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The Toronto World.

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TENTH YEAR. SATURDAY MORNING, OCTOBER 12, 1889.—EIGHT PAGES. PRICE ONE CENT.

NO DECISION AFTER ALL.

THE BRENNAN CASE PROVED A FIASCO.

The Jury Could Not Agree—Twelve Hours Tiresome Waiting—The Simple and Knotty Points They Could not Solve—Everybody Now Says, "I Told You so."

Just as the clock struck 10 last night the jury in the celebrated case of Brennan v. Brennan intimated to Mr. Justice Falconbridge that they were unable to agree upon a verdict. The learned Judge delivered his charge in the morning—it occupied about an hour and a half in delivery. It was clear and forcible and while it fairness was unimpeachable it was generally thought that it leaned to the plaintiff's side. After the address closed counsel desired to make one or two slight amendments of the questions, and to expostulate mildly upon one or two points in the address. These suggested amendments were put to the jury, and the matters upon which it was thought his Lordship had dealt with rather ambiguously were explained at greater length. The jury were then locked up and they remained closeted together for nearly eleven hours. At 10 o'clock at night they were escorted into court, and in answer to the judge the foreman announced that there was no probability of their arriving at a verdict. They had succeeded in answering only one question and that was immaterial. This, His Lordship oracularly observed, was a great misfortune to the parties who had spent such an enormous sum as the trial had cost in litigation. The legal bill, The World has on good authority, will amount to nearly $5000. "Do you think there is any prospect of your agreement?" His Lordship plaintively asked. "No, the lady," replied the imperturbable foreman. "Do you think that the prospect of remaining here until tomorrow morning will have any effect?" the judge inquired. "I do not think so," the foreman answered. "There is not the remotest chance of our agreeing." The jury were then discharged.

So far as the case has gone each party will pay their own costs. The legal point as to whether any action can possibly lie remains yet to be decided. The Judge has promised to fix a day to be hereafter named for argument, and upon His Lordship's deliverance will no doubt depend the fact of whether there will be another trial.

A Lively Time in the Jury Room.

A little boy told The World last night that there was a lively time in the jury room yesterday afternoon. When the jurymen began their deliberations the foreman suggested a $15,000 verdict. The proposal was scouted. Then it was proposed that $3000 be awarded. Ten men were for it and two against. The two managed in the course of the discussion that followed to secure another adherent to their side. When therefore the announcement was made to the court there were nine of one way of thinking and three of the other. One juryman, it is said, has prayed for divine assistance every night and morning. Another expressed his determination to stand out to the last four days in support of his opinion.

The Judge's Questions.

These are the revised questions submitted to the jury by His Lordship:

I. Did the defendants, or any of them, during the course of the negotiations about the marriage of the plaintiff with Joseph Brennan, make to the plaintiff, or to her father and mother, the following representations or any of them:

(a) That the said Joseph Brennan was a sober man;
(b) That the said Joseph Brennan was, and always had been a man of good moral character;
(c) That the said Joseph Brennan was a member of the firm of M. Brennan & Sons;
(d) That the said Joseph Brennan had an income of $3000 per annum;
(e) That the said Joseph Brennan had an income of $2000 outside of the partnership, i.e., over or above the income which he had as a member of the firm?

II. Did the plaintiff, when she entered into the engagement and consented to marry, and did marry, Joseph Brennan, act on the faith of such representations, and if so, on all or in which of them?

(a) Or did she enter into the engagement and marry him, influenced by feelings of affection and other considerations, and not influenced by the alleged representations?

(b) Or if such representations were made, did the plaintiff enter into the engagement and marry Joseph Brennan influenced by them, as well as by feelings of affection and other considerations.

III. Were such representations false, to the knowledge of the defendants?

What representations were false?

To the knowledge of which defendants as to each several representation?

IV. Had the plaintiff's father notice or knowledge that the alleged representations as to Joseph being a partner were untrue?

QIV. If he had any such notice or knowledge, did the defendant, Mr. Brennan, thereafter represent that Joseph was a partner?

V. Were the representations made by the defendant in pursuance of an understanding between them with the object of inducing the plaintiff to marry Joseph, or for obtaining the consent of the plaintiff's parents?

VI. Were the practices and habits of Joseph Brennan after his marriage, and his conduct towards his wife, such as to justify her in separating from him, and ceasing to live with him as his wife at the time she left him in April, 1888?

As to alleged (1) Cruelty?
(2) Drunkenness?
(3) Sexual immorality or the attempt to commit acts of sexual immorality?

VII. In the event of your answers being in favor of the plaintiff on question 5, and in other respects against the defendants, what damage do you give against the three defendants?

(a) As to the representations regarding Joseph's habits and character for sobriety and morality?
(b) As to the representations regarding Joseph Brennan's income and his alleged position in the firm of M. Brennan & Sons?

VIII. In case you do not find against the defendants jointly, but find against any of them individually, What damages do you give regarding Joseph's habits and character for sobriety and morality, against Michael Brennan, against Sarah Brennan, against Hugh Brennan; and regarding Joseph's income and alleged position in the firm, against Michael Brennan, against Sarah Brennan, against Hugh Brennan.

His Lordship's Opening.

His Lordship, in opening the case, congratulated the jury upon the patience and attention they had bestowed upon the case. Every single department of the evidence had been reviewed by counsel. The case was one of startling novelty. No similar case had ever been tried in any British court, nor was any chapter of British law directly applicable to it. The action was so novel in all its various phases that when the case for the plaintiff was closed the counsel for the defendants urged upon him, as a most potent argument, that the case should be dismissed, the cause not maintained or allowed on account of lack of precedent and extreme novelty of the suit.

But he had determined to let the jury hear the entire argument and deliver themselves upon it so that their judgment might become a guide in determining suits which followed. He could not but think that many of them had made up their minds on many if not all the material points. He would not induce them to change any opinion at which they had arrived. Libbie Chaffey and Joseph Brennan were married on the 1st Feb., 1883, and they lived together until April 17th, 1888, and were now legally separated. The action was brought against the husband's father, mother and brother, on the ground that the defendants entered into negotiations and made to the plaintiff certain false and fraudulent representations, that they entered into a conspiracy to bring about her marriage with Mr. Joseph Brennan, and that the marriage proved an unhappy one, and that never from the time of the union had she enjoyed the happiness which matrimony should bestow. These alleged representations affected Joseph Brennan's moral character. They said he was a man of moral character, a member of the firm of M. Brennan & Sons, with an income of $3000 a year. The first question he should ask the jury to answer was whether the representations were actually made. From the commencement of the case there seemed to be a conflict of testimony in every branch of it. It was alleged on the part of the defendants that the evidence showed that this girl Libbie was just as desirous and sought after the marriage as much as the defendants; while the plaintiff pointed out that by all manner of negotiations and conspiracy the defendants were seeking this girl to make her the wife of Joe. In considering the evidence they had to remember the fact that it was said that too great concurrence in giving exact language was not a mark of truth.

The defendants asked them to believe that the result of the evidence was that the plaintiff was willing and anxious to marry this young man—that she would have married him in spite of any representations whatever; that in fact there was nothing in the evidence which would justify you in finding that she married him on the faith of those representations. She had been estranged a very short time before her first visit to the Brennans—that the engagement was broken off by her father because he thought that the young man had not sufficient financial standing to justify him in giving him his daughter's hand. The whole drift of the evidence indicated that she was anxious to marry Joseph Brennan apart from any other considerations.

Were the Representations False?

The next point was whether such representations were false to the knowledge of the defendants. As to the representations about Joseph's financial standing—about his being a member of the firm—these, if made, were undeniably false, and false to the knowledge of the defendants, except perhaps in the case of the old lady, who did not appear to have known definitely that Joseph was not a member of the firm; they were also false as to his having an income of $3000. As to Joseph's mode of indulgence in the use of intoxicating liquors, whether he was or was not a sober man, the matter was placed beyond the reign of peradventure, there was evidence that on the night of the 25th Dec., only a few days before or a few days after the party, which the young lady attended prior to her engagement, Joseph had been for some cause arrested—had spent a portion of the night in the police cells, and was released by Hugh Brennan by order, in response to the telephone, at 7 o'clock in the morning and procuring an order from the magistrate.

Morality or Want of It.

As to his morality or want of morality, His Lordship pointed to the evidence as regards the illegitimate children of the girl Ibbitson and Bridget Morgan. Counsel had presented a most forcible argument about how sad a thing it would be if there would be no reclamation for a man who had gone wrong in early youth. This was perfectly inconsistent with the statements made as to his immorality. With reference to the question of whether the plaintiff's father had notice or knowledge that the representations as to Joseph's being a partner were untrue. It was said that the plaintiff had or ought to have had a knowledge that the representations made about Joseph being a member of the firm were not true; and if that were the case they could not have relied upon the statements of the defendant as to that. That depended upon the evidence of the Wrights, who said that when the father went down to their shoe store to interview Mr. Wright, the mind of Dr. Chaffey was and is abused of the idea that Joseph was a member of the firm. The evidence was very strange that William Wright told the doctor distinctly that Joseph was not a member of the firm. Mr. Wright told him that he could ascertain for himself—by consulting the mercantile agency—whether or not the young man was a member of the firm. The argument by which this statement was met was, admitting the Wrights' statement to be true that Dr. Chaffey took the best means of assuring himself of the fact by asking Mr. Michael Brennan in his own house that very evening.

Was There a Conspiracy?

The next point was whether representations were made by the defendants in pursuance of an understanding between them with the object of inducing the plaintiff to marry Joseph or of obtaining the consent of the plaintiff's parents. The theory of the plaintiff was that there was a regular conspiracy between the father, mother and brother, who knowing the history and abandoned habits of the son and brother made up their minds to endeavor to reclaim him by marriage with the young girl, so that, as the plaintiff said, her life might be made a sacrifice to their efforts to reclaim him from drunkenness and immorality. He now came to the question whether the practices and habits of Joseph Brennan, after his marriage and his conduct towards his wife and treatment of his wife, were such as to justify her in separating from him. This question involved the consideration of subjects which lay at the basis of the whole action. Indeed Joseph Brennan's conduct as they might find it, after his marriage threw a light upon what his conduct was probably before marriage. Joe denied immorality after marriage, and as to indulgence in intoxicating stimulants he was a better man after marriage than before. It was a question for them (the learned judge) had determined to go further and to ask in answer to this question what the cruelty, drunkenness and infidelity was. This question, vital as it was, had been dealt with at very great length. The defendants urged that the tone of the letters written by the plaintiff to her husband from 1884 up to late in the year 1887, breathing as they did affection for her husband, were utterly inconsistent with the terrible picture which was painted of the condition of affairs at that home. Against that was presented the argument that she was endeavoring by all methods to reclaim her husband—that she was unwilling, until she was obliged to do so, even to reproach him with what he had done. It would be for them to read the letters and say what they thought of them.

That Dream Again.

In connection with the correspondence there was one very curious letter which could not be read in this court room. There was an account of a dream in the letter, which Joseph Brennan admitted in the court that he never dreamt—that account was full of most singularly disgusting details. The letter contained a distinct admission of his wrong-doings, and that his wrong-doing was caused by over-indulgence in intoxicating liquors. As to the specific charge of immorality there were the cases of Anna Hannaford and Eliza Jeffrey, and the fact that Joseph entered the room of Miss Abbie Addis for an improper purpose. They had heard the evidence upon these questions. Joseph Brennan was in the box for a long time, and the jury had heard his evidence. He was not a party to the suit, but he was put into the box by the defendants. It might be that he (the learned judge) exhibited a good deal of impatience with him in the box. As a matter of taste it seemed a terrible thing that a man standing in the midst of the wreck of his domestic happiness should give way to the antics that he was guilty of when he gave his evidence. He was impatient with the man but he thought it right to say that the jury must not consider that deplorable levity of conduct as a reason for disbelieving what he said. The plaintiff's conviction was that on account of Joseph's drunkenness and infidelity he was obliged to leave him. On the other hand the defendants said that Mrs. Joseph Brennan wished to live in the metropolis of Ontario—and not to be confined to the comparative seclusion of the city of Hamilton. These were put forward as the real reasons for her leaving her husband's home. It was said that Joseph took a violent hatred of the Earls—not only of his brother-in-law, not of his brother-in-law's wife—in consequence of Mr. Earl's interference with his affairs in conveying to Dr. Chaffey the information that induced him to go down to Joe's house some months after the marriage. He objected to the visits of the Earls' and charged them with being the cause of the separation that ensued and the trouble that had arisen.

The Damages.

The remaining question, said His Lordship, for the jury to consider was, if they concluded that the plaintiff was entitled to a verdict what damages they should allow. In the event of their answer being in favor of the plaintiff he would ask the jury to separate their damages as against the various defendants. The plaintiff was here of her own free will and she brought this action. It was not an action in which her character or reputation—her virtue or chastity—was at stake; she has brought the action for money. The jury had to deal with the case regardless of the consequences to any party. As regards the amount of damages that was entirely in their hands.

Families leaving the city or giving up housekeeping, can have their furniture carefully stored at moderate cost with Mitchell, Miller & Co., 45 Front-street East

A RAILWAY IN THE IRON REGIONS.

Developing the Mineral Deposits in Haliburton and Hastings.

The Ontario Government was waited on yesterday by Chas. J. Pusey, of Irondale; John A. Barron, M.P., Lindsay; Mayor Walters, Lindsay; J. R. Stratton, M.L.A., West Peterboro; T. G. Hazlitt and J. B. McWilliams, Peterboro; Thos. Blezard, M.L.A., East Peterboro, and Mr. Wilthrow, furnace builder, Pittsburg, representing the interests of the Irondale, Bancroft and Ottawa Railway.

This road at present runs from Kinmounts, a point on the Victoria branch of the Grand Trunk Railway, 10 miles eastward to Irondale. At Irondale there are two iron mines, brought to their present state of development by the pluck and tenacity of Mr. Charles J. Pusey, who has spent 10 years in this work. He has invested a large amount of money and labor in the Irondale properties in the face of a heavy duty against Canadian ore going to the United States. He has now gone a step further and proposes to manufacture pig iron for the Canadian market. The Bancroft Iron Co. has been organized with the object of erecting a furnace with a capacity of 100,000 tons of pig iron a year.

Before going into the enterprise, however, the company want the railway pushed on 50 miles to Bancroft, in order to ensure an ample supply of ore in case the mines at Irondale give out. They also want a grant of wooded land from which to draw supplies of charcoal for the furnace. The road has already a subsidy from the Dominion Government of $3200 a mile, and the deputation waited on the Ontario Government to ask an additional subsidy of $3000 a mile. The counties of Peterboro, Haliburton and Victoria are to be asked for $10,000 each. The cost of construction will be about $15,000 a mile.

Secure your tickets at Nordheimer's for the F. P. C.

A Mexican Tragedy.

CITY OF MEXICO, Oct. 11.—A man and woman of the lower class quarrelled in the street here yesterday, and the man made a pass at the woman with a knife. The woman was carrying a child, and instead of striking her, the knife penetrated the child's body and killed it. The woman jumped on the man, wrested the knife from him and plunged it into his heart, killing him. She was arrested.

Advances made on merchandise warehoused with Mitchell, Miller & Co., 45 Front-street east.

The Daily Smash.

PITTSBURG, Pa., Oct. 11.—A wreck occurred on the Cleveland, Wheeling and Loraine Railroad near Bridgeport, O., this morning between an engine and a caboose carrying about 100 laborers. Four men were killed and 12 fatally injured.

Merchants can warehouse goods in bond or free with Mitchell, Miller & Co. Negotiable warehouse receipts issued; rate of insurance low.

Bradstreet's Report of Failures.

NEW YORK, Oct. 11.—Business failures reported to Bradstreet's number 234 in the United States this week against 188 last week and 195 this week last year. Canada had 38 this week against 30 last week. The total failures in the United States Jan. 1 to date is 8737 against 7671 in 1888.

George Fox, the Gifted Young Canadian Violin Virtuoso, at the F. P. C. next Thursday evening.

Of Course There Is.

MONTREAL, Oct. 11.—The American mining engineers arrived in the city to-day. During their trip they have examined many ore producing centres of the Dominion. They think that there is a great future in store for the mining industries of Canada.

Mr. S. H. Clark will give his inimitable rendition of the Chariot Race at the People's Popular Concert next Thursday evening, Horticultural Pavilion.

Fishermen Drowned.

TIVERTON, Oct. 11.—Dan McLeod, with his wife, son and two men named McLeod and Malcolm McKay, all of Inverhuron, left there in two fishing boats Saturday morning. Both boats have been found badly damaged on the beach and it is supposed all were drowned.

Dr. Fulton will speak in the Pavilion on Sunday afternoon at 3 o'clock. Don't fail to hear him.

Went Through a Bridge.

WHITBY, Oct. 11.—Yesterday a boy named Hopper, driving with a load of barley and peas, went through White's bridge. No damage was done except to the load.

Dr. Fulton will speak in the Pavilion on Sunday afternoon at 3 o'clock. Don't fail to hear him.

The Manitoba May Cross the C. P. R.

OTTAWA, Oct. 11.—The Railway Committee of the Privy Council this morning finally granted permission to the Northern Pacific Railway to cross the main line of the C. P. R. at Portage la Prairie.

Dr. Fulton will speak in the Pavilion on Sunday afternoon at 3 o'clock. Don't fail to hear him.

$9.50 New York and Return.

By request of a large number of citizens Mr. H. W. Van Every, our popular and well-known excursion agent, has decided to run one more of his cheap and popular excursions to New York city, leaving Toronto on Saturday, Oct. 19, at 12.20 noon, via G.T.R. to Suspension Bridge, connecting there with through train for New York. Parlor reclining chair coaches will be furnished free of extra charge to excursionists. Wagner sleeping cars will run through from the Bridge. All having any idea of visiting New York should take a trip over this picturesque route, passing along the famous Hudson River by daylight. The return fare from Suspension Bridge is only $9.50. Berths should be reserved in advance, as there will be a great demand for them. For berths, tickets and reliable information apply to H. W. Van Every, C.P.A. R., W. & O.R.R., 5 Adelaide-street E.

Go to Church

with one of Wheaton's new scarfs on. We show the most elegant lot of gentlemen's scarfs we have ever got done, and that says everything. Wheaton & Co., 17 King-street, corner Jordan.

Manufacturers, by warehousing their surplus stock with Mitchell, Miller & Co., receive negotiable warehouse receipts.

Accidents.

This is a year of accidents, the unfortunate effect of which are largely ameliorated by a policy in the Manufacturers' Accident Insurance Co., 35 King-street west, Toronto.

Advances made on merchandise warehoused with Mitchell, Miller & Co., 45 Front-street east.

Stop Watches.

Intricate and complicated watch work my forte. E. Beeton, High Grade Watch Specialist, Opposite Post Office.

Another Scottish Invasion.

About five hundred Highlanders are going over to Paris under the chieftainship of Mr. David White of Abbey Craig with the object of proving to the world that for athletic skill and manly beauty there is no nation in the world like the Scotch. If these worthy Caledonians were only equipped with quinn's chamois-lined one twenty-five driving gloves, they would drive jealousy into the hearts of the Frenchmen.

Dr. Fulton will speak in the Pavilion on Sunday afternoon at 3 o'clock. Don't fail to hear him.

Fur-lined Cloaks.

For an early fall wrap there is no garment a lady can wear that will combine such comfortable warmth for so little money as does a fur-lined cloak. Those handsome garments are displayed in a variety of shapes and materials in Dineen's great show rooms on corner King and Yonge-streets.

DIAMONDS—For the very finest Diamond Jewelry go to Woltz, the Diamond Broker, 41 Colborne-street, Toronto. 146

ANEW TO WAGE THE FIGHT

THIS WAS THE OUTCOME OF YESTERDAY'S WORDY STRIFE.

Stormy Meetings of the Board of Regents, Advisory Committee and Methodist Conference Committee — Fighting Over Federation—The Conference Convened.

For ten hours yesterday, heated debates, bristling with personalities and lacking that charity which suffereth long and is kind and thinketh no evil, resounded through the Board-room of the Methodist Book-room, Richmond-street. The battle of federation was fought over again, and no distinct gain was achieved. It was not until half-an-hour after midnight the decision was arrived at that the General Secretaries of the Methodist body should convene a meeting of the General Conference to be held in Toronto in January next. Meanwhile a committee will proceed to Cobourg to induce the corporation of that town to stay the legal proceedings against the Board of Regents in pursuance of the injunction under which they lie. The trial is fixed for Oct. 28 and Mr. D'Alton McCarthy has been retained for the defence.

The Peaceful Opening.

Rev. Dr. Carman, General Superintendent, presided, and there were present: Revs. Dr. Burwash, Dr. Potts, Dr. Dewart, Dr. Stafford, Dr. Stone, Dr. Aylesworth, Dr. Arncliffe, Dr. Sutherland, Dr. Ryckman, Dr. Parker, Dr. Burns, Dr. Williams, Dr. Hunter, Dr. Griffin, Dr. J. F. German, Dr. Henderson, James Allan, Hon. Senator Macdonald, Dr. J. J. Maclaren, William Kerr, Q.C., Judge Jones, S. F. Lazier, Dr. Lavell, W. F. Hall, George A. Cox, James Mills, J. J. Withrow, Dr. Downey, J. M. Farris, Dr. J. E. Graham.

Several prominent Methodists were present as spectators of the proceedings, including Rev. Dr. Huestis and Hon. D. W. Allison of Nova Scotia, Rev. Le Roy Hooker, Rev. Professor Reynar, Henry Hough.

The Chairman referred to the heavy responsibility on the Board of Regents at the present time. He could not ignore the diversity of opinion on the federation question, but he was thankful there were some things on which they were unanimous, for instance, the need of the highest efficiency in Methodist education, the need of unity and hearty co-operation in reference thereto. He trusted that a conclusion on this vexed federation question would be reached beneficial to all and for the glory of God.

Chancellor Burwash read the report of the committee of the board which met the Mayor and people of Cobourg to discuss the Federation question. They had already published in The World. The Chancellor then moved the reception of the report and its transmission to the joint committee of the Board of Regents and the Advisory Committee.

Dr. Potts seconded the motion, which was agreed to.

Dr. Griffin complained that such an important committee was so badly represented at Cobourg. Dr. Maclaren and Dr. Lavell, who had been converted to federation, and who knew so much about the business were, he regretted to say, absent. Further, the proceedings at Cobourg were informal—there was neither chairman nor secretary; promises were made which could not be performed. The whole thing appeared to have been "mixed up." [Laughter.]

Dr. Maclaren congratulated the members of the deputation who attended at Cobourg on the good effects of their visit. He thought the report was an omen of better days. He deprecated the litigation to take its course.

Dr. Ryckman accepted this addendum.

Dr. Williams moved and Dr. Downey seconded this amendment:

That inasmuch as the calling of a special session of the General Conference will involve great additional and unnecessary expense, and as the number of transfers that have taken place and other causes render that body no longer a proper representative one, and inasmuch as the proper time for the meeting of the next General Conference is only a short distance and inasmuch as the Cobourg municipal authorities have agreed to accept the action of a new General Conference as final and decisive of this question, we declare it to be our conviction that the whole question should be remitted to the next General Conference to meet in September, 1890.

Dr. Burns and Dr. Stafford submitted this amendment:

Resolved that this Board and Advisory Committee recommend the Board of Regents to accept the proposal of the town of Cobourg to leave the whole matter of litigation in abeyance to the General Conference of 1890, provided the plaintiffs all agree to accept the action of our General Conference.

The Evening Session.

The hour's respite did not abate the heat of the discussion, which continued after midnight. The speakers were principally those who had taken part in the afternoon's discussion. One noteworthy utterance was that of Dr. Potts stating that this squabbling, litigation and delay was causing the withdrawal of many subscriptions.

After an animated discussion Dr. Williams withdrew his amendment. Dr. Burns' amendment met with defeat by 21 votes to 10. The "ayes" and "nays" were then taken on the original motion, which was carried.

The result of this vote rendered it necessary to call a special meeting of the conference to see what action should be taken. It was decided to refer the matter to the Special Conference Committee to meet that night.

The meeting again resolved itself into a Board of Regents' deliberative body. The resolution of Dr. Ryckman was then read as a message and adopted. Dr. Burns amendment was then put and adopted by 13 votes to 8.

Drs. Carman, Burwash, Potts and Stone were appointed a committee to wait on the corporation of Cobourg to endeavor to stay the trial, which is fixed for Oct. 28.

Dr. Potts announced that Mr. Britton, Q.C., had retained Mr. D'Alton McCarthy, Q.C., for the defence of the Board of Regents.

A Midnight Co nclave.

It was now 11 p.m., but there was no disposition to retire from the scene of wordy strife. The general conference special committee meet to decide what should be done in view of the passing of Dr. Ryckman's motion. A discussion took place as to the wisdom of convening the conference. The strongest protest against such a course was made by Dr. Douglass of Montreal, who, in deep sepulchral tones and with prophetic warning, avowed they had better spend $25,000 in legal proceedings and fight the battle to the bitter end, than do anything that would look like drawing back from the position they had taken, or a weakening in reference to supporting the general conference. If they expected to conciliate the anti-federationists they would be disappointed. It was a terrible crisis and he objected to coquetting with antagonists. At all costs they should carry out their federation policy.

Dr. Carman: "That is my mind."

Mr. George E. Cox: "It is mine, too."

Here several members whispered to the blind and partially paralyzed old Doctor, who loudly said, "I don't care if my words are proclaimed on the housetop."

The chairman however "espied strangers" and some members of the committee said they could not speak freely in the presence of the reporters. The representatives of the press were then politely requested to retire, and for an hour the wordy strife went on, and it was not until half an hour after midnight that the committee resolved that the general secretaries convene a meeting of the Methodist Conference to be held in Toronto on the second Wednesday of January next.

Advances made on merchandise warehoused with Mitchell, Miller & Co., 45 Front-street east.

Art in Dress.

The three-button cutaway sack is steadily growing in favor. It is a very handsome garment. Taylor & Co., art tailors, 89 Yonge-street. 136

THE CHAIR OF METAPHYSICS.

The World promised the other day to present the claims of Mr. J. G. Hume to the succession of the late Dr. Young in the University of Toronto as Professor of Mental and Moral Science. The contest has been narrowed down to two men, Mr. Hume and Mr. Baldwin. The latter we showed had not one testimonial from the class of men best competent to testify; Mr. Hume, on the contrary, has a flood of them from men of first-class rank as teachers and professors in this particular field of learning. And we hold that the evidence of one such man is worth a score of testimonials from those who are but slightly read in the subject.

***

Mr. Hume was an honor graduate in the department over which Prof. Young presided, Mental and Moral Science, and for three years attended Prof. Young's lectures. Prof. Young knew him intimately. Here is an extract from a letter of his that he gave Mr. Hume when leaving Toronto to take a course in Johns Hopkins:

I have a high opinion of Mr. Hume's capacity for the study of Philosophy. * * * His course under me has been purely theoretical. The practical work done in Johns Hopkins will be new to him, but I shall be disappointed if he does not take to it zealously, intelligently and with results satisfactory to his instructors.

Furthermore, Prof. Young repeatedly said to his friends that Mr. Hume was one of the most promising students he ever had.

***

Maurice Hutton, M.A., Professor of Classics in Toronto University, with whom Mr. Hume took the honor course in Greek and Latin, says:

His success in the Department of Philosophy is a sufficient guarantee of his intelligence and mental grasp, but in addition to his other gifts to which his classical work may be permitted to bear testimony—the gift of language, of literary taste, and of expression—his classical papers incidentally proved also that he appreciated the kindred subjects of Law, History and Political Science generally.

Now let us look at Mr. Hume's testimonials from his professors in the United States, each of whom is a recognized authority:

Dr. G Stanley Hall, President of Clark University, Worcester, Mass., and late Professor of Psychology in Johns Hopkins University; Editor of The American Journal of Psychology, says:

Mr. J. G. Hume has spent the academic year now closing in the study of Psychology, History of Philosophy, Neural Histology, and Pedagogics in this University.

Mr. Hume is a man of great devotion to his chosen field of work and gives promise of eminence.

***

In a second letter Dr. Hall says:

Mr. J. G. Hume studied one year with me at Baltimore. He showed from the first unusual energy and ability in all his work.

In the fields of Theory of Knowledge, Ethics, and general History of Philosophy, his attainments are entirely worthy of consideration for the position I understand he seeks at Toronto.

From Dr. Richard T. Ely, Professor of Political Economy, Johns Hopkins University:

Mr. J. G. Hume has clearly manifested diligence in study and far more than ordinary intellectual ability. I regard him as one of the most promising of my graduate class of the past year.

From Dr. D. C. Gilman, President of Johns Hopkins University:

It gives me pleasure to endorse and confirm the certificates given by my colleagues, Dr. Stanley Hall and Dr. R. T. Ely, to Mr. J. G. Hume.

***

From Francis Bowen, LL.D., Alford Professor of Moral Philosophy, Harvard University:

Mr. J. G. Hume has been an assiduous and successful student here in the department of Philosophy during this academic year and obtained at its close the well-merited distinction of a Graduate Fellowship.

It was manifest at the outset that he had much maturity of intellect and had already prosecuted his studies with good results. I think he has the qualifications of critical judgment and original thought which are requisite for success as a teacher of Philosophy, and I confidently commend him as one in whom any man may have confidence for his services. His demeanor and manners are frank and gentle manly and he would be sure to win respect and trust from his pupils.

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From Dr. Josiah Royce, Professor of Philosophy, Harvard University:

Mr. Hume appears to me to have a very strong bent for philosophical reflection, and a decided constructive and critical talent. He is a productive man also, with extraordinary powers of work, and has already decidedly high attainments in the History of Philosophy, in Ethics, and in Psychology. In addition to this work with me, Mr. Hume also took a course with Professor Jerome, who is now absent in Europe, but who, from the first, has spoken very highly of Mr. Hume's work with him.

In short, Mr. Hume came amongst us as an entire stranger, and but within a year produced a marked impression of his ability and promise, and it is in no perfunctory way that I now recommend him to your most favorable attention as a teacher of Philosophy, who by his views and studies would be likely to continue the work of your University along those lines of research which Professor Young specially favored.

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Dr. Hyslop, now Professor of Philosophy in Columbia College, New York, writes:

My acquaintance with him in Johns Hopkins University convinced me of his ability and preparation for this work. He easily stood at the head of his associates in this, in my own opinion, was in no way inferior to the head of the philosophic department in that university, having thoroughly equipped himself in the advanced thought of the day.

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The Minister of Education is in possession of other testimonials that have been forwarded to him direct, but which have not yet been given to the public. Among these are letters from Prof. James of Harvard (Professor of Psychology), D. Ward (Professor of History of Philosophy) of Harvard. These men of Baltimore, Harvard and New York above named constitute the leading authorities on this continent in their several departments. Many of them have high reputations through their works in England and Germany.

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Now a little as to Mr. Hume's university standing. First of all, at Toronto University. In 1885 Mr. Hume took First-class Honors in Greek, Latin, English, History, Logic and Metaphysics; the Scholarship in Metaphysics; and a General Proficiency. In 1886 the Scholarship in Mental and Moral Science and the Lansdowne Gold Medal in Mental Science and Classics.

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HARVARD COLLEGE, Cambridge, Mass., Aug. 20, 1889.—Mr. J. G. Hume took two full courses in addition to our requirements for the degree of A.M. He took, moreover, two extra half courses in which he has no record. In the four full courses required he received in each highest standing—Grade A—equivalent to 90 per cent. or more. In the two extra full courses his marks were above 80 per cent. C. H. GRANDGENT, Acting-Secretary, Harvard University.

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We do not propose to discuss Mr. Hume's character or his Christianity; whoever wishes information on that score is referred to the printed testimonials from his pastors, his professors and his friends. What we set out to establish was his fitness to succeed his late master as demonstrated by the evidence and testimonials of the highest authorities in the subject on the continent. There is no comparison between the American Baldwin and our own Canadian Hume.

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To all these claims must be added the important considerations pointed out in former articles, and in Mr. Irwin's able open letter to the Minister of Education, namely, that Prof. Young's Philosophy was the glory of Toronto University, and that his line of thought ought to be continued by his most promising pupil as well by reason of its worth as by reason of its anti-materialistic trend; that if our graduates at this day were not competent to teach in their own *alma mater* it was time the doors were closed and the institution turned to other purposes; that Mr. Mowat and his colleagues in so appreciating a Canadian's ability would win for themselves the appreciation of the army of graduates of Toronto University scattered all over Ontario.

DEATHS.

DOYLE—At 77 Anne-street, Toronto, on Friday, Oct. 11, 1889, Caleb S. Doyle, aged 80 years.

Funeral from above address Saturday at 3 p.m. to St. Michael's Cathedral, thence to Union Station. Interment at Sunderland Monday morning.

PROGRESSIVE EGLINTON.

SHE LAUDABLY WANTS INCORPORATION.

Important Meeting of the Ratepayers of Deer Park, Davisville and Eglinton Last Night—The Matter Well Discussed—Action Will be Taken.

A rather slimly-attended meeting of ratepayers was held in Eglinton town hall last night to consider the question of the incorporation of Deer Park, Davisville and Eglinton as a town.

Mr. J. F. Miller, president of the Ratepayers' Association, occupied the chair and laid before the meeting several schemes that had been suggested for the benefit of the above named municipalities.

To start things going Reeve Willson moved, seconded by Mr. McLeish, that the sense of the meeting be that there be no incorporation of Deer Park, Davisville and Eglinton, or of one or more of them. An impetus was given to the meeting at this stage by the able speech of J. Moyes, who moved in amendment, that Deer Park, Davisville and Eglinton as far north as lot No. 4 and east and west the limits be those defined by the York township council in the motion to give a grant to such districts for watering purposes, be incorporated as a town." He very vigorously supported the amendments. Joseph Gibson did not wish to have Deer Park included in this incorporation. C. D. Warren declared in favor of incorporation. T. H. Monk thought Deer Park had not expressed itself as averse to the proposed incorporation.

After much further discussion, in which the question merged into personalities and one of taxation, Mr. Moyes altered his amendment leaving out Deer Park, and with this addition, "and further that if after proof by legally signed petition, that Deer Park also desires to join they be also included in the bill as applying for incorporation." This was seconded by Mr. E. Klink, and as a resolution was carried unanimously.

The New Island Ferries.

The Toronto Ferry Company have closed a contract with the John Doty Engine Co. of this city for the construction of two double end ferry steamers for the Island traffic. These steamers will each have a carrying capacity of 1000 persons. They will be constructed of [illegible] and are to be 140 feet in length by 46 feet beam. They will be finished in a [illegible] manner with a handsome cabin on main deck 110 feet in length and 40 feet in breadth, brilliantly illuminated with incandescent lamps. These steamers will be completed by May next; they will be constructed at the Doty Company's works in Bathurst-street. The Toronto Ferry Company have recently been organized, they will have a paid-up capital of a quarter of a million dollars. Mr. William Hendrie of Hamilton, the well-known capitalist, is associated in the company and is its chief financial backer. The citizens may expect next summer to see the finest ferry service on the continent.

Ald. Dodds Deservedly Honored.

At the Queen's Hotel yesterday a large party of gentlemen assembled to do honor to the man who made the Dominion Day celebration a success, Ald. E. King Dodds. The chair was occupied by Hon. John Beverley Robinson, and among others present were: Mayor Clarke, Mr. H. A. Ward, M. P., ex-Mayor Boswell, ex-Ald. Piper, Mr. Harry Collins, Mr. E. T. Sutton, Mr. James Anderson, registrar of North Wellington; Mr. Frank Turner, Mr. P. G. Close, Mr. Thomas McIlroy, jr., Mr. H. L. Hime and Mr. J. H. Maclean (secretary). Speeches were made by Mayor Clarke and others, and Ald. Dodds was made the happy recipient of a silver service valued at $1000.

Dr. Fulton will speak in the Pavilion on Sunday afternoon at 3 o'clock. Don't fail to hear him.

Death of Judge Olivier.

OTTAWA, Oct. 11.—Judge Olivier, of L'Original, Prescott county, died here suddenly at 10.30 o'clock last evening. He spoke at the unveiling of the statue to the late Father Tabaret and afterwards at the banquet of the Catholic University in the evening. A few minutes after he spoke in the evening he was assisted from the hall to an ante-room and breathed his last before any medical assistance could be procured. The funeral will take place to-morrow.

A touching incident in connection with Judge Olivier's death is that he knew he was dying and repeatedly attempted to make his will. The archbishop begged him not to continue his efforts, pointing out that Father Gendreau and Mr. J. L. Olivier were present and would carry out his instructions. The Judge accepted this assurance and made the simple declaration, "I leave everything to my beloved wife," those being his last words.

**Trowern, Jewelry Manufacturer, has removed from Yonge