

PROBS: Northwest wind gusty till
cold, but some snow shortly

FOURTEEN PAGES—TUESDAY MORNING NOVEMBER 8 1910—FOURTEEN PAGES

GO TO THE COURTS TO FIGHT THE CITY'S PLANT

Toronto Electric Light Company, Declaring They Have Been Driven to Seek Protection, Ask for Injunction to Tie Up Civic Electric Power System.

The Toronto Electric Light Company has determined to fight the city's plant. General Manager H. H. McCrae yesterday afternoon wrote H. L. Drayton, K.C., corporation counsel, announcing this decision, while no time was lost in beginning action at Osgoode to restrain the city from continuing with its electrical construction work and asking that the poles and conduits already installed be removed and for damages.

In forwarding to the press copies of the communications sent Mr. Drayton, Mr. McCrae said: "The company fears that it will be misjudged by the citizens, but no other course is open to it."

The action taken by the company means, apparently, that the company has abandoned hopes of successful negotiations with the city for the sale of the plant. Coming at a time when the board of control was understood to be considering the making of an offer, the company's tactics were somewhat unexpected.

"It certainly doesn't look as tho they intended to negotiate further," commented Mayor Geary. Asked how far the board had gone with its deliberations, he replied that the city had not reached the point of being able to make an offer.

"The first I have heard of it," was the remark on the statement in an evening paper that Alexander Dowd of Detroit, the consulting expert, had suggested to the board paying \$150 a share for Electric Light Company stock.

Corporation Counsel Drayton gave the opinion that the company was not standing by the terms under which its compromise with the city was recently effected, but had accepted its right about face. He declined to discuss the subject further.

"Driven to it," Mr. McCrae says: "I have written you another letter to-day showing how the continued trespasses of the city's electrical department have driven the company to seek the protection of the courts."

"At the conference recently held between the mayor and board of control, on the one side, and representatives of the company, on the other, when the city declined the company's offer to sell out under the terms of the agreement (clause 6), it was stated on behalf of the city:

1. That the company would not be permitted to operate in any of the newly annexed districts.
2. That the company had no rights in respect of its overhead construction upon the streets of the city after Dec. 31, 1910, and that its poles and wires were subject to removal, upon notice, at the will of the city.

"In view of these very extraordinary pretensions, the company is bound to resort to the courts for the establishment of its rights and has issued a writ accordingly."

Complain of Trespass. The second letter referred to, also addressed to Mr. Drayton, reads: "I beg to acknowledge receipt of your letter of Nov. 1."

"It cannot be that you, as counsel for the corporation, are advising or countenancing the continuance of trespasses already committed by your electrical department and the repetition of regard to both their overhead and underground construction, and I must, therefore, assume that you have been kept in ignorance of them."

"Unfortunately, the chief of your engineering staff, and then for very short periods, so that it is impossible for him to exercise sufficient supervision; and there is no one under him who has authority who can be held responsible, so that there is little or no check upon the methods, whether proper or improper, legal or illegal, adopted by your contractors and workmen in carrying out their instructions to rush the work."

"I am, myself, to blame perhaps to some extent for permitting these repeated acts of trespass, but I have placed reliance on your many written assurances of friendliness and good faith and committed and prevent all further occurrences of a similar character, not realizing that for the reasons referred to you might be able to carry out your own personal intentions."

"The trespasses which admittedly have been committed have not been remedied, as it was promised they would be, and they are being repeated, and the company's peremptory notices."

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What the City Council Did

Instructed the board of control to report on how many of the proposed money bylaws should go into effect on Jan. 1. Approved, in principle, submitting the \$500,000 marsh reclamation bylaw and \$200,000 bylaw for consumptive sanitariums. Delegated the mayor, Controller Spence and Ald. Chisholm to attend the National Municipal League convention at Buffalo next week.

Referred back fire station site on St. Clair-avenue. Referred back fencing of the reservoir.

Approved transfer of dead for technical school property on College-street to the board of education. Approved awarding of fire hose contracts.

Asked board of control to reconsider Coxwell-avenue subway project.

Instructed city solicitor to report on carrying out Bloor-street viaduct partly as a local improvement.

Passed a bylaw to issue debentures of \$645,743 for paving street railway extensions ordered by railway board.

Referred back to works committee proposal to extend Parliament-street to join proposed Bloor-street viaduct.

Instructed city engineer to report on extending Queen-street west of Sunnyside, instead of building a bridge.

HUNT CLUB DIRECTORS PLAN \$100,000 BUILDING

Special Committee Will Visit the Grounds This Morning, and Lose No Time in Getting Plans.

A meeting of the directors of the Toronto Hunt Club was held last evening at "Chudleigh," the residence of Geo. W. Beardmore, M.P.H. All the directors were present, and great enthusiasm was manifested in the cause of immediately rebuilding the club house on a larger and finer scale than that destroyed by fire on Sunday morning.

A special committee was appointed to take up the question at once and enter into arrangements for the prompt commencement of building operations. This committee will meet this morning on the grounds at 9 o'clock to choose the new site and form an idea of the plan on which the club house will be built.

Friends of the club are to be the architects of the new structure, and the cost will probably amount to over \$100,000. The building committee is composed of D. D. Mann (convenor), R. J. Christie, Stephen Hart, Hume Blake, Geo. W. Beardmore, A. O. Beardmore, Gordon Oaker and Edmund Bristol.

Arrangements are also under way to provide immediately a temporary club house for the convenience of members who wish to take advantage of the golf, shooting, tennis, etc., on the grounds.

There is a very large barn, and this will be reconstructed, partitioned and furnished to meet all temporary requirements. Another building will contain the telephone, offices and secretary's quarters, and accommodations for the members will also be provided on the grounds. As the club books have been preserved intact, it will be possible to continue in business without any hitch, almost as if nothing had happened.

A number of letters and telegrams, expressing regret and sympathy, have been received by Mr. Beardmore on behalf of the club. These include a letter from the Montreal Hunt, and a wire from Earl Grey. The latter says: "Much concerned at disaster which has overtaken Hunt Club. Hope Phoenix may arise from its ashes more glorious than before—Grey."

STRIKE SITUATION SERIOUS

Cavalry Ordered in Readiness for Duty in South Wales Coal Strike.

LONDON, Nov. 7.—The situation in the South Wales coal fields, where 30,000 miners are on strike because of the employment of non-union men, became so threatening to-day, that the government ordered general secretary of British cavalry.

The government ordered the Eighteenth Hussars in readiness to support the police, who are being harassed by the worst of it in their conflicts with the striking miners.

OVER THE 10,000 MARK.

NIAGARA FALLS, Ont., Nov. 7.—(Special).—The city's population is 10,924, according to the police census report, submitted to the council to-night. Renewed efforts will be made to secure free mail delivery, as the government recently turned down the request on the grounds that the city did not have 10,000 inhabitants.

NEW SECRETARY OF ALLIANCE.

MONTREAL, Nov. 7.—The annual general meeting of the Dominion Alliance opened here to-day. Canada's export of flour to Britain have risen from 1,430,420 cwt in 1907, to 2,052,400 in 1909. Exports from the United States to Britain have declined by 2,800,000 cwt, from Austro-Hungary by 325,000, and from France by 159,000.

FELL FOUR STOREYS.

OTTAWA, Nov. 7.—An iron and steel worker on the new Rosenthal building on Sparks-street lost his life this evening. A Norman Montreal, an employe of Jager and Harris, fell down four storeys, and fractured his skull.

CONTROLLERS TO CUT OUT SOME BYLAWS

The Council Put it Up to the Board of Control to Consider Whether It is Advisable to Ask the Ratepayers to Sanction So Much Expenditure.

While the city council yesterday approved the principle of submitting to the ratepayers on Jan. 1 bylaws to provide \$500,000 towards the reclamation of Ashbridge's marsh and \$200,000 to aid the work of the consumptive sanitariums, it was with the understanding that the board of control is to make a careful examination of the money bylaws thus far proposed, eight in number, and report to council at next meeting what bylaws, in the board's opinion, should be laid over for another year. Fears were freely expressed that, to send on all the bylaws calling for a total expenditure of about \$3,000,000, would mean the defeat of all. Ald. Baird went further than that.

"I believe if all go on, every member of council, including Controller Foster, will be defeated," he announced solemnly, and a chill of apprehension descended.

Earlier in the afternoon, Controller Foster, with Ald. McBride as his lieutenant, had met with no trouble in getting council to pass a resolution "that, with a view to limiting the number of debenture bylaws to be submitted to a vote of the ratepayers at the next municipal elections, the board of control be requested to reconsider the various recommendations already submitted to the council and report thereon at the next meeting of council."

Several aldermen were uncertain whether the bylaw approved some weeks ago for the establishing of a municipal street railway system in the suburbs, covered the amount of \$556,360 for equipment. Mr. Rust having furnished the latter estimate only a few days ago. Controller Ward banished these fears.

The Marsh Reclamation.

The chief debate of the afternoon centred around the marsh reclamation bylaw, comprising \$175,000 for new docks, \$75,000 for dredging a channel from the bay to the proposed docks, and the remainder for dredging the new channel at the south side of the proposed improvement. Controller Church and Ald. Hilton stoutly supported the expenditure on the ground that the scheme had been made a footnote of too long, that the east end of the city hadn't had a fair share of civic favors, and that the whole city would benefit from the industrial expansion.

Controller Spence advised caution. Why should the city rush to spend money on dredging, when the Dominion Government should and might do it? Ald. Graham favored a side-track process in the interest of other bylaws, fearing that the voters would swamp them all. Ald. Phelps denied that Riverdale would reap any selfish gain. The whole city would profit by the development of the big manufacturing area of 1535 acres.

Ald. Baird followed up his dire prophecy with the statement that, weren't 200 people in Toronto who could vote intelligently on all the bylaws.

"In my judgment this is not a businesslike proposition," said Ald. McCarthy. "We should have a well-made plan showing how the money is to be used. We have reason to suppose that the government will dredge the channel, and, as to docks, if the government treats Toronto with one-tenth the consideration it gives elsewhere it will do something."

Will Go to Buffalo.

The mayor, Controller Spence and Ald. Chisholm, chairman of the works committee, will attend the sessions of the 18th annual convention of the National Municipal League, and the 18th National Conference for Good City Government, at Buffalo next week. Controller Spence suggested that the two or three council members for the trip. Controller Foster contended that if members took jaunts to broaden their municipal knowledge, they should do so at their own expense, and strenuously opposed the proposal of Ald. McBride that he (Controller Foster), Controller Spence and Ald. Maguire should go. Ald. Baird's motion that his worship, Controller Spence and Ald. Chisholm make up the trio then carried.

Once again council confessed its inability to put thru a site for a fire station. The fire committee, inveighed against the board for having thrown out the committee's recommendation of a site on St. Clair-avenue, just west of Yonge-street, but, seeing the hopelessness of trying to get the necessary two-thirds vote, did not press any motion.

The question of fire protection for Deer Park is not, however, dead. On the motion of Ald. Maguire, Chief Thompson and Property Commissioner Harris will report on a site in the district.

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OUR CANAL QUESTIONS

A pamphlet has been published by the Toronto Board of Trade in which the immediate despatching and improvement of the Welland-St. Lawrence waterway is advocated on broad public grounds. The contention of the board is that if Canada intends to control the carrying trade of the Northwest and maintain her commercial or even her political independence, she must have, absolutely under her own control, an all-Canadian deep waterway from the head of the lakes to the seaboard.

The pamphlet is commendably free from sectional appeals and from arguments based upon local interest or prejudice, and anything approaching overstatement is carefully avoided; the case for the Welland route being rested entirely upon public and broadly patriotic grounds. In this respect it differs notably from some of the appeals and statements that have been and are being made on behalf of the Georgian Bay scheme, by some of its advocates. These gentlemen do not conceal their hostility to the Welland-St. Lawrence route and are very far from careful to keep their statements within the bounds of accuracy; their whole campaign being selfishly sectional to a degree and not conspicuous for candor.

The latest offenders in this way are His Worship Mayor Hopewell of Ottawa and Mr. John McKeen of the same city, who appear under the high-sounding but somewhat misleading title of "treasurer of the Canadian Federation of Boards of Trade and Municipalities."

These gentlemen have been addressing the English and French boards of trade of Montreal in support of the Georgian Bay Canal project, and it can only be said of their speeches that, when not nebulous and ambiguous, they were uncanon and unfair. It is charitable to suppose that neither gentleman was possessed of anything resembling accurate information regarding Canada's waterways problem and that some of their statements were the result of misinformation and lack of knowledge rather than of a deliberate design to mislead. Mayor Hopewell was rather worse in this respect than his companion, for Mr. McKeen seems hardly to have pretended to any definite knowledge of his subject, contenting himself with the generalities of a campaign being selfishly sectional to a degree and not conspicuous for candor.

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MERCHANTS' ASSOCIATION CONDEMN THE COMPANIES

Demand That They Recede From Their Stand—Insane Strike-breaker Had Club in Trousers.

NEW YORK, Nov. 7.—Strong pressure to end the express strike which has so seriously hampered business was brought to bear late this afternoon on the six transcontinental express companies involved, by the Merchants' Association of New York. Protestants, that the position of the companies is unreasonable and prevents a settlement, the association in a letter demands that they recede from this stand. This action followed the sympathetic strike of 2000 chauffeurs and cab drivers to aid the express employees.

The strike of chauffeurs brought many of the employers hurrying to headquarters to effect settlements and nearly half of the men returned to work before night. Attacks on taxicabs were frequent, however. The question of licenses for drivers was brought to the fore to-day when Francis W. Magstadt, an escaped patient from Middletown State Hospital for the Insane, was arrested, while acting as a strike breaker. A two-foot club was found in the leg of his trousers.

Fears of serious trouble to-morrow, when practically the entire police force will be engaged in election duties, were allayed by the announcement of the companies that they will not attempt to operate wagons.

Daniel J. Tobin of Indianapolis, general president of Teamsters, left New York to-day, said to be bound for Chicago or St. Louis. It is declared in labor circles in this city, that the situation in both Chicago and St. Louis is now as acute as it was in New York a day or so before the strike.

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"A BUSTED IDOL"



BOTH SIDES STILL SURE THEY WILL WIN ELECTION

To-day Electors in New York State Go to the Polls—Brokers Favor Dix.

NEW YORK, Nov. 7.—The New York gubernatorial campaign of 1910 passed into history to-night with Henry L. Stimson, the Republican candidate, and Theodore Roosevelt, his most prominent backer, voicing their last appeals for votes. The final word on the Democratic side was spoken Sunday night, when John A. Dix, the head of the ticket, sent to Mr. Stimson his answer to the 12 questions telegraphed by Stimson to Dix's home in Thomson.

Mr. Dix spent the last day of the campaign at home. Mr. Stimson occupied the morning preparing an answer to his rival's reply of Sunday night, and the rest of the day and evening on the stump, or in an auto hurrying between political rallies in New York City.

The Democratic leaders declared that the quiet that prevailed to-day on this side of the campaign was itself evidence of confidence. "Our party machinery up state is in better shape than at any time for the past 15 years," said Chairman Rodie. "All the details of election are arranged, and we are not looking for trouble anywhere."

Chairman Frenchie of the Republican state committee, said to-night: "I am absolutely confident we'll carry the whole ticket, and I don't think the vote will be close."

He added that he believed campaigning up to the eleventh hour, such as Mr. Stimson and Col. Roosevelt indulging in to-night, was useful in a big centre of population like New York. The lid will be on and the great white way will be a vast wave of tears early Wednesday morning. Announcement was made to-day that applications made by hotel and lobster parlors for permission to stay open all election night had been refused. No drink can be legally sold after 1 a.m.

Setting on the New York State election was lively in Wall-street this afternoon. Up to the close of the market it was estimated that about \$60,000 had been wagered on the gubernatorial contest by curb brokers and members of the exchange. The prevailing odds were 3 to 1 on Dix.

POLITICAL RUMORS

Laurier Will Fight to a Finish for His Naval Policy.

OTTAWA, Nov. 7.—The only news of the political situation here to-day is that Sir Wilfrid has given it out to his friends that he will not yield one inch and will continue to fight for his naval policy, even if it involves defeat in the two years that are yet to come.

There are reports that an Ontario county, presumably North Oxford, would be opened as a test of Ontario opinion, but there are also counsels that it would be better to wait a while.

Aside from the Liberal anxiety on the situation there are reports here from Montreal that Rudolph Forquet, the big broker of Montreal, and Conservative M.P. for Charlevoix, has called upon R. L. Borden to resign and give the Conservative party a chance to organize under a proper leader.

Mrs. Gibson will receive at Government House, Toronto, on Thursday, the 10th inst., from 4 to 6.

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RECIPROCITY VS THE NATIONAL POLICY

"The Dominion is Proposed to Be Used as a Stalking Horse to Kill in Part the Demand of the People of the United States for Tariff Reductions to All Imports."

(Ninth Article.)

In considering the advisability of otherwise of lending a sympathetic ear to proposals for tariff modification coming from quarters directly interested in their success, it is always prudent to ascertain the real, apart from the ostensible, motive. Here, in connection with the evident anxiety displayed by the United States executive and many of the leading politicians of the republic to secure another reciprocity agreement with the Dominion, several avenues of investigation are open to the curious enquirer. One of these concerns the existing political situation in the United States, as it has developed since the enactment of the Payne-Aldrich tariff. During the last presidential election the Republican leaders repeatedly promised revision downwards. This was a concession to popular sentiment which, had it not been made, would certainly have adversely influenced the electoral vote. How these promises were fulfilled is matter of history. Notwithstanding the ingenious attempts to demonstrate that substantial reductions were made by the new tariff, the fact remains that in the great majority of cases they occurred in lines that yielded no real public relief and that as regards important classes of articles in general public demand, the rates were raised rather than diminished. Writing recently in The New York Evening Post, Mr. Franklin Pierce, an acknowledged authority, declared that in the present tariff there are at least 600 articles where the duty is practically prohibitive. Not a few of them are on classes of products which Canada is able to supply and might do were the tariffs of the countries even approximately equal. For it should never be forgotten that despite the casuistry of the United States spokesmen and special pleaders, the tariff of Canada, the protective when compared with the British schedules, may, when compared with that of the republic, be fairly termed a system of free trade.

So indefensible was the form of the Payne-Aldrich tariff bill as it left Congress that President Taft was compelled to remonstrate and to insist that some show of effort should be made to meet the public call for tariff revision. Negotiations followed and amendments were adjusted which the president announced sufficiently met the party pledges. If that were really his belief, he was soon disabused. A storm of revolt swept over the states of the west and middle west, and was followed by the emergence of the insurgent Republicans as an organized rebellion against the reactionary influences that had dominated the party. True tariff reduction is only one of the planks in the progressive platform, but the insurgent strength from the public determination to obtain more moderate import duties, and the pressure they exercised in turn compelled President Taft to reconsider his refusal to reopen the tariff question and to promise renewed enquiry and tariff relief in individual cases as ground might be disclosed. But the main point for Canadians, important enough to merit careful consideration, is this, that not until this stage in the tariff controversy did the president and his advisers become keenly alive to the necessity of re-opening negotiations with Canada for the conclusion of a reciprocal trade treaty. Looking dispassionately at the situation of the Republican party at the moment, and as it has since developed, there can be no reasonable doubt that the efficient motive for the serious presentation of the request for a reciprocity arrangement was the way of escape it offered for the tariff troubles of the party. The Dominion, in other words, was and

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Furs for the Young Ladies.

Fur ruffs and muffs are in season, especially for the younger end of the family in the fairer sex. It is generally conceded that fox and lynx or hare sets make the best garments for young ladies. The Dinesen Company is showing some splendid designs just received from the workrooms and manufactured upon R. L. Borden to resign and give the Conservative party a chance to organize under a proper leader.

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