

The Toronto World

FOUNDED 1880. A Morning Newspaper Published Every Day in the Year. WORLD BUILDING, TORONTO. Corner James and Richmond Streets. TELEPHONE CALLS: Main 5300—Private Exchange Connecting all Departments. Readers of The World will confer a favor upon the publishers if they will send information to this office of any news stand or railway train where a Toronto paper should be on sale and where The World is not offered.

THURSDAY MORNING, SEPT. 15, 1910

UNWILLING OBEDIENCE.

Large bodies move slowly, but when once they get under way, they usually forge ahead with considerable momentum. Manager Fleming's announcement that he has "got a move on," after prolonged deliberation, and no doubt consultation with the highest legal authorities, ought to encourage the city government in a course of common sense consideration of the needs of the people.

What the people need, corporations and laws and all authorities must sooner or later recognize, and the sooner they do so the higher they will stand in the public favor. Mr. Fleming's declaration that he accepts the order of the Ontario Railway Board as a matter of compulsion and not with any intention of recognizing the validity of the act under which the board made the order, may be taken for what it is worth.

The street railway people have always made the mistake of doing things for Toronto in the most ungracious way. The new lines were inevitable. It would have made everybody feel good if the railway had whatever legal protest appeared to the railway advisers to be necessary. The protest now made is not the least more effective on account of the delay. But the delay shows just how far a private corporation will put itself about to oblige the people by whom and out of whom it derives its existence.

When next the railway board issues an order, and the board has been by no means officious in the exercise of its jurisdiction, perhaps the street railway company will remember the virtue of early compliance and obedience. "He gives twice who gives quickly." It is a form of generosity which has the advantage, to a corporation, of economy.

THE REAL RADIAL COMPANY.

Students of civic affairs might make a note of the fact that the Toronto Railway Company owns the entire capital stock of the Toronto and York Radial Railway Company. It also controls the Toronto Power Company, which, in turn, controls the Electrical Development Company.

This is the real reason of the refusal of the Radial Railway Company to come to terms with the city about the admission of the radials to the city centre. What the railway company wants is an agreement which will admit the radials over the city lines by an agreement which will entangle the city in a perpetual franchise and block the city in its intention to recover the franchise.

Goaded by a quenchless thirst for dividends, self-preservation is the only motive that actuates the Protean creature. It does not give a hoot for the rights of the people.

GO BY WATER-FRONT.

Hon. Adam Beck and Mayor Geary have been agreed about the location of the right-of-way for the hydro-electric power transmission lines ever since the matter has been under consideration. A majority decided against their advice to have the lines on the waterfront. The result has been a long delay after which the application to the Dominion Railway Board for leave to appropriate a strip alongside the Grand Trunk line has been refused.

There should be no further delay now, and there should be none about locating the lines along the waterfront. Timid people have felt alarm about the heavy voltage carried by the lines, but with the safety appliances adopted by Engineer Sothman, there is less danger from the hydro-electric lines than from the trolley wires on the city streets.

AN INARTISTIC CRITIC.

Sir Edmund Walker has done himself proud in the matter of the new city Art Gallery. We will all account that to him for righteousness. But in the matter of public ownership of public utilities, Sir Edmund belongs to an archaic ante-pre-Raphaelite school, whose works are outside the canons of all good art. If he be correctly reported, Sir Edmund said, "There will be increased discomfort under civic control, for it will not be managed as well as it is now." He was referring to the city railway. Even Guelph can tell him better than that.

But we are getting along. The earlier argument against public ownership was that while there might be better accommodation, the expense would be so great the people could not afford it. The postoffice is the standing refutation of all these objections.

"O CANADA!"

The Evening Telegram is hard at

work booming "The Maple Leaf Forever." That is the difference between it and "O Canada," which does its own booming. The Telegram refers to the "pale beauties" of "O Canada"; to its dirge-like effect, and other characteristic depreciations are invented to persuade people against the evidence of their ears, which The Telegram would undoubtedly describe as long.

The Telegram is delighted to find that Lieut. Williams of the Grenadier Guards Band did not think "O Canada" was original, but suggested Handel's "March, from Scipio." That, of course, is sufficient to damn "O Canada" with The Telegram. Had there been a few strains of "Suwannee River" or "Dixie's Land" in it the tune would not be so offensive. Lieut. Williams, as The Telegram admits, tho' it is the highest legal authorities, ought to encourage the city government in a course of common sense consideration of the needs of the people.

The World has never said one word against "The Maple Leaf." The Telegram's pet tune. Alexander Muir is to be honored for having supplied Ontario with a song which will ever have many tender memories around it. It is by no means original in its phrases, but if it does echo "God bless the Prince of Wales" and other national airs, and has a suspicion of rag-time about it, that would be no better reason for objecting to it than for objecting to "O Canada" because it reminds a musician of one of Handel's marches.

The popularity of a tune is not to be decided by argument or prejudice or abuse. When the people like a tune they like it, and no power can take away their appreciation nor supplant it. Those who heard the grand stand whistling "O Canada" at the exhibition on Children's Day are not worrying about the future of "O Canada." The Telegram, in its report of the Grenadiers' concert on Monday evening indicated what the people feel and Lieut. Williams' opinion of the tune, which his sense of musical climax led him to use as a prelude to the national anthem.

"Everybody stood up to hear 'God Save the King.' But, with his finger on the pulse of his audience, Dr. Williams did not order this. His men played, instead, 'The Maple Leaf Forever' and the blood coursed quicker thru Canadian veins. On it thrived, faster and faster, as the tune changed to 'O Canada.' The air was electrified with loyalty." Just watch R. J. making tracks.

A Musical Critic From Up North. Orangeville has a musical critic and who has shown his originality by finding the excellence of a band by the distance its tone carries. He may be rural, but he is no rook. It seems he came to the Canadian National Exhibition chiefly to hear the Grenadier Guards' Band. With a Torontonian he stood listening to the intermezzo from Mascagni's "Cavalleria Rusticana," in which certain passages are played pianissimo.

Turning to the urbane, he remarked, "Say, they ain't playin' that 'Right Right'." "Not right," his companion replied; "why, that's one of the greatest bands on earth." "It may be great," retorted the rural music critic, "but you can't hear the Orangeville band three times as far."

FOR A GOOD CAUSE.

The many who enjoyed their cup of tea at Thomas J. Lipton's booth during the exhibition, will no doubt be glad to learn that the sum of \$376.20 was realized by this means and turned over to the Sick Children's Hospital. There is no doubt that had the space been greater the amount mentioned would have been more than doubled, as hundreds who were anxious to participate in this movement were turned away each day owing to the lack of space wherein to accommodate them.

Fine Upright Piano for \$175.00.

The old firm of Heintzman & Co., 115-117 King-street west, Toronto, are offering some unusual values in slightly used pianos of well-known makers. To-day's news is of a handsome Mason & Fleish upright, in walnut case, for \$175, less than one-half original price.

Monastery Closed, Jesuits Expelled.

LISBON, Sept. 14.—The monastery of the Spanish Jesuits at Alda-Ponte has been closed by a government decree, and the Jesuits have been expelled from the country and warned that if they return to Portugal they will be arrested.

Canada Scores Here.

LONDON, Sept. 14.—A member of the special Danish commission who lately visited Canada to study the system of packing, collecting and transporting meat and dairy produce, says the methods employed in the United States cannot compare for cleanliness and despatch with those in every day practice in Canada.

Fined for Blocking Crossing.

In the afternoon police court J. P. Rafferty, a C. P. R. freight conductor, was fined \$20 and costs by Magistrate Kingsford for allowing a train to block the foot of Yonge-street for longer than the five minutes allowed by law. According to P. C. Holmes, who laid the information, the crossing was blocked from 5.56 to 7.03 p.m., Aug. 31, and a great crowd of people were inconvenienced. Conductor Rafferty declared the train had forty-seven cars and was feeling its way into the yards.

Tobacco Habit

Dr. McTaggart's tobacco remedy removes all desire for the weed in a few days. A vegetable medicine, and only requires touching the tongue with it once a day.

Liquor Habit

Marvelous results from taking his remedy for the liquor habit. Safe and inexpensive home treatment; no hypodermic injections, no publicity, no loss of time from business, and a cure guaranteed.

Address or consult Dr. McTaggart, 33 Yonge-street, Toronto, Canada.

PHOTOGRAPHS

Everyone knows the pure delight and the great pleasure afforded to friends from photographs.

The Favorite Camera, and the one known to all who know, as the best to be had to-day is

The ENSIGN

It is made in all sizes and styles, and with every modern attachment. Get a reliable "ENSIGN" to-day. Prices from \$1.50.

UNITED PHOTO STORES, LIMITED

15 Adelaide St. East, Toronto Phone Main 1745. Also at QUEBEC, MONTREAL, OTTAWA

TEN CASES OF INFANTILE PARALYSIS IN BRANTFORD

Situation is Regarded as Serious—Houses Not Placarded—Not Considered Contagious. BRANTFORD, Sept. 14.—(Special).—Ten cases of infantile paralysis have been reported to Medical Health Officer Pearson in this city. The cases include grown-up people as well as children, and are regarded as serious in that district industrial switching facilities. The conference ended with the usual indefinite results.

LAYMEN'S MISSIONS

Campaigning in Ontario to Progress This Fall. W. Senior and James Ryrie will be in Hamilton to-night addressing a meeting in Stanley Avenue Baptist Church, where the laymen's missionary movement will be inaugurated. On Sept. 15 the Methodist branch of the laymen's missionary movement will inaugurate a three weeks' campaign in Peterborough. During the third week meetings and banquets will be held in all laymen. During the week ending Oct. 9, a similar meeting will be held in Toronto, and another will follow in Brantford. At the close of this session, Secretary J. H. Arup will go west with the other denominational secretaries, and will work in the western cities until Christmas. The month of January will be devoted to meetings in Toronto.

BOOKER T. JOINS "OUTLOOK"

Dr. Washington Abroad Studying Social Problems for Magazine. NEW YORK, Sept. 14.—Dr. Booker T. Washington, president of Tuskegee Institute, has joined the staff of the nearest Protestant church to Batocche, Archdeacon Lloyd is an enthusiastic patriot and his understanding of conditions, past and present, in the north-west assures a very animated and beneficial address from him.

STOLE STAMPS

Ex-Bank President and ex-Chief of Police and Crook Indicted. WICHITA, Kan., Sept. 14.—W. F. Natzger, until a week ago president of the Fourth National Bank of this city; Frank S. Burt, ex-chief of Wichita, and John Callahan, alleged leader of a gang of bank and postoffice robbers, were indicted by a federal grand jury here this afternoon on charges of conspiring against the government and receiving and disposing of stamps, which it is charged they knew were stolen from the government. The value of the stamps mentioned in the indictments is \$1500.

C.M.A. in Portage la Prairie.

PORTAGE LA PRAIRIE, Sept. 14.—(Special).—The members of the Canadian Manufacturers' Association were given a royal reception on their arrival here to-day. The visitors were met at the station by representatives of the city council and board of trade.

Prevent and Relieve Headache

"It gives me great pleasure to be able to refer to Dr. Miles' Anti-Pain Pills as the best remedy we have yet had in our house for the prevention and cure of headache. My wife who has been a constant sufferer for a number of years with above complaint joins me in the hope that they may fall into the hands of all sufferers." JOHN BUSH, Watervliet, Me. Used Them Four Years. "Dr. Miles' Anti-Pain Pills are the best I ever tried for the relief of headache. I have used them for nearly four years and they never fail to give me relief. I have tried many other remedies, but have never found any better." JOSEPH FRANKOWICK, 854 Trembley Av., Detroit, Mich. There is no remedy that will more quickly relieve any form of headache than Dr. Miles' Anti-Pain Pills. The best feature of this remarkable remedy is the fact that it does not derange the stomach or leave any disagreeable after effects. Druggists everywhere sell them. If first purchase fails to benefit, your druggist will return your money. MILES MEDICAL CO., Elkhart, Ind.

FATHER VAUGHAN'S VISIT

Will Address the Empire Club Tonight on Citizenship. Rev. Father Vaughan, whose addresses at the eucharistic congress in Montreal have attracted a great deal of attention, will be the guest of the Empire Club at a special dinner to be given at 8 o'clock this evening. The subject of the address will be "Empire Citizenship." Tickets will be provided for 500, which will be reserved for members of the club until 2 o'clock in the afternoon. After that time the balance will be sold to the public. Father Vaughan will spend to-day at Niagara Falls.

Convictions in Sessions Court.

Two convictions were found in the sessions court yesterday. John Jackson was found guilty of committing an indecent assault on a ten-year-old girl and Frank Montague was convicted by Judge Denton for stealing a suit of clothes from the case of F. J. O'Connor, a roomer in his house at 85 Power-street.

True bills returned by the grand jury in court yesterday, were against James B. Crawford and Trico Skiliff, both wounding with intent to maim; William P. Riddell, three charges of obscene language; Louise Flieve, throwing convulsive fluids with intent to maim, and Carmone Montone, incest.

Called to Fisherton.

FLESHERTON, Sept. 14.—A unanimous call has been extended to Rev. J. H. Kelly of Elmbrook, by the Baptist congregations of this charge. The call has been accepted by Mr. Kelly, who will commence his pastorate on Oct. 3.

AT OSGOODE HALL ANNOUNCEMENTS.

September 14, 1910. Motions set down for single court for Thursday, 15th inst., at 11 a.m.: 1. Re Henderson and West Niasourt. 2. Frood v. Connell. 3. McLean v. Sauls St. Marie. 4. Freure and Bliton v. Dominion Natural Gas Co. As Thursday terminates the vacation arrangements, judges' chambers will not be held on Thursday at conclusion of court, but on Friday, 16th inst., at 11 a.m. Cases in which notice of motion was given for Thursday will stand adjourned until Friday.

Master's Chambers.

Before Cartwright, K.C. Master. Burns v. Loughrin, et al. Macintosh, for defendant. J. R. Meredith, for plaintiff. Motion by defendant for examination of plaintiff on his further affidavit. Judgment: On the former motion I allowed the plaintiff to file a further affidavit, he to submit to cross examination thereon if so desired. This has been done, and defendant desires such further cross examination, on which plaintiff must attend, without further payment.

Durves v. Kaufmann.—D. L. McCann, for defendant. I. S. Fairty, for plaintiff. Motion by defendant for further security for costs. Judgment: The action is one of considerable technicality and no doubt the cost of proceedings up to and inclusive of the trial will exceed the ordinary amount. I think that a further sum of \$1000 will be adequate protection as present to the defendant. The additional security should be given in three weeks, all proceedings to be stayed meantime. Costs of motion in the cause.

Rex v. Boyle.—A. T. Davidson, for plaintiff. Motion by plaintiff on consent for a commission to take evidence at Dawson City. Order made. Ontario Lime v. Grimwood.—R. H. Greer, for defendant Grimwood. H. H. Shaver, for plaintiff. Motion by defendant for an order vacating certificates of lien and its pendens as to four south houses. Reserved.

Standard Chemical v. Whitmore Brothers (2 actions).—W. S. Edwards, for defendants. Motion by defendants on consent in both actions for orders dismissing actions. Orders made. Jackson, City of Toronto.—H. Howitt, for defendants. E. C. Cartanach, for plaintiff. Motion by defendants for an order striking out jury notice under O.J.A. sec. 104. Judgment: As I understand the judgment of Riddell, J., in Brown's case, the test as to the application of sec. 104 is whether or not a plaintiff can allege a cause of action not based upon non-repair of the highways. Here in par. 2 the action is expressly based on the alleged failure of defendants "to construct, maintain, and keep in repair" the sidewalks in question. It was suggested that the allegation in par. 4 was not of this nature. But the plaintiff cannot derive any assistance from this, as it is not alleged that any duty is cast upon the defendants, either statutory or at common law, to furnish light. But if any such duty existed it would still seem to be a matter non-repair of the highways. Motion granted with costs to defendant in any event.

Northern Crown Bank v. International Electric Co.—F. Arnold, K.C., for plaintiff. J. R. Meredith, for defendant. Motion by plaintiff, for an order striking out the statement of defence for default in making production, and for particulars of statement of defence. Judgment: Motion to strike out statement of defence dismissed with costs to plaintiff in any event, the affidavit having been filed since motion was launched. The plaintiff is entitled to have a substantial compliance with the demand for particulars. Particulars should be furnished in a week. Cost of this motion to the plaintiff in the cause.

Davis v. Winn.—J. MacGregor, for plaintiff. W. E. Ranney, K.C., for defendant. Motion by plaintiff for an order for payment by defendant to plaintiff of costs of the action, the defendant having complied with the order of the plaintiff. Judgment: It is no doubt most regrettable that this action should have been necessary, but I cannot say that plaintiff was to be blamed for a deed which has since been given him. Defendant can apply on passing her accounts to the sum of \$200, which (if defendant consents) I fix at \$50, payable in two weeks.

Judge's Chambers. Before Middleton, J. Re Dixon.—A. R. Cochrane, for purchaser. F. W. Harcourt, K.C., for infants. Motion by motion for money on account of mortgage on payment of additional interest to be computed by the accountant. Order made. The sum of \$2000. Injunction granted. F. W. Harcourt, K.C., for infants. Motion by mother of infants for an order for maintenance. Order allowing the sum of \$100 per month for maintenance, and allowing \$100 a year for maintenance for ten years.

Single Court. Before Middleton, J. Aggett v. Aggett.—T. N. Phelan, for plaintiff. Ex parte motion by plaintiff's husband to have defendant (his wife) restrained from withdrawing from the Home Bank, or any other bank in which same may be deposited, the sum of \$2000. Injunction granted until 21st instant, as asked, with liberty to defendant to move to dissolve at an earlier date.

Non-Jury Assizes.

The non-jury assize court opens next Monday in court room No. 4, at 11 o'clock, before Justice Clute. There are 45 cases on the list, most of which have been carried over from the spring assizes.

Toronto Train Service Requirements.

An indication of the popularity of the new train leaving North Toronto at 10 p.m. for Montreal and Ottawa, which has been in operation but two weeks, is the fact that the announcement is made that this train will carry two regular sleepers for Montreal, instead of one, as heretofore, as well as the through coaches for Montreal and through coaches and sleepers for Ottawa. The train leaving the Union Station at 10.30 p.m. carries through sleepers for Ottawa and Montreal, as in the past.

Given a Diamond Ring.

Leslie Wilson, inspector of the City Dairy Company, was presented with a diamond ring by the employees on the occasion of his severing his connection, after eight years' service, to go into business for himself. The presentation was made by R. E. Tremble.

The royal commission on Industrial Training and Technical Education will meet at the city hall here on Oct. 4 and 5.

Reckon up

What You Gain

The wealth of a nation is built up by what its individual members are able to save. Reckon up what you may save in a year's smoking—and at the same time gain in additional smoking pleasure, by smoking Black Cat MILD or MEDIUM Cigarettes. You cannot get better quality MILD or MEDIUM Cigarettes, no matter what price you pay. Why then squander your money? Simply thinking that because you pay more you get a better cigarette. I am saving smokers of Black Cat Cigarettes thousands of dollars every year, by refusing to give them anything but the very best tobacco grown in Virginia. Smokers of Black Cat Cigarettes gain greater smoking pleasure while actually paying less money. Would I make this kind of statement if I could not "make good"?

Black Cat "MILD" VIRGINIA CIGARETTES

10 for 10 Cents

All free and independent tobacconists stock and sell Black Cat Virginia Cigarettes. "Mild" or "Medium," 10 for 10 cents.

THE TEST. Take any Virginia Cigarette, at any price, and light it, at the same time lighting a "BLACK CAT." Smoke from each immediately detect the difference.

CARRERAS & MARCIANUS CIGARETTES, Limited, MONTREAL

SEX OF THE BODY NOW SAID TO BE DOUBTFUL

Witness Admits It Cannot Be Told by Anatomical Study—Crisis in Crippen Case. LONDON, Sept. 14.—Under shrewd and merciless cross-examination to-day by Attorney Arthur Newton, Dr. Pepper, the government analyst, practically repudiated much of his former testimony, and admitted that it was impossible to determine the sex of the remains supposed to have been the body of Belle Elmore Crippen from an anatomical study of them.

Pepper's admission leaves the question of the body's identity dependent upon a few strands of hair found in curlers near the body, another lock of hair found knotted in a man's handkerchief, and the remnant of a woman's under-garment.

The evidence of the hair, however, was rendered practically valueless by Pepper's admission that the hair found in the curlers was dark, while that in the handkerchief was light and much shorter than that in the curlers.

Pepper testified that the person who removed the viscera of the body must have been both a student of anatomy and a clever surgical operator, as the work equalled that of a professional surgeon.

Pepper added that the scar on the body, by means of which the prosecution is also trying to prove the identity, was probably old.

"What makes you think the scar resulted from an operation?" Newton asked. "Because from the nature of it, and its position, it could hardly have come from an accident," Pepper replied.

Dr. Pepper earlier in the day admitted that when he first saw the remains of the woman supposed to have been Belle Elmore Crippen, he thought they were animal remains. It required close inspection, he said, to determine that they were remnants of a human body.

After Pepper left the stand, the hearing was adjourned until Friday. Miss Leneve is rapidly breaking down. Her periods of station to-day were always followed by moments of depression. That she is on the verge of a nervous collapse was shown by her convulsive actions, which she made every effort to hide.

A Presentation and Celebration.

While a "German band" tooted "Just One Girl," Fireman Bill Copeland, of Hose No. 9, Dundas-street, was last evening presented with a fish set of cutlery by the boys of that station. He is to be married to-day. After the presentation, yielding to the persuasion of his comrades, the happy recipient donned his fire helmet, and, with the band playing the "Honey-moon March," led a miniature parade.

PEASE "ECONOMY" FURNACE

(Warm Air) No ashes to sift—every possible bit of coal is consumed—every heat unit extracted. Write for booklet—"The Question of Heating."

PEASE FOUNDRY COMPANY LIMITED

Toronto - Winnipeg 2340 OFFICE AND SALESROOMS: 35 Queen Street East, Toronto.

NEARLY EVERYBODY

can spare a dollar or so from his weekly or monthly income. Then why not open an account in our Savings Department, where your capital is secure, and where you receive Four Per Cent. interest on your monthly balances?

THE DOMINION PERMANENT LOAN COMPANY

12 KING STREET WEST. THE POPE IS ILL. ROME, Sept. 14.—The Pope is seriously ill, and consultations are being held by his physicians regarding his condition. It is said that worry over reverses which the church has sustained recently in Spain, France, Austria and Germany has caused his sickness. A complete rest will be ordered by his doctors.

The bathing station at Fisherman's Island will be re-opened on Friday, and will remain open as long as there are patrons, Sundays included.