

The Toronto World

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Subscribers are requested to advise us promptly of any irregularity or delay in delivery of the World.
SATURDAY MORNING, JULY 1, 1911

DOMINION DAY.
Birthdays are uncomfortable facts for ladies when they arrive at the age of 44, but Canada is an exceptional young genius and references to her age are regarded as complimentary. At all events her age is not to be concealed and her birthday is a matter for universal congratulation. In six years we shall have a jubilee and an international exhibition somewhere, and a king and queen perhaps to visit us, or a prince at least. And in 44 years we have grown to be so important that a prince will reside with us permanently for the future.

Naturally as we grow older, we become more important. Our dowry counts for much in establishing our rank. Our common sense and good faith will do more. Our ability to stand up for ourselves will be necessary for many a generation to come. As our millions increase, and prosper we shall be less and less able to refrain from the responsibilities which will be laid upon us in common with the rest of humanity.

Our great neighbor has raised a tariff wall sixty courses high between us, and we have put one up thirty courses high. He suggests that if we take off five courses he will take off five and then we will be on even terms. Others think if he took off thirty courses the equality would be more palpable. But our neighbor thinks that such intimacy as that could only be warranted by the closest union.

And the great mother of us all looks across the ocean, and sends her children to us in ship loads. Forty-four years ago we had a population of 3,000,000. In 44 years more we may easily have fifty millions—more than the old country. Few who go out lightly-hearted to-day on their pleasant holiday are likely to dwell seriously on the tremendous issues that depend upon us who make up the 8,000,000 of Canada to-day, and who are laying the foundation for 44 years hence. But all the more grave is the duty of those who stand in a position to realize what the future means, and whose duty it is to lead the people.

There can be no doubt of the good intentions of all classes of Canadians. But we readily deceive ourselves about our motives when patriotism and self-interest are concerned. There never was a time when Canadians needed to be more careful about the honesty of their intentions for their country or more suspicious of their self-interest. The gospel of sacrifice is the greatest in the world. It cannot be learned better than in living for the interests of one's country before everything. He who does that, he who does it for Canada, will find himself in accord with the best of the world.

THE GOOD OLD CITY OF KINGSTON.
Mr. William Hardy has made a great success of the locomotive works in Kingston, one proof of which is the successful flotation of the new securities connected with the company and its enlargement. Locomotive building is a business entirely by itself—none to be mixed up with any other proposition—and when so managed has been a good investment to shareholders.

The World is glad to see that while Kingston's population has remained almost stationary, the locomotive works are to remain in the old city; and we further trust that an increase in population will follow the enlargement of the works. Kingston was the home of Sir John Macdonald, and Sir John Macdonald more than any other man was the father of that Canada whose natal day is on this very first of July that we are now celebrating. Sir John's star grows brighter as Canada grows greater.

DOMINION CONSERVATION COMMISSION.

How wide and various are the activities of the Dominion Commission of Conservation can be easily seen by a glance at the table of contents printed to its second annual report. It includes accounts of the proceedings at the second annual meeting, held at Quebec in January last, and of the Dominion Public Health Conference held at Ottawa in October, 1910, and a number of special articles on particular phases of conservation policy. For convenience of treatment the work of the commission has been classified under public health; land; forests; minerals; water and water powers; fisheries; game, fur-bearing animals, and birds. In addition a summary of

the opinions by the commission on proposed undertakings in which conservation of natural resources is given. Much of the matter contained in the report is of great public importance, the opinions by the commission is performing valuable service which in years to come will have its utility and advantage fully demonstrated.

Among the more interesting portions of the report is the address by Dr. Robertson on the work of the commission on lands. During 1910 a survey was made of 985 farms, on an average of over one hundred farms in each province. It was found that not more than nine per cent. of the farmers visited follow any intelligent and effective system of crop rotation. The practice of this beneficial principle is however very uneven, some localities having fifty per cent. following good rotation and in others not a single farmer reporting any rotation. These and other results of the committee's investigation show how large a field there is for the education of the farmer and the adoption of scientific methods of farming. Immediately connected with this branch of the commission's labors is an article by Mr. C. C. James, deputy minister of agriculture for Ontario, describing the manner in which this province is solving the problem of the inefficient farmer by the district representative system. Ontario is being widely recognized as the leader in educational work in practical agriculture and splendid advances have been made thru the agency of the graduates of the agricultural colleges.

Attention is called in the report to the increasing number of instances where corporations holding monopolies of water powers are demanding unreasonable prices for electricity. In dealing with this matter the commission has adopted certain principles with the view of securing for the public a proper share of the unearned increment in water powers. These require that all grants and alienations should be for a limited period; that a grant should only be made after a full report from a competent authority; that a fair commercial value should be fixed at the time of alienation and the rental be subject to revision at stated periods; that the rates be approved and subject to revision by the Railway Commission and that provisions to the latter effect be inserted in all charters dealing with water powers previously alienated. To these requirements it would be well to add that the capitalization of such public service corporations should also be subject to the control of the Railway Commission. Important recommendations were made to the government by the Dominion Public Health Conference and these have already induced special action.

LORD STRATHCONA.

A great and history-making Canadian steps out of office when Lord Strathcona lays down the commission he has held so long and worthily. Lord Strathcona and the C. P. R. mutually created each other, and between them have helped to create Canada. In the strenuous times of the genesis of a nation, criticism may detect many flaws. Queen Elizabeth swore and her courtiers took long chances; but gazing back at those spacious days we are able to pardon many crudities for the sake of the magnificence that resulted. Three hundred years from now, when Canada is a mighty power, the men who dug Canada's foundations, and chief among them the man who had faith in the C. P. R., will loom large thru the perspective that sees the Elizabethans not so very far away.

PLANNING A TOWN IN PORCUPINE.

Chairman Englehart of the government railway says he and his brother commissioners will see that no more Cobalts are laid out, or rather, not laid out. He even says that the new town to be called Falls of the Iroquois, which is to be at the point where the Porcupine branch leaves the main line, is to be laid out in the very latest style. It is to have drainage, the streets are to be of the most convenient kind, sites are to be provided for public buildings and parks and other things that can only be made right at the inception.

But what about the big city that is to be in Porcupine itself? Is Mr. Englehart or is someone else going to take charge of the capital of Porcupine and see that it is properly laid out, and that it has a water supply and drainage and proper streets and a good location? Why should not the government give over the laying out of the town in Porcupine to the railway commission or to some other body that will look after the public welfare? For instance, half a dozen towns are now being laid out around Porcupine, and certainly they all ought to comply with some well-defined regulations in the public interest. Who is attending to this?

We congratulate Mr. Englehart in what he is doing for Falls of the Iroquois, but again we say, what about the capital of Porcupine?

HUSBANDS' RIGHTS.

The cause of the agitation for woman's rights has been tormented by Judge Charles Long of Springfield, Mass. He stated in a judgment that the husband is absolute lord and master of the exchequer. He is entitled to his meals at any hour he wants them. He may select such food as he

For 25 Years He Suffered

Well-Known Merchant of Sarnia Cured by "Fruit-a-tives."

Sarnia, Ont., Feb. 5, 1910.
I have been a sufferer for the past 25 years with Constipation, Indigestion and Catarrh of the Stomach. I tried many remedies and many doctors, but derived no benefit whatever. Finally I read an advertisement of "Fruit-a-tives." I decided to give "Fruit-a-tives" a trial and found they did exactly what was claimed for them.

I have now taken "Fruit-a-tives" for some months and find that they are the only remedy that does me good. I have recommended "Fruit-a-tives" to a great many of my friends and I cannot praise these fruit tablets too highly.
PAUL J. JONES.

Thousands now use "Fruit-a-tives." After reading the above letter it proves, beyond the shadow of a doubt, that at last there is a cure for Constipation and Stomach Troubles. "Fruit-a-tives" is nature's cure for these diseases, being made of fruit juices and valuable tonics.

Choose. If he wants one food and his wife another, the husband's decision goes. A servant girl to whom the husband objects must be discharged. Finally, man—who pays the bills—and not woman is boss and not woman is boss and not woman is boss.

George Bernard Shaw, H. G. Wells, the suffragettes and other modern phenomena are all referable to the principles thus laid down.

THAT HARBOR COMMISSION.

What is the matter with the harbor commission? Is it to be left dormant until the bay freezes once more? If the council cannot find work to do, there is a job here of the most serious moment to be attended to.

The acting-mayor was credited with the statement recently that nothing would be done until Mayor Geary returned to the city. But now we hear that Mayor Geary is not likely to return before the middle of the month. The council wishes to adjourn for a vacation before then. Is the appointment of the commission to be left to the board of control, or is it to be delayed until too late to do anything this year?

Among all the important business before the city at the present time, it would be absurd to say that any one thing is more important than another. We have already said that this is an emergency year. The aldermen certainly do not appreciate the situation if they are willing to go off on a vacation and leave even one matter unsettled as important as the appointment of the harbor commission.

Shoulder your responsibilities, gentlemen. You were elected at your own request to do business. There is plenty of business to be done.

R. J. didn't really need any more oil.

Sir Richard has his own way of stating the political problem, which is to find the easiest way of returning two Liberal and three Conservative members for Toronto. Sir Richard will find the fifteen puzzle or pigs in clover much simpler.

The Evening Telegram is shocked at the Globe adopting the Old Testament as moral standards. Then it proceeds to quote a number of texts in its editorial column to suggest that it has read both books. But everybody knows that the Telegram is still in the shorter catechism.

NEW SIDINGS ALLOWED.

The city has granted the Grand Trunk Railway permission to build two new sidings on the waterfront across the site of the proposed new union station. They are not to run further west than the east side of Lorne street. These sidings are being put in to provide team track accommodation for food shippers. No shunting is to be done thereon except between the hours of 11.30 p.m. and 8.30 a.m., the sidings are to be regarded simply as temporary affairs and the gates at Bay street crossing are to be moved north so as to hinder protesters from crossing the additional tracks when shunting is being done.

Bedfordshire Regiment's Cable. Sgt.-Maj. Cox, formerly Bedfordshire Regiment, on his return from Niagara camp yesterday, received a cablegram from London from the "Officers Bedfordshire, dining and greetings to all old comrades in Canada."

Oppose Sunday Ferry Service.

The residents of Ward's Island at a recent meeting voted against any attempt being made to have a Sunday ferry service inaugurated. They are making an effort to obtain a better service on the other six days of the week, however.

AT OSGOODE HALL

ANNOUNCEMENTS.

June 30, 1911.
Long vacation begins to-morrow. During long vacation the offices at Osgoode Hall are only open for business from 10 a.m. to 12 noon. Single court will be held every Thursday at 10 a.m., and judge's chambers immediately after court. Only urgent matters will be heard.

Master's Chambers.

Before Mr. Justice. White v. Wilson—D. L. Grant for plaintiff. J. J. Maclellan for defendant. Motion by plaintiff for an order setting aside a praecipe order for security for costs.
Judgment: In view of the order of the court in the defendant's application and allowing him to defend the order for security should not be allowed to stand. The defendant's side as soon as he returns to the city so that he can be examined for disqualification in vacation. He must attend at his own expense the costs of this motion will be to plaintiff for the plaintiff. Wilson v. Sills—G. M. Clark for plaintiff. H. J. Martin for garnishee. Motion for an order making absolute attaching order herein.

Judgment: The garnishee will pay the money of the judgment debtor in their hands to plaintiff. The costs of the garnishee fixed at \$10 are to be retained by them out of the first issue on appeal, which will apparently be due on Sept. 11.

Employers' Liability v. Kent-Elmore (DuVernet & Co.), for plaintiffs. Motion by plaintiffs on consent for an order dismissing action without costs and vacating certificate of its pending and for payment out to them of money in Imperial Bank. Order made.

Obituary. Obituary—Bethune (H. J. Martin), for plaintiff. J. R. Code for defendant, Mary Oimsted. Motion to vacate judgment and execution as against Mrs. Oimsted enlarged as against Mrs. Oimsted on after vacation. Stay meantime.

McFall v. Parker Russell Mining Co.—J. V. Connor for plaintiff. Motion by plaintiff for an order for the issue of a writ for service out of the jurisdiction and for service of notice of writ and statement of claim notwithstanding that the defendant is a resident of this country.

Union Trust Co. v. Boucher, J. J. Elliott for plaintiff. Regan (Corley & Co.), for defendants. Motion by plaintiff for an order setting aside praecipe order for security for costs. Costs in cause to plaintiff.

Ontario Wind Engine Co. v. Totten. J. Parker for plaintiff. A. Ogden for defendant. Motion for an order transferring action from the County Court of York to the District Court at Niagara. Motion enlarged until July 11.

Curry v. Toronto Belt Line Ry. Co.—M. L. Gordon for plaintiff. D. L. McCarty, K.C., for defendant. Motion by plaintiff for an order setting aside praecipe order for security for costs. Costs in cause to plaintiff.

Co.-H. H. Davis v. Cornhill Stone & Brick Co.—Motion for an order for inspection of defendants' premises and processes. Order made. Judgment: Judgment a week will admit that they are using plaintiff's process for making artificial stone. Costs in cause to plaintiff.

McFadden v. Readman—G. P. Deacon for plaintiff. Motion by Mrs. Readman for an order allowing her to defend. Motion enlarged until after vacation. Leave to both parties to put in further material.

Re Quimby Trusts—J. A. Scale (Hamilton) for applicant. F. W. Harcourt, K.C., for infants. Motion for an order for payment out of court of funds. Enlarged until September 2. Notice to be given by registered letter to all parties interested.

Re Nickel Copper Co.—R. C. Levesque for petitioner. D. L. McCarthy, K.C., for the company. Motion by petitioner for a winding up order. Enlarged until 19th September.

Re Hallman—A. T. Davidson for executor. F. W. Harcourt, K.C., for infants. R. F. Waddell, for mother. Motion by executor for leave to pay \$2875.55 into court. Order made for payment in and for payment out at majority.

Re Davidson—W. D. Gwynne for Rev. D. T. Owen. E. D. Armour, K.C., for P. Whittney. F. W. Harcourt, K.C., for accountant of court. Motion by Rev. D. T. Owen, for an order for sale of certain lands. Order made. The trustee and the accountant to join in the conveyance. Costs of official guardian to be paid out of fund.

Re Strong, Infant—T. N. Phelan, for mother. G. Grant for father. Motion for an order for writ of habeas corpus for sale of child. Enlarged until 12th September. Motion for notice to bring motion on two days' notice during vacation.

Seaboard Ry. and Georgian Bay and Seaboard Ry. v. Bryans, J. D. Spence for plaintiffs. F. W. Harcourt, K.C., for infants. Motion by Bryans for an order allowing conveyance to railway company. Order made. Authorizing tenant for life to carry

out the agreement with the railway company and to convey the land. The purchase money to be paid into court in trust for the persons entitled under the will, according to their respective estates and interests in the land, without prejudice to the right, if any, of the tenant for life to be repaid his expenditure for making a new lane and crossings and fences occasioned by the taking of the land and with liberty to him to apply for repayment there of out of the fund in court and for payment of what, if any, part of the compensation has been allowed for damages to the crops. The costs of any necessary inquiry as to these matters to be borne by the applicant under the court otherwise directs. Costs of this application to be paid by the railway company.

Re Hallman and Georgian Bay and Seaboard Ry. Co.—G. H. Hopkins, K.C., for executor. J. D. Spence for the railway company. F. W. Harcourt, K.C., for infant. Motion by executor for order authorizing conveyance to railway company. Enlarged until 18th September. Motion by plaintiff for an order for payment out of court. On consent of all parties interested being filed order to go.

Before Testzel, J.
Re Beatty—R. S. Defries for Grace Beatty—Motion by Grace Beatty for an order for payment of her share out of court. Order made.

Before Middleton, J.
Goodall v. Clarke—R. S. Cassels, for plaintiff. Motion by plaintiff on consent for an order for payment out of the money in court. Order made.

Trial.

Before Meredith, C. J.
Rosevear v. Halliday—W. C. Hall for plaintiff. E. D. Armour, K.C., and W. A. Proudfoot for defendant. An order to restrain defendant from using the westerly wall of a brick building erected by plaintiff on West Queen-st. to a greater extent than provided for by an agreement between them dated April 1, 1902. Judgment: It is my opinion not open to the defendant to challenge the plaintiff's ownership of the westerly wall. I agree with the rights of the defendant in respect of the west wall of plaintiff's building as to those to which the agreement confers. I am unable, however, to agree with the contention of the plaintiff as to the extent of the rights which it claims. An agreement confers on the defendant to provide and leave openings in the wall suitable for the building counter clerestory or his wife might erect the wall. I think to be implied as well as the right to the defendant if that should not be done to make the necessary openings, making them otherwise as the defendant may see fit. The plaintiff's case fails and his action must be dismissed. The defendant's counter claim is also dismissed. Dismissal of action and counter claim will be without costs.

Before Britton, J.
Slider v. Slider—W. S. Harrington, K.C., for plaintiff. H. E. Rose, K.C., and M. W. Wilson (McKinnon) for defendant. An action for specific performance of a contract for sale of land. Judgment: Action dismissed, but under the circumstances, where the plaintiff's case fails and his action must be dismissed. The defendant's counter claim is also dismissed. Dismissal of action and counter claim will be without costs.

Court of Appeal.
Before Moss, C. J. O.; Garrow, J. A.; Maclellan, J. A.; Magee, J. A.
Re Ontario Sugar Co. (S. F. McKinnon's case)—Johnston for liquidator. J. Shilton for McKinnon. An appeal by the liquidators from the order of Meredith, C. J., of Dec. 30, 1910, dismissing an appeal from the order of the official referee, whereby he struck S. F. McKinnon's name off the list of contributors to the company. Judgment: Appeal dismissed with costs.

Re Lenz-Lenz v. Lenz—I. F. Hall-muth, K.C., for official guardian of infants. E. D. Armour, K.C., for C. A. Bowstead and Emma Lenz. J. Bicknell, K.C., and W. M. McClelland (Hamilton) for Mary B. Lenz; H. J. Martin for executor. An appeal by the official guardian on behalf of infants from the judgment of Middleton, J., of Feb. 9, 1911, in which he held Lenz and held that upon the construction of the said will the sum of \$15,000 covered by three policies reserved to and that there was no interest as to that amount. Judgment: Appeal dismissed. Costs of all parties out of the estate, those of the executor and trustees as between solicitor and client.

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Further particulars may be had from Secretary, National Sanatorium Association, 21 King St. West, Toronto. Phone Main 3333.

DOMINION DAY.

Saturday, July 1, Canada will celebrate her 44th birthday, and a fitting tribute will be the Dominion Day number of the Sunday World, printed in a blaze of colors, with a glorious figure emblematic of this young nation, with the arms of Canada as a background. The picture will appeal to every Canadian. Order a copy early from your dealer or newsboy. The Sunday World will appear as usual on Saturday, July 1.

The Morning World is delivered before breakfast to any address in Toronto or suburbs for twenty-five cents per month. Phone M. 5305.

SIX YEARS FOR SPY.

LEIPZIG, Saxony, June 30.—Captain Lux of the French army to-day was sentenced to six years in a fortress for espionage. Lux was director of the French secret service at Belfort, near Alsace frontier, and attempted to obtain military secrets from German soldiers. He was arrested while visiting Friedrichshaven last December.

A New Printer's Supply House. Messrs. Stephenson, Blake & Co. of Sheffield, England, one of the largest and wealthiest type foundries in the world, have opened a warehouse at 122 Bay-st., Toronto, under the management of Mr. C. H. Creighton, a number of years representative of Messrs. Miller & Richardson of this city. They will carry a heavy stock of their own manufacture and will also supply the goods of other manufacturers. The printers of Canada will find this an up-to-date firm.

ESTABLISHED

JOHN CA

Mids

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