

YORK RADIAL CAN DEVIATE TRACKS

Privy Council Allows Appeal Regarding Farnham Avenue Terminal.

CONDITIONS FULFILLED

Company's Dealings With City Council Had Proper Legal Basis.

Canadian Associated Press Cable.

London, Oct. 23.—Allowing the appeal of the Toronto and York Radial Railway Co. versus the Corporation of Toronto, arising from an application by the appellants to the Ontario Railway and Municipal Board, for permission to deviate tracks, a judgment handed out by the privy council this afternoon, finds that the appellants, for the purpose of operating their railway, have the franchise which they claim in respect of the street and adjoining lands proposed to be used. It determines in their favor the question on which the late Justice Garrow preferred not to give a final opinion.

On the second point, concerning the obtaining of the city council approval before the railway board could approve the plans, the judgment says: "Conditions Fulfilled. It is clear that before construction commenced the plans setting forth the proposed location of tracks must be approved by a committee appointed by the city council, and that the location cannot subsequently be altered without the consent of the committee. There is further provision that the line shall not be put into operation upon any section until the city engineer has certified that such section has been constructed in compliance with the terms of the agreement. It must be assumed that all these conditions were fulfilled before the line was put into operation."

"In the present case the board, before approving the plans of the appellants, took care to ascertain whether they were satisfactory on engineering grounds to the city; they considered the objection of the city on engineering grounds. The board also procured a report of its own engineer and before approval amended the plans of the appellant to comply with the objections made on behalf of the city. In effect there was no difference on engineering grounds between the city and the company when the board finally approved the plans for carrying the spur line across the sidewalk on the west side of Yonge street."

"In the event of any difference arising between the city and the appellants as to any matter to be done under the terms of the agreement, their lordships held the opinion that the agreement contains an ample arbitration section."

History of Fight. According to the above cable, the privy council has allowed the appeal of the Toronto and York Radial Railway against the city in connection with terminal facilities at Farnham avenue. The company desired a terminal station at the end of its line, and this included the crossing of the sidewalk on this street, in order to reach its property on the west side of Yonge street. The appellants declared there was no accommodation for passengers, and unless access could be gained to this site.

A decision in favor of the railway was given by the Ontario Railway Board, which was subsequently thrown out by the appellate court. The case was taken to the highest court with the result that the board's decision has been upheld.

KHAKI CLUB IS OPEN TO ANY MAN IN UNIFORM

Object is "Treat the Returned Soldiers Kindly and Send More Men."

The soldiers' Khaki Club is to be open to both the returned soldiers and those at Exhibition Barracks, and is to be under military rule. It is the only patriotic organization in Toronto where all the officers and executive have blood relations—either sons or brothers—at the front, not in England, but in the firing line. The object is to carry out the message from the trenches to the people of Toronto, given from a public platform recently, "Treat the Returned Soldiers Kindly and Send More Men."

Belgian Relief Receipts Reach Thirty-five Thousand

The Belgian Relief Committee, 30 King street west (formerly 94 Bay street), report subscribers for the week of \$480.08. Included is the sum of \$50 from the employees of the W. J. Patrick Co.; \$35.04 from the employees of the Steel & Radiation 6-in. shell plant; \$21.41 from the Whitehead Red Cross League; \$5 from "A. G. Camp Borden; \$1.90 from the girls in three classes of St. Giles' S. S.; contents of 10 mite boxes, \$19.87. Six of these from Glen Murr School amounted to \$8.99. The total received to date is \$85,017.37.

SOLDIERS' COMFORTS DEPT.

Mrs. Arthur Van Koughnet, convener of soldiers' comforts, reports that the week's shipment of soldiers' comforts for overseas contained the following articles: 408 Christmas stockings, 360 pairs socks, 206 gauze shirts, 100 wet shirts, scarfs, wristlets, 1 dozen wash cloths, 15 bags, 40 packages paper, tobacco, cigarettes, matches, "News from Home," and several parcels containing separate gifts from soldiers.

DIED FROM HEART FAILURE.

About 3 o'clock yesterday afternoon Bridget O'Reilly, aged 60, 34 St. Catharines street, was found dead on the floor of her home by the police at Cowan avenue police station, who had been sent to the house by a telephone message from Dr. Wickham, 1299 West Bloor street. Death is believed to be due to heart failure, and it is not likely an inquest will be held.

180TH COOK AND HIS KITCHEN



Cook-Sergeant Nixon of the 180th Battalion standing in front of his Aldershot kitchen. There are 99 Kettles in the kitchen, each holding enough soup for 15 men. The kettles are set in clay molds, built on the ground, with flues running to the chimney in the rear.

THE ESPLANADE SITUATION

A Possible Deadlock Between the Railways and the City.

A conference was held yesterday in the contractors' offices of the new Union Station between representatives of the railways, the city, the harbor commission and the board of trade, with reference to certain proposed temporary changes that would allow the use of the new station as soon as finished, on condition that the agreement to elevate the tracks on the proposed viaduct along the Esplanade be suspended for a time because of the inability of the railways to raise the necessary money. The railways were represented by Mr. MacTavish and Mr. Fairbairn, one of their engineers; the city by the mayor and Controller Foster; the board of trade by Arthur Hewitt and J. W. Wood; the harbor commission by Lionel Clark, Homo Smith and R. S. Gourlay, also officials of these various bodies.

The harbor commissioners were very strongly in favor of the tracks being elevated at the earliest possible moment, as it was essential to the harbor plans, and these plans were approaching completion, to have the tracks elevated and to allow easy access, as they claim, to the harbor improvements and water front by subway under the elevated tracks. It was also pointed out that the new road, which the harbor improvements contemplated along the new water front, should also be proceeded with, thereby giving access to not only the new docks, wharves and building sites, but also that the driveway and boulevard therealong should be available at the earliest possible moment. And they further urged that the radial road, which in connection with the Hydro-Electric Commission would also be held up if the entire improvement as agreed upon by all parties was not completed as a whole and as early as possible.

Mr. MacTavish on behalf of the railways was not ready to meet the strong objection raised at the moment, and the other parties to the agreement, and the meeting separated without any decision being reached, artho it was said later on in the afternoon that some kind of new proposal might be submitted today, and if not today, at some early date.

The temporary alternative proposed by the railway at the conference yesterday was for a bridge from the foot of Yonge street over the tracks to the present water front and carried at the elevated level along the water front as far as Bay street and then back across over the tracks to Front street. If this were done, the railway said they could go ahead and finish the new station, and for the time being have the trains leave at the present track levels, and later on elevate them when money will be easier to obtain for carrying out the agreement between the parties.

HICKEY'S MODERATE PRICES.

Calculated to please even the most fastidious dressers, Hickey's suits and overcoats for fall and winter wear contain all the features that are essential in clothing. Owing to war conditions it is extremely hard to chase clothes at moderate prices, but with their usual initiative Hickey's, at 27 Yonge street, have secured a first class line of suits and overcoats, which sell at \$15 to \$35.

FARM MOTION PICTURES.

Kitchener, Oct. 23.—Mr. W. Purcell, rural engineer of the Hydro-Electric Commission, is here in connection with having moving pictures taken of electric motor driven or heat farm. The photos are desired by the Dominion Government for exemplifying work in the old country.

"BACK TO THE FARM" SUPPER.

Congeniality was the keynote of "The Back to the Farm" supper, held by the members of the business men's department of the Y.M.C.A. in the auditorium of Central Association Building, last evening. The event was the annual fall opening, and was attended by approximately 200 business men, their wives and friends. Through the supper choruses, songs, parodies and patriotic numbers were rendered by Duncan R. Cowan and Bert Harvey; Charles McGrover was pianist. Games and puzzles of various kinds were introduced, the winners of which received prizes. The motor driven or heat farm arrangements, in conjunction with the exhibit, consisted of Frank Trimble, Geo. Barron and R. F. Maclean.

Safeguard your boy's future

Can you as a loving parent imagine a graver RESPONSIBILITY than that which you owe to your own precious boy during his perilous formative years, his teens, his impressionable age, when character is formed—"FOR BETTER OR FOR WORSE"?

Home training is not enough. Mothers cannot be everywhere; boys cannot always be at home. Leave his outdoors education to chance? Unthinkable! The Y.M.C.A. is so irresistibly fascinating to a boy that the "corner gang" will never drag him away from it. It first attracts, then holds, developing his standards systematically, according to the four-fold plan of the Canadian Standard Efficiency tests—physically, intellectually, religiously and socially (see list below).

Needed---3,000 New Members

(Men, Young Men and Boys to Replace Our Heroes at the Front)

At least one new member—man, young man or boy—is wanted to replace each of our members who has gone to the war. The future of Canada depends upon its boys. Competent people estimate that the loss of men will make each boy after the war of more value to the country than two boys were previously.

Let the Y.M.C.A. give your boy the four-fold development that makes the "all-around" successful man—see list at right.

Finding His Bearings

The first practical thing Johnnie does after joining is to get "charted." He has a chat with a very pleasant gentleman who has been selected for this purpose from among the best business men of the community.

Johnnie may be found to be below the average in education, high in physical development, very low in religious instruction, and a little higher in helpfulness to others. A record is kept, a certain number of "credits" being awarded him for each test. This goes on the chart.

Attractive Training

All through the year Johnnie attends attractive Bible talks, dealing with instructive and interesting subjects, such as "Men Who Dared" (a Bible lesson), interesting practical talks on nature, art, poetry, sex, helpfulness, etc., etc. The instruction is most accurately graded according to age.

Toronto Young Men's Christian Associations

West End Y.M.C.A. Cor. College & Dovercourt Central Y.M.C.A. 40 College Street Broadview Y.M.C.A. 275 Broadview Ave.

TRAINING SCHOOLS WILL OPEN SOON

Col. W. P. Butcher in Charge of Instructors in Machine Gun and Musketry Drill.

TWENTY-THREE RECRUITS

Hundred and Ninth Regiment Engage in Tactical Exercises in Queen's Park. Fifty-one volunteers for active service applied at the armories recruiting depot yesterday. Twenty-three were accepted for enlistment. The total volunteering was an increase of five men compared with the previous Monday, The Artillery and Army Service Corps each obtained four of yesterday's recruits. The 20th Beavers and 208th Irish-Canadians, each received three.

Night operation tactics in Queen's Park were the feature of last night's parade of the 108th Regiment. The battalion turned out 551 strong, including cadets. Major John Harris was in command. While practising the attack manoeuvres, the men displayed much steadiness. The good showing made is attributed to the hard work put in by the regular weekly drills in Park during the regular weekly drills. Machine gun and musketry training schools for eastern Canada will be established in this military district within a few days. The staff will include 50 officers and N. C. O.'s. Col. W. P. Butcher, Ottawa, instructor of musketry for eastern Canada, will command the staff. The bayonet fighting and physical training schools for eastern Canada will also be established in Toronto. Twenty thousand pairs of leather gloves have been sent from Ottawa to Exhibition Camp and will be issued to the troops next week.

Returns From Tour. Lieutenants A. C. Morton, B. C. Coleman and R. M. Adams returned yesterday from a recruiting tour thru western Ontario cities in connection with the campaign to secure 500 mechanical and horse drivers for the Canadian Army Service Corps. The C. A. S. C. is greatly in need of drivers and tradesmen of all kinds. The eye-sight test is much easier in the C. A. S. C. than that for other branches of the service. Arrangements have been made by Manager Pierce of the Star Theatre for the "Lid Lifters" Company members to sing this afternoon for the sick soldiers at the Military Base Hospital, Gerrard street.

The Canadians just named as being decorated with military medals include six members of the 75th Mississippi Battalion of Toronto, which went overseas under command of Lt.-Col. Beckwith. The six 75th Battalion members to receive the military medal are: Corp. V. A. Arding, Pte. O. W. Sale, Acting-Sergeant B. C. Rowley, Corp. F. Hullen, Corp. J. H. Richards and Pte. Noble.

The 220th York Rangers Battalion, which has recruiting headquarters at 850 Yonge street, secured five accepted enlistments yesterday out of six men offering. One recruit was the result of the Sunday night meeting held at the Iola Theatre.

Refuses Court Information Regarding Proposed Hotel. George A. Hodgson of the Dovercourt Land Co. refused yesterday to give the court of revision any information concerning the probability of the York Hotel going ahead with construction work. The question was raised when William Ardagh was discussing Yonge street values. He thought it important that the court should know whether the big Yonge street hotel project had been discarded, as has been reported. The immediate assessment under consideration was Walker's restaurant, who revealed from an assessment of \$500 per foot. Mr. Hodgson said only one or two of the big lunch places were making any money.

SCHOOL FOR THE BLIND. Editor World: Kindly state in the Morning World if there is a school or institution for blind children in the States, and if so please give address, and oblige. Anxious. Brantford, Ont.

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Academic Work

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