YORK COUNTY ...AND... SUBURBS

THE EGLINTON AVENUE SCARE

It Can Only Be Closed by Bylaws of Township and County or by a Special Act of the Legislature.

The World yesterday obtained from W. A. Clarke, clerk of the York Township Council, a copy of the sections of the Ontario Municipal Act relating to notices of bylows affecting public roads. The provisions they contain make it absolutely plain that Eglinton avenue has not been closed and cannot be closed, diverted, leased or sold except on certain conditions precedent. Without the observance of these conditions nothing that has been done by the York Township Council or the York County Council or the City Council as to the plans of the Canadian Northern subdivision at Leaside in the slightest degree affects the status of Eglinton avenue or "the original road allowance" of which it forms part.

Law is Clear.

The first subsection of section 632 of the Ontario Municipal Act provides as follows:

No municipal council shall pass a bylaw for stopping up, altering, widening, diverting, leasing or selling any original allowance for road or for establishing, opening, stopping up, altering, widening, diverting, leasing or selling any other public highway, road, street or lane;

(a) Until written or printed notices of the intended bylaw have been previously posted up for one month in six of the most public places in the immediate neighborhood of such original allowance for road, street or other highway, road, street or lane;

(b) And published weekly for at least four successive weeks in some newspaper published in the municipality; or if there be no newspaper, then in a newspaper published in some neighboring municipality; and where no newspaper is published in the municipality or in a neighboring municipality then in the county town, if any such there be;

(c) Not until the council has heard in person or by counsel or solicitor anyone whose land might be prejudicially affected thereby, and who petitions to be so heard.

Section 658, dealing with the powers of county councils to pass bylaws, provides with regard to "closing road allowances," that:

For stopping up, or stopping up and sale, of any original allowance for road or any part thereof within the county, which is subject to the sole jurisdiction and control of the council, and not being within the limits of any village, town or city within or adjoining the county, but the bylaw for this purpose shall be subject to section 632 of this act.

Division VI. of the act contains the powers of township councils in relation to roads and bridges. By subsection 2 of section 660 a township council may pass bylaws:

For the stopping up, leasing or sale of any original allowance for road or any part thereof within the municipality; and for fixing and declaring therein the terms upon which the same is to be leased, sold or conveyed.

But no such bylaws shall have any force (a) unless passed in accordance with section 632 of this act, nor (b) until confirmed by a bylaw of the council of the county in which the township is situate, at an ordinary session of the county council, held not sooner than three months nor later than one year next after the passing thereof.

Cannot Be Closed.

Until a bylaw has been passed by York Township Council, in accordance with the stringent conditions imposed in section 632, and approved by the York County Council, Eglinton avenue cannot be closed, sold or leased. Approval of maps or the passing of resolutions or indeed anything else than such a bylaw is entirely without force or effect so far as Eglinton avenue or the original road allowance is concerned.

It would require a special act of the legislature to get around the law. Nor could the Canadian Northern's Land Company convey the land now in the Eglinton road allowance even if they showed another road alongside of it.

The World has also secured copies of the bylaws in regard to the closing and sale of parts of "the original road allowance for road" now known as St. Clair and Leslie streets made fifty years ago, and in both cases the township passed a bylaw which was later confirmed by a county bylaw, but not before advertising as prescribed above and giving any person a chance to object. And Mr. Robert Davies, who this week asked the township council to convey a portion of Leslie street to him, suggests that it be done in the legalized way.

Toronto North

The scheme of closing up Eglinton ave. by the York Land Co., still forms the topic of conversation and notwithstanding the denial of W. A. Clarke, clerk of York Township, some people still assert that the plan of sub-division, and consequently the diversion of Eglinton avenue to Soudan avenue, has been approved of, while other put this matter in a modified way saying in order that the city authorities would accept the plan it was necessary for the company to secure the reeve's signature. Speaking to Mr. Watson last night, that gentleman did not remember ever signing a plan for the York Land Co. Being asked what effect his signature would have if he did sign the plan he stated to The World that his signature could not be accepted as there certainly was no resolution passed and sealed authorizing him to sign the same and the clerk of the municipality could not issue a certificate of its approval.

Ex-warden George S. Henry, and Chas. E. Flanagan of Mount Dennis, were appointed arbitrators to act in conjunction with A. L. Campbell, public school inspector, to value the school property of S. S. No. 17, Downsview, and adjust the claims of S. S. No. 31.

The York Township's board of health for the year 1913 will consist of ex-reeve John Watson of Fairbank, ex-reeve George Syme, sr., of Mount Dennis, Dr. C. A. Warren, M. O. H. W. A. Clarke will be the secretary of the board.

Chas. Macdonald of Todmorden was appointed assessor for Division No. 1, York Township, at a salary of $500.

Real estate, it seems, is changing hands pretty lively in North Toronto these days. Recently the Yonge street frontage of the Woods property, just north of the Davisville Methodist Church, has been purchased by a syndicate and the price paid is said to be $150 a foot. Several deals have been reported as being completed in the Glengrove district.

A meeting of the Young People's Club, Willowdale, will be held at the residence of William Grainger, when an oyster supper will be partaken of and a musical program rendered.

The York Radial are now supplying electric light for Lansing and one resident has the light installed in his house already.

Sherwood Lodge, No. 7, S. O. E., installed their officers on Tuesday night in the Masonic Hall. District Deputy Bro. Tew was the installing officer, and the following will comprise the officers for the year 1913: Bro. G. Goulding, P. P.; Bro. R. J. Warcy, P.; Bro. P. J. Herridge, V. P.; Bro. C. N. Hinchcliffe, Chap.; Bro. A. P. Nash, Sec.; Bro. F. Dean, Asst.-Secy.; Bro. Walter Muston, Treas.; Bro. W. Norman, Com.; Bro. J. H. Elliott, 2nd Com.; Bro. J. Robinson, 3rd Com.; Bro. J. Jupp, 4th Com.; Bro. G. Hill, 5th Com.; Bro. J. Hill, 6th Com.; Bro. Robt. Middleton, I. S.; Bro. J. Shackleton, O. G.; Auditors, Bros. D. Robertson, Thos. W. Brennand, W. G. Adams; Trustees, Bros. D. Robertson and H. H. Ball; Hospital Delegate, Bro. G. E. Martin. After the installation a banquet followed, a musical program rendered and speeches were made by many. During the after-proceedings Bro. E. Goulding, the retiring president, was presented with a past-president's jewel.

Open rink skating has so far been rare, but the ice on the Montgomery avenue rink was fine last night and many skaters enjoyed themselves gliding over the ice to the strains of music furnished by the Citizens' Band.

Ward Seven

Beaver Lodge, No. 258, B.R.C. of A., held their annual installation of officers in St. James' Hall last night, when the following officers were duly installed for the ensuing year: President, J. E. McEwen; vice-president, C. Pleasanie; recording secretary, A. Stone; financial secretary, W. H. Pooler; treasurer, G. Van Wyck; guides, Messrs. eGo. Chaytor and A. Farthing; sentinels, G. Rostem and A. Wilson; trustees, R. White, A. Bain and J. Campbell. After the installation of a handsome pipe set was made to the new president on behalf of the members of the lodge together with an illuminated address. The business session was followed by a social evening, in which all the friends of the members participated.

The two stores at 16 and 1668 Dundas street are being remodeled and refitted for Messrs. F. W. Woolworth & Co. of NewY ork, who intend to open a 15c emporium. The two stores are near Keele street on the north side of the street, and were lately occupied by Geo. W. Webb, real estat, and the Toronto Suburban Railway Co., who own the block. A ten-year lease has been granted by Major C. G. Royce of the latter campany.

The Educational Association of the Western avenue school are holding an open meeting in the school building tonight when Chief Inspector Dr. J. L. Hughes will deliver an address on "Stories and Story-Telling." Parents are cordially invited to attend.

The Keele street firemen were called out yesterday afternon to box 741 at Laughton avenue and Danforth road, only to find after a long run that the alarm was a false one, rung in by some mischievous boys. These false alarms are again becoming frequent, and the police are on the lookout for the culprits.

The choir of St. John's Church are preparing for their annual old-time concert in costume which will be held on Friday, Jan. 31.

DUKE TO RETURN SOON?

Impression in London is That Term of Office Will Not Be Extended.

LONDON, Jan. 15.—(C.A.P.)—The impression is growing here that the Duke of Connaught, in view of the precarious health of the duchess, will not seek an extension of his term of office.

Prince Arthur last week obtained special leave from his regiment to proceed immediately to Canada if more unfavorable news were received.

The duchess' illness has caused considerable anxiety here and bulletins are being eagerly awaited.

HON. JOB HEDGES AT OTTAWA.

Will Confer on International Fishing Questions.

OTTAWA, Jan. 15.—(Special).—Hon. Job E. Hedges, United States Commissioner of Fisheries, who was the straight Republican candidate for governor of New York in the United States elections last November, arrived in Ottawa today and will confer tomorrow with government officials here respecting a number of international inland fishery questions. Tomorrow he will lecture before the Canadian Club on "Unofficial Diplomacy."

Spend the Winter in California.

Attractive rates will be quoted via variable routes, affording finest scenery. The Los Angeles Limited, leaving Chicago 10.16 p.m. for Southern California, the San Francisco Overland Limited, leaving Chicago 8.30 p.m., less than three days en route, provide the best of everything in railway travel. The China and Japan mail leaves Chicago daily 10.45 a.m. for San Francisco and Los Angeles. Illustrated literature on application to E. H. Bennett, general agent, Chicago and Northwestern Railway, 46 Yonge street, Toronto, Ont.

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RECOUNT ASKED OF ALL BALLOTS

Brampton School Bylaw May Yet Be Declared Carried or Again Submitted.

BRAMPTON, Jan. 15.—A runaway with a sleighload of women caused considerable excitement on Queen street. The large crowd who had attended the funeral of the late Fred Nash were leaving the cemetery when a team driven by Ray Copeland came in contact with another sleigh freightening the horses and starting them on the run. Coming around the jog at Queen street Mrs. Will Core and Mrs. James Burrell were thrown out, Mrs. Core being dragged by the feet for a short distance. The horses kept on their mad career thru the town and out to the second line, a distance of three miles before Ray got them under control. Too much credit cannot be given the driver for the fearless manner in which he held on and kept them on the road. The three women in the sleigh were badly frightened, and Mrs. Wm. Large has been laid up since.

St. Paul's League held their first social evening of the year last night. A fine musical and vocal program was given, crowned by an excellent talk from Postmaster Will McCulloch, on "The Opportunities That Are Before Us in 1913."

There will be a recount before Judge McGibbon this week of the ballots cast for the school bylaw, which was defeated by 19. If this does not suffice the school board will submit the bylaw again to the people. Mr. J. H. Boulter, who is taking a great deal of interest in the school is asking for the recount on the ground that there were so many spoiled ballots—43 in all; eight in the north ward; 12 in the south; 13 in the east, and 10 in the west.

Peel County Council for 1913 will be composed of A. H. Milner and W. H. Beatty, Brampton; Alex. Moffatt, Albion; Wm. Limbelo and David Armstrong, Caledon; Messrs. Wilkinson and Little, of Chinguacousy; F. N. Leavens, of Bolton; T. H. Goodison, of Streetsville; Reuben Lush and William Rutledge of Toronto Township; Wm. Porter, of Toronto Gore.

N. OXFORD TORIES PUTTING ON ARMOR

Voters' Lists Will Be Attended to in Preparation For Possible Early Election.

WOODSTOCK, Jan. 15.—(Special.)—The annual meeting of the North Oxford Liberal-Conservative Association was held here this afternoon, when the following officers were elected: President, J. C. Rowe, Hickson; first vice-president, William Nelson, Thamesford; second vice-president, A. J. Lattimer, East Zorra, and secretary-treasurer, W. S. West.

Enthusiastic addresses were delivered by J. G. Wallace, W. C. and Robert Lockhart, the Conservative candidates in the last Dominion and provincial elections, and others.

It was decided to start a strong financial campaign immediately, the association being in need of funds at the present time. It was also decided to have the voters' lists attended to so that the Conservatives of North Oxford may be ready when an election comes on.

A resolution suporting the Borden navy policy and urging senate reform was adopted.

Court Riverdale, I. O. F.

Court Riverdale No. 540, of the I. O. F., held their annual installation of officers meeting at Poulton's Hall on Monday evening. During the evening a musical program was given, and stirring speeches delivered by A. S. C. R. Bro. G. Mitchell, H. C. R. Bro. Bell. Refreshments were provided. The following are the officers for 1913: Court Deputy, Bro. Walton; Past Chief Ranger, Bro. Forbes; Chief Ranger, Bro. Walkie; Vice Chief Ranger, Bro. Coucher; Financial Secretary, Bro. Crane; Sen. Recording Secretary, Bro. Crane, Jr.; Treasurer, Bro. McCartney; Orator, Bro. McDonald; Sen. Woodward, Bro. H. Knott; Jun. Woodward, Bro. Henderson; Sen. Beadle, Bro. Wadham; Jun. Beadle, Bro. Spicer; Trustees, Bros. Walton and Coucher.

HE FOUND THEM NO FAITH CURE

But Dodd's Kidney Pills Cleaned Out W. F. Black's Sciatica.

He was in Agony When a Friend Gave Him a Box. Now He Recommends Them to Everybody.

NEWCASTLE, N.B., Jan. 15.—(Special.)—In these cold fall days, when the chill winds crystallize the uric acid in the blod, and cause the pangs of Rheumatism and Sciatica to bring sleepless nights to many a home, a man's best friend is he who can tell his neighbor of a sure cure for his tortures. Such a friend is Wm. F. Black of this place. He suffered from Sciatica and Lame Back. He was so bad that he could not lace his boots or turn in bed. Dodd's Kidney Pills cured him, and he wants all his neighbors to know of the cure.

"Yes," Mr. Black says, in an interview, "I was so bad with Sciatica and Lame Back that I couldn't lace my shoes or turn in bed, when a friend gave me about a third of a box of Dodd's Kidney Pills. I started taking them without much faith in their curative powers, and found them all they were recommended.

"Now I am recommending Dodd's Kidney Pills to all sufferers from Kidney Disease."

Dodd's Kidney Pills are no faith cure. They're a simple but sure cure for diseased kidneys.

TOMORROW $1.98

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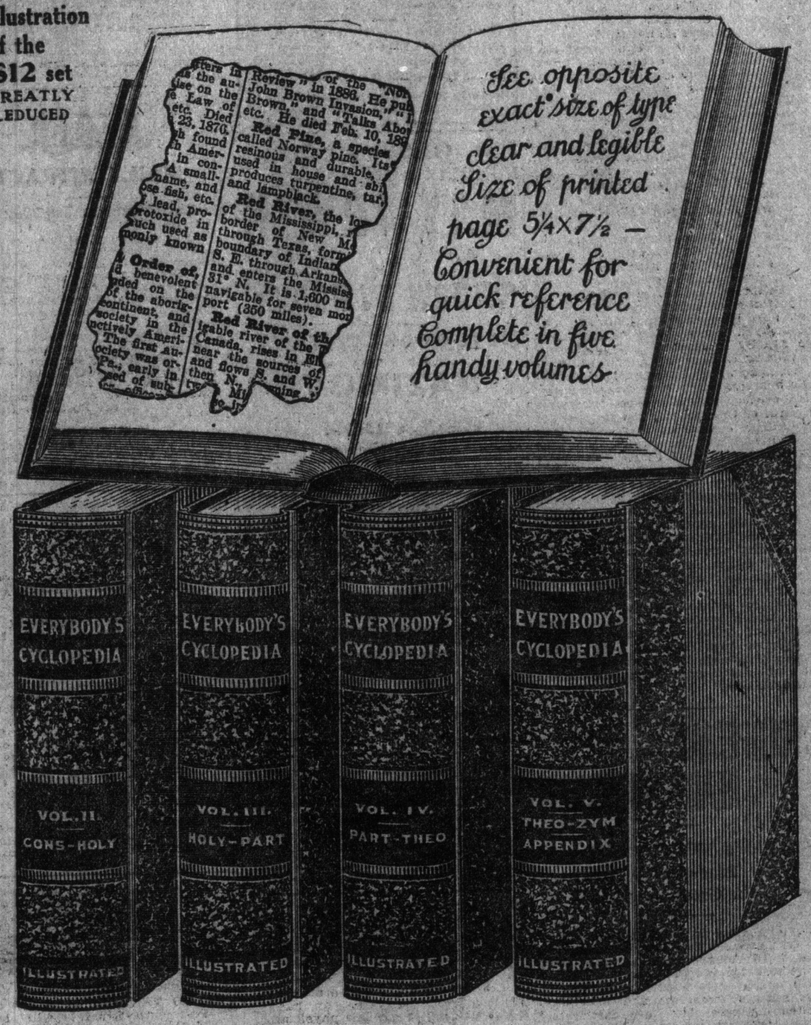

The demand was so great last week that many of our readers were disappointed, so the same beautiful five-volume set of

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SECOND BARGAIN IN BOOKS

From The Toronto World to its Readers

PROPER INTERPRETATION OF BYLAWS GOVERNING MARKETS

Mayor Hocken Will Today Investigate Conditions Regarding Sale of Fruit Following the Webster Case and Statements From Property Commissioner and P. W. Hodgetts.

A proper interpretation of the bylaws affecting the St. Lawrence market will soon be offered by Corporation Counsel Geary, or City Solicitor Johnston, at the request of the board of control. The fruit-growers have stated their case, and yesterday Property Commissioner Chisholm made his criticisms. He alleges that the statements made by J. A. Webster, the fruit-grower in question, are subject to contradiction. The commissioner denies the statement that the man was given permission to exhibit signs of fruit for sale, and that the space rented to this man was for storage only. Other people have rented the space under a similar agreement, and are perfectly satisfied to abide by the conditions.

In order to state briefly the facts in the case in which J. A. Webster, the Elgin County fruit-grower, has been trying to sell apples direct to the consumer in St. Lawrence market, P. W. Hodgetts of the Fruit Growers' Association of Ontario writes to the mayor, saying: "This man is one of the largest fruit-growers at Sparta, in Elgin County. He has brought into the city about 450 barrels of apples, grown in his orchard at Sparta. He interviewed the property commissioner and secured storage in the basement of the south of St. Lawrence market, agreeing to pay $50 per month for the room there. He has already paid $150 for the storage and has been given every facility for his work by the civic authorities.

Put Up Signs.

"He was given permission to put up certain signs in the north market, stating he had fruit for sale. His plans have been, not only to sell direct from the storage, but also to load up a wagon from the storage and sell from this wagon in the north market. He has been selling his fruit in barrels, standard bushel boxes and in special cardboard boxes holding an imperial peck. It seems he came into conflict with the authorities over this last package, and has brought upon himself the enmity not only of some fruit dealers in the city, but also of the market authorities.

Tore Them Down.

"Mr. Webster himself states that the superintendent of the St. Lawrence market himself tore down the small signs which were at first allowed to remain, and has cited Mr. Webster to appear before the magistrate as having violated one of the bylaws of the city. This bylaw has reference to the sale by farmers of fruit in less than wholesale quantities, such quantities in the case of the apples being the barrel and bushel box. This bylaw seems to be invoked only in the cases where the farmer happens to offend the market superintendent, and we understand that farmers are constantly selling in packages containing less than the quantities stated in the bylaw. Mr. Webster's seems to be one of such cases.

"The market superintendent has now gone further in this matter and has warned Mr. Webster that he must not sell retail from the storage room in the basement of the lower market, for which he is paying the city a good rental. I would like you to bring this matter to the board of control, as I think that it is one that should be remedied, not only in the interests of the farmers, who are trying to find a market for their produce in Toronto, but also for the benefit of the citizens at large. There may be good reasons for the bylaw which at present is upon the books of the municipality, but surely some other way can be seen to prevent pedlars from crowding out the farmers in the upper market than by a regulation of this kind."

Property Commissioner Chisholm points out that Webster will not definitely state whether he is the producer of the apples in question.

No Other Violations.

"In the first place," said the commissioner, "he states that permission was given him for the placing of signs. This is incorrect, as the space rented to Mr. Webster was not a salesroom, but rather a place for storing and sorting apples. I may also say that three similar places are rented to other dealers, and in no case have I had any complaint, neither has any attempt been made to violate a city bylaw.

"Mr. Webster waited upon me some time after taking possession and asked permission to sell apples in the north St. Lawrence Market by the bushel or barrel, and as the bylaw does not prohibit these quantities, I informed him he was well within his rights to do so. He again called upon me, and asked that he be allowed to go into the smaller trade of offering apples by the peck. I advised him that it was not within my power to consent to this, that the law restricted this in the north market.

City May Appeal.

"However, he consulted with his solicitor, who, I believe, informed him that the bylaw was not good, and advised testing same in court. The case came before Magistrate Kingsford on the 6th inst. and was dismissed. We are now considering the advisability of appealing.

"With reference to statements that the bylaw is invoked only in cases where the farmers happen to offend the market superintendent, I might say that on a previous occasion I enquired into this and found the statement was without foundation, but in some cases, where a farmer was bringing produce for sale, such as butter and eggs, occasionally, a couple of baskets of apples were brought in with the other goods."

The mayor intends to look into the whole matter today.

WHAT'S THE ANSWER?

GALT, Ont., Jan. 15.—(Special.)—The Galt Reporter indulges in a boisterous laugh at The Toronto Telegram's impeachment of city police magistrates and commissioners, in the matter of the Stair case. "Who told The Telegram that the governor of a state has the power of appointment or dismissal of police commissioners and magistrates? Has it ever heard of any governor doing what it suggests would occur in a similar case in either New York or Chicago?" it asks.

DALHOUSIE'S RHODES SCHOLAR.

HALIFAX, Jan. 15.—(C. A. P.)—Walter Billman of this city has been selected as Rhodes scholar by Dalhousie University.

Y.M.C.A. Excursion to Buffalo, $2.70 Return, Via Canadian Pacific Railway, Saturday, January 18.

Tickets good leaving Toronto via 1.15 train and valid returning all trains January 18, 19, 20. The Canadian Pacific is the popular route to Buffalo. Fast time, excellent equipment. Secure tickets at city office, 16 King street east, or Union Station. 3454

TITANIC CLAIMS REACH HUGE SUM

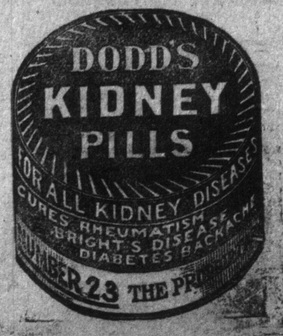
More Than Ten Million Dollars Sought by Relatives of Victims—Is Liability Limited?

NEW YORK, Jan. 15.—(Can. Press.)—A flood of petitions for damages thru the loss of the steamer Titanic filed to-day included one from Mrs. Irene Wallach Harris, who claims $1,000,000 for the loss of her husband, Henry B. Harris, the theatrical manager. This is the heaviest of the 279 claims so far filed. Mrs. Mary Futrelle, of Belham, Mass., asks $2000 for the loss of her husband, Jacques Futrelle, author. The claim of Mrs. Lily B. Millet, widow of Francis D. Millet, the artist, a Titanic victim, is $100,000.

U.S. Judge Hand yesterday extended the time for filing petitions on claims to February 11. The claims amount to more than $10,000,000, but the White Star Line contends that its liability is limited under the U.S. statutes to less than $100,000, the value of recovered records and passage money.

Sir Lomer Gouin Appointed.

MONTREAL, Jan. 15.—(Special)—Sir Lomer Gouin, prime minister of Quebec, was today named a director of the Royal Trust Board, succeeding the late Sir Edward Clouston.



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