

### The Toronto World

FOUNDED 1880.  
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THURSDAY MORNING, JAN. 30, 1913

### LAW REFORM IN THE UNITED STATES.

Not even Col. Roosevelt himself in his fulminations against the courts of the United States delivered himself one-half so strongly as did Justice Wesley C. Howard of the appellate division of the supreme court of New York, in a terrific arraignment leveled at antiquated laws and the "timidity of judges" before the alumni of La Salle Institute on Monday last. Read between the lines it means that in the republic the scales of justice have been unevenly balanced. "All men are supposed to be equal before our laws," he said, "but that seems not to be so. The road to justice should be straight, short and simple. There should be no toll-gates on the way, no brigands, no false guide boards. The suitors traveling in automobiles should have no precedence over those on foot. It is not well to scoff at the muttering of the people; there is much reason for it."

This is a dark picture of conditions in the United States in the second decade of the twentieth century. Modern states rest on justice and the impartiality of law. In older countries they have to carry the burden of hereditary privilege and of statutes descending from ages when the masses of the people had no rights and looked for none. But in the United States, that republic which its children have been and are being taught to believe is the home of freedom and equality of right and opportunity, conditions have been produced that threaten the foundations of the state. As Justice Howard expresses it: "The hugest fortunes and, in many instances, the most abject poverty of all ages exist in this country; colossal corporations, more powerful and wealthy than ancient kingdoms, are among us; gigantic combinations are made, under the command of one individual, with more men and money than Athens had at the battle of Marathon, are in our midst; and children are toiling in canneries and families are huddled in dark basements; farms go uncultivated, and the cost of living is appalling. And our laws tolerate it all."

The fact is that the much lauded constitution of the United States, remarkable as it was in the day of its making, simply stereotyped the British constitution of the day when such variations as in the opinion of its framers were necessary to avoid usurpation of power by either the executive or the legislature. It provided an elaborate scheme of checks and balances calculated not to give the will of the people free and adequate opportunity of realization, but to prevent the federal power from encroaching on the sovereignty of the individual states and the rights of the individual citizen. This is the whole tragedy of the situation that the clauses of the constitution designed for these quite justifiable objects have become the main bulwarks of corporation privilege. Time and again reforms demanded by the people have been turned down by the courts because of the provision that no person shall be deprived of property without due process of law. That, a proper protection of personal rights, extended to a corporation, which by legal fiction is a person, subjected the individual citizen to corporation exploitation, and led to many statutes called for in the public interest being declared unconstitutional. Then the exaltation of legal technicalities above equity has led to intolerable delays and expenses, penalizing the poor and correspondingly advantaging the wealthy litigant. Justice Howard declares that reform must at once begin and indicates very clearly that unless the judges act, the people will act. And that means revolution.

### JUVENILE IMMIGRATION.

Recently The World commented on the field for emigration offered in Great Britain by the prevalence of what have been called "blind alley" occupations. These are engaged in by boys who have completed the public school curriculum because they offer better and more immediate remuneration than can be obtained during apprenticeship to some trade of permanent value. The result is that as the age limit expires the youths find themselves stranded and descend into that grade of unskilled and precarious labor which adds so many to the statistics of the unemployed.

### DIAMONDS SOMETIMES LOOSE

Through constant wear the claws in a Diamond Ring wear off at the tips and jeopardize the gem. Let us look your ring over occasionally. You may lose the diamond if you neglect to do so.

Wanless & Co.  
Established 1840  
402 Yonge St., Toronto

### The Bank Bill Discussion.

The White Bank Bill, extending the charter of the Canada banks, was introduced in the house of commons on Tuesday. It had a somewhat better day than the previous week when it was rather badly fustled. Mr. Borden undertook to speak for the bill this week, and he took a somewhat peculiar attitude by saying that the bill ought to be sent on to the committee for the reason that the committee was the best place in which to discuss the proposed changes. The real fact is that the house is the place to discuss a bill of this kind and to discuss the grievances of the country in connection with the subject handled, and that the people of Canada have a mighty poor chance of having their views in regard to banking altered in a committee as compared with a full session, and where the speeches go on record and where the public can read what their representatives say and where the people can find out whether their representatives have sat mum or not.

### Profits of Banks.

Major Currie, when championing the Bank Act in the house on Tuesday, laid great stress on the fact that scores of banks all over the world paid larger dividends to shareholders than did the Canadian banks; but he did not read out the small list of banks who are limited to paying small dividends out of profits, above the dividends, with the government; and, furthermore, they are restricted in "piling up" rest.

### Strong Talk From a Conservative Paper.

Peterborough Review, Jan. 21: Major Sam Sharpe, W. F. Maclean and other Conservative members of parliament did a good day's work in speaking plainly to the people of Ontario. The Banking Act. The trouble is that at Ottawa, as well as in the newspapers of the country, there is much too slavish an adherence to the party line. Men stick their tongues in their cheek when dealing with such measures as the Bank Act, lest they offend politically.

### Legal Rate of Bank Interest.

The present law makes the legal rate of bank interest in Canada 7 per cent., but none of the banks obey it and the new law attempts no change. Apparently it is not a prohibition but a finger post that does not need to be observed. Lots of instances were given in parliament of 10 per cent.

### Object the Emigration of Children.

It catches the child before he turns into the blind alley that lead nowhere and come to nothing.

### THE DOMINION BANK.

The 42nd annual general meeting of the Dominion Bank was held at the banking house of the institution, Toronto, yesterday.

### WANT INSPECTOR REMOVED.

Dufferin County Electors Not Satisfied With His Administration.

According to a deputation which called upon Hon. W. J. Hanna yesterday local opinion is not being properly enforced in Dufferin County. The deputation recommended the removal of the inspector of the Dufferin County, who, they claimed, had not been carrying out his duties. Complaints against this inspector have been received from time to time by the provincial secretary, who, on this occasion, promised to deal with the matter immediately.

### At Osgoode Hall

Jan. 29, 1913.

### ANNOUNCEMENTS.

Motions set down for single court for Thursday, 30th inst., at 11 a.m.:  
1. Myer v. Myer.  
2. Labatt v. White.  
3. Downey v. Burney.  
4. Papineau v. George.  
5. Re Rosenberg and Bochler.  
6. Re Campbell estate.

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4. Raycroft v. Cook.  
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6. Holditch v. C.N.R. Co.

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Before J. S. Cartwright, K.C., Master.  
Rita v. C.R. Co.—Macdonald (Macdonald v. S.), for defendants, obtained on consent, order dismissing action without costs.

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Wedgery v. Dudley—T. N. Phelan for defendant, moved for order striking out paragraphs 5 and 6 of statement of claim. H. E. Irwin, K.C., for plaintiff. Reserved.

Wainio v. Cobalt Townships Mining Co.—Miller (Parke & Co.), for defendant, moved for an order for particulars of statement of claim. Parkinson (Mowat & Co.), for plaintiff. Motion charged for purpose of examining an officer of company. To be brought up on two days' notice.

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McNeill v. Quebec Bank—G. H. Kilmer, K.C., for plaintiff, moved for injunction restraining defendants from proceeding to exercise the power of sale contained in two mortgages, on the ground that there is nothing due defendants under said mortgages. D. T. Symons, K.C., for defendants. Reserved.

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### Before Middleton, J.

Falconer v. Jones—J. Jennings for plaintiff; H. H. Dewar, K.C., for defendant. Action by widow of William Falconer to recover \$500 damages for death of her husband by an accident in defendant's factory at Dundas, alleged to have been caused by defendant's negligence. Judgment: I think the defendant cannot complain if the theory propounded by him is accepted, and upon that there is liability. I allow an amendment by permitting plaintiff to set up the negligent placing of the belt on the wrong side of the main shaft. Judgment: \$1500, with costs, for the amount awarded, \$1500, apportioned \$500 to the infant son, which amount must be paid into court, and \$1000 to the widow and costs.

### Appellate Division.

Before Maclellan, J.; Maclellan, J.A.; Magee, J.A.; Hodgins, J.A.; Bell v. G.T.R. Co.—D. L. McCarthy, K.C., for defendants; W. Laidlaw, K.C., and E. H. Cleaver (Burlington) for plaintiff. An appeal by defendants from the judgment of Leitch, J., of Dec. 3, 1912. Argument of appeal reserved. Judgment reserved.

My Valet v. Winter—J. H. Cooke for defendant; D. McKee, K.C., for plaintiff. Appeal by defendant from judgment of Middleton, J., of Nov. 18, 1912. Action for an injunction restraining defendant from use of trade mark "My New Valet," as being infringement of plaintiff's title of "My Valet," and for damages. Plaintiff was awarded an injunction, \$500 damages and costs. Appeal allowed. Judgment reserved.

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I am not a muck-raker socialist, or a man who has an old-fashioned American grudge over the downfall of all mankind. William M. Babcock.

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To sit with Wife by the fireside on a winter's night,  
With a good pipe and matches, is my great delight,  
Because I know the matches, Eddy's Silents, are  
alright.  
They're Safe, Sure, Silent—each time I strike I  
get a light.

### NEW TELEPHONE DIRECTORY

The Next Issue of the  
TORONTO TELEPHONE DIRECTORY  
Will Go to Press on  
February 20th, 1913

ORDERS FOR NEW TELEPHONES  
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KENNETH J. DUNSTAN, Manager.

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Logan Avenue, Tel. North 1601.  
Morrow Avenue, Tel. Junction 3786.  
Office—572 Queen W., Coll. 12.  
1312 Queen W., Tel. Park 1710.  
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### GLENERNAN

Scotch Whisky  
A blend of pure Highland malts,  
bottled in Scotland, exclusively for

MICHIE & CO., Ltd.  
TORONTO

### HOFFBRAU

LIQUID EXTRACT OF MALT.  
The most invigorating preparation  
of its kind ever introduced to help  
and sustain the invalid or the athlete.  
W. H. LEE, Chemist, Toronto,  
Canadian Agent.

### The Philosopher

By Sherwood Hart of Folly  
MUSIC HATH CHARMS

"Music hath charms to soothe the  
savage breast," the poet said, and  
maybe he was right; so being said  
and sore distressed I hied me  
to a concert (other night. I robbed  
me in my Sunday coat and vest and  
hoped a soothing evening was in sight.  
I fancied as I waited in my seat upon  
the flow of harmony began that thus  
my life would be filled out, complete,  
if I became a votary of Pan—my  
thoughts would be harmonious and  
sweet, and I'd go home a nobler, bet-  
ter man. At last a chap meandered  
from the wings and laid the grand  
piano's vital bare—he hoisted up the  
top from off the strings and propped  
it up with quite a reverent air, he  
pushed around the pulps and plants  
and things and placed before the in-  
strument a chair; when all these hefty  
jobs done last were done, with solemn  
mien he turned out all the glib  
waited there for artist number one.  
I wondered what on earth was keeping  
him; at last he reached his place upon  
the stand, and started off with energy  
and vim. Can I describe that memora-  
ble hour? When first that awful  
anche fell on my ear of notes in one  
volcanic, crushing shower, I muttered  
to myself, "This very queer! Can  
there be any magic soothing power in  
this concatenation which I hear?" And  
presently my shoes began to pinch; I  
wriggled with my feet and struck my  
corn; at every outburst I would wince  
and pinch; I never felt so mean since  
I was born; I sat and slowly shivered,  
lashed by inch until at last, bent  
broken and forlorn, I left that temple  
of staggering retreat; with scorn and  
bitter loathing in my heart I sought

### Forty years in use, 20 years the standard, prescribed and recom- mended by physicians. For Woman's Ailments, Dr. Martell's Female Pills, at your druggist.

Underfed Children in Miss Car-  
ruthers' Class to Be Cared For.

Miss Carruthers' request for two  
quarts of milk a day for underfed  
children in her class has been ap-  
proved by Inspector Hughes. It was  
sent to him for a report by the man-  
agement committee two weeks ago. It  
will be dealt with by the committee  
today, passed upon by the finance  
committee next Monday, and probably  
concurred in by the board of educa-  
tion next Thursday. The procedure  
will have taken a full month.

Two additional rooms are required  
at Earl Grey School, and one each in  
Hughes, Howard Park, Fern Avenue,  
Shirley, Roden, Norway, Queen  
Alexandra and McCaul schools.

### Veterans' Smoker.

His Majesty's Army and Navy Veter-  
ans' Association will hold their an-  
nual smoking concert tonight at the  
Grenadier Sergeants' Mess, West  
Queen street. Excellent talent has  
been secured and by representative  
military affair is assured.

### JOHN C.

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EXCE

BARC

OFFE

amongst

Ladies