WEDNESDAY MORNING

# LAND OF SUNSHINE

of contributory negligence? This was one of the chief questions argued yesterday afternoon in the divisional court, over which Chief Justice Moss presided.

re-It otic ms ind ion the ep.

leptic at like the bide con nt to the removes strength tly cure

Labora e Offer

difference

We have to party is about af-f the coun-me a mere

f making providing no longer ng of the hen there

hink Cana-

l way. But en demon-n that the

to far and lise in their I believe do it. We anada that

every man s graft it hat affairs

You

tment.

fitable

Arthur

a few

on a

re-an ohland

along-

f Port

at an

PUR-

rarding

thur las

possibil

Railway, and L L

thwest. facilitie

Kakabek

ach.

er.

o either

PPICK,

HUR.

Was Moore, an elderly man, killed by a train at the Bloor crossing, guilty

Should Have Noticed Train Coming at Level Crossing--Appeal

Being Heard.

AN HIS OWN VICTIM'

AY CO. 'S DEFENCE

On the night of Dec. 4, 1903, Moore, who had lived in Perth-avenue, traversed the crossing in the direction of West Bloor-street. He was hit by a train and killed. Elizabeth Moore, the

west Bloor-street. He was move, the widow, brought an action against the Grand Trunk Railway, but the judge refused to pronounce judgment for either party, on the ground that the answers of the jury to questions sub-mitted were contradictory. The company appealed because they considered that a non-suit should nave been directed, and that in any case the action should have been dismissed, or a new trial ordered. It was also said that the answers of the jury were against the weight of evidence. Eliza-beth Moore brought a cross appeal on the ground that she was entitled to judgment, having regard to the an-swers of the jury.

the ground that she was entried to judgment, having regard to the an-swers of the jury. On behalf of the company yester-day, W. R. Riddell, K.C., argued that Moore was guilty of contributory negli-gence. Even if the whistle were not sounded, if was the duty of Moore to exercise all reasonable precautions when crossing the rails. A little girl named Eva Wood, who was crossing the railway, saw the coming train and hence there was no reason why deceas-ed should not have seen it and avoid-ed it.

ed it. A. R. Clute, K.C. appearing for the widow, urged that there were many circumstances excusing Moore. There was no reason for him to expect a pain from the north at that how. It was a foggy and misty night; half rain and half snow was falling. As the man was going west, he was facing the drizzle. The engineer and fireman were not trying to make any great were not trying to make any great speed, and therefore the train was not speed, and) therefore the train was not puffing. If any noise were heard, it was not that of the approaching train. Taking all things into consideration.'he submitted that the weather and other conditions were against the deceased observing or hearing the train, and that the answers of the jury negatived contributory negligence on the part of Moore.

Moore. E. G. Wood, who was with A. R. Clute, argued concerning the statement of the girl Wood, at the trial, and the court reserved judgment.

VARSITY REGISTRARS BUSY.

Record Enrolment is Expected if Present Rush Continues.

Present indications at the university, where the registrar's staffs are working overtime ore for a record number of istiquia Development. students. Considerable work has been

Fort Frances, Sept. 26.-(Special.)-R. done at the School of Science and the S. McDonald, manager of the Backus- nel of the London and South Eastern freshmen are already coming in. The

## Canadians Are Rapidly Possessing the Land.

As an illustration, the sales to the sons of Canada for **ONE MONTH** amounted to **\$36,900,000.00**. This is not the largest month's sales, but is taken as a fair average of the sales of these Rich Fruit Bearing Lands which are destined to make many Canadians independent in a few years.

An orange plantation is sure to produce a permanent income for the land-holder of Canada-Cuba Lands, all of which lie in a rich fertile belt, and are so situated that they possess the best shipping facilities and a ready market for all the products in Havana and New York.

The lands have only been on the market for a few months, and upwards of 20,000 ACRES already have been sold.

The Company is composed of well-known business men of Canada, which is a guarantee that every representation will be found to be correct

BA

Our best references are those who have visited our vast Cuban Estates and have returned and now are among the largest purchasers,

Those desiring to better their position in life, or anticipating a change in occupation, or looking for an investment which is sure to treble in a

short period, will do well to call and get full information regarding this profitable proposition. We will be pleased to give the names and addresses of hundreds of the best citizens of the Dominion who have purchased and are locat-

ing upon these lands, intending to cultivate the same, and make happy homes for themselves on these fertile lands.

### SEND FOR CIRCULARS CONTAINING FULLEST INFORMATION OR CALL



London, Sept. 26 .-- Countinuing his

the history of the college. The same thing applies to medicine, apolis. He states that every unit of Brederick J. Gold, by Percy Leiroy, in a report why emigrants avoid Aus-Foster says reciprocity with the Unit-apolis. He states that every unit of alias Mapleton, occurred June 27, 1881. tralia, which he has presented to his ed States would react against the fortreshmen class will be the biggest in Brooks syndicate, is here from Minne

Calgary, Sept. 26 .- With only one

exception there will be a keen contest in every Alberta riding south of the Elaborate Preparations Which the Red Deer line. The exception is Medicine Hat, which the Conservatives concede to Hon, Mr.

Candidates are in the field in all the 12 ridings and the Crnservatives count on carrying Macleod, CCalgary, Banff and Gleichen, with equal chances in High River, Innisfail, Pinches and Rosebud. Bosebud. Bosebu

he coast of Labragor. She will her husband the missionary work with her husband the Battle Harbor. After the Burvest thanksgiving ser-After the Burvest thanksgiving ser-Britain Passesses in Singapore Im-

vice on Friday evening, there will be a farewell service at the church, dedicating Miss Harrison to her new work.

Prof. DeLury has presented Upper Canada College with the sleigh on Which the body of Explorer Hubbard was brought thru Labrador to the Hud-Relic From the variable. DeLury has presented Upper College with the sleigh on he body of Explorer Hubbard ught thru Labrador to the Hud-remaining to the Another Oil Gusher. The factor at the post ing commercial communication be-ing college and Europe. Thus Singa-Delury while he was to communication be-ing college and Europe. Thus Singa-Delury while he was to communication be-ing college and Europe. Thus Singa-Delury while he was to communication be-ing college and Europe. Thus Singa-Delury while he was to communication be-ing college and Europe. Thus Singa-Delury while he was to communication be-ing college and Europe. Thus Singa-Delury while he was to communication be-ing college and Europe. Thus Singa-Delury while he was to communication be-ing college and Europe. Thus Singa-Delury while he was to communication be-ing college and Europe. Thus Singa-Delury while he was to communication be-ing college and Europe. Thus Singa-Delury while he was to communication be-ing college and Europe. Thus Singa-Delury while he was to communication be-ing college and Europe. Thus Singa-Delury while he was to communication be-ing college and Europe. Thus Singa-Delury while he was to communication be-ing college and Europe. Thus Singa-Delury while he was to communication be-ing college and Europe. Thus Singa-Delury while he was to communication be-ing that section. Delury while he was to communication be-ing that section. Delury while he was to communication be-the canadian Pacific, 163 miles east of the Canadian Pacific, 163 mile

water, is about \$2500.



struction of the water tunnel beneath ied an ale connoisseur yesterday. struction of the water tunnel beneath the bay. Machinery repair shops will also be constructed there. A wharf 75 x 100 feet will be con-with the taste for mild and bitter. "It elected president codeburn, M.A., was Resend. Fareweilt to Miss Harrison. On Monday evening it the Church socie as the sym that is able of the shaft as a much to the ferry docks at Hamins, and a bit the farty docks at Hamins, and a bit the farty docks at Hamins, and a bit the same every now and then: the same every now and then: the socie of the same every now and then: the socie of the same every now and then: the socie of the same every now and then: the socie of the same every now and then: the socie of the same every now and then: the catasson will commence. The catasson will commence. The same every now and then the real born has and the set form the other docks the work of the forty dock of the farty dock of the farty dock of the socie of the same every now and then: the socie of the same every now and then: the socie of the same every now and then: the socie of the same every now and then: the socie of the same every now and then: the socie of the same every now and then: the socie of the same every now and then: the socie of the same every now and then: the socie of t them as "just as good as what you asked for" he is accused of a stand in,

THE TUNNEL BENEATH THE BAY.

Contractors Are Making.

any trace.

WHAT HAPPENED THE ALE?

Man Who Understands Says Most

Might Have Been Worse. Sturgeon Falls, Sept 26. (Special.)-The prompt work of the fire depart-ment stopped what might have been a serious blaze in the Cockburn Mercan-tile Co.'s block this afternoon. The fire your brains or muscle, say, \$3000 a started on the second floor over the postflice, and the loss, chiefly by water, is about \$2500

is employed in the support of your family. Then the money-producing value of your life to your family is worth \$30,-one since that amount, if invested at to any agent

A Bold Boy Thief. William Herbert, 15 years of age, was caught by a clerk as he was leaving Tugman's store, 157 East King-street, yesterday morning with an armful of boots. A companion escaped. Then the money-producing value of your life to your family is worth \$30,-"Fishing and Shooting," will be inshed free on application to any any its face value? If not, write for rates to the Manu-facturers' Life Insurance Company Was too big, and which he had to Harry Pollard had a soft hat which facturers' Life Insurance Company, one of Canada's best companies. Head office, Toronto.

Sold Objectionable Postals. David Cohen, 161 West King-strest, Sept. 27 on a charge of passing worth-

was in court yesterday for having ob-scene postcards for sale. "It's just as well to let the public know that these things can't be sold." said Crown Attorney Curry, who added that a term of two years or a fine could be imposed. The magistrate remanded Coherent Jack Frost's Inaugural. On Monday night the temperature in

The magistrate remanded Cohen for entence, after intimating that future,

PILES Dr. Chase's Oin-ment is a certain and guaranteed cureforeach and every for m of itching, bleeding offenders would not be so lucky. Break Up Unhappy Homes. After thirty-six years of married life. Mrs. Michael Duggan got an order for protection yesterday. She blamed it on the curse of drink. Kate Gerow (350 dealers or EDMANSON, BATES & Co., Toronto. secured an order. She has been miched nine years.

Railway, where the brutal murder of agent general for New South Wales, article in The Standard Hon. G. E. The nume thing applies to medicine, "The nume the nume thing applies," The nume the num the num the nume the nume the nume the nume the nume the nu

London, Sept. 26 .- The Merstham tun- (Canadian Associated Press Cable.)

dered, as is supposed to be the case, the murderer disappeared without leaving preferential guidance water and fructi-

London, Sept. 26.-T. A. Coghlan,

Tweed, Sept. 26 .- A fatal accident oc fy various portions of the great em Tweed, Sept. 26.—A fatal accident oc fy various borth we owe allegiance, and curred at the Tweed brick and ille pire to which we owe allegiance, and works this morning, by which Wm. in whose integrity and power we find Singpson, a laborer, lost his life. The unfortunate man was caught in the machinery and so badly crushed that he died at noon.

Simpson leaves a widow and several COLLECTIVE NOTE TO PORTE. small children.

Gas Company Directors.

 Fails 200 Feet.

 Quebec, Sept. 25.—Charles Windmagel,
 iion feet of lumber and two or three dwelling houses. The lumber was insured. The origin of the fire is un 

 an employe of the Quebec bridge, fell
 sured. The origin of the fire is un 

 200 feet to the ground yesterday and
 Remb Theorem 1

 was killed instantly.
 Bernh Theorem 2

Austria's Budget.

ture at \$363,808,442.

Harry Pollard had a soft hat which was too big, and which he had to pad out with newspaper. The hat was found in Mrs. Allen's home after a hurglary. Pollard goes to the Central for four months. James Campbell was remanded until Sent 27 on a charge of passing worth-



Cures all kinds of Stomach Trouble. If you have indigestion or ulcers Ont. ated stomach, Nature's remedy is what you need.

### Try a 50c Package.

For sale by all Druggists, or LYMAN BROTHERS CO., Toronto.

Telephone M. 1380. NATURE'S REMEDY is sold in 50c and \$1.00 packages by Messrs. Monro Bros. dealers or EDMANSON, BATES & Co., Toronto. DR. CHASE'S OINTMENT. DR. CHASE'S OINTMENT.

Croquettes, Cakes, Wafers, Medallions&c.,

tempt of the Manitowoc Waterworks

Company to open a river intake p.pe

during a test of the plant yesterday, precipitated a riot, in which citizens

CURED IN ONE DAY

NO CURE

Mishap to Picton.

NO PAY

cern willing to purchase what is left of the defunct Canada Biscuit Company, and in a few days the estate may be closed up by Assignee Osler Wade. An interim dividend has pust been paid 250 BIRD TONIC FREE to the creditors.

to the creditors. Not enough capital to make what is already in the business pay has caused F. A. Nixon, machinery maker, to "s-sign to Osler Wade. Assets and liabili-BIRD BREAD (Avoid initiations ties nearly balance at about \$5000. The Standard Skirt Manufacturing Company's creditors will meet at Mr. Wade's office, Sept. 28. COTTAM BIRD SEED,35 St, London, Ont.

Britain Possesses in Singapore Im-Britain Possesses in Singapore Im-Paris, Sept. 26.—Admiral Fournier, in the course of an interview published to-day, says the British naval station at Singapore pives a strategic base. which resulted from a fall received by support of the club, and about 200 signatures to his nomination petition were received during the evening.

Campaign Against Licenses

Son Bay Company post on the ActivationSon Bay Company post on the Activationwest River. The factor at the post<br/>gave it to Prof. DeLury while he was<br/>there on the recent eclipse expedition.China Sea and is capable of suppress<br/>ing commercial communication be-<br/>tween China and Europe. Thus Singa-<br/>pore becomes Great Britain's key to<br/>the door of the China Sea.Toronto. regarding partridge snoot-<br/>terday, which is flowing at the rate of<br/>activation in this section.Iast night about 9 between and<br/>ber yard of the Rathbun Company and<br/>terday. Which is flowing at the rate of<br/>terday. Which is flowing at the rate of<br/>terday. Which is flowing at the rate of<br/>terday. Which is flowing at the rate of<br/>the door of the China Sea.the M.Y.M.A. resolved that they will<br/>the work of reduc-<br/>ing the number of licensed saloons in<br/>and if sportsmen take the trouble to<br/>the corr of the China Sea.the M.Y.M.A. resolved that they will<br/>terday. Which is flowing at the rate of<br/>terday. This is the<br/>second gusher drilled in within the last<br/>few days.the M.Y.M.A. resolved that they will<br/>terday. support the license commissioners in their efforts in that direction. This as-

sociation has a membership of nearly 900 members. » Fire in St. Kitts.

St. Petersburg. Sept. 26.—Chief of Police Ivanoff, three policemen and three women were severely wounded St. Catharines, Sept. 26 .-- Fire broke out about 4 o'clock this morning in the Vienna, Sept. 26.—The budget for 1906 was presented by the minister of finance in the lower house of the Aus-triah diet to-day. It estimates the re-venue af \$364.405.482 and the expendimain floor and thus saved the block, but the immense stock of oils, etc.,

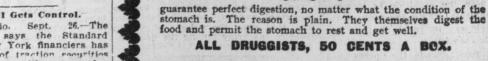
Treaty Before Storthing. Christiania, Sept. 26.—Premier Mich-elsen laid the draft of the treaty pro-tween \$3000 and \$ The loss will be be tween \$3000 and \$4000.

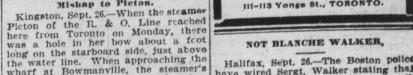
Supplemental Exams at Queen's. Kingston, Sept. 26.-The supplemental examination results at Queen's were announced to-day, and as a result the following were granted the degree of Eachelor of Arts-H E Amos, Corinth, Ont.: P W Brown, Sydenham. Ont.: D K Finlayson, Grand River, N.S.: Ethel E Gibson, Kingston: James Froats. Finch, Ont.; W T Moffatt, Seaforth,

Standard Oil Gets Control.



Cleveland, Ohio. Sept. 26.—The Leader today says the Standard Oil group of New York financiers has obtained control of traction recurifies





CUTLERY

A Complete Stock of Carvers, Razors, Knives, Penknives, Scissors, Etc. World's Best Makers, PRICES RIGHT

THE VOKES HARDWARE CO., LIMITED, 111-113 Yonge St., TORONTO.

NOT BLANCHE WALKER,

the water line. When approaching the wharf at Bowmanville, the steamer's Halifax, Sept. 26.—The Boston points have wired Sergt. Walker stating that his daughter, Blanche, is alive and well, She was thought to have been the un-fortunate young woman whose body engine did not respond promptly when the signal was given to back up by the captain, and a collision with the wharf was found in a valise in the harbor.



COWAN'S

Absolutely Pure Goods. THE COWAN COMPANY, LIMITED, - TORONTO

DRUNKENNESS

Les uppier, the habitual drinker and the most confirmed and hope-less drinkard, can be quickly cared by the new remedy, DIPSO-CURA, without the knowledge of the sufferer. No publicity, n: incruption in busines, no loss of time. Write to day for full particulars. DIPSOCUEA never fails, it has cuf-ed thousands, it will cure you. Full treatment, price \$3. Registered letter postal noteor money order. Address THE CANADIAN

THE GANADIAN CHEMIGAL LABORATORY,

53 1-2 King Street West, Toronto.

You Can Also Enjoy Mince Pie if You Take Stuart's Dyspepsia Tablets

When the food is properly digested, the blood carries the nutri-ment to all parts of the body and the process of assimilation and re-pair is kept up uniformly, resulting in healthy organs and members.

Stuart's Dyspepsia Tablets

