# FRIDAY MORNING

# THE TORONTO WORLD.

OCTOBER 17 1913

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# The Toronto World FOUNDED 1880.

and the bill will be reported by No-vember 1. A New York Democratic morning newspaper published ever day in the year by The Worl Newspaper Company of Toronto Limited; H. J. Maclean, Managing enator named O'Gorman is threatenng to filibuster and may bolt, but the

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Main 508-Private Exchange con-necting all departments. \$3.00 will pay for The Daily World for one year, delivered in the City of Toronto, or by mail to any address in Canada, Great Britain or the United States. \$2.00 will pay for The Sunday World for one year, by mail to any address in Can-ada or Great Britain. Delivered in Toronto or for sale by all newsdealers and newsboys at flive cents per copy. Postage extra to United States and all other foreign countries. Subscribers are requested to advise us promptly of any irregularity or de-lay in delivery of The World.

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# TWO SIDES OF THE BARGAIN.

There are two sides to a bargain The Globe dwelt on one side of the street railway proposals yesterday in a somewhat pessimistic mood, en- either there must be no change whatquiring why we should pay \$12,000,000 ever in the present system of stiff and for nothing, when by waiting for eight years we can get the street railway without paying \$12,000,000.

For the sake of argument let us suppose we have only to pay the amount of the value of the physical assets after eight years. We think The Globe will find that a rosy colored view of the situation. But taking that view, do we get nothing now that we would not get in eight years? We get a unified system with transfers all over the city.

We wipe out the extra cost of running the civic lines as detached strips. We abolish the double, triple and fourfold fares required in many parts of the city to get from one point to another.

We get rid of the street railway franchise, and several radial franchises, which are not put down as of any value in the experts' report, but which could, nevertheless, be sold for large sums.

We supply suburban territory with street car accommodation which it army which of late has been carrying must now do without.

We raise the standard of the service at once to the highest state of perate fight, they may encounter deefficiency, the cost of this improve- cisive battle, but they are more likement being all allowed for in the ex- ly to find an army in surrender and perts' report, and included in The a general in flight. Huerta can Globe's \$12,000,000.

We get rid of the bedeviling in- his death or his exile, the people of fluence in the city of a corporation the capital and the adjacent country seeking to renew its franchise for the are likely to welcome fraternally eight years to come.

There are other considerations, be- northern states. Then will be formed sides these, from the purchaser's point a provisional government with the of view, but what has the seller to promise of a fair election, and it will say? The experts have valued the then be up to the United States to street railway system from that point furnish money and credit, and if ne-

bill will pass the senate and go to conference before the close of Novem Shirts The chambers of commerce of the United States by a large majority have approved the principle of the measure and the much-heralded opposition of the country banks has reduced itself Half-Hose to suggesting some minor amendments. The big banks are still protesting that the currency should be issued by the banks and not by the government, but no one familiar with nixture, ribbed. 25c pair, American history will for a moment pairs for \$1.00. entertain the belief that the power to emit money will ever be confided to any private corporation or combination of private corporations. A large section of the people have inherited a TEL. ADELAIDE 1739. strong antipathy to a central bank of issue, such as the old United States Bank, while the terrible disaster which followed the state bank issues can never be forgotten. The problem therefore simmers down to this: currency, unsatisfactory

the principle that the government shall have exclusive control over all admitted. The result is no longer in

inelastic

doubt.

fore the senate banking and currency

mmittee will close on the 25th inst.

### THE MEXICAN DRAMA.

It begins to look as tho General Huerta, who sought to become president of Mexico by assassination, and who has declared himself dictator, was nearing the end of the long rope

told out to him by President Wilson. Huerta has dispersed the congress, imprisoned many of the members and has thrown away all pretence of ruling by color of right, or as the servant of the people. He has

proclaimed himself dictator and must stand or fall by force of arms. Already, if reports are true, the

men of the north are advancing upon the capital; the partisans of Madero and the friends of reform have an

everything before it. At Mexico City. perhaps where Cortez fought his des-

scarcely escape alive, but following

their fellow countrymen from the



Before Middleton, J.

C., for shareholders; J. A. Paterson, K. C., and A. McL. Macdonell, K.C., for liquidator. Judgment: The judgment of the referee snould be affirmed and the money returned to the sharehold-the state which it was their duty to of the referee snould be affirmed and the money returned to the sharehold-ers. The referee has awarded costs against the petitioners, but as the point is a new one under the Bank Act, and is one calling for judicial de-clsion, I think the better course will be to relieve the petitioners from the pay-ment of costs, and I direct that the costs of the liquidator be paid out of the fund. Downey v. Burney-N. W. Rowell, convert. From the memo think that the bulk of the sto this estate, where there has h this estate, where there has been a reconstruction or change, can be no longer retained. The material is in-adequate to allow the individual stocks to be finally dealt with. I think that the investments that were subscribed for, but not fully paid up by the tes-tator at the time of his death, are his investments. As to the duty of the executors to realize, they must exer-cise the discretion entrusted to them by the testator, realizing as best they can upon the stocks which they are not authorized to hold. The respon-sibility is the executors' and cannot be shifted on the court. The execu-tors must keep in mind the principles the fund. Downey v. Burney-N. W. Rowell, K.C., for plaintiff, on motion for order for committal. N. Sommerville for de-fendant. Enlarged sine die pending be shifted on the court. The tors must keep in mind the prin governing apportionment between capital and income. The accretions to the shares by the exercise of the op-tions belonging to the capital are not to income. Costs of all parties out of the estate.

fendant. Enlarged sine die pending negotiations. Hardy v. Lake Erie and Northern Railway Co.-W. T. Henderson, K.C., for pisintiff; W. S. Brewster, K.C., for defendants. Motion by piaintiff for injunction enlarged until 22nd inst., at request of both parties. Re Orr and Cash-A. J. Keeler for vendor; A. Singer for purchaser. Mo-tion under Vendors' and Purchasers' Act. Enlarged until 22nd inst. at ven-dor's request. Re Drew and Keewatin-A. McL. Macdonell, K.C., for Drew, moved for order quashing bylaw No. 258 of the town, being a bylaw providing for im-provements, etc. J. H. Spence for mu-nicipality. Motion dismissed with costs. he estate. Stocks v. Boulter-A. W. Anglin, K. A, and C. A. Moss for defendant. D. Grant for plaintiff. Appeal and ross-appeal from the report of the inster at Picton. Judgment: The re-

costs. Etobicoke Realty Co. v. Cates—M. Wilkins, for plaintiff. moved for judg-ment on default of defence. F. Slattery for defendant, asked for leave to de-fend. Order giving leave to defend on payment of costs of motion and costs occasioned by default. sult of my conclusions on the evi-dence is that, subject to plaintiff's right to a further reference as to any

Before Falcanbridge, C.J. Re Standard Cobalt Mines, Limited-G. H. Watson, K.C., and J. G. Smith, for Balley Cobalt Mines, appealed from report of official referee. W. R. Smyth, K.C., for liquidator; H. E. Rosé, K.C., and J. A. McEvoy, for Security Trans-fer and Register Co. Judgment: As to the complaint of want of notice of the adjudication by the referee, it ap-pears by the record that the matter

the adjudication by the referee, it ap-pears by the record that the matter was gone into and elaborately argued by one of the present counsel for ap-pellant. No application being made by him for postponement of the hear-ing for the purpose of calling evidence. The assignments are on file and are recorded. I and that there was evidence The assignments are on file and are produced. I find that there was evi-dence sufficient to not the was evidence sufficient to prove the claim ad-duced before the referee. The appeal is dismissed with costs.

ncreased value by reason of the mat-ers included under the head of outters included under the head of out-lays, the appeal is allowed to the ex-tent of reducing the damages to \$453 and the occupation rent is reduced to \$2000. The defendant should have the costs of both appeals. No claim was made in respect of an item of dam-ages which one would have expected to have been put forward, namely, the expense of searching the title. If this has been overlooked I would allow the claim now to be made and would al-low the result to be modified accord-ingly.

Appellate Division. Before Mulock, C.J.; Riddell, J.; Suth-erland, J.; Leitch, J.

Vogler v. Campbell-M. Wilson, K. C., and W. Mills, K.C., for defendent. O. L. Lewis, K.C., and H. D. Smith (Chatham) for plaintiff. Appeal by defendant from judgment of Lennox,

J., of June 14, 1913. Argument of ap-peal resumed from yesterday and con-cluded. Judgment reserved.

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At Osgoode Hall You never get "Short Count" ANNOUNCEMENTS. Oct. 16, 1913. Judge's chambers will be held Friday, 17th inst., at 11 s.m.

The appellate division will not si again until Tuesday, 21st inst. Master's Chambers.

Master's Chambers. Before George O. Alcorn, K.C., Mas-ter in Ordinary. Minchuke v. Kolesmikoff-Smiley (Johnston & Co.) for defendant, mov-ed for order dismissing action for want of prosecution. C. M. Garvey, for plaintiff. Adjourned to 27th inst.

peremptorily. Jouffert v. Jouffert—E. F. Raney, for defendant, moved for an order for for defendant, moved for an order for interim alimony on the counter claim. A. J. Ross, for plaintiff and mort-gagees. Stands until 23rd inst. Johnston v. Hull- McBeth (R. Wherry) for defendant, appeared to show cause to motion to strike out third party notice. No one for third party. Motion dismissed with costs in any event of the action. Till v. Town of Oakville and Bell Telephone Co. - H. A. Burbidge

sum it would require to buy new rolling stock, make extensions and chosen by the people. give adequate, service. All these things, and they mean a great deal, are included in The Globe's \$12,000,000, and besides that the millions in cold cash which the shareholders of the an invasion without flouting Mexican Street Railway Co. will collect in pro- nationality. To land an army at Vera fits in the next eight years, but which will come back to the city if the city have been easy enough, but the Unitbuys the railway.

The Globe may argue that the city would not collect so much as the Huerta with one-third of the populashareholders would, but the share- tion, and that by far the most warholders will naturally say that this is like, in arms against them. To have none of their business. The city can attempted to march an army across collect what it pleases, but it is buying the Rio Grande for the purpose of the opportunity to collect which the shareholders will retain if they do not have meant a bloody war, in which

That is the other side of the question.

WHO WILL MANAGE IT?

cide to buy it. In fact, their decision will be largely influenced by a knowledge of the kind of control the street railway will be under with civic own-

ership. The act requires the appointment of some sort of commission by the city council, none of whose members can be given office on it. Such a commission should consist of first-class business men. Whether they have a manager under them; or themselves attend to the practical work is a detail to be settled. Some have menioned Mr. R. J. Fleming for the post of manager and others Commissioner Harris-

But the commission of three should consist of representative business men, who would make as great a success of the street railway as Guelph. does of her public utilities.

We think the Board of Trade, the Trades and Labor Council, the Manufacturers' Association, the university and similar bodies should be allowed to nominate a roster for the benefit of the city council.

'At any rate Mayor Hocken should get his ideas on the question before the council. Many people will not vote for owning the street railway until they see a practical business plan for its management.

## IT IS GOING TO PASS.

The administration's bill to reform the banking and currency laws in the United States has already passed the house and it will pass the senate and become law at this present session. The public hearings now going on be-

of view at a much higher rate than that government, restore the country cessary sh and men to main tions more than the \$22,000,000 asked. to more normal conditions, assure a tional good was at stake. But the also aware that Controller Church is Then they reduced the amount by the free vote and a fair count, and the inauguration of the government

Those who talked glibly about the United States invading Mexico, failed yet out of the wood; it may yet be to realize the size of the undertaking, or the impossibility of making such Cruz and capture the capital would ed States in that event would merely have succeeded to the position of kept his head, and the Mexican emconquering the northern states, would broglio, which at one time seemed

the American arms would have been directed against the very people who had been fighting Huerta, the assas-

sin and usurper. President Wilson seemed to many Mayor Hocken should take the citi- to be over patient, even poor spiritzens into his confidence as to his ed, as did his great predecessor Mr. views on the management of the Lincoln appear on many occasions in street railway should the citizens de- his unselfish willingness to efface.

BONDS FOR \$100

Many people of small means are possibly not aware of the opportunity for safe investment offered by our \$100 Bonds. The small investor has looked upon owning Bonds as rather beyond him---thinking of Bonds as being only in denominations of \$1000, or some other equally impossible sum. But \$100 will buy one of our Bonds, giving the holder of it precisely the same security as those of the largest denominations. They are a security in which Executors and Trustees are

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his own personality where the na- statement about some experts. We are president could afford to wait, know- himself regarded as an expert in some ing that he was right, and that his circles. He has a low, but perhaps hot-headed critics would in time be experienced, opinion of his classconvinced of their error. He is not

might have become a war of conquest, has been averted. Above all has laid down the doctrine that title this is exactly what Sir Alfred adto supreme power in a state upon this continent cannot be obtained by assassination. It is a good doctrine and one that is not likely to be challenged by Europe. Mr. Wilson has

seriously to menace his administration, will in the end contribute to its wonderful success.

# THE KIND WHO OPPOSE.

"Unless the agreement to be made conforms to the conditions in the report and accompanying letter, I do not advise the city to consummate the proposed agreement."

This is the statement made by Mr. J. W. Moyes in reply to Mayor Hocken's request for his opinion. He also advises consideration before the offer is accepted, consideration being, as he has explained, the business care to be taken about any transaction. The Telegram in reproducing the letter rets in large capitals the words, "I do not advise the city to consummate the proposed agreement." No doubt the editor of The Telegram regards himself as a respectable citi-

Controller Church made the statement the other day that experts could be got to say anything that was wanted about an agreement the reference being to Messrs. Arnold and Moyes. Mr. Moyes confronted Controller Church in the board of control and required him to withdraw the statement as applied to him. Controller Church said he did not mean Mr. Moyes, but he would not withdraw the statement. Mayor Hocken asked him if he withdrew it in respect to Mr. Moyes and Controller Church replied that he did. Did Mr. Arnold confront Controller Church he would withdraw it, or in respect to

Mr. Ross. The World stated that Controller Church had to eat his words, as was the case. Controller Church now declares this statement is "untrue, false, libelous and malicious." If Controller Church persists in applying his statement to Mr. Moyes, Mr. Moyes will know how to deal with him. If he withdraws it then we repeat he has eaten his words, as he often does. We admit his right to make the

necessary for the United States to the tax reform movement in Ontario in land troops and for them to do some an editorial last night and implies that fighting. But a long bloody war, which Sir Alfred Mond in repudiating single the president of the United States and put it on land or site values. But

30, 1913. Action to recover \$275, of plaintiff's horse, killed on d ant's line of railway, alleged to be due to negligence of railway company in not fencing their line of railway. At trial judgment was given for de-fendant without costs. Appeal argued, lefendant. J. C. Makins, K.C., f laintiff, Appeal by defendant fro udgment of Barron, J., of County

Perth of June 13, 1913. Action for damages for breach of contract in not furnishing pedigree as warranted on sale of mare by defendant to plain-tiff. At trial judgment was given plaintiff for \$200 and costs. Appeal

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statement about some experts. We are initial to insurance money have the Controller Church is bimself to insurance money have the policy is grandsons. M. C. Cameron for Mis clears. T. Malone, K. C. for defendant. Appeal by itely, it is still a policy for the benefit of the utige and children. In such of the set the set to be benefited is the wife at the benefit of the wife and children. In such of the set are form movement in Ontario in an editorial last night and implies that the clear to be benefited is the wife at the time of has clears. The money will therefore so to the wife values. But the wife and children is matched by the off clast with the security what Sir Alfred Mond in repudiating single tax also repudiated the movement to remove taxation from improvements must be paid out of the fund. The and hald at the time of his death as the wife wite to the effort and in the security what Sir Alfred advocated in his address.
The Telegram is still summering in the sultry weather of July 21. This accounts for the heat of its remarks.
The Telegram is still summering in the sultry weather of July 21. This accounts for the heat of its remarks.