SATURDAY MORNING

the State of Illinois and shows in a

anger traffic has increased. If the

larger population it should also be

railroads in a way paralleled by no-

The application of the two-cent fare

law in the State of Illinois shows that

the number of passengers carried

earning revenue was 76,842,521, while

under the last year of the three cent

fare law (1907) the railroads carried

57,218,825. This shows an increase for

1908 of 19,623,696 more passengers. The

earnings from passenger service per

mile of road for 1908 was \$3,754, and for

907 was \$3298, an increase of \$456 per

other state of the union.

sm is made that Illinois contains

pered that it is gridironed with

The Toronto World

in the Year.

IN ILLINOIS.

our great railroad systems.

of 23,111.18 miles.

mileage still stands the peer of any

other state in the union, with main line

ingle track of steam railroads alone of

12,082:33 miles. Second, third and fourth

main tracks 2400.39 miles. Industrial

track, 546.90 miles. Yard tracks and

sidings 6464.76. Total steam railroad

mileage 21,494.38 miles, an increase over

1907 of 428.177 miles. Add to this the

mileage of interurban electric railroads

of 1616.80 miles, making a grand total

THE TORONTO WORLD

for defendants other than Wilson. E. C. Spereman, for defendant Wilson. Case transferred to Stratford sittings to be tried with the case of McDer-mott v. Wilson. If jury notice has been served if is to be struck out. Costs of this application to be disposed of by trial judge. Hall v. McPherson.-R. C. H. Cas-sels, for defendant, appealed from the order of master-in-chambers refusing to strike out jury notice. W. Proud-foot, K.C., for plaintiff, dearra. Re-served. Re Lot 7, Township of Barton.-J. H Spence, moved for an order vali-dating order of judge of county court for payment out of court. Order made. Pod v. Milrick.-G. C. Thomson (Hamilton) moved on consent for order for confirmation of estate pursuant thereto. Order made. Re Crozler.-J. T. Richardson mov-ment out of 550 and of \$100, in six months' time for maintenance, J. R. Meredith, for the Infant. Order made. McCloy v. Holliday.-R. T. Harding, for defendant, moved to strike out jury notice. F. Aylesworth, for plain-tiff. contra. Reserved. O'Nell v. Merchants' Fire.-G. C. Thomson. (Hamilton), for defendants, moved to strike out jury notice. W. S. Brewster, K.C., for plaintiff, con-tra. Motion dismissed, costs to plain-tiff in any event. Turnar v. Meck.-J. W. Bain, K.C. ndants other than Wils

iff in any event. Turner v. Meck.-J. W. Bain, K.C., or defendant, moved for an order ransferring an action from the first iransferring an action from the first division court of Peterboro to the high court. C. W. Kerr, for plaintiff, con-tra. Action in the divisional court to proceed to judgment and then to stand until the disposition of a high court action to be brought within a week on the counter claim, which is to be withdrawn from the division court ac-tion; \$40 may be paid into court to signd in place of plaintiff's claim. Costs to be disposed of by judge who tries high court action.

signd in bloce of plantin's claim. Costs to be disposed of by judge who tries high court action. Re Tyhurst- R. D. Moorhead mov-ed for an order allowing \$100 a year for maintenance, to be paid quarterly. J. R. Meredith, for the official guar-dian. Order made. Re Charlton-J. R. Meredith moved for an order for payment out of court. Order made. Re Casselman-J. R. Meredith moved for an order for payment out of in-terest on fund. Order made. Lampman v. Lampman-J. R. Mere-dith moved for an order confirming settlement. Order made. Re McGirr and Walkerton and Luck-now Rallway Company-C. M. Colqu-houn moved on consent for an order for payment out of court. Order made. Stavert v. McNaught-J. H. Moss. K.C., for plaintiff. Glyn Osler for th'rd party. F. Arnold, K.C., for defendant. Judgment (L). An action upon a pro-missory note for a large sum alleged to have been made by the defendant Boland, and endorsed by defendant McNäught. nal court

McRaught. This application is now made by plaintiff and the third parties to set aside jury notice filed by defendant. I think the rule indicated in the judgment of the divisional court in Bryans-Moffatt should be adopted, namely, that the jury notice should go "where the case is one that in the opinion of the judge before whom the motion to strike out the jury notice comes would be tried without a jury." The jury notice will be struck out. Costs in the cause.

(London), for plaintiff, E. E. A. Du Vernet, K.C., and A. H. F. Lefroy, K. C., for defendant, J. R. Cartwright, K.

At 12.50 Of colored worsteds, pure English dow stripe effects, 3-button single-breasted sacque shape, best linings and trimmings, sizes 36 to 44. Neckwear for 5c Men's Underwear 37c Men's and Boys' Shield Bows, And it's Spring and Summer Unmade from short ends of high grade derwear, too; fine elastic ribbed balsilks; this price would hardly pay briggan and plain merino, with sa-teen facings and pearl buttons; some of the garments are slightly imper-(No phone or mail orders) fect, but the wearing qualities are Working Shirts 37c intact, sizes 34 to 42; per 37

EATON'S DAILY STORE NEWS

Men's Popular Spring Weight Suits

At 10.50 Of fine navy blue clay twill finished worsted English cloth, made up in sin-

gle breasted sacque shape, with nice shaped collar and la-

pels, twilled Italian cloth linings; a stylish perfect fitting

suit, sizes 36 to 42.

and grey with colored trim-

Black and white drill and medium Men's Sweater Coats weight Oxford shirts, collar attached, double stitched seams, splendid Wool Sweater Coats, cotton backs, wearing shirts for little money, close ribbed cuffs, colors plain grey sizes 14 to 16 1-2, mings, special value, each .75 Main Floor, Queen St.

A \$1.50 Derby That's a Winner

Large assortment of Children's Varsity and Skidoo Caps, unlined, taped seams, in felt and beaver .25 cloth; Boys' Varsity Caps, in navy blue felt, with imitation leather sweats, the newest styles; price .25 Main Floor-Queen Street.



is not necessarily O'Recte's Pilsener. The word Pilsener denotes the cel brated process of brewin originated in the town o Pilsen, Germany.

All Pilsener Lager

TORONTO

APRIL 17 1909

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We have four u rder. Thes rices quote for gettin OURS NO

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MARMADUKE MATTHEWS' PICTURE SALE. In the above showing several of the leading trunk lines show an enormous increase in the number of passengers carried in 1908 over 1907. Take, for instance, the Chicago and Northwest-ern Railway, which in 1907 reported carrying in the State of Illinois 2,420.-207 passengers, the report for 1908 carrying 15,326,673, an increase of 12,-906,466 passengers. The Chicago, Burlington and Quincy Railway reported in 1907 carrying 4,-147,553 passengers and in 1908 they re-port carrying 8,095,341 passengers, and increase of 3,947,488 passengers, and the Chicago, Milwaukee and St. Paul In the above showing several of the

increase of 3,947,488 passengers, and the Chicago, Milwaukee and St. Paul Railway, who furnished for 1907 no statement of the number of passengers carried in Hilinois, report for 1908 that they carried 2,017,161 passengers. These abnormal increases are accounted for by the fact that in former years these than a passing glance, particularly from those interested in the beauties of from those interested in the beauties of from those interested in the beauties of the beau our own country. Nature is shown in varied aspects and Mr. Matthews' colment of traffic handled and their ings and expenses in the State linois on the basis of what the age in the State of Illinois bore to of Illinois on the basis of what the mileage in the State of Illinois bore to Thus we find that the Chicago and Northwestern Railway has over 7000 miles of road in its system, and the Rest and Rockies and are firm and massive in treatment, with fine per-spectives. Others of smaller scale are full of poetry and interest. All will be offered for unreserved sale on Tuesday. April 20, at 2.30 p.m., and this will af-Chicago, Burlington and Quincy Rall-ford a very favorable opportunity for acquiring examples of Mr. Matthews' over 8000 miles, and in former

years the movement of their passen-\$10,000 CELLO. gers and freight business, their earn-



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ent of materi

UITS & OVERCOATS to measur from \$5.14 to \$20.

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The World's Measure Taliers. Dopt A48 60/62 CITY ROAD, LONDON ENGLAND. ENGLAND. Addresses for Patterns : For Toronto and Zast Canada : OURION BROS., co BLOWT DIRECTORIES, LTD. (br A19 74.75 Charab Strept, TOHOL 20, ONTARIO. For Unploar and the West :

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IN THE LAW COURTS

ANNOUNCEMENTS.

Osgoode Hall, April 16, 1909

Peremptory list for divisional co or Monday, 19th inst., at 11 a.m.: 1. Downey v. Munro; Munro Downey. 2. Porter v. Parkin E. Co. 3. Semi-Ready v. Tew. Porter V. Parkin E. Co.
Semi-Ready v. Tew.
Hendrie v. Toronto.
Milne v. Ontario Marble Co.
Freel v. Robinson.

Peremptory list of court of appeal or Monday, 19th inst., at 11 a.m.:

1. C. P. R. v. Town of Carleton Place. Sharpe v. White,
McDonald v. G.T.R.
Caledonia Milling Co. v. G.T.R.

Master's Chambers.

Braithwait v. Patton -N. G. Heyd,

for defendant, moved to dismiss for want of proscention. W. S. Brewster,

ments.

Peremptory list for non-jury assize ourt, Monday, April 19, at city hall, at 11 a.m.:

 214. Royce v. National Trust.
 Before Riddell J.
 company. the issued by him, unless money they represented had been ceived by him for transmission by him for transmissin by him for transmissin by him for transmission by him for transm

night by the Dickens Fellowship, Mr. of Illinois was concerned, was dissi-218. Bay of Quinte v. C.P.R. en, a rare performer on the 'cello, pated over a large and unproductive will play his famous Stradivarius, which mileage in the northwest. For the he keeps insured for \$10,000. Its tone is enchanting and his execution worthy Before Cartwright, Master. Ludlow v. Ludlow.-N. G. Heyd, for year 1908, however these companies scem to have reported the movement of his magnificent instrument. The of passenger and freight business, their the crowd to-night. earnings and expenses more nearly in WITH line with actual conditions.

THOS. TAIT'S SUCCESS PEOPLE'S RAILWAY.

A tribute was paid by Senator Mceliminating entirely these But The tribute was pair by send to many the part of the sender Coll of Australia in his address before which have shown railroads,

roads. These conditions continued dur-

"He died of a broken heart, for he ing the balance of the year covered by entirely recovered from his d," said Dr. J. M. Johnson speakhad this report. Yet notwithstanding this, wound. the effect of the operation of the two cent fare law seems to have been pro-cut fare law seems to have been pro-

tern Hospital. Gohn cut his throat from ear to ear The total number of tons of freight because he had been discharged from the service of the Toronto Street Railcarried earning revenue for 1908 was

161.311.175 tons and for the year 1907 161,311,175 tons and for the year 1907 way last fall under suspicion of mani-was 155,672,528 tons, an increase for the pulating the fare boxes, and he could year 1908 of 5,638.647 tons. The average get on other employment. He had continually declared his in-nocence of a "spotter's" charges and proceeds into court. J. H. Spence, of road for all the railroads in the State had tried to force the company to

formally accuse or exonerate him, His union offered to pay the expenses of a of Illinois, as representing purely intrastate business, was for the year 1908 the sum of \$9,403,00 per mile. For 1907, \$9,-381,00 per mile, an increase of \$22.00 per He leaves a widow and two boys

mile of road. aged 2 and 13. . The total revenue from passenger ser-

SCOTCHMAN'S MISFORTUNE vice in the State of Illinois for the year 1938 was \$44,237,189.00 and for 1907 \$41,-157, 957,00, an increase for the last year of \$3,079,232.00.

Wanders Three Days in Bush—Hands and Feet Frozen. PORT ARTHUR, April 16 .- (Special) The total revenue from freight ser--Basil Day was brought on the train from White River with his hands and rice in the State of Illinois for the year feet badly frozen. Day is a Scotchman going thru to Montreal with cattle to 1908 was \$112,782,054 and for 1907 \$120.

623,799, a decrease of \$7,838,745.00 the old country. At White River he had Revenue derived from other sources, a difference with the man in charge \$20,273,086, in the year 1908, as against of the stock, left the train and lost his way, trying to take a short cut thru the bush. When found he had been \$16 245,917 in the year 1907, an increase

for the year of \$4.027.169. From income, from property owned

in the State of Illinois, \$9.881,303 in 1908 as against \$12,541,063 for the year 1997, a decrease for the year of \$2,659,760. night at intervals of several seconds. Making a total of earning and income

Mr. C. J. Townsend, auctioneer, has from all sources for the year 1908 of received an important consignment from Holland of Roses, Azaleas, Rho-dodendrons, Lilles, Climbing Vines, Shrubs, Fruit and Ornamental Trees, Laurel, Box Trees, Magnolias, etc., which he intends selling by auction on \$187,169,027, as against \$190,565,736 for 1997, making a decrease of \$3.396.709.

Notwithstanding this, the railroads in general paid their usual dividends Monday and Tuesday next at 11 a.m. to on their stocks and bonds, having paid 2 p.m.

during the year 1908 the sum of \$94,- The honorary governors who will \$ \$14.198, being only a decrease of 11,695,459 from the previous year. The Mr. T. Gibson.

three days in the bush without food. Quakes in California. EL CENTRO, Cal., April 16.—Both Imperial and El Centro experienced three distinct earthquake shocks last

fabrics are to be found among them. Elliott & Son

> Limited 79 King St. W., Toronto,

WALL PAPERS are a prominent feature in our stocks this season. We have also many beautiful materials at all prices, in many cases designed for the Wall Papers. Some very interesting productions of old

Ludlow v. Ludlow.-N. G. Heyd, for plaintiff, moved for an order for in-terim alimony and disbursements. W. S. Brewster, K.C., for defendant, coli-tra. Order for \$2 a week from the first of March and \$20 interim disburse-ure the defendant of the argument of the case ad-journed here. Argued and reserved. Divisional Court. Before Meredith C. J., MacMahon J., Teetzel J.

udgment dismissing the action with 05+5

Court of Appeal.

List of appeals set down for sittings of court, commencing Monday, 19th nst.

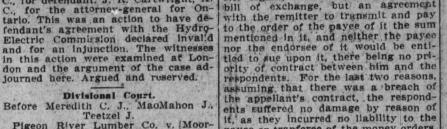
Cause. McNeil v. McRae.—H. S. White, for plaintiff, moved for judgment under C.R. 603, as against defendant Chand-ler. No one contra. Order made. the order of the chancellor of Feb. 8, 1909, whereby he reversed the rul-ing of the deputy regist ar at Ottawa. who taxed plaintiff costs on a judg-ment for \$370 on the county court scale.

and ordered them to be taxed on the high court scale. H. L. Dunn, for plain-tiff, contra. Appeal allowed and cortifi-Before Riddell, J. The King v. Meckelletta.-T. C. Rob inette, K.C., for deferdant, moved on return of habeas corpus for discharge of prisoner. E. Bayly, K.C. for the chancellor, without costs.

of prisoner. E. Bayly, K.C., for the crown. Enlarged until 20th inst. Drummond v. Wilson.-W. Proudfort, K.C., for plaintiff, moved for an order for plaintiff, appealed from the judg-ment of the judge of the county court of Waterloo of Feb. 6, 1909. for the sale of timber and payment of This action was to recover \$143, being balance alleged to be due on the pur-

Judges' Chambers.

PERIOD



if, as they incurred no liability to the payee or transferee of the money orders. We therefore allow the appeal with costs and reverse the judgment of Latchford, J., and substitute for it a

1. C. P. Ry. Co. v. Town of Carleton 2. Sharpe v. White. 3. McDonald v. G. T. R. Co. 4. Caledonia Milling Co. v. G. T. R.

5. Berkinshaw v. Henderson. 6. McNeil v. Stewart. 7. Toronto Railway Co. v. City of To-

onto (new lines). 8. Plaunt v. Western Electric Co. 9. Driscoll v. Ottawa Electric Rail-

way Co. 10. Lougaker v. Sisters of St. Joseph 11. Rex v. Mitchell. 11. Rex v. Mitchell. 12. Vasilif v. McDonald. 13. Bank B. N. A. v. Warren.

14. Gray v. Electrical Development Company. 15. Lee, A. B., in re Estate of. 16. Ross v. Chandler.

Bradenburg v. Ottawa Electric Railwa: Co:

18. Hill v. Snider. 19. Township of Dover v. Township chase of five cattle from plaintiff, the defence being that the cattle were pur

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chased from and payment of \$143 made 20. Auerbach v. Hamilton, to one Stephen Hall, a partner of plain-

tiff, since deceased, and whose exec have been made third parties by the defendants. At the trial plaintiff's action was dismissed with costs, and plaintiff now appeals therefrom. Referred back to the county court judge for a new trial on the evidence already taken, or to be supplemented by further evidence, but with a declaration

that the statute does not apply. Costs of appeal to abide result of the new Dominion Express Co. v. Krigbaum. R. J. McLaughlin, K.C., for defendant on appeal from the judgment of Latch ford, J., of Jan. 22, 1909. S. Denison for the plaintiff, contra. Judgment (L.) It is to be borne in mind in construing agreement sued on that the respon dents are not bankers but carriers and that a part of their business is to reelve money from customers for trans mission. The respondent company or was at the time the transaction uestion took place in the habit of ap pointing as agents persons whose bus ess required the transmission of mon ey by them and of supplying them wit!

blank forms of express money order signed on behalf of the company. The signed on behan of the company. The appellant was so appointed and fur-nished with these forms. A man named Heyburn, who had been, but was not then a clerk in his employment, stole a mber of the forms, forged the name of the appellant to the countersigning of them and put them off. These were presented at an agency of the respon-dent company and paid, and it is to recover the amount so part that the

action is brought. The appellant has



