

The Toronto World

A Morning Newspaper Published Every Day in the Year.

MAIN OFFICE, 83 YONGE STREET.

APPEALS SHOULD ONLY BE PENDING OBSERVANCE OF LAW.

The World is surprised at the state which the enforcement of law in this country has reached, inasmuch as it has been held that the law is still on the statute book its enforcement must be delayed until the privy council of England can be consulted.

Our view is, and we believe it is the English view, that a statute of parliament is enforceable under any and every condition; but that any litigant has the right, while conforming to the law which he questions, to appeal against its validity in his particular case.

We take it, therefore, that the railway commission should have refused the application for a stay of the order that the Grand Trunk Railway concede a penny-a-mile passenger rate on its line and (pending the appeal to the privy council) the law should be observed. The boot now is on the other leg. The law has been ignored for over fifty years, and is to be ignored until the Grand Trunk Railway has exhausted every legal possibility of questioning the existence of this law.

Formerly judges in this country said that if the attention of the court was called to a statute and disobeyed, it proved they would issue forthwith an order compelling obedience. But that good old doctrine seems now to have fallen into disuse. One way these very courts got out of dealing with this question of the penny-a-mile service on the Grand Trunk was to tell the suitors that he had better go to the railway commission. And yet one of the fundamental principles at the basis of English law is the right to ask judges to enforce obedience perpetually to all statutes, and especially charter obligations.

What is the use of making laws in regard to railways if they can be ignored, and what is the use of making a contract such as this country made with the Grand Trunk for the building of a transcontinental system if after it has signed the contract it reserves the right to take every clause of the same to the last ditch in the last court and denies all observance in the meantime? But it is not the railway that we blame so much as the authorities.

THE ELECTRIC RING'S LATEST.

In addition to its mass of anonymous and exceedingly inaccurate literature, the Toronto Electric Light Co. by its general manager has issued a statement of its own on the power situation equally, if not more unimpeachable. It is an attractive publication in its external adornment of brown and gold, and might easily be taken for a seasonable greeting to the citizens of Toronto. The legend attached to it is "That The People May Know," but unfortunately it does not cast a vestige of light on the one thing the people do want to know—why the introduction of Niagara electricity has not been accompanied by the cheap light and power which they were originally led to understand were its natural consequences. All the information vouchsafed on this material point is contained in the bald assertion that "the difference between Niagara produced energy and steam power generated in Toronto is not very great. The cost is largely in operating expenses and costly plant for distribution."

Yet the Toronto Electric Light Co. has managed to displace steam power to a very considerable extent, and apparently found it profitable to contract for a large supply of Niagara generated power instead of depending on its earlier methods of production. The general manager indeed attempts to prove too much when he declares that the company fears nothing from municipal competition, because it can sell power cheaper than the city can possibly do. Why then the extraordinary efforts made to defeat the bylaw when its opponents are so certain that the city cannot supply power and light at the much smaller retail rates specified by the hydro-electric commission? This latest lubrication of the electric ring should make the citizens more than ever determined to pass the bylaw and thus enable the city council to compel disclosure of the information so carefully withheld. Proper discussion of the points at issue must follow the passing of the bylaw—without that compulsion it is clearly impossible.

WILL SIR WILFRID DENOUNCE THE TREATY?

Now that Japan has declared that that country and not Canada has the right under treaty to regulate the emigration of Japanese to our Pacific ports, and that she will not give any undertaking to stop the invasion, it might be good policy for Sir Wilfrid Laurier to ask the British Government to denounce the treaty with Japan as far as Canada is concerned.

This, however, may be a very hard thing to do, as the centre of world politics today is in Asia. England is perturbed by political agitation, perhaps threatening revolution among the natives of India; China is awakening; Japan happens to be the ally

of England at the moment when the former is antagonizing the public opinion of the United States; the United States fleet is on its way to the Pacific, and in other directions Asiatic questions are quite engrossing. Not to mention too that Japan is getting ready to assert Japanese supremacy in Asia, and if necessary to enslave the further doctrine that if America and Australia are to be exclusively for the whites then consequently Asia must be reserved for the Asiatics and all whites had better keep out of the orient.

At times it looks as if it will fall to the lot of some nation, possibly the United States, to try and destroy Japan as a naval power, and if that situation comes in sight England will not care to be linked up with Japan, nor will Canada care to stand idly by while the American states on the Pacific are being attacked. The Japanese now in our country could destroy our coal fields in the west and our railways over the mountains in the twinkling of an eye.

So that the situation is far-reaching, and not one to be made the sport of Canadian party politics.

THE SUNDAY WORLD.

Now that the holiday season is here and everyone has more or less indulged in recreation, there is a tendency to vary the monotony of feasting and pleasure-making, and this can be manifested by viewing the many absorbing features in this week's Sunday World.

The pictorial section is replete with timely and sensible views, some depicting the various pastimes indulged in by Canadians, and others illustrating the bounty of the charitably-disposed in making the children of their less fortunate neighbors happy, while others show the busy multitude crowding the different means, engaged in their holiday purchasing.

To those of our people who have lately come from the old land, a group view of happy-looking and prosperous emigrants will be the best criterion of the advantages of Canada as a home for the industrious and willing workers.

Automobiling, which is now designated the sport of kings, and has such a strong hold on the people of Canada, is practically all works of life, is treated lavishly, pictorially and literally, in this week's issue. Canadians in general will be interested in the fine machine that the writer, Mr. W. H. Laurier, recently had presented to him by Lord Strathcona. Views of other fine machines, among them one owned by Jackson Booth of Ottawa, and another by J. C. Eaton of Toronto, and a picture of his new garage, will also be given.

The portrait and views of the home life of Dr. Edward Everett Hale, the esteemed chairman of the United States Senate, philanthropist, author and religious teacher, and his message to the world, will be of interest to a large number of our readers.

A pretty tale, illustrated with some picturesque views, will be found in the illustration under the heading of the "Red Man's Country."

Baseball and football enthusiasts will be interested in the team groups of last year's champions.

The above are but a few of the many interesting and entertaining features which will make an issue that will appeal to everyone, and will make a suitable souvenir to send to friends in other lands.

For sale by all newsdealers, newsboys and on all railway trains—5c per copy.

ROW IN INDIAN CONGRESS.

Election of President Results in General Upheaval.

SURAT, Bombay, Dec. 27.—After two days of futile efforts to elect a president, the Indian National Congress broke up this afternoon in a free fight, during which the police had to be called in.

The congress, which meets annually, was of especial interest this year owing to the agitation for home rule in India. When the delegates assembled yesterday the Moderates and Extremists at once locked horns on this issue, and the meeting was adjourned amid much disorder.

When the delegates reassembled to-day their overheated passions broke loose a second time, and the platform from which moderation and constitutional action had been advised was rushed by the Extremists in a body, combining to make an issue that would not be broken by the Moderates.

The fighting became fierce and many delegates sustained serious injuries before the police finally came in and cleared the hall.

STRIKE AN AVERAGE.

You want to strike an average if you'd help your little share. To keep the world a-moving and relieve the weight of care, how it climbs aloft upon a perch. And makes remarks evincing neither logic nor research. It's the most industriously throust the liveliest day.

But no one pays attention to the things it has to say. The constant conversation often wins a passing smile. Do not accept the parrot as the model for your style.

And yet, upon the other hand, a silence too intense. Is not at all indicative of more than usual sense.

The fish, for instance, swims along all day and makes no sound. Because he hasn't brains to think of anything to say.

Observe how he wins esteem for being most astute.

By uttering only now and then a long and ponderous word.

So if to gain the plaudits of the public is your wish.

You want to strike an average 'twixt a parrot and a fish.

—Washington Star.

The Right Watch



The ELGIN WATCH

The Elgin Watch is the right watch in every respect—right in workmanship, right in price, right in time, right every time. Accurately adjusted to position and temperature.

Every Elgin Watch is fully guaranteed. All jewelers have Elgin Watches. An interesting illustrated booklet about watches, sent free on request to ELGIN NATIONAL WATCH CO., Elgin, Ill.

PRINCE ZU EULENBURG'S BREAK WITH BISMARCK

Evidence That Former Countess Was Hysterical and Her Charges Pure Imagination.

BERLIN, Dec. 27.—The hearing of the Harden-Von Moltke libel suit was resumed here to-day with open doors. The greater part of the morning session was taken up with the testimony of Dr. Frey of Vienna, who at one time treated Frau Von Elbe, the divorced wife of Gen. Count Kuno von Moltke. The witness declared that the former countess was most hysterical, and that her charges against Von Moltke were based upon fantasy.

Dr. Liman, editor of the Leipziger Neueste Nachrichten, who at one time had rather intimate relations with Prince Von Bismarck, and who, since the death of the prince, has been one of the chief apostles of the Bismarck cult, was then called upon to testify regarding a remark he had heard Bismarck make concerning Prince Philip Zu Eulenburg. This remark played a considerable role in the Harden trial, which Harden interpreted in an equivocal sense as implying an charge of secret vice of an abominable character against Zu Eulenburg.

Dr. Liman swore to-day that he understood Bismarck's words to mean simply that Zu Eulenburg was responsible for certain political occurrences, and that they conveyed no covert innuendo about vice practices.

Prince Zu Eulenburg, who had come into the courtroom with the assistance of his two sons, here asked permission to make a statement. This was granted, and the prince said he had enjoyed the most friendly relations with Bismarck until the latter broke with the emperor, when their intercourse ceased entirely. He had never heard of any sources that Bismarck thought should have made common cause with the emperor when the latter broke with the prince.

"This, for many reasons, I did not do," Prince Zu Eulenburg continued, and I encountered much hostility because of my course.

A volcanic nature, and he was volcanic in his hate. I still think with joy of the hospitality I enjoyed at Bismarck's table, but with sorrow of the break in our relations.

Bismarck complained of the presence of irresponsible persons in the emperor's entourage, but the emperor had the right to summon who he would.

Prince Zu Eulenburg often accompanied the emperor on his hunting voyages and hunting excursions as a representative of the foreign office, but he took oath that he had never sought to obtain political influence over his majesty.

The prince spoke with deep earnestness, amid the profound silence of the court.

Continuing, he said he had invited Raymond Lecomte, former chargé d'affaires of the French Embassy in Berlin, to Libenberg at the wish of the emperor, not with the idea of introducing him surreptitiously to his majesty. The introduction would have been the function of the French ambassador.

Prince Zu Eulenburg then declared that he had not interfered in the matter since resigning from the Vienna Embassy in 1902, except at the time of the Morocco difficulty. Being in Berlin at that time, and having obtained from M. Lecomte some highly interesting information regarding the situation in Paris, the prince communicated his news to Chancellor von Buelow.

"This is all I had to do with the Moroccan affair," Zu Eulenburg said. "I never spoke one word to the effect about Morocco; indeed, I very seldom spoke to him of politics at all, except, occasionally, during visits to the emperor's hunting lodge on the Russian frontier. I might have referred to some burning question."

Owing to the fact that Harden showed signs of extreme weariness the court here adjourned until Monday morning.

The Law Case.

The conspiracy charge against Frank Magistrate Kingsford, owing to the illness of T. H. Lennox, M.L.A., counsel for the defence. It is hoped the case will go on this morning, but a further adjournment may be made until Monday afternoon.

Violinist Dead.

BOSTON, Mass., Dec. 27.—Carl Miesel, a master of the violin, widely known as a soloist and teacher of the violin in many parts of the country and one of the original members of the Boston Symphony Orchestra, died at his home here to-day of heart failure, aged 80 years.

Victim of Highwaymen.

NEW YORK, Dec. 27.—Hugo Graff, a collector for the Prudential Life Insurance Company, was found in a dying condition on the roadside between Elmsford and White Plains. He had been shot in the breast and robbed.

Ordinary Corn Cakes Are Dangerous.

Because they contain acids, but Putnam's Corn Extractor is entirely vegetable in composition. It is perfectly harmless, safe and sure to cure.

AT OSGOOD HALL.

Balance of Account.

Brown Bros., four and feed dealers of New Liskeid, have begun a suit against John Matthe of the same town, to recover \$218.67, balance of an account for goods sold and delivered.

To Take the Name Off the Shoes.

The Slater Shoe Co. of Montreal have issued a writ against Leslie McMann of Thorold, claiming an injunction to restrain McMann from selling the Slater shoe without first erasing the name and price therefrom. The company is also asking that McMann remove from his shop all Slater shoe cartoons by which the shoe could be identified.

Wants Payment for the Work.

John T. Small has been made defendant in an action brought by John McKerracher to recover \$400.89 for work done and material supplied in connection with certain carpentering work.

A Chinese Trouble.

John Di On wants \$88.30 returned to him which he alleges he entrusted to him Ho Ye Fon as his agent in a laundry business transaction. Di On is also claiming that Ho Ye Fon, Ho Look and Ho Ma Duck entered into a conspiracy to defraud him. A writ of summons has been issued in which John asks for an order declaring that the laundry business at 23 Mutual-st. and 311 Parliament-st. were purchased by the money in question.

Hunted His Automobile.

The Automobile and Supply Co. is being sued by S. M. Ostrom for \$500 damages for certain injuries and losses sustained by reason of the unlawful letting of Ostrom's automobile while it was left in the company's garage for storage and safe keeping.

Seeking Payment.

The Bosshard, Koelliker & Webber Co. of Zurich, Switzerland, have instituted proceedings against the Canadian and Milton W. S. Dignman of Toronto to recover \$180.74 on account of moneys paid to the defendants to the use of the plaintiffs.

London Guarantee Co. Appeals.

On application to Mr. Justice Garrow leave was given to the London Guarantee Co. to appeal direct to the court of appeal instead of to the divisional court, in the suit brought by the Crown Bank against the company on Banwell's bond.

Wants Possession.

The Nipissing Mining Co. are seeking to recover possession of the property on R.L. 40, situated in the Town of Cobalt, at present in possession of David Cobalt, from the feeling that had been issued against Cobalt.

Transmission Power Problem.

Roderick J. Parke of Toronto has begun an action against J. S. Fielding to recover \$308.73 for services performed in connection with the problem of transmission of power from Campbellville to Toronto.

Suing Mr. Maughan.

The Imperial Bank have issued a writ against John Maughan to recover certain moneys fraudulently obtained by Harry Maughan. Mr. Maughan pleads that he did not make the order for the \$200 regularly granted to the treasurer, and was paid on the strength of a resolution passed at the last annual meeting.

A PANEL IN BURNT WOOD.

The fact that we can imitate the very first things that were done to our own advantage is frequently brought home to us in a very effective manner.

Among the first uses made of fire by the ancients was to burn certain marks on the skin of animals, or wood round about, which served the same purpose in a limited way that printing does to-day. Among the most valuable of the discoveries made in the ancient times which are being dug up in the old land are relics of this art.

Our art of printing, however, has not been slow to take advantage of this, and many of the most attractive decorations which adorn our homes are the result.

The Toronto Lithographing Co. have just completed a panelled calendar for the Lake of the Woods Milling Co., a company which very aptly illustrates this.

It is hard to conceive of any other product by which the same pleasing effects could have been secured, and yet when you think it is the very oldest method, in fact the first way in which the thoughts of one man were put into a definite form that could be transferred to others, it is surprising that it should ever have been lost to the world.

Enough to secure one of these calendars will have good reason to thank the Lake of the Woods Milling Co. of Montreal for their enterprise.

The colored sketches which are used to illustrate the Lake of the Woods Milling Co. are the work of Keewatin and Portage.

Prairie serve a double purpose, inasmuch as they help to bring into stronger relief the artistic lines of the whole design. It is certainly a most creditable bit of work, and both the Lake of the Woods Milling Co. and lithographers are to be congratulated.

Newsboys' Benefit Concert.

J. M. Wilkinson, the friend of the newsboys, has prepared a most attractive program for the last night of the year in Massey Hall. A great deal of the best talent in the city has been offered him for the occasion, and several who have engagements that night out of the city have written him to that effect.

The program will please all tastes. In addition to patriotic choruses by 500 schoolchildren, beautiful drills will compete for prizes. A list of Toronto's best humorous and dramatic entertainers will take part. The program will close at 11 o'clock and close at 12 (midnight), when trumpet will announce the birth of a new year. No doubt Massey Hall will be filled. Mr. Wilkinson wishes us to state that the newsboys as a body will not be present, so no one need be afraid of noise or commotion.

COMMERCIAL TRAVELERS ASSOCIATION PROSPERS

Annual Meeting and Election of Officers—Work in West to Be Extended.

A large attendance and general good feeling marked the proceedings of the 35th annual meeting of the Commercial Travelers' Association yesterday.

The new Toronto directorate consists: President, Lewis Howard (acclamation); vice-president, John Gibson (1285 votes); second vice-president, Robt. Gemmell (acclamation); treasurer, E. Fielding (1025 votes); director, G. B. Sarg, J. F. Hatch (1284), J. H. Whifong (1367), George W. Moore (1009), J. G. Cane (985), W. J. Micks (980), J. H. Lumbers (943), C. J. Tut-hill (941), Harry Ellis (825), A. C. Rogers (805).

Honorary board: First vice-president, J. H. Herring (acclamation); second vice-president, R. M. Stuart (1019); J. Sarg, J. F. Hatch (1284), W. H. Dean (1032), E. O. Zimmerman (925), G. M. McGregor (911), John Stomenan (897), P. A. Sommerville (765).

Montreal board: Vice-president, S. O. Shore (acclamation); director, Wm. Caldwell (1105).

President Howard in his address made mention of the fact that, starting in 1872, the association to-day had 851 members, including some of the best men that Canada had ever produced. The commercial travelers to a great extent should receive credit for the marvelous progress that the Dominion has made.

An effort will be made to increase the membership in the west, and A. C. Merritt of Winnipeg has been appointed secretary. The Northwest Commercial Travelers' Association has made an increase of 100 members, and Mr. Howard said that the C.T.A. must take more care of the northwest, and have some aggressiveness, or else had better withdraw from there altogether, with at least ten agencies outside of Winnipeg.

Growth in the West.

"Our association have over a quarter of a million dollars of their funds invested in the northwest, showing the great faith we have in this prosperous and growing country," said Mr. Howard. "Surely we can go to the merchants there, and ask their support, and I think with the board appointed in Winnipeg and other agencies to be opened up next year, we may confidently expect a big accession of members in this part of Canada."

The different associations in Canada had sent recommendations to the Dominion and provincial governments, asking that elections in future be held on Saturday or Monday, and the directors had taken up the question of asking the governments to allow the commercial travelers the privilege of voting by mail in election contests, but this was in addition to the opinion that it would not be wise to interfere in a question of this kind. It was considered that the permanent reserve fund now totaling \$105,469.78, an increase of \$42,267.62 having been made during the year.

Treasurer's Honorarium.

The echo of former differences came from John Kenny, who criticised the payment to Mr. E. Fielding, the treasurer, of an honorarium of \$300. This was in addition to the \$1000 regularly granted to the treasurer, and was paid on the strength of a resolution passed at the last annual meeting.

Mr. Kenny declared that Mr. Fielding had not earned the money. He stood alone, however. Mr. Kenny took objection to the increase in the expenses of the association, which, since 1903, had grown by \$3000. Mr. Sargant, the secretary, said the increase since 1903, in the membership, pointed out that commercial travelers are becoming younger and younger.

1904 the average age was 41.18, but in 1907 it was 40.82. The mortality in the association was 10.75 per thousand, as compared with 16.75 with the insurance companies.

Mortuary benefits always involve some discussion with the travelers. The mortuary benefit now stands at \$1000, but in 1904 and 1905 the benefits paid were \$750. William Hopwood wanted the \$1000 benefits to be retroactive, and that the benefits for those two years be brought up to that standard. He had given notice of motion that this be done. This motion was referred to the solicitors of the association, who advised that the motion could not be brought within the by-laws of the association. Mr. Hopwood moved that the report be referred back, and after some discussion, carried his motion.

Mortuary Benefits.

In regard to mortuary benefits, A. C. Rogers presented an amendment to the bylaw which the directors were authorized to pay any amounts necessary for mortuary benefits over the allotment from the current receipts.

T. M. McQuillan argued that after the allotment was exhausted there should be an assessment upon the members, so that the permanent reserve fund should not be depleted. The feeling of the meeting was distinctly with Mr. McQuillan.

An amendment was carried appointing associate members of the association.

Resolutions were passed renewing Thanksgiving Day be appointed for a Monday, that the travelers' tax be repealed, and that the association be provided in local option districts. H. Redington presented a resolution in favor of united action with sister associations, which was carried.

Telegraph Companies Retrench.

NEW HAVEN, Conn., Dec. 27.—An era of retrenchment in the telegraph business in this state is expected to dawn with the coming of the new year, and already big changes are planned by the Western Union and Postal companies.

THE T. EATON CO. LIMITED

THE STORE OPENS AT 8 A.M. AND CLOSSES AT 5 P.M.

The Last Monday of 1907

Will Go Out in a Shower of Low Prices

Vastly increased business has only whetted our appetite for more, and strengthened our desire to push the sales-record to a point that will call for our largest efforts in 1908.

Besides, we're in a good humor. A bumper business harvest prompts us to bargain generosity.

THE GRANITWARE SALE starts Monday morning, and we promise you bigger values than ever before. The Yonge and Queen Street windows will show up some of the remarkable price inducements; but, in order to get the full benefit of the buying privileges, you'll have to come to the store.

And there are hundreds of price attractions outside of the Granitware Sale.

PURE FOODS

AND WHERE TO BUY THEM

Doing business in our large way it is easily possible to keep the whole great stock on the quick move, which insures freshness.

Purity, Freshness and Cleanliness are the three important things around a food store, and we make them rigid rules here.

The very fact that we do the largest food business is proof enough that best quality and freshness are steady virtues here.

The cleanliness is plainly evident all over the big bright department.

The big buying is responsible for our getting to lowest cost and that alone would remove the competition of doubtful quality goods. Our getting to lowest cost brings that same advantage to you, which fact is ready for your proving—trial orders.

SOME PRICES FOR MONDAY

BEEF OR FOWL?

Choice Round Steak, lb., 11c.

Sirloin Roast Beef, lb., 11c to 12 1-2c.

Porterhouse Roast, lb., 15c.

Wing Roast, lb., 13c.

A large stock of Turkeys, Geese, Ducks and Chickens; prices low.

Side Bacon, pea-mealed, no bone, lb., 17c.

200 (only) Smoked Hams, half or whole ham, for, lb., 15c.

GROCERIES

Finest Canned Tomatoes, tin, 10c.

Corn or Peas, 3 tins 25c.

Rolled Oats, stone, 49c.

Finest Mixed Nuts, 2 lbs. for 25c.

Cape Cod Cranberries, quart, 12c.

Pure Cold Jelly Powders, one package makes pint jelly, assorted flavors, 3 packages, 25c.

Spanish Onions, 9 lbs. for 25c.

FIFTH FLOOR.

THE T. EATON CO. LIMITED

190 YONGE ST., TORONTO

CHEAP LIGHT FOR THE WHOLE CITY