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The Toronto World

SIXTEEN PAGES—SATURDAY MORNING, APRIL 11 1908—SIXTEEN PAGES

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28TH YEAR

CITY'S STREET RIGHTS RESTORED

ORIGINAL AGREEMENT WITH RAILWAY TO GOVERN LEGISLATORS DENY ANYTHING WRONG

Mr. W. K. McNaught's Amendment to Bill Which the Private Bills Committee Rejected is Carried, After Some Criticisms of the City Authorities and Press.

NO "LOBBY" TO INFLUENCE SO THE MEMBERS SAID.

Toronto had restored to her by the legislature yesterday the rights—what ever they were—which existed under the original agreement between the city and the railway company.

This was accomplished by W. K. McNaught, who moved a resolution notice of which had been given. Some slight verbal changes which he desired to make were considered out of order by Premier Whitney, but at Mr. McNaught's request Mr. Gage moved as an amendment to the resolution altered by Mr. McNaught and this was adopted as follows:

"Notwithstanding anything contained in the act passed in the 35th year of the reign of Her Late Majesty Queen Victoria, and chapter 99, and intituled 'An act to incorporate the Toronto Railway Company and to confirm the agreement between the corporation of the City of Toronto and George W. Kieley, William Mackenzie, Henry A. Everett, and Chauncey C. Woodworth,' and notwithstanding any judicial decision interpreting the effect of the said act and the said agreement, it is hereby declared, that it is and always has been the true intent and meaning of said act, that the rights retained by and secured to the Corporation of the City of Toronto by the said agreement as to the control and management of the streets of the said city, and as to establishing and laying of the said city as may be from time to time recommended by the city engineer and approved by the city council have not been and are not affected by the said act, but said rights remain and are as set out in the said agreement scheduled to the said act."

The point made by most of the speakers was that the resolution was that rejected by the city in the private bills committee, and that it was against the city's attempt to construe the agreement. Premier Whitney favored the clause and complimented Mr. McNaught on his speech. Hon. Mr. Foy supported the city in a fine speech, and Hon. A. G. Macdonald acknowledged the justice of the city's position. Herbert Lenoir felt that he had been misrepresented, and declared his support of the clause.

When the Franchise Was Turned Over Mr. McNaught described the evidence of 1881 when the city bought the old street railway company from Kieley Bros. It was debated whether it should be run as a civic enterprise or leased. It was finally leased to a syndicate of Messrs. Kieley, MacKenzie, Everett and Clark for 99 years from Sept. 1, 1881, and ending Aug. 31, 1980. The syndicate paid \$1,453,788 for the system and privileges bought from Toronto, and sold it to a company organized for the purpose for an unknown sum. This company was incorporated and issued \$3,613,378 worth of bonds, and \$500,000 common stock. They asked the legislature to pass an act incorporating the company and to legalize the transfer of the contract made between the city and the first company, and also to enable them to operate the franchise. The date of the agreement was Sept. 1, 1881, and the act of incorporation was April 14, 1882.

The original agreement was drawn up with great care under the late Mayor Clarke, and to assure the safeguarding of the city's rights Samuel Blake, K.C., was employed by the city to look after the drafting in conjunction with the city solicitor of the day—C. W. R. Biegar. IN THE AGREEMENT THE RIGHT OF THE CITY TO THE CONTROL OF ITS OWN STREETS WAS VERY CLEAR. Mr. McNaught read clauses 11 and 14 of the contract to demonstrate this. To show that there was a part of the contract and of the act he also read section 12 of the agreement.

Somebody's Carelessness. The clause in the act respecting this was not worded in exactly the same way as in the agreement, and it was impossible to explain just how this was. Possibly the city solicitor, seeing that the city was not one of the contracting parties to the transaction (although it was an interested party) did not give it the close scrutiny it deserved. Possibly he relied wholly on the agreement, feeling that it really governed the matter. At all events the clause in the act being governed by the clause in the agreement, it probably appeared safe for the city.

Mr. McNaught read the following letter from Mr. Biegar:

98 Kendal Avenue,
Toronto, April 9, 1908.

"My dear sir, I have your letter of this date asking, first, Was it contemplated under the agreement of Sept. 1, 1881, that the city should surrender to the Toronto Railway Company this right of control over the city streets?"

"No, neither by the city, nor G. W. Kieley, William Mackenzie, H. A. Everett and C. C. Woodworth, called in this agreement 'the purchasers.'"

"Second: Did the company during your term of office, ever even claim that the right of control over the city streets had been transferred from the city to the company, under the agreement?"

Ans: "Never in any shape or form. Signed C. W. R. Biegar."

Three Men Who Know. Mr. McNaught presumed Mr. Biegar had consulted with Mr. Blake about the matter and was satisfied that the city would come to the city. The three men who know all about the matter are Mr. Biegar, Mr. Blake and R.

That Pest, the Lobbyist

Premier Whitney "declared himself" on the question of lobbying, during his remarks on the city's bill in the legislature yesterday.

For 15 years, he said, he had heard the motives of hon. members aspersed.

Nothing had been going on in an improper sense, but there had been too many attempts in the past five or three weeks to influence legislation. The tendency grew on people to ask all sorts of legislation which was quite wrong. In the last ten days three to six people met him in the corridor each day, five out of ten of whom asked things not of a criminal nature, but which they should not get. He could never again go thru the same ordeal in another session.

He purposed that before another, with the assistance of some experts, he would have some regulations formulated concerning this matter. There was a fear that the legislature itself should become a disorganized body. Some thought one thing should be done, some another. It was all right. There was nothing wrong, it was argued.

He might be allowed to say that the conduct of business on both sides of the house was not what it ought to be. Primarily, he stated, he was to blame for that more than anyone. He had kept an informal record and found that some public bills had been called between 25 and 35 times and each time they were asked to stand. The federal house was more strict, and he was sure the members would agree with him that there must be a change.

As Mr. MacKay had said, there was no such lobby here as in the States. Lobbying meant pervading the corridors to influence, positively or negatively, the course of legislation. The people might be honest in themselves, but their methods were not proper.

ONTARIO A DUMP FOR INSANE PEOPLE

Hon. Mr. Hanna called the attention of the legislature last night to the effect of immigration in the last year or two upon the inmates of the provincial institutions. He had just received a telegram from Port Arthur, as follows:

"Port William police magistrate has committed ten male Doukhobors to Central Prison, nine females to the Mercer Reformatory. They are all insane. We have no room for them. Fifty-three other prisoners here now. There are fifty-seven other Doukhobors at Port William, some of whom had been in the hospital. They have burned their clothes and are naked. Alex. W. Thompson, sheriff, is a matter of so many more inmates of the jails, but he dealt with, and the responsibility for which places wholly it belonged."

Also 80 per cent. were native born in the province, the inmates of the asylums were 20 per cent. foreign born. During 1907 there were 1182 patients admitted to asylums of the province, of whom 946 were foreign-born. During the past five years the percentage of foreigners admitted to these institutions had increased from 20 to 30 per cent. While the foreign-born of the entire adult population were only 20 per cent., the total admission of foreigners from that class was 30 per cent.

The figures showed the necessity of effective methods to prevent the dumping of the province of undesirable friends, and others aided by charitable associations with no other object than to get rid of the responsibility of providing for them. Taking into consideration the probable length of life of these patients, the cost of maintaining them admitted in 1907 alone amounted to \$1,076,880 without including any proportion for capital expenditure.

Make Up of Population. Of the estimated total population of the province, over 15 years of age, 1,209,308 were Canadians, and 291,676 foreigners or 20 per cent. of the whole. At the same time of the community to fall, 88 per cent. were of foreign birth, and the cost of providing for them amounted to \$1,724,655.

Toronto Asylum gave a practical illustration of the position. Of 262 persons admitted less than half were Canadians. Of course, many of the foreign-born had been resident in Canada for some years, but no less than seventy-seven were recent arrivals, who should have been deported if a satisfactory law had been in force. The majority of those people should not be allowed to enter Canada. Owing to technicalities only thirty-four came within the requirements of the Deportation Act, and therefore Ontario had to assume the cost of maintaining forty-three.

That meant that the province would have to expend and assume an obligation of \$24,000 for the support of people who had not the slightest claim for their consideration. No matter how it was regarded, the picture was one that could not be contemplated with equanimity.

The figures, he claimed, showed that the proportion of insane admission of the province was twenty-six times greater than it should be, and there was a strong suspicion that many were deliberately sent out from Great Britain to be got rid of. An analysis showed that whole families of degenerates were included among arrivals, and windings of all kinds, as well as many with criminal records, including sexual perverts and criminally insane.

Saving by Deportation. By deportation it was estimated that \$450,000 had been saved to the province. The total deportations amounted to 108 since 1904.

Leap Year Proposals From Wealthy Women The Wide World Over

James W. Ross Has Brand New Method of Trying to Arrange a Marriage of Self-Convenience.

GETS FREE ADVERTISING BY WRITING MAYORS

LADIES. "I shall esteem it a great favor to receive genuine leap year proposals for marriage, from bona fide, wealthy ladies only."

Applications in English to be addressed to "Sultor," care of His Worship the Mayor of—marked Leap Year Proposal.

The above is a sample of several hundred letters which have been forwarded to the preceding officials of municipalities the world over. To each is attached the footnote "for the newspapers only." With each has gone a photograph for reproduction.

With each has also gone a personal letter handwritten by "this worship." Here is a typical one:

Shuter St., Toronto, April 6, 1908. Sir—Kindly excuse the liberty I take in soliciting your worship's influence to have the following circulated widely in all papers throughout your worship's state and beyond.

Will your worship please remit name and address from papers and forward replies.

Should your worship wish to investigate my character I can refer to the Rt. Hon. Jas. Bryce, British Ambassador at Washington, U.S.A., also prominent gentlemen in this city, guaranteed by the mayor.

Trusting to receive your worship's worthy recognition and thanking your worship in anticipation. Believe me yours truly, James W. Ross.

James W. Ross isn't possessed of illusions. He is a fine looking chap, as his photograph shows, and there's no reason at all why it shouldn't attract favorable notices wherever seen. And it will be seen. A despatch from Binghamton, N.Y., last evening records that Mayor Clarence Stawson of that city has complied with Mr. Ross' little request, and that the application was given wide publicity in the evening papers. "Results are expected," it is added.

Mr. Ross resides on Shuter-street. He explained to a World man last night that he's in a dead earnest. He wants proposals of marriage. Perhaps, according to his original intentions, a rich widow with a bad cough would be his preference, but who knows but that little Dan Cupid won't trick him into a genuine love match before it's all over?

The World in His Parish. The Binghamton despatch is the first acknowledgment he's had of a batch of letters he sent out on Wednesday night at 8 o'clock, directed all over the world, outside of Canada. He covered the entire United States, and the capital cities of Europe, and even the prominent cities of South America and Australia. Asia and Africa came in for a fair share of attention.

The letters are sent to the mayors of the different places who are to extend the invitation to all whom it may concern. All applicants are to write to the mayor who in turn, if necessary, may secure credentials from the British ambassador to the United States, the Hon. Mr. James Bryce, or to the representative of His Majesty King Edward in whichever country the applicant resides. Mr. Ross has already informed these dignitaries as to his intentions.

Only wealthy women of good appearance will be given any consideration. "In earnest? Sure I am," he said last evening. "And sanguine of success, too. I've traveled three all countries worth seeing and I've been able to kick along here without having recourse to hard work. You fellows may snigger now, but I'll have the last laugh, see if I don't!"

He is a Scotchman, about 35 years of age, and has spent the best part of his life in the merchant marine. "So that I know something about women of every clime," he says. "Moreover, as far as I know I'm the first in the field, and I'll get the first call, there is something original about the scheme, you know (well, don't chide), and the ladies will take kindly to it I think."

According to the directory Mr. Ross has been clerk in the C.P.R. audit department. Just now he's living easy and waiting for the right girl to send along her proposal.

WILLIE FEELS SORE



MR. BULL: Say, 'e'd like jolly well to 'it Mr. Ontario, wouldn't 'e?

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U.S. RAILWAY MEN AMAZED AT THE RUSH

Settlers by Thousands Headed for Canada From Northern States—Seeding Under Way.

WINNIPEG, April 10.—A special from St. Paul, Minn., says: The volume of traffic from the States into Canada, at present has astonished even those railway officials who had expected a revival of the "American invasion." The rush northward is out of all proportion to the elaborate plans made by the roads with branches into British territory to handle the spring rush.

The Soo line alone has been notified that five special trains, loaded with American homeseekers and their household goods and even stock, will reach this gateway during Monday for trans-shipment over the road into Canada. Part of this traffic will be moved via Winnipeg and the balance thru Portage.

The Chicago Great Western is bringing a ten car train in from Iowa. The Burlington, two from Nebraska, and one from Iowa, and the Rock Island one from Kansas and Oklahoma. The destinations of these families are said to be Northern Saskatchewan and Alberta. The Battleford and Prince Albert districts in Saskatchewan are largely favored, but "anything north of the line" seems to be the cry.

Planting Outfits Arrive. "NORTH PORTAGE, April 10.—All trains arriving from the south are heavily loaded with settlers and land-seekers. They are bound for all parts of Saskatchewan and Alberta, and are a good class of settlers. A number of steam plowing outfits are coming in daily."

Seeding Under Way. WINNIPEG, April 10.—Reports from various parts of the province received to-day state that in many places grain was being put in, and work has commenced on the land in the greater part of Manitoba. The warmth of the last few days has cleared the land of snow.

Seeding, which commenced on the Portage Plains on Wednesday, continued yesterday, a number of the farmers taking advantage of excellent weather to put in the first of their crop for the season of 1908. At several points on the Estevan line of the C.P.R., including Estevan, Lethbridge and Calgary, grain is being sown, and the reports add that with present conditions seeding will be in full swing by Monday.

Help. Applications for help keep coming into the Dominion and provincial immigration departments in great numbers, and places can now be found without delay for over 1000 experienced hands. There are that many farmers who are looking for help, and the applications keep coming in by every mail.

BACK, EMMA, BACK! Winnipeg Wants Oliver to Keep Anarchist Out.

WINNIPEG, Man., April 10.—(Special)—Emma Goldman is not coming back to Winnipeg again if the civic authorities can help it. Although her recent visit here, which ended in her rather sensational disappearance across the boundary under an assumed name, passed off without untoward incident, the authorities fear that her propaganda may be upsetting to the foreign element in the city, and have consequently requested the minister of the interior, Hon. Frank Oliver, to take steps making it impossible for the woman to return to Canada from the States.

SIR FRED'S SUCCESSOR. Rumor Names Hon. G. H. Murray for the Position.

HALIFAX, N.S., April 10.—(Special)—There is a report in circulation here that Hon. G. H. Murray will shortly retire from the premiership of the province and will succeed Sir J. W. Borden as minister of militia and defence.

Mr. Murray will in turn be succeeded by A. K. McLean, M.P. for Lunenburg. The report comes from semi-official sources, and it is thought there is truth in the rumor.

Mr. McLean is now in Halifax, and occupied a seat in the local house during the sessions this afternoon.

FOUR YEARS FOR PERJURY. Woman Witness in Druce Case is Given Severe Punishment.

LONDON, April 10.—Miss Mary Robinson, one of the witnesses in the Druce case, was to-day sentenced at the Old Bailey to four years' penal servitude for wilful perjury.

NOT FOR SALE. Principal Matthews of the St. Albans Boys' School states that the school site is NOT available, even if it should be desired, for the new technical school.

END OF THE SESSION. The legislature adjourned at 1 o'clock this morning and will resume at 11 a.m. It is expected that the session will be ended before 6 p.m. Hon. Mr. MacKay having promised to facilitate this.

The redistribution and the city bills were given their three readings after midnight.

STARTED THE FURNACES. Orangeville's Splendid Cement Plant Down to Business.

ORANGEVILLE, April 10.—(Special).—The Superior Portland Cement Company started its furnaces to-day, and will be running night and day until next January with a staff of about fifty men. It is one of the best cement plants in Canada.

Jacob Haskins, 650 Yonge-street, who was beaten at his store the same night that Mrs. Davis was assaulted and just half an hour before, will see Slack in and effort to identify him as his assailant. Mrs. Fineberg, who was also assaulted by an unknown man in a similar way to which the assault was made on Mrs. Davis April 1, will also see Slack.

Slack was committed to Kingston Penitentiary for 12 years in company with one Fred Chambers for assaulting an old couple on Victoria-street in 1899. The men beat them with an ax and the crime came close to being murder. Since Slack's incarceration until this winter no similar crimes have been committed in the city. Slack was allowed out on parole in 1907 by reason of ill-health.

He has not been working steadily of late, being only employed on the moon relief at the Board of Trade Building. Mrs. Davis made immediate identification as soon as she saw Slack and was quite sure that another man, of somewhat similar appearance to him, was not the man.

J. W. Curry, K.C., is retained to defend Slack, who is held without bail. A strange coincidence is that Mr. Curry, during his tenure of office as crown attorney, prosecuted Slack when he was sentenced to the penitentiary.

The penalty for robbery with violence, which is the crime with which Slack is charged, is life imprisonment. His defence will be an alibi.