The Toronto World

FOUNDED 1880.

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TUESDAY MORNING, AUG. 26.

THE APPEAL TO CAESAR.

The report that a permanent posihonor may be in store for the present chief justice of Canada. We do not promotion that may come to him. We company owners and operators. only regret that our supreme court is but an intermediary tribunal, and that practically all our litigation of any judges over sea.

If the supreme court of the empire be necessary, its functions, we take it, should rather be to decide constitutional questions, than to sit as an appellate tribunal in private litigation arising between Canadians in Canada, and decided by the Canadian courts. Surely we have appeals enough in Canada. In capital cases, where a human life is at stake, the final decision rests with the provincial courts, but in civil cases a further appeal lies first to Ottawa and then to Westminster.

A man crossing Yonge street is run down by a street car, a delivery wagon, Kingdom and other foreign countries He brings an action, and twelve jurors agree that he is entitled to \$4100. The trial judge agrees with the jury; three independent is then concurred in by five eminent lawyers sitting on the Ontario Court of Appeals; six supreme judges at Ottawa then agree with the nine ontario lost his leg and is beginning to lose his hair with advancing years, has a judgment concurred in by five eminent lawyers sitting on the Ontario in the United Kingdom under free trade the index figure has risen from 100 in 1900 to 115 in 1912, which his hair with advancing years, has a judgment concurred in by five eminent lawyers sitting on the Ontario in the United Kingdom under free trade the index figure has risen from 100 in 1900 to 115 in 1912, which his hair with advancing years, has a judgment concurred in by five eminent is paralleled by France, and only exceeded by one point in Australia, both protected countries. Canada judgment concurred in by five eminent is then can motorcycles.

The exhibits this year are of higher quality than ever before, and the Canada and interesting the exhibits this year are of higher quality than ever before, and the Canada and interesting the exhibits this year are of high judgment concurred in by twelve shows with a moderate tariff an injurors and sixteen judges, but the crease from 100 to 151, the highest of case must still go to England, where any except possibly the United States. of the privy council.

Surely this succession of appeals against Canada's 136. brings the law into contempt. Are not Canadian judges competent to decide shown within the United Kingdom the law suits of the Canadian people? itself. Thus of the 87 towns dealt Our supreme court should be supreme with in the report as regards the peror pass out of existence. Moreover, centage change of rents, 45 returned municipalities, when making contracts an increase varying from 1 to 18 per with public utility corporations, should cent., while in 25 rents fell by amounts insert a clause forbidding the latter varying from 1 to 10 per cent. The frem carrying any case beyond the general cost of living represented by highest court of the province. Such rents, including rates, and the retail provision is found in nearly every price of the selected articles of food Meense issued to insurance companies and coal, was from 11 to 12 per cent. in the various states of the United higher in London than in the other States. Our neighbors are fond of 87 towns taken as a whole. Scotland litigation, and are intensely national, approximated London in this, while but a majority of their most important in the midlands of England both rents lawsuits are finally decided by the courts of the state in which they

The interpretation of the B. N. A. Act, which is an act of the British Parliament, may properly fall in the purview of the British courts. A dispute between two provinces or between the Dominion Government and provincial governments, may well be referred to an impartial tribunal over sea. But if there is any reason why private litigation, arising in Canada, should not be decided by the courts of Canada, we have yet to hear it advanced. A country cannot be said to have complete self-government when it lacks power to constitute courts competent to finally decide between the litigants of that country. Would not Newfoundland object if the decisions of its courts were subject to re- hung for murder. Now they find them-

THE THAW AFFAIR.

Nine people out of ten you meet on the street are in hopes that Harry readers as may be inclined to asget-away from Matteawan. They see no reason why he should not have been fired at by any missiles more serious allowed to pass thru the country as than invitations to luncheons, dinners Jack Johnson was allowed to pass and other hospitable functions, and thru. No one pretends that Thaw in- he is taking no long chances on these, tended to remain in Canada, or was spending only forty-eight hours in

Was Thaw arrested and detained at ooke merely to oblige some deputy sheriff from New Hampshire

hundred dollars? Why not let Thaw go to Detroit or the United States?

ties positively shriek with joy when- issue as follows: ever, here and there, some particular enterprise fails to make good. Listening to what they say or reading what they write or is written in their interest, one would naturally imagine that no private corporation running a pub-

lic franchise had ever got into difficulty or become bankrupt. Yet it is safe to say that in the whole history A morning newspaper published every day in the year by The World Newspaper Company of Toronto. Limited; H. J. Maclean, Managing of public undertakings there has not operated public services.

But if this is so, and plenty of examples can be given in evidence, why tre these failures not admitted as confirmation of the claim that the grant of public franchises to private companies is against the interests of the people? Why not argue from the ankruptcy of the New York street railways and the collapse of the street railway systems of Chicago and other will pay for The Sunday World for one year, by mail to any address in Canada or Great Britain. Delivered in Toronto or for sale by all newsdealers and permanently discredited? Corporation supporters, like party orporation supporters, like party or-

Fortunately, both in Canada and the United States both the public and the state and federal governments are learning the lesson that no private corporation out for profit can be entrusted with a public franchise. Its promoters will be lavish in promises and ready to sign agreements, but once the franchise is secured the promises tion on the judicial committee of the are forgotten and the agreements disimperial privy council has been offer- regarded. Nor can redress be obtained ed to the chief justice of Australia from courts of law more concerned lends color to the report that a similar with the letter than the spirit of the contract. Even an unsuccessful public enterprise carries less burden in its begrudge Sir Charles Fitzpatrick any train than the most successful private

INCREASED COST OF LIVING. In a report issued two weeks ago by the Board of Trade Department of importance must be decided for us by the British Government important information is given regarding the cost of living in the seven years between 1005 and 1912. It shows generally that while the average rental has period the retail prices of commodities consumed by the working classes have increased materially, tho still lower than they were thirty years ago. Sir H. Llewellyn Smith, in his There's more fun at the Exhibition prefatory note, computes the average than in guying The Telegram. As The increase in rent, food, fuel and cloth- Preacher says, "There's a time for ing, taken together, at about 10 per

and British states shows how slight effect fiscal policies have, altho in this connection it must be borne in mind it may be reversed by three law lords Figures for the latter nation, with its high protection, for 1911 show 139

Some remarkable differences and prices were at a low average. Wages in many cases showed no increases, tho a distinct advance occurred in each of the selected trades. but not to an extent comparable with the advance in the cost of living.

ASSASSINS, BEWARE! nounced the other day that:

Viscount Haidane, lord high chancellor of the British Empire, is about to pay a brief visit to Canada and the United States, and it might be well for readers to bear in mind the fact that his assassination would not be treated. as ordinar, murder, but as high

This will no doubt be a great disappointment to many "readers" who had hoped to make away with the distinguished visitor, and only get view and reversal by the supreme selves confronted by the possibility of being hanged for high treason. Lord Haldane will no doubt appreciate the action of The Mail in giving this timely warning to such of its sassination. However, we do not belikely to become a charge. The United Canada, and only three or four days States Government has not asked for all told on the continent.

BRITISH CITIZENSHIP

Yesterday The Star had an editorial leader on the proposed imperial anxious to secure the reward of five naturalization bili- based on the assumption that before an alien can be accepted as an empire citiwhere he pleases if he will get on the train and go? Why keep this man in lived four years in some part of the Canada if he is willing to return to empire, and one year in England." The Star might have given its authority for this version of the bill, since it is PUBLIC AND PRIVATE MONOPOLY in complete opposition to the terms of Opponents of state and municipal a despatch from Ottawa, that appearownership of public services and utili- ed on the front page of its Saturday

"The proposed naturalization agreement is reciprocal and one years residence in Great Britain is not necessary to qualify for imperial citizenship. If a man has resided in Canada for four years and goes to England only one year's residence is necessary to

emputed from the date on which the money is received and is payable half-yearly.

They have long been a favorite investment of Benevolent and Fraternal II stitutions, and of British and Canadian Fire and Life Assurance Companies, large for deposit with the Canadian Government, being held by such institutions to the amount of more than ONE MILLION DOLLARS.

A miniature specimen Debenture, with Interest Coupons attached, copy Annual Report and all particulars will be forwarded on application.

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ed with the above Corporation and under the same direction and management is the.

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qualify. On the other hand if a man has resided in England for four years and comes to Canada. only one additional year is necessary to qualify, but five years' continuous residence in Canada is accepted by Great Britain, and similarly five years' residence in Great Britain is accepted in Canada. It is stated that its conditions as applied to both countries are the same and have been accepted by the two governments as a fair and reasonable solution of the naturalization difficulty. Confusion has been due to the hazy nature of the original announcement in the government press. ment in the government press.

Of course this new naturalization proposal is not confined to the notherland and Canada, but covers the whole empire. Provision has to be made for changes of residence within the empire, and in all probability when the text of the bill is received, it will be found that complete British citizenship is attainable by five years' continuous residence under the British flag. This will not intershown little variation during that fere with local conditions of citizenship and no doubt an easy and convenient method will be established for securing the imperial certification.

The Telegram-but what's the use? everything."

The transportation building is this year monopolized by one form of transportation—the automobile. This huge building is filled with completed cars, motor trucks, motor

xhibitor at the Exhibition, and its lisplays have always been worthy exhibit which marks a great step ahead in motor car building and finish. It is not in mere gloss of varnish that this is evident, but in all the little details which are so important to the user of

It has been frequently suggested in the past that firms in Canada had been unable to secure the class of labor necessary for this work, but the higher quality of this exhibit as displayed, both in mechanical work and in body details, shows that we have now developed workmen whose product will compare on an even basis with the best of other countries. It will be a matter of pride for many visitors to matter of pride for many visitors to see how thoroughly this point is de-monstrated in this Canadian exhibit. canvas.

The Philosopher Sherwood Hart of Folly

"STANDING WITH RELUCTANT

Standing with reluctant feet where the road and sidewalk meet, I am waiting, wan and weary, till the autos walting, wah and weary till the autos all go by; if I start to make a dash, well I know I'll end as hash—and I want to kick the bucket as a unit when I die. I am old and bent and worn, I am feeble and forlorn, but the autos will not slacken when I cross the avewill not slacken when I cross the avenue; not a second will they stop—I must cross upon the hop, I must jump and dodge and wriggle lest they cut me into two. If I were an agile youth 'twould not feaze me, but, in truth, auto-dodging is no business for a man of eighty-three; tho I'm supple for my years, I am filled with haunting fears that a rushing benzine buggy some fine day will do for me. Therefore on the curb I stay, hoping that perchance curb I stay, hoping that perchance there may come a break in the pro-cession so that I can safely cross, but there are epresent Patience on a monument as represent Patience on a monument as I stand there waiting, waiting on the busy roadway's brink, while the autos rip and snort, plunge and double and cavort till I totter home at even with my mind upon the blink. I am old and poor and lame; I can't skip about the same as I could when I was younger and my limbs were quick and strong. I must wait a lucky chance o'er the busy road to prance, where the pampered pets of fortune in their chug-chug chariots throng.

ires, motor accessories of every kind, OTTAWA TO HONOR

vest. Hon. C. J. Doherty leaves on Thursday for New York to escort the Lord Chancellor Viscount Halddane to Mon-treal where he will attend the meeting of the American Bar Association. Hon.
Frank Cochaste has left on a tour of
Northern Ontario accompanied by the
members of parliament from that dis-

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Odins Manual

"THIRD DEGREE" IS MERELY A MYTH

FAVOR PATENT COURT

Recall of Judges Proposal Meets With Pronounced Opposition.

(Special to The Toronto World.) ST. LOUIS, Aug. 24.—The American Bar Association's Committee on Jurisprudence and Law Reform, of which ormer Judge Charles Cliffin Allen of St. Louis is a member, will make a

lution, on the ground that the present law governing the admissibility of confessions affords sufficient safeguard there seems no break in sight—tho I wait from morn till night, and the sparrows perch upon me, and my boots sprout tufts of moss. People think I spream. Patience of a member of important subjects on which various committees of the spream. association have prepared rec

strength in Wisconsin, Illinois and Ohio, the committee says.

Approves a Patent Court.

The suggestion that the United States Commerce Court be made a A lighted cigar thrown from a court of patent appeal is deprecated by higher window set fire to two awnings on the C. P. R. building yesterday morning. The use of a chemical fire extinguisher, put out the blazing conspicuous friend of a bill to create a separate court of patent appeal, and

Lawyers' Committee Will So Report to Convention at Montreal.

St. Louis is a member, will make a report at the association's annual meeting in Montreal Sept. 2, on the subject of the "third degree."

Its report, in substance, will be that "there ain't no such animal."

One member of the committee, who takes the view that there is such a thing as the "third degree," may make a minority report. He introduced in the committee a resolution charging that the police departments of many municipalities were disregarding the rights of prisoners, and calling on the association to act. His resolution sets forth that confessions of accused persons should not be accepted in evidence unless they had been made volcable.

ors and witnesses to be furnished to those indicted for treason and other capital offences.

bill to effect its extension."

John F. Lee of St. Louis is a member of the committee to oppose the ju-dicial recall. This committee's report tells of a campaign of education carried on during the last year. The necessity for this campaign is argued from the fact that Oregon, California, Arizona and Nevada have adopted the recall of judges and that constitutional Hon. G. E. Foster is expected here tomorrow from his Oriental trip. He stopped over at Port Arthur to inspect the new elevators.

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the committee approves this plan, and argues for a separate court for patent matters. matters.

A so-called "Marriage Evasion Act" will be presented to the association for its approval by the committee on uniform state laws. This act would prohibit the marriage in other states of persons not legally, eligible to marry in the state where they reside.

More Accurate Legislative Acts. on legislative drafting. Its report re-

on legislative drafting. Its report recommends several measures to make
the drafting of legislative acts more
accurate and efficient.

Other important reports are those of
the committee on compensation for
industrial accidents, compensation of
federal judiciary and prevention of
delay and unnecessary costs in litigation. For the last named purpose, laws
against the setting aside of judgments

on purely technical grounds are re-Many attorneys will attend the Montreal meeting. The name of one of the guests appears on the program as "Hon. William H. Taft of Connecticut." He will read a paper on 'The Social Importance of Proper Standards for Admission to the Bar." Chief Justice White, Prime Minister Borden of Canada, Lord Chancellor Haldane of Great Britain, and Maitre F. Labori, the noted French advocate, will be he noted French advocate.

among the guests. Frank B. Kellogg president of the organization. THAW'S COMPANION IS TORONTO MAN

Rogers Thompson the fellow capture of Harry K. Thaw, is officially declared to be a native of this city. An investigation by the registrar's department at the parliament buildings has established the accuracy of "Gentlemen Roger's" birth in Toonto, 32 years ago.

PREMIER TO ATTEND BATTLE CENTENARY

Sir James Whitney will tomorrow attend the celebration of the centenary of the battle of Chrysler's Farm. The actual battle was fought on Nov. 11.. when Col. Morrison, with 1200 men from Prescott and Kingston defeated 2000 American invaders under Gen. Boyd, who was killed in the

PREMIER WILL LAY THE CORNER STONE

Crowd Expected at Ceremony in Connection With New Technical School.

Chairman Hiltz expects a large attendance of the public at the laying of the corner stone of the two-million-dollar technical school this forenoon by Right Hon. R. L. Borden. In view of the conflicting rumors respecting the attitude of the Dominion prewith respect to the recommendation of the royal commission on industrial education the premier's utterances are awaited with keen interest by the educational and labor bodies. The recommendation of the leyal commission to spend \$30,000,000, spread over a term of years, to establish a technical education system on a national scale, which has been endorsed by the Canadian Manufacturers' Association and the Trades turers' Association and the Trader Council, will, it is expected, elicit significant utterance at the function given the premier. The proceedings will commence at

CONSTRUCTION WORK FINISHED.

Commissioner Harris announced last night that the construction work Strachan avenue, south of the on Strachan avenue, south of the bridge, was completed by the Godson Contracting Co. yesterday afternoon, and the road is now open to the pub-

C. M. A. CONVENTION.

The Canadian Manufacturers' Ascciation annual excursion, which eaves Toronto on September 14, will arrive in Montreal on the same night. Andrew, to Truro, to Kentville, to Halifax and New Glasgow. The party will arrive back here on September

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SNARES IN APPLE TREES CATCH BOY

Fall Foul of Burglar Alarm And Are Caught in Wires.

MINNEAPOLIS. Aug. 25. - The omance and the glamor of apple stea ng, the sport of sports since boys boys, received a jolt from which i will not soon recover in Minne when three boys found that Charl Holton's orchard on Third avenu south, was wired with a burglar alar which put the sport on a plane with

ommon stealing The idea of the apple tree, which has inspired song and poetry, and furnished thru the ages a test for rea oyishness, being wired like a cor commercial establishment, is too m for Thirteenth Ward Boys, and esp cially for the three who were caught in the snare of wires.

After climbing the trees with the agility usually displayed by boys after apples, the three were startled by rattle of a burglar alarm on Mr. Hol-

ton's porch.

The boys felt wires about their feet, and with more speed than they entered they dropped from the trees and fied. From pits in front of the basement windows at the Bryant school, they watched the Holton home but saw no commont on the basement windows.

There was a scramble, but this time the feet of the young marauders were entangled in the wires and the policeman picked them out of the trees as the boys had planned to pick the apples.

CANADA'S TRADE IS GROWING RAPIDLY

OTTAWA, Aug. 25 .- (Can. Press.)-The customs department statement for July and the first four months of the current fiscal year, indicates a most striking growth in Canadian trade

trade.
Total trade for July was \$100.357.000 as against \$91,423.000 in July last year. For the four months trade totalled \$358,488,000. compared with \$325.635.000 in the same period of 1912.
The duty collected in the four months was \$38.531.000 as against \$35.990,000 in the corresponding period last year.

last year.
The imports for July are given as \$58.928.000 and exports of Canadian produce \$33,860.000.
For the four months imports were \$225.887.000 and exports of Canadian produce \$117.180.000.

ROUND TRIP \$11.00 ATLANTIC CITY. From Suspension Bridge, Lehigh Valley R. R. Friday, August 29. Tick-ets good 15 days returning. Particle lars 62 Younge street, Toronto.

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Triennial Templ Of

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The High I.O.F., which tario, and courts con Order of 1 session yes ing in this Clarence Be There a represented diction in Where the is best kn The net the last m lelegates a but some is every high twenty-five

Brother Veying the of Toronto, Astic recepi ternalism" in the lar brotherhoo that our n

that our nourselves we been larged like the Fo national me The finar are for localing conditional the treasus hundred do hospital contle needs obliged to was estimated the treasus obliged to was estimated by the for each of the states of th speeches. On invi