The Toronto World

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THURSDAY MORNING, SEPT. 18.

THE MEANING OF THE MESSAGE.

As I took occasion to say last year in England, Canada will not be an "adjunct" even of the British Empire, but we have no desire to force the pace unduly—we know that we must creep before we walk. Those whom these questions concern must always reckon with an inborn feeling in the Canadian breast that a British subject living in this Dominion must ultimately have as potent a voice in the government and guidance of this world-wide empire as a British subject living in the United Kingdom. Whether our home is in the British islands or in Canada, we must be equals before the King. The full privileges as well as the full duties and responsibilities of citizenship are the right of the Canadian people.—Rt Hon. R. L. Borden at Halifax.

Mr. Borden spoke at Halifax as a member to his constituents and as a party leader to his party, but he also spoke as prime minister to the people of Canada. His deliverance will be studied with interest in so far as it deals with the future position of Canada, in, and as a part of, the British Empire. It is vain to set up against one another what was said by Sir Wilfrid Laurier in 1911, and by Hon. Edward Blake in 1891. We are more interested in knowing the meaning of the message which the present prime minister delivered at Halifax to Canada, on Sept. 16, 1913.

Mr. Borden, it must be admitted, conveys his meaning rather by intimation than by downright statement. His ideal is an empire citizenship, but it is to be something more than that empire citizenship now possessed by the native-born British subject. As we understand Mr. Borden, he desires a political equality—indeed, a political identity—so far as empire government goes, among British subjects, whether they reside in the British Isles, in Canada, or in some other self-governing British nation.

The prime minister does not say in so many words that he favors a federation of the British states, in which Canada shall occupy a position analogous to that occupied by the Province of Ontario in the Dominion of Canada. Indeed, he may not have had in his mind at all the meaning which will be attached to his speech in many quarters.

Quite properly Mr. Borden says that the pace cannot be forced, and that whatever scheme for closer unity within the empire is finally agreed upon, will be based upon experimentation and experience, rather than upon logic and definition. At the same time he frankly declares to go much further than the proposed representation of Canada upon the imperial defence committee, and it may be contended that he is in sympathy with the views expressed by Mr. H. B. Ames, M.P. for St. Antoine, Montreal, at the last session.

Mr. Ames desires Canada to become a state or province in a federation of British states. He would have us return members to an empire parliament, authorized to declare war and peace, to equip fleets, raise armies and maintain them in the field, and with incidental powers of taxation.

If the message of the prime minister means that he favors substantially what is advocated by the member for St. Antoine, a great many Canadians will await with interest a more explicit statement on that point.

BRITISH OLD AGE PENSIONS.

Under the Old Age Pension Act passed by the British Parliament in 1908, pensions are payable to every person born or naturalized in the United Kingdom, over 70 years of age, subject to the qualifications that his or her income must not exceed round- $150 a year, and must for twenty ars before receiving the benefit, have en a British subject, and for twelve of these twenty years (allowance being made for crown service and certain other exceptions) a resident within the United Kingdom. The amount of pension varies according to the amount of other income, and on Jan. 1, 1911, the pauper disqualification was removed. At this time there are nearly a million old men and women over 70 enjoying old age pensions, and their effect on pauperism is very strikingly shown in a White Paper recently issued by the local government board.

In 1906 the number of aged paupers in England and Wales was 229,474, of whom 61,378 were indoor, and 168,096 outdoor. On New Year's Day of 1910 the figures were respectively 57,701 and 138,223, and of 1911 they had dropped to 55,261 and 93,177. With the removal of the pauper disqualification a remarkable decline in outdoor relief occurred. From 93,177 the figures fell to 9530 in 1912, and in January of this year to 3553, a decrease between 1906 and 1913 of no less than 94.9 per cent., or for both classes of paupers 74.8 per cent. Thus the pension act has been responsible for the disappearance of three-fourths of the aged pauperism, while outdoor relief has practically ceased. The beneficial operation of the act is, however, only partially indicated by this change. For the fact that there are close on one million pensioners in the United Kingdom shows that not only has pauperism been largely checked, but quite an army of old people have been kept from that last refuge of the destitute. Nor is the pension list altogether an added burden, since it means considerable relief in local rating for the maintenance of the aged poor.

UNITED STATES TRADE.

If Canada has been passing this year thru a period of depression, it has not been taken very seriously, judging from the figures concerning the imports and exports of the United States for the month of July and the seven months then ending, just issued by the federal department of commerce. During these seven months Canada's purchases from the United States totaled $247,550,000, or nearly $40,000,000 more than for the corresponding period of the previous year. That amount is only $47,000,000 less than the amount representing United States exports to the United Kingdom, its best customer. Britain, however, exported to the United States goods and merchandise of the value of $155,500,000, while Canada's exports only reached $67,600,000.

All over the aggregate trade of the United States—exports and imports together—for these seven months totaled $2,346,144,612, or about $64,000,000 more than in 1912. Exports increased by about $79,000,000 to $1,327,273,000, while the imports of $1,018,871,000 showed a decrease of about $15,000,000, leaving a so-called favorable trade balance for the seven months of $308,401,662. This, however, The New York Press points out, is unquestionably artificial. Very large consignments are being held in bond awaiting the going into effect of the new tariff, and how much of these is due to that expectation it is impossible to estimate. Furthermore, the United States has to pay interest and dividends on American securities and a huge freight bill to foreign shipowners. But it is plain enough that prospect of tariff reduction has had no disturbing influence on United States industry.

SCOTTISH SHIP CANAL.

Along with the revival of the Channel tunnel project between England and France has come a renewed proposal for the construction of a sea-level ship canal across Scotland from the Firth of Forth to the Firth of Clyde. The advantages of such a canal would be both strategic and commercial. It would connect the capital in the east with Glasgow, the commercial capital of Scotland in the west, and the new naval base at Rosyth on the Forth, with the naval docks and reservations and the shipyards of the Clyde. The canal would avoid also the long and often dangerous voyage round the north of Scotland and open up to water transportation the valuable minerals deposits and industries in the valley which it would follow as its natural course.

As now under consideration the canal will have no locks except tidal, and will not utilize Loch Lomond as was proposed in the scheme submitted twenty-five years ago. A more direct route is now suggested, and it practically means the enlargement and deepening of the existing small barge canal constructed more than a century ago. Altho little would be required except thru old marine deposits the cost for the 29 miles is estimated at $120,000,000, and the time at five years. While it is scarcely probable that the canal would pay as a commercial enterprise alone the naval advantages may be enough to induce government support.

THE SOVEREIGN STATE.

It seems strange to a Canadian that a man accused of crime in one state should find an asylum in another state of the American Union. It must be remembered, however, that each state has its own criminal code, while with us the Dominion Parliament has jurisdiction over crimes and criminal law.

Ordinarily the governor of any state honors a requisition for a fugitive from justice as a matter of course, tho it may be refused where there is reason to believe that the real purpose of the prosecution is the collection of a debt. So also it has happened that a requisition has not been honored where there was good reason to believe that the fugitive, if returned, would not be protected from mob violence.

In Thaw's case a curious anomaly is presented. If the man is insane and was properly incarcerated in the insane asylum at the time he escaped, he cannot be guilty of any crime. Indeed, to speak of the "criminal insane" is paradoxical.

Among themselves the states are sovereign and are only subordinate to the federal authority. Were Thaw indicted by a federal grand jury, no action by the state government of New Hampshire would be necessary.

TORONTO GETS THIS.

WINNIPEG, Sept. 17.—(Can. Press.)—At this morning's session it was decided by the Canadian Conference of Charities and Corrections to hold next year's convention in Toronto. Calgary was the only other serious competitor.

THE NEW UNITED STATES TARIFF AND CANADA

The World regards the new United States tariff as a matter of the highest importance to Canada. We intend to print all the news about it, and especially how it will affect the trade of the various provinces. Each province will be able to size up the situation best for itself. We published on Monday a summary of a three-column article of The Winnipeg Free Press, detailing the effect of the new tariff on the Canadian west. We herewith present the article in full:

WESTERN CANADA AND THE NEW UNITED STATES TARIFF.

Editorial Winnipeg Free Press, Sept. 15.

That a movement of such great importance to Canada as the lowering of the United States tariff and the entire removal of the duties on some of the leading natural products should have attracted so little apparent interest in this country would be inexplicable were it not for the political happenings of the past three years. Had there been no attempt on the part of the late Canadian and United States Governments to bring about reciprocity in natural products between the two countries, the course of the Underwood measure would have excited the most intense interest thruout Canada; and its final passage, now a matter of days, would have been the signal for outspoken rejoicings.

The apparent indifference has been due entirely to political causes. The newspapers and public men of Canada have been chary of discussing the matter because, in view of what happened in 1911, they have not been able to determine the political consequences in Canada of this action by the United States Congress. The Conservatives have felt that it would not be wise to be markedly enthusiastic over the opening of the United States markets to Canadian products in view of their insistence two short years ago upon the complete worthlessness of the American markets to us; while the Liberals have naturally been inclined to represent the advantage accruing from the lowered United States tariff as much less than that which would have resulted from the reciprocity agreement had it gone into effect. The determination of the political effects of an increased volume of trade with the United States may safely be left to time, tho it may be said that they cannot but be unfavorable to the advocates of restriction in trade. With the new United States tariff on the eve of going into effect some attempt to appraise the commercial consequences of the change will be timely.

Will Vastly Increase Canadian Exports.

The immediate effects of the opening of the United States ports to such Canadian exports as cattle, sheep, swine, cement, coal, fish, agricultural implements, steel and manufactures, cream, milk, butter, cheese, meats and lumber; and the reduction of the duties by more than half in the case of grains of all kinds, horses, poultry and apples, may not be very noticeable; but within a year our southward volume of trade will show a marked increase; and the value of the United States markets to the Canadian producer will be established to the satisfaction of the most skeptical. The enormous excess of United States imports over exports to the United States will ensure a great increase in the southward flow of trade once the artificial barriers, now blocking it, are lowered or removed. For the fiscal year ending March 1, 1913, our imports from the United States reached the enormous total of $441,155,855, against which there was an offset of $167,100,382 worth of exports. This left an indebtedness of nearly three hundred millions which had to be liquidated by drawing on our credits from other countries. In the future an increasing percentage of this indebtedness will be settled by exports from Canada, to the great advantage of this country. The Canadian trade with the United States was last year 60 per cent. of the total trade of the Dominion; under the new conditions this proportion will rise. Two-thirds or perhaps even three-fourths of the future trade of Canada will be with the country to the south.

Alberta's Exceptional Position.

The new United States tariff will be of great value to every province in the Dominion. The maritime provinces will profit by free fish and lower duties on vegetables and fruit; Quebec and Ontario by free cattle, free milk and butter and lower rates on barley, hay and fruit; British Columbia by free lumber. Coming nearer home it may be worth while to consider somewhat more closely the probable effects of the new tariff on conditions in the three prairie provinces. Alberta, it is to be noted, does not occupy the same relation to the United States markets as do Saskatchewan and Manitoba; and will probably profit exceptionally for reasons set forth in a statement made to The Free Press by George Lane, the well-known Alberta cattleman and farmer: Mr. Lane says:

"If the United States tariff goes thru in its present form it will revolutionize trade for our farmers on oats, barley and cattle. With about three million people in Washington and Oregon, this is our natural market for trade, for they produce very few cattle and only limited quantities of oats and barley. It is my opinion that they import 75 per cent. of these coarse grains and they are at present bringing cattle from as far away as Colorado and Wyoming, which gives Alberta a great advantagein the railroad haul. I predict that it will add $7.00 a head to the price of our beef cattle within thirty days, and in addition will give a great market for oats and barley. It is my honest conviction that this country will control the markets, particularly in cattle, oats and barley, in Washington and Oregon. All along the Pacific coast they need these goods, and this is the nearest point for them to obtain them; then we will have St. Paul, Minneapolis and Chicago to fall back on, which must be an advantage; and certainly western Canada can hold the Alaskan trade, which is a large one, in cattle, and is principally controlled from Seattle. The proposed United States tariff should give great confidence to western producers, and it will enhance the value of farm lands to a considerable extent."

Alberta's extensive coal mines will also find a large and ever-growing market in the states immediately adjoining to the south.

Effect on Oats.

The reduction of the duty on oats in the United States to 6 cents must prove an advantage to the western Canadian farmer. Even at the old tariff of 15 cents a bushel a considerable trade was done. In 1912 there were exports in oats from all parts of western Canada to the United States to the extent of $145,670.36. Of course, this is a very small amount, but if this amount of business could be done at the extremely high tariff, with a tariff of 6 cents the western Canadian farmer comes very close to the American market, as it must always be borne in mind that our oats are two pounds heavier per standard bushel from those of the United States, and, as a matter of fact, the western oats are very frequently from 4 to 6 pounds heavier. The American standard bushel is 32 pounds, the standard Canadian bushel is 34 pounds. It is quite common for western oats to weigh 36 and 38 pounds, and from some of the northern sections, Yorkton, and many points along the main line of the Canadian Northern, oats weighing 40 to 42 pounds are by no means a rarity. Take prices at the moment: No. 3 C.W. oats are 34¾ cents a bushel in Fort William, while No 3 white oats are 39¾ cents a bushel in Minneapolis. Allowing for the difference in the weight of a bushel, this leaves a spread of a little over 7 cents. Assuming an equal freight rate this would allow of Canadian oats being sold in Minneapolis at present market rates; but, while perhaps the margin is too narrow at the moment to be tempting, the fact that it is even possible, especially in view of the superiority of the Canadian western oats, will be a great advantage in holding the western market steady.

The United States has a small oat crop this year, and that, coupled with the shortage in corn, is likely to tend to high prices for practically all coarse grains. Chicago oats on the option for December delivery are 44 3-8 cents per bushel, while Canadian oats at Winnipeg for December delivery are only 37 1-8 cents per bushel.

Barley.

In the matter of barley, while the duty is still high at 15c, (it was 30c), it brings the American market much closer to the Canadian producer. During 1912, 4453,470.16 worth of barley was exported to the United States from Western Canada at the 30c duty. American maltsters have proved that the Canadian barley is all right for malting, despite assertions to the contrary which have been made by interested parties. In the past Manitoba has been the principal producer of barley, but it has been grown carelessly, very frequently as a cleaning crop, threshed carelessly and little attention paid to the color; yet even with this form of production the yields have been high and the color in a normal year very good. This year, owing to the late season, Manitoba has seeded more barley than usual, and while some of its crops are light, there are plenty of crops that will go 40 bushels to the acre and not a few that will go as high as 50, while, where barley has been planted following corn or any hoed crop, as high as 60 and 65 bushels have been threshed. In Southern Alberta, where attention has been given to the crop and it has been planted on good summer fallow or has been grown under irrigation, the yields are enormous and the color is excellent. Southern Saskatchewan also could make a complete success of barley growing by the exercise of a little care.

At the present time barley in Duluth is quoted at 54 to 72c, according to grade, while barley on the Winnipeg market is quoted from 43 1-2c for feed to 48 1-2c for No. 3. Our No. 4 barley, which is quoted at 46c, would be equal in quality to the barley which is bringing 54c at Duluth; while No. 3 Western Canada barley would certainly be a sufficiently high grade to permit of payment of 15c duty, and come in on the spread between 46 and 72.

Flax.

No. 1 Northwestern Canadian flax is quoted at $1.29; Duluth flax at $1.49 3-4. There is no question that, comparing the best quality of Canadian flax to flax of similar grade at Duluth ,there is a direct spread of 20 3-4c, which would certainly allow for a payment of 15c duty and still leave a margin of profit in favor of the Duluth price; but while prices from time to time might vary and work in the opposite direction, the solid advantage to the western producer is that a wider market is brought closer to him and in this way his local market will be less subject to change and depreciation.

Cattle and Hogs.

The advantage to the live stock producer in Western Canada of the abolition of the duty on cattle and hogs is too apparent to require much comment. It is quite probable that Western Canada has not an enormous number of cattle or hogs to export this year, but the American markets are very short. The Eastern Canadian markets are also short; and for whatever the western producer has to offer he has the choice of three markets instead of two. To the Alberta ranchers particularly, their market is so close to Washington and Oregon as to do away with any fear of undue shrinkage in transportation. In the matter of hogs, if it should prove that Alberta has more than the trade can readily dispose of along their usual lines, the hogs can be slaughtered and shipped in salt to the eastern markets, where at present there is more demand than on the American side, but the fact that the American market is open will compel the eastern buyer to regulate his price and keep it up to the point where there will be no temptation to the western producer to ship across the line rather than to ship east.

Wheat.

As for wheat the imposition of a countervailing duty of 10 cents a bushel by the United States will, under normal conditions, keep Canadian wheat out of the United States markets; but there have been periods in the past, and they may recur, when, especially for damaged grains, the United States market would be reachable, despite the handicap of such a tax. It can be safely predicted that the farmers in Western Canada will demand the abolition of the Canadian duties on wheat and wheat products. If this is done the United States market will be made free to Canadian wheat. There is, in this matter of the wheat duty, the possibility of very serious trouble for the Dominion Government.

In vegetables, butter and cheese, milk and cream the change in duty will be of no immediate value since not enough of these are produced as yet to meet the local demand. Fish exports from the province are already limited only by the available supply, and the provision of free fish will not increase the business. The direct interest of Western Canada is in the new markets for grains, cattle and meats. The lowering of the tariffs on coarse grains and the throwing open of the markets to cattle and hogs will increase the competition for the produce of western farms, and the keener the competition the better the price to the producer. The general result to Western Canada will be beneficial to a degree that few realize.

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The Philosopher of Folly

By Sherwood Hart

HANDSOME IS AS HANDSOME DOES.

He doubtless was a homely man, for strangers coming to the place his misfit countenance would scan and faintly murmur, "What a face!" Yet when the grim old Reaper came and laid him low upon the earth a thousand voices blessed his name and praised him for his sterling worth; and when they bore him to his bed beside a weeping willow tree each mourner to his neighbor said, "He was a dandy, yet siree! He was a lulu of a chap," they spake, their eyes with moisture dim; "it surely is a great mishap that Death has put a crimp in him; he always had a ready ear to list to tales of want and woe; he always sought to help and cheer his fellow pilgrims here below. He always tried to wear a smile while tramping on beneath his load—a grin which often used to rile the strangers passing on the road; but when they grew to know the man that lived behind that misfit phiz their rude remarks they used to can, and say 'He sure a beauty is!'" And when they plant us in the ground beside a dismal-looking tree 'tis well if some of those around can say as much for you and me.

MIMIC WARRIORS IN FINAL CLASH

One Hundred and Twenty Thousand Men in French Closing Manoeuvres.

CASTEL, Sarrasin, France, Sept. 17.—(Can. Press.)—A pitched battle in which opposing forces comprising 120,000 men clashed in the final struggle of the French army manoeuvres, was fought near here today in the presence of President Raymond Poincare.

The northern blue army, commanded by General Paul Pau, and the southern red army, led by General Nicolas Chomer, had been fighting for several days a series of preliminary engagements along a parallelogram stretching from Montauben to Agen on the north, and from Auch to Toulouse on the south. Today brought the main bodies face to face with a front extending for twenty miles in the valley of the River Gimone, a tributary of the Garonne.

Busy Aeroplanes

Before daybreak cavalry, artillery and infantry were stirring in preparation for the decisive battle, while aeroplanes were flitting over the respective positions endeavoring to discover the commander's intentions.

President Poincare with Eugene Etienne, minister of war, observed the battle from a hill near this town. He was surrounded by a brilliant staff and accompanied by the military attaches of the foreign embassies.

The president repeatedly expressed his admiration for the endurance and marching powers of the troops. Many of the infantry regiments marched 30 to 35 miles yesterday. The soldiers carrying their full active service equipment, weighing over 50 pounds, in spite of which only a few of them fell out of the ranks.

WEST FEELING CHEERFUL.

Saskatchewan Has Rosy Reports on Harvesting and Threshing Operations.

REGINA, Sask., Sept. 17.—(Can. Press.)—Reports received by the provincial department of agriculture from twenty-seven correspondents in all parts of Saskatchewan indicate that, with the exception of a small quantity of late barley, oats and flax, noticeably in the northwest section of the province, cutting, to all intents and purposes, has been completed, and threshing is well under way in every portion of the province. Seldom have crops come to maturity with less damage or in better condition. Early threshing and inspection returns show that practically the entire wheat crop is within contract grades.

WHALE DAMAGES STEAMER.

ST. JOHN'S, Nfld., Sept. 17.—(Can. Press.)—A collision with a whale caused such serious damage to the Danish steamer Wladmir Reitz that the vessel was forced to put in here today for repairs. The accident occurred Monday afternoon about 250 miles east of St. John's. The crew saw the whale approaching at terrific speed, but could not alter the ship's course. The whale struck the steamer head-on, knocking a four-foot hole in the bow. The whale sank immediately, its blood discoloring the water over a large area.

The steamer left Campbellton, N.B., Sept. 11, for Plymouth, England, with lumber. She will have to discharge her cargo to permit repairs being made.

DISCRIMINATION CHARGED

OTTAWA, Sept. 17.—(Can. Press)—That the railways are discriminating against the eastern ore refineries in favor of British Columbia refineries was the charge brought by the North American Smelting Company of Kingston before the railway board this morning. The company asked for a reduction in the rates on lead, ore and silver-bearing ores from British Columbia to the east.

It was also claimed that the C.P.R. gave a lower rate on the finished product from the west, which made it impossible for eastern refineries to ship ore to British Columbia and compete with the coast refineries. The case was held over to hear the side of the British Columbia Smelting Company.

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At Osgoode Hall

Sept. 17, 1913.

ANNOUNCEMENTS.

Motions set down for single court for Thursday, 18th inst., at 11 a.m.:

1. Quebec Bank v. Cay.
2. Re Drew and Keewatin.
3. Downey v. Burney.
4. Wurtzel v. Mendelssohn.
5. Thomson v. Lake Erie.
6. Tucker v. Titus.
7. Re Canadian Gas, Power and Launches, Limited.

Peremptory list of appellate division for Thursday, 18th inst., at 11 a.m.:

1. Swale v. C.P.R. Co., to be continued.
2. Swale v. C.P.R. Co., to be continued.
3. Rechnitzer v. Employers' Liability Association Co.
4. McLeod v. Armstrong.
5. Re Woodhouse and Land Titles Act.
6. Carlyle v. Oxford.

Masters' Chambers.

Before J. A. C. Cameron, Official Referee.

Mexican Northern Power Co. v. Parsons—S. G. Crowell, for defendants, moved for order for particulars of claim. A. J. Thomson for plaintiff. Motion dismissed without prejudice to renewal after discovery. Costs in the cause.

Menary v. White—C. R. McKeown, K.C., for defendant, moved for order for examination of plaintiff at Orangeville, and for commission to take evidence at Lethbridge. J. G. Smith for plaintiff. Order made for examination of plaintiff at Orangeville on 18th inst., and for the commission as asked. Plaintiff to be at liberty also to examine witnesses under it. Costs in the cause.

Brown v. City of Toronto—C. M. Colquhoun, for defendant, moved for order dismissing action for want of prosecution. No one contra. Order made.

Pearson v. City of Toronto—C. M. Colquhoun, for defendant, moved for order dismissing action for want of prosecution. Enlarged one week.

McKereben v. City of Toronto—C. M. Colquhoun, for defendants, moved for order dismissing action for want of prosecution. No one contra. Order made.

Campbell v. Campbell—T. N. Phelan, for plaintiff, moved for order for interim alimony and for disbursements. R. W. Treleaven (Hamilton) for defendant. Order made fixing interim alimony at $10 per week and allowing $30 for disbursements.

Skelton v. Brennard—J. H. Flett, for defendant, obtained order dismissing action and vacating lis pendens.

Galaetzky v. Macpherson—J. H. Flett, for defendant, obtained order dismissing action and vacating lis pendens.

Huff v. Manning—Walsh (Day and Co.), for plaintiff, moved for summary judgment. J. G. Smith for defendant. Motion dismissed. Costs in cause.

Shaw v. Clement—G. F. McFarland, for plaintiff, moved for summary judgment. Langmuir (McCarthy and Co.), for defendant. Judgment granted.

Adam v. Dudley—J. G. Smith, for plaintiff, moved for order for commission to examine witnesses. J. H. Spence for defendant. At defendant's request enlarged until 18th inst.

Single Court.

Before Kelly, J.

Mr. James Y. Murdoch presented his certificate of fitness and was on the flat of the judge sworn in and enrolled as a solicitor of the supreme court of Ontario.

Broom v. City of Toronto.—Plaintiff in person moved for order giving him leave to remove obstruction complained of, alleging that defendants had neglected to do so as ordered. The court declined to make any order ex parte.

Cook v. Bachrack.—C. H. Ivey (London), for plaintiff, moved for order continuing injunction. A. E. Knox for defendant. Enlarged for one week. Injunction continued meantime.

Mothersill v. Toronto Electric Railway Co.—G. D. Conant (Oshawa), for plaintiff, moved for injunction restraining defendants from entering upon and obstructing a private way which plaintiff claims to be entitled to the use and enjoyment of. J. A. McEvoy for defendants. Injunction refused, the court being of opinion that defendants should grade the 16 feet to south. Costs reserved to trial judge.

Re Canadian Gas Power and Launches, Limited.—G. L. Smith, for Bank of B. N. A., appealed from report of master in ordinary. S. G. Crowell for liquidator. H. C. Macdonald for Birge. At request of parties motion enlarged until 18th inst.

Re Tozman and Lax.—A. Cohen, for vendor, moved for order declaring that vendor can make good title and that purchaser's objections are not valid. L. M. Singer for purchaser. Reserved.

Appellate Division.

Before Meredith, C.J.O.; Maclaren, J.A.; Magee, J.A.; Hodgins, J.A.; Leitch, J.

Rex. v. Russell—N. F. Davidson, K.C., for the crown. T. N. Phelan for defendant. A case reserved by Police Magistrate Kingsford on a charge against accused of selling wood alcohol without having on the bottle the words prescribed by statute, chap. 51, R.S.O., sec. 372. The wood alcohol was sold by clerk in defendant's shop, and the magistrate acquitted defendant. Argued and reserved.

Canadian Lake Transportation Co. v. Brown.—J. Bicknell, K.C., and T. Hobson, K.C., for plaintiffs. E. F. B. Johnston, K.C., and J. G. Gauld, K.C., for defendant. Appeal by plaintiffs from the judgment of Falconbridge, C.J., of Feb 25, 1913. The action was brought to recover from defendants, plaintiffs' agents at Hamilton $1447.72, claimed to be balance of amounts due plaintiffs for freights alleged to have been collected by defendant for plaintiffs. Judgment was awarded plaintiffs for amount claimed, but was also awarded defendant on his counter claim, and it is from the latter judgment plaintiffs appeal. Appeal argued. Judgment reserved.

Before Meredith, C.J.O.; Maclaren, J.A.; Magee, J.A.; Hodgins, J.A.

Swale v. Canadian Pacific Railway Co.—J. Bicknell, K.C., and W. Laidlaw, K.C., for Suckling & Co., third parties. S. Denison, K.C., for Canadian Pacific Railway Co. W. M. Hall for plaintiff. An appeal by defendants, the railway company, from judgment of Lennox, J., of Feb. 27, 1913, and also an appeal by third parties from judgment over against them in favor of the railway company of same date. This is an action by Marion Swale, a married woman, for a proper account of goods plaintiff alleged to have been converted by defendant company to its own use and sold, or for $1500 damages for the conversion. At trial judgment was given plaintiff for $1066.40 and costs and judgment over for the railway company against third parties for like amount. Appeal partially argued but not concluded.

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The Grand Trunk Railway System issue round trip Homeseekers' tickets at very low rates from stations in Canada to points in Manitoba, Saskatchewan and Alberta, each Tuesday until Oct. 28 inclusive, via Chicago, St. Paul and Duluth or Sarnia and Northern Navigation Company, and are good returning two months from date of issue. Through Pullman tourist sleeping cars are operated each Tuesday, leaving Toronto 11.35 p.m. and running through to Winnipeg without change. Reservations in tourist cars may be obtained at a nominal charge on application to Grand Trunk agents. The Grand Trunk Pacific Railway is the shortest and quickest route between Winnipeg, Saskatoon, Edmonton, with smooth roadbed, electric-lighted sleeping cars, through the newest, most picturesque, and most rapidly developing section of western Canada. Through tickets sold and reservations made by all Grand Trunk agents. Costs no more than by other routes. Trains now in operation Winnipeg to Saskatoon and Regina, Yorkton and Capora, Sask., Camrose, Mirror and Edson, Alberta, also to Jasper and Tete Jaune, B.C. Before deciding on your trip consult any agent of the Grand Trunk Railway for full particulars, or write C. E. Horning, District Passenger Agent, Union Station, Toronto, Ontario.

ITALIAN GENERAL KILLED

BENGHAZI, Tripoli, Sept. 17.—(Can. Press)—The Italian commander, General Torelli, and 33 Italian officers and men were killed and 73 others wounded in a hard-fought battle yesterday with a body of Arab tribesmen.

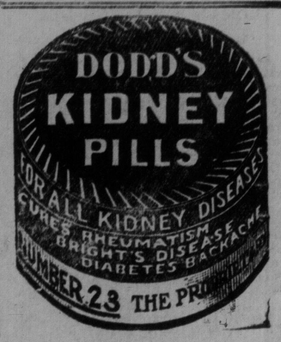
When attacked the Arabs, posted strongly on a height commanding the Valley of Tecniz, resisted with great stubbornness, being aided by the hilly wooded nature of the ground. The Italian artillery served with remarkable precision, compelling the Arabs to retreat to the desert.

General Torelli fell at the head of his troops.

ROBBERS KILL STABLEMAN

Chicago Desperadoes Break Open Safe and Escape With $2000.

CHICAGO, Sept. 17.—(Can. Press)—Four masked robbers forced an entrance to the delivery station of Mandel Bros. at 2655 West Van Buren street today, shot and killed Michael Maschuk, a stableman; beat and bound three other employes, then broke open the safe and escaped with $2000.

WANTS SOLDIER SETTLERS.

EDMONTON, Alta., Sept. 17.—(Can. Press.)—Sir Gilbert Parker is of the opinion that the British and Dominion Governments should co-operate in directing the settlement of ex-army, ex-navy and ex-volunteer soldiers and sailors in those parts of the empire where they could be of most service in time of war. He pointed out that British Columbia, for instance, must ever be a strategic territory for any possible operations in time of war on the Pacific.