

The Toronto World

A Morning Newspaper Published Every Day in the Year.

SALE ON ROYALTY.

Since Crown Reserve shares have gone to \$5 each it is clear that the purchasers expect to get at least that much out of the mine, and that it is therefore worth \$10,000,000. The Ontario Government and the minister of mines have been subjected to party criticism for throwing away the mineral resources of the province at a cheap rate. Crown Reserve brought the government \$175,000 in cash, and a ten per cent. royalty. It was argued by many that Cobalt Lake, which brought \$1,000,000, was a much better sale. If Crown Reserve bears out the expectations of its proprietors, as appears probable, the government will get \$10,000,000 out of its ten per cent. royalty, and thus eventually make more out of the one sold cheaply than out of the high-priced but non-royalty-contributing property.

Royalties are the fairest for the people. The only question is whether they should be ten per cent. or twenty-five per cent.

GRANNY TO THE RESCUE.

"There, there now, did the naughty boy hit him in the eye? Never mind, Granny will slap him well, and he won't dare to do it again!"

This appears to represent the motive behind the article in The Mail and Empire on Monday with respect to the comments made to the lieutenant-governor's recent speeches. The Mail and Empire in its enthusiasm for public ownership, deplores the slights that have been flung at his honor when he was engaged in pointing out how public ownership could be most rapidly and certainly secured.

The Mail and Empire tells us that his honor made "some very sensible remarks," but as it fails to denote those which were not very sensible, we are left somewhat at a stand. The Mail and Empire asserts that "everybody agrees that public ownership would be the ideal system if the people were always served by honest and competent men."

His honor evidently regards Toronto as a city whose people are served by men neither honest nor competent. "I do not think for a moment," he said, "that a city the size of Toronto would realize anything like the results if the street railway there was operated municipally."

"In Toronto," says The Mail and Empire, "municipal management comes very far short of even the standard ordinarily maintained in private business, to say nothing of perfection."

The Mail and Empire proceeds in the endeavor to make it appear that his honor was an ardent believer in the principle of public ownership and was only deterred from its public advocacy by the unfortunate difficulty of finding "honest and competent men," to carry it out.

Would it were so, as the afflicted heroine frequently exclaims.

But whatever comes The Mail and Empire thought it might be able to give the public ownership speech of his honor, it did not attempt to deal with the question raised by the Trades and Labor Council's resolution on his honor's speech at Hamilton.

OVER-CAPITALIZATION OF PUBLIC SERVICE COMPANIES.

When a private mercantile company gets into difficulties, or becomes bankrupt its shareholders have to bear the loss. If, as sometimes happens, it is reconstructed and new capital introduced, the older shareholders have as a rule to accept a very much smaller holding than that standing in their names. But when a private company operating a public franchise is ruined by improper financial methods or by stock manipulations, do those responsible for the collapse or the shareholders who have allowed themselves to be misled accept the situation? Not at all. They at once look to the unfortunate public who have usually been suffering from inefficient service and overcharges to stand the loss and not only this but to submit to further exactions in order that the finances of the concern may be put on a proper basis. If this policy is made that the ordinary rule shall apply, that losses must be borne by those responsible for them, the cry of injustice is at once raised and the demand for a fair and square deal so far as the public is concerned is treated as an outrage.

The other day the public service commission of the City of New York turned down an application made by the Third Avenue Railroad Bondholders' Association for authority to recapitalize and reorganize the property. This railroad is bankrupt thru inability to meet charges on \$55,500,000 of stock and bonds, the larger part whereof is water injected for the purpose of extracting illegitimate profits out of the franchise for the benefit of the ring of high financiers who controlled this and other street railroads of New York. The committee proposed to the public service commission that the company's capitalization should be increased to \$75,515,800, and that of this \$15,000,000 increase less than one-half should go to improve the tangible property.

This proposal the commission rejected, remarking that "overcapitalization almost invariably tempts managers to give inferior service at high rates. No matter how excessive the issues of stocks and bonds, the manager feels that he is expected to earn interests

and dividends thereon, and every time he is able to increase the rate of profit by a fraction of one per cent. he adds to his reputation." The commission was of opinion that approval of the application would tend to produce inferior service and higher fares or further transfer privileges and it is evident enough that an undertaking which would not meet charges on \$55,000,000 of capital could scarcely be expected to earn returns on \$75,000,000 without increasing fares or impairing service. It is another illustration of the peculiar views current in financial circles regarding the duties and obligations of a public service corporation.

PLUCKY PHONE GIRLS

Turn in Fire Alarms and Prevent Destruction of Village.

PAINESVILLE, Ohio, Sept. 28.—Only the bravery of two telephone girls, Hazel Christian and Alice Warren, sleeping in the telephone exchange at Perry, a village near here, saved that town from possible destruction by fire early to-day.

Fire broke out in a store beneath the exchange. The girls were alone, but stuck to their posts and telephoned the sleeping citizens and called the Painesville and Madison fire departments. While talking with the Painesville fire chief, the flames burned the wires.

THE WINNER'S THANKS.

Samuel Disney of Balsam, winner of the grand capital prize in the recent voting contest, writes: "To my friends of Northern Ontario, District No. 10—I take this opportunity of extending to you my sincere and heartfelt thanks for your ready response and patronage in this widespread contest."

Moral Reform Association.

Plans for the fuller co-operation of laymen in the work of the Methodist Temperance and Moral Reform Association were formed at a meeting of the executive of that body yesterday. Standing committees were appointed on literature and amendments to the constitution, as well as the promotion of temperance work in Sunday schools. Rev. J. W. Atkins of Amherst, N. S., was appointed an additional field secretary.

Six Killed in Wreck.

CHICAGO, Sept. 28.—Six men were killed and a dozen seriously injured early to-day when an outboard passenger train crashed into the rear end of a stock train at 12th and Rockwell streets.

The victims were stock men, many of whom were sleeping in the caboose of the stock train. Four cars were telescoped and the wreckage took fire.

Wants Damages From Street Railway. Mrs. Julia Letcher and her husband Edwin Letcher of 530 West Wellington street, are suing the Toronto Street Railway Company in the jury assize court for \$2000 damages, alleged to have been caused thru the negligence of the company's employees. She claimed that while alighting from a car, it started and threw her to the pavement, causing serious injury. The case was adjourned till this morning.

Toes Crushed in Elevator.

Because he allowed his foot to project over the edge of the elevator in the Grand & T. warehouse yesterday while it was going up, Joe Peel, aged 14, of 65 Claremont street, had two toes crushed. His injury was attended at St. Michael's Hospital.

Runaway Boys Return.

The two boys, Robert McCue and Joseph Cleroux, who ran away from St. John's Industrial School on Monday, returned to that institution yesterday. They had been to Highland Creek and had had enough of the out-door life.

Crooks See Premier.

Will Crooks, M.P., accompanied by J. H. W. Mackie, secretary of the Canadian Club, called on Sir James Whitney yesterday.

AT OSGOOD HALL

ANNOUNCEMENTS.

Osgood Hall, Sept. 28, 1909. Single court will be held on Wednesday from 10 to 11 a.m.

Motions set down for single court:

1. Brain v. Coffin.
2. Re Pickard Estate.
3. Grant v. Thompson.
4. Chisholm v. Herkimer.
5. Re Farquhar v. City of Toronto.
6. Saskatchewan v. Leadley.
7. Peterson Lake v. Nova Scotia Mine.
8. Panos v. Romanus.
9. The King v. Turner.
10. Turner v. The News.
11. Re Conger Estate.

Peremptory list for divisional court for Wednesday, 28th inst., at 11 a.m.:

1. Donnelly v. Vespra (to be continued).
2. Macquodale v. Gray.
3. McConnell v. Graham.
4. Moore v. March.
5. Whitehorn v. Canadian Guardian.
6. Setchfield v. Evans.
7. Young v. Cashion.

Peremptory list for court of appeal for Wednesday, 28th inst., at 11 a.m.:

1. Davies v. James Bay Railway Co. (to be continued).
2. Gordon v. Matthews.
3. McKinnon v. Harris.

Master's Chambers.

Before Cartwright, K.C., Master. Colonial Investment and Loan Co. v. Burk-Hart (Macdonald, M.C. & G.), for plaintiff, in foreclosure action, moved for an order for substitutional service of writ. Order made.

Reliance Loan v. McBride—F. C. S. Jones, for plaintiff, moved for an order for issue of a writ for service out of jurisdiction. Order made.

Greene v. Black—Z. Gallagher, for defendant, moved for leave to amend statement of defence. C. Robinson, for plaintiff, contra. Order made. Costs in cause to plaintiff.

Stewart v. Cody—R. A. Reid, for defendant, moved to postpone trial until January sittings. S. H. Bradford, K.C., for plaintiff. Order made. Costs in the cause.

Lovrey v. Wood—E. W. Wright, for defendant, moved, on consent, for order dismissing action without costs. Order made.

Re Mercer v. Silver Mining Co.—M. J. O'Connor, K.C., for defendants, moved for an order consolidating actions. J. Mitchell, for plaintiff, in each action. Order made that cases be set down at same sittings and dealt with as trial judge may direct. Costs in cause.

Fitchett v. Walton—C. M. Colquhoun, for defendant, moved to postpone trial on ground of absence of a material witness in Manitoba. J. W. McCullough, for plaintiff, contra. Order made that case be put at foot of list. Costs in the cause.

Robinson v. Clyde—J. Creighton, for judgment creditor, moved absolute an attaching order. J. A. McEvoy, for garnishee, admits \$1552. Order to go for payment over of that amount, less costs of motion, fixed at \$2.

Pittsford v. Monarch Typewriter Co.—Caldwell (Clarke, M.P. & Co.), for defendant company, moved to postpone trial on ground of absence of a material witness. F. Aylesworth, for defendant, Elliott, made similar motion. E. C. Cattanech, for plaintiff. Order made postponing to January sittings at London.

Jones v. Toronto and York Radial Railway Co.—C. A. Moss, for defendant, on motion for a medical examination of plaintiff and for particulars. W. A. Proudfoot, for plaintiff. Judgment: The defendants are entitled to a medical examination and to know at what rate of speed plaintiff alleges the car to have been going when he was struck by it and no trial can take place until these two things have been done, but there is no authority for postponing it until plaintiff can state whether he is going to get better. Costs of motion in the cause, as success has been divided.

Steven v. Mackenzie—F. Aylesworth, for defendant, on motion to change venue from London to Sarnia. E. C. Cattanech, for plaintiff, contra. Judgment: A perusal of the pleadings and affidavits satisfies me that the motion is entitled to prevail. Costs in the cause.

cause. If the expense of the trial at Sarnia is found to be in the end greater than at London, the trial judge can be asked to give the necessary relief to the plaintiff, if unsuccessful in the action.

Judge's Chambers.

Stow v. Currie—F. Arnold, K.C., asked for enlargement of the motion to commit defendant Gzowski for not answering certain questions on his examination. W. M. Douglas, K.C., for plaintiff, contra. Motion referred to trial judge. If trial postponed motion may be renewed.

Re Jane Boyd a lunatic—J. M. Montgomery, for committee, moved for order confirming report of master at London. Report confirmed. The doctor to be paid. Liberty to all parties to apply if occasion demands.

Re Goodwin—D. Guthrie, K.C., moved for an order for partition and sale, and to accept offer made for property. F. W. Harcourt, K.C., for infant. Order granted. Apportionment to be made by clerk in chambers.

Re Foxhall—W. H. Grant, for beneficiary, moved for an order for payment out of court of \$300. F. W. Harcourt, K.C., for infant. Order made.

Ratcliffe v. Rainy River Co.—F. W. Harcourt, K.C., for three infants, moved for an order for payment out of \$25 per year to each, for maintenance. Order made.

The King v. Staton—W. E. Raney, K.C., for defendant, on motion to quash a conviction. H. C. Macdonald, for the crown. Enlarged for one week.

Vaughan v. Credit Foncier—C. J. Holman, K.C., asked enlargement. Enlarged for one week.

Re Harley—F. W. Harcourt, K.C., for infant, moved for an order for payment out of certain money in court. Order made.

Re Bahn—F. W. Harcourt, K.C., for applicant, moved for an order continuing maintenance to infants. Order in same terms as former order for maintenance.

Re Campbell—F. W. Harcourt, K.C., for guardian of infant, moved for an order for \$100 a year for maintenance. Order made.

Re Lynch, Lynch v. Lynch—F. W. Harcourt, K.C., for plaintiff, moved for an order for payment out of past maintenance of infant, and also for future maintenance. Order made for payment of \$50 for future maintenance.

Cousins v. Cood—R. McKay, for applicant, moved for an order for payment out of certain moneys in court. Order made.

Re Rickard—F. W. Harcourt, K.C., for plaintiff, moved for an order for payment out of the moneys in court. Order made.

Re Kottmeier—F. W. Harcourt, K.C., for plaintiff, moved for an order for transfer of money in court from the credit of one account to another, and to amend names in proceedings. Order made.

Re Chipman—F. W. Harcourt, K.C., for sequestrator, moved for order for payment into court of certain moneys less costs, and for payment out at majority. Order granted. Deduction to be submitted to judge.

Re Cook—A. E. Knox, for Anne Cook, next friend, moved for order allowing \$25 a month for maintenance. F. W. Harcourt, K.C., for infant. Order made.

Re Canadian Small Wares Co.—R. U. Macpherson asked enlargement of motion to wind up. Enlarged until Oct. 10.

The King v. McIntosh—W. E. Raney, K.C., for defendant, moved for an order quashing conviction for peddling without a license. W. E. Middleton, K.C., for plaintiff, contra. Order quashing conviction without costs. Usual order reserved.

Re E. Johnston—R. U. Macpherson, asked enlargement of motion. Enlargement until Oct. 10.

Re C. H. Huthard, Co.—R. McKay, for the Co., asked enlargement of motion to wind up. Enlarged until Oct. 10.

The King v. Van Norman—W. E. Raney, K.C., for defendant, moved for an order quashing conviction of defendant, for selling stoves without a license. W. E. Middleton, K.C., for plaintiff. Not concluded and enlarged until 10 a.m. on 29th inst.

Divisional Court.

Before Mulock, C.J. Clute, J. Riddell, J.

Township of Bucke v. New Lakehead Light and Co.—H. D. Gamble, K.C., and F. L. Smiley (New Lakehead), for plaintiff, moved for an order for payment out of \$200 and costs. Not concluded.

EATON'S DAILY STORE NEWS

Men's Sweaters, Thursday 92c

Second Day of Extraordinary Value Giving



MAIN FLOOR—QUEEN ST.

"CHATHAM" VACUUM CLEANER, \$25

THE T. EATON CO LIMITED TORONTO CANADA

EATON Cabinet Sewing Machine, Now \$22.00

for defendants, on appeal from the order of Meredith, C.J., of 1st April, 1909. R. McKay, for plaintiff, contra. Argument of appeal resumed from yesterday, and concluded. Judgment reserved.

Smellie v. Loney—C. McCrea, Sudbury, for defendant, appealed from the judgment of Oiler, J. A., dated 8th July 1909. W. E. Middleton, K.C., for plaintiff, contra. The action was to enforce a mining agreement, and at the trial judgment was given for the plaintiff for \$1000, and costs. Appeal dismissed with costs.

Surtees v. Northrop—J. R. Cole, for plaintiff, appealed from the order of MacMahon, J., dated 2nd July, 1909. No one for defendant. Appeal enlarged until Monday, 4th October.

Pyburn v. Canadian Northern Ontario Ry.—J. M. Ferguson, for plaintiff, appealed from judgment of the 5th division court of Simcoe, dated 26th June, 1909. A. J. Reid (Cannington), for defendant, contra. The action was for \$50 for three cattle killed on defendants' railway, and at trial plaintiff was non-suited. Appeal dismissed with costs.

Hughes v. McVeety—W. H. Blake, K.C., for plaintiff, appealed from the judgment of the county court of Lanark, dated June 8, 1909. F. McCarthy, for defendant, contra. The action was for \$200 for trespass, and at the trial the action was dismissed with costs.

Appeal allowed with costs. Costs of trial to be costs in cause to plaintiff.

The King v. Walter Blythe—T. C. Robinson, K.C., for Blythe, moved by way of appeal from the order of Meredith, J., refusing to state a case on the question whether he should have charge of the jury as prisoner's intoxication when he committed the crime. R. Cartwright, K.C., for the crown, contra. Counsel consent that case should be stated before this court as a stated case if court decides that a stated case should be submitted. Judgment reserved.

Reith v. Town of Rainy River—W. N. Ferguson, K.C., for Reith, moved for leave to appeal from the order of the Ontario Railway and Municipal Board. J. B. Clarke, K.C., for the town. Leave to appeal granted.

Robinson v. Morris—J. B. Mackenzie, for plaintiff, on appeal from judgment of a divisional court sustaining judgment of Magistrate. R. H. Ritchie, K.C., for defendant Morris. T. A. Gibson for Town of North Toronto. Argument of appeal resumed from yesterday and concluded. Judgment reserved.

Davies v. James Bay Railway Co.—E. D. Armour, K.C., and R. B. Henderson, for the railway company, appealed from an award made by the Railway Act of Canada by Judge Morgan, N. Silverthorne and J. T. Small for the arbitrators. C. H. Ritchie, K.C., and J. Pearson, for R. Davies, claimant, respondent.

The arbitration was in respect of about 4-1-2 acres taken out of respondent's stock farm of 456 acres, known as Thorncliffe Farm, situated about five miles from the centre of Toronto, and a majority of the arbitrators awarded the land to taken and for damages to the residue caused by severance and otherwise over and above all benefit and advantage to such residue of said lands by the construction of the said railway the sum of \$30,607, with interest at 5 per cent. from Oct. 13, 1905, being the date of the order for possession, together with the costs of arbitration. Defendants appeal direct to this court from the award. Not concluded.

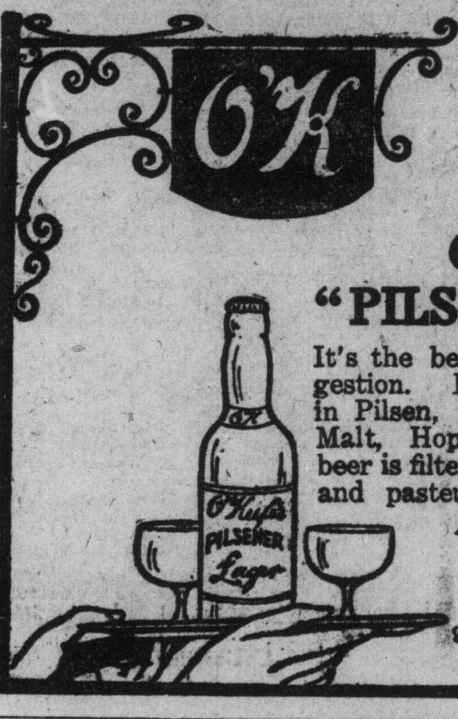
Non-Jury Assizes. Peremptory list for non-jury assize court Wednesday, Sept. 29, at city hall at 10:30 a.m.:

21. Head v. Parsons.
22. Bentinck v. Alkerton Railway.
23. Beumish v. Bell.
24. Standard Sanitary v. Standard Ideal.
25. Johnston v. Standard Insurance Company.
26. Jacobs v. Beaver Mining Co.
27. Bay of Quinte Railway v. C.P.R.
28. Sovereign Bank v. Parsons.
29. Kitchen v. Ironides.

Jury Assizes.

Peremptory list for jury assize court Wednesday, Sept. 29, at city hall at 10 a.m.:

11. Howland v. Nicholson.
12. Clarke v. Toronto Street Railway.
13. Wright v. Toronto Street Railway.
14. Hammond v. Canadian Guardian.
15. Canadian Vacuum v. Toronto Railway.
21. Smith v. G. T. Railway.



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O'KEEFE'S "PILSENER" LAGER

It's the best appetizer and aid to digestion. Brewed as they brew lager in Pilsen, Germany—of pure Barley Malt, Hops and filtered water—the beer is filtered again after it is brewed and pasteurized after being bottled.

Ask for

The Beer With a Reputation THE LIGHT BEER IN THE LIGHT BOTTLE

A BOX OF CHOCOLATES

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is the expression of that which is of the highest class and best in the realm of confections in Toronto to-day.

Steadily and surely we have brought the offerings of our Confectionery Department to an enviable standard in the matter of quality, variety and general excellence.

Telling about it, telling it often enough, and emphatically enough; to get you to know it better, is our chief interest now.

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SOLD A HORSE AND RIG THEN STOLE IT BACK AGAIN.

CHATHAM, Sept. 28.—(Special.)—Frank Roe, insurance agent, son of a prosperous farmer of Raleigh, charged with stealing a horse and rig worth \$140, which he had sold the night previous to John Baker for \$25. He then went to the livery where Baker put it and, hitching up, drove home. Three hotelkeepers will appear Friday charged with selling liquor after hours.

Goes to Charlottetown.

Rev. T. W. Murphy, M.A., has resigned the curacy of the Church of the Redeemer, Toronto, to accept the rectorship of St. Paul's, Charlottetown, the largest church in Prince Edward Island. He will leave in a month to assume his new charge. He succeeds Rev. S. J. Woodroffe, who goes to Dartmouth, N.S.

Mr. Murphy is a native of Hamilton, where his early education was obtained. He is a graduate of the University of Toronto and of Wycliffe College.

Shot Dangerous Lunatic.

MANILA, Sept. 28.—After running amuck and attacking the clergy and hospital stewards of the United States Hospital Ship, Relief, John Ransom, a freeman of the ship, was shot and killed, on orders from the commander.

True Bills in Sessions.

The true bills in the sessions yesterday were against John Henry Bell, charged with criminal negligence and against Martin Blenes, charged with theft and receiving.

Unfit To Live—Must Die

The verdict rendered a thousand times when corns get sore. Do them to death by Putnam's Corn Extract. It cures painlessly in twenty-four hours. Use "Putnam's," the only vegetable remedy known.

"Old Chum" Cigarettes

Equal in quality to the well-known pipe-tobacco and specially blended for cigarette smoking.

TEN FOR TEN CENTS