H. H. WILLIAMS & CO.

38 King St. E., Opp. King Edward Hotel

SON

efore

dark brown

and double

ars; lined with

0.00. Wednes-

with cotton

trimmed with

finished with

34 to 44. Wed-

for hockey

assortment of

m, and several .00, for \$1.80.

in Australian

de and nicely

ice grade Per-

satin linings.

the best wear-

dnesday \$9.00.

ck calf leathers,

all sizes 6 to

d leather, Blu-

asy fitting, long

al price Wed-

ns and colors;

ers, oversewn

some are silk een; dome fas-

Vednesday 19c.

ose, made from

le, full fashion-

at prices far

nesday it will

rug for the

ibition at the

and compre-

ay. each 2.45 \$20.00. Wed-

\$20.00 to \$30.00.

0.00. Wednes-

.... 15.25

each.. 18.60

es from the

aced on sale.

the regular.

150.00

..... 122.00

... 86.00

75.00

ernard Moore,

... 10.00

..... 50.00

the new Rav-

lay 7.98

greatly under-

..... 4.95

and wool tops.

natural wood

dnesday \$1.19.

on of handles,

d in rolled gold

st Sugar Cured

lover Honey, 10-

Tomatoes, per

One car Cali-

er dozen, 25c.

apan Rice, 4 lbs.

Biscuit, 3-lb. box

tons

.... 1/1.25

... 8.15

lugs

inesday 59c.

tan, brown,

s filled.)

or

OVES.

sday \$2.29.



31ST YEAR

DISAGREE ON FIVE COUNTS

Overcrowding Found Dangerous

IN RAILWAY INDICTMENT Justice Riddell Is Frankly

Disappointed with Jury's Attitude After 71/2 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

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 1.20 this morning, after fighting the case out in the jury room, when they were not busy getting additional in-structions from Mr. Justice Riddell. In discharging the jury, Judge Rid-

dell 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 ordered them to report at 11 o'clock on Monday morning, when he expects to have another hearing on the five counts on which the present jury failea to agree. H. H. Dewart Objected

He announced his intention of begining 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 lord-

utterly taken by surprise that his lordship would even think of re-opening
the hearing on such short notice.
His lordship stated in no uncertain
terms that he had set the hearing
peremptorily 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 at this sitting of the
assizes and did not think it should be
permitted to take up the time of another court. other court.

The jurors were! John Glendenning Scarboro, farmer: O. Crawford, West York, farmer: Melville McCallum, East 60 to 44 the annual meeting of the gaining and no round robin. The ques-King, farmer; Chas. Anderson, Georgina, farmer; F. Bodfish, King, farmer; F. Bodfish, King, farmer; F. Bodfish, King, farmer; John E. Salter. E. Gwillimbury, farmer; Wm. Colson, York, farmer; Ernest Jones, 8 Main-st. Toronto, tinsmith: Wm. Dohertt. Scarboro, farmer; Fred Hill, East Whitchurch, farmer; Fred Hill, East Whitchurch, farmer; Faint Hamilton East Markham, farmer.

er. Fred Hill was foreman. Counts in Indictment

"3. Whether the company used every wedge that would eventually result precaution to prevent accident when in the separation of our interests from G. Evelyn met his death on Yonge-st. those of the motherland; when a car was running reversed? . "That we hereby record caution was taken to prevent dange"

it a menace to life?" ther instructions, as some were under impression that the counts should be discussed in rotation, while others more v were not. Again at 9.30 they returned nation." for instructions on the first count, ten of them holding one view, while the other two refused to view matters in the same light. By about 9.45 Judge Riddell had given them the informa-tion required. At 10.25 p.m. the jury returned and the foreman announced that they had gone over the whole on law and had been unable to agree

on any of the counts. His lordship chdeavored to enlighten the jury on the charges to be decided upon and sent them back to the jury room at 16.30 p.m., after intimating that if they failed to agree they would probably be locked up for the night. He had spent six days on the case al-ready and did not feel inclined to waste

any more time on it. No Menace to Health. "There is no evidence to show that any person's health was endangered by

overcrowding," said the foreman, with an expression on his face that betokened an ardent longing for a downy bed, when the jury returned for further instructions at 11.45 p.m. "You don't have to consider whether" any particular person's health was en-dangered," said his lordship. "What you are required to determine is whe-ther or not the conditions existing en-dangered health."

chief, and at 11.55 they once more the out to the jury room.

There was another visit of the jury to the court room at 12.18 a.m., with still another question. They wanted to know whether endangered meant the same as affected in reference to the health of the passengers.

Who is now in Ottawa before approach in the government.

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

A SUICIDAL COURSE

MONTREAL, Jan. 31.—That reciprocity would be suicidal on the part of Canada was the dominant note of the address of the president of the board of trade, Mr. George L. Cains, at the annual meeting this afternoon. In part he said:

"We, in Montreal, are perhaps more vitally interested in this question than any other

this question than any other part of the Dominion. Not only have we the three great transcontinental lines centring 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

"It cannot be doubted that the proposed arrangement re-ceived far more attentive study in the United States than it has in Canada. We could not believe that our government would ever seriously consider the question of reciprocity; and certainly not without consulting those interests which will be adversely affected. Probably it is realized at Ottawa that this would involve a most ex-tensive enquiry, as I am con-vinced that this is not a matter which concerns one section of the country, but if carried to its legitimate conclusion, will be suicidal to the trade inter-ests of Canada."

PASSED A RESOLUTION AGAINST RECIPROCITY

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

finual meeting assembled, believe that civil service were in accordance with the sober sense of the country as a cost of living. Originally there were six counts on whole is against any change in the The prime minister expressed the the indictment, but the fifth count, trade policy under which Canada has opinion that rules regulating the num-

Briefly, the points that the court asked the jury to decide were:

"I. Whether the company had used reasonable care and precautions to be made for absence over that number, should be adopted. The amount of indemnity proposed was \$1400.

The increase of \$400 additional for absence over that number, should be adopted. The increase of \$400 additional for absence over that number, should be adopted. The increase of \$400 additional for absence over that number, should be adopted. The increase of \$400 additional for absence over that number, should be adopted. The increase of \$400 additional for absence over that number, should be adopted. The increase of \$400 additional for absence over that number, should be adopted. The increase of \$400 additional for absence over that number, should be adopted. prevent danger to human life?

"2. Whether every care had been exercised and every reasonable safety appliance had been used on the car which pliance had been used on the car which castly are proposed might been safety appliance had been used on the car which castly are proposed might been safety appliance had been used on the car which castly are proposed might been safety appliance had been used on the car which castly are proposed might be safety appliance had been used on the car which castly are proposed might be a safety applicance had been used on the car which castly are proposed might be a safety applicance had been used on the car which castly are proposed might be a safety applicance had been used on the car which castly are proposed might be a safety applicance had been used on the car which castly are proposed might be a safety applicance had been used on the car which castly are proposed might be a safety applicance had been used on the car which castly are proposed might be a safety applicance had been used on the car which castly are proposed might be a safety applicance had been used on the car which castly are proposed might be a safety applicance had been used on the car which castly are proposed might be a safety applicance had been used on the car which castly are proposed might be a safety applicance had been used on the car which castly are proposed might be a safety applicance had been used on the car which castly are proposed might be a safety and the safety applicance had been used on the castly are proposed might be a safety and the safety applicance had been used on the castly are proposed might be a safety and the safety applicance had been used on the castly are proposed might be a safety applicance had been used to be a safety as a safety applicance had been used to be a safety applic killed David Goldenberg on Queen-st.? easily prove to be the entering of a

"That we hereby record the unalter-Whether every reasonable pre- able opposition of this board to the to life and limb when the company's United States, which treaty would incars were running reversed?

"6. Did overcrowding exist?

"10. United States, which treaty would involve the country in dangers not yet fully realized, and we consider that fully realized, and we consider that 6. (a) If overcrowding did exist, was the government should first ascertain the opinion of the whole country on The jury retired at 5.40 p.m. and at this question and receive a definite 6.45 p.m. court adjourned until 8.15 p.m. mandate thereon before committing it At 8.30 p.m. the jury returned for furto a change so revolutionary as this reversal of its entire policy, threaten-ing not only the trade, but also the more vital interests of Canada as a

> A committee composed of the members of the council and a number of leading members of the board were appointed to wait upon the government and place the resolution before a revote of the \$2400 and of \$5000.

TRADE WITH CANADA

Australian Government to Discuss Agreement at Imperial Conference.

OTTAWA, Jan. 31.-(Special.)-Anneresting return tabled in the comns to-day tells of the unsuccessful otiations which have been conductd between Canada and Australia for It years with the hope of bringing about a reciprocal trade agreement between the two premier colonies of Great

Tritain.

Central prison, including the erection of provincial prison, \$100,000. is to be found in a letter in which the Canadian trade commissioner in Aus-Australian Government will be pre-pared to discuss the matter at the time of the approaching imperial conference

BIG STEEL PLANT FOR B. C.

A delegation of Pacific Coast steel The foreman then said that they found the company guilty on count 6 British Columbia Steel Company.

(a) i.e, that the company endangered passed thru Toronto last night on their general, and sceretary. the property and comfort of the passed thru Teronto 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.

There was another visit of the jury room.

There was another visit of the jury room.

SPEND \$1,000,000

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 yes-terday 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 explanations by 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 offi-cial sources. Such an address was then read by the leader of the government

and agreed to.

Hon. W. J. Hanna introduced a consolidation bill with respect to the Muni-cipal Act. The provincial secretary said that the measure was more than a mere consolidation, as it took the por-tions relating to local improvements and grouped them together. When the bill was before the members of the house he desired the changes to be carefully considered; even this caused

a little delay.

Expectation was on the tip-toe when the leader of the house announced that he had received a communication from Government House, in which the lieutenant-governor transmitted the supplemental estimates.

Members to Get \$1400.

In presenting these estimates, which are supplementary to the main esti-mates adopted for this current year at 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 full responsibility and was treating the subject on its own responsibility. There had been no barchanged conditions and the increased

with reference to the distinction of property by crowded conditions of the cars, was eliminated.

The distinction of grown to her present admitted state be of days which a member might be absent, and of deductions to be made for absence over that number.

danger our status as a component part the supplementary estimates. The item "To provide indemnity to mem-

Supplementary Estimates. The total supplementary estimates aggregate \$2,659,043.

Among the estimates of public inerest are:

Hydro-Electric Power Commission (capital account): To 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,- Mr. Fielding made a brief, manly

approved), \$30,000. Enforcing Liquor License Act in lo- no part in the division. cal option districts, \$5000. Fish and game, \$5000.

The supplementary estimates contained a total of \$39,900 for technical education, and granted the recent re-

quests of the Hamilton deputation fo Agricultural training in high school will receive \$6000. Colonization and immigration, \$26,-

New Government House, \$50,000. Parliament and departmental printng, \$488,440.

Alterations, additions, etc., to Hosital for Insane, Hamilton, \$24,590. To Brockville ditto, \$48,149. Mimico ditto, \$16,300.

Toronto ditto, \$7900. Similar supplementary votes are called for in respect to the alterations at a number of other hospital and public institutions.

Some Salaries Ascend.

increased from \$3250 to \$3500; Edward Bayly, solicitor to the attorney-general's department; A. H. U. Colquboun, deputy minister of education; T. W. Gibson, deputy minister of minister o Gibson, deputy minister of mines: R. P. Fairbairn, deputy minister of public works; C. H. Sproule, assistant provincial treasurer; S. A. Armstrong, deputy

Dr. McCullough, deputy registrargeneral, and scoretary of board of bealth, has his salary increased from

A. E. Donovan, B cokville, states that 90 per cent. of the replies he has received from municipal officials favor his urged with the Christmas and New Year holi-

To Supervise Hydro Power.

the health of the passengers.

His lordship explained that it was not necessary to show that passengers had been affected. All tilat was necessary was to show that they were put in a position to become affected.

Continued on Page 7, Column 4.

To Supervise Hydro Power.

To Supervise Hydro Power.

STRATFORD, Jan. 31.—Construction of the favorites are "Graft," "The Wild Rose," "The Golden Long Ago," "My power for the hydro-electric for this disput in a position to become affected.

Everywhere." A dozen other pretty elections are rendered. Matinee to global selections are rendere

THE ASTUTE TRADER AND UNAMBITIOUS NATIVE



The sort of Jack Canuck Factor Tast believes himself to be dealing with,

There Are Others

LONDON, Jan. 31:-The ex-

excuse for a jeremiad 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."

FROM ALL IMPUTATION

Have Misappropriated a

Single Dollar.

WOODSTOCK, Jan. 31 .- (Special.)-

SUE FOR TEN MILLIONS.

TRENTON, N.J., Jan. 31.-Suit was

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.

OTTAWA, Jan. 31 .- (Special.) -- For the second time within a year an attack on Hon. W. S. Fielding, minister of finance, in respect to his acceptance of the testimonial of \$120,000 dast spring was voted down by the house of commons to-day, after a pratracted debate, on a straight party division of 118 to 63. It was a delicate situation, and A. C. Boyce (West Algoma), who moved the amendment to the motion to go into supply to consider the question of ministers of the crown receiving gifts of money from those having Reeve Fleet Also Shown Not to pecuniary relations with the govern-ment, did his best to make it appear pers that he had no desire to embarrass

the minister of finance.
As soon as Mr. Boyce had finished, 909.08 expended in 1909-1910, which is statement of his knowledge of the facts and withdrew from the house, taking Judge Finkle cleared himself this morning before Judge Snider, of any

Mr. Boyce urged the government to suspicions that may have existed as to have the list of subscribers to the whether he shared in any rake-off Fielding testimonial made public, whether he shared in any rake-off claiming, in the words of Sir Richard while he was acting as an arbitrator Cartwright, 20 years ago, that the in setting a price on the Ingersoll-Port pledge of secrecy was a "direct ag-gravation of the offence."

Burwell road. His evidence was taken at his home, where he is the fur-

Hon. George E. Foster, who was the last speaker, claimed that the circumstances were not paralled with those of who had accepted a bribe in that con-1891, and said that if the news went abroad that Hon. William Pugsley minister of public works, had received a memorial of \$100,000, it would almost books of Reeve S. W. Fleet of Ingerprovoke a revolution in the country.

Objects to Secrecy. supply, offered a resolution declaring county's money, which had been paid that acceptance of gifts or testimon contractors, government officials, etc.. the auditors, by working from 6 o'clock was calculated to bring parliamentary government into contempt, that the source of any such gift ought not to be surrounded with secrecy and a thir effect of the source to be surrounded with secrecy and a thir effect of the source to be surrounded with secrecy and a thir effect of the source of the

public.

The second paragraph was added by Mr. Boyce in view of the alleged participation of W. R. Travers, late general manager of the Farmers' Bank to the extent of \$2500 in the \$120,000 Fielding memorial of last year.

At the outset Mr. Boyce made it sleet.

At the outset Mr. Boyce made it clear probe further into a rumor that \$500 that his resolution was not a want or was given to somebody confidence motion, but he desired to the sale of the Ingersoli-Port Burwell intercept the house to consider the principles involved on the resolution. Three hundred thousand words have He had no desire to injure any public been taken in evidence.

The member for West Algoma then urged with considerable force that the withholding of the list of subscriptions bell for having the municipal elections withholding of the list of subscriptions to the Fielding testimonial placed the Continued on Page 7, Col. 3.

> WORLD SUBSCRIBERS are kindly requesteed to tele-phone Complaint Department M. 5398, regarding irregular or late delivery of their paper.

Unionists May Raise Fiscal Discussion

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

the address from the throne in the house of commons, which reassembled to-day, the Unionists are anxious to effort will be made by the municipal! raise a fiscal discussion, bringing up | life the reciprocity agreement between the United States and Canada. There is hydro-electric commission to the Onsome 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 some doubt, however, whether this will tario Railway and Municipal Board.

The reciprocity agreement continues to excite keen interest. Sir Gilbert Parker, the Canadian member of parliament for Gravesend, publishes statement on this subject. After re ferring to the strong opposition by Sir John A. Macdonald, the Canadian pre-mier, and Edward Blake, leader of the Canadian Liberals, some twenty years ago, to commercial union with the United States, because that would mean political union, Sir Gilbert said:

"The agreement is a desperately serious thing, and will eventually mean that the Canadians have lost their grip on their own independence. Canada's fight for two generations against Amboundaries, held yesterday afternoon, ment the United States seeks another field of exploitation for American manufactures for the overflow of American two, including about 800 voters. Ward two, including about 800 voters. Ward two, including about 800 voters ward two. energy and control of the great Do-

An Unsympathetic Attitude.

LONDON, Jan. 31.-(C.A.P. Cable.)respondent says that the Unionists in- to the bay.

States have for some years been play-ing a game of bluff, and the present 846. This makes a total population of soll, and tho he had made no account-A. C. Boyce (W. Algoma) in moving ing to the county, nor kept a detailed situation was bound to come. If the 341,991, with an area of 17,923 acres, an amendment to the motion to go into preference would not begin to be worth so much. If imperialism had been that acceptance of gifts or testimonials by ministers of the crown or by any members of their families, from towards good roads in his town, yet long since from Canada.

FIRE SPOILED WEDDING Flames Did \$5000 Damage to Jewish Synagogue on University-Avenue

Fire in the University-avenue Jewish postponed. The resultant damage was \$5000. against which there stands an insurance of \$40,000. The fire is belleved to have started from defective tors to-night say there is little hope electric wiring.

commenced in Court of Chancery to-day against James H. Post and the day 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.

From to-day on the policemen are to have a day off a week. This was made certain at the meeting of the police commissioners yesterday afternoon. As soon as the requisite men can be gathered, this is a good time now to look for bar-gains in furs, because this is stockfrom 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. From to-day on the policemen are to

POWER RATES

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 Pow-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 com-

"It is absolutely untrue," said the prime minister.
Sir James reserved any further statement respecting the bill in question un-til it is discussed on the floor of the

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

way and Municipal Act: The board may from time to time makes 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 rail-way power or transmission com-

Any municipal corporation, com-pan yor person neglecting or refus-ing to obey and carry out the order or direction 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 forfelt to his majesty, for the uses of the province, the sum of \$100 for every day during which such refusal or neglect shall continue.

Mayor to Enquire.

The report that hydro-electric rates were to be placed under the control of the Ontario Railway and Municipal Board was referred to at the meeting of the board of control yesterday. Mayor Geary asked that he be allowed to investigate before the board took

interested to induce the

Civic Sub-Committee Recommends Change to Equalize Population.

erican commercial tyranny was the changes were suggested in the bound-source of her progress and wealth. It gave her energy, resourcefulness and whereby all territory west of the Don, determination, but under this agree- now in ward one, will be added to 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, The Morning Post's parliamentary cor- and follow the course of that stream

respondent says that the Unionists intend to move an amendment to the address regretting the unsympathetic attitude of the government towards the overseas dominions.

Almeric Paget, M.P., for 20 years a resident of the United States, tells The Post that Canada and the United States, tells The States have for some years been play. sixth ward, 60,032; seventh ward, 12,-

SHOT DOWN BY VETERAN Montreal Man in Critical Condition at Vancouver.

VANCOUVER, Jan. 31 .- About 11 o'clock last night in front of the Won-der Cafe, Carroll-street, John Flax of Montreal, a young man, 23 years of agg was shot down by Alfred Rowach, a veteran of the British army. No Synagogue at 6.43 last night broke up a wedding which was about to be performed there and which had to be Flax had been in the city less than

The wedding supper had been spread and the guests were beginning to arrive when the flames burst out in the basement and drove the celebrants into the street to the tune of "No Wedding Bells To-night."

Consul at Gibraita.

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

direct to dept. ure or with chi-