

The Toronto World

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Every Day in the Year.
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SATURDAY MORNING, NOV. 23, 1912

CIVIL REFORM.

We are glad to find The Telegram
taking advanced ground on the ques-
tion of civil government. The alder-
men, prospective and expectant, ought
to make themselves clearly understood
before polling day as to what they
wish to do for civil reform. There
ought to be a pretty clear understand-
ing as to what is to be done to give
Toronto a decided and forward next
year. The electors ought to realize
that it means money in their pockets
to have a council fit to handle the mil-
lions the taxpayers put up with econ-
omy and efficiency, and that the day
has gone past when the council cham-
ber is to be put to the service of a
village debating club.

For some years the council have
served as models for the picture The
Telegram draws of "commissioners of
high-priced busybodies." It is true
they only get \$200 a year, but the ep-
i-tot stands. The second paragraph of
The Telegram editorial appended meets
the city's need exactly:

Toronto does not want a commis-
sion of high-priced busybodies cov-
ering more ground than it can cul-
tivate, shuffling all over the field of
civil endeavor, serving as Jack-of-
all-trades and master of none.
Toronto desires a body of men and
improvement commission, and pos-
sibly one more commission to spe-
cialize as the Harbor and Hydro-
Electric Commissions have special-
ized. The city council has a great
future as the constituency empow-
ered to elect the commissioners that
will supplement, not supplant, the
heads of departments in the admin-
istration of the city's affairs.

THE BALKAN SITUATION.

Hostilities have been resumed in the
Balkans, but indications point to an
early adjustment of terms between
Bulgaria and the Turkish Government.
The allies are in possession of almost
all the territory that they can hope to
gain and a prolongation of the war
would not better the claim they have
already established. But while the
outlook to this extent is favorable, the
situation by Serbia on an Adriatic
port is a direct menace to European
peace. Austria is reported to have
ordered a partial mobilization and to
be concentrating troops on the Serbian
and Russian frontiers, while other
preparations for the transportation of
troops are in progress. This of course
does not necessarily mean that a
greater and more extensive war is in-
evitable, but it shows how dangerous
the situation is and how easily a crisis
could be precipitated. Mr. Asquith had
reason, in his Guildhall speech, to de-
precate the raising and pressing of is-
olated questions which, he commented,
if handled separately and at once, may
seem likely to lead to irreconcilable di-
vergences, but which may well assume
a different and more menacing aspect
if they are reserved to be dealt with
from the wider point of view of a gen-
eral settlement.

The demands of the Austrian Gov-
ernment centre on four points. The
provision of assured and unrestricted
facilities for access to the eastward
markets and free commercial transit to
Salonica; the maintenance of the in-
tegrity of Albania; the protection of
Austrian political interests by the crea-
tion of local relations with Serbia, ex-
cluding political antagonism and com-
pensation for Roumania. Of these the
most difficult of adjustment is undoubt-
edly that relating to Albania and the
Adriatic, which also vitally concerns
Italy. The most feasible method of
reconciling the conflicting claims of
Austria, Italy and Serbia seems to be
the erection of Albania into an inde-
pendent state, subject to free and un-
restricted access to its ports from the
interior. Salonika could also be made
a free port under the control of a gen-
eral Balkan confederation. This was
the policy favored by Gladstone in
1878, when he pointed out that the true
interest of Britain was to help in the
establishment of self-governing, au-
tonomous states, which could act as a
check to the onward march of Russia.
A confederation including the Balkan
States, Greece and Albania would offer
the strongest possible bulwark against
the ambitions not only of Russia, but
of Austria.

Mr. Asquith's Guildhall speech was
generally welcomed in Germany and
regarded as a powerful influence on
behalf of peace. The Vossische Zeitung,
intimately associated with official cir-
cles, declared that the British pre-
mier's pronouncement was conspicu-
ously devoid of reservations and dis-
posed of the continental insinuations
that Great Britain was the sinister
figure manipulating events in the Bal-
kans for her own selfish purposes. It
added that the speech showed that even
if Serbia remained obdurate on the Al-
bania-Adriatic question, peace was not
necessarily endangered. "England,"

said this influential journal, "has now
placed firmly on record her wish for
an amicable solution by international
action. Russia cannot possibly think
of going to war on behalf of Serbia if
England and her French ally are as
sincerely determined to keep the peace
as Mr. Asquith's speech indicates."
Serbia alone will hardly provoke a con-
flict with Austria and it is almost in-
conceivable that she will be encouraged
to do this by her allies or by Russia.
Nor is Austria likely to take in haste
a fatal step, with all its possible con-
sequences. Mr. Asquith's assurance
that so far as Britain was concerned its
relations with the other powers, with-
out a single exception, were never more
cordial and friendly, renders it certain
that effort will be made to arrive at a
satisfactory understanding.

CHRISTMAS STAMPS.

A beginning has been made for the
season on the sale of the Christmas
stamps which have become such a
popular means of support to the Na-
tional Sanitarium Association. Last
year the committee in charge of the
stamps reported a collection of \$14,000,
an increase of \$500 over the previous
year. This year still more may be
done, as a special effort is being made
for the King Edward memorial fund of
\$100,000. The association is the only
body engaged in the repression of con-
sumption having the right to use the
name of King Edward, and it is expected
that the memorial, whose object is
one that was dear to him in life, will
shortly be completed.

Those authorized by the committee
will shortly approach the merchants
and business men of the city in general,
heads of institutions and all who have
opportunities at their disposal for the
sale of tickets, and it is hoped that
they will, even to a greater extent than
last year, co-operate in placing the
tickets before the public.

HOME RULE AND THE PEERS.

While it has hitherto been taken for
granted that the house of lords will re-
ject the home rule bill on its first and
second presentation and compel it to
become law without their assent, it is
not beyond the limits of possibility
that the Conservative majority may
follow the precedent it set in the case
of the National Insurance Bill. That
course was strongly urged by the Duke
of Bedford, one of the most influential
of the unofficial Unionist peers, in a
recent speech. He pointed out that if
the peers exercise the insignificant
power of delay vouchsafed them under
the Parliament Act, the bill may still
come into force on May 9, 1914. If
they do not delay it the bill will come
into force with the assistance of an
Irish parliament on Sept. 2, 1912. They
cannot alter, he continued, "a single
sentence, a single line, a single word,
a single letter in the bill—they can
only delay it eight months."

The duke declared belief in the
policy of delay to be born of a vain
hope that something—no one knows
what—might be done to destroy the
home rule bill. He did not regard that
as statesmanship—in his opinion, it
was a rotten policy. His counsel to
the Unionists in the house of lords
was to exercise their right to criticize
the bill and then stand aside and call
upon the government to accept the
whole responsibility for the conse-
quences. It remains to be seen whether
the responsible leaders of the Unionist
party are prepared to adopt the
course recommended by the duke of
Bedford. To allow the bill to pass
would afford an earlier opportunity to
the Ulster covenanters to show
whether their protest represents a
serious determination to offer armed
resistance to the operation of an act
of parliament, and might also turn
them against the Unionist party. The
Unionist leaders are more likely to
contest the bill to the last.

The scientific men have just dis-
covered in England the oldest and thickest
skull in the world. Irish and Scotsmen
see nothing remarkable about that. It
is just what they would have expected.

OPENED THE TEMPLE

Royal Templars Have House-
warming at New Headquarters.

The "Housewarming" of the Royal
Templar headquarters, the Temple on
West Queen street, brought out a very
large attendance. Mayor Hocken and
W. W. Buchanan of Winnipeg were
the speakers, and W. J. Armstrong
occupied the chair.

The big auditorium of the Temple
will not be opened until January, but
the main part of the building is now
in commission, and a public meeting
will be held every Thursday night.
Mayor Hocken in declaring the
Temple opened, expressed the opinion
that the beautiful, commodious, and
well-appointed structure would greatly
increase the prestige of the Royal
Templar Society. He said it was not
only a home for the order, and a
splendid plant for producing and send-
ing out temperance literature in the
city, but it would prove to be a veritable
"Temperance Torch" for the Do-
minion.

It was announced that fourteen
churches had each contributed a group
of workers to the federal society, known
as New Era Council, and that the
membership already exceeded one
thousand, the largest local temperance
society ever instituted in Canada.

GUELPH RAILWAY PAYS.

GUELPH, Nov. 22.—(Special).—The
Guelph Junction Railway Board has
handed over to the city this year \$24,
850 as a share of the earnings of the
Guelph Junction Municipal Branch of
the C. P. R. This is a record amount.

In consequence of the death of Mr.
W. H. Beatty, the officer of Messrs.
Beatty, Blackstock, Friesen, Cowan &
Chadwick will be closed on Saturday,
the 23rd inst.

A PRODIGAL SON



"Well, dad, I'm coming home and bringing a fatted calf with me."

At Osgoode Hall

ANNOUNCEMENTS.

Nov. 23, 1912.
Peremptory list for divisional court
for Monday, 25th inst., at 11 a.m.:
1—Auto Sales v. Moore.
2—Rex v. Rea.

Peremptory list for court of appeal
for Monday, 25th inst., at 11 a.m.:
1—Herron v. Toronto Ry. Co. (to
be continued).
2—Dinnick v. McCallum.
3—Rex v. Bachrach.

Master's Chambers.

Before J. S. Cartwright, K.C., Master.
Hudson v. Smith's Falls Electric
Power Co.—R. C. H. Cassels for plain-
tiff. P. Ayresworth for defendant.
McCarthy for plaintiff. Motion by
third party for an order setting aside
order giving leave to defendants to
serve third party notice.

Judgment: The motion so far as it
asks for a postponement of the trial
of the third party issue will be re-
ferred to the trial judge, and as to the
rest of it, it will be dismissed with
costs to plaintiff, payable forthwith
and fixed at \$10, and to defendants as
against the third party in any event in
the third party issue.

Curry v. Wettlaufer—B. Oeler for
plaintiff. W. M. Douglas, K.C., for
defendant. Motion by plaintiff for an
order for further examination for dis-
covery and for a further affidavit on
production. Reserved.

Fairgrieve v. Fairgrieve—T. N. Phelan
for plaintiff. D. I. Grant for de-
fendant. Motion by plaintiff for an
order for interim alimony and dis-
bursements. Order made for payment
of \$10 a week from the first of July
last, and for \$40 for interim disburse-
ments.

Davidson v. Thompson—W. M. Hall
for plaintiff. T. Phelan for de-
fendant. Motion by plaintiff for an
order for further examination of plaintiff
and for a further affidavit on produc-
tion. Reserved.

Schoenfeld v. Turnock Medical Co.
—R. W. Harf for defendant. E. C.
Grondeur for plaintiff. Motion by
defendant for an order for a commis-
sion to take evidence at Chicago. Re-
served.

Carrique v. Catts—R. W. Henderson
for plaintiff. H. D. Gamble, K.C., for
defendant. Catts v. Raney, K.C., for
defendant. Hill Motion by plain-
tiff for an order allowing amend-
ment of statement of claim by further par-
ticulars. Defendants undertaking
not to move for postponement, if
plaintiff will not move for that ground.
Plaintiff to be allowed to examine on
these facts. Costs in cause.

Rex v. Ney—W. J. McLarty for
plaintiff. P. N. Phelan for de-
fendant. Motion by plaintiff for an order
for interim alimony and disbursements.
Order made for interim disbursements
at \$15. No order for interim alimony,
as trial comes on on Monday.

Broom v. Toronto Junction—Plaintiff
in person. F. McCarthy for de-
fendant. Motion by plaintiff for an order
dismissing action as against the G.
T. Ry. Co. after settlement. Parties
not agreeing as to terms of settle-
ment, no order made.

Judges' Chambers.

Before Middleton, J.
Re Elizabeth Warren, lunatic—Wil-

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Charities—Motion by Inspector of
Prisons and Public Charities for an
order for payment out of court of cer-
tain moneys for maintenance, under
R. S. O., c. 137, s. 61. Order made.
Fowle v. Sparham—J. G. Smith
for plaintiff. F. W. Harcourt, K.C.,
official guardian. Willoughby for
defendant. J. R. Cartwright, K.C.,
for plaintiff for an order appointing the
official guardian, guardian ad litem of
the defendant, A. E. Fowle, by whom
said Fowle may appear and defend
action. Order made.

Rex v. Pirvick—J. Haverson, K.C.,
for defendant. J. R. Cartwright, K.C.,
for the crown. Motion by defendant
for an order quashing conviction for
soliciting orders. Order made quash-
ing conviction without costs.

Re McAllister, lunacy—J. F. Edgar
for petitioner. Motion for an order
declaring lunacy. Enlarged sine die.
Rex v. Devan—J. Haverson, K.C., for
defendant. J. R. Cartwright, K.C., for
the crown. Motion by defendant for
an order quashing conviction for un-
lawfully keeping an hotel sign on his
house and having a bar fitted up con-
taining bottles, masks, &c. Reserved.

Rex v. Dorr—J. Haverson, K.C., for
defendant. Motion by defendant for
an order quashing conviction for un-
lawfully keeping an hotel sign and
having house fitted up with a bar, &c.
Enlarged sine die.

Re G. M. Rose—J. J. Macdennan for
administrator. Motion by administra-
tor for an order for payment out of
the moneys in court to the administra-
tor. Order made.

Ney v. Ney—T. N. Phelan for father
of infant. L. P. Heyd, K.C., for mo-
ther. Motion by father of infant for
return of habeas corpus for an order
for the custody of infants. Motion en-
larged to enable action to be set down
for trial. Motion by mother for an
order for return of infants to remain in
status quo in meantime. Both children
to be produced at trial.

Dickson v. The Turnbull Elevator
Manufacturing Co.—N. Phelan for
plaintiff. R. J. McGowan for de-
fendant. E. C. Gattachan for infant. An-
tenuated v. G. T. Ry. Co.—F. W.
Harcourt, K.C., for infants. Motion
on behalf of infants for an order for
the issue of a duplicate cheque to re-
place lost one, applicant having given
bond. Order made.

Re Clara B. Fleming—F. W. Har-
court, K.C., for infants. Motion on be-
half of infants for an order allowing
payment into court of \$578.03 of in-
fants' moneys. Order made.

Single Court.

Before Middleton, J.
Dickinson v. The Turnbull Elevator
Manufacturing Co.—N. Phelan for
plaintiff. R. J. McGowan for de-
fendant. E. C. Gattachan for infant. An-
tenuated v. G. T. Ry. Co.—F. W.
Harcourt, K.C., for infants. Motion
on behalf of infants for an order for
the issue of a duplicate cheque to re-
place lost one, applicant having given
bond. Order made.

Re Shannahan—D. O'Connell (Peter-
borough) for applicant. C. Gattachan
for infant. Motion by applicant for an
order confirming settlement
made by consent for \$700 and costs of
plaintiff fixed at \$50 and of official
guardian fixed at \$10. Apportionment
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Toronto Developments, Limited, v.
Kennedy—W. H. Chipman for plain-
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restraining defendant from removing
soil, earth and other material from,
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sold by druggists.

trator for an order for payment out to

him of share of Annie MacLennan, de-
ceased. Order made.
J. J. Gibbons v. Berliner Gramophone
Co.—R. C. H. Cassels for plaintiff. J.
P. Boland for defendant. An appeal
by plaintiff from an order of G. S.
Hounstetter, K.C., sitting for master-in-
chambers of Nov. 11, 1912, dismissing
an application of defendant to set aside
an order made by master-in-chambers
on Sept. 20 last, permitting the issue
and service of a writ of summons out
of Ontario. Judgment: It is, I think,
a sound exercise of discretion to hold
that where the defendant is resident
in Montreal, and where the Quebec
court is certainly a convenient forum
for the trial of the action, the plaintiff
is to be interpreted according to the
laws of Quebec, and the defend-
ant's assets were all substantially with-
in that province, the plaintiff should
be compelled to resort to the courts of
that province for his remedy, when
our courts only acquire jurisdiction by
the mere accident of residence within
Ontario of a debtor to the defendant.
The order will therefore go, staying all
proceedings in this action upon the
service made in Quebec until after the
conclusion of any action which the
plaintiff may bring in that province.
Costs reserved until such action is de-
termined.

Re John Taylor—D. J. Grant for mo-
ther. F. W. Harcourt, K.C., for in-
fant. Motion by mother for an or-
der for maintenance. Order allowing
payment of interest for maintenance.
Edmunds v. G. T. Ry. Co.—F. W.
Harcourt, K.C., for infants. Motion
on behalf of infants for an order for
the issue of a duplicate cheque to re-
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Court of Appeal.

Before Garrow, J.A., MacLennan, J.A.,
Meredith, J.A., Magee, J.A., Hod-
gins, J.A.
Re Hutchinson-Burville for Robert
V. A. Sinclair (Tilsonburg) for Rob-
ert Burville. W. N. Tilley for W. H. Hut-
chinson. An appeal by Robert Burville
and Adah Burville from an order of a
divisional court of June 25, 1912, re-
versing the order of the chancellor of
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