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NTAGES of the Disit saves money, it ng adjustable, the shoe be removed to be reet, PETERBORO, ONT.

\$6200 Road, near Bloor, excellent for quick sale, eleven robms, j brick; immediate possession. H. WILLIAMS & CO., kers, 26 Victoria St.

PROBS.—Fresh n.w. winds; fair and very cold, with below zero in most localities.



## a Toronto World.

TEN PAGES—THURSDAY MORNING JANUARY 7 1909—TEN PAGES

YONGE STREET Retail section, ground floor and basement, 18 x 120, with three flats 35 x 120, freight hoist, good shipping en-

H. H. WILLIAMS & CO., Realty Brokers, 26 Victoria St.

ES LUNON COUNCE 51 29TH YEAR

# PUBLIC HAS RIGHT

New York Comment on Decision of U.S. Supreme Court Limiting Price of Gas to 80 Cents Per

Thousand.

NEW YORK, Jan. 6.—Discussing the "large fruits of the vic.ory" in connection with the decision of the U. S. Supreme Court fixing the price of gas at 80 cents a thousand feet, The Amer-

ican said to-day:
The great point gained in this case is a clear understanding of a legal principle which hitherto has been seen only thru a haze, ramely this: The public has a right to restrict the dividends of a public service corpora-tion to a fair return upon capital action to a last return thou tunity invested; it has a right to refuse to pay dividends upon watered stock.

Confiscation of capital is, of course, lawless and out of the question. It is unquestioned that the people, when they employ private capital to provide gas or electricity or street cars, must pay a fair price in interest or divi-dends for the use of this capital.

All that is perfectly plain. But what has not been perfectly plain hitherto is the principle that the people ought

not to consent to pay a penny more than a fair price. The people should hire whatever cap-ital they need at the lowest rate that will fetch and hold it. Buying the use of capital is like buying anything else. The people are going to learn from this gas case to drive ter bargains.

The people have decided to fix the dividends of public service corporations at the lowest rates that will bring the capital required. The New York World said:

The United States Supreme Court | Another factor has been the Brant-says that reasonable legislative regula-tion does not "warrant the interfer- cost several hundred thousand dollars" ence of a court of equity before an more than originally estimated. The actual and bone-fide test has been made under the practical operation."

Public service corporations, like ordinary impossible and the only method nary citizens, must first obey the law available for the company's purposes and may afterward test its constitu- is to use earnings.

when it permitted the creation of the Consolidated Gas monopoly. The remedy is for the legislature to repeal its act, not to ask a court to do it

a public service corporation cannot have good-will as a dividend-paying asset. No monopoly can have a valuable good-will. The court says, "As there is no possibility of competition there should be no allowance for good-

If minor judges will only heed these plain declarations of fundamental appellate court's reversal of Judge principles there will be a speedy les- Landis' fine of \$29,240,000 against the sening of the public feeling that there Standard Oil Company, Judge Landis is one kind of administration of the was asked to-day to set a new date law for the rich and powerful and another kind for the ordinary citizen.

NEW YORK, Jan. 6.-Announcement a probable immediate reduction of its rate to 80 cents a thousand feet in ompliance with the decision of the United States Supreme Court was made last night by the Consoldated Gas Company of this city.

It is expected that directly the

lower court receives authority to act, a mandate will issue ordering the repayment to consumers of upwards of \$9,000,000 collected from them in the past three years in excess of the 80

## 3 RELIEF PARTIES LOST FOURTH TO BE SENT OUT

Federal Officials Bring Tale of Hardship From Townsite of Fort Churchill,

WINNIPEG, Jan. 6 .- (Special.)-Bringing with them a tale of terrible suffering, R. D. Fry of Hudson Bay Railway survey, and E. Morrier and Frank Peters of the Dominion survey. Ottawa, arrived to-day from Hudson

They brought with them a sensational report of the loss of a party sent out by Major Moody, R.N.M.P., in search of Inspector Peltier and his party of Eskimos, who have been missparty of Eskimos, who have been missing some time. A year ago an officer and med Caldwell, from the geological department at Ottawa, was sent on a survey in the north country, and results at the point of death from injuries resurvey in the north country, and results at the point of death from injuries results. was heard of again. Last spring Inwas heard of again. Last spring Inspector Peltier was despatched with a
search party from Chesterfield Inlet,
and was to wait at Fullerton till Aug.

1. but party and hoat were never seen. 1. but party and boat were never seen turing her skull.

Again. The third party, consisting of Sergeant-Corporal Reeves and three the husband what he had done and the husband what he had done and Eskimos, were sent out Nov. 22, but nothing was heard from them and it is believed they, too, were lost. A fourth party will be sent out later.

People who live in the vicinity of parture for Toronto by influential citi-merson-avenue and Paton-road say Emerson-avenue and Paton-road say there is need for a good roads movement in Toronto. Paton-road is an unpaved therefore and at its western terminus, where it meets from the parture for Toronto by innuestral Culture and the parture for Toronto by innuestral Culture and the proposed the ray was in the chair and proposed the ray was a chair and proposed the ray was a chair paved thorofare and at its western terminus, where it mee's Emersonate avenue, there is a big hole a couple of deep full of water. A complaint of the Boyal Canamist of the effect of the works department, as great inconvenience is caused pedesfirlans.

The paved thorofare and at its western terminus, where it mee's Emersonate the application of Wm. Fox, of feet deep full of water. A complaint of the Moving Picture Men's ASOCIATION, of an injunction against the stock association, for an injunction against putting into effect the mayor's recent dian Regiment.

AMOY, Chinal Jan. 6.—Reports received here to-day from the districts president of the Moving Picture Men's ASOCIATION, of an injunction against putting into effect the mayor's recent dian Regiment.

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### COLD SNAP HERE.

The cold wave has arrived.

The cold wave has arrived. Tho it was only 9 above zero in Toronto yesterday, western towns had a touch of real weather, the following temperatures being reported to the metereological office:

Calgary, 28 below; Edmonton 32; Battleford 34; Regina 51; Prince Albert 42; Mcosejaw 42; Qu'Appelle 42; Winnipeg 40; Port Arthur 30. The registered above zero; London 17; Toronto 9; Ottawa real 10; Quebec 10; St. John 42; Halifax 34.

Some of the western states al-

Some of the western states also got it, as the e figures will show: Kansas City, 8 below: Milwau-kee 15; Omaha, Neb., 13; Chi-

Directors Attribute This to Business Depression, and Competition of Hydro-Elec-

tric Commis-

NEW YORK, Jan. 6.—(Special.)—An-nouncement was made to-day that the decision of the directors of the Do-minion Power and Transmission Co. to suspend payment of dividends is at- left in shreds. Several schooners broke tributable to the general business de- away and were damaged. electric commission has had an inimi-cal effect upon the sales of the com-

## opinion is important. It admits a valuation of the gas franchises lat \$7,481.000 only because the legislature expressly authorized this pressly authorized the pressly authorized this pressly autho FROM THAT BIS FINE

Similarly valuable is the opinion that U. S. District Attorney Says Octopus Will Be Fought to the Last Ditch.

> CHICAGO, Jan. 6.—The supreme court, having refused to review the appellate court's reversal of Judge for the re-trial of the case.
>
> Judge Landis informed the district

attorney that he would not hear the second trial of the case, but that he would transfer it to some other judge to be determined upon later.
"The government may still make itself felt by the big corporation," said United States District Attorney Sims. "The case will be fought to the last ditch, bearing in mind the errors found by the court of appeals in the original

100 BITTEN BY MAD DOGS.

trial.

Rables Spread in Pennsylvania Towns Thru Kissing.

PITTSBURG, Pa., Jan. 6.—A quarantine to last 100 days has been placed over Springboro, Conneautville, Meadville, Brookville, Linesville and other small towns in Crawford and adjoining counties because of the prevalence of hydrophobia in the western part of the state and the presence of dors said the state and the presence of dogs said

to be affected with rables. Dogs are being shot on the streets as they are seen, and every precaution is being taken by the residents of the community to prevent the disease from spreading more than it already has. One death has already occurred, and the little Pasteur Institute at Pitts-burg is overcrowded with sixteen dangerous patients, and about twenty are waiting to come in.

More than one hundred persons in the dog infected counties have been bitten ing made the trip in 45 days, bringing their full equipment.

They were employed in laying out the townsite of Fort Churchill, Canada's newfocean port on the Northern

They browst.

Manitoba Woman Lying at Point of Death.

turing her skull.

He then went into Bradwardine, told

gave himself up.

## GALE TIES UP

Seven Miles of C.P.R. Track Under Water and Ships Buffeted by Worst

Storm in History of

New Brunswick.

ST. JOHN, N.B., Jan. 6.—(Special).—
Ill traffic on C.P.R. lines in this proince at a stand-till, all branch lines Intercolonial out of commission, Intercolonial bridges three feet under water and enormous damage to private property is the result of the worst rain and wind storm in the history of New Brunswick, which raged from midnight

until noon to-day. The wind at Point Lapreaux, nire miles from St. John, at times reached a velocity of nearly a hundred miles per hour and the seas of the Bay of Fundy were running mountains high. Several ocean liners ready to leave St. John this morning remained securely tied to wharves and harbor shipping is at a standstill. Every tug owned here has been busy all day in frantic efforts to help vessels anchored in har-

Shortly before noon the large Italian steel barque Merioneth, tied to Gov-ernment Pier with fifteen huge hawsers, ripped, broke away and drifted across the harbor to the I. C. R. trestle bridge, with which she collided with terrific force, bending her plates and carrying away the upper structure of the bridge. Tugs were incapable of holding her against the gale. Some of her sails were torn from the yards and

It is feared many wrecks took place along the treacherous Bay of Fundy and Maine Coast. The steamers Moritezuma, Bengorehead and Manches er Trader are being held here until the storm abates.

The telegraph and telephone wires all over the province are down. At the height of the gale the signal. ing tower and apparatus on the cus-toms house was carried away and several pedestrians narrowly escaped being struck. Plate glass windows and

ch'mneys all over the city were demol-ished.

All C. P. R. trains for to-morrow are cancelled, as near Welsford, a few miles above here, a washout seven miles long occurred. It is hoped the water across the I. C. R. tracks near Sussex will subside to allow trains to pass to-morrow. Auxiliary trains to been sent out from here to effect a In Moncton and Freder cton cellars and whole streets were flooded and

people are very uneasy

## FOUND BY CARETAKER

Affidavit of Charles Spalding Makes Interesting Contribution to Guelph Graft Story.

GUELPH, Jan. 6.-(Special.)-"I. Charles Spalding, of the City of Guelph, in the County of Wellington, caretaker St. Andrew's Church, Guelph, do solemply declare that I took up the collection in the gallery of St. Andrew's Church, City of Guelph, on Dec. 27, 1908, at the joint meeting of the three Sabbath schools, Knox, Chalmers and

St. Andrew's churches; 'That there was a one-dollar bill put on the plate. The bill was apparently blown off the plate in the vestibule. the plate to the one taking up the collection downstairs;

"After the meeting was over I was told that a bill was missing that had bill at the side of the radiator in the

"(Signed) Charles Spalding."
The above extract from an affidavit which was sworn out in a local lawyer's office here this afternoon is the latest development of the civic sensation.

Everyone is talking of the countercharges made by Ald. R. D. Stewart against a certain unnamed layman in his sensational speech at last night's city council meeting. It was in reply to these charges and apparently on the advice of some of the elders of the most prominent Presbyterian church of the city that Caretaker Spalding made the rather remarkable affidavit about the temporary disappearance of a dollar bill.

The tide has turned completely and it is the aldermen rather than the laymen who are pressing for an investi-

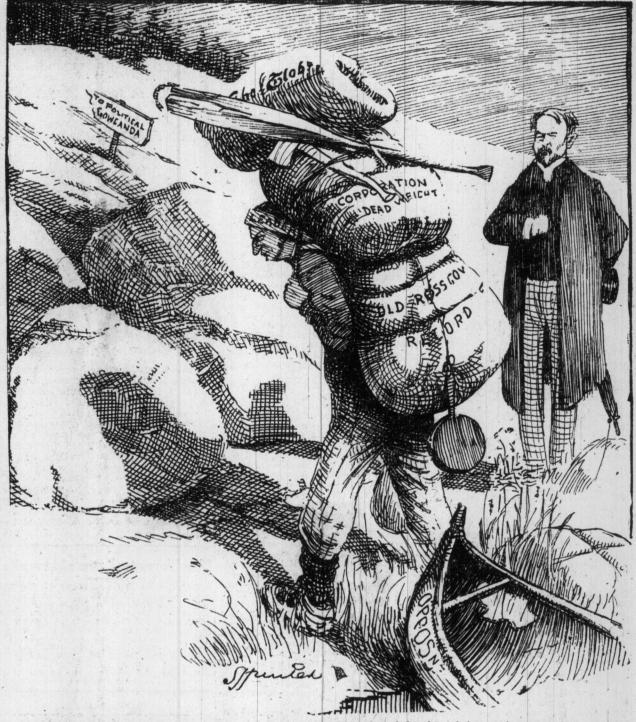
"We are raising a little fund among "We are raising a little fund among ourselves for the purpose of defending our reputations," said one of the aldermen to-day. "We mean to make the laymen and other advocates of civic laymen and other advocates of civic

PICTURE MEN WIN. Coming to Toronto.

HALIFAN, Jan. 6.—(Special).—A complimentary banquet was tendered complimentary banquet was tendered Effect Mayor's Order.

picture men won a victory over Mayor McClellan to-day when Justice Black-

A HEAVY LOAD



PROSPECTOR MACKAY: If that there sky-pilot's hankerin' for this job he can have it right now.

## Haymarket Square, a low part of the city, is under water two feet and people are leaving their houses in delivery wagons. BODY OF CLERGYMAN CUT UP AND BURNED

Dismembered Portions Found Woolen Industry Partially Consumed in Two Stoves of One of His Churches Clues to Mur-

DETROIT, Jan. 6 .- The dismembered of Rev. John J. Carmichael, Methodist minister, was found to-day partially consumed by fire in the two heating stoves of one of his three churches near Columbus, in the southwestern part of St. Clair County.

Identification of the dead clergyman was made by Orville Lindsay, who was sent to the church by Mrs. Carmichael, who had been in great distress since her husband failed to return home as

expected last evening. Clues to the murderer and his motive were difficult to obtain. There is a rumor that a strange man left a train at Hickey late yesterday and was directed to the Columbus Church, and there are other rumors indicating that two men were implicated in the crime. The fact that several coins were found in the clothing of the dead man and in the ashes in the stove precluded It was not on the plate when I handed the theory of robbery, and at the time

world. Rev. Mr. Carmichael had been i been put on the plate. I then searched the vestibule and found the one-dollar years had been pastor of the three churches at Columbus, Adair and China. With his wife and three children he resided at Adair. Leaving home yesterday morning he told Mrs. Carmichael that he was going to Columbus to arrange for a series of revival meetings there.

The church floor, the pews and even the communion table were daubed with blood and fragments of bloody clothing were scattered all around. Evidently wardepartment is sending large quantities of field equipment for use in bivouacking in the open. the clergyman, who was 56 years old and of athletic build, had made a terrific struggle for his life. rific struggle for his life.

The authorities on their arrival at

the church found parts of the dismem-bered body in the two stoves respectively at the front and rear, and discovered in one stove the head of what was apparently a new hatchet, the handle of which had been burned off A dirk was also found in the and it is believed that the dirk served for the murder, while the hatchet was used to cut the body to pieces.

reform state who they meant in refer-reform state who they meant in refer-ring to the 'understrables' in the coun-ring to the 'understrables' in the coun-main line of the Grand Trunk Railway taken an overdose of medicine Tuescil, and to this end we will put the and fully twenty miles from the scene of the murder.

Negro Lynched.

LEXINGTON, S.C., Jan. 6.—Reports reached here late to-night of the lynching of a negro in Lexington County about for miles north of here.
The lynching followed an attempted

Protected Enough

understood that Mr. Costello of cus-toms service, who was named a com-toms service, who was named a commissioner to make a report on British destination with a like targo, Ambas-sador-Griscom presented a steamer

All that is required to enable Canadian mills to hold their own with those of Yorkshire is modern equipment and improved methods such as is to be ind in English mills. Owing to absence in Europe of Mr. Fielding, who is chiefly responsible for tariff matters, the report is not likely

to be made public till after the opens, when it will be presented to par-REPEOPLE QUAKE AREA. world.

Talian Parliament to Pass Special World.

ROME, Jan. 6 .- Every hour now sees ROME, Jan. 6.—Every hour now sees progress in the bringing order into the earthquake district and system into the work of relief. The instructions of the government to Lt.—Gen. Francesco ly all the living in the destroyed cities and towns, so that they may be cared for in a sanitary manner. The Italian

under special enactments which par-liament will be asked by the cabinet to pass in the extraordinary sittings called for Friday and Saturday. A measure is in course of preparation for asking parliament to meet the immense expenditures caused by the earthquake by increasing the tax on buildings, so as to augment the income by \$360,000.

FATAL OVERDOSE. Jean Wallace Dies in Western poll of the jury.

Jean Wallace died in the Western

The inquest will be continued Jan. 12 at 8 p.m. at the morgue.

### Two Millions Sent For Italy's Needs

NEW YORK, Jan. 6.-The money Churches Clues to Murderer and Motive Difficult

Equipment and Methods Are

Reports That Modern

Are

flowing into various funds. New York
City's contribution reached a total of
S345,000.

Remown as the syndrear,
composed of Toronto and New York
capitalists, who were represented by
Aemilius Jarvis of Toronto, who in individual Americans for relief in Italy

OTTAWA, Jan. 6.—(Special.)—It is other ways. The scout cruiser Yank—antee Co., whose manager, J J. Warton started for Messina from Port Said ren, submitted the offer of the syndiand Canadian woollens industries, has reported that the Canadian woollen in-

Said at midnight for Naples. SPELLING REFORM. No Order Yet Issued, Says Hon. Dr. Pyne, But One Will Be.

Hon. Dr. Pyne, minister of education, was interviewed by The World at the parliament buildings yesterday respecting the question of spelling re-Asked if there was any order re-

garding it in existence in the hands of himself of any officer of the department. Hon. Dr. Pyne said:

"He has banks. wou "There is no order. No order has yet been passed. Something will have to be done in view of the publication of text books. The Dominion Government had to pass an order." the Dominion Permanent Loan Co., "Has the question been considered was the Toronto promoter. Mr. War-

"No, it has not," was the reply. The the Traders' Bank was not interested at all, and that Mr. Stratton knew noorm in preference to the American, cular making the offer had been issued.

The English is the old form, in which Reasons for Change. the letter "u" is used in such syllables as "our" instead of "or."

### ERB JURY LOCKED UP. Verdict on Famous Murder Case in the Balance.

MEDIA. På. Jan. 6.—The fate of Mrs. Catherine Beisel and Mrs. Florence Erb, charged with the murder ence Erb, charged with the murder of Captain J. Clayton Erb at his country home. Red Cables, on Oct. 6, hangs in the balance. The case was given to the jury at 4.30 this afternoon and after the charter of the charter of the syndicate was to acquire the charter of the syndicate was given to the syndicate was to acquire the charter of the syndicate was the syndica ter deliberating for over four hours, they were locked up for the night. Not an intimation was given as to a Winnipeg, where great expansion was

Attacked Hotel Proprietor. New Schiller House yesterday afterday afternoon.

Coroner J. E. Ellicit, who opened an inquest at the hospital last night, said that the case was one which called for an investigation into the method of life of young women rooming in the down town district.

The inquest will be continued for a proprietor of the down town district.

New Schiller House yesterday afterholdens present.

Robert McLaughlin of the McLaughinquest at the hospital last night, said that the case was one which called alternately beat upon him with the water jug, which reposed upon the bar.

P. C. Norton entered and was also attacked. They were eventually landed to influence the minority shareholdens present.

Robert McLaughlin of the McLaughin Carriage Co.; F. Bull, Williams'
P. C. Norton entered and was also attacked. They were eventually landed
taken an overdose of medicine the minority shareholdens present.

Robert McLaughlin of the McLaughin Carriage Co.; F. Bull, Williams'
principles of the proprietor of the propri tacked. They were eventually landed in the Court-street station, charged

with assaulting Mr. Fitzgerald.

# RATIFY SALE TO

Only 104 Shares Out of Total of Over 5000 Oppose Transfer of Stock of Western

> Bank of Oshawa Meeting

OSHAWA, Jan. 6 .- (Staff Special.)-With a majority vote of 5116 shares to 104 the shareholders of the Western Bank of Canada this afternoon ratified the resolution of the directors accepting \$160 per share from the Standard Bank with 8 per cent. interest from Oct. 1, the sale to include the good-will and assets of the bank and the

surrender of the charter.

The World has already given details of the strong situation of the Western Bank and of its value to Oshawa in establishing the business independence

the local merchants. It is stated by the Standard Bank people that the policy of the Western will be continued in every respect as far as possible. The Standard benefits by the accession of \$1,000,000 deposits and will have with the 26 branches of the Western, none of which duplicate those of the Standard, 96 branches. It is expected that the whole matter will be closed up in about six weeks, as the treasury board at Ottawa, before which the application must come, does not meet for a month yet, and an order must then be passed by the governor-in-council. By March 1 the Western will probably have passed out

of existence.

Who Were There.

W. F. Cowan, president of the Standard Bank, and Vice-President of the Western, occupied the chair, and there were present John Cowan, president of the Western; Fred Cowan, L. K. Murton, J. O. Henry, George Miller, E. H. Lick, A. J. Stalter, J. P. Owens, R. C. Beavitt, T. H. Markett, J. P. Owens, R. C. Beavitt, T. H. McMillan, Fred Bull, Robert McLaughlin, George H. Pedlar, Robert Dillon, Dr. Hoig, Patrick Lyons, William Bain, Oshawa; John D. Howden, W. H. Richardson, E. Armstrong, Whitby; Jehn Smith, Tillsonburg; T. J. McMurtry, R. H. Souch, W. F. Al-len, W. W. Cameron, W. H. Williams, G. J. Rickard, Elizabeth Rickard, Thos. V. B. Pinch Bowmanville John McLaughlin, Enniskillen; Dr. Mc-Intosh, Newcastle; Joseph Stone, For Italy's Needs

Intosn, Newcastle; Joseph Stone, Sunderland; Dr. Mellow, Port Perry; Alexander Stewart, Hamilton; Henry Swan, George Porter, G. P. Schoffeld, general manager Standard Bank; J. J. Warren, W. J. Boland, F. M. Holland, W. R. Smyth, Z. A. Lash, K.C., Wellington Francis (of Francis and Wardrope). Toppontor

Wardrope), Toronto. The paid officers of the bank, tho shareholders, are not permitted to vote, and deducting their stock, which would contributed by the government of the lave voted for the merger, it was stated that only \$30,000 of the \$550,000 of United States, state governments and the bank capital opposed the measure, The Opposition.

American relief was to the fore in turn acted thru the Trusts and Guarother ways. The scout cruiser Yank-

This offer was of \$160 a share cash or shares on the understanding that an adjournment be taken till Feb. 16. If then 3500 shares had been acquired. an extra \$5 per share, making \$165 in all, would be paid.

The shareholders, on considering the delay, the problematical character of the purchase of 3500 shares, and the refusal to divulge the names of those composing the syndicate, refused to consider it, tho Mr. Warren stated that over \$900,000 had been placed at his disposal to implement the offer. Two statements were made as to the dentity of the capitalists. One was that the New York capitalist was Pier pont Morgan. Mr. Jarvis denied this

"He has had enough of Canadian banks, wouldn't you think?" he remarked, jocularly. The other rumor was to the effect that J. R. Stratton, M.P., a director of the Traders' Bank, and president of the Dominion Permanent Loan Co..

ren denied this explicitly, saying that The chairman said that among the reasons weighing for the proposed change, was the difficulty of a small in a small bank i opportunities for profitable investment, the pri-vilege of making call loans and so

certain in the next 20 years. The capital of the bank would be increased immediately. Mr. Allen asked for the names of the promoters, but the in-formation was refused, and this ap-

peared to influence the minority share-

A proposal to exchange stock would have been popular, but this was not made, and there were no counter pro-