# The Toronto World

FOUNDED 1886. A Morning Newspaper Published Every Day in the Year. WORLD BUILDING, TORONTO. Corner James and Richmond Streets.

TELEPHONE CALLS: Readers of The World will confer a favor upon the publishers if they will send information to this office of any news stand or railway train where a Toronto paper should be on sale and where The World is not offered.

# **MAIN 5308** Is The World's New Telephone Number,

# MONDAY MORNING, JAN. 8, 1911. STREET RAILWAY POLICY.

way. A working arrangement by which passengers may get to the centre of the city without changing cars is

professes to be working in the interests | the book is called on this side of the of the people, but paragraphs like the Atlantic. Mr. Haggard's book on Salabove certainly lend weight to the sus- vation Army work is "Regeneration," pers is insidiously perverted when the derful organization affords him an oppeople need it. The Globe and The portunity to make a notable contribupany. And now, in order to make it easy, we are to build the new lines on the antiquated gauge which will entail a fortune to change "later on." The Globe and The Star appear to be fond of post obits. The Bloor-street viaof post obits. The Bloor-street via-duct is to be built "later on" also. The The fact seems to be that all sects, influence" to this gentleman expecting, Evening Telegram said ten years would be time enough. Ten years just suits power to enable man to transcend his be said as to the folly if not criminal-The Globe and The Star and the lower nature, to the extent that they ity of elected representatives of all Street Railway, whose franchise will

tried to point out to them how the viaduct, which is an essential in every way, is specially required as the sole link between the eastern and western divisions of the new city service. The Globe, The Star and The Telegram

WISCONSIN AND SENATOR LA

ing but the street railway interests, in whom they have confidence, and the will resent this fulsome flattery of court sycophants. But the point I wish to make is this—either those building the new lines on the combuilding the new lines on the company's city gauge. This means the city assuming an immense expense which might be avoided by considering the

A report on the whole situation should be had from the engineer's department, and the consolidation of the whole system, either immediately by expropriation or at the expiry of the franchise, with the admission of the railways, should be kept in view in the consultance of the part of the leaders and representatives of the part of conclusions to be arrived at.

William T. Stead before the Royal Commission on Divorce. "No subject," as the law of marriage, and it was an justice and of right that that law

# TRUTH IN FIGURES.

It ought to be possible to arrive at some agreement on the size of an audience. In politics, a gathering of 30 sible to anticipate future causes of inpeople will be described as large and enthusiastic. "An outlying hall which is jammed full with 200 people is, of course, a mass meeting. When a great crowd really gathers there are no terms left to qualify it. The biggest meeting of recent years in these parts was the London demonstration to Sir James Whitney, Hon. Adam Beck, and others, but very few people outside of London realized its dimensions, on account of the exaggerations that are

If any body of people should adhere to the tfuth, it is a revival corps. Yet the human tendency is strong. On Thursday night there were about 1,200 people in Massey Hall. According to the generous custom of reporters, the attendance was placed at 1,500. An eyening paper made it 2,500. This may have been a misprint. Massey Hall seats 3,800 people, when the orchestra is full. There were 150 people on the orchesira on a liberal estimate, and 22 on the top gallery by actual count. The The floor and first gallery were by no

they would have been described as "par-The Star, a friendly paper, stated that the previous night.

report of the various revivals in Mas- agreement formerly reached. tic spirit that we suggest that the pubcially at the start. It is much more to siders the impression that they are doing little better at the end than at the

### NO MONOPOLY OF RELIGIOUS POWER.

Rider Haggard has turned his attenworked by Harold Begbie in "Broken The Globe, like The Star, always Earthenware," or "Twice Born," as

It is the real miracles in social per build, for no other purpose apparently gard and Begbie, who are accustomed clai commissioner or judge to try than to hand them over to the com- to analyze and study human nature.

the first thing to note is that the whole system will have to be standardized to the uniform gauge. The radial lines must come for their floyrn advantage, and howers that imperative. When Toronto, builds tubes the radial lines must come thruse the tubes will run facenated with the old lines at the expiration of the franchise, if not before.

The Globe's average and the people have and the people have the reactionary element, whose state chairman admits an expenditure of \$100,000 as against La Follows, and they must be connected with the old lines at the expiration of the franchise, if not before.

The Globe's average and the people have the reactionary element, whose state contents of the connection with the new surface lines, and they must be connected with the old lines at the expiration of the franchise, if not before.

The Globe's average and the people have the priestly prerogatives against the realting portion was re-elected by a majority of 100,000.

The college way, and eliminates all possible inconvenience. It ensures early arrival at Otlawa and Montreal arrival at Otlawa and Montreal arrival at Otlawa and Montreal agovernor and senator he has done agovernor and senato old lines at the expiration of the franchise, if not before.

The Globe's suggestion reeks of noth
was re-elected by a majority of 100,000, saying that Magistrates Denison and Kingsford were men of the kind heart—thus making himself rather than his position secure with the judge. If they evidently ready to stand by public men are the men I believe them to be they

## reform and straight dealing . UNRESTRICTED ARBITRATION.

might be avoided by considering the people as having the first claim when desire to procure a general treaty of (b) Has "Toronto the Good" become questions of expense or economy or arbitration between the United King-such as it worked city that it requires a convenience arise. A report on the whole situation the exceptions that have hitherto been which have not asked for a commis-WOMEN AND LEGISLATION.

Whatever may be thought of the definition slightest sense of justice can fail to effort to remove the risk of war from their representatives on the deputation international disputes, whatever their agitating for a change of administranature, and the two great English- tion. speaking peoples ought to lead the way in proposing a settlement.

justice and of right that that law should be remodeled by any legislature will come from the United States Senwhich women had had no share in ate, which has hitherto regarded with missioners, the appointees of the govelecting, and over which women had jealous concern any limitation of the ernment, to make suggestions as to constitutional provision which requires the improvement of the present system of dealing with youthful delintwo-thirds of the senators present to quents? No man is perfect in our

means full. Had it been a suffragette ternational difference, and the senate lecture or a home rule demonstration, from its composition and lack of exetially filled." The Globe on Saturday an easy body to reckon with. Whether may be found to obviate the difficu!-The World has always given a fair ties that prevented ratification of the

# MONETARY TIMES' ANNUAL RE-

VIEW. the current number of The Monetary Times contains its annual statistical country's outlook. Its principal con-tents consist of an editorial on Pros-perity and Caution, and many special articles on industry, mining, crops and

The Ballow World State of the S abandon his ordinary purposes, and ac-however worthy to a position not yet cept the potentialities which arise out agreed upon, but let that go for the

wish to make is this-either those magistrates are not doing their duty or there must be something radically wrong in the administration of the President Taft is credited with the present system. Which is it, members

tives of popular opinion to place ob- ronto, who are a great deal better stacles in the path of its realization. than the boys of scores of American

Now, Sir, if you please, just a word in taking a step warranted by every Since the members of the city counconsideration appealing to twentieth century civilization.

civil and the deputation unite in expressing their high estimate of the character and conduct of Police Mag-

Old friends are

best.

tried.

J. M. Wilkinson.

Toronto, Jan. 7, 1911.

# AT OSGOODE HALL ANNOUNCEMENTS.

Osgoode Hall, Jan. 7, 1911.

Motions set down for single court for Monday, 9th inst., at 11 a.m.:

1. Birr ey v. Hills.

2. Peace v. Peace.

3. Re Butler and Toronto.

4. Re J. S. Macdonald Estate.

5. Kennedy v. Kennedy.

6. Empire E. Co. v. Thompson.

7. Saskatchewan v. Leadley.

8. Clarkson v. Boyle.

Single Court.

Before Middleton, J.\*

Re Hunter—C. R. McKeown, K.C., for executors. S. Denison, for widow. F. W. Harcourt, K.C., for infants. R. R. Beaumont, for H. A. Hunter. J. M. Cairns (Arthur), for the other adult beneficiaries. Metion by executors under C.R. 938, for an order construing will of W. H. Hunter. Judgment: I think the entire income derived from the fund set apart during the lifetime of the widow is given to her. The payment is to commence when Earl attains 18. The testator probably made this provision because the widow would be in receipt of the profits of the farm up to this time, but he has not limited in any way the gift of the income. I cannot cut down his gift and say the widow is not to have the income from the fund after Earl attaining age, still less can I say that what she is then to receive is to be limited to one year's income. The duty imposed on the executor is to invest this fund at once. The testator contemplated no payment being made to the widow until Earl attains 18, but a long series of cases show that when, as here, the gift is valid and the time of payment postponed the legatee has the right to be paid without, regard to the delay contemplated. As to the chattels, not all the chattels on this farm, but those "used on the farm, are given. The mere fact that an implement might have occasionally been used upon the land would not suffice to include it in farm, but those "used on the farm, are given. The mere fact that an implement might have occasionally been used upon the land would not suffice to include it in the gift if it was not reasonably necessary to the due operation of the farm. The chattels are given for use and not for sale, and no real difficulty ought to arise in arriving at some reasonable adjustment. If an arrangement is arrived at and approved by the guardian, this may be sanctioned. I think Sarah takes a share in the residue in proportion to \$3000. At to Henry Albert's share in the residue. This is defined by the will and is in no way altered or enlarged by the change in the codicils. Albert takes on his devise only testator's interest in the unpaid purchase money of the land devised to Albert. The purchase money paid to the co-owner is personal estate. Costs of all parties out of estate. Those of executor between solicitor and client.

Trial.

Before Chief Justice Mulock. Hendry v. Wisuer.—G. Ross for plain-tiff. R. McKay, K.C., and M. F. Prima-ville (New Liskeard) for defendant. An action for specific performance of a con-tract for sale by the defendant to the

Judgment: The defendant admits the contract, and the real question is, Which party is to bear the loss of the purchaser to one Weaver, and by him misappropriated? The defendant, who resides at Vancouver, B.C. placed the property for sale in the New Liskeard. Judgment: The defendant admits the The defendant, who resides at values at the B.C., placed the property for sale in the hands of Weaver, a real estate agent at New Liskeard, and the latter obtained from the plaintiff ah offer for the property, which the defendant accepted. perty, which the defendant accepted.
For the reasons given in my judgment, I am of opinion that the defendant, with full knowledge, ratified the unauthorized act of his agent Weaver in receiving the purchase money from the vendor; that such payment was good payment to the defendant, and that the plaintiff is entitled to specific performance, with the costs of action.

Before Teetzel, J.

Davies v. the Badger Mines Co. (Ltd.).—
S. White, K.C., and W. MacPhie (Cobalt)
for plaintiff. F. Denton, K.C., for defendants. An action for damages by an administrator and next of kin under the Workmen's Compensation Act, and at common law. The deceased was killed while assisting one Carroll to adjust the hood of the cage in the shaft of defendants' mine by the cage being hoisted past him, thus crushing his head between the cage and the timbers of the shaft.

Judgment; I find the cage was hoisted

missed, but under the circumstances without costs.

Before Latchford, J.

Isle of Coves Hunt Club v. Williscroft.—
A. G. Mackay, K.C., for plaintiff. J. A.
McAndrew for defendant Murphy. An action by plaintiffs against John E. Williscroft. Henry F. Murphy and J. E. Murphy, alleged to be trading as the Tobermory Lumber Company, and against the said company and J. E. Murphy to recover \$206.01, balance of price of certain timber sold by plaintiffs to Williscroft and H. F. Murphy. Default judgment for \$206.01 was entered against the company, J. E. Williscroft and H. F. Murphy. The issue is between plaintiffs and J. E. Murphy. He paid into court \$42 as in full of plaintiffs' claim against him, but plaintiffs claim the whole balance of \$4206.01 on the ground that J. E. Murphy agreed to give in payment the joint promissory note in question, and would himself become directly responsible to plaintiffs for the price of the timber.

Judgment: The plaintiffs are entitled to judgment against J. E. Murphy for \$40.37, and their costs of action to the date of payment in, and will have a charge therefor upon the fund in court. As to the balance of the claim, defendant sets up the Statute of Frauds, and Section 5 affords him upon the evidence a complete the dishonorable defence. I regret that effect must be given to his plea, essentially dishonorable as it undoubtedly is, in the circumstances, and dishonest and fraudulent, if what a statute provides may properly be so stigmatized.

The action upon the issues other than those connected with the promissory note must be dismissed as against J. E. Murphy, but in the circumstances without costs.

Divisional Court.

Pafore Falconbridge C.J. Riddell, J.,

event.

Re Solicitor—T. Hislop, for client. C. F.
Ritchie, for the solicitor. Motion by client for an order for taxation of solicitor's bill of costs. Enlarged until 13th inst., to allow solicitor to make affidavit of special circumstances.

branch of upwards of 275. These, according to the constitution, are members resident in Ontario within a 50-mile radius of Toronto. The report of the secretary-treasurer shows a sub-stantial balance at the end of the year. Arrangements have been completed for the securing of a special car to take the members of this branch to the general annual meeting, which takes place this year in the city of Winnipeg during the last week of the present month.
The election of officers resulted as follows:—Chairman, Prof. H. E. T. Haultain; Secretary, A. C. D. Blanchard; Executive, T. C. Irving, jun., P. Gillespie, E. A. James, W. E. Douglas,

# DID THEY PAY FOR THEM?

## Le Pays Wants to Know What Became of Celebrated Furnishings.

MONTREAL, Jan. 8.-(Special.)- in many ways. Tell your people to prepare for the future. You will have of furniture costing thirty thousand a million people here before you know dollars, which the Hon. Mr. Tarte pur-

where did the curtains go that were admired by everybody who visited the tion. Chicago is close to the lake, and there is more ozone generated there than what has become, the same paper anywhere else in the States.

herited the curtains, the carpets and future." question in our mind is, did those who divided the spoils of the Canadian did they pay the duty on these articles de luxe? Light should be thrown upon tract for sale by the defendant to the plaintiff of certain lands in the Town of no doubt bring some very interesting revelations to the surface.'

Canadian Institute.

The natural history section of the Canadian Institute will hold their regular meeting this evening at 8 o'clock at the institute, 198 College-st. Prof. A. P. Coleman, F.R.S., will deliver address on "The Vegetable and Animal Life of the Interglacial Period in Ontario." The public are cordially in-

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was the ONLY champagne served. Its high quality has made it a general favorite in England, and in this country it is held in high esteems CAN BE OBTAINED AT LEADING HOTELS, CLUBS AND WINE MERCHANTS IN CANADA.

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# fine invigorating qualities suit people all ages. Rich in cocoa butter, and FREE FROM CHEMICALS.

# GRATEFUL AND COMFORTING

# The annual meeting of the Toronto branch of the Canadian Society of Civit Engineers was held at the rooms of the Engineers' Club. 96 King street west, Friday evening. The report of Canadian Society of Canadian Society of Civit Engineers' Club. 96 King street west, Friday evening. The report of Canadian Society of Canadian Society of Civit Engineers' Club. 96 King street west, Friday evening. The report of Canadian Society of Civit Engineers' Club. 96 King street west, Friday evening.

Soon-Reopening of Reformed Episcopal Church, College-St.

Bishop Fallows, speaking to a World man who was intimate with Chicago 30 years ago, recalled his acquaintance with Toronto 35 years ago. He noted the wonderful changes in both cities. In that time Chicago had grown from about the present size of Toronto to

"And we are preparing now for a city of 5,000,000," said the bishop. "All the watermains and conduits are laid with a view to the future. There are practically three great cities in Chicagonorth and west and south. There are a million people on the south side. "Toronto is very much like Chicago

chased for the Canadian pavilion at like the Chicago people than any have met. "The two cities have a similar loca

> "You have the lake here, and what serves for prairie behind the city. And I suppose the effect is the same. But tell your people to get ready for the

Large congregations attended the reopening services of Christ Church Re-formed Episcopal Church at College man in Montreal, consequently the and Lippincott streets yesterday, at question in our mind is, did those who which Rt. Rev. Dr. Fallows, who is building at the last Paris exposition, pay or indemnify the government at Ottawa for what was taken? In fact, so in the afternoon.

The pretty church has been practically rebuilt with fine dark brick. The basement has been dug out, and affords a spacious Sunday school chamber. About \$6,000 has been spent on the im provements.

Dr. Fallows preached in the morning from Solomon's prayer at the dedica-tion of the temple. In the evening he preached an inspiring sermon on "The Continual Coming of Christ." The rec-tor, Rev. Willard Brewing, assisted at

# DYNAMITE EXPLODED.

OTTAWA, Jan. 8.-Felix Ducans, an Italian, residing in Ottawa, entered a shack on the Canadian Northern Railway at Shannonville on Saturday, when five sticks of dynamite exploded from an unknown cause. The small structure was blown to pieces, and the young man killed.

Had Hip Bone Crushed. SMITH'S FALLS, Jan. 8.—Alexander Johnston, 76 years of age, was walking along the Canadian Pacific Railway track when he saw No. 3 express train coming. He stepped to another truck when onlookers warned him of the O: tawa express coming. He just cleared the track, but the buffer struck him, He escaped with a crushed hip bone.

ON KING ALFONSO'S LIFE?

Toronto Will Have a Million People Explosion Stampeded the Crowd-"Someone Dropped a Pistol in a Box," Say Officials.

MALAGA, Spain, Jan. 7 .- What believed by many to have been an attempt upon the life of King Alfonso occurred during his brief visit here Thursday and threw his attendants into a state of panic. The facts became generally known for the first time to-

The king, accompanied by Premier Canalejas, General Azpar, minister of war, and Arias Miranda, minister of marine, had arrived here from Madrid en route for Melilla, for a week's stay in the vicinity of the Spanish town in

was proclaimed by a great throng that joyously followed the carriage in which he drove with the mayor to the palace of the governor-general.

Arriving at the palace the king stepped down from the carriage and, urning for a moment, again acknowledged the salvos of applause and then entered the palace. As the door swung closed behind him an explosion in the crowd outside drowned the cheers. Before the alarmed and stampeded mass fully realized just what had happened gendarmes had closed in about the spot from which the report arose. It was found that two persons had been slightly injured, but no other harm

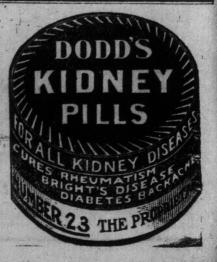
was done.

An official account of the incident says that it was unimportant. A civilian dropped a "pistol enclosed in a box." No further details were mad?

Yesterday the king and his party braceded the royal yacht Giralda and proceeded for Melilla. The yacht was convoyed by warships.

# APPOINTED ADMINISTRATOR.

OTTAWA, Jan. 8.—A special edition of The Canada Gazette appoints Sir Charles Fitzpatrick administrator of the government in the absence of Earl



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CLEARING Shirt Wais

Black Chi Taffeta Si Blouses. All sizes; for back far AT \$3.75, \$ Roman Si Couch Co

Mercerize Tops at 2 Silk Ever

> Blankets 66x86, a

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