

The Toronto World

FOUNDED 1850.
A Morning Newspaper Published Every Day in the Year.

WORLD BUILDING, TORONTO.
Corner James and Richmond Streets.

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MAIN 5308
Is The World's New Telephone Number.

THURSDAY MORNING, NOV. 24, 1910.

VIADUCT COST UNDER \$50,000 A YEAR.

Toronto people are going to hear one of these days just why The Evening Star is so bitter against the Bloor-street viaduct. The Star declares that "The World is 'particularly annoyed' because Mayor Geary would not go in for a policy of harbor development under a commission. This, of course, is a gratuitous deduction of The Star's. Why should we be particularly annoyed because The Star's candidate follows The Star's lead? Mayor Geary is at least consistent, which is more than The Star is.

The Star announces that it has Mayor Geary with it in opposition to the Bloor-street viaduct. The Star ought to know. It was Mayor Geary who was particularly annoyed with The World when The World pointed out the alliance between him and The Star at the time of his election. The alliance is evidently still existent, and some day the public will find out what is the meaning of it. Meanwhile The Star indirectly attacks the whole policy of progressive legislation which Mayor Geary very properly helped to carry thru the council this year. The Star concentrates its opposition upon the Bloor-street viaduct. It piles fiscal Osses on taxational Pelons in order to scare the ratepayers into the belief that Toronto is going to the extravagant dogs, and that hard-working citizens are going to be taxed out of their bedclothes in order to build the Bloor-street viaduct. It juggles with figures in the approved manner, and would almost make the taxpayer dizzy if he did not wipe some of the rainbow mist out of his eyes.

All the expenditures for the next forty years are lined up by The Star and the ratepayer is solemnly told that Toronto cannot afford to build a viaduct now. Mayor Geary and Controller Spence have decided that it must wait. Toronto has waited for ten years, and the result is that twice the amount has to be paid for the viaduct to-day that would have built it then. All the revenue-producing expenditures are bunched together along with the projects which only produce revenue thru the extra assessment which improved property affords. Exhibition Park, waterworks, electrical system, street railway construction, local improvements, are all put down as the taxpayer had to hand out the money himself for the costs. This is surely disingenuous of The Star, and we do not believe The Star would mislead the people unless it had some good fat interested motive for doing so. Nor would The Star antagonize half of the city as it is doing on this viaduct question but for some special reason.

Perhaps The Star, if it be really so disinterested as it will certainly profess to be, and perhaps The Globe will join in its own frank and straightforward fashion, in pointing out that the cost of the Bloor-street viaduct, which is to run into Rosedale and does not touch the banks of the Don at all, will cost \$875,000, and that the annual charges on this for the life of the debentures will be five per cent., or \$45,500 a year. This desperate sum will pay all the costs and interest and sinking fund and extinguish the debt. Surely The Star does not think it really deadly for the city to assume such a responsibility? The Star knows that the improvement from the viaduct will increase the assessment of the territory across the Don alone in a short time far beyond the point which will cover this amount in taxation.

But The Star, for some purpose, prefers to cloud the issue, and bury the viaduct question under a heap of digressions. Treat the question on its merits, and every ratepayer in the city will see the advantage of the bylaw. All that is needed is the facts.

Dr. Otto Klotz has demonstrated that the tad-pole is the first form of life. Comparatively few of us have got beyond the stage of big head.

When Emperor William gets after liquor and Emperor Robert gets after tobacco together the millennium must be approaching.

A Query Answered.
Editor World: Please answer the following questions: Was the Hon. S. C. Woods member for South Victoria in the Dominion Parliament, or was he Dominion treasurer at any time?
Second, what brought about the Pacific scandal? Who started to build the C. P. R., the Reform government or a company?
Constant Reader.

1. The Hon Samuel Casey Woods was returned to the Ontario Legislature at the general election of 1871, and sat till 1883, holding office under Sir Oliver Mowat, successively as provincial secretary, commissioner of agriculture and provincial treasurer.
2. The "Pacific scandal" originated

thru the charge made in the house of commons on April 2, 1875, by Mr. Hunt-Ingdon, member for Sheffield, that the Macdonald government had granted a charter obtained by Sir Hugh Allan of Montreal, on the understanding that money would be advanced for the purpose of aiding the election of ministers and their supporters.

The ground was broken for the C.P.R. on May 2, 1881, by the company incorporated on Feb. 16, 1881.

THE QUEBEC PUBLIC UTILITIES COMMISSION AND THE MONTREAL STREET RAILWAY.

Montreal Star editorial: We give great credit to the Quebec Public Utilities Commission for the thorough, comprehensive, and vigorous action it has now taken with the object of lessening Montreal Street Railway accidents.

The order just issued by the commission is drastic; but it is thoroughly warranted by existing conditions in Montreal; it is obvious and sensible based upon the extensive experience of other cities; and it covers practically all of the points for which the Star has been contending in this immediate connection.

The old single truck cars are placed on the retired list and are ordered to be replaced at the rate of at least fifty per cent. All cars thirty feet or more in length and weighing 25,000 pounds must in future be equipped with air brakes, in addition to hand brakes. Cars operating on steep grades must also have emergency brakes.

Best of all, every car must be equipped with an automatic mechanical drop wheel-guard of the Hudson and Browning type or something similar. As soon as the wheel-guards are provided, the present fenders must be removed; and projecting draw-bars and bumpers are prohibited. The speed limit of eight miles per hour, must be rigidly enforced, and full particulars of every accident must be immediately reported to the commission. Working upon these lines, the Quebec Public Utilities Commission may itself be the greatest public utility in the province; because it will keep all other public utilities up to their responsibilities. It has as we have always contended, great business powers, analogous to those of the railway commission. To enable it to discharge these responsibilities effectively in the public interest, it will need a considerable staff of assistants; and we feel sure that it has only to ask the provincial government to have its requirements in this direction granted. It is one thing to issue an authoritative mandate and another thing to see that the mandate is obeyed. We cannot expect the commissioners themselves to do the work of inspectors and engineers and railway experts. They have more important work to do. Working upon business lines, the commission should have the help it needs from the provincial and civic governments and the hearty support of all good citizens.

RECORD ART RUG SALE.

Yesterday's sale of oriental rugs at Messrs. Henderson's Art Galleries provided many bargains for those who attended. Looking to the real value of the examples offered they brought low prices, in some cases not half the price. But, all the same, the sale attracted many people, more than enough to show the public interest taken in these examples of high-class oriental workmanship. The record price during the day was \$300, but at this apparently high price the sale was a decided bargain for the purchaser. To-day the sale will be resumed in the afternoon at 2:30, and the rugs and carpets to be submitted to public reserve auction to-day will provide opportunities even more attractive than those of yesterday. There will be of course, a few of the finest specimens of eastern workmanship in the collection made by His Excellency Sir John A. Macdonald, formerly secretary of the Ottoman embassy at Washington and consul-general in Constantinople. His exceptional position enabled him to secure the collection offered on very favorable terms. Their intrinsic value is apparent to all who have seen them, and simply because of their number are included the products of the best and most noted of oriental looms.

HAS GONE TO MEXICO

William Mackenzie Investigating Conditions in the Troubled Republic.

Mexico will to-day have, in addition to its lively revolutionary episode, the opening of its racing season at Juarez, and according to reports received from the Mexican agents of the Bank of Commerce yesterday, there is not likely to be any prolonged interference with the peaceful occupations or amusements of President Diaz's republic.

A. H. Ireland of the Bank of Commerce said last night that the advice received from agents of the bank declared the reports of the uprising to be greatly exaggerated, and that the trouble only amounted to rioting in isolated places.

Wm. Mackenzie left Toronto last Friday night for Mexico City, but no message has been received from him since. He is believed to be secretary to Mr. W. E. Davidson, secretary of Mexican Tramways Company, established by Mr. Mackenzie, expressed the opinion that President Diaz would be perfectly able to handle the situation.

John Mills, superintendent of Goodrich & Worts distillery, recently received a telegram from his brother, H. G. Mills, Toronto, Mexico, that there was no cause for alarm. Mr. Mills and Reginald Northcote, son of R. Northcote, Admiral-road, are both with the Continental Electric Rubber Company at Toronto.

A CITIZENS' CLUB

Scheme to Look After the Welfare of Chatham Young Men.

CHATHAM, Nov. 23.—(Special).—The citizens' league at their annual meeting, decided upon a scheme to promote a citizens' club, for the purpose of looking after the men of the city. The proposal is to form a Y.M.C.A. full time.

The citizens' club will provide a congenial place, for the young men, where they will be given instructions in technical education, and amusements, such as are now provided by the pool rooms and the bowling alleys. The league decided not to "harp" on temperance, but an effort will be made to eliminate the gambling which prevails in Chatham among the young men.

Lunatic Sent Down.
Charles W. Connor, who had for two years been sending threatening letters to a relative, was adjudged insane and committed to an asylum from police court yesterday.

AT OSGOOD HALL

ANNOUNCEMENTS.

23 November, 1910.
Motion set down for single court for Thursday, 24th inst., at 10 a.m.:
1. Re Solicitor.

Peremptory list for divisional court for Thursday, 24th inst., at 11 a.m.:
1. Belcourt v. Crain.
2. G. T. Ry. Co. v. Laidlaw Lumber Co.

3. Cairns v. Hunter.
4. Lipskin v. Lipovitch.
5. Rice v. Morrison.

To be spoken to at 11 a.m.:
1. Re Robert Simpson Estate.
2. Merritt v. City of Toronto.
3. Patterson v. Dart.
4. Davis v. Winn.

Peremptory list for court of appeal for Thursday, 24th inst., at 11 a.m.:
1. Goodall v. Clark (to be continued).
2. Rex v. McNulty.
3. Rex v. Finkle.
4. Ross v. Grant.
5. Rice v. Toronto Ry. Co.

Master's Chambers.

Before Cartwright, K.C., Master.
Fowler v. Pearson.—A. H. Letroy, K.C., for purchaser. Motion by purchaser for a vesting order. Order made.
Dest v. Finkle.—Cuddy (Wm. Douglas, K.C.), for plaintiff. Motion by plaintiff on consent for an order confirming report. Order made.
Imperial Bank v. Travers.—C. A. Moss, for defendant. J. Wood, for plaintiff. Motion by plaintiff for leave to amend statement of defence and counter claim.

Kennedy v. Kennedy.—E. D. Armour, K.C., for executor, defendant. A. J. R. Snow, K.C., for plaintiff. P. J. Dunbar, for Snydman Realty Co., purchaser. Motion by executor defendant for an order vacating certificate of his pendens. At Mr. Snow's request enlarged until 25th inst., to allow further material. Order made.

Williams v. Tait.—W. A. Logie (Hamilton), for defendants. Motion by defendants for leave to serve third party notice. Order made.

Wilson v. Superior Portland Cement Co.—J. G. Smith, for defendants. S. G. Crowell, for plaintiff. Motion by defendants for order transferring action from County Court of Grey to County Court of Dufferin. Enlarged until 25th inst. at defendants' request.

Morrison v. Mulharry.—F. S. Macdonald, for plaintiff. Motion by plaintiff for an order for examination of defendant as a judgment debtor before a special examiner. Order made.

Re Canadian Home Circles and Cullen.—J. H. Spence, for the society. Motion by the society for liberty to pay into court. Order to go on filing consent of solicitor for W. F. Currie. Costs fixed at \$15.

Hewitt v. Patriarche.—P. H. Drayton, K.C., for owner. Motion by owner for an order vacating certificate of his pendens. Order made.

Judge's Chambers.

Before Falconbridge, C.J.
Duryea v. Kaufmann.—S. C. Wood, for plaintiff. D. L. McCarthy, K.C., for defendant. Motion by plaintiff for an order for inspection of property of defendant and of the property going on there. Judgment (v.v.): This is a case of a reported case of an exactly similar one in our courts. Am inclined to think under the special circumstances of this case that the plaintiff is not entitled to this. There are apparently preliminary questions (principally questions of fact) which ought to be disposed of before the plaintiff is heard. Entitled to what he asks. If he shows that a proper case before the judge at trial these matters may then be investigated. Difficulty. Costs of the motion to be costs in the cause to the successful party.

Single Court.

Before Falconbridge, C.J.
Clarkson v. Linden.—T. Hielop, for defendant. A. Lamport, for plaintiff. Motion by plaintiff for an order dismissing action, on the grounds (1) that plaintiff is only a provisional plaintiff, and had no right as such to the action joins his own name, (2) that the action joins a third party, another plaintiff asking leave to amend, motion to stand to allow him to put in his proposed amendment, after which parties may be heard for judgment.

Re Graham Estate.—F. Denton, K.C., for applicant. B. N. Davis, for beneficiary. B. N. Davis, for remaining executor. Motion by J. M. Barber, an executor and beneficiary, for an order construing the will of John Graham. Reserved.

Re Ellis and Town of Renfrew.—W. M. Douglas, K.C., and J. E. Thompson (Apprentice) for plaintiff. W. E. Raney, K.C., and S. T. Chown (Renfrew) for the town. An appeal by Ellis from a judgment of a divisional court dismissing an appeal from an order of Riddell, dismissing the motion to quash the local option bylaw passed by the town. Argument of appeal resumed from yesterday and concluded. Judgment reserved.

Re Dale and Township of Blenheim.—C. A. Moss for the township. C. C. Robinson for William Dale. An appeal by the township from a judgment of a divisional court revoking the judgment of Mulock, C.J., awarding the township bylaw to grant a bonus of \$20,000 to the St. Mary's and Western Railway Co. Appeal argued and judgment reserved.

Goodall v. Clark.—F. E. Hodgins, K.C., for defendant. R. S. Cassels, for plaintiff. An appeal from the judgment of a divisional court increasing by \$1000, the amount of damages awarded plaintiff by Merritt, C.J., on appeal from report of referee. This action was for a declaration that an agreement between him and defendant to receive 20,000 non-assessable shares of stock in the Lawson Mine, Limited, as the absolute purchaser and owner of \$5000 paid in as security by defendant. Appeal partially argued, but not concluded.

Writes Issued.
Martin Riley of Havelock is plaintiff in an action against the Canadian Pa-

GRAND Opera

He loved to hear,
But, goodness gracious,
It was dear!
Nor could he play it
As he ought
So a *Gourlay-Angelus*
He bought.

If you have listened to other Player Pianos that are mechanical, come and hear how Artistic and Human is the playing of the Gourlay-Angelus.

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cross-action to be delivered on 24th inst., and parties to go down to trial on Dec. 6 next, at Welland. Motion enlarged to trial. Costs in cause unless otherwise ordered by trial judge.

Trial.

Before the Chancellor.
Farquharson v. The Barnard Argue Roth Stearns Oil and Gas Co.—C. H. Ritchie, K.C., for plaintiff. I. F. Hellmuth, K.C., for the Canada Co. M. Wilson K.C., and J. F. Edgar, for the Barnard Co. This is a test case to determine as between the Canada Co. and the purchasers from that company what rights were reserved under a standard form of conveyance adopted by the company in disposing of lands in the oil regions of western Ontario, in which they "excepted and reserved" to the said company all mines and quarries of metals and minerals and all springs of oil in or under the said land, whether already discovered or not, with liberty of ingress, etc., to the said company, to search for, work and remove the same, and for this purpose to make and use all needful roads and other works, doing no other unnecessary damage and making reasonable compensation for any damage done by the company. Judgment. The conclusion of the whole matter is that, in my opinion, there is a valid reservation of all oil upon the lot which is to be possessed and enjoyed by the defendants, but that there is no reservation of natural gas, which remains the property of the land owner. There is no legal difficulty in allocating the different strata holding gas and oil to different owners, and no difficulty in making the legal distinction of ownership as to gas and oil in the same well. With this limitation, however, that when the well is distinctly an oil well and the amount of gas merely a subsidiary concomitant, the whole gas under the reservation, and the defendants should be allowed to take the gas. The defendants should account for net profits made from all gas obtained from the lot, and the Canada Co. for all royalties from the same. Success being divided, no costs to either side.

Divisional Court.
Before Meredith, C.J.; Teetzel, J.; Middleton, J.
Scott v. Merchants'.—D. L. McCarthy, K.C., and T. P. Galt, K.C., for plaintiffs. G. C. Gibbons, K.C., and G. Gibbons (London) for defendants. An appeal by plaintiff from the judgment of the county court of Lincoln of Sept. 19, 1910. An action for a declaration that plaintiff is the owner of the property in question, that the defendant holds the same as trustee for him. At the trial judgment was given for plaintiff declaring him entitled to a life estate in the home named. Appeal allowed. The defendant is to be ordered to stand aside and judgment to be entered for the defendant, dismissing action without costs. No costs of appeal.

Court of Appeal.
Before Mox, C.J.O.; Garrow, J.A.; MacLaren, J.A.; Meredith, J.A.; Magee, J.A.
Re Shantz-Shantz v. Good.—H. S. White for appellants. Application by appellants to have this appeal stand over until the next term, on the ground of counsel. Stands off sine die.

Re Ellis and Town of Renfrew.—W. M. Douglas, K.C., and J. E. Thompson (Apprentice) for plaintiff. W. E. Raney, K.C., and S. T. Chown (Renfrew) for the town. An appeal by Ellis from a judgment of a divisional court dismissing an appeal from an order of Riddell, dismissing the motion to quash the local option bylaw passed by the town. Argument of appeal resumed from yesterday and concluded. Judgment reserved.

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GERMANS DISCUSS THE HIGH COST OF LIVING

Government Sanctions Importation of Cattle and Swine From France, But Not America.

BERLIN, Nov. 23.—The Socialist interpellation as to the high price of meats was discussed in the Reichstag to-day. Johann Rupp, Conservative, admitted that prices were too high in many cities, but he blamed the middleman, and was opposed to the opening of the frontiers to foreign importation at the present time, which, he said, was inopportune for such a concession.

Herr Debrueck, vice-chancellor and minister of the interior, said that Chancellor Von Bethmann-Hollweg, upon the solicitation of the south German governments, had sanctioned the importation from France of a fixed number of cattle and swine weekly. The importation of cattle from America, which was prohibited originally, owing to the prevalence of Texas fever, could not be permitted on veterinary grounds. American fresh beef was also barred because of Texas fever, but if this prohibition were abrogated the importation would still be impossible, owing to the provision of the meat inspection law, which requires fresh beef to be imported in whole or halved carcasses with the internal organs intact.

Baron Schorlemer, the Prussian minister of agriculture, agreed that in most cities prices had reached a regrettable height, but the situation, he said, was not due to an inadequacy of the home supply.

XMAS STAMP CAMPAIGN

Citizens' Committee Has Organized for a Laudable Purpose.

The Citizens' Christmas Stamp Committee that did such excellent work a year ago in furthering the sale of the little Christmas stamp, issued on behalf of the Muskoka Free Hospital for Consumptives, held their first meeting of this year at the National Club, W. J. Gage spoke briefly of the progress that had been made in the sanatorium movement within the year, the accommodation for needy consumptives at Muskoka and Weston having been doubled. To no small extent this had been made possible by the success of the Christmas stamp campaign of a year ago. Greater things were expected this year.

The committee was organized with the Rev. Archdeacon Cody, who was permanent chairman a year ago, being elected chairman for this year. E. F. Gundy was elected vice-chairman and J. S. Robertson, secretary.

Standing committees, composed of leading business and professional men were appointed to deal with special interests and classes in the community. Those present included: W. A. Charlton, A. Ivey, H. H. Hudson, C. H. Wilson, W. F. Gundy, David Henderson, Geo. Brigdon, R. D. Fairbairn, H. H. Love, J. E. Atkinson, Taylor Statten, S. Pettit, J. S. McKinnon, Ralph Burns, J. S. Robertson.

The committee will meet weekly during the progress of the campaign, which will be confined, not simply to

SAVED BY INRUSH OF WATER
Skipper and Wife Wrecked in Cabin When Liner Crashed Into Barge.

NEW YORK, Nov. 23.—When the White Star liner Oceanic, in from Southampton, was coming up the bay to-day under reduced speed she ran into a barge laden with coal, and sent it to the bottom. The skipper of the barge, Capt. Herman Countant, and his wife, were in the cabin when the crash came, and their lives were saved because of the quick inrush of water thru the gaping wound in the barge's side, which forced the couple up thru the companion way, and into the bay, where they were picked up.

Hebrew Teachers in Demand.
Chief Inspector Hughes has received a request from a teachers' agency in Syracuse, New York, asking for 20 Hebrew teachers. From Buffalo he got another request for 25 "cottager mothers" for certain Hebrew educational institutions. Widows with only one child will be taken. There is only one Hebrew teacher on the Toronto public school staff, and to her and Rabbi Jacobs Mr. Hughes has referred the requests.

Captain Dropped Dead.
SAULT STE. MARIE, Ont., Nov. 23.—(Special).—Capt. D. Gleason of the barge George B. Owen dropped dead here last night while his vessel was taking on a load of lumber at the saw-mills of the Lake Superior Corporation. Gleason was apparently in good health up to the time he dropped on the deck at 10 p.m.

Gwalior Presbyterian Mission.
The annual meeting of this mission will be held to-night in the schoolroom of Knox Church, Spadina-avenue. Dr. Wilkie in Jhansi, will give his impressions of the field.

In addition to encouraging reports an interesting feature of the meeting will be the burning of the mortgage on the valuable property of the mission which is now entirely free of debt.

Re Dale and Township of Blenheim.—C. A. Moss for the township. C. C. Robinson for William Dale. An appeal by the township from a judgment of a divisional court revoking the judgment of Mulock, C.J., awarding the township bylaw to grant a bonus of \$20,000 to the St. Mary's and Western Railway Co. Appeal argued and judgment reserved.

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