

## The Toronto World

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THURSDAY MORNING, APRIL 6, 1911.

### NO CONFLICT OF INTEREST.

Everybody knows that The Mail and Empire is not a safe guide, but yesterday's article on "The City's Electrical Board" should sweep away any lingering doubts that may still remain. We think it well to quote a considerable portion of the article, as it represents exactly the opinions of those who have been endeavoring for some time past, at the instigation of corporations, the electric interests, and a certain section of the Ontario opposition, represented by The Hamilton Times and a few other papers, to wreck the Whitney-Beck power policy.

Those plainer-speaking aldermen did not conceal their belief that the business in relation to this local electrical board was being conducted in such a way as to make it responsive to the hydro-electric commission rather than to the City of Toronto. Their idea was that, as Mr. Ellis appeared to be such a man as the hydro-electric commission would appoint, the council ought to endeavor to get a representative who would be peculiarly seized of the city's interest in this business as distinct from the hydro-electric commission's interest. That is an entirely sane view, and it cannot but command the respect of all who want to see the affairs of this city conducted in a thoroughly businesslike way. A local electrical board made up of the present mayor or of Toronto, of an appointee of the hydro-electric commission, and of a city council nominee specially acceptable to the hydro-electric commission would undoubtedly be dominated by the hydro-electric commission. Now, we do not want it to be dominated by that commission or any other external body. It ought to be wholly devoted to the city's interest, and should, moreover, be able to hold its own in any possible dispute with the hydro-electric commission. So far the city has had no keen representation of its side in dealings with the commission. The city council has been complaisant, and has never shown any capacity or inclination to give sharp business attention to its own side of the dealings. To say that the commission is honorable and capable and amiable is not saying anything to the purpose. The point is that it is bound to look after one side of the contract to serve Toronto with cheap power, and the city council is bound to look after the other. Because a man is your uncle or your kind friend, are you therefore to neglect all his precautions in dealing with him when you are handling the money of other people? The mayor has sometimes spoken about the loyalty due to the commission and to the other municipalities in the league. What is expected of him and the city council is loyalty to Toronto.

If The Mail and Empire were only stupid it would matter less, but there is distinct knavery in this statement. The Mail and Empire knows as well as anyone can know, that the Ontario Hydro-Electric Power Commission is a commission appointed at the request of Toronto and other municipalities to carry out certain plans formulated and adopted by Toronto and the other cities. The Mail and Empire endeavors to make it appear that the commission is an outside and alien body which has to be fought, and regarded with suspicion and distrust. This attempt to stir up animosity against the commission is in line with the campaign carried on from the first by Hon. A. G. MacKay, The Hamilton Times and The Spectator and other electric trust agents. It is well to have The Mail and Empire clear on record along with them. Sir James Whitney will make a note.

The Mail and Empire insinuates that while the commission has not yet done anything detrimental to Toronto, the day may come when it would be well to have some one on the city commission—like Ald. Macquire, for example—who would be prepared to trim Hon. Adam Beck's claws, and tie up Mr. W. K. McNaught, should he happen to go as crazy as The Mail and Empire.

"That is an entirely sane view," remarks The Mail and Empire, as it relieves itself of this great idea, that "the council ought to endeavor to get a representative who would be peculiarly seized of the city's interest in this business as distinct from the hydro-electric commission's interest."

It is scarcely possible to discuss such nonsense patiently, but if The Mail and Empire will point out any respect in which it thinks the interests of the city and the commission are not absolutely identical, we will be glad to explode its delusion.

The partnership of the municipalities is for the purpose of getting power and light at cost. Nobody says any profit. Arriving at the cost is a matter of bookkeeping. Getting the cheapest cost is a matter of business management. Business management is not to be arrived at by The Mail and Empire method of appointing commissioners who would conduct campaigns against each other under the impression that they represented rival interests. That

may be politics, but it is not business. If the hydro-electric business were conducted according to the political method, Toronto and its \$10,000,000 electrical investment would be bankrupt in a year. That is exactly what the corporations and the enemies of good government and cheap power desire. The Mail and Empire knows best why it is playing their game.

If The Mail and Empire can show that the present hydro-electric commission, now or at any other time, is not "wholly devoted to the city's interest," we will cheerfully assist the organ "to turn the rascals out."

There is absolutely nothing in The Mail and Empire's contention that the hydro commission "is bound to look after one side of the contract to serve Toronto with cheap power, and the city council is bound to look after the other." This is the doctrine of Ald. Macquire, who appears to know nothing about the question. Perhaps The Mail and Empire will be surprised to learn that there is no such contract as it speaks of, and that the only contract in the premises is one between the Ontario Power Co. and the hydro-electric commission for a certain amount of electric power, which several municipalities, Toronto among them, have agreed to distribute to themselves at cost.

We hope the council will take pains to learn the actual facts of the situation, and the true relation of the hydro-electric commission to the city. When the aldermen are properly informed we have no doubt they will appoint Mr. Ellis to the new city commission on the recommendation of the board of control. The controllers ought to have the good sense to make the recommendation unanimous as they did before.

**BUDGET AGAINST RECIPROCITY.**  
Mr. Fielding's budget figures provide a strong argument against interfering with a fiscal system, which shows remarkable elasticity in its returns. Dominion government organs ridicule the idea of leaving well alone, and ask why not make well into better. Certainly, if the effort has a sound basis in common sense and can be justified by an appeal to reason. But this reciprocity arrangement is nothing else than a leap in the dark made on the invitation of a Republican president of the United States, astute enough to see in it an excuse for preventing or delaying the general tariff revision which the Democrats of the United States have pledged themselves to accomplish.

Had President Taft succeeded in forcing the reciprocity deal thru the last congress the present illuminating situation would not have come to light. The argument about which there has been so much boasting by the Dominion Government and its organs is revealed now as in no wise due to the diplomatic ability of Messrs. Fielding and Patterson. To all appearances they reached Washington without the remotest notion of the nature of the president's proposals and without either then or later apportioning themselves of their probable or possible effect on the trade and industry of their own country. Neither did the scope of the proposals or the anxiety to have them sanctioned by the expiring congress suggest any connection between them and the exigencies of the Republican party, no longer dominant in congress. Messrs. Fielding and Patterson closed in haste what will yet afford them occasion for leisurely repentance.

### FRANCHISE AND ELECTRIC CO. STOCK.

Shareholders in the Toronto Electric Light Company are being told that an eight per cent. stock is worth at least \$160. Possibly it might be worth that were the franchise perpetual, or at least were the unexpired term sufficiently long to warrant such a price. But in their case the franchise will expire in less than nine years, when the city has the power to acquire the assets at a price determined by arbitration. Under these circumstances no one would pay anything like \$160 for \$100 of stock unless well assured that he would get his money back with remunerative interest.

The shareholders are being told also that despite the explicit terms of the agreement the company's franchise is really a perpetual one. Although interpretations have been placed by courts of law on such documents it is incredible that they would read

### Not What You Earn But What You Save

Is the measure of your success. Small earnings power is often more than balanced by a habit of saving. In the struggle for independence the man who saves—even a little—is far ahead of the better-paid man who saves nothing.

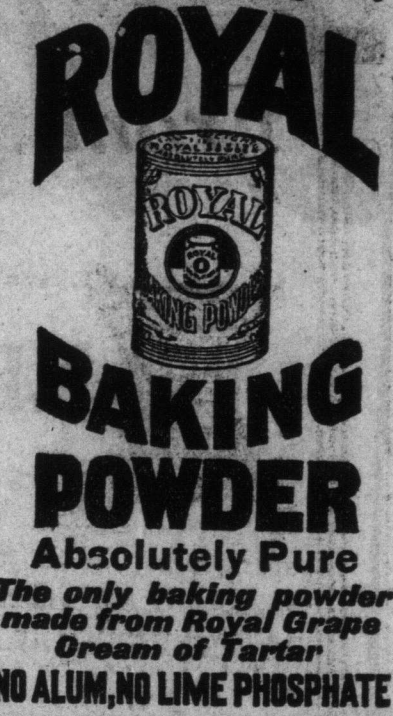
### BE INDEPENDENT

Determine to save a little steadily. It demands far less self-denial than you may imagine. And the accumulation of small savings is the foundation of independence.

### Canada Permanent

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**ROYAL BAKING POWDER**  
Absolutely Pure  
The only baking powder made from Royal Grape Cream of Tartar  
NO ALUM, NO LIME PHOSPHATE

Into a thirty years' franchise, terminable then by acquisition by the city at an arbitrary price, anything else than what it clearly bears. However, if there are sufficient shareholders of so credulous a turn, they will take their own way, even if it in time leads them into the ditch.

### GOVERNMENT BY INJUNCTION.

Among the abuses that elicited very unfavorable comment in the United States none created stronger animadversion than the abuse of the power given a single federal judge to issue injunctions without hearing the parties affected by them. This power was extensively employed at the instance of railroads, whose arbitrary action it was attempted to curb by means of state laws regulating their operation within its confines. In Nebraska, for example, the railroads, thru the federal courts, succeeded in suspending the maximum freight rate, measure, and at a subsequent date, the act relating to the collection of taxes on their property.

Under the judiciary act passed by the late congress it will no longer be possible to issue arbitrary injunctions. It provides that injunctions or restraining orders may be issued only by the district judge, and not by any outsider selected for that purpose. No state law can be suspended except by three judges, one of whom must be a justice of the supreme court or of the circuit court of the United States, and only after five days' notice to the governor and attorney general of the state. Nor can injunctions be issued against state officers without an argument. The new law is an other step towards due protection of public rights.

Controller Hocken's misreading of our editorial yesterday perfectly obvious to anyone. His violent language can only apply to the street gossip, which we refuted, and which Controller Hocken should have been glad to have us refute.

### QUICK WORK.

The Canada Foundry Co. is making another record in the erection of the steel frame work for the ten-storey addition to the Kent building at the corner of Yonge and Richmond streets. The pillars for nine storeys were in position yesterday, and it seemed only a few days since the first pillar was put on the ground. The fact that the big crane did all its work from the top of the portion already erected, and that the work was as it did not require to be shifted.

### THE WORLD AND THE TIMES FOR THE CORONATION.

Are you going to the coronation? If so, we may be able to help you. There are so many things to see and do in London that a visitor is somewhat perplexed as to the best way of taking them all in, and to help our readers, The Toronto World has made an arrangement with The Evening Times of London, whereby they can obtain full information and advice on this matter. If you want to know where to stay in London, where to see the coronation procession, how to see the city, prices which should be paid, or where to shop, or information on the theatre, sports, entertainments, just clip this out and take it along with your questions to the "Coronation" section of The Evening Times, 20 and 22 St. Bride-street, Ludgate Circus, London, E.C.4, and full information will be given by return of post. Cables will also be immediately answered if prepaid.

### New S. S. Franconia.

Intending passengers for Europe this season who want to travel across the Atlantic in comfort, should not lose sight of the Cunard Company's new steamship Franconia from Boston. This ship is the latest production of the great company, and for passenger accommodation will be unexcelled by any steamship afloat. The Franconia sails from Boston on the 2nd of May, 30th of May and 27th of June. Plans and rates can be had from A. F. Webster & Co., corner King and Yonge streets.

### Building Is Heavy.

The amount of \$316,500 is involved in building operations for which the city architect's department issued permits during the last four days of March. There were 80 houses included in the lists, for which plans were filed. The Otto Higel Company has taken out a permit for the erection of a one-storey brick factory on King-street near Bathurst-street. It will cost \$20,000.

Charles F. Hughes was yesterday fined \$20 for keeping 20 gallons of gasoline on his premises, 2215 West Queen-street. The charge was made by the city architect's department.

## AT OSGOOD HALL

### ANNOUNCEMENTS.

April 5, 1911.  
Motions set down for single court on Thursday, 6th inst., at 11 a.m.:  
1. Re Milne and Thorold.  
2. Birth v. Canada Malfeasance.  
3. Turner v. G. T. R.  
4. Re Cook Estate.  
5. Re Solicitors.  
6. Chew v. Caswell.

Divisional court will sit on Thursday, 6th inst., at 10 a.m., for the purpose of instructing Dr. Caven to take case in which his opinion is asked.

### Master's Chambers.

Before Cartwright K.C. Master.  
Lyon v. Lisman-J. Creighton, for defendants. Motion by defendants, on consent, for a writ of habeas corpus, certifying the defendants to be released from custody of the defendants. Order made for amount endorsed on writ and interest, with costs to be taxed.

Re Kirby and Canadian Home Circles—N. Sommerville, for the society. Motion by the society, under the Trusts Relief Act, for leave to pay into court the sum of \$100, the share of Gertrude Kirby, an infant. Order made for payment in less costs fixed at \$10.

Clarke v. Hodgins, K.C., for defendant. Motion by plaintiff for further examination of defendant, R. J. Trethewey. Reserved.

Clarke v. Bastram—Plaintiff in person. P. E. Hodgins, K.C., for defendant. Motion by plaintiff for an order for further examination of defendant. Reserved.

Bank of Toronto v. Abbott—A. G. Ross, for plaintiffs. Motion by plaintiffs for an order for substitutional service on defendant by publication. Order made.

Re Clements and Canadian Home Circles—J. H. Spence, for the society. Motion by the society for leave to pay \$100 into court. Order made.

Clarke v. O'Kelly Mines and Bastram—Plaintiff in person, P. E. Hodgins, K.C., for defendant. Motion by plaintiff for an order for further examination of defendant. Reserved.

Lindsay v. Currie—J. H. Spence, for plaintiff. P. E. Hodgins, K.C., for defendant. Motion by plaintiff for leave to amend statement of claim. Reserved.

### Judges' Chambers.

Before Sutherland J.  
Bank of Ottawa v. Bradfield—J. A. Macintosh, for defendant. S. G. Cronin, for plaintiff. A motion by defendant for an order appointing a guardian ad litem for the defendant. Judgment: The material does not disclose that the defendant has been served with notice of the application. While the material in support of the application by the defendant's solicitor, who has entered an appearance for him and accepted service of a statement of claim makes out an apparently strong case as to the mental incapacity of the defendant, I think under the circumstances it would be improper to dispose of the matter without giving the defendant an opportunity to be heard. Motion enlarged until 14th inst., to permit of defendant being served with notice, meantime the plaintiffs should not be prejudiced by the delay in the early trial or disposition of the action.

### Single Court.

Before Sutherland J.  
Belly v. Doucette—G. M. Clark, for plaintiff. J. F. Ford, for defendant. Motion by plaintiff for an order for further examination of defendant. Enlarged until 10th inst. Injunction continued meantime.

Neal v. Rogers—R. S. Robertson (Stratford), for plaintiff. F. Aylesworth, for defendant. Motion by plaintiff for judgment on report. It appears that an appeal from the report has been set down for 10th inst. This motion was enlarged, to come on with the appeal.

Armstrong v. Nipissing Power Co.—P. E. Hodgins, K.C., for plaintiff. R. J. Trethewey, for defendant. Motion by plaintiff for an injunction to restrain defendants from proceeding with motion for the appointment of a sole arbitrator before the arbitration board. The defendants undertaking not to proceed with motion in meantime, motion enlarged one week.

### Divisional Court.

Before Mulock, C.J.; Teetzel, J.; Midgton, J.  
Re Michael Fraser—A. E. H. Creswick, K.C., and A. McL. Macdonell, K.C., for appellant. J. King, K.C., and F. W. Grant (McIntosh), for respondent. An appeal by Catherine McCormick from the judgment of Britton, J., of Nov. 12, 1910, and Jan. 14, 1911. Argument of appeal resumed from yesterday. At the conclusion of argument of appellant's counsel the court announced that they desired further evidence, and directed the following persons to be produced before the court on Friday, next, April 7, at 10 a.m., and examined: Dr. Magill, W. Finlayson, Mrs. Michael Fraser, Rev. W. Robertson, Mrs. Jean Fraser, Mrs. F. Weston, John Johnston, Dr. Bruce Smith, William Robertson, George Muldrum, Mr. Engelman, R. T. McNiel—Grimshaw, —Cline and J. R. Irwin. The marriage license and the marriage register are also to be produced. The court also desires the examination of Michael Fraser, but before so directing orders Dr. W. P. Caven to be instructed to examine him and advise as to whether he may safely be examined in Toronto or elsewhere. The court also appoints Dr. W. P. Caven to give his opinion as to Michael Fraser's mental condition, and that Dr. Caven do attend at the court on Thursday, 6th inst., at 3.30 p.m., to receive instructions as to the history of the case. The correspondence to be produced between Mrs. Fraser and her father between Aug. 31, 1909, and Jan. 13, 1910, also Fraser's bank book and cheques from Aug. 31, 1909, to date. The applicants, the McCormicks, to produce any letters from Michael Fraser to Mr. Fraser prior to the marriage of 1904.

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### Liquor Habit

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## Read Ye Story—No Other Prices Can Parallel These

The season is on us when pianos out on rental to private individuals, teachers, schools of music and concert managers come back to us in large numbers. The returns this season are larger in number than usual, due to our greatly increased business, and are coming in earlier because of the Coronation and other incentives to early travel.

The lot includes pianos of our own manufacture—the famous Heintzman & Co. Piano—Dominion, Mason & Risch, Weber, Steinway, Lansdowne and others.

**SPECIAL FOR FIRST DAY'S SALE**  
A Weber Upright, in handsome case, full metal plate, 7½ octaves, three pedals, almost new. Special ex- \$265.00

- Square Pianos for as little as \$50.00, sold at a dollar a week.
- Upright Pianos—every one guaranteed—as low as \$175.00, on easy payments.
- Heintzman & Co. Concert Grand Piano—the piano used by Tetravini and other great visiting artists—in first-class condition, regular price \$1,500, special, \$650.00.

Every instrument has been carefully overhauled by our own workpeople, and will be found in good condition.

**The Sale has commenced. The pianos are here for your inspection. Quick buyers will get Best choice.**

If out of town fill out attached coupon and all particulars and week's list of available bargains will be sent you.

**Easy Terms of Payment for everyone.**

**Piano Salon: 193-195-197 Yonge St., Toronto, Can.**  
Finest Piano Warehouses in America—Worthy a visit.

NAME.....  
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CHAMP MEANT NOTHING IN OMITTING RECIPROCITY

Had Been Advocating It For Years, But Couldn't Say Everything in Five Minutes.

WASHINGTON, April 5.—Speaker Clark to-day denied that he had intentionally omitted reference to Canadian reciprocity in outlining the Democratic program yesterday.

"I have been for Canadian reciprocity for some years. I do not know when Mr. Taft became converted, but when he sent his reciprocity bill to the capital, all Democrats, except five, voted for it, and he could not pass it thru a Republican house. The Democrats are for reciprocity, but I could not mention everything in a five-minute speech. I was talking on the promises made by the Democrats before election and it is a political trick when anyone attempts to make capital out of the fact that I did not refer to reciprocity, which the Democrats have favored since 1884."

The history of the negotiations with Canada was stated by Mr. Clark to be as follows:

"In 1896 a Democratic administration negotiated a reciprocity agreement with Canada. In 1897 a Republican administration abrogated it. In 1911 a Republican president negotiated an agreement, and a bill was introduced to carry it out. All the Democratic members of the house, except five, voted for it. The president couldn't muster even a majority of the house Republicans for it. The next day he wrote a letter to Representative McCall of Mass., thanking him for getting it thru the house. Then it was sent to a Republican senate, and they would not even

consider the matter. The Democrats have demonstrated over and over that they were in favor of reciprocity. Individually, I have been advocating reciprocity, not only with Canada, but with all of the civilized nations of the earth."

**Cancellation Board Meets To-day.**  
The board of arbitration which has been selected to settle the dispute between the G.N.W. and its operators will meet at 10 o'clock in the city hall to-day. D. Campbell, who represents the operators, said last night that he would like to have it conducted openly, admitting the press and public. However, he had not discussed this phase with his conferees as yet.

**23 MONTHS FOR BIGAMIST.**  
Theodore Murphy's matrimonial ventures have been more numerous than prudent. Yesterday he was sent to the Central Prison for 23 months in acknowledgment of his crime. In asking sentence, Crown Attorney Corley declared that the crime was a mean one and asked to have it discouraged. W. A. Henderson, for the defence, urged on behalf of his client that there were no children, and he did not smile when he said it.

Upon a like charge, Stephen G. Dudley of Coburn, Ont., was reprieved a week.

**Dr. Ma**  
Prescribe the only remedy for the cure of the disease.

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