

The Toronto World

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Corner James and Richmond Streets.
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MAIN 5305

Is The World's New Telephone Number.

THURSDAY MORNING, NOV. 10, 1910.

WHO IS THE DEAD HORSE?

The Globe says Roosevelt is crushed by the loss of Tuesday's election. This is not the case at all. Roosevelt has a program of reform, but it was conditioned by his belief in the maintenance of protection. All Tuesday's vote means to him is that he will be able to say to the Republicans, "I was for the new national platform; I am still for the new national platform, with protection or with modified protection," and on this platform he will soon put himself at the head of the great new movement for reform in the political methods in the United States. This movement is represented by the better element of the Democratic party, by the insurgent element of the reform party and by the great mass of people who resent the increased cost of living.

Make no mistake about it. The new government is only beginning and Roosevelt is well up at the head of it. He is by no means crushed. The dead horse to our mind is Mr. Taft.

ALGONQUIN PARK.

Hon. Frank Cochrane is to be congratulated upon the settlement of the Algonquin Park problem. The practical destruction of the park was involved by rights granted to a lumber company. For the surrender of its rights and the removal of its mills and railway the Munn Lumber Company is to receive a sum of \$290,000. The timber thus reclaimed for the province, consisting of 231,000,000 feet of black birch, hemlock, spruce, cedar, ash and some pine, is estimated to be worth at least \$1,000,000. Besides this, the privileges of the park as a fish and game preserve, a health resort and a pleasure ground for the people generally are now relieved of any incumbrance or obstruction. The revenue from various sources in the park will be more than ample to cover the charges of the arrangement just concluded.

HARBOR IMPROVEMENT.

Controller Spence's proposals for a harbor commission will meet with general approval. Wherever the harbor and dock affairs of a city have been a success they will be found to be under the control of some such board as now has been proposed for this purpose in Toronto.

The present board has taken no active or progressive steps during its career, and in nothing does Toronto so much need waking up as in this harbor matter if the great natural advantages of the city for shipping are to be properly utilized.

The objections raised by Messrs. Church, Ward and Foster to the inclusion of Ashbridge's Bay under the control of the new board do not seem intelligible. If there is to be a harbor at all, Ashbridge's Bay will be the major part of it. A divided interest under such circumstances would be folly. The matter will be referred to the electorate.

LIQUOR DRINKING IN BRITAIN.

Remarkable proof of the changing habits of home country people is afforded by the first report of the commissioners of customs and excise, issued last month. The returns it contains show a striking and continuous decline in the consumption of spirits and beer. Between 1901 and 1909 the quantities of spirits retained for consumption fell in England from eight pints per head to 4.08; in Scotland from 14.88 pints to 12.16; and in Ireland from 8.72 to 7.52. Mr. Lloyd George's budget of the latter year accelerated the reduction, and for the year to March 31, 1910, the amounts fell in England to 4.08 pints, in Scotland to 8.24 pints, and in Ireland to 5.64 pints. As regards beer the nationalities are not distinguished, but the consumption in the United Kingdom declined from 31.48 gallons per head in 1901 to 25.37 in 1910. Breweries for sale numbered 4512 last March, a decline from 1901 of 1508, while private brewers, of whom there were 12,410 (almost entirely in England), now number 7006 only. These figures speak for themselves and the tendency of the last decade is too marked and steady to be regarded as due to temporary influences.

TAINTED MILK.

Not long ago one of the greatest authorities in the province stated in public as a fact he would not attempt to explain that milk was more subject to contamination than any other article of food. There should be no great difficulty about understanding the fact. Milk is invariably used in an artificial way and subjected to an exposure for which nature never intended it. In the natural course of things milk would never be exposed to the atmosphere at all. In the artificial condition of things under which it is now a leading article of diet, it is constantly exposed to the air and to all the myriads

of germs that circulate in that medium. No wonder then that milk is a source of all manner of disease.

The steps that are being taken in all important communities to obviate these dangers should be adopted in Toronto and throughout the province so far as it may be practicable. Mr. W. K. McNaught, M.L.A., has made a study of the question, and the fact that 2500 children die in Ontario annually through the effects of tainted milk should be sufficient to rally to his support every one who has the public welfare at heart.

Mr. McNaught hopes to embody in legislation the conclusions arrived at by the royal commission appointed to investigate the subject, and Sir James Whitney has promised his support. Dr. Hastings, the city medical health officer, has discovered that one small dairy, distributing 52 gallons a day, has been the cause of eleven cases of typhoid previously credited to the city water supply. Many citizens have given up the use of milk except in cooking, as the raw material is so dangerous. Should the legislature decide upon universal pasteurizing, no doubt the health of the province will be benefited.

BE CHARITABLE—SENSIBLY.

With the advent of a few chilly evenings, the "professional cadger" has made his appearance, usually giving a fictitious name and address. An effective way of dealing with this class is to refer them to the Associated Charities. If genuine, help will be found for them, or if fraudulent, they will be exposed.

Special cards for reporting cases have been printed and will be sent to any citizen applying to the above office.

Telephone Main 5704 before giving relief. Valuable information can be supplied in many cases from the 6900 records on hand.

Let this association help you to dispense your charity intelligently.

THANKSGIVING OBSERVANCE.

Canadian Baptist: If putting Thanksgiving Day on Monday means that the churches are not to have thanksgiving services, we have a strong conviction that there should be a return to Thursday or some other day near the middle of the week. If there is reason for national thanksgiving, the day should be observed at some time and in some way by a public service of thanksgiving and worship. Thanksgiving Day is one of the days that should at least in part be a holy day as well as a holiday, and we sincerely hope that our Baptist churches in city, town and country will arrange in future years to observe the day religiously as intended and suggested by those in authority.

A GENEROUS GIVER

Orilla Friend of the Needy Consumptive.

The following letter from Mr. William Thomson of Orilla tells its own interesting story:

"Generally on Thanksgiving morning, the first thing I do is to enclose my cheque for \$100 to help on the good work at Gravenhurst. I am glad to be able to do this again and enclose it herewith. I had the pleasure of calling at the sanatorium two or three times this summer, and was glad to find the people all so happy and contented, altho, no doubt, they were bearing many sad trials. I am sure you and your associates are to be congratulated on your good work."

We learn from the secretary-treasurer of the Muskoka Free Hospital for Consumptives that Mr. Thomson in no way confines his gifts to Thanksgiving Day. It has been through his thoughtfulness and generosity that the launch "Idler" with captain and full equipment has been placed at the disposal of the patients at the Muskoka Sanatorium for the past two summers.

The Popularity of the Grand Trunk Railway System Between Toronto and Montreal

is not only due to the fact that it has the "only double track line," but also to its smooth, rapid, excellent train equipment, courteous attendants, unexcelled dining car service, beautiful scenery, etc. Four trains leave Toronto daily: 7:15 a.m. carries parlor-library-buffet car; 9:00 a.m. carries dining car and parlor-library car; 8:30 and 10:30 p.m. trains carry modern Pullman sleepers, and you can enjoy a comfortable night's rest. The International Limited, Canada's fastest train, leaves Montreal 9:00 a.m., arrives Toronto 4:30 p.m.

Tickets, berth reservations and full information at C. T. Ticket Office, northwest corner King and Yonge streets. Phone Main 4209.

Missionary Lectures.

A series of missionary lectures is to be given in Toronto in various churches under the auspices of the Young People's Missionary Movement. The speakers and their subjects are: Dr. Joseph Strong, "The Challenge of the City," Nov. 17; Rev. D. J. Davidson, "Challenge of India," on Dec. 15; Dr. J. Endicott, "Challenge of China," on Feb. 16; Rev. R. C. Armstrong, "Challenge of Japan," on March 16; Canon Tucker, "Challenge of Canada," on April 20.

FOUR TIMES EACH YEAR

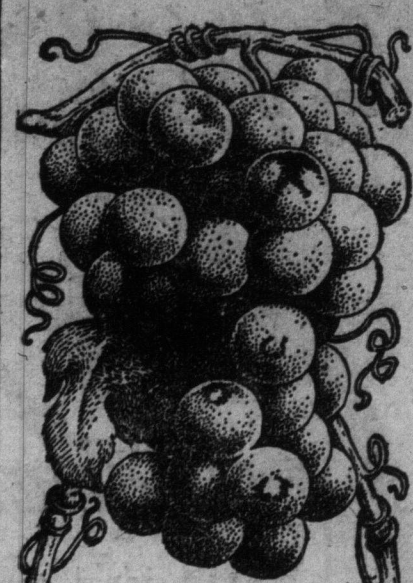
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AT OSGOOD HALL ANNOUNCEMENTS.

Nov. 9, 1910.

Motions set down for single court on Thursday, 10th inst., at 11 a.m.:
1. Taylor v. Bally.
2. Re Woodrow Estate.
3. Re Angus and Widdifield.
4. Chisholm v. Herkimer.
5. Re Lewis Estate.
6. Gordon v. Gordon.
7. Re Standard Fire Insurance Co.
8. Re Livingstone Estate and Co.
9. Hill v. Hill.
10. Aldrich Gas v. Kinky.
11. Re Mason and Wilkie.
12. McGuire v. G. T. Ry.
13. Broom v. Godwin.

Peremptory list for divisional court for Thursday, 10th inst., at 11 a.m.:
1. Stecher Lithographic Co. v. Ontario Seed Co. (to be continued).
2. Hunter v. Patterson.
3. Herring v. Howes.
4. Watson v. Phillips.
5. Somerville v. Aetna.
6. Lacroix v. Loughlin.

Non-Jury Assizes.
Peremptory list for non-jury assize court, sitting in city hall, on Thursday, Nov. 10, 1910, at 10:30 a.m.:
99. McPherson v. Timiskaming.
98. Miller v. Rosenberg.
97. Harley v. Canada Life.
96. McNair v. Grey.
95. Murray v. Mackenzie.
94. Benfield v. Toronto Railway.
93. Allen Manufacturing Co. v. Murphy.

County Judge's Civil Court.
Peremptory list for Thursday, Nov. 10, at 10:30 a.m.:
16. Grant v. Lee.
17. Zuckerman v. Prowski.
18. May v. Con.
19. Smith v. Dawson.
20. Dougall v. Corney.

Master's Chambers.
Before Cartwright, K.C., Master.
Prosser v. Prosser—G. R. Roach (Cornwall), for plaintiff. Motion by plaintiff for an order for substitutional service of writ and extending time for appearance thereto 21 days. Order made.

Stuart v. Hamilton Jockey Club—E. C. Cattanech, for John Stuart, a third party. C. A. Moss, for defendants. W. J. Elliott, for plaintiff. Motion by third party to set aside order for third party notice for irregularity. Reserved.

Wilson Lumber Co. v. Simpson—J. N. Mack, for plaintiff. K. F. Mackenzie, for defendant. Motion by plaintiff for

leave to deliver a statement of defence to counter claim. Order made. Trial not to be delayed thereby. Costs to defendant in any event.

Fisher v. Ophir Cobalt Mines—Driver (C. Levesque), for plaintiff. C. A. Moss, for defendant. Motion by plaintiff to strike out statement of defence for default in production, the affidavit having been filed. Motion dismissed.

Re Solicitors—R. F. Waddell, for solicitors. H. S. Price, for client. Motion by solicitors for an order setting aside praecipe order for taxation. Motion dismissed. Solicitors to be at liberty to give all evidence in support of their charges from their dockets and otherwise. Costs in the taxation.

Cook v. Royal Westmount Mines, Limited—J. E. Cook, for plaintiff. Motion by plaintiff for an order for service of statement of claim on three defendants in the Province of Quebec, and giving 30 days for delivery of statement of defence, allowing substitutional service on defendant Sykes and enlarging time for service of statement of claim until Dec. 12, proximo.

Boone v. Lane—S. W. McKewen, for plaintiff. Motion by plaintiff for a final order of foreclosure against certain encumbrances. Order made.

Single Court.

Before the Chancellor.
In Matter of Estate of Honorable John Sandfield Macdonald—R. L. Desfriches, for Louise and Adele, two daughters. E. G. Long, for Toronto General Trusts Corporation, executors. Motion by two daughters under C.R. 938, for an order constraining certain provisions in will of the late Hon. J. S. Macdonald. By consent of parties enlarged for one week.

Re Bond Estate—D. T. Symons, K.C., for trustees. F. W. Harcourt, K.C., for infants. Motion by trustees under Settled Estates Act for leave to expend a sum not exceeding \$4000 out of the corpus of estate for the permanent improvements on the houses on said trust property. Order made as asked.

Re Howitt Estate—G. A. Kingston, for executors. F. W. Harcourt, K.C., for infants. Motion by executors of Margaret E. Howitt estate under Settled Estates Act for leave to spend about \$5000 in improving the hotel pursuant to the requirement of the inspector of licenses. Order made as asked.

Re Mountain Estate—R. C. Smith, K.C., for executors. G. Osler for some beneficiaries. J. A. Macintosh, for other beneficiaries. T. Lettice, K.C., for executors of Bishop's College at Lennoxville. Motion by the executors of estate of the Reverend Jacob Joseph Lettice, Salter Mountain, for an order constraining him to will. Reserved.

Re Wood Estate—R. U. McPherson, for executors of surviving executor of Robert J. Wood's estate. F. W. Harcourt, K.C., for infants. Motion by executors of last surviving trustee under C.R. 938, for an order constraining will of Robert J. Wood. Order declaring that the executors have power to sell, that applicants, the executors of surviving executor, have also power to sell. Children of sister who predeceased testator are not entitled to share. Costs out of fund.

Re Marshall Estate—O. H. King for petitioner and all adult beneficiaries except Emma, G. F. McFarland, for Emma Marshall. Motion by petitioner under C.R. 938, for an order constraining the will of Annie Marshall late of the City of Toronto, widow. Order made that under the will the parties take as tenants in common and not as joint tenants. Costs out of estate.

Divisional Court.
Before Meredith, C.J., Teetzel, J., Clute, J.

Parent v. Latimer—E. D. Armour, K.C., for defendant. J. Sale (Windsor), for plaintiff. An appeal by defendant from the judgment of the chancellor of May 20, 1910. The dispute between the parties is over a strip of land eight feet wide, more or less, along the easterly side of land granted by conveyance registered as V 684, and a plaintiff brought action to declare a certain agreement in relation thereto void as against plaintiff, and that the parties take as tenants in common and not as joint tenants. Costs out of estate.

Before Meredith, C.J., Teetzel, J., Clute, J.

Re Macdonald Arbitration—W. H. Irving for J. F. Macdonald, appellant. G. F. Shepley, K.C., and G. W. Mason, for respondents. An appeal by J. F. Macdonald from the judgment of Sutherland, J., of 11th March, 1910. The order appealed from was made on the application of James Fraser Macdonald for an order that the award of their arbitrators of 18th December, 1909, might be amended, set aside or remitted to the arbitrators, with a direction as to the proper basis of valuation of the shares of stock of reference to said arbitrators. Judgment: Appeal allowed, and the award remitted to the arbitrators as asked, with costs here and below. The cost of the proceedings and thinking appeal should be dismissed with costs.

Before Falconbridge, C.J., Riddell, J., Sutherland, J.

Dominion Carriage Co. v. Wilson—A. J. Anderson, for plaintiff. W. A. Boys (Barrie), for defendant. An appeal by plaintiff from the judgment of county court of Simcoe of June 20, 1910. An action in trover to recover two carriages. At the trial before the county

judge the action was dismissed with costs, but the damages assessed at \$70. In case his judgment is not sustained, Appeal argued and judgment reserved. Judgment: We think judgment should be entered in the county court for plaintiff for \$70, and the appeal should be allowed to that extent. Under all the circumstances there should be no costs in the county court, but as the plaintiff had to come to this court to have their rights declared they should have their costs of this appeal.

Before Mulock, C.J., Clute, J., Sutherland, J.

Devlin v. Radkey—G. H. Klimer, K.C., for defendant. Rowe, J. H. McCurry (North Bay), for plaintiff, contra. An appeal by defendant Rowe from the judgment of Riddell, J., of June 26, 1910. An action for possession of certain lands in the Township of Wildfield, an account of profits derived therefrom by defendant Rowe, an injunction restraining defendant Rowe from interfering in any way with said lands, and for damages. At the trial judgment was given plaintiff for possession, ordering plaintiff to pay defendant Rowe \$320 and interest, and directing money in court to be paid out to said defendant. No costs. Argument of appeal concluded and judgment reserved.

Bubetsky v. Cook—R. McKay, for defendant. Cook, W. M. Douglas, K.C., for plaintiff, contra. An appeal by defendant Cook from the judgment of Riddell, J., of June 17, 1910. This was an action for specific performance of a contract to sell certain lands in Elk City. Defendant Cook agreed to sell the land to plaintiff, but afterwards sold to one Henderson, who registered his deed. The land having been conveyed to an innocent purchaser for

value, judgment was awarded plaintiff for \$100 damages and costs. Judgment (V.V.): Appeal dismissed with costs.

Stecher Lithographic Co. v. The Ontario Seed Co.—M. A. Secord (Gall), for plaintiff. G. C. Gibbons, K.C., for defendant. An appeal by plaintiff from a cross appeal by defendant from the judgment of Teetzel, J., of July 23, 1910. This was an action for a declaration that the chattel mortgage and assignment of book debts from the Ontario Seed Co. to the defendant Uffelman is fraudulent and void as against plaintiff and other creditors of the company for an account of all the property taken possession of by defendant. Uffelman, etc., and for an injunction restraining Uffelman from dealing in any manner with the property. At the trial judgment was entered for plaintiff settling aside the chattel mortgage and assignment to extent of difference between the actual value on Aug. 13, 1910, for the company's book accounts then held by the Merchants' Bank and \$8900. If parties unable to agree reference to Berlin to ascertain. In other respects usual judgment. Reference to Berlin. Costs of action and reference to be paid by defendants. Appeal not concluded.

Sues for \$3000.
G. W. Bedell had entered action against J. E. Haines to recover \$3000, the sum Mr. Bedell alleges he paid the defendant for stock in the Canadian Forty Mile Gold Dredging Co. He alleges misrepresentation.

Practical Sympathy.
WINNIPEG, Nov. 9.—(Special.)—The Russian Freedom League, which is taking measures to prevent Perenko from being sent back to Russia, has sent \$25 to that country for temporary maintenance of the prisoner's children, who were reported to be in need of food.

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EDDY'S MATCHES



value, judgment was awarded plaintiff for \$100 damages and costs. Judgment (V.V.): Appeal dismissed with costs.

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