

# The Toronto World

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THURSDAY MORNING, FEB. 27, 1913

## AWAKENED FROM SLEEP.

Premier Whitney has expressed his surprise that the opposition have clustered up the order paper with questions and notices of motion, instead of being good, and falling in line with the routine of government. Sir James, we feel sure, would not deprive the opposition of a single opportunity which the privileges of the house permit, or which his own action in opposition set abundant precedent for. It is the business of an opposition, to oppose, and Sir James should not be surprised if Mr. Rowell and his colleagues are awakening to a sense of their responsibility. Sir James has had seven fat years during which the opposition remained in a lethargic condition. Whether he is to have seven lean years remains to be seen. Perhaps the lean cattle of Mr. Rowell's opposition may develop appetite enough to eat up the government.

But the important point is to know who or what it was that awakened the opposition out of slumber. We are very much afraid it was Sir James himself. Plunged in a gulf of despair the luckless Liberals lay to the number of 23, more or less. There was really no hope in Mr. MacKay. He agreed too closely with Sir James in all the things that really mattered to the people. And when he disagreed with him it was on hydro-electric or some other popular policy. Brother Rowell has taken a different course. He has cut loose from the Globe this session, and if he can convince the people that it is a genuine Prince Hall, against-Falstaff reformation, he will do more for Liberalism than anyone in a generation. For there is a feeling that the Globe may be round the corner all the time with a bottle and other accessories.

Mr. Rowell, however, has cut loose from the Globe and got the idea that the people vote for the man who is consistent, who does not go back on the people after pretending to consider them, and who does not use their votes to get into power and then serve the interests of the trusts or the corporations instead of the people who voted for him.

Sir James should not forget, either, that the people are fickle. If they begin to suspect anything wrong, they are apt to fly off to the man who will promise earnestly to do things right. Sir James has been a remarkably good premier. He has done more than anybody hoped. He has done more than the opposition feared. He has a big list of important achievements to his credit. In the hydro-electric system he has accomplished an advance which would signalize the record of any ministry. As long as Sir James kept on this line there was nothing for the opposition to do but to sleep on and take their count.

But Sir James has refused to listen to the people's demand for tax reform. His thundering "No" has awakened the opposition into activity. His circular to the assessors leaves the main issue untouched, and things pretty much as they were. Taxation is not reformed. And now the corporations are to have a vote, but the tenants who pay the taxes are not to have a vote. And the tenants are a big class, and they have political votes even if they have not votes on money bylaws like the corporations.

Mr. Rowell sees his chance at last. No wonder he has waked up. No wonder he and his colleagues have become busy. No wonder the order paper is stuffed full. The only wonder is that Sir James does not see why it is.

It isn't wise always to listen to the fairy tales of the party story-tellers. Sir George and Sir Wilfrid both did that and the tale-tellers proved to be interesting but unreliable.

This is a tale which is not a fairy tale. The opposition has wakened up. The members on the government benches have gone to sleep.

## A COUNCIL OF REASON.

The Globe thinks "Toronto needs a council more susceptible to reason than that which now holds the fort at the city hall." So do we, but for different reasons. The Globe is annoyed because the council did not listen to the "words of warning" which Mr. Lawson Furdy left "ringing in the ears" of the aldermen. The aldermen are used to ringing in the ears and a peal from New York would not be likely to make much difference. But except for the delay and the slow pace generally, the present council is no worse, and, perhaps, even a little better, than its predecessors.

decessors. But we are quite unconvinced that it affords the best possible form of government for Toronto, or that it would not be possible to devise a better form of government, or even to elect better aldermen than we have at present. The trouble is that The Globe and some other complainants think that the present form and system could not be improved upon. The Globe in matters of municipal government always argues that water cannot rise above its source. The Globe has never been able to see the fallacy in that argument. Yet The Globe is an earnest advocate of improving the water supply of the city. Out of the lake, too.

## INTERNATIONAL MUNICIPAL LEAGUE.

From an editorial in The Municipal Journal of London, England, it appears that the Union of Canadian Municipalities has proposed to establish an International Municipal League for the purpose of friendly intercourse and private advantage. The proposal was discussed recently by the committee of the Scottish Convention of Royal Burghs, which decided to express its sympathy with the suggestion, and also took the opportunity to point out that as it is the oldest organization of the kind, the headquarters of the new league might be in Great Britain.

The Journal, while agreeing with the point of view of the convention, does not think the suggestion is likely to be adopted, as the promoters of the scheme have anticipated matters by provisionally appointing the secretary of the National Municipal League of the United States as secretary to the proposed league. What is of more immediate interest is that "no representative English association has yet received an invitation." One, it says, was addressed to the Board of Associated Municipalities of England, but there is no such body in existence.

## AUSTRALIAN IMMIGRATION.

Canada cannot complain of the reported drain of her farmers, attracted by the opportunities offered by her sister commonwealth of Australia. Canadians have welcomed the influx of immigrants from the United States, and the same tendency to seek the new world operates just as readily in the case of the antipodes. But even should the efforts of Australasia to divert a larger stream of immigration prove successful, the ultimate result will be for the general benefit of the whole empire.

Prior to 1900 Australia was a pastoral and mining country, says Harry S. Gulliet, in the current number of Empire, the journal of the Royal Colonial Institute. "In the brief twelve years which have elapsed since then, it has become an agricultural and industrial country." Today the farmer and meat raiser of the commonwealth has long ago overtaken his home market. It is almost incredible, but so it is stated, that Australian meat is landed in London and on the continent of Europe for a little over one cent a pound, butter for one cent and fruit for less than two cents, and so on. Does it not look like as if the state and municipal ownership prevalent in the southern continent affords better chances for the agriculturist and stock raiser?

## INTERNATIONAL RELATIONS.

Whatever else may be the result of the Balkan war, it is probably due to the marked advance made towards a better understanding between the United Kingdom and the German Empire. The war was not so much the cause of this development—it rather provided another occasion to disclose the interdependence which must ultimately lead to an entire reconstitution of the international situation. War is no longer an isolated affair. Involving only the states immediately concerned, and these only if they suffer invasion. The ramifications of commerce and the interlacing of credits that war will dislocate involves the whole civilized world.

Money power has its drawbacks when wielded by individuals who regard the mass of the people as their proper prey. But it has its beneficent side when used to place obstacles in the way of governing classes, that are always on the outlook to gratify national or personal ambition. The time is rapidly approaching when no civilized nation can afford to institute or provoke war unless it occupies a position of absolute supremacy. The world has grown too small for wars of destruction, and the nations are learning that each depends for its own prosperity on the prosperity of all, and that no country can increase its own trade and commerce without assisting to increase the trade and commerce of its competitors.

**DODD'S KIDNEY PILLS**  
CURES ALL KIDNEY DISEASE  
GRAND TRUNK RAILWAY SYSTEM  
The Grand Trunk Railway System will issue round trip tickets from stations in Canada to points in Manitoba, Saskatchewan and Alberta, each Tuesday, March 4 to Oct. 23, inclusive, via Chicago and St. Paul. The return rate to Winnipeg is \$35, and Edmonton \$45. Proportionate low rates to other points. Tickets good for 60 days. Through coaches and Pullman tourist sleeping cars will leave Toronto at 11 p.m. for Winnipeg via Chicago and St. Paul, without change, on above dates.  
Tourist cars will be equipped with bedding and have porter in charge. Berths may be secured in the cars at a nominal charge. The Grand Trunk Railway System is the shortest and quickest route between Winnipeg-Saskatoon-Edmonton. Lighted sleeping cars and electric car service, through the newest, most picturesque and most rapidly developing section of Western Canada. Through tickets sold and reservations made by all Grand Trunk agents. Costs no more than any other train. Trains now in operation: Winnipeg to Regina, Yorkton and Canora, Sask., also to Camrose, Mirror and Edson, Alta.  
Timetables, land pamphlets and other descriptive literature relative to the Grand Trunk Pacific Railway may be obtained on application to Grand Trunk agents, or write A. E. Duff, passenger agent, G. T. R., Toronto, Ontario.

## LIMIT ON APPEALS TO PRIVY COUNCIL

Dissatisfaction With the Existing System Is Expressed in the Senate.

## BENEFITS THE RICH

Judgments Not in Interests of Canada Are Frequently Given.

OTTAWA, Feb. 26.—(Can. Press).—The limitation of appeals to the privy council was discussed by the senate today. Senator David moved that a committee be appointed to consider the advisability of limiting the right of appeal to the supreme court and to the privy council in certain classes of cases. He had been inspired by this motion through complaints which he had heard during the last fifteen years that the privy council was too much of a hindrance to the progress of the law. The result was that in many cases the judgments of the privy council were not in the interests of Canada. The committee was to be composed of three members, one of whom was to be a lawyer, one a judge, and one a layman. The committee was to report to the senate within six months.

Many difficulties. The general question of limiting appeals presented difficulties. It had been suggested that in cases brought under provincial statutes there should be no appeal to the privy council. The judges of which were most familiar with them. It had also been suggested that in such cases the supreme court of Canada should be the court of last resort. Australia had given an example of denying the right of appeal to the privy council, except where the supreme court of Australia gave consent to appeal. If appointed the committee should take these views into consideration.

It should also consider the contention that the privy council was a tribunal removed from the scene of contention. Sir Richard Scott said that having been a member of the government which designed the existing system he had watched its operations with much interest. It had not lived up to the expectations of its designers. "The court of last appeal seem to have favored companies against the individuals and the country against the companies against municipalities," added Sir Richard.

He pointed out the decision of the privy council in the Alberta and Great Waterways case, saying that its decisions were almost invariably against the individuals and the country. He pointed out that the privy council had gone in favor of corporations against municipalities in cases involving control of streets and public works. He pointed out that the privy council had gone in favor of the landowner against the tenant in the case of the Manitoba school lands. He pointed out that the privy council had gone in favor of the landowner against the tenant in the case of the Manitoba school lands.

Appeals Wrongly Made. Sir Richard believed he could properly say that there have been a multitude of appeals to the privy council which never should have been made. He pointed out that the privy council had gone in favor of the landowner against the tenant in the case of the Manitoba school lands. He pointed out that the privy council had gone in favor of the landowner against the tenant in the case of the Manitoba school lands.

Not Wholesale Abolition. Sir Richard did not favor the abolition of all appeals to the privy council. There were cases where the privy council was a necessary part of the government. He pointed out that the privy council had gone in favor of the landowner against the tenant in the case of the Manitoba school lands. He pointed out that the privy council had gone in favor of the landowner against the tenant in the case of the Manitoba school lands.

Home-seekers' Excursions to Western Canada. The Grand Trunk Railway System will issue round trip tickets from stations in Canada to points in Manitoba, Saskatchewan and Alberta, each Tuesday, March 4 to Oct. 23, inclusive, via Chicago and St. Paul. The return rate to Winnipeg is \$35, and Edmonton \$45. Proportionate low rates to other points. Tickets good for 60 days. Through coaches and Pullman tourist sleeping cars will leave Toronto at 11 p.m. for Winnipeg via Chicago and St. Paul, without change, on above dates.

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**Your doctor would recommend it**  
**O'Keefe's Special Extra Mild Ale**  
Is strong in stimulating food values—rich in nutriment—yet so light and mild that everyone may enjoy it.

**The Philosopher of Folly**  
OLD FLINDERS.  
As buckets of ashes he bears to the lane the neighbors have never heard Flinders complain; twice weekly he tramps thru the snow or the rain to put out his carload of cinders. The weather may play him the meanest of tricks; the blizzard may rage like a thousand of bricks, but out the lane at a quarter to six come buckets of ashes and Flinders. Even when as the city is wrapped in repose, he dresses himself in a suit of black, and goes to the regions of darkness he goes, to start at his hoisting and hauling. At last he emerges from cloudlets of dust.

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## At Osgoode Hall

Feb. 26, 1913.  
ANNOUNCEMENTS.  
Motions set down for single court for Thursday, 27th inst., at 11 a.m.:  
1. Myerscough v. Lake Erie.  
2. McIntosh v. Kalar.  
3. Morana v. Chauvin.  
4. Ritter v. Leighton-Jackson.  
5. Re Phillips Estate.  
6. Labatt v. White.

Peremptory list for appellate division for Thursday, 27th inst., at 11 a.m.:  
1. Strong v. Rimouski Fire Insurance Co. (to be continued).  
2. Strong v. Anglo-American (to be continued).  
3. Strong v. Montreal, Canada (to be continued).  
4. Strong v. Crown Fire Insurance Co. (to be continued).  
5. Mireault v. Toronto Railway Co. (to be continued).  
6. Halditch v. C. N. R. Railway.  
7. Hall v. Trusts and Guarantee Co.

Master's Chambers.  
Before J. S. Cartwright, K.C., Master.  
Kennedy v. Kennedy—W. H. Clippard, for defendant, obtained an order vacating his pendens. Buckner v. Gorman—Saunders (McCarthy & Co.), for plaintiff, obtained an order vacating his pendens and dismissing action with costs to plaintiff forthwith after taxation. Silverman v. McNairney—C. M. Garvey, for sheriff of Sudbury district, prayed for interlocutory order. G. H. Sedgewick for claimant. D. I. Grant for execution creditors other than Doyle. W. H. Price for Doyle. Order made for order striking out the plaintiff and the execution creditors (or some of them) defendants. Sheriff to be authorized to remove goods in question from mill to McNairney's. This was but one of a series of such removals to be advanced by claimant, who is to have a first lien for same on goods. Costs to abide result of issue, which is to be tried at next sittings at Sudbury.  
Murray v. Thames Valley Garden Loom Co.—J. J. Elliott, for defendant, moved for order striking out paragraphs 4, 5, 6 and 15 of statement of claim as embarrassing, and for paragraph of paragraph 8, etc. N. F. Davidson, K.C., for plaintiff, reserved.  
Colvin v. Waters—G. S. Hodgson, for plaintiff, moved for order striking out paragraph 4 of statement of defense of Waters and paragraph 1 of his claim for relief as embarrassing. A. B. Armstrong for defendant. Order made for order striking out paragraph 4 of statement of defense in five days. Costs to plaintiff in any event.  
Cook v. Cook—J. McCullough (St. John's) for defendant, moved for an order adding parties. W. C. Davidson, for plaintiff, moved to amend claim. Order made for plaintiff to amend claim within two weeks. Defendant's motion to stand meantime.

Meredith v. Slemin—F. Aylesworth for defendant, moved for order for security for costs. J. M. Godfrey for plaintiff, reserved.  
Shaw v. Clements and Montreal and Fire Insurance Co.—H. C. Maclellan, for the insurance company, moved for leave to pay amount of policy as admitted by company into court. Motion to be served on parties to action and on the plaintiff. Badie v. Astor—Beatty (Kilmer & Co.), for defendant, moved for order for further security for costs. R. McKeown, K.C., for plaintiff, reserved.  
Reasons given in Stow v. Currie there should not be any order at present. It is a later stage defendant thinks well to do so. He can renew the motion. At present motion dismissed with costs to plaintiff in the cause on final taxation.

Clair v. Stair—A. R. Hassard, for defendant, moved for particulars of statement of claim before pleading. J. J. Elliott, for plaintiff, Judgment: Affirmative of plaintiff's motion. All particulars in plaintiff's possession are present are contained in statement of claim in second action between plaintiff and defendant. Judgment: For defendant's solicitor. This is sufficient in meantime to allow defendants to plead. The order will confirm plaintiff to these particulars, unless others are afterwards delivered not later than four weeks before notice of trial. Costs in the cause.

Single Court.  
Before Middleton, J.  
Re F. F. Maclellan Estate—O. H. King, for executors, on motion for order construing will of late F. A. Maclellan, gave enlargement for a week. Enlargement granted.

Collis v. Rotkin—W. J. McLarty for plaintiff. J. Montgomery for defendant. Motion by plaintiff for an order vesting land in question. It appearing that no trustees have been appointed, no order made.

Re Wilson Estate—W. G. Thurston, K.C., for executors of estate of Samuel Wilson, F. L. Burton (Stouffville) for defendant. Motion for order for the executors to pay to the plaintiff, Motion by executors for an order construing the will of Samuel Wilson under C.R. 28. Reserved.

Trials.  
Before Kelly, J.  
Vandewater v. Marsh—E. G. Porter, K.C., and W. Carnew (Belleville) for plaintiff. W. S. Morden, K.C., and W. D. M. Shorey (Belleville) for defendants Marsh and Bentham. W. N. Tilley for defendant Herbert. An action to recover contract price and extras for excavation and concrete work in erection of buildings for Marsh and Bentham in Belvidere, of which defendant Herbert is architect. Judgment: Let judgment be entered dismissing plaintiff's action with costs. Thirty days stay.

Before Lennox, J.  
Scoble v. Wallace—A. E. Frapp, K.C., for plaintiff. G. F. Henderson, K.C., for defendant. Action by plaintiff, a farmer, to set aside and declare null and void an agreement for the purchase by him of certain lots near Regina and for the return of \$1225 and for the ground of false and fraudulent misrepresentation. Defendant counter judgment for specific performance. Judgment: A direct judgment to be entered for plaintiff for \$1225 with interest and disbursements. Defendant counter claim with costs and declaring the agreement null and void, and dismissing plaintiff's action, to be cancelled. Stay of thirty days.

Before Garrow, J.A. Maclellan, J.A.; Meredith, J.A.; Magee, J.A.; Hunter v. Richards—W. N. Tilley for defendant. P. White, K.C., for plaintiff. An appeal by defendant from the order of a divisional court dismissing defendant's appeal from the judgment of Latchford, J., of March 2,

To sit with Wife by the fireside on a winter's night,  
With a good pipe and matches, is my great delight,  
Because I know the matches, Eddy's Silents, are alright.  
They're Safe, Sure, Silent—each time I strike I get a light.

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Fresh Mined Anthracite Coal Arriving Daily

**GLENERNAN**  
Scotch Whisky  
A blend of pure Highland malts, bottled in Scotland, exclusively for  
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**HOFBRAU**  
LIQUID EXTRACT OF MALT.  
The most invigorating preparation of its kind ever introduced to help and sustain the invalid or the athlete.  
W. H. LEE, Chemist, Toronto, Canadian Agent.  
MANUFACTURED BY: The Reinhardt-Salvador Brewery Limited, Toronto.

**COMMISSIONS SHOULD HAVE WIDER POWERS**  
Galt Reporter Thinks Provincial Secretary Isn't Going Far Enough.  
GALT, Feb. 26.—(Special).—Reference to the provincial secretary's promised bill for the creating of public utilities commissions, The Galt Reporter (Conservative) says: "It is to be regretted that the Hon. Mr. Hanna has not included the so that all constructive work on roads, sewers, sidewalks, drains and public buildings, could be done by one body elected for that purpose. Municipalities, which, like Galt, have their own machinery, their superintendents, their gangs of men and are independent of the province, would be much better served by a works commission than by a committee of a council, subject to many changes in the annual round-up at the polls."

**HER SYMPATHY MAKES HER SPEAK**  
Dame Mayer Tells How She Found a Cure in Dodd's Kidney Pills.  
Suffered for Three Years From Rheumatism, Headache, Palpitation and Bright's Disease—Dodd's Kidney Pills Cured Her Kidneys and Made Her Well.  
HUBERDAU, Argentville, Que. Que., Feb. 26.—(Special).—"I am always glad to tell of my cure because I sympathize with others who may be suffering as I did." So says Dame Joseph Mayer, well-known and highly respected here.  
"For three years I was a very sick woman. Rheumatism, headache, palpitation of the heart and Bright's disease were my succession of troubles, but Dodd's Kidney Pills cured them all. I used twenty-four boxes to complete my cure, but they certainly made me well."  
"I will never be without Dodd's Kidney Pills in the house."  
Dodd's Kidney Pills cured Dame Mayer's illness because they are all caused by diseased kidneys. Dodd's Kidney Pills always cure diseased kidneys, and with cured kidneys straining the seeds of disease out of the blood, the rheumatism, Bright's disease, headache, and palpitation of the heart are bound to disappear. You never heard of a case of kidney disease that Dodd's Kidney Pills would not cure.

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