

The Toronto World

FOUNDED 1844. A Morning Newspaper Published Every Day in the Year. WORLD BUILDING, TORONTO. Corner James and Richmond Streets. TELEPHONE CALLS: Main 5308—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 a Toronto paper should be on sale and where The World is not ordered. MAIN 5308 In The World's New Telephone Number.

WEDNESDAY MORNING, DEC. 28, '10.

HELP CITY DEVELOPMENT.

The one indisputable advantage of the Bloor-Danforth project for dwellers east of the Don is that they would thereby have direct communication with North Toronto. This is the one admission of the Toronto Civic Guild's committee reporting on the Bloor-street viaduct in a document inspired by the fierce opposition of The Globe and The Star. An alternative plan is proposed which has never been seriously urged by those who now bring it forward, except as a possible means of delaying the construction of the viaduct, which almost every alderman and controller in the council has asked for. If those who are so fiercely opposed to the idea of opening up the east end had shown any strong desire to build the alternative viaduct mentioned, the people would have more confidence in their good faith. But it is only an expedient to delay matters, and tie up East Toronto to the Kingston-road.

Had the Civic Guild had any idea but opposition, the report would have been brought forward months ago, and not in the week before polling. If the Civic Guild, The Globe and The Star can defeat the Bloor-street viaduct bylaw on Monday, the people across the Don must not expect their help in carrying out any such alternative plan as the Civic Guild committee now drags out red-herring fashion.

Vote for the viaduct, and help to develop the city. THE GLOBE AND THE VIADUCT. Still after the viaduct is The Globe. Still after it because of W. F. Maclean, Maclean, the tax-dodger. Most of all the man of "supreme egotism." Who dragged the egotist into the field? The Globe. Then, when he offers a word for himself, he is dubbed egotist. Thank God, there are some egotists left in public life, most of all in journalism. This would be a sorry world to-day in Toronto, in Canada, if there were not some egotists left. The man who can cover up his personality these days can stand for much.

The Globe's new hubbub is Toronto's "menacing debt." It is made to look so bad that if you believe The Globe you ought to vote against every bylaw. Things are simply awful! But The Globe says vote for everything but the viaduct. And yet the viaduct is the only one of the improvements that will pay its own way from the start and make the city richer and greater.

Is The Globe trying to kill the municipal railway scheme by raising the "debt menace" against the viaduct? CONTROLLER FOSTER'S CLAIM. Controller Foster has more good moves to his credit this year than any one else on the city council. The popularity of many men depends on their support of popular issues. It would be impossible to say how many have attained eminence by working for the hydro-electric policy for the people, or by taking it out of the hide of obnoxious corporations.

Controller Foster has not been content merely to follow the lead of another, but is a man of great personal independence, and much originality in his point of view. The question with him is not whether a policy is popular, but whether it is right and necessary. Men of this stamp are to be encouraged, for even should they ever be honestly mistaken, it is rarely on matters of moment. On major issues they have the good sense and judgment to see what is proper.

Controller Foster cannot be held responsible for even minor errors, as his record proves him to be a most sagacious and disinterested legislator for the people. He has been forward during the whole year, for example, in urging the extension of the waterworks intake. Had his advice been followed in this matter the difficulty would have been settled long ago. Controller Foster has been steady and consistent here in his advocacy of a sensible policy independent of vote-catching expedients. Such a stable and solid element on the board cannot be dropped without grave danger to the best interests of the city, and those who recognize the value of such a conserving force will insure his return on Monday.

NORTH TORONTO ANNEXATION. On Jan. 2 next the people of North Toronto will be called upon to vote on the question of annexation to the city. This matter has been before the people of the northern suburb for upwards of three years, and the ratepayers should now be well prepared to express themselves decidedly as to whether they want to become an integral part of a greater Toronto, or to remain as they are, a separate municipality.

The town is feeling the strain of population, and a population which demands modern conveniences, and has been making an attempt to supply these by local efforts. Annexation carries with it what the people of North Toronto want, and it would be far better were annexation carried and the whole question settled in this way.

It cannot be claimed that the town is in a position to provide itself with sewers, a larger water-supply, better and cheaper transportation, more thru streets, and lower telephone charges with anything like the completeness or so satisfactorily as could be done by the city. The financial strength of North Toronto is not enough to carry out what the progressives in the municipality require, and if the improvements now being advocated in the town must be had, there is only one way to deal with the matter, and that is for the town to ally itself with the city.

Those who are opposed to annexation, and we are satisfied that they are in a considerable minority, should consider what has been done in other sections of the city since they were taken in. The people of North Toronto ought to look at Deer Park, and see the impetus which has been given to this excellent residential suburb since it became part of Toronto.

North Toronto is as advantageously situated for residential purposes as is Deer Park, and with the undoubted railroad movements, which are taking place in the northern end of the city, the population should increase at a rapid rate and will demand city conveniences.

Any objection based on the possibility of a higher tax rate is fairly met by the explanation that if the property in the town increases in value, as it undoubtedly will do, a higher assessment would be justified, but it is not likely that this could take place until the city has completed such public works as would warrant an increase in prices of property in the town.

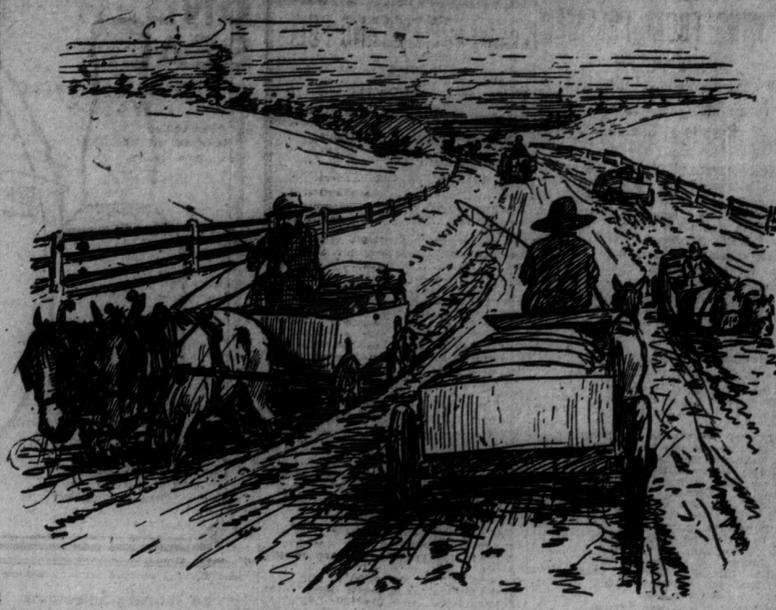
Both on this and the other side of the Atlantic there is a movement on now to extend the areas of all cities which give evidence of becoming large centres of population. Far-seeing public men know that unless due provision is made for the extension of a city, extra cost is entailed later on, when the inevitable expansion takes place. The action now being taken by the City of Boston to bring about the federation of forty smaller municipalities with the city is an evidence of what is being done in this way, and Toronto is not likely to be behind in providing for its future. This means that North Toronto should be included in the city area as quickly as possible.

MR. ASQUITH'S ENDORSATION. When it became evident that Mr. Asquith's government would again be sustained by a majority equal to that it received in January last, the opposition made the remarkable discovery that the electoral verdict was in effect a government defeat. The argument ran that unless the straight Liberals had a clear majority over the Unionists, without counting the Labor members and the Irish Nationalists, the result would be a vote of no confidence. This was a convenient theory for the peer party—but unfortunately its utility is too apparent. Besides it was utterly contradicted by the observations made by Unionist newspapers and by Mr. Balfour himself during and after the general elections of 1900, when the utmost satisfaction was expressed over the fact that the people had renewed their confidence in Lord Salisbury's government. The Daily Telegraph enthusiastically remarked that "the Unionists in maintaining the great majority (124) with which they dissolved in impregnable solidity, unbroken and unscarred, have received such a magnificent mark of confidence as was never given previously by a nation to a party." Mr. Asquith, too, has maintained his majority of 126, and is fully entitled to claim that his policy has also received emphatic endorsement.

EFFICIENT PUBLIC MANAGEMENT. Clear evidence of the efficiency displayed by British municipalities in the management of their public services is afforded by the Return of Gas Undertakings just issued by the board of trade department of the British Government. It includes in all 794 undertakings, of which 293 are municipal and 501 belonging either to companies or private individuals. The figures given show that the ratio of operating cost is 1.32 per cent. higher in the case of companies, while the average charge is seven cents per cubic foot lower in the case of local authorities. If these had charged consumers as much as companies do they would have added nearly \$5,000,000 to the revenue. Notwithstanding, the average returns on capital invested earned by the local authorities was 8 1/2 per cent., or 3 1/2 per cent. more than was earned by companies. The net profit of the publicly operated undertakings was, roundly, \$13,000,000 for the year to March 31 last, and the following are some of the larger contributions made for relief of rates: Birmingham, \$200,000; Manchester, \$250,000; Wigan, \$180,000; Nottingham, \$175,000; Bolton, \$100,000; Stockport, \$90,000; Salford and Belfast, \$75,000 each. The average price charged for gas all over the United Kingdom was about 58 cents per thousand cubic feet.

CANADA PERMANENT FOR MORE THAN FIFTY-FIVE YEARS THE SAFE DEPOSITORY FOR YOUR SAVINGS TORONTO STREET, - TORONTO MORTGAGE CORPORATION

THE BAD ROADS NEAR TORONTO



Why Living is High: The World Recommends the Good Roads Bylaw to Increase the Food Supply.

ter, \$250,000; Wigan, \$180,000; Nottingham, \$175,000; Bolton, \$100,000; Stockport, \$90,000; Salford and Belfast, \$75,000 each. The average price charged for gas all over the United Kingdom was about 58 cents per thousand cubic feet.

TO COMPARE P.A.Y.E. CARS

Railway Board and Other Experts to Make a Tour.

Invitations have been sent by the Ontario Railway Board to the city and Toronto Street Railway Co. to send a representative each on a tour of inspection by Vice-Chairman Ingram and two experts. The delegation will go to Cleveland, Buffalo, Montreal and Chicago.

Chairman Leitch, in his letter to Mayor Geary says the object is "to observe the operation of pay-as-you-enter cars and to see how different types of cars have been changed into pay-as-you-enter. The board thinks it well to do this before arriving at a determination as to a standard for the different types of cars now in use, or hereafter to be used by the Toronto Street Railway."

WILL EXTEND LIGHTING CONTRACT. Corporation Counsel Drayton has entered into negotiations with the Toronto Electric Light Co. for a short extension of the city's lighting contract, which will expire Sunday night next. This measure has been forced upon the city by the Magann application to the Ottawa government, which has tied up hydro-electric power.

DR. AMI RETIRES.

OTTAWA, Dec. 27.—(Special.)—Dr. H. M. Ami, for 28 years on the staff of the Dominion Geological Survey department, has found it necessary to retire permanently from the government employ, owing to ill-health, and has applied for his retiring allowance. Dr. Ami returns to Italy this week.

RAN OVER LITTLE GIRL.

FORT WAYNE, Ind., Dec. 27.—Mrs. Rose Biedel, president of a well-known business man, to-day was guilty to manslaughter for having run over with her auto and killed Irene Tresselt, aged 7 years, Aug. 20 last. Mrs. Tresselt was sentenced to serve from two to twenty-one years in prison, but the sentence was suspended. She paid the father of the girl \$5000.

TO EXTRADITE GOODMAN.

Inspector Greer left last night for Bradford, Pa., with extradition papers from Hon. J. J. Foy, attorney-general, in the case of Wm. H. Goodman. The accused is charged with the theft of \$1000 while managing the Newmarket branch of the Bell Telephone Co. The arrest was made by the Thiel Detective Agency.

THE SALVATION ARMY

associated with their Christmas relief, are giving a dinner to poor children in fourteen different centres of the city on Friday, Dec. 30, at 5 p.m. Over 2000 children will be thus assisted. Contributions in cash or goods to be sent to 20 Albert-street, city.

For a Comfortable Trip to Montreal. Secure a berth in a Pullman sleeper on a Grand Trunk train. The smooth track route, tickets, berth reservations, together with the only double-track line, makes this the desirable route. Four Grand Trunk trains leave Toronto daily, the 9 a.m. and 10:30 p.m. being particularly attractive, the former carrying dining car and parlor-library car to Montreal, also Pullman sleeper through to Boston, while the latter has six or more Pullman sleepers to Montreal daily (which may be occupied at 9 p.m.), and a through Ottawa sleeper. Remember the Grand Trunk is the only double-track route. Tickets, berth reservations and full particulars may be obtained at Grand Trunk city ticket office, northwest corner King and Yonge-streets. Phone Main 4299.

Annuity for Widow and Children. DAYTON, Ohio, Dec. 27.—An annuity for \$1000 a year is to be settled by the Wright Brothers upon the widow and children of Ralph Johnstone, the aviator, who was killed while flying for the Wrights at Denver.

AT OSGOODE HALL

ANNOUNCEMENTS.

Dec. 27, 1910.

Master's Chambers. Before George M. Lee, Register. Williams v. Tall—W. Logie (Hinton), for defendant. M. H. Ludwig, K. C., for plaintiff. Motion by defendant, in a patent action, for a commission to examine a witness or witnesses at Minneapolis, or at Kansas City, or elsewhere, in the United States, to show that the patent is not novel. Order to go on terms being settled by the parties. Costs in the cause.

Judge's Chambers.

Re Central Construction Co. (two petitions)—W. H. Hodges, for Sand Supply Co., K. F. Mackenzie, for Italian Mosaic Co., A. C. McMaster, for O. Wade, assignee of the company. Two motions by creditors for winding up orders. Motion by defendant reserved. O. Wade to proceed with the winding up as assignee in meantime. If occasion arises for the application of either party at any time, an order will issue on one or the other as the petitioners may elect.

Single Court.

Before Falconbridge, C.J. (Ottawa). Re O'Byrne v. W. Green (Ottawa), for purchaser. H. Fisher (Ottawa), for executor of J. Heney. A petition by Wilmer O'Byrne under the Vendors' and Purchasers' Act, for an order that his title to the lands in question, under the last will and testament of John Heney, deceased, and under the deed from his executor, J. J. Heney, to your petitioner, be investigated, declared and confirmed, and that the purchaser may be ordered to pay the costs incurred in the investigation and judgment. The petition. Judgment: This is rather the case of a trust for sale than of the exercise of a power or trust, it depends on the intention of the testator, collected from the will and the principle that powers expressed, given are not to be cut down unless that intention is perfectly clear, applies. The intention here clearly is that the power can be exercised. The vendor therefore can make a good title, which the willing purchaser must accept, his objection not being entitled to prevail. No costs.

Before Riddell, J.

Re Estate of Alfred Smith—J. G. Smith, for widow. F. Harcourt, W. C., for infant. Motion to declare whether the widow is put to her election. Judgment: The case of Westcott v. Cockerline (1877), 12 Gr. 79 (not cited), is conclusive against the widow's claim. The wife was put to her election to take under it or claim her dower. The devise to her during widowhood gave her a freehold estate. Her election was made immediately after the testator's death. She could not then have both the estate and her dower in the same land. She could not, in losing by her own act the estate given by the will, claim that her right to dower then arose. It existed at the death of the testator, and from that time or not at all. This case being exactly in point, I do not discuss at length either the principle or any of the many cases and authorities cited. The widow should pay the costs of this application.

Trial.

Before Britton, J. McPhail v. McKinnon—O. E. Klein (Walkerton), for plaintiff. D. Robertson, K.C., for defendants. This action is brought by plaintiff against defendants as executors of the will of plaintiff's father (1) for payment of \$200 a year, or in the alternative the farm owned by the plaintiff, which was in consideration of the plaintiff's father's promise to the plaintiff, and (2) for the return of \$210 loaned to the plaintiff by his team for deceased. Judgment: The Statute of Frauds, the Statute of

Limitations, both pleaded, and the lack of corroboration of plaintiff's evidence as well as other suspicious circumstances defeat plaintiff's claim. Action dismissed with costs.

Before Clute, J.

Jackson v. City of Toronto—J. F. Hellmuth, K.C., and E. C. Cattnach, for plaintiff. H. L. Drayton, K.C., and H. Howitt, for defendant. The plaintiff's claim is for damages for injuries received by her on 21st March, 1910, from a fall owing to the unsafe condition of the sidewalk. Judgment: I find that the sidewalk was not in a reasonably safe condition at the time of the accident, and for several months prior thereto, and that defendant was aware of or by reason of the length of time it was out of repair, should have been aware of such condition. The accident happened on 21st March, and plaintiff was wholly incapacitated until 28th September. On this date she went back to work at her store, but was only able to do part of her work since, and is still unable to do her full work. The plaintiff's doctor's bills and medicine, which were not disputed, amount to \$467. After a careful consideration of the question of damages I think in addition to this amount the plaintiff is entitled to \$1300, making in all \$1767, with costs of action.

Divisional Court.

Before Meredith, C.J., Tetzels, J., Middleton, J. McDonald v. Murphy—M. Wright (Belleville), for defendant. W. S. Morde (Belleville), for plaintiff. An appeal by defendant from the judgment of Mulock, C.J., of Oct. 4, 1910. This action, brought by the widow and children of John McDonald, under the Workmen's Compensation for Injuries Act, claimed \$6000 damages for the death of said John McDonald, alleged to have been caused while in defendant's employ, by the falling of a derick upon him in defendant's quarry. At the trial judgment was given plaintiff for \$1000 and costs. Judgment: The common law obligation of the master is to maintain a suitable and safe place for machinery and appliances for the work to be done and to warn the servants of all dangers known, or which might be known to him unless already known to the servant. The jury have found that the master was negligent in removing the third guy from the derick without first making the boom fast by anchoring and securing the stability of the whole until this was brought about by the placing of the "stiff legs." This was the cause of the accident. The jury have found that there was no contributory negligence. The deceased was lawfully upon the premises, and the fact that at the time the derick fell he was climbing the mast is a mere incident unless his so doing amounted to contributory negligence. The appeal should be dismissed with costs.

C. J. ATKINSON NOT CHOSEN

Rev. J. E. Starr May Be Made Commissioner for Children's Court.

"There is no foundation whatever," said Premier Whitney yesterday afternoon, for the statement that C. J. Atkinson has been appointed a commissioner to hear complaints against juveniles. The subject has not yet been before the government.

BUILDING PERMITS.

Among the recent building permits issued are: One storey galvanised house mill for McCorros Bros., on 355-67 Logan-ave., \$6000; three storey brick addition to Frank's factory, Lombard-st., \$4500; two storey Sunday school to St. Clair-ave. Methodist Church, \$2000; one storey galvanised iron ice house, for Lasky Bros. Ice Co., on George-st., \$2500; three storey brick addition to office and apartments for J. Wanless & Son, Hayter storage warehouse, on 165 West Richmond-st., for C. A. Boone, \$4500.

Another Premature Death Notice.

Another man who had to be born again yesterday was M. E. Derrick, 28 Victoria-street, whose death notice appeared in yesterday's morning papers. His funeral advertised for the same day, but instead of riding to the cemetery in a hearse, he was at his work of mending carriages and shoeing horses at his forge in rear of his house, was said to have died. It is a vacant one. It is explained that the death notice was a joke put up on Mr. Derrick by some of his friends and he, like "Ned" Clarke, declared yesterday that the report of his death were grossly exaggerated.

The Famous Rayo

Give the Best Light at Any Price. When you pay more than the Rayo price for a lamp, you are paying for extra decorations that cannot add to the quality of the light. You can't pay for a better light, because there is none. An oil lamp has the least effect on the human eye, and the Rayo Lamp is the best oil lamp made, though low in price. You can pay \$5, \$10, or \$20 for some other lamp, and although you get a more costly lamp, you can't get a better light than the white, mellow, diffused, unflickering light of the low-priced Rayo. Has a strong, durable shade-holder. This season's burner adds to the strength and appearance. Made of solid brass, nickelled, and easily polished. Once a Rayo User, Always One. Dealers Everywhere. If not at yours, write for description circular to the nearest agency of The Queen City Oil Company Limited.

MICHIE & CO., Ltd

Established 1835. In the selection of WINE For the Holiday Season A Suggestion May Be of Assistance. 40c BOTTLE.—A thoroughly sound, pure, full-bodied Native Wine—made from the pick of the Concord grapes of the Niagara District, and containing no added alcohol. 50c BOTTLE.—A good dinner or cup Claret, bottled in France; or a choice of several fine California wines. 75c BOTTLE.—A wholesome Rhine Wine; very light, and serviceable as a dinner wine. \$1.00 BOTTLE.—A sound dinner Port or Sherry, a good Burgundy or a superior Claret. \$1.25 BOTTLE.—A superior dinner Port or Sherry, a very fine Claret or Burgundy. \$1.50 BOTTLE.—and from that to \$3.00, a choice of the best wines of all kinds in our extensive cellars.

Michie & Co., Ltd Wine Merchants, 7 King St. West, - TORONTO

S.A. XMAS CHEER

The Salvation Army are now planning their Christmas relief effort, which includes distribution of Christmas baskets to worthy poor and the giving of a dinner to poor children in fourteen different centres of the city. All contributions towards this worthy object to be sent to 20 Albert Street, City

DIDN'T FIRE A SHOT. Odessa Students Protest Against Order of Expulsion. ST. PETERSBURG, Dec. 27.—A demonstration of students from Odessa is held to-day to protest against the decision of the government to expel students of the University of Odessa because of the recent disorder there. The students claim that the official version was untruthful. They say the students didn't fire a shot, but merely broke down windows. They declare also that a judicial inquiry into the affair and the search of the university, did not disclose a single firearm, and that the report of the examining doctor did not certify to anything like policemen being wounded. Albert Chamberlain's Illness. Thru an error it was stated that the absence of Albert Chamberlain, president of the British Welcome League, from the annual Christmas dinner, was due to illness. He is at present in England. Dr. Martel's Female Pills SEVENTEEN YEARS THE STANDARD Prescribed and recommended for women's ailments, a scientifically prepared remedy of proven worth. The result from their use is quick and permanent. For sale at all drug stores.

WEDNESDAY JOHN GA CLEAN BLANKET PILLOW C EMBROID LINEN EM BEDSPRE Slightly cour handling, du perfect cond linen, base three-quarter regularly \$2. CLEARING Regularly \$2. DOWN CO Immense ran ors in Amer Covers. Fine warm, plain styles, comin etc., worth re Clearing at SKIRT LE Black, Gre Dress Goods, in cashmere, volles, accor diagonals, etc for skirts, blo etc., regular Clearing at HANKER Complete and pure Irish li all kinds, pla ed styles, la any at price OPERA CL Balance of O Opera Cloak shades, pla trimmed, mac Clearing at Mail Order JOHN GA 55 to 61 E POLICEMAN For saving B Bornstein and B gov't and int g a tourne towal and h v was run over t on-avenue an both legs. P was giv a vances him six to promotion. The woman v yesterday after The woman v tions and lit recovery. Binc completely ou on birth to the Thomas Mont pressman, who swatling and B enue coroner in East King- enque for \$25. brary in a k committed for still carried i he had done th CHRISTMA Yesterday a Christmas ext of people who Christmas unde turned to the organ the d was also the dmas season the From 9 on Saturday. Union Station passenger depa the estimate pted, but he b th sale of tickt erage of 10 per WORKING The board of active part in passing of the trol and avail Bay by a Harb tary P. G. Mori circulars to rat each member o furnished with lect to distrib A Shiv "What do yo open door polio 'I can't say c who hates a dr son who comes to have ado Evening Star. Shoplift Ball was aga later upon con police court. Y absence of Gric Erick Grange the Robert St come day. Th son declared h ing to refuse should have le Jessie Alexan Broadway Tab Theft Join Kenno arrested last ni charged with t the Victor Inn He was taken v of them.