

The Toronto World

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TUESDAY MORNING, MARCH 17

A DIFFICULT POSITION.

A good deal of disappointment will be felt outside political circles in the Provincial Government's new appointment to the juvenile court. It was opposed by the city, and nothing has been added to make it seem desirable.

The juvenile court is on trial. It was getting along very well under Mr. Starr, whose lamented and unexpected death made the vacancy which has just been filled. The conduct of the court depends for success wholly on the type of man who is commissioner, one who not only understands boys and boy nature, but has had great experience with them, and the sympathy which is not only native but developed by long association.

Men of the type of Mr. R. W. Brennan, whose success in refractory schools has become historic, or young men like Dr. Clare Hincks, who has a natural genius for handling boys, are of the stamp required, and it is disappointing to find the government falling back on political routine, when something better is expected.

The new commissioner will unquestionably do his best, and he will have our sympathy in a difficult position.

LOOKING AHEAD.

Australia, advanced in many ways, is not always in the vanguard of progress—New South Wales, which ranks in the island continent much as Ontario does in the Dominion, has not made any more of a success with its capital, Sydney, than Ontario has done with Toronto. In both cases the capitals have been allowed to develop haphazard, without regard to the needs of a rapidly growing population. Blame for this remissness lies more with the legislature than with the city, even if the latter has been reluctant to accept greater responsibilities. Had there been more home rule there would have been less unwillingness to read the future into the present.

Sydney, the capital of New South Wales, the pioneer state of the commonwealth of Australia, is now facing, in an aggravated form, the same difficulties that confront Toronto, the capital of Ontario. Within the confines that contain what are really urban and suburban communities, there are no less than fifty-three local governing bodies. Indeed, the city proper of Sydney bears much the same proportion to greater Sydney that the City of London, as represented by its historic lord mayor, bears to greater London. The people of Sydney are only beginning to realize what might have been accomplished had the city statesmen, in earlier days, had the broader vision that is now seen to be required.

Public-spirited citizens of Sydney are now alive to the evils that have arisen from sheer, unenlightened and inefficient civic administration, according to the Australian correspondent of The Municipal Journal of London, England. What is now proposed is the creation of a greater Sydney council, with different powers and functions in the inner and outer zones. In the inner zone the council will exercise full municipal powers. In the outer zone it will have general supervisory and semi-legislative functions, leaving the details of administration largely to the local councils. What is aimed at is in effect what is needed in Toronto, preparation in advance for the problems which every expanding centre of population must sooner or later have to meet and solve.

MAJORITY OR MINORITY.

A large majority of the people of Ireland want to govern themselves and to control the administration of their own affairs. Altho this issue is not so straightly presented in Scotland, for the simple reason that Scotland has not been so misgoverned, there is no doubt that the Scottish people would prefer, and very much prefer, to manage their local affairs without outside interference. No nation is better able to do it and but for the fact that, sooner or later, Scotland has got substantially what it wanted, the demand for self-government would have been more insistent and long ago have been conceded. The idea, dear to the heart of the conservative Englishman, that he shall measure the rate of progress is no longer tenable.

English Conservatives, or, as they now style themselves, Unionists, wish to restrict advance to the step they have been forced to take. Reformers in the other component nations of the United Kingdom are to be measured by the extent to which English preju-

dice has been compelled to yield. Not but that there are many progressive Englishmen, but that they are overborne by districts that in acceptance of exciting conditions are still very much in the middle ages. What Great Britain needs and will get is the provision of equality of opportunity. Scotland has had that in a degree since the Reformation, and the south is learning that this must come, notwithstanding the natural antagonism of the privileged classes.

Parliamentary government rests on the rule of the majority and the federal system provides a method by which local affairs are removed from the control of larger majorities that are antipathetic to local opinion. In this matter of Irish home rule Ulster stands in no worse case to the rest of Ireland than Ireland does to the United Kingdom. Irish counties are now offered the opportunity to vote themselves out of control by an Irish parliament and to remain under the imperial government. By carrying majority rule one other step Mr. Asquith has rendered armed resistance to home rule a futile unless a minority is to be supreme. Then there will be chaos.

INFANTILE HEALTH.

We have frequently called attention to the valuable nature of the "Health Bulletin," issued monthly by the city department of public health. The last number issued has among several other useful suggestions, a prescription of diet for children from 14 months to two years of age. The great mortality of infants is assisted by untrained parents, who often seem to think that a child should have a share of everything going. In restaurants one frequently sees mothers giving infants of a few months potatoes, gravy, bread, vegetables, pie, ice cream, tea and all kinds of miscellaneous matter which add to the certainty of its ill-health and increase the probability of its death.

ALBANIA AND THE BALKANS.

If a correspondent of The Times is to be believed, the new Principality of Albania is about the last place that any action of royalty, however ambitious, would accept, the responsibility of governing. The country, so it is represented, is seamed with blood feuds, every house is a fortress, there are no villages and ordinary human intercourse is impossible. Only the brigand and the shepherd are held in honor, agriculture is despised and can only be carried on by women because the blood feud passes them by.

It is only a few years since Albania had a written language. Its people have no sense of nationality, are torn by internal dissensions and in fact are simply in a state of anarchy. Placed under the rule of a stronger nation the Albanians might be brought within civilizing influences. Left to themselves the outlook is dark enough and sufficiently explains why, as reported, the German emperor advised Prince William of Wied to decline the proffered throne. But, however uneasy is the head that wears a crown, the prospect still holds charm.

The best informed opinion still regards the Balkans as the danger spot of Europe. The settlement of boundaries has been arbitrary and there is no controlling power to harmonize differences and lead the states to realize that their interests are common. Rather will the conflicting aims of Russia, Austria and Italy incite the racial and national antagonisms to still sharper rivalry. Thus are the districts that have escaped from Turkish tyranny handed over to a future which holds little hope of permanent order, but rather leaves them open for use as pawns on the chessboard of continental Europe.

SPANISH LABORERS.

Editor World: Permit me to contradict the statement that 1, or any number of my firm, have been instrumental in importing Spaniards to work for the contractors on the new Welland Ship Canal.

And, further, permit me to say that Messrs. Baldy, Verburg & Hutchinson, for whom it is said the men were imported to work, know nothing about it, and have had nothing to do with men coming from Spain, neither is it their intention to have any, as labor is abundant here.

I have no evidence to confirm the statement that any Spaniards are coming to Canada at all, and believe the whole thing is a myth.

J. Enoch Thompson, Spanish Consul.

THE FOREST HILL RAILWAY.

Editor World: Is not the opposition of the city to the extension of the charter of the above railway for a period of six years quite unreasonable and unfair?

It is true the charter was granted for the period of six years, but the franchise was not given by the township council until late in the fall—two years after the actual construction work to be done.

By the terms of the charter the city has the right to purchase the railway at any time within five years of the date of the granting of the said charter at the cost price, plus legal interest.

Is it to the benefit of the city to force construction of this railway at this season of the year before the roads are in condition to have work done upon them, when the same money spent a month or two later would give much better results? Surely the city's opposition is to its own disadvantage.

I am a property owner in the district to be benefited by the railway

and am strongly in favor of an extension of time being given.

W. T. Rogers.

BANCROFT ON WORKMEN'S COMPENSATION.

Editor World: In a report of the meeting of the Canadian Club in your paper on Friday morning, several errors inadvertently crept in. I feel sure that you will permit me to correct them, as the matter is of such importance at the present time. The report in question stated that the proposal of the commission was "that several groups of workers should contribute from their wages to a fund from which, automatically, payments would be made to injured workmen."

On the contrary, I stated, the proposal of the commission was, in part one of the act was to group the employers into classes under a collective insurance scheme, and impose a tax upon the yearly wage roll to create a fund out of which compensation should be automatically paid.

I again stated that the report credits me with using figures on insurance from Canada, when I clearly explained the reason why I was using figures from New York State and the State of Washington.

I quoted from evidence before the federal commission of the United States as follows: "It is absolutely accurate in my remarks: 'Costs and benefits of employers' liability insurance in 1909 the employers' liability insurance companies reporting to the New York Insurance Department collected at the sum of \$7,448,482 in premiums. Their expenses were \$1,102,322, or 15 per cent. of that amount. The claims paid were \$5,850,779, or 78 per cent. of the premiums. It is estimated that not more than 25 per cent. of the premiums reached the victims and their families free from deduction of lawyers' fees and expenses of collection. The expenses were 25 per cent. of this sum. So that in the State of New York, according to the foremost actuary, only twenty-five cents out of every dollar paid in premiums by the employer reaches the victims of accidents or their dependents under private insurance.'

I feel sure you will publish this to correct an impression which may be taken from the report in your paper, which I enclose. Thanking you in anticipation.

Fred Bancroft.

Homeowners' Excursions, Colonist Fares and Settlers' Trains to the West.

Those taking advantage of above excursions should bear in mind the many exclusive features offered by the Canadian Pacific Railway in connection with a trip to the west. It is the only all-Canada route, operating through trains to Western Canada. No change of depot. Only line operating through standard and tourist sleepers to Winnipeg and Vancouver. All equipment is owned and operated by the Canadian Pacific Railway, affording the highest form of efficiency.

Colonist fares (one way, second-class) to certain points in Alberta, Saskatchewan, Manitoba, Montana, Oregon, Washington, Arizona, Idaho, etc., in effect March 15 to April 15. Homeowners' fares will be in effect each Tuesday until Oct. 1, inclusive, and round trip second-class tickets will be sold via the Canadian Pacific Railway from Ontario points (Asilda and Leno) as a very attractive proposition from Toronto, also west and north of Toronto, to Winnipeg and return, \$48. Other points via regular train fares from points east of Toronto will be slightly higher. Return limit two months.

Each Tuesday until April 28 the Canadian Pacific will run settlers' trains to Winnipeg and west, and for the time being, the travelling with live stock and effects, a colonist car will be attached to the settlers' effects train. This car will leave Toronto on regular train at 10:20 p.m. and on arrival at West Toronto it will be attached to settlers' effects train, mentioned above.

For those who travel with live stock and effects, special colonist cars will be attached to regular trains from Toronto, running through to Winnipeg without change. No charge is made for accommodation in colonist cars.

For sleeping cars are also operated on regular trains leaving Toronto at 10:20 p.m. daily.

For particulars from any C.P.R. agent, or write Mr. Murphy, District Passenger Agent, Toronto.

HORSE SHOW LIST SENT TO PRINTER

Several New Classes Have Been Added to the Program.

The prize list for the Canadian National Horse Show at the armories from April 23 to May 2 was yesterday given to the printer, and will be ready for the exhibitors by tomorrow. Already there have been many requests from exhibitors from all over Canada asking for the prize list, the success of last year's show being still fresh in their minds.

Several new classes have been added to the program this year, and one which should be interesting to the spectators' point of view, is a military competition for officers, the latter to go over the jumps leading an officer horse.

His Royal Highness the Duke of Connaught has notified the horse show committee that he will again be pleased to donate a cup for the international officers' competition. The cup last year was won by Lieutenant Henry N. Vate of the P.L.G.L.D., Ottawa.

Alex. Miln, 701 Traders' Bank building, is again the secretary for the show.

HERBERT HALSEY'S ESTATE.

The late Herbert Halsey, Toronto manufacturer, left an estate of \$40,000, consisting principally of real estate holdings, and including \$10,000 cash. He left no will, and administration will be taken over by the Toronto General Trusts Corporation, which will divide one-half and one-eighth each to the father, sister and brother.

MORE IMMIGRANTS.

The spring tide of immigrants started in with a rush, and so far this month more than two thousand new arrivals have come in at the Toronto Union Station. A thousand of these arrived during the past week, and two special trains containing about seven hundred more passed through the station last night.

AT OSGOOD HALL

16th March, 1914.

ANNOUNCEMENTS.

Judges' chambers will be held on Tuesday, 17th inst., at 11 a.m. Peremptory list for appellate division for Tuesday, 17th inst., at 11 a.m.: 1. Allan v. Maillan.

2. Kostenko v. O'Brien. 3. Bell v. Coleridge. 4. Connor v. Township of Brant. 5. Macpherson v. King. 6. Malcolm v. Hamilton Dairy Co.

Master's Chambers. Before J. A. C. Cameron, Master. Murzyk v. Toronto Railway Co.—C. M. Garvey, for plaintiff, obtained order transferring action to the county court of York. No costs.

Wetlaufer v. Lutton—D. Urquhart, for plaintiff, moved to amend statement of claim. D. R. Leask, for defendant, Order made. Costs to defendant in any event. Plaintiff to deliver amended claim forthwith and defendant to deliver amended defence to deliver amended defence in eight days.

Galt Art Metal Co. v. Whitman—E. Meek, K.C., for defendant, moved to dismiss action. H. S. White, for plaintiff, enlarged until 19th inst.

Winters v. Graham—Smiley (Johnston and Co.), for defendant, obtained order dismissing action with costs on consent.

Lummen v. G. T. Ry. Co.—F. McCarthy, for defendant, moved for order to take evidence on behalf of defendants to be benesse. E. C. Cattinach, for plaintiff, Order made. Costs in the City of London v. Grand Trunk Ry. Co.—F. McCarthy, for defendant, moved for order to take evidence on behalf of defendants to be benesse. E. C. Cattinach, for plaintiff, Order made. Costs in cause.

McIntosh v. Stewart—J. H. Spence, for plaintiff, moved for order to change venue from Toronto to Walkerton. Judgment: It seems clear to me that a view will be required in this fact in mind and taking into consideration that a trial at Walkerton will be less expensive I think that there is a proposition in truth a convenience in favor of a trial there. Will go changing place of trial to Walkerton, Costs in cause.

Single Court.

Before Meredith, C.J.O. Brain v. The Christie-Brown Co.—E. C. Cattinach, for plaintiff and official guardian, for defendant, moved for action for damages for death of plaintiff's husband. Judgment for plaintiff for \$200 and costs. Of this \$50 to be paid to widow and \$150 to be paid into court, and \$20 per month to be paid out to widow on 10th day of each month for maintenance of infants.

Before Lennox, J. Toronto Developments v. Kennedy—W. H. Clapham, for plaintiff, on motion to commit; R. G. Agnew, for defendant, on motion to set aside judgment without costs and without prejudice to renewal of motion if occasion arises. Judgment for plaintiff for \$100 and costs. Of this \$50 to be paid to widow and \$50 to be paid into court, and \$20 per month to be paid out to widow on 10th day of each month for maintenance of infants.

Before Lennox, J. W. J. McWhinney, K.C., for plaintiff, moved for order continuing injunction. D. A. Macleod, for defendant, moved for order continuing injunction. Judgment for plaintiff for \$100 and costs. Of this \$50 to be paid to widow and \$50 to be paid into court, and \$20 per month to be paid out to widow on 10th day of each month for maintenance of infants.

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that transfer and delivery over of 2000 barrels of apples to defendant is null and void, for accounts. Judgment: I do not think that on the whole evidence I would be justified in finding that Dick knew they were insolvent. And I do not find that the transaction impeached was with intent and design to give defendants a preference as void, fraudulent and preferential and that defendants be ordered to give discharge of same. Judgment: I found as a fact at the close of the case that Leathdale was insolvent to the knowledge of the defendant company's manager at the time the mortgage was given, and therefore does not fall within the protection afforded by the statute. Judgment declaring the mortgage void and directing that the registration thereof be vacated with costs.

Before Lennox, J. Russell v. Kloepper—J. T. Mulcahy (Orilla) for plaintiff, J. T. Boland for defendant. Action to set aside a mortgage and to deliver up the same. Judgment: The mortgage was not made in consideration of a present actual bona fide sale or delivery of goods, and therefore does not fall within the protection afforded by the statute. Judgment declaring the mortgage void and directing that the registration thereof be vacated with costs.

Before Lennox, J. Carrique v. Pligat—G. G. Plaxton for plaintiff, J. M. Godfrey for defendant. Action on a mortgage for foreclosure for default in insuring as covenanted. Judgment: The mortgage contained a covenant to insure for \$1450. Upon that trial the court to deliver a mortgagee from his contract. If defendant can get money to pay of plaintiff, the plaintiff must abide by his readiness (stated in court to receive the debt at any time, even if not yet due. There is no right to possession, but the mortgagee may take possession if he is ready to become a mortgagee in possession and to become liable to account for his mismanagement, save as to this action dismissed. The mortgagee may have his costs. They may be occupied rent, but I do not make any personal order for payment.

Fenwick v. Hurlbut—H. E. Irwin, K.C., for plaintiff, A. Heighington and G. H. Hurlbut for defendant. Action for rectification of deed by striking out words "except a verandah," and inserting words "except a verandah."

Before Lennox, J. Cook v. McAllister—T. F. Slattery for plaintiff, E. Meek, K.C., for defendant. An issue to determine whose property was the subject of a mortgage to court pursuant to order. Let judgment be entered declaring that the mortgage was the property of the plaintiff (1873.50 and interest) is the money of and belongs to the defendant and directing that this money be paid out to the defendant, and if the defendant demands, for which she does not do, for recovery of the costs of the action from the plaintiff.

Appellate Division. Before Meredith, C.J.O. MacLaren, D. E. Macleod, J. Hodgins, J. A. MacGregor v. Curry—E. P. E. Johnson, K.C., and A. C. McMaster for plaintiff, I. F. Hellmuth, K.C., and A. B. Barrie (Windsor) for defendant. Appeal by plaintiff from judgment of Lennox, J., of 6th October, 1912. Argument of appeal resumed from Saturday and concluded. Judgment reserved.

Swale v. C. P. Ry. Co.—J. Bicknell, K.C., and W. Laidlaw, K.C., for Suckling and Co., appellants, parties on their appeal. S. Denison, K.C., and C. W. Lingford for C. P. Ry. Co., W. M. Hall for plaintiff. Appeal by defendant from judgment of Lennox, J., of 27th February, 1912, and appeal by third parties from judgment over of defendants against them. Action by Suckling and Co. against C. P. Ry. Co. for a proper account of goods of plaintiff alleged to have been converted by defendant company to its own use and sold, for payment of full value of goods so converted to amount of \$1500 for such conversion. At the trial judgment was awarded plaintiff for \$1500, and judgment for defendant company over against third parties for the same sum. Judgment: We think the proper disposition of this troublesome matter should be to give plaintiff judgment for \$500, to be paid to her now, and direct a new trial limited to the items in the list of missing articles. Judgment for plaintiff for \$500, already taken to be read at the new trial with the right to all parties to give additional evidence as they may be advised, the respondent to have, if she desires it, a commission to examine witnesses in England, in which

all parties may join. Costs of former trial, including third party costs, to be reserved to be dealt with at the new trial, and the Railway Company to await the result thereof before being entitled to enforce their judgment for \$1500. Upon that trial the questions between the Railway Company and the third parties are to be open. One set of costs of this appeal excepting therefrom the costs of the earlier argument upon which judgment was given on 4th December, 1913, to be to the appellants in any event of the action when finally disposed of. The judgment to be now entered should be considered as disposing of the questions of law already decided, as well as the questions of fact now dealt with, so that any appeal may include both. If the plaintiff does not elect within one month to take a new trial, judgment is to be entered in her favor for \$500, with the general costs of the action and for the Railway Company for \$1500, with costs of this appeal as above mentioned to be set off pro tanto against the plaintiff's judgment. There should also then be judgment against the third parties for the balance paid by the Railway Company, without costs, and no costs of the appeal as between the Railway Company and the third parties.

Ontario Asphalt Block v. Montreuil K. Cowan, K.C., and J. W. Pickering, K.C., for plaintiff. Pursuant to request of court this case was spoken to and affidavit to be put in by defendant and copies of deeds by plaintiff.

Munro v. Wilson—P. Arnold, K.C., for defendant, A. G. Ross for plaintiff. Appeal by defendant from judgment of county court of York of 3rd February, 1914. Action to recover \$500 damages for injuries by being run over by defendant's automobile, which was being backed out of a lane west of Yonge street on Adelaide street, Toronto, as plaintiff, an in-

fant, was passing along the street. At trial judgment was awarded plaintiff for \$475 and costs. Appeal argued and dismissed with costs.

CALIFORNIA ORANGE DAY.

On March 21, the people of the State of California will celebrate what will be known annually as "California Orange Day" when the slogan will be "California oranges for health." The idea of the celebration is to bring before consumers one of the greatest of the products of that state, the orange crop this year amounting to 40,000 carloads. The celebration will not be confined within the borders of California for many of the eastern railways will feature the golden fruit on the menus of their dining cars for that day. The Grand Trunk has arranged to give prominence to California oranges on their menus on March 21.

NOVA SCOTIA'S BIG FISH SEASON.

(Special Correspondence.) HALIFAX, N.S., March 16.—The record season catch for the west coast of Newfoundland in which American and Canadian fishing participated, was a total of 66,554 barrels against 71,635 barrels in 1913. The season is now closed.

EDDY'S FIBREWARE
TUBS AND PAILS HOLD THE HEAT OF THE WATER MUCH LONGER THAN THE WOODEN OR GALVANIZED IRON TUB—ARE CHEAPER THAN THE LATTER—AND WILL NOT RUST THE CLOTHES.

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O'Keefe's "Special Extra Mild" Ale is low in the amount of alcohol—but high in stimulating health-giving properties.
It is a particularly desirable ale for the home.
Order a case from your dealer.

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TUES
JOHN
New