

The Toronto World

FOUNDED 1881.
A Morning Newspaper Published Every Day in the Year.
WORLD BUILDING, TORONTO.
Corner James and Richmond Streets.
TELEPHONE CALLS.
Main 526-Private Exchange Connecting all Departments.

Readers of the World will confer a favor upon the publishers if they will send information to this office of any news stand or railway train where the Toronto paper should be on sale and where the World is not offered.

BALFOUR FIGHTING FOR TIME, NOT TARIFF REFORM.

The World does not see at this distance, and perhaps our vision is as good as those who may be nearer, how Mr. Balfour and his party can win in the pending British elections. We take it that he has either been lacking in political sagacity, or he is deliberately riding for a fall. If he were as wise as a man ought to be in his position he should never have let the Liberals make the issue turn on the veto of the House of Lords as an *ad hoc* political expedient. He would have advised the Lords to let the budget pass and wait a while for better fighting ground. But if he is deliberately playing for a fall or rather for time he has, in our estimation, done the right thing, namely, allowed the issue of the Lords' veto to rise, have that question settled, have the House itself reformed, and then for his party to enter upon a campaign of tariff reform. We scarcely see, much as we believe in the idea of tariff reform for Britain, how that question can succeed in the present fight.

As a matter of fact the Conservatives are not in a position where they can win an election to-morrow to initiate a policy of tariff reform. To frame a tariff even on the moderate lines they suggest is the work of no inexperienced person, and apparently there are not enough men in England to-day who have sufficiently studied the question to handle it without considerable blundering. The World's guess, therefore, is that the Asquith government will be sustained; that the veto power of the Lords in budget affairs will be denied, and that the opposition will start immediately after on a great educational campaign in favor of tariff reform, and that tariff reform will carry at the next general election. Balfour is after time and this is one of his weaknesses, tho it may profit him on occasions. There is this, however, to be always counted upon, and The World has some ground for the view that Lloyd-George, if he succeeds in this election and remains chancellor of the exchequer, will himself inaugurate some kind of customs tariff and some kind of imperial trade preference before he will let the other fellows do it. He is fighting the Lords more than tariff reform. So is Churchill.

Balfour has delayed so long, some say trifled so long with the tariff issue, that he must have still more time; and the country will likely give it to him.

THE BIVOUAC OF THE STARS.

The most interesting story in the way of human endurance is to be found at this very moment in the new Porcupine gold fields adjoining the Timagami forest reserve. As far as The World can gather every night now over two thousand prospectors are sleeping in the bush unprotected, or in little tents, or in shacks, or in sleeping bags under the stars. The thermometer is often thirty degrees below zero. If the excitement keeps up there will be a thousand more next week, and the month of February will probably see this bustling army numbering five to ten thousand, attracted thither by the lure of gold, consumed by the cold fever raging in this territory, as it never raged before. No better testimony as to the endurance of Canadian manhood, or the love of adventure, and the spirit of perseverance, can be found anywhere than in these adventures of the Timagami prospectors, sleeping nightly under the northern stars.

THE CIVIC QUESTION OF THE HOUR.

Expropriation of the street railway, we are now informed by those who appear to be revealing the expectations of the franchise-holding corporation, is the last thing to be thought of.

We suspected as much. What some of the campaigners were willing to admit as the only possible cure for street railway encroachments, and by comparison with tubes the only practicable measure, is now regarded as a last resort. There will be as many objections raised to expropriation as to tubes or the Bloor-street viaduct when a real effort is made to carry it into effect.

The citizens will await with impatience the action of the city council with respect to securing an adequate service from the street railway. Whether the first moves will be in the direction of making expropriation more difficult or less so, whether the possibility of utilizing a tube system will be taken into account; whether the opportunity to organize a competing railway service will be eliminated; whether the city council will be led into playing the game of the street railway or the game of the people; is the question of the hour.

DIAGNOSING TUBERCULOSIS.

Mr. W. J. Gage's offer to provide five scholarships of \$100 each and present gold and silver medals and cash payments of \$50 for competition among

fourth and fifth year medical graduates deserves wide publicity. His resolve was not the result of impulse, but of conviction, based on present day knowledge, that tuberculosis in its earlier stages is susceptible to curative treatment. Hence the importance he attaches to accurate diagnosis and the special effort he has made to encourage study of the disease among the younger university graduates.

Intending competitors will attend for at least one week at the Muskoka Sanitarium for Consumptives, and will be afforded an opportunity of profiting by clinical instruction, and the use of a properly equipped laboratory. In this way they will be taught how to detect the disease and how to arrest its progress. Mr. Gage is satisfied that training of this kind is among the most hopeful methods of conquering the white plague and that the scholarships and rewards he is prepared to establish and make will induce the special attention of the rising members of the profession to the preliminary signs of its approach. For his generosity and public spirit Mr. Gage deserves every acknowledgment.

BRITISH IMPORTS FROM CANADA

Impressive Totals in Wheat, Cheese and Live Stock.

Canadian Associated Press Cable.

LONDON, Jan. 7.—Following are figures of British imports during December:

	Amounts.	Value.
Cattle	6,513	\$104,494
Wheat	1,851,400 cwt.	\$77,329
Meal and flour	296,700 cwt.	\$38,543
Peas	7,380 cwt.	4,245
Bacon	37,666 cwt.	125,554
Hams	3,129 cwt.	10,520
Butter	88,733 cwt.	249,936
Cheese	12,123 cwt.	725,645
Eggs	15	645
Horses	15	645

Following are imports from Canada during 1909:

	Amounts.	Value.
Cattle	113,583	\$1,992,082
Wheat	1,615,745	\$7,604,282
Meal and flour	2,058,400	1,188,454
Peas	87,130	48,239
Bacon	443,896	1,384,557
Hams	53,593	154,222
Butter	22,522	120,830
Cheese	1,556,546	4,515,539
Eggs, ct. hund.	3,384	2,132
Horses	125	6,408

NURSE'S FATAL HEROISM

Sacrifices Her Life to Save Others From Insane Patient.

WASHINGTON, Jan. 7.—Giving her life as a sacrifice for others, Miss Mary R. Brown, a trained nurse, twenty-seven years old, died to-night in a local hospital. Two weeks ago she was shot thru the left lung in a fierce struggle to wrest a revolver from the strong grasp of Martin L. Sterling, a patient maddened with typhoid fever, whom she was attending. Thereby she saved several members of Sterling's family, who stood by helplessly while the brave little nurse grappled with the temporarily insane man.

For her heroism Miss Brown was recommended by the commissioners of the District of Columbia for a Carnegie medal.

METHODIST MISSIONS.

In an interview on the subject of missionary colleges, Rev. T. E. E. Shore was erroneously reported as saying that the "West China University" will be the first missionary institution to be established in China in full college grade education. That statement was really made with reference to the Japan institution, not the West China. It was also reported that there were "not thirty-five missionaries in Japan," whereas he had stated that "there are but thirty-five native Japanese ministers in the Methodist mission field in Japan." The Church has but ten missionaries in Japan, but hopes to have fifteen or twenty additional missionaries within five years.

Rev. Davidson Will Preach.

The Rev. G. F. Davidson, rector of St. George's church, Guelph, will be the preacher at the Church of St. Mary Magdalene to-morrow evening.

Will Preach Here.

Rev. Canon Abbott of Hamilton, who has just been offered the rectory of Trinity church, Chicago, will preach in Toronto on Sunday morning at 11 o'clock, at St. Simon's church, Howard-street.

SALES DOUBLING EVERY SIX MONTHS.

Wonderful Demand for a Wonderful Remedy.

During the past few years, the sales of "Fruit-a-lives" have doubled every six months. For the six months from January to July of this year, the sales of this popular medicine were more than twice greater than for any similar period since "Fruit-a-lives" was introduced to the public.

The National Drug & Chemical Company of Canada, Limited, the largest wholesale drug house in the world—and Lyman Brothers of Toronto—are buying "Fruit-a-lives" in 100 gross lots, 100 gross means 14,400 boxes, which retail for \$7,200.00. This gives some idea of the steady demand for these wonderful fruit liver tablets.

It is safe to say that "Fruit-a-lives" is on sale in every drug store and in departmental stores and general stores carrying medicines throughout the Dominion. Nor is the sale of "Fruit-a-lives" confined to Canada. In many parts of the United States, "Fruit-a-lives" is the standard family medicine and hardly a day passes that the Fruit-a-lives Company does not receive prepaid orders from our neighbors over the line.

The many testimonials, which have been published in the leading papers, are the most convincing evidence of the great value of "Fruit-a-lives."

50c a box—a 12-box trial box.

If your dealer does not handle them, any quantity will be sent post-paid on receipt of price by Fruit-a-lives, Limited, Ottawa.

REVENUE SHOWS INCREASE OF MILLION AND A HALF

And for the Nine Months Ending December 31 the Advance is Eleven Millions.

OTTAWA, Jan. 7.—(Special).—The revenue for December, 1909, was \$8,733,571 as compared with \$7,183,355 in December, 1908. The revenue for the nine months ending December 31 was \$73,390,080, as against \$62,296,583 during the same period in 1908.

The details for December were:

	1908	1909
Customs	\$3,338,281	\$4,217,402
Excise	1,399,167	1,559,107
Postoffice	614,575	825,000
Public Works (Rys)	661,094	739,781
Miscellaneous	699,235	380,283

The details for the nine month period were:

	1908	1909
Customs	\$34,822,923	\$44,184,349
Excise	11,708,324	11,629,957
Postoffice	5,049,575	5,475,910
Public Works (Rys)	1,215,008	1,765,139
Miscellaneous	3,506,246	4,438,623

The expenditure on capital account during December, 1909, was \$13,379,270 as against \$14,159,949 in Oct. 1908. Most of the decrease was in public works, railways and canals, which went from \$13,425,052 to \$12,421,411. The total expenditure on capital account so far has been \$24,026,127 as against \$26,316,343 in the same period last year.

The net debt stands at \$322,234,079, a drop of \$859,798 in the month and an increase from \$291,573,775 the figure at which it stood on Dec. 31, 1908.

VIRGINIA TOWN FIRE-SWEEP.

ROANOKE, Va., Jan. 7.—A message from Mayor Waddell of Bramwell, Va., says fire has destroyed 21 buildings in that town, and that the estimated loss is over \$200,000.

Every business house has been burned. The town is under martial law.

Rev. Davidson Will Preach.

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AT OSGOOD HALL

ANNOUNCEMENTS.

Peremptory list for divisional court for Monday, Jan. 10, inst., at 11 a.m.
1. Gordon v. Goodwin.
2. Gavin v. Edmondson.
3. Crown Art v. Cooper.
4. McKervie v. Butler.
5. Findlay v. Stevens.
6. Wright v. Coleman.

Peremptory list for jury sittings for Monday, Jan. 10, inst., at 2 p.m.
1. Marshall v. Bethune.
2. Decker v. Moore.
3. Beaudry v. Merchants' Fire.
4. Christie v. Richardson.
5. Stewart v. Cody.
6. Gregson v. Henderson Roller.
7. Pickett v. Toronto Ry. Co.

Peremptory list for non-jury sittings, Monday, January 10, at city hall, at 11 a.m.
1. Stewart v. Dixon.
2. Down v. Dixon.
3. Marshall v. Todd.
4. Mackenzie v. Canadian Passo Cement.

2. General Cement v. Canadian Passo Cement.

Master's Chambers.

Before Cartwright, K.C., Master.

Redfern v. Imperial Loan and Investment Co., R. G. Hunter, for defendant, moved for a commission to take evidence in Jamaica. W. H. Price, for plaintiff, contra. Reserved.

Duncan v. Dawson Commission Co., foot and Co., for plaintiff, moved for an order for substitutional service. Order for issue concurrent writ and for substitutional service of same.

Murphy v. Macintosh, for plaintiff, moved on consent for an order striking out appearance and allowing judgment for amount endorsed on writ less \$53.29. Order made.

McNeely v. Columbus Cobalt Silver Co.—J. E. Caldwell, for defendant, moved for order dismissing action without costs. Order made.

Graves, Bigwood & Co. v. Johnson, S. Denison, for judgment creditors, moved absolute attaching order. W. F. Ferguson, K.C., for defendant, contra. Order made.

McLeod (Masten & Co.), for defendants, moved on consent for order dismissing action without costs. Order made.

Schroeder v. Hallman—R. S. Deifies, for defendants, moved for writ of habeas corpus, and for further examination for discovery. G. Bell, K.C., for plaintiff, contra. Reserved.

Thomson v. Downs—J. T. White, for plaintiff, moved to strike out par. 7 of the statement of defence and clause of the statement of claim. W. F. Ferguson, K.C., for defendant, contra. Reserved.

Stewart v. Cody—R. A. Reid, for defendant, moved to postpone trial on ground of his client's illness. Williams (Mercur & B.), for plaintiff, contra. Order made.

Imperial Paper Mills v. Quebec Bank—R. B. Henderson, for receiver and plaintiffs, moved to postpone trial. D. N. Symes, K.C., for defendants, contra. Order made postponing trial for three weeks from 10th January, 1910.

Before Geo. M. Lee, Registrar.

Singlehurst v. Willis—S. G. Crowell, for plaintiff, moved on consent for order amending the style of cause, in judgment and writ of execution issued thereunder. Order made.

Shen v. Callen (Robbette & Co.), for plaintiff, moved for leave to file notice of setting down for trial nunc pro tunc, the same not having been filed thru mistake. Order made.

Single Court.

Before Britton, J.

Metneke v. Caplan—H. C. Macdonald, for plaintiff, moved ex parte for an injunction. Injunction granted until 12th inst. restraining defendant from publishing statements to the effect that the plaintiff, Joseph Metneke, is guilty or has in the past been guilty of supplying unwholesome meat to his customers, or meat that has not been slaughtered and prepared in full accordance with the laws and rites of the Hebrew religion, or from making any other statements of a similar nature reflecting upon the personal character of the said plaintiff, or upon him in his character as a business man or tradesman, or upon his trade or business, with liberty to file and use further material on return of motion.

Before Clute, J.

Lindsay v. The Imperial Steel and Wire Co.—C. A. Masten, K.C., and M. C. Cameron, for plaintiffs, I. F. Bell, K.C., and F. E. Hodgins, K.C., for defendants. Judgment: Action to have it declared that the allotment and issue of 50,000 shares of \$10 each of the said company to defendant McBean, are null, void and of no effect, and that the supplementary letters patent increasing the capital of the company to \$1,500,000 were obtained, and on 16th June, 1908, George McBean applied for these 50,000 shares of \$10 each, agreeing to pay for same in 60 days, after notification of allotment, and on 30th June he signed receipt certificate for same. McBean paid \$10 at time of issue. This outward form was a mere cover for the real transaction. McBean is a man of no means, and did not pay any money not expected to pay for the stock. He lent his name to enable the parties interested to obtain the stock of the company, that it might be given as a bonus to any one purchasing preferred stock, the issue of which the supplementary letters patent did not authorize. I cannot give effect to the action that the action is not properly constituted. That the agreement in question is ultra vires of the corporation admits of no doubt. In the view I take it is unnecessary to deal with the question of legality and powers of the executive committee that assumed to make the allotment, altho there are grave difficulties in the way of supporting their appointment, and the allotment which they assumed to make of the shares in question.

The agreement of the 16th June, 1908.

and the pretended allotment and issue of said shares, should be set aside, and cancelled. The plaintiff is entitled to costs.

Before Latchford, J.

Morton v. Ontario Accident Co.—G. Smith, for defendants, on motion by way of speaking to minutes of judgment on questions of costs. D. Equipment for plaintiffs. Memorandum as to costs: In this case my judgment as to costs was that the plaintiff should recover, in addition to the costs of the new trial, the costs of the former trial and of the appeal to the divisional court, which had decided that such costs should be costs in the cause to the defendants, unless otherwise ordered by the trial judge. The plaintiff, relying on Re Wenborn (1905) 1 Chy. p. 416, now argues that these costs should be paid in full by the liquidator. But in view of the judgment as to costs of the divisional court, it was not and is not my intention to award the costs of the first trial, and of the appeal as costs to be paid in full by the liquidator. For such costs, as for the damages, the plaintiffs are entitled to claim merely as ordinary creditors of the defendant company. The costs of the new trial only are to be paid in full.

Before Britton, J.

Bennett v. the Havelock Electric Light and Power Co., et al.—D. O'Connell and G. N. Gordon (for plaintiffs), S. T. Modd (for defendant company), J. S. Porter, K.C., for defendants, Holcroft and Rose, W. F. Kerr (Cobourg), for defendants, Bryan and Curtis, R. Ruddy, K.C., for defendant, Mathison. Judgment: The action is for the cancellation of 200 shares of stock allotted by the company to the other defendants, or that the sale of certain property by the defendant, Mathison to the company, be set aside, that the defendants other than the company be ordered to pay for the stock received by them, and to account for secret profits retained by them as a result of a fraudulent scheme for acquiring certain lands from the defendant, Mathison, which he had purchased at a much smaller price than that received from the company. I find as facts (1) Mathison did not purchase the property as trustee for any person or persons individually or for any company or persons to form a company, or for any company to be formed; (2) After Mathison purchased the property he was willing to give to each of the other four one-fifth of purchase price, all to get stock in the company in lieu of cash for the property; (3) There was no understanding between Mathison and the four individual defendants that a company should be formed, and if that company should be formed, and should purchase the property he was willing to give to each of the other four one-fifth of purchase price, all to get stock in the company in lieu of cash for the property; (4) Upon the evidence \$5000 was not an extravagant or exorbitant amount to ask for the property, etc. (5) The sale of the stock of the real arrangement as to the purchase of the property, etc. (7) After conveyance of land, on charges by some one of "watered stock," the four defendants asserted payment in cash for the stock they held, etc. (8) I am of opinion that no fraud was intended, etc. Upon these facts I find the plaintiffs are entitled to the return of their stock. The action is for an alleged wrong to the company, and should prima facie be brought by the company. The company was never asked to bring an action. * I am of opinion that upon the merits the plaintiffs fail. * There was no conspiracy on the part of the defendants to defraud the company, or any incoming shareholder. * The plaintiffs with knowledge of the facts complained of early in 1908 did not bring their action until March 25, 1909, to set aside the stock of the company, and have been guilty of laches. For reasons given the action should be dismissed, but it will be without costs. Thirty days' stay.

Before Teetzel, J.

George v. Strong—D. Robertson, K.C., for plaintiff, M. C. Cameron, for defendant. Judgment: The action by plaintiff, a servant of the Dominion Pressed Steel Co., of which the defendants were directors, is brought under section 34 of 7 Ed. vii., Chap. 34, to recover balance of wages due to plaintiff against the company plaintiff recovered \$276.56. If the plaintiff's argument as to appropriation of payments on account should be accepted the judgment is for \$17.76 more than plaintiff would be entitled to recover in this action because that sum represents wages due prior to June 2, 1907, and the plaintiff's rights are not only limited under the statute to one year's wages, but to a debt for which the company is sued within one year after it became due. I am unable to find upon the evidence that these payments were appropriated by either of the parties in payment of wages in the current wages then being earned by plaintiff, and consequently the well established rule must be adopted and these payments applied in satisfaction of earlier items of the account. * In the result judgment must be for the plaintiff.

Had Weak Kidneys For Two Years.

Doctor Failed to Help. Doan's Kidney Pills Cured Him.

Mr. Edmund A. New Carlisle, Que., writes: "I feel it my duty to let you know of the great cure I have obtained by using Doan's Kidney Pills. I was troubled with my kidneys for two years. I tried a doctor, but he failed to help me. I read in the B. B. B. Almanac about Doan's Kidney Pills, and began using them, and after the first box began to feel better. I only used four boxes and they completely cured me. I am very thankful to be found so speedily a cure, and would advise everyone suffering from kidney disease to try them."

Possibly no other organs work harder than the kidneys to preserve the general health of the body, and most people are troubled with some kind of kidney complaint, but do not suspect it. It may have been in the system for some time. There may have been backache, swelling of the feet and ankles, disturbance of the urinary organs, such as brick dust in deposit in the urine, bladder colored, scanty or cloudy urine, higher colored, frequent or suppressed urination, burning sensation when urinating, etc.

Do not neglect any of these symptoms, for, if neglected they will eventually lead to Bright's Disease, Dropsy and Diabetes. Price 50 cents per box, or 3 boxes for \$1.25, at all dealers or The T. Millburn Co., Limited, Toronto.

In ordering specify "Doan's."

EATON'S 25c Hockey Stick

THE HANDLE has a patent groove which makes it conform to the shape of the closed hand in such a way that it cannot slip or turn. Can always be relied upon.

Made of second-growth rock elm—the toughest grade of one of the toughest woods.

Shape and grain, this stick is the regulation men's size; is well grained and shaped, and is suitable for either forward or defence players.

Other lines are "Juvenile," 10c; "Boys' Junior," 15c; "Special," 25c; "Mic-Mac," 35c; "Defence" and "Forward," 40c; "Rex," 50c.

Sporting Goods Section, Basement.

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TORONTO, CANADA

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CANADA'S STANDARD

REFINED SUGAR

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THE CANADA SUGAR REFINING CO., Limited

MONTREAL, QUE.

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.,

7 King St. W., Toronto

manila association, whose members were fined \$2000 each, and the action against the paper board association is following similar lines. A third proceeding, directed against news print paper manufacturers is now before the grand jury.

Ninety of the defendants named in to-day's indictments were represented in court this afternoon, and on behalf of all a plea of not guilty was entered with permission to withdraw it within three weeks.

Economic Association.

The monthly open meeting of the Canadian Household Economic Association will be held on Tuesday, Jan. 11, at 8 p.m., in the Canadian Institute, when Mr. John A. Ewan, associate editor of The Globe, will give an address entitled: "Is Poetry of Any Importance in Life?" The public are cordially invited.

"The Presbyterian Thought Club" will hold a meeting this evening at 8 o'clock in the Forum building, room 3, corner Yonge and Gerrard streets. Mr. C. J. Bishop will speak.

PHYSICIANS PRESCRIBE Dr. Martel's Female Pills

FOR WOMEN'S AILMENTS.

A remedy for medical purposes obtained only at first-class drug stores.

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