

The Toronto World

A Morning Newspaper Published Every Day in the Year.
MAIN OFFICE, 83 YONGE STREET.

THE PEOPLE WIN.

Another stage in the campaign for cheaper railway fares has been successfully negotiated. Yesterday the supreme court of Canada, Justice Davies dissenting, dismissed the appeal of the Grand Trunk Railway Company against the decision of the board of railway commissioners, issued in July last, requiring the company to run every day at least one train between Toronto and Montreal, carrying third-class passengers at two cents a mile. Leave of appeal was granted on the legal question whether the stipulation to that effect in the company's charter was still a binding obligation, and it has now been held that it continues operative. On this point, Judge Idington, who delivered the judgment of the supreme court, was perfectly clear that notwithstanding the subsequent Amalgamation Act procured by the Grand Trunk Railway Company, the old order of things remains in all other respects unchanged. "There is," he said, "the old corporate body, the old corporate name, the old main lines extended, and all under the same old charter, with more new powers and properties, but with the old right to provincial subsidies and the corresponding duty to discharge, which was imposed as consideration for granting the subsidy."

This reasoning appears unanswerable on any equitable ground, and the supreme court has in the meantime settled the legal point. But the court went further in dealing with another technical objection raised by the Railway Company. It was held that the Railway Act of 1880 conferred greater powers on the board of commissioners than were possessed by the governor-in-council under the General Railway Clause Consolidation Act in force when the company became incorporated. This contention, the supreme court brushes aside with scant respect, as it also did the further argument presented for the company's assent to the commissioners' offer to the effect that new powers had been conferred on the board over the kind of cars and accommodation generally to be furnished by the company in operating its lines. And the court indicated very clearly that while it would be the duty of the railway board to discriminate between the several classes of cars, on the other hand the Railway Company must provide accommodation that preserves some of the amenities of life in traveling. And the court gives the company this parting shot that the commissioners "may possibly improve them all a bit, as compared with 1882, without hurting anyone, or even the company."

Thus the long fight begun years ago by Mr. W. F. Maclean, M.P., for restoration of a right of public of the public of Toronto and Montreal had been unjustly and illegally deprived, how so far as the Canadian courts are concerned, been brought to a triumphant close. Here was a railway company continuing to accept the counterpart of its obligation after it had ceased to give travelers the accommodation it had bound itself to provide. This kind of contention is peculiar to public-service corporations who seem forever obsessed with the notion that ordinary considerations of equity are not applicable in their case, and that there is something unreasonable and unjustifiable in seeking to hold them strictly to the letter of their bargains. Fortunately the day of unwilling acquiescence in the arbitrary action of railroad and other franchise-holding companies is passing. The people for whose convenience the dominant rights enjoyed by these companies were granted have now an opportunity to make themselves heard, and to have their legitimate grievances redressed. But nothing can extenuate such a fatuous and futile threat as that made on behalf of the company before the railway board, when it was pettishly intimated that if the decision was adverse only open and seatless cars would be run. Justice Kilham promptly scored the remark, and the supreme court clearly indicates its agreement. The incident is a survival of the days when railway companies did as they pleased, and the people of Montreal and Toronto, and intervening points, will not forget to whom the restoration of the two-cent fare is due, and the long and arduous conflict it entailed against the company, the Dominion Government and parliament itself.

CANADA'S PULPWOOD POLICY.

When President Roosevelt in his congressional message recommended the removal or reduction of the duty on pulpwood and coupled it with the condition that Canada should refrain from imposing an export duty, he spoke entirely in the interest of the United States. It was his duty as chief of the state to assume that position, and no reasonable objection can be taken if in seeking Canada's forestry policy it is conditioned by regard for the present and future prosperity of the valuable industries which are the natural outcome of a wealth of timber resources. The United States supply of raw material—particularly pulpwood—is notoriously deficient, and vast areas of its untouched forest lands, the yearly consumption is so enormous, and increasing so rapidly, that the country is within measurable distance of a timber famine. This is the direct consequence of the earlier and wasteful methods of lumbering, which denuded vast tracts and made no provision

for replacement. Much in this way has already been lost to the Dominion, but enough remains to secure for the Dominion and its forest provinces important and perpetual revenues if proper forestry methods are adopted. In the special matter of pulpwood, public opinion in Canada is undoubtedly in favor of prohibiting its export or at least of imposing such an export duty upon it as will compel its manufacture in Canada. Sir William Van Horne stated some time ago that "one cord of pulpwood, exported as such, yields to all Canadian interests, including stumpage, cutting, handling and transportation, about eight dollars and ten cents. If converted into ground pulp yields, at this time, to the same interests, twenty-four dollars, and converted into sulphide pulp gives at least twenty-six dollars and forty cents, and into paper the handsome sum of forty-four dollars." Just now the papermakers of Wisconsin, Michigan and Pennsylvania are reported to be unusually active in arranging for a supply of pulpwood, and there can be little doubt that the regulation on pulpwood will become more and more severe. This means not only an increasing direct drain on Canadian pulpwood resources, but the loss of the profitable industries which, under proper regulation, would necessarily come into existence. The United States has never suffered consideration for the welfare of susceptible industries of other nations to interfere with the policy that furthered the interests of its own people. Canadians cannot afford to be less self-regarding—rather should they keep steadily in view the wisdom of the policy that makes Canadian resources factors in the development of their own country.

THE MUIR MEMORIAL.

Editor World: I beg to say a few words in reference to the article printed in your most valuable paper of Dec. 2 in behalf of the late Alexander Muir, author of our own national anthem, "The Maple Leaf." I for one—a true-hearted Canadian—would like to see a monument to this great and noble man in one of our public parks, where we could point with pride and say to the world:

"This is in memory to 'A man of inspiration great. A man of fame of no small rate. A man esteemed and loved by all. Was he who taught both old and small.'"

(Many thanks to Mr. Geo. Hurst for these beautiful lines.)—And not dribble it out in small amounts as it has been proposed. A portrait is all very well, but how many would see it in the rooms of the board of education? I believe in having one in the school. It would give inspiration and courage to the young to look upon that grand good face.

I also think it would be appropriate to change the name to "The Alexander Muir School," for it was not built expressly for him about 25 years ago? I should like to suggest this: If there are any portraits painted, why not give the contract to his son, J. George Muir of Newmarket Ont.? He painted several of his father, and they are very fine. I am sure no one would be disappointed with him.

An old pupil of Mr. Muir's. A Traveling Man. Boston, Mass., Dec. 12.

A "HAROLD SKIMPOLE" ON "POWER."

Editor World: Isn't there something almost pathetic in this artless quest of one Arnold Hauflain in the "power" question? "I am ignorant—I do not understand business. I like books," writes Mr. Hauflain. "I am a child in business matters. My flowers and my books," said Mr. Skimpole.

"It may be a million dollars—it may be twenty million dollars—I do not know," says Arnold.

"You tell me this money—twelve pounds, six, you say. It may be. I assure you I cannot say. I have no head for business," protested Arnold.

Beset by the same designing persons, bent upon deceiving, stung and offended by a similar anvil chorus of coarse "inharmonious blacksmiths," no wonder Mr. Hauflain exclaims with Mr. Skimpole, "It makes my head ache."

It makes all our heads ache. And to overflow the cup, "some board or other—the board of control, he thinks (not being a carpenter fellow he cannot, of course, be sure), "has voted \$200 (yours and mine, sir,) to advocate this power scheme."

And The World "will not argue." Shade of C. Dickens! Isn't it funny, or, isn't it sad? P.P.

CAN'T ARGUE.

The following letter was sent to J. J. Wright, manager of the Toronto Electric Light Co., Toronto:

Light Co., Toronto: Dear Sir—Confirming conversation with Mr. Martin by telephone to-day's public meeting for the discussion of power bylaw will be held on Friday evening of this week, under the auspices of this league, and extend a cordial invitation to your company to have representatives present so that your side of the case may be presented fairly before the citizens. If you agree to this, we will make arrangements that will be absolutely fair with regard to division of time. Kindly let me know if this meets with your approval. You can reach me by telephone (Main 6654) at any time.

Yours truly, J. H. Duthie. Toronto, Dec. 9.

But Mr. Wright declined.

The Christmas Globe.

It is said that "practice makes perfect," and so in the case of the Christmas number of The Globe, this year's is better than ever. The paper itself is a work of art, and the printers and engravers have every right to be proud of their product. The reading matter is of the very highest class. The stories make excellent reading and have been carefully selected, with this season of the year in view. The four pictures in colors that are given as a supplement to this number are worthy a place in any home. It would be impossible to buy the pictures alone in any store for the price of the whole number, which is 50 cents.

WATCH THIS SPACE EACH DAY

If you're looking for a bargain in a musical instrument. Our offer for to-day is as follows:

PIANO Bargain No. 11.
HENRY F. MILLER SQUARE PIANO—round corners—elegant natural rosewood case—heavily carved legs and lyre—serpentine, mouldings—full overhanging—extra—genuine ebony sharp—cost originally \$450. Our bargain price—

\$96.50

We make the terms of payment to suit your convenience. We have a couple of dozen other bargains in pianos and organs that we offer at very tempting prices. You cannot see them or phone us. We will be glad to send you a complete list.

Bell Piano Warerooms
146 Yonge Street
PIANOS RENTED.

TRAMP FIRES 4 SHOTS AT CHARITABLE FARMER

After Having Been Twice Fed, Stranger Returns and Makes Murderous Assault.

PETERBORO, Dec. 13.—Chas. Porteous, a farmer who lives alone five and a half miles from Millbrook, was held up last night by a man with a six-shooter, who demanded his money, and on his refusal was shot four times in the head. He is in a serious condition.

Yesterday morning the assailant, who talked like an American and who is described as a rough-looking customer of about 35 years of age, wearing a black overcoat and a muffled neck, called upon Porteous and asked for work. The farmer gave him breakfast and dinner, and shortly after noon he departed.

At 5.30, when Porteous was milking his cows, the stranger returned, and demanded money.

The request was refused, and the tramp, drawing a revolver, without warning, fired at the farmer. The first shot struck him in the left cheek, and a second passed thru his arm from the elbow to the hand.

The tramp then took \$5.00 out of the farmer's pocket, and Porteous turned to run. The tramp fired twice more, both shots inflicting scalp wounds. One passed thru the scalp to the rear.

Porteous managed to reach the house of a neighbor, a freight house, and told his story. He is in a very serious condition, although the attending physician, Dr. Turner of Millbrook, is hopeful of saving his life.

The assailant has been traced to Myrtle on the main line of the C.P.R., where he boarded a freight train, and it was evidently too cold for him, however, and he was seen by the train crew to leave the train a few feet west and walk east again.

LONDON OPINION.

LONDON, Dec. 13.—President Roosevelt's declaration that he would not stand for renomination is treated as a momentous matter in the columns of the London newspapers.

The editorial of the larger part consider that he has taken a wise decision, on the ground that although he is the most striking personality in the political field at the present moment, the fact that he had alienated prominent supporters by his election policy has made his reelection doubtful.

BANK OF OTTAWA.

Bank statements as presented in annual reports to shareholders afford good indication of the progress and prosperity of the country. The thirty-third annual report of the Bank of Ottawa, as published elsewhere in these columns, is no exception, but in a clear and convincing way testifies to conservative progress in the financial field.

It is truly gratifying to the directors of this bank to know that the net profits for the year 1907, after deducting expenses of management and making necessary provisions for interest due to depositors, etc., amounted to \$443,288. An evidence of the high place this bank holds in the minds of the people of Canada is the fact that the deposits bearing interest amount to \$13,494,823.

Altogether the annual report of this bank shows a most encouraging condition of affairs and reflects no little credit upon its able management. The outlook for the future is bright and wise plans for extension of business are indicated in the proposal to submit a bill to the shareholders authorizing an increase in the capital by \$2,000,000. This is a move in the right direction, and The World would humbly submit that the directors of the bank might thoughtfully consider the advisability of having some of the new stock taken up by British investors.

We commend the annual report of this bank to our readers.

A DULL JOKE.

It is openly asserted that Mr. W. F. Maclean will not vote for the power bylaw. What new reason is this? Toronto Globe.

A Good Upright Piano for \$225.00.

For an upright piano of any reputable maker, \$225 is a small price. Heinemann & Co., Limited, 115-117 West King-street, Toronto, are offering a slightly used piano at this price in payments of \$2 a month.

Clean, dry, fine Salt—that slips from the spoon, grain by grain—WINDSOR SALT.

AT OSGOOD HALL

ANNOUNCEMENTS FOR MONDAY.

Divisional Court.
Peremptory list for 11 a.m.

1. Brock v. Crawford.
2. Fleet v. White.
3. Copeland v. Lyman.
4. McLeod v. Lawson.
5. Mee v. Toronto Railway Company.
6. Edie v. Lynn v. Canada Foundry Company.

Toronto Non-Jury Sittings.
Peremptory list for Monday at 11 a.m.

1. Smythe v. Kinnman.
2. Desmarteau v. Dingman.
3. Greig v. Whitehead.
4. Caswell v. Lyons.
5. Goldstein v. Harris.
6. Nicholson v. Mahaffy.
7. Re Hughes, Mahaffy v. Nicholson.

Suing Their Agent.
The International Harvester Company have taken action against D. J. McIsaac, their sales agent at Orillia, to recover \$779.55, balance on account between the parties.

Want the Account Paid.
The Bank of Upper India, whose head office is in Calcutta, has issued a writ at Osgood Hall against Chas. Lewis of Toronto to recover \$155.98.

Interest is charged at the rate of 12 per cent on the loans, which is stated to be the bank rate in the Dominion.

Lloyd Brown of Brantford sustained certain injuries, which he alleges were caused by the negligence of the C.P.R. Company and its employees. He has issued a writ against the company, claiming unstated damages.

Want the Account Paid.
Lewis Bros. Limited, of Montreal, have begun proceedings against Dreany Bros. of Cobalt to recover \$245.77 from Alexander Moir and McCall of Toronto, as acceptors of three bills of exchange.

Chief Justice Mulock has handed out judgment dismissing with costs the action brought by one Docker against the London Elgin Oil Company, to have declared void a lease as to certain oil and gas wells, made by Docker to one Steele and assigned by him to the company. The action was tried at the St. Thomas non-jury sittings in November last.

Bills of Exchange.
The Gold Medal Furniture Manufacturing Company are seeking to recover \$1283.57 from Alexander Moir and McCall of Toronto, as acceptors of three bills of exchange.

Wants Husband Declared Dead.
The widow of F. C. Marshall has applied to Chancellor Boyd to have him declared dead. The purpose of the application is to enable Mrs. Mary Ann Marshall to realize on two insurance policies on his life. On these she has paid the premiums for seven years. One, in the London Life, is for \$333; the other, in the A.O.U.W., is for \$200. Both are straight life policies.

Seven years ago F. C. Marshall was in the furniture and upholstering business at Kingston. One day he left on a sailboat for Garden Island and was never afterwards heard of.

Chancellor Boyd adjourned the application to admit of the insurance companies being notified.

Plaintiff Seeks Right.
Justice Riddell gave judgment in the action of the C.P.R. to restrain the Falls Power Company from running power wires contiguous to telephone lines. The plaintiff sought the injunction to prevent the company from running the wires, but he must consider the effect of the law in the case.

Winding Up Two Companies.
An order was made by Chancellor Boyd yesterday winding up the Upper Ontario Steamboat Co. and appointing Leonard J. Boyd administrator of the assets of the company.

An order winding up the Kurtze & McLean Co., manufacturers of gas engines, was made conditionally on engagement being shown.

Out This Evening.

The finest 5c Illustrated Paper that will grace this holiday season is the Holiday Number of The Sunday World.

The beautiful frontispiece, descriptive of the young hunter, will appeal to every youthful admirer of the strenuous.

The various Church Choirs of both Toronto and Hamilton will be interested in the group of handsome and graceful soloists.

Group views of football and other athletic associations adorn some of the pages.

Young Canada is well represented in a series of portraits in various poses.

Pictures emblematic of Christmas and this Holiday Season go to make this number one that will be sought after by almost everyone in search of the beautiful in pictorial newspapers.

In addition, will be found a very interesting and authoritative article on the present financial situation, with an illustrated description of the larger financial institutions that have helped to make Canada so strong in the eyes of the financial world.

Portraits of the leading bankers and views of the leading banks adorn this section.

After the eye has been appeased, you can turn to the literary section of the paper, and will find matter that will interest everyone—the usual features, including Musical Notes, Book Reviews, Theatrical News, the Sunday Page (edited by J. M. Wilkinson), Editorial Comment, a Review of the Week and Resume of the Political Situation, Turf News, and last, but not least, ALL THE NEWS FEATURES up to the hour of going to press.

Forty pages of pictorial and literary merit—all for the sum of 5c. Order from your newsboy or newsdealer, as the edition is limited to 50,000 copies.

EATON'S DAILY STORE NEWS

Five o'Clock Closing During Christmas Shopping

At no time are short hours more humanitarian than when the tension is greatest. And surely that is at the present season, when every nerve is strained to fulfil intelligently and promptly the commands of hurrying purchasers. Therefore, we are most particular to preserve to our staff during these strenuous days the long evenings of leisure and rest by CLOSING OUR DOORS AS USUAL AT 5 O'CLOCK EVERY EVENING.

But such early closing causes tremendous pressure during the short afternoons—nervous-racking to those on both sides of the counters—and the cheerful remedy is

MORE SHOPPING IN THE FORENOONS

Let that be your Christmas Gift to the thousands of sales clerks who are expending so much nervous energy now to help you make Christmas the happy day you wish it for your friends and yourselves.

Suit Cases and Bags for Holiday Travellers



You are probably going away for the holiday or some friend is going, and your gift to him or her is worrying you as to what is most suitable. Here is a suggestion in the "useful" line either for yourself or for a gift:

A Suit Case, smooth, fine leather, on a strong steel frame, lined, with inside pocket and straps, brass lock and clasps, priced at \$3.29; other qualities from \$1.00 to \$22.00.

Fitted Suit Cases, \$11.50 to \$22. Fitted Bags, \$10 to \$18. The boys' favorite present is a Buster Brown Suit Case, price \$1.00.

BASEMENT.

The foregoing is a mere whisper of a long and interesting story about a very large and exceedingly choice array of Traveling Cases, etc. The prices, too, simply hint at the all-along-the-line-easy-to-pay prices on everything we sell.

By these suggestions we hope to so interest you as to cause your coming.

T. EATON CO. LIMITED

190 Yonge Street, Toronto

SHOP IN THE MORNINGS

PRIEST IS POPULAR.

And Deputation Will Ask Archbishop to Allow Him to Remain.

MONTREAL, Dec. 13.—(Special.)—There will be no unpleasantness, for Monsignor Paul Bruchési is too much of a diplomat for that, but when a delegation of the people of St. Patrick's parish meet at the palace to-morrow afternoon to protest against the removal of Father Martin Callaghan from the chief pastorate of St. Patrick's the scene will be at least interesting.

The archbishop has asked Father Callaghan to return to his Order of St. Sulpice, of which he has been a member for forty years, and has appointed Rev. Gerald McShane, an able man, to the pastorate of St. Patrick's. All realize that the wish of his grace must prevail, and that at once, yet the Irish people are so attached to Father Martin, as they call him, that they are

bound to have it out, so to speak, with the archbishop head of the diocese. It is also said that Rev. Dr. Lulworth, the chief of St. Patrick's, has taken the removal of his brother so much at heart that he will leave at once for the diocese of Kingston.

Be this as it may, all the leading men of the parish are behind Father McShane, who, by the way, is a nephew of ex-Mayor James McShane, and who, to use the language of a young ecclesiastic, will make old St. Patrick's hum as soon as he gets in the saddle.

A Protest to Shaughnessy.
The mayor has been advised that a party of about twenty Macedonians did not receive wages for work for the C.P.R. in Quebec. If the grievance is found to be a genuine one, he will write to Sir Thos. Shaughnessy.

With the exception of Britain and America, there are no two countries in the world where the mile is of equal length.

Money cannot buy better Coffee than Michie's finest blend Java and Mocha, 45c lb.

Michie & Co., Limited

Japanese Progress.

VICTORIA, B.C., Dec. 13.—The steamship, Shinano, from Yokohama, brought Commander J. Matusumura of the Japanese navy, sent to make investigations at British shipyards, with regard to the new Japanese program of naval increment, and S. Sano, sent to Schenectady by the Japanese government to look into the manufacture of locomotives with a view to the manufacture of engines in Japan for Japanese railroads.

Commander Matusumura said this for the present the building of warships was so handicapped that operations were practically stopped because of the lack of money in Japan.

While overhauled, the main engine is being made ready for operation.

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