he Toronto World

Morning Newspaper Published Every Day in the Year. AIN OFFICE, 83 YONGE STREET.

rt any irregularity or delay in rerward all complaints to The World ce. 83 Youge Street, Toronto.

AN ACKNOWLEDGEMENT. ne in Ontario, and with, at the of writing, only one known colgue in the new house of commons clean was yesterday re-elected by constituency of South York. The stinction is all but unique, and is cepted as a tribute to the worth and ndness of the particular policies with hich he has been specially identified ring the course of his political life, hese were initiated in the public inest and in the earlier stages of their dvocacy they met with strenuous opdon and little favor. Now they are phing all along the line, and the norable position in which his contituents yesterday placed him testifies to the readiness and whole-heartess with which the people will rally support of men and measures in ich they place their confidence. In his speech accepting the Conser

vative nomination, Mr. Maclean mainined the politically independent attiude to which he has consistently adhered. He returns to parliament oledged only to advance the rights of people and the interests of the peoto the utmost of his power and bility. His platform is now wellknown to all who follow the course of parliamentary affairs, comprising as its ain planks public ownership and opation of all service and utility monopolies, the introduction of a two-cent rate per mile on all Canadian railways, and that as a matter of public policy, the conservation and wise administration of all national resources, purity in litical and electoral life, and the inependence and efficiency of the civil rvices of the country. These and all her proposals making for the adncement of the Dominion, from whater source they may come, will continue to have his strenuous support, d all the more heartly now that he been so generously sustained by electors of South York.

ALGOMA ELECTORAL LISTS. Whatever may be alleged against he conduct and methods of the county court judges under whose direction the electoral lists for the Algoma districts were compiled and adjusted, the action of the provincial attorney-general, as reported in an afternoon contemporary, may lay itself open to misconstruction. The lists as settled and certified must be held to be correct, and altho the province of the attorneygeneral undoubtedly is to punish electoral offences and to preserve the purity of the election, his right to use his powers so as in effect to review the decision of the responsible judges appears to be questionable. If they have erred or abused their official position in the interest of one or other of the political parties, a remedy can be found without causing a clash between the Dominion and provincial authorities. The point that The World makes involves an important principle and its breach cannot be justified in any particular case without being extended in a way that can lead to nothing but confusion and to evils quite as great as those against which Mr. Foy's action is represented to be directed.

BALKAN DEVELOPMENTS. Day unto day there are rumors and

reports, now of peace and now of war, in the Balkans. This is not surprising in view of the number and complexity of the interests that clamor for consideration and recognition. But so long as the leading powers agree at least on the maintenance of peace, the situation cannot be regarded as critical or the problem proposed as insoluble. Were the outbreak of hostilities entirely in the hands of the governments immediately concerned there flamed and ignorant of the real conhandle, and with governments weak and dependent for existence on the trend of popular sentiment, the temptation to yield to the tide of opinion can hardly be resisted when a refusal may mean a revolution. Despite this undenfable danger the political barometer still has a peaceful turn and

certain indication of her policy being the declaration that Austria's coup is approved and will be supported, if need be, by arms. Otherwise the kaiser is lying low that he may profit politically by any antagonism the proposals for mulated by Britain, France and Russia may arouse. The course taken motion for injunction enlarged till by the German Government is a shrewd one, since it is left free to pose, should occasion arise, as the friend and de-

heir to the dual throne is known to favor the development of Austria as a Slav state, a policy which would breed ample troubles of its own and add graver features to the internal difficulties which already beset the difficulties which already beset the path of Austrian and Hungarian statesmen. Russia, too, is at the parting of the ways in its foreign policy, and is apparently presently inclined to

and is apparently presently inclined to join the Anglo-French entente.

FRENCH NATIONALISM.

LONDON, Oct. 19.—(C.A.P. Cable.)—
Goldwin Smith, writing to The Guardian, says: "Strenuous efforts are being made by imperialists to detach Canada more completely from her own hemisphere, and attach her more closely to Great Britain, with little success.

We get on pretty well with the French, except when they become instruments of papal policy, but I could give you strong and unpleasant proof in connection with the half-breeds at Batoche of the strength of race sentiment in French breasts. The most lively movement of the political kind in that quarter just now is the one in favor of French nationalism, headed by the rising politician, Henri Bourassa."

A. Cohen, for defendant. W. Smyth, K.C., for another mortgagee. Enlarged for one week.

Divisional Court.

Before the bhancellor, Magee, J.;
Latchford, J.

Lehigh Cobalt Silver Mines v. Heckler. J. M. Clark, K.C., for the defendants appealed from the order of the fining commissioner of Sept. 2, 1908. Grayson Smith, for respondents, contra. The plaintiffs' claim was to the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant, C. No. 1877 in the Township of Coleman from defendant,

IN THE LAW COURTS

HIGH COURT.

Osgoode Hall, Oct. 19, 1908. Chambers will be held at 11 a.m Peremptory list for divisional cor or Tuesday, 20th inst.:

for Tuesday, 20th inst.:

1. Berkinshaw v. Henderson.

2. Myerscough v. Merrill.

3. Johnston v. Kaylor.

4. Vigaro-Shear v. Turville.

5. Welch v. Esperanza.

6. Piper v. Thomson.

Master's Chambers.

Before Cartwright, Master.

Stavert v. McNaught. H. W. A.

Foster (Arnoldi & Co.), moved for order allowing defendant McNaught to serve third party notice. Order granted.

Gilpin v. Hassett. Wilson (Day, F. & Co.), for plaintiff, moved for order shortening time for appearance to 10 days for a defendant residing in Cobalt.

Order made.

Furnerton v. Cahill Clipshaw (Scott, S. and G.), for plaintiff, moved for an order shortening time for appearance to 12 days of defendant at Eik Lake. Order as asked.

Standard Loan v. McDonald. T. H. Wilson, for plaintiff, moved for an order for service of writ out of jurisdiction. Order made and time for ap-

pearance fixed at 21 days.

Standard Loan v. Levi. T. H. Wilson, for plaintiff, moved for an order for service of writ out of jurisdiction. Order made and time for appearance fixed at 21 days.

McLaughlin v. Cluff. J. R. Craw-ford (C. & H. D. Gamble & Brown), for plaintiff, moved for an attaching order. Order made returnable on the

Trial Court. Before Riddell, J. Evans v. Bank of Hamilton. ment (Wm.) (G.) P. D. Crerar, K.C. for plaintiff. G. T. Blackstock, K.C. and W. Lees (Hamilton), for defen-Action on a demand note for \$4000, drawn by the late Robert Evans n favor of the plaintiff, his wife, and endorsed by her and delivered to her husband. Robert Evans then borrow-ed from the defendants \$4000, and gave s note and some shares in the Grant Lottridge Brewery Co. as collateral. The plaintiff after death of Robert Evans on the advice of a friend paid this note and obtained the brewery stock, which she sold. She now seek to recover amount paid on the not on the ground of fraud and misre presentation, and that note was barred by statute of limitations. by statute of limitations. Held that there is no ground for charges of fraud, that having paid the note sh

cannot now set up the statute. Ac Dixon v. Crappisi. Action tried a Hamilton. Judgment (no reasons). Action dismissed with costs, but reserving all rights of plainting against husband of defendant. Thirty days

Before Falconbridge, C. J. Moore v. Worr, Judgment (Wm.) (G) All the issues found in favor of the defendant, and action dismissed with costs. Judgment for defendant on his counter claim for \$25 (an amount probable much below his actual loss and damage), with costs. D. H. Chishol damage), with costs. D. H. Chishoim, (Ford & Hope), for plaintiff. W. F. Kerr, Cobourg. for defendant.
Kennedy v. Hartman. Judgment-(Wm.) (G.) O'Reilly, K.C., for plaintiff. S. F. Washirgton, K.C., for defendant. The action was on a con-The action was on a cor

tract for a certain excavation. Dur-ing progress of work defeniant found that some of the sand being excavat-leave North Bay Nov. 12, 13 and 14, at ed was suitable for purposes of new building he was erecting and asked relating to leave same. Plaintiff now arriving Toronto 6.30 a.m. connecting claims to be paid as the he had removed all the material down to the oottom, and says that is the custom the prospects for a successful rearrangement in the near east are yet hopeful.

Germany is evidently continuing to play for her own hand almost the only

Held that evidence is insufficient to show any such custom. Difficult to satisfue amount of sand dug and left in the intuition of sand dug and left in the whole, and if parties not satisfied with this may have a reference to master at Hamilton. Unless reference desired by either party judg-

Michie's Teas are regular in their superior quality and flavor.

The English Breakfast Blends at 40c lb. and 50c lb. are favorites, but there is variety to suit all tastes.

Michie & Co., Ltd. 7 KING STREET WEST

Telephone Main 7591.

Private Branch Exchange Connecting All Departments

Mullin v. Walsh. J. Mitchell, for plaintiff, says parties have agreed to enlargement. Enlarged until 21st.

fender of Turkish rights. Austria, too, as regards Bosnia and Herzegovina simply says J'y suis, j'y reste, and appears determined to make assent to the annexation a condition precedent to the calling of a conference. The anew one in his stead. J. Haverson, K.C., truggee in person, F. W. Harreson, F. W

Bryan v. Davidson. S. W. Burns, for plaintiff, on motion for receiver asked enlargement to examine on affidavits. A. Cohen, for defendant. W. R. Smyth, K.C., for another mortgagee.

ed.

Re Wesner and Tremblay. Pike, K.
C., for the defendant, appealed from
the judgment of the county court of
Kent, dated June 20, 1908. W. E.
Gundy (Chatham) for the respondent
centra. A case under the Mechanics'
Lien Act, and the county judge found
plaintiffs entitled to a lien for the sum
of \$1158.55 for drilling a well No. 1, and
a lien for \$1212.10 for drilling a well
No. 2. Appeal argued and dismissed
with costs.
Scott v. Pickard. F. G. Hodgins,

with costs.

Scott v. Pickard. F. G. Hodgins, K.C., for the plaintiff, appealed from the judgment of Teetzel, J., of May 29, 1908. W. M. Hall for the defendant, contra. The action was for false and fraudulent misrepresentation by the defendant of the sale to the plaintiff of some 3000 shares in the Consumer's Coal Co., and plaintiff claimed repayment of \$500 paid by him and the return of the promissory notes for \$1000 given by him for payment of the balance. At the trial the action was dismissed with costs and plaintiff now appealed. Not concluded.

dismissed with costs and plaintiff now appealed. Not concluded.

Court of Appeal Judgments.

In the court of appeals, the following judgments were rendered:

Goldstein v. Harris—Case appealed by defendant; appeal allowed and action dismissed with costs. Counsel for plaintiff, A. B. Moran, K.C.; for defendant, E. A. Duvernet.

derson, K.C.; for defendant, H.

Osler.

Fitzgerald and Barbour—Appeal by defendant; case dismissed with costs. Counsel for plaintiff, G. F. Shepley, K. C., and W. R. Meredith jr.; for defend-Counsel for plaintiff, G. F. Shepley, K. C., and W. R. Meredith jr.; for defendant, G. C. Gibbons and G. S. Gibbons. Ede Can Foundry Company—Appeal by Lynn Can Foundry Company; appeal allowed and new trial ordered. The costs of the former trial of the appeal to the divisional court, and of this appeal to be costs to the successful party unless the trial judge otherwise orders and the county judge and Meredith, J.A., dissenting. The appeal by Lynn Can Foundry Company, the same order as on the previous case; apsame order as on the previous case; appeal by plaintiffs against judgment dispeal by plaintiffs against judgment dismissing the action. Counsel for plaintiffs, William Proudfoot, K.C., and W.
A. Scales; for defendant, I. F. Hellmuth, K.C., and J. A. Paterson, K.C.
Jacobs and Beaver—Appeal allowed
and order of divisional court reversed
and costs of all the proceedings to be
costs in the action; appeal by defendants. Counsel for plaintiff, W. R.
Smythe; for defendant, Gldeon Grant.
The King and Reid—Appeal by crown;
the appeal allowed and order of Clute,
J., reversed; no costs. Counsel for
crown, J. R. Cartwright; for defendant,
J. B. MacKenzie.

J. B. MacKenzie,
King and Wellman—Appeal by defendant; the appeal dismissed and conviction affirmed; no costs. Same counsel as in King and Reid case.

The King and Irving—Appeal by defendant; the appeal dismissed and conviction affirmed; no costs. Counsel for crown, J. R. Cartwright; for defendant

ant, H. S. Dunn.

Re Fort William and Port Arthur
Street Reilway Company—Application
for leave to appeal from railway and for leave to appeal from railway and municipal board refused with costs. Counsel for appeal, Hamilton Cassels, K.C.; for board of commissioners for Port Arthur, which appealed, C. J. Holman, K.C.; Fort William and two commissioners, J. H. Moss for Town of Port Arthur and market. Port Arthur and mayor.

Special Train Service for Hunters via Grand Trunk Railway System. On Oct. 29, 30 and 31 special train will leave Toronto at 9 p.m. to North Bay, stopping at all intermediate stations, with Pullman, coach and laggage arriving Toronto 6.30 a.m., connecting with all trains. Special will also leave Callander at 6 p.m. Nov. 10, 11, 12, 13 and 14 for Toronto, and will have bag-

Refused Holy Communion. LONDON, Oct. 19.—(C.A.P. Cable.)— Alan Banister, who some time ago married his deceased wife's sister in married his deceased wife's sister in Montreal, was again refused Holy Communion at the Eaton Parish Church yesterday. Banister recently brought the matter before the ecclesiastical arches court with the result that Connor Thomson, the vicar of Eaton, was admonished not to repel Banister again from communion.

EATON'S DAILY STORE NEWS

SPECIAL TO-DAY

70 Men's Suits-Singlebreasted, gray and brown mixtures; each 5.95

Men's Fur-Lined Coats -Clearing at 45.00

Men's Fur Coats-Canadian raccoon, quilted and padded lining, clearing at 36.50

Men's Winter Underwear Lowly Priced

Scotch wool shirts and drawers. Half the garments are all wool, the rest show a small percentage of cotton. Plain weave, with ribbed cuffs, skirt and ankles, sateen facings. A serviceable warm winter underwear, most of it a special inducement at this price. Sizes 32 to 40 in drawers. Sizes 34 to 44 in shirts. Per gar-



And a grand coat it is. Made of imported English melton cloth—a 28-ounces-to-the-yard fabric that has that thick close quality without being heavy—the finish is particularly smooth and bright; dyed a fast black.

The coat is cut 46 inches long, in latest Chesterfield style. It is double stitched, giving the raised seam effect; lapels have a bluff edge; button holes hand worked; collar hand padded and felled; best of trimmings.

This coat also comes in dark gray soft cheviot cloth. Sizes 34 to 44. Price... \$16.50 The clude tumin etc. ness The least In play wear Cloth Satin The givin wher Sill and Silks Wear Veit stock

Isaac Carr's Black Melton Overcoat

All wool, fast color, heavy weight. In New York's newest style Chesterfield. Mostly hand made and guaranteed to retain shape. Best workmanship, fine Beatrice twill body lining, shoulders and sleeves lined with black satin. Price..... 22.50

Low Prices on Boys' Fall Reefers

Navy blue serges, fall weight. Doublebreasted coats, with brass anchor buttons. Sizes 21 to 27.

At \$1.50—Soft finished serge; Italian cloth

At \$1.95-A good quality cheviot finished serge; well lined MAIN FLOOR-YONGE STREET

Men's and Boys' Sweaters 75c

In both of these we believe we have reached a point of value-giving simply unbeatable. Each line has proved a big favorite in the past, so we make haste to tell of new shipments which have just ar-

For Men, a heavy winter garment, with deep roll collar and closely ribbed cuffs and skirt, navy blue, cardinal, grey and green body; striped collar, cuffs and skirt. Price 75

For Boys, imported worsted Jerseys, in navy blue or cardinal, with striped collar and cuffs, 2-inch collar; hem on bottom of skirt; closely ribbed cuffs. Sizes 22 to 32. Price 75 MAIN FLOOR-QUEEN ST.

Boys' Winter Underwear



This store takes great pleasure in looking after the young folks' needs, aiming all the while at "the best for the least money." It's a great satisfaction to us to be able to announce such an assortment of underclothes as we're now ready with, for every possible wish of any parent has been carefully looked forward to and met in a way that will mean sure satisfaction.

And this short warm spell is giving mothers a fine chance get the little fellow ready for first cold days.

HEAVY SCOTCH WOOL- NATURAL WOOL of good Very warm, nearly pure wool and quality-Shirts have double back unshrinkable; plain weave with and front, drawers double seated; ribbed cuffs, skirt and ankles:

Sizes 22 to 26, each .35 Sizes 28 to 32, each .50 SHETLAND WOOL Undershirt and Drawers-Shetland shade, unshrinkable, plain weave with ribbed cuffs, skirt and ankles; sateen fac-FLEECE-LINED Underwearings and pearl buttons:

Sizes 22 to 26, each .50 Sizes 28 to 32, each .65

Sizes 22 and 24, each .50 Sizes 26 and 28, each .60 Sizes 30 and 32, each .70

Special for boys, size 34, each .75

Shirts or drawers, sateen facings: Sizes 22 to 26, each .25 Sizes 28 to 32, each .30

T. EATON COLIMITED

WANT ALL POLES REMOVED. Galt Citizens Oppose Phone Co.'s Half-Way Underground Scheme.

done under supervision of the civic

How McGregor Lost His Life.

PORT ARTHUR, Oct.19.—The steamer Scottish Hero, from Owen Sound, brings news of the drowning of Malnor Thomson, the vicar of Eaton, was admonished not to repel Banister again from communion.

The Standard Chemical Co. have had 25,000 cords of wood burned at Huntsville.

R. L. Smith of Nevada, Mo., was killed and 15 passengers were hurt when three trolley cars collided in Kansas City. The air brake failed on one of the cars and it rushed back down a steep hill, crashing into two other cars.

Way Underground Scheme.

GALT. Oct. 18.—(Special.)—The trong of communion.

GALT. Oct. 18.—(Special.)—The trong of monodown Sound, brings news of the drowning of Malchard of the Bell Telephone Co. to lay wires underground in a limited area of the business section. The plan proposed will result in the removal of only 30 to 35 poles and does not satisfy citizens who advocate a general abolition of the overhead system. The cost of the work is estimated at \$15.

Way Underground Scheme.

PORT ARTHUR, Oct. 19.—The steam—or Owen Sound, brings news of the drowning of Malchard of the first mate. In charge of four men, McGregor put out from the Scottish Hero, just off Iroquois Point, in a yawl to assist some persons in danger of fire on shore. The sea was too heavy and so with the yawl half filled with water and the men almost perished with cold and exhaustion, they fought their way back to the ship's side. A rope ladder was lowered along to the nearest U. S. stop.

Dr. Orr of the exhibition has shaved off his beard.

Received the Highest Award 'At an actual test at

The "EATON" 17-Jewel Watch

Kew Observatory, England—a test lasting six weeks and one usually made on higher grade movements-the "Eaton" 17-jewel received the highest award ever obtainedby any movement of that grade - for good timekeeping.

The important feature about the 17-jewel is the high grade and quality of the movement you're getting for the price.



It's tested in five different positions, adjusted to temperature and has the most modern improvements in watch making-brequet hair spring, 17 jewels with screw setting, genuine double sunk enamel dial, exposed winding wheels, thin model, stem set and wind,

We give the fullest guarantee with each and will keep it in repair for two years.

In 10k gold filled case, choice of plain, engine turned or engraved, guaranteed 20 years, Men's 12.50

Men's Card Cases

The illustration shows a neat, serviceable combination card and ticket case. It holds two dozen cards and has a place for street car tickets—an article every busy man should have. They keep your cards clean and can be carried in the vest pocket. Made of real leather and kid lined, well made, neat appearance, black only.



price, each

AT .50 MOROCCO SHEEP SKIN, lined, with two pockets for business cards and three pockets for stamps and car tickets.

AT .75 REAL SEAL, lined with same, has two pockets for cards, an extra pocket with lapping cover, also car ticket pockets, very neatly gotten up. Another line, fine leather, calf lined, with two large pockets, also car ticket pocket.

AT \$1 | REAL SEAL, calf lined, two large pockets, convenient and serviceable size, carry a dozen business cards, car ticket pocket. Another line, larger, real

-Main Floor-Yonge Street

were safe and then commenced the ascent. When half way up his strength

NEW YORK, Oct. 19.-A cablegra from Richard Croker, Dublin, Irela subscribing \$1000 to the national Der cratic campaign fund, and \$500 for state campaign on behalf of Lewis Chanler, was to-day received by H man Ridder, treasurer of the nation Democratic committee.

Steamer Seguin is Safe,
PORT ARTHUR, Ont., Oct. 19overdue steamer Seguin arrived
night. The delay was caused by I
weather, which forced the boat to

A laborer on Van Horne-street been found to have smallpox.