The Toronto World

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Director.

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TUESDAY MORNING, NOV. 4.

The Telegram is fonder of asking ns than of answering them. Instead of a reply to our enquiry of the last week, repeated daily in brief and set forth once more at some length yesterday, we are still met with that gloomy silence so disappointing quite anticipate, however, that one of these days we shall learn, as the poet says, "all that there is to know." Meanwhile, we repeat our enquiry of yesterday-Why does The Telegram oppose the street railway purchase in the interest of the Humber Valley surveys, and why does The Globe spring to the aid of The Telegram?

HIGH FREIGHT RATES AND LIB-Our good neighbor The Globe is pleased to observe that The World is disappointed at the failure of Liberal duties upon wheat and flour. The adian Pacific Railway Company wants in the year, no doubt, but The Telewith abandoning the stand they took against the Taft-Laurier reciprocity agreement of 1911. This is quite undable. But we have been curishould shy as they do at free wheat in 1913. The Globe explains that there are two reasons, which are duly set forth. But first our neighbor with situation in Canada which has devellaw went into effect, and we read:

When it seized the free wheat banner five weeks ago The World banner five weeks ago The World rushed up to the head of the procession, cut loose on monopolies "and cussed and cussed and cussed" like the fellow in the Biglow papers. It probably expected instantaneous recognition of its leadership. And now, with a moment to spare, after having had its photograph taken as standard bearer. The World looks round to see whether the Liberal press is following on. But the Liberal press is neither following The World nor admiring its attitude.

One might ask why The Globe does

One might ask why The Globe does not seize the banner and lead the procession. However that may be, we are told that Liberal papers do not these questions under a misapprehenendorse the "attitude" of The World on the subject of free wheat.

they are as follows:

The first of these reasons appears to us so puerile as to require no discussion. The Liberal press of Canada surely has some higher mission than antagonizing whatever The World may advocate. The second reason appears to be the real reason for the curious apathy of many Liberal papers toward free trade in wheat and flour, and is paraphrased by The Globs in positive form as follows:

The Liberal press cannot follow The World because Liberals be-lieve in free wheat and free foodstuffs generally as a policy and not as a lever to secure lower freight rates.

May we suggest that what The

Globe is trying to say is this: The Liberal press cannot follow The World because Liberals beeve in free wheat and free foodtuffs generally as a policy, but are prepared to abandon that pol-icy if its adoption by the government will result in lower freight

The World is frankly in favor of

removing the wheat and flour duties, because such removal is demanded by both producers and consumers. The farmers of Western Canada favor free wheat because it means higher prices. That the American farmer gets a higher prices for his wheat than the Canadian farmer must be due to the fact that he has lower freight rates; he gets no higher price at Liverpool. Therefore the difference must be caused by lower transportation charges. Take down the tariff wall and the Canadian farmer will t better and cheaper freight se and therefore realize more for ! grain. We do not think the Canadian rail.

ways will suffer injustice, because they can meet the competition, keep the an act whereby "farmers would pay trade and still make a big profit. city taxes on the values created by . The great transpertation co

dominated by the Canadian Pacific Railway Company, which at present absolutely fixes the freight rates on Canadian grain every foot of the way from Saskatchewan to the United Kingdom, prefers to monopo usiness and to exclude the farme er prices which obtain in the United States. With this ambition of the readers are told that The World has a bitter hatred of the C. P. and desires to gratify its malice by forcing the C. P. to relieve the western farme from extortionate and discriminatory

freight rates. The Globe thinks it would be a ortuous method" to reduce the freight rates immediately thru American railway competition, by the removal of tion to that effect causes our neighbor to say that our morals are reprehe ble. It prefers to have the rates remain as they are, trusting to the rail-

other at some time in the future. In short, The Globe has become "dear loafer." It favors free food un-C. P. It views with complacency a tax upon bread so long as that tax C. P. It views with complacend plays into the hands of the transportation trust. Ever since Sir Donald Smith bought into The Globe that paper has been a C. P. shield.

A BETTER POLICY.

what it calls the Drayton-Geary policy has been abandoned? The form of the question rather veils the form of the question rather veils the cacts. Both Mr. Drayton and Mr. ONLY BONA FIDE Geary occupy different positions now demand the immediate removal of the Telegram so mournfully looks back gram should not let its spirits droop

city's own terms, and The Telegram ought to help him at his present work instead of harking back to the past. Mr. Sweany has been replaced by Mr. Couzens, and no doubt Mr. Couzens will have some interesting information to furnish if The Telegram will press its question about the abandonment of Mr. Sweany's policy. We believe ourselves Mr. Couzens has a city's own terms, and The Telegram will an effort to evade the American customs laws. The treasury department has taken cognizance of the fact that the same travelers repeatedly return with the permitted quart of dismissing action for non-compliance with order for production and for want of production. T. Moss for plaintiff, No order except that plaintiff pay costs. Motion in any event of cause. Bank of Teronto v. Stone-Grant Lumber Co.—Momilian, for plaintiffs, obtained order for issue of concurrent with order for production and for want of production. T. Moss for plaintiff, No order except that plaintiff pay costs. Motion in any event of cause. Bank of Teronto v. Stone-Grant Lumber Co.—Momilian, for plaintiffs, obtained order for issue of concurrent with order for production and for want of production. T. Moss for plaintiff, No order except that plaintiff pay costs. Motion in any event of cause. Bank of Teronto v. Stone-Grant Lumber Co.—Momilian, for plaintiffs, obtained order for issue of concurrent with order for production and for want of production. The four shape of the fact that the same travelers repeatedly return with the permitted quart of dismissing action for non-compliance with order for production and for want of production. The four shape of the fact that the same travelers repeatedly return with the permitted quart of dismissing action for non-compliance with order for production. The four shape of the fact that the same travelers repeatedly return with the permitted quart of dismissing action for non-compliance with order for production. The four shape of the fact that the same travelers repeatedly return with the permitted quart of dismissing a oped since the new American tariff will have some interesting informa

The Telegram asks two question which are all that need concern Mr. Toronto Electric Light Company. these questions satisfactorily, we

Should The Telegram undertake to be quiet if Mr. Couzens answers could all see a pleasant end to the SEVEN ARE INJURED existing strained relations. We believe The Telegram asks sion, and if it were a reasonabl creature it would admit the unsound-Now for the reasons. Summarized ness of its position when the misapprehension had been cleared away. 1. The Liberal press cannot support But past experience has led us to

the removal of the wheat duties as it did in 1911, because in 1911 The World opposed reciprocity and "on the morning after the election shouted Glory Hallelujah in big red headlines."

2. The World is not favoring free wheat because it helicage the state of the weaknesses of the Telegram's methods which we have to count upon. The questions it asks are on because it believes there is something inherently wrong in the taxation of food, but because it hopes thru the removal of the wheat duties and Ameritary and the duplication of the physical assets as between the local hydro and the Toyonto electric anatoms. moval of the wheat duties and American railway competition to obtain lower freight rates and therefore mical operation after unification and higher prices for the farmers of West- the cost. The other question is on the difference between taking power under the hydro-electric contract and from the Electrical Development Company. We feel, as we have said, that from the way The Telegram puts these questions, it is laboring under a misapprehension, if not several. Will it accept the answers?

THE TELEGRAM'S REMEDY.

Toronto Telegram, Nov. 3: Extension of the city limits is advocated by subdividers who promote annoxation as a means of increasing the price of land and making it harder for the city's workers to buy a part of the earth's surface on which they can build homes of their own. The establishment of a metropolitan district on the lines advocated by Controller Church would spread city taxation over all the farms that are destined to become part of the city in the next 30 years. These farms would pay city taxes on the values created by the growth of the city for long years before such farms were benefited by city improvements. The surplus revenues derived from the taxation of vacant lands in a metropolitan area, plus the Lloyd George transfer tax on the unearned increment on subdivided farms, might so reduce city taxation that Swansea and other suburban communities of home builders could afford to assume the burdens and share the benefits of annexation.

We reproduce the above articles THE TELEGRAM'S REMEDY.

We reproduce the above article, from last night's Telegram as an example of the difficulty found by that journal in walking circumspectly the various interests that would suffer by a justly levied increment tax, while feeling the necessity of making some show of having a policy with regard to suburban taxa-

tion and annexation. We do not think any legislature that could be elected in Ontario would pass WREYFORD'S FOR VALUES

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before such farms, were benefited by city improvements." We are not surprised that The Telegram puts, the onus of this proposal an Controller Church: It is not a practical sugges-

the principle be adopted, must apply in the city as well as on the farms and must be used for the benefit of munity on which taxation is levied. To tax the farms around Toronto for the benefit of the untaxed city lots is a brilliant idea, but surely The Telegram can see difficulties in the way of such a plan. We are aware of The Telegram's limitations, but is this not clear to it?

Ald. Wickett has proposed a metropolitan plan, but The Telegram dis-likes Ald. Wickett and that is a good reason to it for rejecting his plan. But business men see good points in it, and the surrounding municipalities are impressed with its co-operative

TOURISTS EXEMPT

U. S. Regulations Tighten Up on Whiskey and Cigars

Crossing Border

WASHINGTON, Nov. 3 .- (Canadian onger be permitted to make traveling

how far the customs regulations could be strained in this direction. He show-ed how the automobile had increased the opportunities for such trade and anxiously requested the department to advise him where to draw the line. The department did not hesitate. It said frequent trips accompanied by such visible evidence were not to be tolerated, and only bona fide tourists were to be benefited by the regulations.

ONE MAYBE FATALLY

LACROSSE, Wis., Nov. 3.—(Can. Press.)—Passenger train No. 58, on the Chicago, Burlington and Quincy Railroad, was wrecked near Genoa, Wis., today, when the locomotive struck a boulder half the size of a box car and weighing at least 100 tons, which had been dislodged by recent rains and rolled down the buff on to the track. Engineer James M. Pratt, Lacrosse, was probably fatally injured. Five others were injured, but not fatally.

datally.

While engaged in directing the clearing up of the wreck Thomas Huntley, superintendent of the wrecking crew, fell off a bridge and sustained broken ribs and internal injuries.

CANADA PERMANENT

At Osgoode Hall

ANNOUNCEMENTS.

Nov. 3, 1913.

Peremptory list for appellate division, for Tuesday, 4th inst., at 11 a.m.;

1. Meyer v. City of Toronto (to be continued).

2. Smith v. Sunshine Laundry Co.

3. Irwin v. Campbell.

4. Moore v. Modern Skirt Co.

5. Sturgeon v. Canada Iron Co.

Sheardown v. Good—K. F. Lennox, or John Sheardown, moved to disharge order attaching debt due by tobinette & Co. to him. Tombe (Mctrady), for Catherine Good, judgment ebtor. Order made discharging order ttaching debt due applicant, with osts fixed at \$10.

Kocz v. Canada Foundry Co.—Dovan, for plaintiff, obtained order exending time for return of commission or two months from this date.

Gardiner v. Taylor—M. Wilkins, for laintiff, obtained order, on consent, ilsmissing action without costs.

Vansickle v. McKnight Construction to.—D. I. Grant, for plaintiff, moved or order adding W. E. Douglas as a sarty defendant. Order made adding coceedings accordingly with apt vords to charge him. Costs in cause. Crawford v. Allen—H. S. White, for lation of defendant for discovery become Mr. Mustard, at Edmonton, and or a commission to Mr. Mustard to ake evidence. F. Aylesworth, for deendant. Order made as asked, 48 nours' notice and names of witnesses to be given to defendant's agent in Strathcona before examination. Costs in cause.

Kaufman v. Slatkin—McHugh, for

ens.

Long Dock Mills v. Dickey—Jackson, or plaintiff, obtained order for issue of concurrent writ for service out of urisdiction on defendant. Elizabeth Dickey, in New York. Fifteen days blowed for appearance.

writ for service out of jurisdiction in Saginaw, Michigan.

Penman v. Warner—Yates, for plaintiff, obtained attaching order of debt due by Imperial Bank to C. S. Warner. Motion for order absolute to be made before county court judge of York.

Gascoyne v. Dinnick—B. N. Davis, for plaintiff, obtained order, on consent, for examination of Lords Hyde and Somers de bene esse.

Sefore Meredith, C.J.O. Maclaren, J. A., Magee, J.A., Hodgins, J.A.

Judge's Chambers.

Before Falconbridge, C.J.

Re W. H. Salter—J. D. Falconbridge, for T. G. T. Corporation, moved for order approving of settlement of the claim of A. C. Rankin against estate.

F. W. Harcourt. K.C. for infant. Order made en accounts being recast and any objections of official guardian satisfied.

P. Siddelly & Classical Company of the claim of the claim of the country of the claim of the

satisfied.

Re Siddall—A Gilmour, for trustees, moved for order allowing payment of commission on sale of settled estate herein. F. W. Harcourt, K.C., for infant. Order made allowing commission of \$400 on the sale.

Rex v. Jennings—W. K. Murphy, for defendant, moved for order granting bail. E. Bayly, K.C., for attorney-general. Order made granting bail in the sum of \$2500.

while engaged in directing the clearing up of the wreck Thomas Huntley, superintendent of the wreck ing crew, fell off a bridge and sustained broken ribs and internal injuries.

CHAIRMAN OF TAFT COMMISSION FOR TORONTO CIVIC SURVEY.

The civic survey in the city hall by the New York Bureau, on behalf of a committee of business men, is to have the services of Dr. Frederick A. Cleveland, former chairman of Taft's commission on economy and efficiency. The committee will give a luncheon to civic officials on Thursday and Dr. Cleveland will there be formally introduced.

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THE CANADA PERMANENT TRUST COMPANY,

MORTGAGE CORPORATION

Hardy v. Lake Erie and R. Railway Co.—Motion for injunction; struck from list as no counsel appeared.

Kohler v. Thorold—F. Aylesworth, for plaintiff, stated that an appeal had been taken from the chancellor's order confirming report, and asked this motion for judgment on the report to stand. Stands sine die.

erty of the said Anme Seaborn Hil Judgment: It would perhaps be enoug to say that the thing to be done be fore these trust funds are otherwisedealt with in any way is to transfer them to a trustee of the settlement addirected by the judgment of the chancellor. Much as I regret it I cannot advise or direct the applicant to make this advance to his sister, Mrs. Hill, out of the trust funds. It would not be right to make the beneficiaries generally contribute to the costs of this application. The costs of all parties will be paid by the executors and charged against the share of Mrs. Hill.

Re Estate of Henry Harrison—F. F. Treleaven (Hamilton) for executors. J. A. Soule (Hamilton) for a beneficiary. J. R. Meredith for infants. Motion for order construing will of Henry Harrison under C.R. 600. Judgment: Martha Cox, the testatrix, is a trustee of Henry Harrison's estate and the real estate is vested in her amongst other things expressly for the purpose of sale and distribution. She has an absolute power of disposal and this is in no way affected by her second marriage. I cannot read the third codicil as cutting out the four classes of beneficiaries mentioned in the will or as conferring an estate in fee upon the testatrix. I am clearly of opinion that the estates or shares of the various beneficiaries vest as and when they would have vested if the third codicil had not been added. Costs out of the estate.

Appellate Division.

Appellate Division.

Before Meredith, C.J.O.; Garrow, J.A.;
Maclaren, J.A.; Magee, J.A.;
Hodgins, J.A.
Goodwin v. M. C. Rallway Co.—W.
B. Kingsmill for defendants. G. L.
Staunton, K.C., for plaintiff. Appeal
by defendants from judgment of the
chancellor of May 21, 1913. Action to
recover \$5000 damages for death of
James Goodwin, who was killed by being struck by an engine of defendants.
At trial judgment was awarded plaintiffs for \$1650 and costs. Judgment:
The trial judgment varied by reducing
the amount to \$1428.73. In other respects judgment affirmed. No costs of
appeal to either party.

Re National Trust Co. and C. P. R.
Co.—G. F. Shepley, K.C.. and G. W.
Mason for the railway company. G.
Osler for National Trust Co. Appeal
for the railway company from award
of arbitrators of Jan. 17, 1913. on the
ground inter alia that the amount
warded by the arbitrators for the land
taken by the railway company is excessive and is not justified by the evidence. The arbitrators awarded \$40,166 for lands taken by the railway
company at the corner of Wellington
and Peter streets, Toronto. Judgment
(V.V.): Award to be feduced to \$335

Before Meredith, C.J.O., Maclaren, J.
A., Magee J.A., Hodgins, J.A.
Re Detroit River Tunnel Co. and
Windsor.—J. L. Counsell (Hamilton)
for all parties, obtained adjournment
of this appeal to January sittings.
Allen v. Grand Valley Ry. Co.—
J. G. Smith for defendants, H. E.
Rose, K.C., and J. W. Pickup for
plaintiffs. Two appeals: (1) by the
Rallway Co., and (2) by Verner and
Dinnick from judgment of Kelly, J.,
of June 30, 1913. Action by plaintiffs.
manufacturers of Sheffield, England,
to recover \$12.041.91 for goods supplied to defendants the Ry. Co. and
alleged to be guaranteed by defendants Verner and Dinnick. Defendants the Ry. Co., counterclaimed.
At trial judgment was given plaintiffs
as claimed with costs and defendants'
counter claim was dismissed with
costs.
Wise v. Richardson—J. H. Moss,

Wise v. Richardson—J. H. Moss, K.C., for plaintiff. W. A. Boys, K.C., for defendant. Appeal by plaintiff from judgment of Wismer junior judge of Simcoe. of July 15, 1913. Action to recover \$200 damages for loss of wood, etc., by fire alleged to have been set by defendants in the roadway opposite plaintiff's property. At trial action was dismissed with costs. Appeal argued. Judgment reserved.

Haggart v. Desrosiers—H. E. Rose, K.C., and J. W. Pickup for tenant appellant. W. M. Douglas. K.C., for landlord. Appeal by tenant from judgment of county judge of Essex of June 26, 1913. Action under over-June 26, 1913. Action under over-holding tenants act to recover posses-sion of lot 23. Bedford street. Sand-wich. At trial judgment was award-ed landlord for immediate possession. Appeal dismissed with costs. McArthur v. Hassard—On applica-tion of counsel this appeal placed at foot of list.

fendant Strath. R. D. Moorhead for plaintiff. Separate appeals by defendants Brandham and Strath from judgment of Denton. J., of County of York, of June 6. 1913. Action by H. G. McLean, a carter of Toronto to recover \$150 for loss of a horse from falling into a deep excavation made by defendants and alleged not to have been properly fenced in and protected. At trial judgment was given against defendants Brandham and Strath for \$150 and costs. dismissing claim of defendant Brandham arainst.

dary to be ascertained as indicated. Action dismissed with costs as against Gauthier, and as to other defendants may be spoken to.

Waters v. City of Toronto—H. H. Dewart. K.C., and Macdonell for plaintiff. C. M. Colquhoun for the city. Appeal by plaintiff from judgment of Donton, J., of County of York, of June 14, 1913. Action by W. Waters, superintendent of Toronto Power Co., to recover \$500 damages for alleged false arrest and imprisonment by defendants.

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And so the party who failed to get an answer, as well as the one who was tardy, are both convinced of the bad telephone service they are getting, and one more offence is charged by each of them against the Company! The whole trouble, of course, lay in not answering prompt

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Write or call the Circulation Department of The World.

defendant Sirath to be indemnified. The oral appeal dismissed with costs. Appeal for relief over fails.

Bartlett v. Delaney—McG. Young, K.C., for defendant Gauthier, I. F. Hellmuth, K.C., for original defendants. E. D. Armour, K.C., and A. R. Bartlett (Windsor) for plaintiff. Appeal by defendant Gauthier from judgment of Latchford J., of Jan. 10, 1913. Action by Noble A. Bartlett, administrator of estate of Francis F. Palmo, to recover possession of McArtur V. Rassard Ton appeal placed at foot of list.

Meyer V. City of Toronto—C. A. Masten K.C., and J. R. L. Starr, K.C., for Mrs. Meyer. G. R. Geary, K.C., for the city Appeal by Mrs. Meyer and cross appeal by the city from the award of the official arbitrator of March 25, 1913, in which he awarded P. V. Meyer & Co. \$128,956 and interest for land expropriated by the city for park purposes. Appeal partly argued but not concluded.

McDougall v. Snider—M. A. Secord, K.C., for plaintiff, R. McKay, K.C., for plaintiff, R. McKay, K.C., for defendant. Appeal by plaintiff from judgment of senior judge of Waterloo of February 10, 1913. Action by Moble A. Bartlett, administrator of estate of Francis F. Palmo, to recover possession of "Fighting Island," in Detroit River, for \$500 for messne profits, administrator of estate of Francis F. Palmo, to recover possession of "Fighting Island," in Detroit River, for \$500 for messne profits, administrator of estate of Form in junction and for damages. At trial judgment was awarded plaintiff, declaring him entitled to recover against original defendant's possession of the property in question. messne profits as to which a reference was directed to master at Sandwich and costs up to adding Gauthier as a defendant and as against Gauthier to a declaration that the license of occupation issued to him is void and should be cancelled and the registration vacated to injunction as prayed, to damages for plaintiff, Separate appeals by defendant Gauthier allowed. Judgment of Denton, J., of County of York, of June 6, 1913. Action by H. G. McLean, a carter of Toronto, to Waters v. City of Toronto—H. H. G. McLean, a carter of Toronto, to Dewart, K.C., and Macdonell for

MICHIE'S Cigar Department Michie & Co., Ltd., 7 King W

efore Mcredith, C.J.O., Maclaren, J. A., Magee, J.A., Leitch, J. A., Magee, J.A., Leitch, J.

Vanderwaters v. Marsh—E. G. Porter, K.C., for plaintiff. W. S. Morden, K.C. for defendants Marsh and Henthorm. W. N. Tilley for defendant Herbert. Appeal by plaintiff from the judgment of Kelly, J. of February 26, 1913. Plaintiff, a contractor, sued to recover \$3,161.65 for excavating, wooden forms and concrete work for a foundry for defendants in Belleville, and for extrasconnected therewith. At the trial the action was dismissed with costs, Judgment: Appeal dismissed with costs if respondents agree to pay for the extrast. sts if resp

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