

## TIMBER COMPANY SEEKING DAMAGES

Attorney-General Moves to  
Strike Out Counter-Claim  
of Defendants.

Legal echoes of the timber probe were heard at Osgoode Hall yesterday when H. S. White, for the attorney-general, and W. Lawr, for Walter H. Russell, of Port Arthur, and the Russell Timber Company, clashed before the master in chambers, J. A. C. Cameron, in the first of the action brought by the attorney-general against the other parties for damages for the alleged wrongful removal of pulpwood from crown lands, which lands, it is stated, had been obtained by subterfuge.

The attorney-general moved to strike out the counter claim of the defendants, whereby they ask a fiat to bring suit for \$100,000 damages for injury to their business and credit by the ulterior use to which the attorney-general has put his suit. In this connection the counter claim not being struck out the attorney-general asks for particulars of it. The master reserved judgment.

During the argument Mr. Lawr spoke of the injury to his clients by what he described as the high-handed actions of the attorney-general.

Mr. White took refuge behind the adage that "the king can do no wrong."

Mr. Lawr returned to the attack with the declaration that the attorney-general was not suing on behalf of the crown, but merely as attorney-general of Ontario.

In the statement of claim, the attorney-general alleges that the defendant has cut upwards of 60,000 cords of pulpwood, 1800 logs, and 800 beams in the township of McTavish, on Borden Island, and on part of Black Bay Peninsula, on lands, patents of which were improperly obtained, on the representation that there had been valuable finds of minerals thereon. Others were said to have been obtained under the guise of homesteading.

The defendant denies wrongdoings, and says they have bought wood from the Cambrian Mining Co., Taylor & Mackie, settlers and others. If those parties got their lands improperly, the defendant says they should be prosecuted instead of themselves.

## SCENT DEFECT IN POWER-AGREEMENT

No Mention Is Made of Franchise of the Various Concerns.

Some attention is being given to the city hall to the fact that the provisional agreement between the Toronto Railway Co. and the Hydro Commission for the sale of radial and power properties to the Hydro and the city makes no mention of the franchise of the various concerns.

The agreement, as set forth in a letter from R. J. Fleming to the Hydro Commission, merely mentions the sale of the issued stock of these concerns. It is pointed out that, for instance, the Toronto and Niagara Power Co. may have considerable unissued stock, and, as they have a federal franchise on all the streets and highways of the province, they might, after selling their present plant and assets to the city, put out more stock and go ahead and do business on their franchises.

The question has been raised and it is anticipated the city will insist on tangible assets being given up including the franchises.

It is also understood the city may ask for a revision of the arrangement between the city and the Hydro, which, in its present terms, provides that the Hydro Commission may operate cars on Kingston road in the city and also between Sunnyside and the Humber. These roads are both of the same gauge as the city lines and the transportation commission could take over the sections in the city and operate city cars on them without any preliminary expense.

An arrangement could be made whereby the Hydro could operate on Toronto's behalf the sections outside the limits.

**WOULD GIVE POSITION  
TO RETURNED MAN**

A deputation of returned men waited upon the Ontario government yesterday in connection with the appointment of a purchasing agent for the province. Clarkson W. James, secretary to the minister of conditions, has been mentioned for the position, but the appointment is not approved by the returned men, who urged the claims of Franklin Challenger.

Attorney-General Raney declined to comment on the matter other than to say no appointment had been made.

The selection of a successor to R. T. Harding as crown counsel in the Riddell-Latchford timber enquiry, Mr. Raney also announced, is being considered, as is also the vacant chairmanship of the Timiskaming and Northern Ontario Railway Commission.

**FOR JOINT DISCUSSION  
OF UNEMPLOYMENT**

The unemployment situation will be considered at a meeting in the city hall tomorrow afternoon at 2:30 o'clock, which will be attended by the mayor and representatives of both the board of trade and the C.M.A.

**CON. RAMSDEN RETURNS.**  
Controller Ramsden returned yesterday from Montreal, where he attended the funeral of his nephew, Leroy Weller, who lost his life in a fire.

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## RECONSIDER BY LAWS FOR RATEPAYERS' VOTE

The various bylaws and questions which are on the list for a vote of the people on January 1, will be reconsidered by the board of control this morning, and the revised list will be the subject of the deliberations of council at a special session this afternoon.

The measures must be advertised for three weeks before the people are called upon to vote on them, and, therefore, it is necessary to give them two readings in council this week. The board will meet at 10 o'clock.

## MAGEE SUIT CAUSES STIR AT CITY HALL

Question Is Now Likely to Be  
Threshed Out by Board of  
Control.

The revelations at Osgoode Hall, where Col. Boyd Magee's suit to collect part of \$100,000 from the Canadian Stewart Company was heard, is causing a little commotion at the city hall and is likely to crop up at the board of control meeting this morning.

The question being asked is: "What did Col. Boyd Magee do in return for a promise of \$100,000 from the firm which secured a big contract from the Toronto harbor commission?"

Con. Cameron said yesterday that he intended to move today for information concerning the tenders submitted, with names and amounts, and for other information, and Con. Ramsden has suggested an investigation to see what information the harbor board has on the subject.

Chief Engineer E. L. Cousins of the harbor board said yesterday: "The contract was awarded in open competition, and the first I knew of any \$100,000 was when the letter was published."

Home Smith of the harbor board said: "The Canadian Stewart Company got their contract from us because they were the lowest tenders, and quoted a low price. It was a straight business deal. So far as we were concerned that is all that entered into the transaction."

The letter referred to came up in court on Monday and was from J. C. Stewart of the Canadian Stewart Company. It promised Con. Boyd Magee \$100,000 for services, and purported to be a transcript of a memorandum agreement dated June 8, 1913. The letter was dated Nov. 18, 1913. The harbor board had called for tenders for \$1,000,000 yards of dredging, with a guarantee minimum of 20,000,000 yards and a guaranteed minimum of one-sixth of that amount each year for six years. The tenders were opened on May 28, and the contract was awarded to the lowest tenderer on Sept. 15, 1913.

The tenders were:

	Cents	Per Yard.
Anglo-Canadian Contractors...	24.50	
Sir John Jackson, Ltd., .....	20.50	
Crowell-Sharman-Stalker .....	20.00	
Canadian Stewart Company...	19.75	

It was said in court that the money was promised for services in connection with the obtaining of the contract, but what these services were have yet to be revealed.

**NO JURISDICTION OVER  
VIADUCT SITUATION**

Mayor Church last week wrote to Hon. Dr. Reid, minister of railways, asking for a statement of the government's attitude on the viaduct question, pointing out that President Kelley of the G.T.R. had said any agreement entered into would require to have the approval of the government, which was taking over the G.T.R.

Dr. Reid replied as follows: "As you are no doubt aware, the government has not yet taken over the Grand Trunk Railway and will not be in a position to do so until the award of the board of arbitration has been received. In the meantime, we have no jurisdiction in the matter to which you refer. I will be glad to submit your letter to President Kelley and ask him to give it his best consideration."

**CHRISTMAS CAROL TO  
HELP SICK CHILDREN**

Seats are now on sale at Nordheimer's music store for the performance of the Christmas Carol classic by the Dickens Fellowship players. The entire net proceeds of these performances on December 15, 16, 17, and 18 go to endow another cot in the Hospital for Sick Children. This society has already two cots in their name in the Home for Incurable Children, and the eleven of the little patients from this institution are the guests of this society at the Thursday performance. The plan opens on the ninth, and all Dickens lovers should be sure not to miss this Christmas entertainment.

**RACHMANINOFF AT MASSEY  
HALL.**

Sergei Rachmaninoff, the greatest musician whom Europe has sent to the new world since the days before the war, will delight a large audience of Toronto music lovers at Massey Hall tonight. Rachmaninoff is a brilliant composer, pianist and director. He is a master of the keyboard, playing with rare insight and imagination, eloquence and poetry. His compositions represent some of the best of the greatest school of music of modern times. His repertoire will display the full range of his powers. Rush seats will be placed on sale at 7:15 p.m.

**HARBOR BOARD TO MEET.**  
A meeting of the harbor board will be held on Thursday afternoon at 2:30 o'clock. Some notice may be taken of the Boyd-Magee suit to collect a large commission from the Canadian Stewart Co. which obtained a contract from the harbor board.

**SIX MONTHS FOR WOMAN.**  
Annie Barber, the woman who attempted theft from Grace Hospital binding herself and concealing the money, was yesterday given six months at the jail farm. She collapsed, but not before she had expressed a desire to shoot the magistrate.

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paper and send 2c. stamp for postage. See a  
box; all dealers or Edmondson, Bates & Co.,  
Limited, Toronto.

**Let Cuticura Be  
Your Beauty Doctor**  
Give Cuticura Ointment  
For conveying opium to a Chinese  
prisoner at the jail farm, Leo Filippato  
was yesterday fined \$500 and costs or  
six months.

**INSPECT FIRE PROTECTION.**  
Fire Chief Russell has instructed  
his deputies and district chiefs to  
inspect every hospital and public in-  
stitution in Toronto.

**WOMAN MAKES MANY  
REQUESTS IN WILL**

Miss Isabella Ross, who died in Toronto, Feb. 18, 1915, leaving \$65 in personal effects, and equities of \$800 in 142 Northcote avenue, and \$7,500 in 157-159 Rose avenue, after directing that \$200 be set aside for a monument and \$25 for the care of her grave, left \$1,000 to the House of Providence and the Catholic Church Extension Society, \$500 each to her sisters, Margaret Ross, Ellen T. O'Brien, Musakoka Free Hospital, St. Elizabeth Order of Nurses, St. Philip of Neri Hostel, and the Sacred Heart Orphanage, and the residue to her sister, Mrs. Mary A. Garney.

**FAMILY GETS FORTUNE.**  
William A. Wilkes, who died in Toronto, Aug. 12 last, leaving \$75,000 personality, bequeathed a life interest to his widow, Mrs. Annie Louise Wilkes, on whose death his children share.

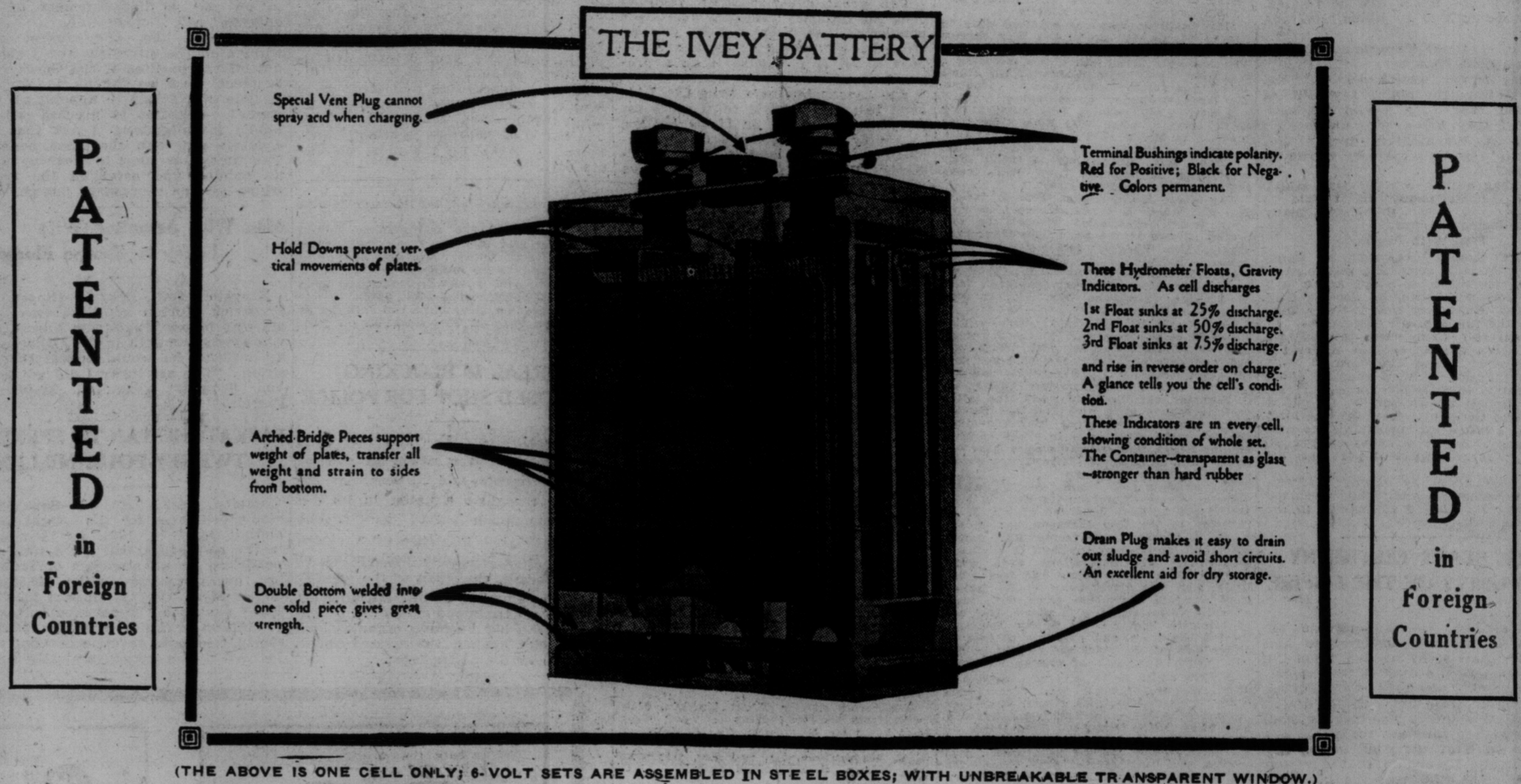
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## SUGGEST TRANSFER OF SOCIAL SERVICE

Deputation Would Place Commission Under Department of Health.

Ald. Phinnemore's motion to abolish the social service commission and turn its work over to one of the civic departments will probably be taken up by the board of control this morning, but already a deputation has waited on Dr. Hastings, M.O.H., and asked him to take charge of the work, in co-operation with the city treasurer.

The deputation consisted of Ald. Phinnemore, Ald. Hamilton and Mrs. A. M. Huestis. They take the stand that a big saving can be effected in the work of the social service by having it handled from the medical health department. The present cost to the city is about \$20,000 a year. The health officer has on his staff a number of trained nurses and others would probably need very little more help than he has to handle the work.

When asked yesterday the reason for his motion to abolish the commission, Ald. Phinnemore said: "The main trouble with the social service commission is that W. H. Smith and Miss Barclay seem to be the whole commission."

"It cost over \$20,000 to carry on the administrative work of the commission last year, and what is the use of paying \$20,000 to a body of men to merely say 'no' to requests for money? I suggest that either we should create a new civic welfare department or hand this work over to the medical health department to do, because that department has an organization that could do it."

"Conditions are bad at Inglenook Farm, the boys' home near Barrie, and I would abolish that institution, too. But certain allegations concerning it have still to be kept under cover. The mayor has promised me that the board of control will take the matter up on Wednesday of next week."

**Chief Inspector Recommends  
New Public School Teachers**

Chief Inspector R. H. Cowley has recommended the appointment of the following new public school teachers: Valda L. Stockwell, Carrie McLeod, Katie F. Falk, Laura Marcellus, Jean Armour, Edith Morton, A. Alea Leary and Mrs. Caroline Hoffman. Also the following instructors: John C. Darroch, Thomas Windsor, George B. Cairns, and John Webb.

**GAVE PRISONER OPIUM.**  
For conveying opium to a Chinese prisoner at the jail farm, Leo Filippato was yesterday fined \$500 and costs or six months.

## RECKLESS DRIVING CHARGES INCREASE

Some People Not Fit to Run Cars, Judge Coatsworth Says.

"The number of accidents is not decreasing as we had hoped, and it is evident that certain people, either thru carelessness or recklessness, are unfit to drive automobiles," said Judge Coatsworth in his charge to the grand jury at the opening of the sessions yesterday afternoon, as he referred to the eighteen charges of criminal negligence following auto accidents, which are to come before the court.

After informing them as to their duties and urging the grand jurors to speed up their work, that the petit jurors might be dismissed as soon as possible, the judge suggested that, instead of visiting public institutions, which grand juries had inspected twice in the past three months, they should consider the extension of the probation system in the handling of prisoners, and make recommendations to be submitted to the government.

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