

DOCTORS

Lot for sale, \$100 per foot, near Bloor and Walmer Road.

PROBS: Easterly winds a little higher than yester, with light snowfalls.

Senate Reading Room - 16 May 11-1204

STORE TO RENT

Near Yonge and Adelaide, only \$112.50 per month. Why pay Yonge St. rents?

31ST YEAR

The Toronto World

DISAGREE ON FIVE COUNTS Overcrowding Found Dangerous IN RAILWAY INDICTMENT

Justice Riddell is Frankly Disappointed with Jury's Attitude After 7 1/2 Hours' Deliberation - Case Will Be Resumed on Monday - Judge Addressed Jury at Length on Overcrowding.

"We find that the Toronto Street Railway Company endangered the property and comfort of the passengers by overcrowding, and are unable to agree on the other counts."

The above was the verdict brought in by the jury before which the Toronto Street Railway Co. was on trial on six counts of maintaining a nuisance at 120 this morning, after fighting a case out in the jury room, when they were not busy getting additional instructions from Mr. Justice Riddell.

In discharging the jury, Judge Riddell said he regretted that they had not arrived at a more satisfactory verdict, and he thought that if those who had failed to agree with the majority had given better attention to the evidence they would have been able to arrive at an honest verdict.

He announced his intention of beginning the hearing at 9:50 o'clock tomorrow morning, but Hartley H. Dewart, K.C., counsel for the company, declared that the defence was in no position to proceed and that he was utterly taken by surprise that his lordship would even think of reopening the hearing on such short notice.

His lordship stated in no uncertain terms that he had set the hearing prematurely for Monday morning and that he would hear no argument as to a reserved case until he had been given a verdict on the other counts in the case. Furthermore, he intended finishing the case by this sitting of the assizes and did not think it should be permitted to take up the time of another court.

The jurors were John Glendenning, Scarborough, farmer; G. Crayford, West York, farmer; Melville McCallum, East King, farmer; Chas. Anderson, Georgina, farmer; F. Bodfish, King, farmer; John E. Saiter, E. Gwillimbury, farmer; Wm. C. Hamilton, farmer; Ernest Jones, S. Main-st., Toronto, farmer; Wm. Donoherty, Scarborough, farmer; Wm. Grant, Scarborough, gentleman; Fred Hill, East York, farmer; and J. H. Hamilton, East Markham, farmer. Fred Hill was foreman.

Counts in Indictment Originally there were six counts on the indictment, but the fifth count, with reference to the district of property by crowded conditions of the cars, was eliminated.

A SUICIDAL COURSE

MONTREAL, Jan. 31.—That reciprocity would be a suicidal course on the part of Canada was the dominant note of the address of the president of the board of trade, Mr. George L. Cairns, at the annual meeting this afternoon. In part he said: "We, in Montreal, are perhaps more vitally interested in this question than any other part of the Dominion. Not only have we the three great transcontinental lines centering in this city, but the country has spent enormous sums of money in equipping our port so that we may be able to properly handle not only the present large traffic but also that increase which we are entitled to expect in the future."

PASSED A RESOLUTION AGAINST RECIPROCITY

Such a Treaty, Say Montreal Board of Trade, Would Involve Country in Grave Dangers.

MONTREAL, Jan. 31.—By a vote of 60 to 44 the annual meeting of the board of trade this afternoon passed a resolution declaring against the reciprocity agreement with the United States. The resolution reads: "Resolved that we, the members of the Montreal Board of Trade in annual meeting assembled, believe that the sober sense of the country as a whole is against any change in the trade policy under which Canada has grown to her present admitted state of prosperity."

TRADE WITH CANADA

Australian Government to Discuss Agreement at Imperial Conference.

BIG STEEL PLANT FOR B. C.

A delegation of Pacific Coast steel and coal capitalists, representing the British Columbia Steel Company, passed thru Toronto last night on their way to Ottawa where they will make application for a charter for the establishment of a \$10,000,000 steel plant in the vicinity of Westminster, B.C.

SPEND \$1,000,000 FOR HYDRO LINES

Extension of Power System Chief Item in Provincial Supplementary Estimates of Nearly \$2,700,000 - Legislature Get Indemnity Raised to \$1400.

Members of the Ontario Legislature had the fact impressed upon them yesterday afternoon that the imperial government is an august body and that the procedure of intercourse thru viceregal channels was one of form and ceremony. This was brought home by the explanation of Sir James Whitney that in sending the resolution of thanks to the imperial government, adopted on Monday, for volumes donated to the library of the legislature, it was necessary to adopt an address to the lieutenant-governor, requesting him to transmit the resolution thru the official sources. Such an address was then read by the leader of the government and agreed to.

MEMBERS TO GET \$1400

In presenting these estimates, which are supplementary to the main estimates adopted at the beginning of the last session of the legislature, Sir James announced an increase of the sessional indemnity. He said that the question was discussed in an informal way last year, but now the government had taken the subject on its own responsibility. There had been no bargaining and no round robin. The question was not discussed at the general election, neither was that of the increase of salaries of cabinet ministers, but the latter had been afterwards condemned by the public. The increase of the indemnity and the increase of salaries of members of the cabinet were in accordance with changed conditions and the increased cost of living.

SUPPLEMENTARY ESTIMATES

The total supplementary estimates aggregate \$2,650,000. Among the estimates of public interest are: Hydro-Electric Power Commission (capital account); complete Niagara power transmission lines including additional extensions to Tillsonburg, Weston, Port Credit, Brampton, Mitchell, Seaforth, Agricultural College, London and Hamilton Asylums, \$1,100,000. To complete Port Arthur station and transmission line (in addition to \$29,900,000 expended in 1909-1910, which is approved), \$30,000.

SOME SALARIES ASCEND

The following have had their salaries increased from \$2500 to \$3500: Edward Payne, solicitor to the attorney-general's department; A. H. U. Colquhoun, deputy minister of education; T. W. Gibson, deputy minister of mines; R. P. Fairbairn, deputy minister of public works; C. H. Sproule, assistant provincial treasurer; S. A. Armstrong, deputy provincial secretary.

SOME REAL SONG HITS

It is seldom a musical play is seen in which there are so many song hits as in "When Sweet Sixteen," the attraction at the Princess Theatre. Some of the favorites are "Graft," "The Wild Rose," "The Golden Long Ago," "My Toast to You," and "They Follow Me Everywhere." A dozen other pretty selections are rendered. Matinee to-morrow.

THE ASTUTE TRADER AND UNAMBITIOUS NATIVE



The sort of Jack Canuck Factor Taft believes himself to be dealing with.

FIELDING'S HONOR WAS VINDICATED

Commons Vote Down Resolution Calling for Disclosure of Names of the Contributors to \$10,000 Testimonial - Finance Minister Only Accepted it When Assured That No Other Who Could Expect a Favor from the Government Was on the List.

THERE ARE OTHERS

LONDON, Jan. 31.—The expression of editorially: "There is neither reason nor excuse for a Jermid of despair. Canada is not the whole of the overseas dominions. The resources of Australia in wheat are probably immeasurable. It can be made as effectively the empire's granary as Canada may become the granary of North America."

JUDGE FINKLE CLEARED FROM ALL IMPUTATION

Reeve Fleet Also Shown Not to Have Misappropriated a Single Dollar.

WOODSTOCK, JAN. 31.—(Special).—Judge Finkle cleared himself this morning before Judge Snider, of any suspicion that may have existed as to whether he shared in any rake-off while he was acting as an arbitrator in setting a price on the Ingersoll-Port Burwell road. His evidence was taken at his home, where he is ill. He further said that he knew of no person who had accepted a bribe in that connection.

AN UNSYMPATHETIC ATTITUDE

LONDON, Jan. 31.—(C.A.P. Cable).—The Morning Post's parliamentary correspondent says that the Unionists intend to move an amendment to the address regretting the unsympathetic attitude of the government towards the overseas dominions.

FIRE SPOILED WEDDING

Flames Did \$5000 Damage to Jewish Synagogue on University Avenue.

SUE FOR TEN MILLIONS

TRENTON, N.J., Jan. 31.—Suit was commenced in Court of Chancery today against James H. Post and the executors and trustees of Henry O. Havemeyer to compel the surrender of \$10,000,000 of common stock of the National Sugar Refining Company of New Jersey, or the payment for the same at its face value with interest from 1900. In case the stock is not paid for the suit seeks the return of \$2,500,000 which has been paid out on the stock in dividends.

WILL NOT SWITCH POWER RATES CONTROL

Sir James Whitney Repudiates Charge, But Proposed Amendments Giving Railway Board Control of Plant Cause Uneasiness - Mayor Will Make Enquiries.

Sir James Whitney gave The World a denial yesterday afternoon to the rumor that his bill to amend the Power Commission Act, and the Ontario Railway Act, aimed at putting the control of hydro-electric rates under the Ontario Railway Board rather than under the electric power commission.

The bill is No. 102. It repeals these clauses in the Power Commission Act, and places them in the Ontario Railway and Municipal Act:

The board may from time to time make orders and regulations as to the construction, operation, protection, and inspection of the works, plant, machinery, appliances and equipment for transmission and distribution of electrical power by municipal corporations and railway power or transmission companies.

Any municipal corporation, company or person neglecting or refusing to obey and carry out the order or directions of the board or the member thereof before whom the complaint was heard, or to comply with any order or regulation under the next preceding sub-section, in addition to any other liability, shall forfeit to his majesty, for the use of the province, the sum of \$100 for every day during which such refusal or neglect shall continue.

UNIONISTS MAY RAISE FISCAL DISCUSSION

Anxious to Bring up the Reciprocity Arrangement in the Imperial House of Commons.

LONDON, Jan. 31.—In the debate on the address from the throne in the house of commons, which reassembled to-day, the Unionists are anxious to raise a fiscal discussion, bringing up the reciprocity agreement between the United States and Canada. There is some doubt, however, whether this will be possible at the present time, and nothing will be decided until Mr. Balfour returns from the continent at the end of the week.

DO NOT AS BOUNDARY 'TWIXT FIRST AND SECOND WARDS

Civic Sub-Committee Recommends Change to Equalize Population.

At a meeting of the sub-committee of the civic legislation and reception committee, having charge of ward boundaries, held yesterday afternoon, changes were suggested in the boundary between ward one and two, whereby all territory west of the Don, now in ward one, will be added to ward two. This will mean the addition of about 4000 population to ward two, including about 800 voters. Ward one population is reduced by that amount. By the proposed arrangement the boundary between wards one and two will start at the northern limit where the Don River enters the city, and follow the course of that stream to the bay.

SHOT DOWN BY VETERAN

Montreal Man in Critical Condition at Vancouver.

VANCOUVER, Jan. 31.—About 11 o'clock last night in front of the Wanderer Cafe, Carroll-street, John Flax of Montreal, a young man, 22 years of age, was shot down by Alfred Rowach, a veteran of the British army. The enemy had existed between the two, it was purely and simply the sudden and unaccountable act of a brain crazed with bad whiskey.

CONSUL AT GIBRALTAR

MONTREAL, Jan. 31.—Senator Eduardo Ortiz de Zugaray, Spanish consul-general to Canada, who will be replaced some time this month by Senor Manuel Garcia Cruz, now of Bremen, has been appointed Spanish consul-general at Gibraltar.

FURRIERS ARE STOCK-TAKING

It's a good time now to look for bargains in furs, because this is stock-taking time and the furriers are glad to lighten the stock. The Dineen Company is stock-taking now and the bargains offered embrace every garment in every known fur. Call in when you are down town.



before a dark brown and double lined with 0.00. Wednesday.

with cotton trimmed with finished with 34 to 44. Wednesday.

for hockey assortment of and several 2.00, for \$1.80.

in Australian made and nicely priced \$2.29. Sydney grade Per-satin linings.

the best wear-wednesday \$9.00.

black calf leathers, all sizes 6 to

id leather. Blusa-sy fitting, long al price Wed-nesdays filled.)

or ns and colors; OVES. gers, oversewn tan, brown, nesday 59c.

Some are silk-nes; dome fas-Wednesday 19c.

ase, made from le, full fashion-

Rugs at prices far nesday it will rug for the

tribution at the and compre- 150.00 122.00 80.00 75.00 10.00 50.00 7.98 4.95

and wool tops, natural wood nesday \$1.19. d in rolled gold