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24th May 1909

LIBERALS IN WEST CARRYING THE C.P.R. ISSUE

Agree That Company Should
Not be Encouraged in Hold-
ing Lands From Set-
tlement Free
From Taxa-
tion.

C.P.R. HAS THIS WEEK REPAIRED AN OMISSION

OTTAWA, Feb. 19.—(Special).—Three important things developed in the house this afternoon. They were:

(1) That the reference to the courts promised by Mr. Sifton in 1902 to ascertain the amount actually expended in the construction of the C. P. R., on which amount depends the application of the 10 per cent. limitation of profits today on the same code list, read for trial, but has gone no further, the company having agreed to have its rates controlled by the railway commission.

(2) That the C. P. R. had on Feb. 15, four days ago, written the minister of justice agreeing that the stock issue of 1904 should not be included in the cost of construction. This provision was the minister said, "inadvertently" omitted from the order-in-council authorizing the issue.

(3) That the western Liberals are in revolt against the government for failing to gain some corresponding advantage for the people in permitting the issue of stock to the shareholders of the company at par. J. G. Turriff and Dr. McIntyre voiced the complaint, the former urging that the exemption on C. P. R. lands be terminated.

The discussion was precipitated by W. F. Maclean (South York) on the motion to go into supply. Mr. Maclean referred to the order-in-council authorizing the C. P. R. capital stock increases. After pointing out that the order-in-council of 1904 did not provide as did others preceding, that the new stock should be removed from the application of the 10 per cent. clause, he observed that within the last six years the capital stock of the company had been increased by \$150,000,000, after the road had been practically built and its transcontinental character assured on a capital of \$65,000,000. This stock was issued at par and this parliament had allowed the shareholders to distribute a bonus equal to \$20,000,000 a year for six years, besides the dividends.

How The Melon is Cut.
What did this amount to? That if a shareholder happened to own 300 shares of old stock he had the right to own up 100 additional shares at par, which right he very often sold on the market at a premium, receiving therefor \$5000 or \$7500. The shareholder puts that money in his pocket and the man who buys the right goes to the treasurer of the C. P. R. and pays \$10,000 for the shares. That, said Mr. Maclean, was what was called "melon-cutting," the new kind of financing we were to have in Canada in connection with the C. P. R. every year or two at the most.

To whom was the distribution to be made? he asked. Most of it went outside of the country, and Canada proceeded, "presents the spectacle of every year making a free bonus gift of nine millions to shareholders in one of our corporations, from whom live out of our country. We have only \$100,000 to give to the sufferers in Italy, but every year we have \$9,000,000 of free cash to give to the shareholders of the C.P.R. If there is nothing wrong about it we ought to continue it. No wonder the reputation of the C.P.R. in the monetary centres of the world is very high. Anyone's financial reputation can easily be maintained if this kind of financing is allowed."

Treat to be Observed.
When parliament chartered a railway company it granted that company powers for the purposes of the undertaking, either expressly or by implication. Among the powers was the right to issue securities. This was a trust that must be honestly and faithfully administered for the purposes of the undertaking and for all parties interested, including the public who were to be served by the line. The governing principle which should govern the incorporation of these companies, and he thought parliament would hold the line when it was brought clearly before them.

Parliament undertook to regulate the amount and issue of C. P. stock in the original charter of 1851. In 1882 the company was empowered to issue further shares for any purpose for which the company required new capital. It was provided that in 1882 the proceeds, all that the securities would bring, must be applied expressly to the object for which it was voted, for the furtherance of the undertaking. His contention was that the government-in-council, as trustee for the people and for parliament, was bound before any approval of any issue of stock to

Continued on Page 7.

The New Bishop of Toronto

BISHOP SWEENEY

Rector of St. Philip's Church
Becomes Bishop of Toronto
to Satisfaction of the
Deadlocked Fac-
tions.

RESULT OF THE 7TH BALLOT.
Sweeney Clerical. Lay.
Cody 18 117
Welch 3 3
Thornley 1 1
Reeve 1 1
Tricker 1 1
Powell 1 1
(Blank) 2 (lost) 1
Necessary to an election: Clerical 88, Lay 45

TAVISTOCK IN OXFORD CO. WAS WISH OF COUNCIL

Premier Whitney Upsets the Con-
tention of Mr. MacKay That
There Was Gerrymandering.

Hon. A. G. MacKay attacked the government in the legislature yesterday for another piece of gerrymandering in attaching the new Village of Tavistock to Oxford County instead of South Perth, to which, he said, it naturally belongs. The population belonged to Perth and 400 to Oxford; the assessment, \$302,000 to Perth, and \$164,000 to Oxford. A petition of 155 ratepayers asked to be united to Perth. One ratepayer petitioned for union with Oxford. The reason for attaching it to Oxford was to weaken the vote of Valentine Stook, who defeated Hon. Nelson Monteith in South Perth, said Mr. MacKay.

Premier Whitney hoped he would not have to prick many more bubbles of this description. Mr. Stook had desired to have his residence in the village of Tavistock, which created Tavistock, voted 8 to 3 on the motion to join it to the county, Oxford declaring that he would discuss emigration in the budget debate when the visit of the premier and the minister of agriculture to London would come up for attention, he proceeded to deal with technical education; one of the subjects which was not, but ought to be, been in the address. He called attention to the splendid technical school now being built at Halifax and taught by the Government. He was disappointed in not finding a technical school at Hamilton provided for after the speeches made by the premier and other ministers. (Opposition applause.)

Speaking of the railways, he said it was clear that they were prepared to go into the new country in the north. Continued on Page 7.

POLITICS IN FUNERAL

Austria and Bulgaria to be Represented
at Grand Duke's Obsequies.

ST. PETERSBURG, Feb. 19.—It has been decided that Emperor Ferdinand of Bulgaria is to attend the funeral services in this city next Sunday of the late Grand Duke Vladimir. The Emperor Ferdinand is at present in Vienna, and his coming to St. Petersburg will give him an opportunity to confer directly with Foreign Minister Iswolsky.

Francis Joseph, the emperor-king of Austria-Hungary, who was not especially represented at the funeral of Grand Duke Alexis, has intimated a desire to send one of the Austrian archdukes to the funeral of Vladimir, and Emperor Nicholas has assented to the proposal.

CASHIER ROBBED OF \$12,000

Unknown Chokes Him in His Office and
Makes Escape.

ST. JOHN, N. B., Feb. 19.—A little before 1 o'clock to-day, while W. H. Herby, cashier for the T. S. Sims Co., was alone in the office, a man stole up behind him, caught him by the throat, choked him into unconsciousness and made off with the payroll, amounting to about twelve thousand dollars.

SYNDICATE AGREES ON ARCHDEACON SWEENEY

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The Ven. Archdeacon J. Fielding Sweeney, rector of St. Philip's Church, is the bishop-elect of Toronto.

He was selected by the committees of sixteen, representing the deadlocked Thornley-Cody factions, and appointed at the morning session as one who should prove acceptable to both. The committee consisted of Dr. N. W. Hoyle, S. H. Blake, K.C., Judge Harding, the Rev. C. J. James, W. H. How, M.L.A., Rev. H. Marsh, Judge Benson and the Rev. W. H. Vance for the Cody party, and the Rev. Provost Macklem, Rev. Canon Ingles, Rev. Canon Sprague, Rev. P. W. Powell, Dr. A. Worrell, K.C., A. R. Boswell, K.C., Dye W. Saunders, and Lawrence W. Baldwin representing the supporters of Bishop Thornley.

Reporting to their respective meetings in the afternoon, Provost Macklem and Hon. S. H. Blake and Dr. N. W. Hoyle urged their adherents to ratify the choice. At 3.30, after two adjournments, the synod reassembled in St. James' Cathedral, and at 5.55 the scrutineers announced that the result of the seventh and ratifying ballot was as follows:

Archdeacon Sweeney with emotion in his voice asked leave of the synod to have Canon Cody read the result. When the last words of the chancellor had died away, the great assembly rose and sang the doxology, "Praise God All Blessings Flow." Dr. Ham accompanying on the great organ.

All the eyes were being sung, with his face buried in his hands in silent prayer. Then he rose and in low tones, almost choked with the feelings which were evidently surging up in his heart, announced that he would give his decision at 8.30 o'clock.

Rev. Bishop Reeve then pronounced benediction, and with the chimes pealing joyously, the delegates dispersed to reassemble in the evening for choral service, when the bishop-elect known.

A feature of the service was an impromptu address by Canon Cody, the officiating clergy were Rev. Canon Welch, Rev. Canon Ingles and Bishop Reeve. Most of the prominent clergy of the diocese were present, and many delegates, tho a considerable number of the visiting clergy had left for their homes after the election of the bishop.

The service opened with the hymn, "The Church's one foundation," rendered as a processional.

Then Archdeacon Sweeney addressed the congregation in the following words: Dearly beloved in the Lord. We met in this house of God on Wednesday of this week in order that we might supply the divine mystery in the beautiful litany of our church. As members of the bereaved diocese of Toronto we listened to a strong and striking sermon from Rev. Bishop Reeve, setting forth the great loss sustained in the taking away of our late beloved archbishop, and declaring the gifts which should be in him, who should be chosen to succeed to the duties and responsibilities of the high office of a bishop in the church of God. And we heard the selection of the preacher's text, the suggestion of what was required "A good man."

My brethren, none of us who listened to the qualifications set forth, but realized how difficult of attainment they were. All who thought of the duties and responsibilities of a bishop of the church of God must have asked themselves "Who is sufficient for this?" Then after this, strengthened by the passion of a urbed Lord, we proceeded to take a ballot.

ROLLING UP A BIG SCORE



BOWLER MACLEAN MAKES ANOTHER TEN STRIKE.

TREATY EMINENTLY FAIR SIR WILFRID ASSURES

No Occasion for Alarm, He Says,
In Replying to a Warning from
Mr. Boyce of the Soo.

OTTAWA, Feb. 19.—(Special).—A. C. Boyce (W. Algoma) sounded in the ears of the government to-day the warning that Canada's interests were being jeopardized through the action of the United States Senate in delaying ratification of the waterways treaty. Certain interests on the American side of the Soo were endeavoring to secure amendments which would accrue to the benefit of the United States. Sir Wilfrid Laurier assured Mr. Boyce that there was no occasion for alarm. The time to be consumed in the execution of this work, with modern appliances, would not exceed five years.

"While making these remarks," says Mr. Butler, "I am not unmindful of claims to consideration due to the Montreal, Ottawa and Georgian Bay canal project. The economic and commercial aspect of which should be carefully looked into before it is undertaken." Many years would be required to complete it and meanwhile the demands for better water accommodation between the east and west must remain unmet. Both projects were desirable of execution and would probably some day be realized.

OUTLINES NEW SCHEME FOR IMPERIAL STAFF

All the Forces of the Empire Are
To Be Organized for War on
the Same Principles.

(Canadian Associated Press Cable)
LONDON, Feb. 19.—The text of the scheme for an imperial general staff has been issued in a parliamentary paper. The following are the points:

1. All forces of empire to be organized for war on the same principles by a general staff, which must be an entity throughout the empire.

2. Uniformity of training officers for general staff to be secured by regular staff college at Chamberlain for some years to come as a central school for military education for the empire, and sending its graduates to over sea dominions. There will be uniformity in officers' curricula and examinations.

3. Uniformity in carrying out staff duties to be attained by encouraging graduates of staff colleges to undergo further training in England or India, and systematically interchanging with imperial general staff officers throughout the empire.

SNATCHED FROM THE SCAFFOLD.
LINCOLN, Neb., Feb. 19.—After the warden had announced "that all was ready" and the guards had prepared to lead R. Means Shumway to the scaffold, the supreme court this afternoon suspended sentence until March 3.

Shumway was convicted of the murder of Mrs. Sarah Martin.

THE CHIEF TO-DAY.
The policemen said to have been the prime movers in the "Policeman's Sunday" movement will appear before Chief Gassett at 11 o'clock this morning.

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Corner Elm and Yonge, flat of five good-sized rooms, excellent advertising corner, just the thing for dentist.
H. H. WILLIAMS & CO.,
Realty Brokers, 24 Victoria St.

29TH YEAR

ACTION TO QUASH REDUCTION BYLAW

East Toronto Hotelman Pleads
Two Bylaws Conflict and
That Council Exceeds
Power in Affec-
ing 2 License
Years.

The first gun has been fired in what promises to be a warm legal battle over the license reduction bylaw passed by the city council on Feb. 15. The city's legal department received yesterday afternoon notice of a motion to quash the bylaw to be brought before Master-in-Chancery Caspar at Osgoode Hall, Wednesday, March 3, by the legal firm of Lewis and Arrall of Hamilton, on behalf of the applicant, John Brewer. Mr. Brewer is proprietor of the Eastbourne Hotel, 1600 Danforth-avenue, in the recently annexed district of East Toronto. Geo. Frederick Bell will also make an affidavit in support.

Eight arguments why the bylaw should be invalidated are advanced. "The one upon which most emphasis is laid is that there is still in force a bylaw passed by the East Toronto Council limiting the number of licenses in that municipality to five. This is held to clash with the reduction bylaw passed last Monday. Notice of the motion was filed at Osgoode Hall yesterday. It is dated Hamilton, Feb. 18.

Corporation Council Fullerton declined to discuss the matter beyond saying that he wasn't alarmed as to the outcome. He referred, however, to section 56 of the Revised Statutes of Ontario, 1888, as being the section which bears most vitally on the case.

The section reads as follows: "In case an addition is made to the limits of any municipality, the bylaws of the municipality shall extend to the additional limits and the bylaws of the municipality from which the same have been detached shall apply to the addition except only by-laws relating to roads and streets, and these shall remain in force until repealed by bylaws of the municipality in which the addition has been made."

Speaking of A. M. Lewis of the legal firm who are taking the action, Fullerton remarked that he was a "clever young lawyer." He said further that Mr. Lewis had secured licenses of the C. P. R. with which A. M. Orpen is connected.

Mr. Lewis was in the Hamilton city council for several years.

A summary of the arguments advanced is as follows:
1. A bylaw passed by the municipal council of East Toronto, Feb. 9, 1902, limiting the number of liquor licenses to five is still in force, altho by an order of the Ontario Municipal and Railway Board on Sept. 29, 1908, East Toronto became part of Toronto, Dec. 15, 1908. On Feb. 15, 1909, the city council passed a bylaw to reduce the number of hotel licenses to 10, the bylaw being signed by Mayor Oliver on Feb. 18.

Thus a double limitation as to the number of licenses was created. In consequence of this double restriction applicants for tavern licenses in the annexed district (East Toronto) have not the chance to secure licenses of renewal thereof which other applicants for licenses have when the license commission redistributes licenses of May 1, 1909. The double limitation also interferes with the duties and discretion of the license commissioners as to East Toronto and illegally discriminates against the interests of taxpayers whose business interests would be benefited if the number of licenses granted East Toronto were increased at the start of the license year. The double limitation might result in licenses being granted to applicants in other portions of the city rather than in East Toronto. It might also result in the refusal of renewal of licenses to applicants, if there were six or more applications.

2. The city council exceeded its powers under section 20 of the Liquor License Act in seeking to make the reduction apply to more than one license year. Section 20 only authorizes the city council to pass a bylaw limiting licenses for one license year, whereas the council undertook to make the

Several Members of Parliament
and Legislators Speak Well
of the Workers.

WARD 4 CONSERVATIVES ENJOY ANNUAL SUPPER

Enthusiasm and good cheer prevailed at the annual banquet of the Fourth Ward Conservative Association, held last night at Broadway Hall, when Hon. Geo. E. Foster, Claude Macdonnell, M.P.; W. K. McLaughlin, M.L.A.; John Shaw, M.L.A.; W. D. McPherson, M.L.A.; Geo. H. Gooderham, M.L.A.; Controllers Hocker and Geary, Dr. Beattie Nesbitt and others delivered splendid addresses congratulating the association as one of the best organized and most effective classes of workers in the city.

ABOLISH BARS IN MANITOBA

Temperance Deputation of 1500 Wait
on the Legislature.

WINNIPEG, Man., Feb. 19.—(Special).—A monster delegation, estimated at from fifteen hundred to two thousand persons, representing various temperance interests of the province, waited on the government and legislature of Manitoba this morning to urge the abolition of bars. The principal spokesmen were Rev. Dr. Patrick, W. W. Buchanan, official organizer of temperance bodies, and Mrs. Chisholm, president of the W.C.T.U.