoke to him of the Davis incident. The governor said that he had not invited Rear-Admiral Davis to land sailors. He asked if he and the continuous sailors. He asked if he and the continuous sailors. a matter between myself and Rear-Admira! Davis, to whom I must refer Edwards. Morgan & Company, Chartered Accountants, 26 Weilington St. you." The governor said that his reference in his letter to Rear-Admiral Davis' and the pillaging house of an American millionaire was merely

> A magnificent line of men's fancy vestings, silk and wool mixtures, going at \$2.75, regular \$4 to \$5 goods. Hobberlin's greatsale, 153 Yonge St. Drink Port Hope Pale Ale at d nners and your doctor will see you serdom.

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Insist always on being served with Radnor. Begin with the New Year and send us your blue printing. You can save space, time and money. Phone Main 1745. Lockhart Photo Supply Co., BIRTHS.

PATERSON—On Jan. 18th, at Pinchurs Private Hospital, Mrs. R. M. Paterson of a son. POTTS-ELLIOTT-At Toronto, Ont., on Jan. 19, 1907, by the Rev. C. C. Laker, James Potts to Margaret J. Elliott, only daughter of Anthony Eiliott, Esq., both of Toronto.

Coroner's Jury Declare Henry Perkins Came to His Death From Poisoning, But Place Suspicion on No One.

WIDOW PROTESTS INNOCENCE

Witnesses Describe the Dying Agonies - No Indication of Suicide - Poison Administered in Large Quantities.

Cayuga, Jan. 22.-(Staff Special.)-"We find that Henry Perkins died by the administration of strychnine poisoning, but by whom we cannot say." Such was the verdict of Coroner Arrell's jury given at the inquest to-day at Canfield, upon the death of Henry

Perkins. The town hall at Canfield was packed to the doors. After an array of witnesses in quick

order by Cfown Attorney Murphy, the jury returned their verdict in 15 minafter the evidence was in, for the cause of death, all swore that death was due directly to strychnine poi-

Rumors of suicide are scouted from the fact that deceased had dictated a telegram to a friend a couple of hours before his death, to come at once.

EDITOR WILLISON (to conductor Whitney and Brakeman, who have drop on train robber): Don't use officer at once

well as the stomach to make the case

Perkins left no will. It was rur betwhen sett no will. It was that a will was to have been drawn up the night before he died. T. A. Mc-Donald, a neighbor, was going to witness the will at the instance of Mrs. Perkins. McDonald did not turn up,

THE BAROMETER.

29,82 14 N. 29.86 14 N. 30.15 8 N. 30.19 Difference from average, 13 below; highest, 16; lowest, 9; snowfall, 2.2 inches.

Faultless y tailored suits that we got \$30 for, to order now at \$22.75. Hob-berlin's great sale, 153 Yongs Street. STEAMSHIP ARRIVALS.

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Minnetonka ... London ... New York

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TO-DAY IN TORONTO.

Masonic Grand Chapter, Temple, American Carnation Society conven-tion and exhibition, city hall, day and

### TICES. gn Bank ada. ividend

that a dividend of nt. (1½) per cent.)
1st January, being ot. per annum on Bank, has been me will be payable t the branches on 16th day of Febill be closed from the days inclusive.

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visit advisable fit impossible send ory and two-cent up for reply. Foronto streets.

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