

The Toronto World

FOUNDED 1881

A Morning Newspaper Published Every Day in the Year.
WORLD BUILDING, TORONTO.
Corner James and Richmond Streets.
TELEPHONE CALLS.
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Readers of the World will confer a favor upon the publishers if they will send information to this office of any new stand or railway train where a Toronto paper should be on sale and where The World is not offered.

THE HORSE INDUSTRY AND RACING.

It is easy to decry betting on races, easy to pass a law prohibiting it; but reasonable men who read the evidence before the special committee on the anti-betting law at Ottawa, will see that there is some kind of connection between racing and the maintenance of the thoroughbred horse, the foundation of all good horse breeding, excepting for heavy draft. The road horse, the trotter, the saddle horse, the hunter, the cavalry and artillery horse, the general purpose horse come from the thoroughbred. There is such a thing in horses as quality and this quality undoubtedly comes from the thoroughbred as he has been developed in England and more or less maintained in America. Stamina comes from the racehorse and can be transmitted by him alone. Why, we do not know; that it is so, we do know.

In these days when everybody is talking about the empire and the defence of the empire and of the need there is for horses for cavalry, for artillery, for the other purposes of war, it is absolutely essential that a nation to be prepared must have an abundant supply of high-class horses, as well as naval Dreadnaughts, and the horses that are necessary for war are at their best when they have a substantial strain of thoroughbred blood in them.

What the horse-breeder and the racing man say in substance is that the thoroughbred cannot be maintained at his best unless he is kept so by racing; the racing associations say that racing is impossible without betting. But they are willing to see betting minimized.

The horse-breeder and the farmer have a big interest in raising the right kind of horses; the national defence has the same concern; the racing man's interest is smaller, is one of sport, but incidentally he seems to be a substantial part of the other two.

THE LEGISLATURE AND COBALT.
The state of municipal affairs in the Town of Cobalt is not satisfactory. Not long ago there was an epidemic of fever, and there is a prospect of its return with warmer weather. The World has several times referred to the peculiar conditions that prevail in Cobalt, especially arising out of the fact that there is very little title in the land for those who live there, inasmuch as a system of landism by the mining companies is the general rule. There is, therefore, a lack of that sense of ownership which seems to be at the base of our municipal institutions. Moreover, everybody is too much interested in the special industry of the place to take much concern in efficient local government.

The World long ago suggested that the best thing for Cobalt would be the erection of the Township of Coleman and the Town of Cobalt into one municipality and govern it by three commissioners: one elected by the people, one by the government, and, perhaps, one by the mine owners, and that this commission thus created by the legislature be given all the powers that a municipality has, including the right to raise money by debentures sufficient to clean up Cobalt from a hygienic standpoint and make it what it ought to be, a healthy, attractive, and well-governed business centre; because there is more business and go in Cobalt in a week than there is in some cities in this province in a month.

The World has always been in favor of progressive legislation, and it believes that municipal government by commission is one of the newer ideas and one that is proving its desirability in many places. Let us try government by commission in Cobalt—later we might be glad to try it in the City of Toronto, and if the north is to have more mining camps, as we trust it will, there is no reason why a general act providing for government by commission in such cases ought not to be passed.

PUSH THE EXPROPRIATION POLICY.

Now that the board of control has sent on to the city council a recommendation to apply to the legislature for power to acquire, by expropriation if necessary, the Toronto Street Railway, there should be no further delay in having the matter brought before the local house. In spite of the cautious and non-committal utterances of the local members of the legislature, and in spite of the apparent ignorance of the situation to which W. D. McPherson confessed in his expressed desire to hear evidence about the state of affairs under which the citizens grieve, very few will have the temerity to throw down the citizens in this matter. Mayor Geary is on trial before the tribunal of his own declarations, and if the bill fails to pass into legislation, the citizens will have no difficulty about accounting for such a result. There is no need, however, to anticipate anything but a straight,

smooth course for the city policy. Several of the cabinet ministers, as well as Hons. J. J. Fay and Dr. Pyne, reside in the city and are familiar with the conditions of street car service. Mr. W. K. McNaught and Mayor Geary alone can ensure the passing of the necessary legislation, and they will have the public behind them watching the issue.

CHILD HAD MEDICAL AID.

Editor World: A Port Hope despatch concerning the death of little Lena Ennis states that the mother of the child, who is a Christian Scientist, refused medical aid, also that the child was not sleigh-riding on Saturday in a raging fever. Information just to hand from Port Hope absolutely denies both the above statements. A doctor was called in just as soon as the child was taken seriously ill on Sunday morning, and his instructions were followed and his medicines taken as prescribed. The child was not out sleigh-riding on Saturday, as reported, but was in the house, up and around all day, and was not in a raging fever. The convulsions came on suddenly, as is often the case with children, and everything possible was done for the child. The doctor had previously been called in to attend a young child on New Year's Day, and had called at various times since. C. H. Munro.

RE ST. CLAIR AVENUE.

Editor World: Residents along St. Clair-avenue want the avenue widened, but they object to the local improvement plan because the widening of this thoroughfare, in a few years to be the great thoroughfare of the north, will be for the benefit of all Toronto. Isn't it time that a change was made and this local improvement scheme abolished? Northender.

YACHT CLUB PLEASED

Cable Congratulations to Admiral Lord Charles Beresford.

"Admiral Lord Charles Beresford: 'Please accept congratulations on your election.'"

"Royal Canadian Yacht Club: 'Marlatt, Commodore.'"

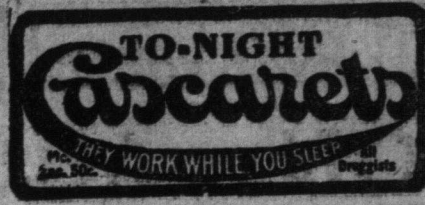
"Marlatt, Royal Canadian Yacht Club: 'Warmest thanks.'"

The above cablegrams were exchanged as the result of the Portsmouth election when "Condor Charlie" over-turned a large Liberal majority. The admiral was made a patron of the club at the semi-annual meeting last November.

Fear Back is Broken.

WINDSOR, Jan. 20.—(Special.)—Robert McMillan, a tin worker, fell 18 feet while working on a roof of the British American brewery building this afternoon. It is believed his back is broken.

Immigration into Canada for December totaled 8673, as compared with 1909 in December, 1908. For the nine months since April 1 the total was 158,929.



SWAM HOURS IN ICY WATER

Russian Sailor's Remarkable Experience in New York Harbor.

NEW YORK, Jan. 20.—Passengers on a Brooklyn ferry boat to-day saw a man complacently swimming thru the ice fields in the harbor. He refused help from the ferry boat, swimming around it and making for a Brooklyn dock. When he was drawn to the dock from the icy water, it was found that he was a Russian sailor by name of Chris Jacomosky, with a remarkable tale.

"I shipped from here yesterday on the tramp fruit steamer Joseph E. Guinan," he said, "and when we were outside of Sandy Hook and I was standing on the poop deck, some one comes up behind me and hits me on the head with a belaying pin. Overboard I goes, and as I had a furnished room in Brooklyn, I starts to swim for the night."

It is believed that the sailor swam more than ten miles thru the ice floes.

G.T.R. OFFICIAL CHANGES

Affect the Operating and Traffic Departments.

MONTREAL, Jan. 20.—(Special.)—H. E. Bryant has been appointed as assistant to the first vice-president of the Grand Trunk Railway, and will have jurisdiction over the operating department.

C. G. Burnham will continue as assistant to the first vice-president and will have jurisdiction over the traffic department.

D. Miller, first vice-president, will, in addition to his present duties, assume charge of the operating departments.

These changes have been brought about as a result of the appointment of D. Willard as president of the B. and O. R.

A Canadian Club has been organized at Princeton (N. S.) University, with these officers: Frank D. McCharles of Winnipeg, president; W. Ross Fischer of Ontario, vice-president, and J. H. Freaney of Ontario, secretary-treasurer. There are 12 members.

The Bank of Commerce is purchasing the Ontario Syndicate property at King and Brock-streets, Kingston.

AT OSGOOD HALL

ANNOUNCEMENTS.

January 20, 1910
Judges' chambers will be held on Friday, 21st inst., at 11 a.m.
Peremptory list for divisional court for Friday, 21st inst., at 11 a.m.:
1. Colonial v. Spooner.
2. Re Seymour and Code.
3. Forster v. Forster.

Peremptory list for court of appeal for Friday, 21st inst., at 11 a.m.:
1. Foster v. Radford (to be continued).
2. Stratford Fuel Co. v. Mooney.
3. Toronto Club v. Imperial Trusts.
4. Toronto Club v. Dominion Bank.
5. Toronto Club v. Imperial Bank.

Non-Jury Assizes.
Peremptory list for non-jury assizes at city hall at 10.30 a.m. Friday, Jan. 21:
24. Robertson v. Canadian Pacific Ry.

Jury Assizes.
Peremptory list for jury assizes at city hall at 10 a.m. Friday, Jan. 21:
48. Rice v. Toronto Railway.

Master's Chambers.
Before Cartwright, K.C., Master.
Charlton v. Carney Lumber Co.—M. Macdonald, for plaintiff, moved, for consent, for an order dismissing action without costs and directing payment out of lien—money in court. Order made.

Baker v. McConnell—F. McCarthy, defendant, moved to dismiss action for want of prosecution. No one contra. Order made.

Warren v. Tighe—J. R. Roaf, for plaintiff, moved for order renewing writ of summons. Order made.

Single Court.
Before Clute, J.
Reinhardt v. Barton—F. J. Roche, for claimant Walker, on motion for costs of abandoned motion. W. R. Smyth, K.C., for plaintiff, asked enlargement. R. G. Smyth, for defendant. Enlarged until 24th inst.

Kaunagraph v. Textile Stamp Co.—E. Wright, for plaintiff, on motion for injunction. H. E. Rose, K.C., for defendant. Enlarged sine die, to be replaced on list by either party on 24 hours' notice.

Warren v. Locay—Grayson Smith, for plaintiff, on motion for judgment. H. S. White, for defendant, asked two weeks' enlargement to answer material. Enlarged for two weeks.

Re Clinton Thresher Co.—J. F. Boland, for liquidator, appealed from the report of the local master at Goderich. W. Proudfoot, K.C., for three directors who have been placed on list of contributors, stated that parties had agreed that this appeal, and that of the liquidator, as to these contributors, are to be enlarged two weeks. W. Brydone, for Town of Clinton, and five contributors, C. Garrow, for Drummond, McCall & Co., lien holders, G. W. Mason, for the A. R. Williams Machinery Co., lien holders. The appeal the liquidator as to distraint for taxes by the Town of Clinton, argued and dismissed with costs.

Sheffield v. Township of Burford—J. Hayerson, K.C., for Joseph S. Sheffield, the plaintiff, moved for an injunction restraining the township council of the said township from finally passing a proposed bylaw of the defendant corporation entitled, a bylaw to prohibit the sale of liquor in the said township, until the trial, on the ground that the form of ballot prepared read "For the Bylaw, Against the Bylaw," as provided by the statute before last amendment, instead of reading "For Local Option, Against Local Option," as now provided by the statute as amended. W. S. Brewster, K.C., and M. F. Muir (Brantford), for the township, contra. By consent of counsel motion turned into a motion for judgment and judgment dismissing motion and action without costs.

Little v. Smith—J. M. Ferguson, for defendant, moved for judgment on further directions. D. B. Simpson, K.C., for plaintiff, contra, stated that by mistake he had allowed time for appealing to pass, and he asked enlargement of motion and for leave to appeal. Motion enlarged until 24th inst. and if defendant then wishes further enlargement it may be so enlarged by the registrar, and leave given plaintiff to appeal.

Elwell v. Crate—G. F. Henderson, K.C., and W. C. Smith's Falls, for plaintiff. A. E. Fripp, K.C., and H. A. Lavell (Smith's Falls), for defendants. Judgment: Plaintiff recovered judgment against H. A. Crate for \$870 and costs, and on execution issued failed to realize the amount, has brought this action against Elizabeth P. Crate, a sister, and Frederick A. Crate, a brother, of H. A. Crate, to have E. P. Crate declared a trustee for H. A. Crate of certain lands in Smith's Falls, and to set aside as fraudulent against the plaintiff and other creditors of H. A. Crate two mortgages given by E. P. Crate to F. A. Crate. I find that H. A. Crate was, on Sept. 1, 1907, and continued to be, in solvent circumstances; there was no money or property of any kind except possibly of a thing value given, transferred or handed over to E. P. Crate in connection with the coal and wood business given up by H. A. Crate, the alleged fraudulent arrangement between E. P. Crate and Hiram A. Crate has not been established, that the mortgages were given for valuable consideration, and no fraudulent or collusive scheme to defeat or delay or hinder the creditors of H. A. Crate has been proved. Action dismissed with costs. Thirty days stay.

Before The Chancellor, Magee, J.:
Latchford, J.
Re Seymour and Code—A. H. P. Levey, K.C., for R. F. Seymour, on appeal from the ruling of commissioner C. C. Robinson, for defendant, asked enlargement until 21st inst. Enlarged until 21st inst. accordingly.

Sharpe v. White—F. Aylesworth, for plaintiff, on appeal from the judgment of Falconbridge, C.J., of 19th November, 1909. No one for defendant. Argument of this appeal stands adjourned until week commencing on 31st January, or until the February sittings as counsel may elect.

Brown v. Windsor, Essex and Lake Shore Rapid Railway Co.—J. M. Pike, K.C., for defendants, appealed from the judgment of Falconbridge, C.J., of 7th October, 1909. V. A. Sinclair (Thornburg), for plaintiff, contra. The action was to recover \$10,000 damages for the death of Jay R. Brown, a one-limbed man, alleged to have been caused by the negligence of the defendants. At the trial judgment was given for plaintiff for \$2000 and costs. Defendants appeal therefrom. Appeal

Before Moss, C.J.O.; Osler, J.A.; Garfield, J.A.; McMillen, J.A.:
City of Hamilton v. Hamilton Street Railway—W. E. Middleton, K.C., for defendants, moved for leave to appeal K.C. and G. Bell, K.C., for plaintiffs, contra. Leave to appeal granted.

Leckie v. Marshall—A. W. Anglin, K.C., Glyn Osyer and J. Wood (Sudbury), for plaintiff, appellant. G. F. Shopley, K.C., and G. Bell, K.C., for respondents, the Greys Sliding Development Co., contra. Argument of appeal resumed from yesterday and concluded. Judgment reserved.

Foster v. Radford—J. R. Roaf, for defendant, appellant. W. E. Middleton, K.C., and R. G. Hunter, for plaintiff, respondent. This action arose over the sale to plaintiff by defendant of the property on the corner of Adelaide and Church-streets, Toronto, known as the St. James' Chambers, and the alleged non-performance of covenants by the defendant, &c., and plaintiff claimed \$2340.97 for payments made by him in carrying out the agreement for sale, \$2300 for mortgages paid by him to settle a certain action by a creditor of defendant and to remove the liens against the property, and \$2900 damages for delay in completing the contract. At the trial, judgment was given declaring that plaintiff was not entitled to charge defendant with the

amount paid in settlement of Barwick v. Bradford and referred it to G. Kappele, an official referee, to take the account between the parties, &c. As a result of taking these accounts, the referee found a large balance due by defendant to plaintiff. On appeal by defendant to the chancellor, the amount found due was reduced, but defendant now appeals from the latter judgment as not having allowed sufficient reduction. Not concluded.

Third Year Law Results.
The third year Christmas examinations at the Osgoode Law School have resulted as follows:

Pass—J. C. Stewart; C. F. Ritchie, R. W. Hart, equal; S. W. Field; J. W. Haffeman; T. A. Flynn; J. H. Simpson; W. D. M. Shorey; J. A. Dykes, L. P. Sherwood, J. I. Grover, equal; O. H. King; J. C. Macdonald; T. H. Peine; R. Robertson; W. G. Anderson; R. Dingwall; A. J. McKinley; J. S. McMahon; F. J. Ap. John; J. O. Begg; W. V. M. Shaver.

The following will take supplementary exams at Easter: A. C. T. Lewis, R. E. Alexander, T. W. Lawson, P. Reilly, G. A. Archibald, A. G. Parish, T. H. J. Wray.

Eligible for honors—G. E. Ritchie, R. W. Hart, S. W. Field, J. W. Haffeman, T. A. Flynn, T. H. Simpson, W. D. M. Shorey.

There are forty-one applications for admission as students for Trinity term.

Druggist Heavily Fined.
BROCKVILLE, Jan. 20.—(Special.)—The largest pickler ever taken from the St. Lawrence in this vicinity was caught by A. D. Flynn. It weighed 15 pounds and measured over four feet long.

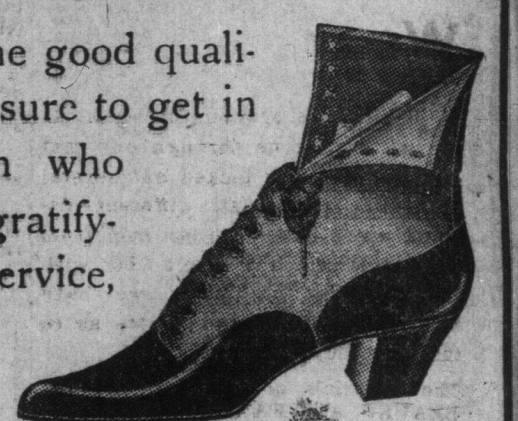
G. F. Stayner, druggist, was fined, with costs, \$110 for illegal liquor selling.

James McDonnell, farmer, of Westminster Township, in dead, aged 83, three days after the death of his wife.

EATON'S JANUARY SALE NEWS

Exceptionally Good Savings in Footwear For Men and Women

THESE low prices coupled with the good qualities and up-to-date styles you're sure to get in our footwear, offer the man or woman who buys from this lot Saturday unusually gratifying good values, for here are combined service, comfort, good appearance and typical January Sale low pricing.



390 PAIRS FOR WOMEN, consisting of D Armstrong boot, and Eatonia, these are broken lots and discontinued lines, beautiful quality and elegant styles in patent colt and victi kid. Goodyear welted turn soles, blucher and buttoned; sizes in lot 2 1/2 to 7 2.50

410 PAIRS FOR MEN, this lot consists of discontinued lines of high-grade qualities, in box calf and dongola kid, seasonable styles in the most desirable shapes, all have Goodyear welted sewn soles; sizes 6 1/2 to 11. Price 2.00

Rubbers For Men and Women

Rubbers in the first quality brands, in individual cardboard boxes. Women's extra fine light-weight plain rubbers in styles suitable for any shoe, we have them in any quantity; sizes from 2 1/2 to 8.60

Men's fine light-weight plain rubbers, any style to suit any boot, stiff self-acting backs, the very low style, the medium or high cut; sizes 6 to 1285

—SECOND FLOOR—QUEEN ST.

January Sale of Waists THE T. EATON CO LIMITED TORONTO, CANADA January Whitewear Sale

O'Keefe's fine old Full Bodied Stout is the best of Tonics for pale, thin, run-down people. Brewed of the finest hops and malt—rich in nutriment. Every bottle sealed with a Crown stopper to prevent cork and tinfoil from getting in the glass. At all dealers.

"The Stout That Is Always O.K."

The O'Keefe Brewery Co., Limited, Toronto.

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CORK TIP
CIGARETTES

The Oriental Smoke

TEN FOR 10 CTS

Most Men Use Coffee For Breakfast and are interested in the kind of coffee they get.

Michie's finest blend of Java and Mocha coffee is in a class by itself—money cannot buy better. IT IS A BREAKFAST NECESSITY

MICHIE & CO., Ltd.,
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