

The Toronto World

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THURSDAY MORNING, APRIL 14, 1910

OTTAWA AND PROVINCIAL RIGHTS

Unless the jurisdiction over their own property is granted by the British North America Act to the individual provinces, it is to be held as practically of no avail, the Dominion Government has no excuse for disallowing the hydro-electric legislation of Ontario. It did not encroach upon the federal sphere, and the allegation that it had affected the financial credit of the Dominion, having no basis of fact, affords no excuse for the action so urgently demanded by its opponents. Even the last they were supporting themselves with the delusion that the Dominion authorities would wreck the policy that means so much for the people of Ontario and adds the final of the financial crisis.

The Dominion Government has not dared directly to destroy the provincial rights secured by the Federation Act, but it has not hesitated to countenance their infringement in more insidious ways. Through that convenient phrase—"the general advantage of Canada"—no opportunity has been lost to withdraw strictly provincial undertakings from the jurisdiction of the province. Needless to say these have all involved the grant of public franchises and only the strong opposition offered on behalf of the cities whose street control was threatened, prevented even worse encroachments on the sphere of local authority. As it stands the railway committee at Ottawa, with its considerable pro-corporation majority, is a dangerous enemy to public and provincial rights. What is still worse, the Dominion Government appears to have abdicated its functions in connection with proposals involving questions of public policy. But it cannot disavow its responsibility by sheltering itself behind the railway committee and leaving the majority in that body free to work the corporation game.

HONEST EXPORTS

Canadian apple-growers are being constantly warned by Canadian trade commissioners in Europe that honesty is the best policy. Repeated complaints have been made that consignments do not conform to representation and that the result is damaging to the trade generally. The latest of these warnings appears in the report of Mr. W. R. Preston under date Amsterdam, March 22. After stating that Europe offers an inexhaustible market for apples, sun-dried or evaporated, he adds: "No goods should be shipped to this country that are not of the best quality or not properly graded. More trade is lost to Canada by failure on the part of Canadian shippers to realize that want of fair dealing on their part closes the door for future transactions. Consignments of Canadian products that have been made to this side of the Atlantic have seriously interfered with a greater extension of Canadian trade." These reiterated appeals for honest dealing ought not to be necessary. A small temporary and improperly earned profit is a poor exchange for the loss or limitation of an inexhaustible market consequent on the destruction of confidence in the honor of Canadian exporters.

THE HUDSON BAY ROUTE

Wherefore the sudden opposition on the part of the leading Dominion Government organ to the building of the Hudson Bay Railway? This project has been before the country for some considerable time, and the advantages it offers as an outlet for western grain are undeniable. According to reports freely circulated, the district north of the present limit of cultivation will in no long time be also a great centre, and for its crop also ocean transportation by the Hudson Bay route will be no less invaluable.

Admittedly the only difficulty that can be found in the way of the proposed road is Hudson Bay ice. But the records and the investigations that have been made all tend to show that the route will be open under normal conditions for a period of four months, and with modern steamers the currents that rendered the straits so hazardous for sailing vessels are of much less account. The government has pledged itself to the undertaking, and the plea for delay has far less support than in the case of the Georgian Canal, where the reporting engineers indicated there would be no appreciable making of time over the longer lake passage. In whose interest is this attack on the Hudson Bay Railway being made?

GOVERNMENT BY COMMISSION

The Globe has decided to oppose city government by commission, on the

ground advanced by the admirable David Harum. A certain amount of news is good for a dog. They keep him from worrying about being a dog. "Toronto," says The Globe, "would, under commissioners, become stagnant, and the better the administration and the more continuously trustworthy the administrators the more speedily would stagnation ensue." This, The Globe holds, is the most formidable objection to government by commission. Think it over citizens. The most formidable objection to government by commission is that we might be too well governed.

MAYOR GEARY'S CHANCE

Perhaps the idea of what is possible under government by commission has aroused him to compete as far as possible under the present system imposes. But even if he fails to take the opportunity of a lifetime to go down to history as the man who inaugurated the finest city government in Canada, he has the opportunity to raise the present system to its highest potentiality, by getting strong men into civic office.

The men so far mentioned are undoubtedly in every way. Mr. Drayton has the best reputation among the younger generation of lawyers. Dr. Amyot is an able health officer. Mr. Powell's promotion follows a desirable precedent and is well deserved. Mr. Harris is a thoroughly capable official.

But a great deal more than good officials is needed. We need brains at the head of the city government which can realize what the greatest city in Canada requires now in the prospect of what it will be a generation hence. If the present board of control can do this, there will be no immediate demand for a change of government. But the vision of next January's election has always hitherto blighted public expectation.

CITY DAIRY COMPANY, LIMITED.

The annual report of the City Dairy Co., Limited, which is published elsewhere in The World, is the most satisfactory statement that the company has produced since its formation. A. Ames, the president, was in the chair at the annual meeting held recently.

The report shows profits for the twelve months ending Dec. 31 last of \$22,154.47, which added to the balance of \$24,999.25 from 1908, produced \$47,153.72 for distribution. Four dividends on preference shares at the rate of 1 per cent. per annum were paid, amounting to \$24,956.92, and for the first time dividends on the common stock at the rate of 2 per cent. per annum were paid, amounting to \$11,296.80. Allowing for depreciation on property, a balance of \$51,971.74 is carried forward.

In moving the adoption of the report, President Ames stated that both in volume of business and net earnings the year has been the best in the company's history. The standard of quality of the milk supplied to the city is the highest that has been attained, and the result is a permanent improvement in the quality of the milk supply of the city.

The statement of the net profits for six years shows a steady advance from \$18,651.24 in 1904 to last year's total of \$22,154.47. The president referred to the resignation from the board of directors of C. D. Massey and James Carruthers, and the election of J. N. Sheehy and F. H. Deacon to fill their places. C. D. Massey joined the board in succession to his late brother, W. E. H. Massey, S. J. Moore, who had been president of the company since 1901, resigned to accept the presidency of the F. N. Burt Co., Limited, and Mr. Ames was elected to this office.

The general manager, Charles Ed. Potter, in his report, stated that during 1909 the milk commission of the Canadian Medical Association promulgated the standard for pasteurized milk. The City Dairy is the only dairy in Toronto that can perfectly live up to their recommendation, and thus deliver milk free from disease germs.

Mr. Potter gave comparative figures showing an increase of customers from 8500 in 1904 to 13,680 in 1909; of road wagons from 32 in 1904 to 52 in 1909; and of milk bought weekly from 18,852 gallons in 1904 to 31,568 in 1909. The company, he says, is supplying one-quarter of the milk sold in Toronto.

STANDARD LIFE ASSURANCE COMPANY.
In another column of this issue will be found a statement of the principal results reported to the 84th annual general meeting of the Standard Life Assurance Company, held at Edinburgh on Tuesday, April 5 current. This long established and prosperous concern continues to advance, the net amount of new assurances for the year ending Nov. 15, 1909, being \$9,511,525, the net premium revenue on these being \$297,942. The subsisting assurances at that date, exclusive of bonus additions, totaled \$141,255,968, and the accumulated funds after deducting current liabilities have now reached \$61,082,305, an addition during the year of \$1,256,494. The revenue for the year was \$7,408,273 and the average interest realized on the funds 4.2 per cent, subject to deduction of income tax.

QUEBEC TO RESERVE PULPWOOD

QUEBEC, April 13.—Premier Gouin announced the intention of the government to have decided to prohibit the exportation of all pulpwood out on crown lands before it was manufactured in Canada, according to the increase in the stumpage dues by 60 per cent. and, thirdly, to increase the ground rent per square mile from \$3 to \$5.

Jap Consul-General on Tour

OTTAWA, April 13.—Hon. Makamura, Japanese consul-general, and his wife, leave to-night to see Niagara Falls for the first time. To-morrow night the consul-general addressed the Canadian Club at Hamilton, and from there they go on to Niagara.

STANDARD LIFE

Results Reported at the Annual Meeting Held Recently.

The 84th Annual General Meeting of the Standard Life Assurance Company was held at Edinburgh, on Tuesday, 5th April, 1910.

The following principal results for the year ended 15th November, 1909, were reported:

Amount of Assurance accepted during the year, for which 4773 Policies were issued..... \$10,219,561

Of this amount there was re-assured with other Offices..... 708,428

Leaving net amount of New Assurances for the year..... \$9,511,525

Corresponding Premium Revenue on New Policies during the year..... \$297,942

Annual Premiums..... \$400,045

Single Premiums..... 57,380

Less Premiums on amount re-assured..... 20,483

Leaving Net Premium Revenue on New Assurances..... \$307,942

Amount received in purchase of Annuities..... \$378,758

Single Payments..... 11,081

Claims under Policies during the year, inclusive of Bonus Additions..... \$3,561,704

By Death..... \$3,561,704

By Surrender..... 74,301

Subsisting Assurances at 15th November, 1909, exclusive of Bonus Additions..... \$141,255,968

Accumulated Funds at 15th November, 1909, after deducting Current Liabilities..... \$61,082,305

The addition to the Accumulated Funds during the year was \$1,256,494.

The average rate of interest realized on the Funds was 4.2 per cent, subject to deduction of Income Tax.

Revenue for the year..... \$7,408,273

D. M. McGOWN, Manager for Canada.

CHARLES HUNTER, Chief Agent, Ontario.

SENTENCED TO 25 YEARS

Justice Teetzel's Penalty on Italian at Cobourg.

COBOURG, April 13.—George Manuero, who was found guilty last night on a charge of manslaughter in connection with the shooting of two Italian men near Grafton, was sentenced this morning by Justice Teetzel to a term of twenty-five years in Kingston Penitentiary.

James Carruthers, found guilty of rape, was sentenced to 20 years in Kingston Penitentiary.

OLD PRINTER DEAD

Vincent Charles Mayhew, an old printer, who formerly held membership in the Toronto Typographical Union, died suddenly yesterday in Washington, D.C., where his nephew, B. D. Humphrey, the well-known undertaker, has gone to bring the body to Toronto for burial.

He was the son of the late Rev. V. P. Mayhew, M.A. He leaves no family, but a number of nephews reside in the city.

Danced Five Miles in an Hour

NEW YORK, April 13.—The band in a Brooklyn dance hall struck up a speedy tune at an early hour to-day and 17 couples started in a mad dash for the Marathon dancing championship of the world.

In 15 minutes the seconds began to revive the weary dancers by throwing sponges soaked with water. In half an hour most of the dancers had quit. The winning couple covered five miles in the hour.

Queen's University Degree

KINGSTON, April 13.—Queen's University Senate has decided to confer the following honorary degrees at the convocation on April 27:

D.D.—Rev. Andrew T. Love, B.A., Queen's University.

L.L.D.—Dr. Parks, superintendent of the research laboratories of the health department, New York City, and Prof. T. R. Glover of St. John's College, Cambridge.

Dog Catcher Kept the Change

CHATHAM, April 13.—(Special.)—Alexander Jameson, city dog catcher, was fined \$10 and costs, with the option of going to jail for one month, on being found guilty of stealing \$4 from Mrs. Isaac McKerricker. Jameson received a \$5 bill from Mrs. McKerricker to redeem her dog, which he caught, and he did not give her any change, claiming that she owed him \$4.

New C.P.R. Office

MONTREAL, April 13.—J. S. Carter, Montreal passenger agent of the C.P.R. at Spokane, has been appointed general passenger agent of the passenger department of the Atlantic steamship service with headquarters at Winnipeg.

Charged With Perjury

BELLELEVILLE, April 13.—Wilbur A. McMullen of this city and Fred Clarke of Trenton are charged with perjury in an outcome of the case against ex-Chief of Police Snider of Trenton. They are out on bail, and the case is fixed for Wednesday, April 20.

Tobacco Habit

Dr. McTaggart's tobacco remedy removes all desire for the weed in a few days. A vegetable medicine, and only requires touching the tongue with it occasionally. Price \$2.00.

Liquor Habit

Marvelous results from taking his remedy for the liquor habit. Safe and inexpensive treatment, no hypodermic injections, no publicity, no loss of time from business, and a cure guaranteed. Address or consult Dr. McTaggart, 75 George-street, Toronto, Canada.

AT OSGOOD HALL

ANNOUNCEMENTS.

Motions set down for single court for Thursday, 14th inst., at 11 a.m.:
1. Zahalan v. Canadian Contractors.
2. Williams v. Genmill.
3. Flegchen v. Flegchen.
4. & S. Ferguson v. Hayward.
5. Euberg v. Chambers.
6. Peremptory list for divisional court for Thursday, 14th inst., at 11 a.m.:
1. Re Ball and Stewart (To be continued).
2. McFulkin v. Oxford.
3. Thompson v. Court Harmony.
4. Standard, etc. v. Wallberg.
5. Weston v. Perry.
6. Re Macdonald Arbitration.
7. Federal Life v. Siddall.

A writ has been issued by Robert W. Hulbert, of Toronto, asking for an injunction to restrain Sir Ernest W. Shackleton of London, England, from exhibiting within the Dominion of Canada and Province of Ontario, the cinematograph films taken in connection with the British Antarctic Expedition of 1908 and 1909, at the lecture which he proposes giving in the Dominion, and particularly the lecture to be delivered on 15th April inst., in the Russell Theatre, Ottawa, and also at the lecture on 27th April in Massey Hall, and any other lectures he may give before scientific societies, and all learned bodies, not exceeding ten in number, and in each, not over 2000 feet, and also charges breach of contract in exhibiting these pictures, the sole right to do so having, he alleges, been sold to plaintiff for valuable consideration. An ex parte injunction was refused.

Master's Chambers.

Before Cartwright, K.C., Master.
Allen v. Hamilton—H. M. Mowat, K.C., for plaintiff. M. L. Gordon, for defendant. Hamilton, J. T. Loftus, for defendant. O'Leary, A. E. H. Creswick, K.C., for plaintiff.

Motion by plaintiff to add as defendants the directors of the company, of which Hamilton is manager, and the company.

Judgment: The Ontario Act provides that, after the commencement of the winding-up, no suit action or other proceeding shall be proceeded with or commenced against the corporation."

Under secs. 190 and 191, an order may be made on petition to a judge or local judge of the high court in chambers, when the company is being wound up voluntarily by a creditor, having a claim of liquidation or upwards. It would seem that this is the only way in which an action can be commenced against a company which is in voluntary liquidation, under the Ontario Act. The order will go for amending writ and statement of claim by the addition of the directors only. The original defendants will have 8 days after such amendment to amend their statements of defence, and the costs of the motion and order and all costs of the action or proceedings will be to the original defendants in the cause.

The plaintiff must pay the costs of this motion to the company if required so to do.

McPherson v. McGuire—W. Laidlaw, K.C., for plaintiff. Motion by plaintiff for an order shortening time for appearance to 10 days. Order made.

Shum v. Gentles—Pineberg (Glyndwr), K.C., for defendant. Contra. Motion by plaintiff for order allowing service of statement of claim delivered to defendant by mail for a week to ascertain if plaintiff has left the province so as to be liable to give security for costs.

Re G. T. Stewart and Trustee Relief Act—F. A. Clement, for administrator. Motion by administrator for order to pay into court of \$17,000 for an infant Glenora Stewart. Order made.

Wilson Lumber Co. v. Simpson—J. F. MacKenzie, for defendant. J. J. MacLennan, for plaintiff. Motion by defendant for an order vacating certain of the plaintiff's motions, stating their intention to deliver their statement of claim in three weeks, motion dismissed. Costs in cause to plaintiff.

Wheeler v. Haycraft—A. C. Bedford, Jones, for executors of plaintiff. An ex parte motion by plaintiff for leave to issue execution on a judgment recovered in December, 1898. Order made.

Single Court.

Before Meredith, C.J.

Upper Ontario Steamboat Co. v. Canill—H. W. A. Foster, for plaintiff. No one contra. Motion by plaintiff for judgment in terms of report of Judge Vain.

Rothschild v. Gero—H. W. A. Foster, for plaintiff. No one contra. Motion by plaintiff for judgment against defendant Gero. Motion adjourned for one week to allow plaintiff to consider whether he will abandon proceedings against the other defendants.

Re Munns Estate—W. A. Logie (Hamilton), for petitioners. L. V. M. Brynne (Hamilton), for purchaser. C. J. Macdonald, for executor. Motion by two of the heirs of William Munns, formerly of the Township of Barton, for an order that the executor, J. A. Baker, who is said to have been murdered by the distribution of their share of the estate of William Munns. After partial argument, motion enlarged sine die, to procure further information and consider future proceedings.

Re Hamilton Estate—G. Campbell, for petitioners. F. W. Harcourt, K.C., for one of the children under 25 years. Motion for order to confirm sale of settled estate consisting of houses on Yonge-street. Reserved.

Divisional Court.

Before the Chancellor, J. Magee, J., LaChapelle, J.

Morse v. Star Manufacturing Co.—R. McKay, for defendants. T. N. Phelan, for plaintiff, contra. An appeal from a judgment of the county court of York, of Jan. 15, 1910. Argument resumed from yesterday and concluded. Appeal dismissed.

Re Ball and Stewart—J. J. Gray, for Ball. R. McKay, for Stewart. An appeal by P. Ball from the judgment of the mining commissioner of Feb. 23, 1910. The claimant and appellant, Percy Ball, sought to have the mining claim of the respondent cancelled and to have his own mining claim upon the same property recorded, and also to have the certificate of record granted. Stewart, set aside and for an extension of time to appeal. The said claim and appeal were dismissed by a P. Ball from the judgment of the mining commissioner of Feb. 23, 1910. The appeal is from his decision. Not continued.

THE BROCKTON COMET CHART

Sun Rises 5.24 a. m. PROBABILITIES: Moderate winds; fine and milder.

APRIL 14th. 10th. 11th. 12th.

APRIL 14th. Latest reports show that the "Brockton" Comet is making good progress, and, barring accidents and allowing for the erratic temperament of the "Brockton," it should arrive early Saturday morning. This Comet is no world-beater in the matter of speed, but it has a through ticket for Toronto, and when it lands there is going to be some noise. The "Brockton" is going to settle down in Toronto and be a shining light in the business world.

South African Memorial.

Since the last public announcement Col. James Mason, honorary treasurer, has received the following additional subscriptions to the South African Memorial, to be erected in this city as a national tribute to the Canadians who fell in the Boer war:

Amount previously acknowledged, \$33,144.49

The Bennett & Wright Co., Ltd., 10.00

Sidney Small, 10.00

Brunswick-Balke-Clendenen Co., 10.00

A. E. Dymont, 10.00

The Central Press Agency, Ltd., 10.00

Canadian Kodak Co., Ltd., 10.00

Robins, Limited, 10.00

T. E. Braine, 10.00

Shrya D. Fairbairn & Co., Ltd., 10.00

The Harris Abattoir Co., Ltd., 10.00

The Hunter-Gavelle, 10.00

Ladner Wear, Ltd., 10.00

The Northern Electric Co., 10.00

The David Smith Eng'g Co., 10.00

Gooderham & Worts, Ltd., 10.00

Dr. W. Beatty, 10.00

Donner & Ziegler, 10.00

James L. Hughes, 10.00

Pied, Lowndes & Co., Ltd., 10.00

John H. Moss, K.C., 10.00

W. G. Goodman, 10.00

W. J. Douglas, 10.00

The Boeckh Bros. Co., Ltd., 10.00

W. C. F. Fleming, 10.00

The Belphe Whitewear Co., Ltd., 10.00

W. C. Crother & Co., Ltd., 10.00

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Hon. Mr. Justice Anglin, 10.00

The Julian Sale L. Goods Co., Ltd., 10.00

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