Continued From Page 1.

LEGAL POINT RAISED.

Counsel for Sam Thompson Says Magistrate Has No Jurisdiction.

out a prima facie case, but the defence

sprang a surprise at once. Mr. Du-

Vernet appeared for the prisoner and

estimony on the ground that the court

had not jurisdiction. The sum of the

argument, well authenticated by recent

oftations, was that while the act of

illegal voting had been defined as vio-

lation of the law, the statute had failed

to provide a procedure for securing

punishment. The Crown combated the

idea and urged the implied right to

impose the penalty prescribed by the

the position of the Crown. He thought

a remand was the proper course, how-

"TIS A GAME OF FREEZE OUT, SURE," said a goodnatured Irishman, yesterday as he walked out with a \$4.69 Top Coat on which he'd just saved nearly \$4.00. Don't let this chance slip by you. If you want a Top Coat you can save big money on any and all of our Overcoats, and you needn't keep them at that if you're not satisfied with your bargain-



ice, by 28 to 10. The the margin is only 1 greferred His Worship to section 193."

There is a Penalty However. They were in front from the start, but Seot and his circle curriers from the start, but Seot and his circle curriers from the start, but Seot and his circle curriers from the start, but Seot and his circle curriers from the start, but Seot and his circle and its circle curriers from the start but Seot and his circle and that proved insuranount afternoon to pail down a lead that proved insuranount afternoon to the third division of the same section, which provides a penalty of two years in prison for its violation, if the violator is a returning officer and 22 to 9 with only 5 to go. Scott tailled more than nalf his total on four of these, while Rennie was making only 1. With Lae lagt stone or this walker Cup. Scott clipped out two counters and lay three him self. Rennie baths. The legislature has ing out second shots. The Rennie spain, when Parktale's work seems to stop after the penalty was prescribed. It was not an offence at the guardian divided the only of the sum of the same section, while provides a penalty was procedure prescribed. He asked Mr. Curry to point out where the procedure was authorized. The legislature has no fence at the guardian divided the only of the sum of the same section and the power and the power and had prescribed a penalty for the violation of the same section and the power and had prescribed appeared by enthusiassite betthers of the beylaw to provide for where the first was of the third division of the same section. The world last night interviewed several D.R.O.'s in whose districts it was rumored that irregularities had occurred similar to those at No. 9. The count of these, the was the to direct your attention to the third division of the same section, which provides a penalty was prescribed. It was not an offence at the provided to the provide for the vote on a monetant of the vote one that the plant of

dies.

Nk p Rennie stated that the rink will now of sband. Next season, J. Rennie, with T. Rennie third, will fikely enter for the new Walker, while R. Rennie says ne will be content to play third for some ambitions Caledonian, probably G. Saur or A. B. Nachers, who surely has won his spurs during these long nine years as lead of triple rink the impions of Toronto.

Caledonians, Parkdale.

A. B. Nichols, F. H. Thompson, T. Rennie.

R. Hunter,

H. Allan G. Meledinism,

Barrie.
D. Leroy.
Wilkinson.
Coffer.
P. Boys, s.

O. Patterson, Grassett, s.

Meaford No. 1. Milligan, Mefines,

L. Allan. Coffer. D. Lennox, s.13 P. Boys, s.

Dougerss,

Pilgram, J. Morris, S. Wilson, S. ...16 H. Telfer, S. .

Collingwood No. 1. Orillia No. 1.
J. F. Peterman
W. T. Toner
F. H. Nettleton
W. A. Hamilton, c.15 H. Toogood, s.

Collingwood. Alliston. Hamilton g.15 Fisher, s. .

-Second Round.-Meaford.11 Wilson, s.

District Cup for Parkhill.

Beat Terrors of the North.

Collingwood No. 2.
C. Stephens,
L. Watson,
L. Morris

Prospect Park

Collingwood, Jan. 19. The Colling wood bo spiel opened to day. Scores:

And Ensure the Regular and

The bile is Nature's cathartic. So ong as the liver filters the bile from e blood and passes it into the Constipation can never b

Because they act directly on the liver as well as the bowels, Dr. Chase's Kid-ney-Liver Pills are wonderfully successful as a cure for constipation and

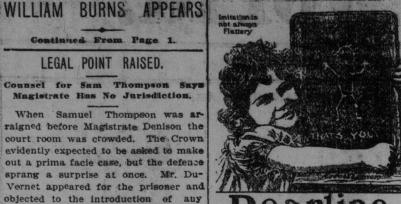
Stratford, Jan. 19.—Owing probably to the incertainty of the train service, only four curling clubs were represented here to day for the competition in the prelim-mary seres of group E, district 7, for the district cup. Waterloo defeated Stratford ity 19 shots, and Parkhill defeated St. Mary's by 20. Parkhill and Waterloo then played off, the former winning by 19 shots. liver troubles.

They rid the system of accumulated poisons, thoroughly cleanse the system and invigorate the organs of digestion and excretion.

versally used by the people of Canada, and none so generally endorsed.

Constipation, billousness, kidney disease, liver complaint, backache and stomach troubles are among the ail-Middland, Jan. 1b.—The Middland septet of hockey players gave evidence of their ability to play champlonship inockey when to night they defeated the Victoria Harber team. Waldie's aggregation of all star players, the so-called terrors of the north by 8 to 6. The game was fast from start to finish, at half-time the sorre being 4 to in favor of the visiting fewm, and after 35 minates' play the score was 6 to 2 in favor of the same.

Referee F. C. Waghern, Toronto, gave the famous receipt book cverf satisfaction, and was very impartial.



Dearline is the original Washing Do you think it would have been so widely imitated if it had not justified Our Claims

section under which the charge is laid. MONDAY FOR A WRIT OF PRO-Col. Denison's view seemed to favor HIBITION." HE ADDED.

ONLY 10 OUT OF 30

in wheth the court had decided the only and the words a simple of the weath Levis a first of the weath Levis and Lev

CASE OF MR. BURNS Presents Severam Aspects-A. B. Aylesworth, K.C., Refained by Him.

Ex-Controller William Burns will an ear before Col. Denison this morning in answer to a charge of having apeing entitled to vote again at an election in the City of Toronto for alder men, controllers and on a money by

This charge is laid under section 193

of the Consolidated Municipal Act of 1903, the same as that under which amuel Thompson was arrested and he penalty provided by sub-section 3 s imprisonment for a term not exceedng six months. Thompson's case is covered by clause "b" of sub-section I, relating to the acts of officials, while clause "f" under which Burns is charged relates to voters. Sub-section two of the same section provides that no person shall attempt to commit any offence specified in the section.

The case of Mr. Burns presents several aspects. The poll books show that he wrongfully voted in Wards Two and Three for the Board of Control, and twice in Ward One for aldermen. On his own admission, which his counsel will not dispute, he voted wrongfully in Ward One on the sanitarium by-lawever, until the legal aspects of the case could be carefully examined. The prisoner was released upon the bail previously supplied by his brother, David Thompson, in the sum of \$1500.

The charge was that while the accused was deputy returning officer of the ninth division of the Fourth Ward he had fraudulently put into the half wethod of enquiry. Instead of asking ment of the D.R.O. in sub-division items.

some Shoulders and Compelifors.

The defectives who are visiting the votation of the ball previously supplied by his brother. David applied by his brother, barded or controllers and the state of the s

The Liver Active

Iv. He had been a returning officer for many years, but took no interest in politics, and never thought of it from cone year till the next. He did not even vote, and simply did his duty, as he understood it. He would not let his own brother do anything irregular at the polls. His division, he said, was quite a hot place at times, but this year was quieter than usual, as there was no Mayoralty contest. He had not had to swear any voters this year. From his long as the liver filters the bile from as the liver filters the bile from as the liver filters the bile from but took or long the first that it into the interest to took no interest in list seat which should be applied as soon as the court orders the boxes opened and the ballots inspected.

This is a test which should be applied as soon as the court orders the boxes opened and the ballots inspected.

Free Insurance.

If a man could be insured for a number of years and then get back, with good interest on his money, all he paid in premiums. he would certainly feel that during that period he had had fire insurance. That is what the Manufacturers' Life has done for many people in the past, and will continue to do in the future. Write to the Head Office, Toronto, for rates on our Endowment Plan with Profits, giving your at times I would have to downent Plan with Profits, giving your at times any crooked work it would it would be found to be confined to cree.

LAW THAT APPLIES.

It is provided by Section 193 of the Consolidated Municipal Act No person shall fraudulently put into any ballot box any paper other than the ballot paper which he is authorized by law to put in." Sub-Section 3 says that a person guilty of any violation of this

section shall be liable to imprisonment for a term not exceeding six months, with or without hard labor. Section 194 states that every officer and clerk who is guilty of any wilful malfeasance or any wilful act or omission in the performance of his duties shall, in addition to any other penalty or

bility to which he may be subject, forfeit to any person aggrieved by such malfeasance, act or omission, a penal sum of \$400.

Section 704 provides that every fine and penalty imposed by this act may be recovered and enforced with costs, by summary conviction before any justice of the peace in the municipality, and in default of payment the offender may be committed to the common jail, there to be imprisoned, in the discretion of the convicting justice, not

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sevhat Gonestropolitan Opera
Acolian Crchestrolic

S. La Mattel. "Babillage". Caprice
Bizer. "Carmen" Fantasic March

S. La Arbit. "Secenade"
With Violin Obligato
Miss J. Stratton Harrison
Schulz-Eoler. "Arabssques"
Sur themes de SirPianola

Soo s. "Arbit. "Arabssques"

Sur themes de SirPianola

Soo s. "Arabssques"

The Mass. "Arabsques"

The

32 King-street West.

How welcome are these Northern birds That Arctic winter sends; They're not the least afaraid of us-"The World's" sweet grosbeak friends

en If we are only kind to them They'll come another day,
To cheer our hearts in winfer, when
"Globe" robins are away.

John W. Campbell.

IT IS HIGHLY INJURIOUS. To use a cheap drastic physic. Safest

at times gave up all hope of getting well. I had no power of my back or "I was for eight months an invalid,

and my suffrings during that time were something too terrible for words to describe. My doctor said I had Bright's disease, but he could do nothing to give me relief.

How the Cure Come.

there to be imprisoned, in the discretion of the convicting justice, not exceeding thirty days, unless such fine and penalty, including costs, are sooner paid.

It is needless to say Mrs. Adams' friends all use Dodd's Kidney Pills. They find that a remedy that cures Bright's disease easily disposes of all the earlier stages of kidney complaint.

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It is needless to say Mrs. Adams' the safe a little out of sorts, I just get a box of Dodd's Kidney Pills and they drive all the pains away."

It is needless to say Mrs. Adams' the safe a little out of sorts, I just get a box of Dodd's Kidney Pills and they drive all the pains away."

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It is needless to say Mrs. Adams' the safe a little out of sorts, I just get a box of Dodd's Kidney Pills and they drive all the pains away." East Toronto, Jan. 19.—Councillor Richard-

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