The Toronto World

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FRIDAY MORNING, MAY 17, 1912

THE MARRIAGE LAW.

clears the deck for an opinion from efficient form of government. Most of their lordships on the validity of the all it needs men. proposed Lancaster bill or any decision of hypothetical questions respecting the jurisdiction of the federal and provincial governments respectively over the subject of marriage. In the companies case the government relied preme court to answer hypothetical questions and decide abstract cases. ed limitations of Canadian self-govern-Even in the teeth of this statute some of the supreme court doubted whether they could be compelled to interpret plicitly endorsed by the lord chancelthe law unless and until it became ne-cessary to so interpret it for the pure lor, who delivered the judgment dis-missing the appeal of the provinces, pose of deciding a concrete case. Yes-challenging the right of the governorterday's decision of the privy council in-council to submit questions, mvolvsimply holds, as we understand it, that ing the separation of the federal and the supreme court must do the bidding provincial powers, for answer by the

Day case, the judicial committee re- buted between the Dominion on the one fused to answer abstract and acade- hand and the provinces on the other, mic questions.

marriage furisdiction, or will it decline to assume that any point of internal to place a construction upon the B.N.A. self-government was withheld from Act, until it is required to do so in Canada. order to decide some litigation?

the ruling of the supreme court, while nal affairs of the Dominion, and, there-

Canadian court. constitutionality should it ever be assailed by any citizen who considers himself or herself to be prejudiced

IMPERIAL NAVAL DEFENCE.

British government have gone far to autonomy of Canada, and refusing the provide a solution of the problem of contention that the British North imperial naval defence. Developments, America Act can be construed so as to unlooked for in the days when British limit that autonomy. maritime supremacy was unchallenged. have compelled a revision of imperial maritime policy. Henceforward and eral scheme of imperial defence.

lord of the admiralty with, as its text, the changed conditions which require police. not a dispersal but a concentration of the main imperial fleet. Should any permits in a good-natured way without scrious aftempt ever be made to attack much thought of the consequences. As the British Empire at its historics cen- a rule, the man with a gun in his hiptre and thus strike at its very heart, it

trollers and aldermen individually it their esteem. upon the aldermen, who look in vain to Mayor Geary for the inspiration of

One who follows the proceedings of One who follows the proceedings of the council must be struck by the fact Missionary Tabernacle, Bathurst-st... that few questions are finally disposed of. Take the matter of furnishing all week until the following Sunday.

Addresses will be given by several mi sionasies, and some of the best known ministers in Toronto and Hamways furnished to the applicant, as a ilton are expected to attend.

matter of fact, but the discussion goes on. The members dispute among themselves as to whether we have enough water for our own use, and it is generally believed that we have not, but no one ever suggests getting more and enough water to provide against the ever increasing demand of a rapidly growing city. The Knox College site. expropriation also furnishes a perennial theme of discussion, and the matter is invariably left over for still more discussion. Details about the municipal garage, and the chauffeurs who are at the disposal of city officials, and the hardship of having an official walk to the city hall instead of being driven there in a motor will interest and occurv the council for hours Meanwhile. little or nothing is said about the great Subscribers are requested to advise transportation problem, the procuring us promptly of any irregularity or of expert advice and the working out delay in delivery of The World. One may say it is idle to rail at the city council. Men with small ideas will they are lifted up by the courage and It is by no means clear that the de- vision of some leader, but things can-

CANADA'S COMPLETE AUTO.

In the course of the judicial history of the British North America Act, it has been made perfectly plain that the upon a statute which compels the su- judicial committee of the privy counment based on technical constructions Supreme Court of Canada, Lord Lore-It will be remembered, however, that burn said that there could be no doubt in former cases, notably the Lord's that under the act the powers districover the whole area of self-governmay be given by the supreme court of It would, he added, be subversive of Canada in the stated case respecting the entire scheme and policy of the act

This is in entire accordance with the There is reason to believe that their carlier decisions of the judicial commit- mission as soon as it is tabulated. lordships will decline to express any tee, in effect that it was the intention opinion in advance, but will leave it of the imperial parliament to denude to the Dominion Parliament to act upon litself of its jurisdiction over the interreserving their right to consider the fore, that, in regard to these, its plenquestion of competency when submit- ary power was transferred to the fedted in a litigated case. This has hither- eral and provincial legislatures. This the Republican national convention is to been their custom, and it cannot be is the salient point of the present de- without foundation and not borne out contended that the judicial committee cision outweighing in importance the by the facts.

The president said that if Mr. Rooseis subject to a Dominion statute which, particular issue regarding the right of veit were to get all the delegates yet to be chosen he could not be nominated. supreme court to interpret the act thru It may be, after all, that the govern- the medium of questions submitted by ment is putting the cart before the horse in sacking to have a possible case decided before it has arisen, and in not assuming the power of parliament to cedents and these made it clear that Friday, which offers pleasure seekers not only had the practice remained up a three day vacation, with practically a general marriage law. The courts not only had the practice remained una general marriage law. The courts not only had the practice remained unno loss of time. The Canadian Pacific purchaser. Motion by vendor, under
would thus be free to pass upon its challenged until now, but that the proRailway will issue return tickets at the Vendors and Purchasers Act, for vinces themselves had required their single fare between stations in Canada, own courts to answer questions not in litigation, in terms somewhat similar to the impugned act of the Dominion and 24. Return limit May 27. See that Farliament. But apart from these tech-Farliament. But apart from these technical considerations, this decision can King-st., Toronto. Events outwith the control of the be taken as affirming the complete

DANGEROUS WEAPONS.

Under the criminal code no one is until the menace passes, the naval permitted to carry a revolver unless strength of the United Kingdom will authorized to do so by a magistrate. be concentrated in home waters. So in and in Ontario no one can purchase a naval, as earlier in military affairs, the revolver without a permit from the self-governing states of the empire chief of police of the city or town in will accept the obligation to protect which he is domiciled. These are extheir own integrity and thus yield individual and active support to the gen. find from the records of the provincial police that during the past year This is the substantive point made over 500 revolvers have been purchased in the address delivered by the arst in the province by persons bearing writ-

pocket is a menace to himself and to is essential that the fleet shall be con- the community. Firewater and fire

It is idle to deny that our city council is unprogressive and to that extent ada on behalf of the staff and officials of them.

Yesterday afternoon Mr. D. R. Wilkie, rent, Que., writes: "I had piles for twenty years, and tried all kinds of ointments and medicines, but they did of that institution clear across the con-tinent, presented to Mr. J. H. Eddis suffering more from the dreadful ltch-

well meaning men, but the council, as its service. The presentation took place health to-day, whereas I was in agony a legislative body, is simply inert. It is in the board room of the bank at which suitable speeches were made. Mr. Eddis the board of education is divided in the board of education is divided. that the board of education is divided business in association with the firm of Messrs, Ridout and Strickland in cannot but have a demoralizing effect their new offices in the Toronto General Trust Building

MISSIONARY CONFERENCE.

The annual Bible and missionary con-

Meetings Now Usually Thru-by 10 o'Clock-Purchase of Second Motor Cal

Approved.

Chairman Conboy is making a record for expediting proceedings so that the board of education's meetings are now usually over byten o'clock. Last night
the committee reports were either
adopted or proposed changes were readopted or proposed changes were resupport the estimate of the defendant. adopted or proposed changes were referred back.

Dr. Noble's proposal that the age of admission be raised to seven years was sent to the management committee to It is by no means clear that the de-cision of the judicial committee of the privy council, in the companies case, The city needs wider powers and a more mittee. He said it was used too freely, spoiling school teachers' dresses.

> car for \$2670 for the use of the board was approved. This will make the serond used by the board. Rev. H. R. Noble, Christie Street Baptist Church, wrote explaining that plaintiff for an order for the issue of the dampness in the bosement com- a concurrent writ. Order made the dampness in the bosement com-plained of in a letter to the press by Miss Cuthers was insignificant and that Co.) for defendants. Motion by defend-

The various purchase sof school sites and additions to playgrounds recommerided by the property committee

TWO TRAVELING SECRETARIES To Be Appointed by Canadian Manu-

facturers' Association. In order to increase its service to members of the association, the Candecided to increase its staff by the apintment of two traveling secretaries one for the east with headquarters at Montreal, and one for the west with neadquarters at Winnipeg. This was decided upon at a meeting of the exec-

utive council yesterday.

The manager of the transportation decircular asking for particulars of delays notice of arrival at destination, and other matters pertaining to the freight delays. The information thus obtained

ROOSEVELT CAN'T WIN, SAYS TAFT.

CLEVELAND, O., May 16.—In a statement issued to-day President Taft said that the claim of Theodore Roose-

Where Are You Going Victoria Day? single fare between stations in Canada, an order defining the eastern boundary east of Port Arthur, also to Niagara of the land in question. Order declaring Falls and Buffalo. N.Y., and Detroit. Railway. Toronto City Office, 16 East as to costs.

"ANOTHER DELIBERATE FALSI-FIER."

in support of the amazing doctrine in ed. regard to railway rates which The Globe is preaching from the position of 'splendid isolation" which it has made

SEVERE DROUGHT IN WEST INDIES.

KINGSTOWN, St. Vincent, May 16 .severe drought prevails thruout the where conditions in the country districts are approaching those of a water famine. Villagers are obliged to walk places five miles in order to obtain drinking water.

Cured of Piles

MICHIE'S GLEN-ER-NAN SCOTCH WHISKEY

Bottled in Scotland-Exclusiv ly-

At Osgoode Hall

ANNOUNCEMENTS.

Judges' chambers will be held Divisional court will not sit till Mon-

Master's Chambers Before Cartwright, K.C., Master.
Cartwright v. Pratt—G. H. Sedgewick, for plaintift. M. H. Ludwig, K.
C. for defendant. Motion by defendant
for an order for security for costs to be
given by defendant in respect of his

Judgment: In view of the contradictory affidavits as to the value of the mining claim in which the defendant has a half interest, it does not seem An order will go for security to be given in the usual form. Costs of the motion in the counter claim to the sucessful party.

Howard v. Allen-G. G. Paulin, for plaintiff. Motion by plaintiff for an order for the issue of a concurrent writ for service out of the jurisdiction on a defendant at Regina. Order made.

Adams v. Holtby-Malone (Robinette & Co.) for plaintiff. Motion by plaintiff. for an order for the issue of a writ for service on defendants at Zealand, Sas-katchewan. Order made.

Bank of Ottawa v. Ferguson-H. M. considerable expense had been en- ants, on consent, for an order vacating tailed to put the basement in first-class certificate of lis pendens herein. Order

> Judges' Chambers.
>
> Before Riddell, J.
>
> Bissett v. Knights of the Maccabees
>
> J. A. Paterson, K.C., for defendants. W. D. McPherson, K.C., for plaintiff. Motion by defendants to strike out a

Judgment: I have no kind of doubt that, this action should be tried without a jury. I think, moreover, that no judge would try the issues upon the record with a jury (the that does not seem to be important) and I must therefore direct the action to be tried without a jury. This disposition of the motion will not interfere with the discretion of the trial judge, C.R. 1322 (2), nor in this particular case will it change the sit-tings at which the case may be tried. Costs in the cause unless otherwise ordered by the trial judge.

Mr. Jöseph William McDougall (Haileybury) 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 judica-

Macrae M. OBrien-L. F. Hellmuth. K.C., representing both parties. Mo-tion by plaintiff for an order continutween the parties motion stands until

eron, an official referee, of March 18, 1912. By arrangement between parties motion enlarged one week.

Re Mercer Estate—F. W. Harcourt, K.C., for infants; C. A. Moss for administrator. An appeal on behalf of infants from the order of the surrogate judge of Oxford. Reserved.

Cumpling v. Goldring—D. Urganart

Cumming v. Goldring-D. Urquhart for vendor; E. Coatsworth, K.C., for

Divisional Court. Before the Chancellor; Teetzel, J., Kelly, J.

Winnipeg Free Press, May 14: No paper anywhere in Canada is showing contra. Motion by plaintiff for leave any sign of the slightest inclination to to set appeal of plaintiff down for prestand by the side of The Toronto Globe sent sittings of the court. Leave grant-

Stevens v. G. T. R. Co.—J. R. Logan (Sarnia) for plaintiff; D. L. McCarthy, K.C., for defendants. An appeal by plaintiff from the judgment of Sutherplaintiff from the judgment of Sutner-land, J., of April 4, 1911. This is an action by Minnie Stevens, widow of Robert H. Stevens, late of Petrolea, and a brakeman in defendant employ, who was accidentally killed on Feb. 12, 1912, while coupling cars in the yard at Petrolea, and unstated damages. Upon the findings of the jury at the trial the action was dismissed with costs, if asked. Appeal argued and dismissed without costs.

Sovereign Bank v. McDonald—J. W. McCullough for plaintiff. An appeal by defendant from the judgment of the county court of York of Dec. 16, 1911. No one appearing to support appeal it was dismissed with costs.

After 20 Years Thamer v. Jundt-J. C. Makins, K.C., for defendants; G. G. McPherson, K.C., sessential that the need some suit, as the necessary result, a corresponding reduction in its many men who are not criminals by insult, a corresponding reduction in its many men who are not criminals by insult, a corresponding reduction in its stinct or education.

PRESENTATION TO MR. EDDIS

Sion that piles can only all the attendant surgical operation, with all the attendant surgical operation with all the attendant surgical operation and surgical operation with all the attendant surgical operation with for plaintiff. An appeal by defendant from the judgment of the surrogate

Before Garrow, J.A.; Meredith, J.A.;

perhaps cannot, approach the big prob-lems of a greater Toronto. Of the con-lems of a greater Toronto. Of the conmay be said that many of them are well meaning men, but the council, as its service. The presentation of the perfect when the bank recently after many years in months, and it leaves me in perfect. months, and it leaves me in perfect ter memo, of terms of settlement, and consent of counsel above named being filed with the registrar, ordered that leave to either party to apply to have it restored if settlement not consummated. Northern Sulphite Mills, Limited, v. The Occidental Syndicate-C. A. Masfendants; I. F. Hellmuth, K.C., and J. H. Moss, K.C., for plaintiffs. An appeal by defendants from the judgment of Meredith, C.J., of Nov. 6, 1911. An action by receiver of plaintiff company. for the delivery to the receiver of 52 first mortgage bonds of the Imperial for Michie & Co. Ltd.

first mortgage honds of the imperial Land Co., which bonds are claimed to have been purchased by and to be assets of the Northern Sulphite Mills. At the trial judgment was given declaring

Sinking Funds

"A sinking fund is a trust in the strictest sense of the word.'

This Corporation is a legal depository for Trust Funds. Its debentures are a legal investment for Trust Funds. We offer our services to any who have sinking funds to invest. A number of municipalities have their sinking funds invested in our Debentures. We shall be glad to furnish full particulars

Canada Permanent Mortgage Corporation Toronto St., Toronto Established 1855.

that the 52 bonds of the Imperial Lan Co., reported in court, are the property lien of defendants for whatever they pard for the bonds, and referred it to the master in ordinary to ascertain the amount so paid. Appeal argued and udgment reserved. This case concluded one of the long

est recent sittings of the court-49 cases were entered for hearing, 44 were heard and five adjourned, besides 12 Just a Dog Fight

Roosevelt and Taft Have So Dis credited Each Other Americans May Have to Look Elsewhere

LONDON, May 16 .- (Can. Press.)-The Pall Mall Gazette says in an editorial article: "Mr. Roosevelt is certainly going to make a race with his op-His easy victory in Califo upsets all the calculations of the Taft party, and if his success should be repeated this week in the latter's own state, Ohio, the president's chances o nomination will almost have vanished "The two candidates have cover

each other so thickly with mud that the American people may be compelled for their own dignity to find some other occupant of the White House. The 'dog fight,' as it has come to be called, even the distant, detached onlookers. spect due to the head of a great friend ly nation, but the manners of this continent are not making it easy to

Canadian Manufacturers' Association on Choice of Successor to Judge Mabee -New Chairman Must Be Depended on to Deal Without Fear or Favor.

ciation has placed itself on record in connection with the death of the late Judge Mabee and the appointment of his successor in the two following resolutions, passed at a meeting of the executive council yesterday:
"The executive council of the Canadian Manufacturers' Association hereby records its profound regret at the death of Hon Jas. Pitt Mabee, chairman of the board of railway commis-sioners for Canada, and mourns with

other business interests the loss sustained in his removal. entered for hearing, 44 were five adjourned, besides 12 de to the court.

Dog Fight

Says Pall Mall

Says Pall Mall

Taft Have So Distant Taft Have So Dista

sincerest sympathy to the family of the deceased in their sad hereavement.

Appointment of a Successor.

"In view of the increasing work and larger field of activity, it would seem that very great care should be exertised. cised in the selection of a successor to the late chairman, as we believe this to be the most important public office under the care of the government. no right or disposition as an associathe Government of Canada for its consideration in connection with the vacandy caused by the passing away of the late chairman, we would, however. at the same time express our intense interest in this matter and hope that the seclection made will be such as to

concerned from sea to sea in the Do-

eet with the approval of all interests

SPECIAL EXTRA The Canadian Manufacturers' Asso-



the necessary legal qualificat

Toyed With Fog Signal BELLEVILLE, May 16.—(Special Arthur Barnum, a lad ten years of a

Service Must Speak

A STORE is almost human. It is full of temperament. It affects each customer with the composite personality of its management and staff.

There are stores and stores. There are "grouchy" stores and "smiling" stores. There are flippant stores and dignified stores. And the peculiar thing about each is that the goods or the prices have little to do with the store's temperament. It is the personality of the store that colors and defines the character of the goods from the customer's view-point and wins or repels approval.

The temperament or personality of a store is vividly expressed in its face. The face of a store is its advertising. You can judge a store by its advertising the same as you

can judge a man by his facial expression.

Stores that honestly try to serve their customers best simply can't help advertising. It is the way of human nature that when we have spent the best of our brain power and physical and financial resources in building up something worth while, our enthusiasm bursts forth into publicity. We simply cannot restrain the desire to tell others about it.

In the long run, service is what you pay for, always. The goods, as goods alone, are incidental. Service implies quality, fair prices, safe treatment, and honesty in every detail of every transaction.

The service store is the "serving" store. It is also the honest advertising store. By this you may know it always---anywhere.

> Advice regarding your advertising problems is available through any recognized Canadian advertising agency, or through the Secretary of the Canadian Press Association. Room 503, Lumsden Building, Toronto. Enquiry involves no obligation on your part -so write, if interested.

MAY 17 1912

Tailored with Coat ed mate

JOHN (

Dring

20 Eac

ics. Our sty

lusive, and

Prices from

We have

Ladies'

Press.)—The Frederick VIII ed on its jour o'clock this n simple service the hotel before down stairs before the ployes, attired tury costumes, lets, knee broblack plumed the widowed lotel on the ar third ion. Prin cesses Thyra youngest childs and traveled v

ums as the estuneral car at mains will be

PROCLAIME