

The Toronto World

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TUESDAY MORNING, FEB. 24.

OPENING THEIR EYES.

About thirty prominent business men of the city, including Sir Edmund Walker, President Gundy of the board of trade, Mr. J. W. Flavelle, and Mr. W. K. George, had the opportunity of hearing a debate led by Controller Church and his chief disciple, Ald. Maguire, yesterday, on an obstructive motion of the character that has occupied so much of the time of the council since the proposal to purchase the street railway was brought forward.

It is stated that many of the business men of the city are opposed to the purchase proposals, and Ald. Maguire said that the purchase agreement would be defeated eight to one. One of the business men present, whose name we have not mentioned, said to The World afterwards, that the debate had opened his eyes.

Controller Church merely wished to add to the double fare conditions in the city, and to the annual delinquency which the city car lines are piling up, which have to be paid for directly out of the pockets of the taxpayers. This is their alternative to purchasing the street railway for a sum which will be paid for entirely out of the conductors' fare boxes.

THE KING EDWARD HOTEL EXTENSION.

No question but the hotel accommodation of Toronto is inadequate. This applies particularly to the case of those desirous of rooms in the \$1.50 and \$2 a day class. The new extension proposal by the King Edward Hotel is to meet this class. The proprietors are willing to build an annex containing a large number of rooms to rent at these prices on Colborne street behind and across from the present building if they can obtain permission from the city to connect the annex with the main building by a bridge over the street. According to the picture published in an evening paper this bridge would be seven stories in height, and there would be objection to a structure of this kind from people who lease or rent premises in the vicinity, chiefly because it might darken the street. It is possible, however, for the city and the hotel people to get together and so change the plans that they might be agreeable to everyone concerned. One suggestion is to have two bridges, one above the other, each one storey in height, but several stories apart. A structure of this kind would have no appreciable effect on the lighting of the street. Other buildings in Toronto are connected with aerial bridges and no one has made any protest.

It is important that the city should have more and better hotel accommodation as soon as possible, and who is willing to spend another couple of millions toward that end.

ART AND THE WORKER.

Controller Simpson has been reviled as a socialist. One of the great objections made to socialism in the various forms of debate in which it is fashionable to denounce co-operative as opposed to individualistic social development, is based on the belief that socialism would be hostile to the arts, to the aesthetic side of life, and to the finer elements of human nature. That socialism would not be merely utilitarian might be gathered from the long list of socialist art workers, Controller Simpson, if he be a socialist, proved by his attitude on the question of making a grant to the Mendelssohn Choir that socialism is by no means opposed to the finer and more beautiful things of life. If socialism does not stand for the best it cannot survive. If it does not stand for the best for everybody it cannot gain support. Controller Simpson was not only willing to assist the Mendelssohn Choir to visit Europe, but would be glad to enable it to give its performances at such rates as would permit everyone who wished, to attend.

It is quite an error to suppose that only wealthy people go to the Mendelssohn Choir concerts. There are rich people who would not give twenty-five cents to hear the finest performance the choir ever gave. And there are poor people who would not accept a free seat to listen to it. A hockey match or a moving picture show would appeal more strongly to these. But there are others who pinch and save to go just once a year to the great treat of the season. It is not socialism, but the competitive system that makes it difficult for such seekers after art and beauty to gratify their tastes. Such references as Controller Simp-

son's will do much to take away the reproach that has frequently been hurled at the socialist, and it may help to remind many, who often forget the fact, that the world of art is a commonwealth.

THE ADVANCE OF INTERNATIONAL ARBITRATION.

No generation is without men charged with the responsibility of administering public affairs, who have not been strong enough and brave enough to recognize that the clamor of the few does not really represent the true sentiment of an overwhelming majority of the nation. Such an executive President Wilson of the United States has proved himself to be, and his refusal to countenance the efforts of the United States to play fast and loose with its treaty obligations at once discloses the high quality of his mind and purpose. Neither in the home nor the foreign field is the president prepared to depart from the straight road and the recognition by his party of the highest standard of national honor.

Nearly two and a half years have passed since the United States Senate shelved the arbitration treaties negotiated under President Taft's administration, because the terms proposed were wide enough to include the dispute over the action of congress in exempting the coastwise shipping of the United States from Panama Canal dues. The right to make that exemption turned on the construction of the treaty negotiated by Mr. John Hay, the United States secretary of state, and Lord Pauncefote, the British ambassador, superseding the older Clayton-Bulwer treaty, under which the British Government held a much more commanding position than that defined by the latter agreement. But congress, in defiance of all abstract right, assumed an attitude that struck the foundations of all international understandings.

President Wilson has brought congress back to the stronghold of moral principle. He has insisted that the mere fact that a question of interpretation can be honestly raised is enough in itself to require the United States to recede from the ground it had occupied. With a readiness that testifies to the authority the president has gained in less than his first year of office the senate has ratified the arbitration treaty with Britain, held up since August, 1911, and in so doing has indicated that it is prepared to ratify either the withdrawal of the exemption protested against or the reference of the construction of the Hay-Pauncefote treaty to arbitration. President Wilson has not only won a striking personal victory, but has restored to the United States the prestige attaching to a strict observance of international agreements.

The new treaty provides that all differences which cannot be settled by negotiation and which are justiciable in their nature by reason of being susceptible of decision by the principles of law or equity, shall be submitted to The Hague court of arbitration, or to such other tribunal as may be decided by separate agreement. As regards the United States any such agreement is to be made by the president, with consent of the senate, while as regards the United Kingdom, the right is reserved of obtaining the concurrence of any self-governing dominion in a matter affecting its interests. Article II provides for the institution of a joint high commission of enquiry composed of three nationals from each of the countries concerned, to which any controversy may be referred before being submitted to arbitration. By article III, the commission is to elucidate the facts, define the issues and make recommendations, and then follow the clause which caused the United States Senate to refuse ratification: "if all, or all but one, of the members of the commission agree and report that such difference is within the scope of article I, it shall be referred to arbitration in accordance with the provisions of the treaty." This provision, it was contended, infringed upon the senate's constitutional prerogatives. Under President Wilson's guidance the senate has departed from that contention and has ratified a marked advance in the direction of arbitration as a remedy for war.

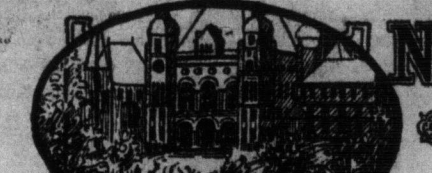
The Telegram has not yet found anything in Controller McCarthy's missing papers to hang a campaign argument upon.

ESTATE IS RE-DISTRIBUTED.

An estate of \$13,000, left by the late Mrs. Rhoda Bryant Palmer of Grimsby, Ont., to the family of her brother Joseph, will be divided for distribution among all her relatives as the result of a decision by Justice Middleton yesterday. The estate was originally left to Mrs. Palmer by her husband, who died intestate, and as the direction in Mrs. Palmer's will is not correct, though, his lordship decided that all the relatives should get a share.

AULL CASE IN CAMERA.

Behind closed doors the evidence in the case of Doris Reid and her father, G. F. Reid, in the former's action to annul her marriage with Robert Aull, the young man from St. Louis, who spent part of the summer at Cobourg, was heard at Osgoode Hall yesterday. Aull was not represented in court,



News From The Parliament Buildings

WHITNEY MAY TAKE HIS FORMER PLACE

Speaker Hoyle is optimistic as to Condition of Premier's Health.

REDISTRIBUTION BILL

Down as Soon as Possible, is Foy's Answer to Rowell.

It is not unlikely that the premier of Ontario will yet take his seat in the house, as the present session of the legislature is drawing to a close. Speaker Hoyle, at the opening of yesterday's session, stated that following a wonderful show of strength the hope was that Sir James Hoyle would be able to see the members from his accustomed place before adjournment of the business for the year.

The sitting in view of the debate to follow on Tuesday, was brief in nature and confined to the answering of several questions put by the opposition. The provincial treasurer stated that the public accounts would appear in part during the week and the financial statement early in the following week. Hon. Mr. Foy, as acting premier, was unable to give a definite reply to Mr. Rowell as to the date at which the redistribution bill would come down. The government was working on it and as soon as possible the members would have it for discussion.

Figures Brought Down.

The request of the Liberal members for specific accounting of expenses in connection with the redistribution bill, working on statute revision and workmen's compensation elicited the statement from the government that the amount spent on these and some other accounts approximating \$26,000, totalled in all \$238,354.32.

Inspector is Absent.

Wm. McDonald of Centre Bruce, who manifests an interest in the history of the province, was absent from the house yesterday, owing to the illness of his son. His absence was noted by Mr. Snider, who stated that he was now absent on a matter of family importance. His affairs have inspired a list of thirteen questions.

Intensions of the government.

Any, towards the provision of additional accommodation for the winter fair at Guelph, by T. R. Mayberry of South Oxford.

FURTHER CENSURE FOR BRITISH WAR OFFICE

LONDON, Feb. 23.—The military correspondent of The Mail, discussing the Bliley dispute, says: "There is a growing feeling among the British public that the recent action of the war office is absolutely unjustified. Why, it is asked, should a government department which grants ammunitions to the value of £4000 annually, be allowed to dictate to the National Association, Incorporated, and under royal charter, members of which are some of the best known names in the rifle throat empire?"

COLORED WIGS APPEAR IN GOTHAM'S SMART SET

NEW YORK, Feb. 23.—Colored wigs to match the gowns they were introduced in New York yesterday, by two actresses. The appearance of the latest fad from Paris created a sensation in two fashionable afternoon hotels, and there was some comment and some remarks. Under the latter heading, Dr. Anna Howard Shaw, the suffrage leader, and a philosophical view. "To the lady who wore a wig," said Dr. Shaw, "they do not pretend to be what they are not."

NEVER THOUGHT OF PURCHASING C. N. R.

MONTREAL, Feb. 23.—"The directors of the Canadian Pacific Railway Company have never discussed or, in fact, even thought of the acquisition of the Canadian Northern Railway by purchase, lease or otherwise," said Sir Thomas Shaughnessy, president of the C.P.R., this morning, when asked for a statement in regard to the rumors now being circulated in London and on the continent, to the effect that the C.P.R. was to be forced to take over the C.N.R., which stories are blamed for the weakness of C.P.R. stock.

AND HE DID

ILL BET I CAN GET A GOOD HANDOUT AT HIS HOUSE.

NORTH GREY QUERY GETS SHARP REPLY

No Seizure of Liquor During Month Before Election, Says Hanna.

PRICE PAID FOR FUEL

During Past Two Years is Question Raised by Liberal Whip Bowman.

J. C. Elliott of West Middlesex is apparently determined to stir up some of the atmosphere which grew so electric in the public account committee at the last session. The point of contention in connection with the opposition to the proposed liquor license bill is the point where Mr. Elliott desires to start in once more. Such is the spirit of the opposition standing in his name for Wednesday and asking that since investigations were not completed for 1912 that the same accounts be referred again to that committee. This is followed up by an inquiry of Liberal Whip Bowman as to the names of the tenderers of coal for government institutions in the past two years, the amounts, the successful contractors, the prices of fuel and the amount received.

An innocent-appearing little question submitted by J. G. Anderson of Essex, and designed to have a bearing on the North Grey temperance situation during the year was quashed by an emphatic "No" from the Hon. W. Hanna during yesterday's session. The fact that the question was asked during the year was quashed in July spoiled a whole series of questions.

REMOVES GIRL FROM UNWHOLESOME HOME

Acting Commissioner Graham of Juvenile Court Looks Into Moral Surroundings.

Little Gladys gave her evidence in such a straightforward manner that the Acting Commissioner Graham, in the juvenile court, was amazed at her candor yesterday and dealt sternly with a man and woman who caused her to be placed in an unwholesome home. The child's father had left her unprotected, and that the mother was a woman of loose morals, and was living with another man and exposing her child to unsavory conditions. "Such is the tendency of the present age, and we are here to see the result of it," said Acting Commissioner Graham. The little girl was made a ward of the Children's Aid Society. The mother was sent to the Salvation Army, where she will be given a fresh start, and the man was given 30 days in jail.

AND HE DID

ILL BET I CAN GET A GOOD HANDOUT AT HIS HOUSE.

Excessive drinking was the cause of the breaking up of another home, consequently for eight years a hard-working little woman has been keeping her two sons cared for in school. She said that her husband's conduct, given a thorough examination, was impossible for them safely to live with him. Three dollars a week was demanded from him, but he vowed he would go to jail first. "We may have to send you there eventually, but we will do our best, and in the meantime we will pay the money," said Acting Commissioner Graham, at the man's clamorous protest.

SENT DOWN FOR THEFT.

Ellen Glendon was given 60 days for stealing a gold watch and chain from an unsuspecting Chinaman, who is a good thing the watch and chain were taken to speak for themselves. The Chinaman could not, or would not, help the court much.

AND HE DID

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BRANTFORD WANTS NO LAND BUTCHERY

Special Taxation Decreed by Railway Board Respecting Twenty Acre Parcel.

ANNEXATION APPROVED

The Ratepayers Are Unwilling Because Upkeep of Big School is Involved.

Brantford Township stands strongly against the rapid annexation of land and the cutting up of the new land into subdivisions for money-making purposes. This attitude developed from a case before the Ontario Railway Board yesterday, in which the township argued against the bringing in to the city of twenty acres belonging to a party named Ryerson.

It appeared from the argument that Ryerson was anxious for the annexation to take place, but because of the taxes required, the ratepayers were unwilling. If this land were taken in and other lying adjacent there would be a valuable school suffering from insufficient support. Chairman McIntyre granted the annexation, but withheld the order until January, 1915, with special reservations as to taxes.

AT OSGOODE HALL

Feb. 23, 1914.

ANNOUNCEMENTS.

Judge's chambers will be held on Tuesday, 24th inst., at 11 a.m.

Peremptory list for appellate division for Tuesday, 24th inst., at 11 a.m.:

1. Reichtzer v. Employers' Liability (by contract).

2. Billings v. C. N. R. Co.

3. Whitney v. Small.

4. Leonard v. Cushing.

5. McMillan v. Drilling and Athletic Association.

6. Robinson v. Booth.

7. Hill v. A.M.A.

Master's Chambers.

Before J. A. C. Cameron, Master.

Jackson v. Thiel—A. D. Armour, for defendant, moved to set aside statement of claim as irregular.

G. W. Adams for plaintiff. Order made vacating claim. Costs to defendant in any event.

Halley v. Toronto General Trusts Corporation—McG. Aylesworth, for defendant, obtained order, on consent, dismissing action without costs and vacating its pendens.

Milligan v. Thorne—E. L. Paterson, for defendant, moved for order to set aside service of writ of summons and writ of habeas corpus, on consent of plaintiff, J. M. Duff for plaintiff. Order made that plaintiff file summons and writ of habeas corpus, on consent of plaintiff, J. M. Duff for plaintiff. Order made that plaintiff file summons and writ of habeas corpus, on consent of plaintiff, J. M. Duff for plaintiff.

Campbell v. Hamilton—Gordon (Bicknell & Co.), for defendant, moved to set aside service of writ of summons and writ of habeas corpus, on consent of plaintiff, J. M. Duff for plaintiff. Order made that plaintiff file summons and writ of habeas corpus, on consent of plaintiff, J. M. Duff for plaintiff.

Monks and to strike out endorsement. S. H. Bradford, K.C., for plaintiff. Order made for amendment of writ of summons and giving defendant ten days further for appearance. Costs to defendant in cause.

Judge's Chambers.

Before Britton, J.

Snider v. Snider—G. H. Watson, K.C. and H. E. Irwin, K.C., for plaintiffs, appeared from order of master in chambers of Jan. 3, striking out paragraphs 2, 3, 4, 5, 6 and 7 of reply, as embarrassing. W. J. Elliott for defendant. Judgment: The clauses objected to were stricken out of the statement of claim and struck out of order of the chancellor's judgment as far as the defendant's appeal is concerned. I do not see the reasons for that judgment. The chancellor held that the proper course of procedure was to allow the defendant to make their defence and then let the plaintiff meet it by appropriate pleading. The objection, if raised, to paragraph 2 of each paragraph as to pleading what is evidence and stating what is irrelevant or superfluous would compel the plaintiff to state more concisely what is the substance of the complaint, but as I said, the objection is not to form but to substance and that is the point to be decided. The appeal will be allowed and the replication restored. Costs in the cause.

Single Court.

Before Latchford, J.

Reid v. Aull—G. H. Watson, K.C., for plaintiff, moved upon notice for an order for a trial of this action in camera. No one contra. Reserved.

Forster v. Terry—H. V. Loughton, for plaintiff, on motion for order rescinding agreement, etc. H. V. Macdonald for defendant. At request of parties motion enlarged one week.

Downey v. Burney—N. W. Rowell, K.C., for plaintiff, on motion for order compelling defendant to pay for contempt of court. J. E. Jones for defendant. At request of parties motion enlarged one week.

McDowell v. Beaverton Brick and Tile Co.—H. J. Macdonald, for plaintiff, on motion for injunction. M. H. Roach (Beaverton) for defendant. At request of parties motion enlarged one week.

McCarthy v. Plaintiff, moved for injunction restraining defendants from passing and submitting a bill to the Board of Public Works for the purpose of the manufacture and sale of artificial ice, as being in competition with plaintiff's business, claimed to be already established in Windsor. S. Cuddy (Windsor) for defendant. Reserved.

Bury v. Shields—W. J. Elliott, for plaintiff, obtained an injunction restraining defendant until Feb. 25 inst. from selling, disposing of, delivering or otherwise dealing with a note for \$2500 made by plaintiff in favor of

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defendants, with liberty to use further material on return of motion.

Trial.
Before Lennox, J.
Campbell v. Irwin—N. W. Rowell, K.C., and G. Kerr for plaintiff. W. N. Tilley and W. N. Ferguson, K.C., for defendant. Motion for order to recover \$58,840, being amount awarded by three valuers to be paid by lessor to lessee for the buildings on leased lands on termination of the lease was refused. Judgment: The court of appeal declared that the leases in question provide for a valuation and not an arbitration, and that the valuation is to be made by three valuers. All parties were agreed to valuing the buildings as a whole and defendant cannot complain now. The questions asked the plaintiff after the others had gone out will not avoid the valuation. It might be otherwise in case of an award. There will be judgment for the plaintiff for \$35,300 and interest from July 1, 1913, with costs. There will be reference to an account of rent collected if the parties cannot agree. Costs of reference reserved. Thirty days stay.

Appellate Division.
Before Meredith, C.J.O.; Garrow, J.A.; MacLaren, J.A.; Macgregor, J.A.
Town of Arnprior v. U. S. Fidelity Co.—G. H. Watson, K.C., and R. J. Slattery (Arnprior), for defendant. W. M. Douglas, J. E. Thorne (Arnprior) for defendant. Appeal by defendant from judgment of Britton, J., of June 11, 1913. Action by plaintiff to recover \$500 from defendant on a bond for that amount to answer any loss sustained by one John Mattson, chief of police and tax collector of said town, who is alleged to have appropriated to his own use \$11,245.53 of the town's moneys. At the trial judgment was given plaintiffs for \$500, interest and costs. Judgment: Appeal allowed and action dismissed with costs.

Before Meredith, C.J.O.; MacLaren, J.A.; Magee, J.A.; Hodgins, J.A.; Lennox, J.
Rex v. Fraser—G. Waldron for private prosecutor. C. H. Ritchie, K.C., for defendant. Motion on behalf of private prosecutor for an order directing E. Morgan, a judge of the County of York, to state a case for the opinion of this court. The prosecution before the county judge was instituted to try the question whether the carrying on and operating of pari-mutuel races was illegal under the criminal code, contrary to the provisions of section 238 of chapter 146 of the revised statutes of Canada for 1906. The question of the right of private prosecutor to apply for a stated case was argued. Judgment: Motion dismissed with costs.

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23 THE PRINCE OF WALES HOTEL