

# The Toronto World.

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Why Not Give Them The Country?

The newspapers these days are quite interesting. Down in Nova Scotia and New Brunswick certain sections of the newspaper press are calling every day upon the government to hurry up and make a free gift of the Intercolonial Railway to the Canadian Northern (Messrs. Mackenzie and Mann). This road is over a thousand miles long, has not one dollar of debt on it, and cost the country seventy or eighty millions, perhaps more.

The Globe of yesterday had a long story from the Canadian west, with a semi-editorial flavor about it, commenting on the magnificent plan of Alberta and Saskatchewan to guarantee the bonds of the Canadian Northern (M. and M.) to the extent of fifteen thousand dollars a mile for railroads in that province.

And then when we come to read The Mail there is a column editorial dealing with iron smelting in Ontario, and John W. Gates' attitude toward it, with the Moose Mountain iron mines, and winding up with some sort of reference to the City of Toronto giving Ashbridge's Bay to M. and M. for smelting works.

There is apparently just one thing left to do, and that is for the City of Toronto to guarantee the bonds of Mr. Mackenzie, so that he can purchase the Toronto Electric Light Company and relieve the city of further responsibility in this direction.

"To him that hath," etc. Mr. Mackenzie to-day is worth sixty millions of dollars, and therefore entitled to still further public assistance.

THE GOOD OLD ROBIN PLAN.

The Globe says Alberta and Saskatchewan, following the example of Manitoba (Gosh!) are willing to guarantee the bonds of the Canadian Northern Railway for \$15,000 a mile in order to get a lot of local roads. The Canadian Northern will thus pay the interest and own the road.

One would expect that this method might be improved.

These western roads cost less than \$12,000 a mile to build.

There are several things these provinces could do that might be better for themselves:

(1) Build the road and run it themselves, like Ontario.

(2) Build it themselves and retain the ownership of it, but let the railway run trains over it on condition that they pay the interest on the bonds and collect only state-approved traffic charges. This would leave the provinces free to assume the roads at any time.

Throw the thing open to competition; ask the Grand Trunk, the Canadian Pacific, anyone, what they'll do the work for, and get the closest terms.

As a people we are building railways and giving them to companies that are tyrannical thereafter. But Robin did it, and Robin is good enough for The Globe—If M. & M. are concerned.

RUNNING RIGHTS RHETORIC.

Mr. Willison of The Toronto News last night says he is against selling the Intercolonial Railway, but favors giving running rights over the road to its rivals. How would Mr. Willison like to give running rights to his rivals and especially to those who advocate the people's interests?

FARMING OUT THE TAXES.

We are the most governed people on the face of the earth. We have town councils, city councils, school boards, school trustees, etc., and over all these is the provincial government, over which again is the Dominion government, and over all, however lightly resting, is the crown and imperial parliament. Taxes, direct and indirect, are levied and collected, but the most of our taxes are paid to private corporations to which are delegated many important functions of the government, especially those relating to transportation and communication. Hence steam, radial and street railways, telegraph and telephone lines, and even heat, light, power and water companies are enfranchised to perform duties and functions of a public character. They take the place of the government in supplying what are necessities to highly civilized communities. In theory, they collect from the people the operating expense of the service, plus a reasonable return upon the money invested. In practice we know that these tax collecting corporations collect a great deal more than would be collected by the government. They justify this by saying that they only get a small return upon their investment, as evidenced by stocks and bonds. The public and the government usually accept the par value of these

securities as truly representing the actual investment.

Hence "watering stock" is a fraud upon the government and enables an excessive tax to be levied upon the people. In the United States, this excessive tax by steam railways alone, amounts to \$335,000,000 per annum. What does it amount to in Canada? Is there no way to stop this high finance?

The only sure way to stop it is by government ownership. Then the true tax would be collected. As it is, we are farming out the taxes in much the same way as did the French kings before the revolution and with results as unjust to the people and as unprofitable to the government.

THE LITTLE PATRIOT.

Editor World: Your analysis of Canadian history (issue 5th inst.) is a masterpiece of the life of William Lyon Mackenzie and an epic worthy the pen of any Canadian patriot. The escutcheon of true virility is the spirit of independence. This fragrance is caught from the lines: "Breathes there a man with soul so dead, who never to himself hath said: 'This is my own, my native land?'" Mackenzie, being a journalist in touch with current events of his time, realized, living under such conditions, Canada would become a land of wood and drawers of water.

The word loyalty in the past has been given over to the euphemistic, despotic government officials, their standard of qualification being forfeiture of life.

True loyalty is wireless; it is generated at the throne and set to the key of love. When so-called responsible governments rank as bandits! It ennobles Mackenzie's loyal, his loyalty was set to the above key and met with response in many Canadian hearts; his cause was righteous and deserving of success. Men of the Cromwell and Mackenzie stamp are in demand to-day.

It is very gratifying to see a Canadian journalist in the City of Toronto clearing away the burdocks, mulens, noxious weeds and political excrement heaped on the man's memory through the past decades, and succinctly advocating his statue placed among the silent men and women immortalized on the lawns in front of our parliament buildings. In grateful recognition for your eulogy of Canada's maligned patriot, believe me, yours respectfully,

John J. D. McBeth.

Concession-road, Mount Hamilton, Jan. 8, 1909.

THE MOTHER TONGUE IN SPELLING

Editor World: The action of the educational authorities in retaining the "u" in "labor," "honor" and words of this class is altogether appropriate and consistent. It is quite in accord with the general public sentiment of this colony, which is characterized by abject flunkeyism and sycophancy towards everything British, coupled with petty and puerile spite against our American neighbors. The latter feeling crops out very strongly in the arguments of the advocates of the "u" proposition. There is no particular reason why Canadians should be less subservient to supposed imperial traditions in educational matters than they are in public life. Considering the grave defects of our educational system the question of spelling need not give us much concern. The pupils in after life will find it easier to forget the antiquated spelling of Toronto than to unlearn the false and misleading teachings in history, ethics and political economy of our schools and colleges.

Philip Thompson.

119 Indian-road, Jan. 11.

SEPARATE LICENSES.

Major Collins has made a suggestion with reference to license matters that is worth discussion. He advocates separate licenses for bars and for hotels. This he believes would result in better accommodation for the public in the way of meals and rooms. If a hotel license was made contingent upon satisfactory accommodation, while the bar license could be regulated just as it is now.

Hospital Home for Children's Pets.

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Every Tuesday and Thursday afternoon of each week the pets of the poor children of the city of Toronto will be treated free of charge. Urgent cases will be admitted at any time, day or night. All homeless dogs and cats we hope to save from the pound.

We shall endeavor to provide for these unfortunate creatures until such time as they will either be sold for a sum of money or given away to responsible persons who will provide tags for them and above all a good home. The money obtained will be devoted entirely to the welfare and promotion of this work. Anyone who wishes to donate anything in the way of money or other useful material the same will be gratefully accepted.

F. Morphy.

4 Irwin-avenue.

CARNEGIE'S WEALTH.

A subscriber in Lethbridge, Alta., is informed that Carnegie's original wealth has been estimated at \$200,000,000. His many munificent gifts have reduced this somewhat.

ROYAL BANK STATEMENT.

Profits at Rate of Nineteen Per Cent. of Capital.

MONTREAL, Jan. 11.—(Special.)—The statement of the Royal Bank of Canada for the year ending Dec. 31, published today, shows net profits of \$746,775.50, being at the rate of 19.12 per cent. on the bank's capital of \$3,900,000.

Deposits show a large growth, and now total \$37,443,441.59, an increase of more than \$4,200,000 for the year.

Tackled Two Burglars.

KINGSTON, Jan. 11.—Arthur Ellis, architect, caught two burglars in his house on Saturday night. He and his wife were out, and on their return heard noises upstairs. The electric lights were turned on, and the men sought refuge in the bathroom, where Ellis hung to the door knob until pulled into the room. He switched on the lights and found the men cowering and afraid. One disgorged all his thefts, money, trinkets, etc., and then, seizing a razor, threatened to cut Ellis's throat. Ellis held the other burglar, who cried and pleaded for mercy. Finally Ellis let him go.

Transferred to Toronto.

BROCKVILLE, Jan. 11.—(Special.)—Miss J. Johnson, for some years the matron of the Eastern Hospital for the Insane here, has been notified of her appointment to a similar position in the Toronto institution. She will be succeeded here by Miss Jones of London, Ont.

## Bitulithic Wins Out In the Final Round

Validity of Patents Adjudicated by Court—Suit Respecting "Bitulithic Pavement" Finally Decided.

Boston Herald.

The United States circuit court of appeals for the sixth circuit, sitting at Cincinnati, has handed down an important decision, involving the validity of a patent granted to Warren Brothers Company of Boston for the wearing surface of a street pavement commercially known as the "bitulithic pavement."

The suit for the infringement of this patent was brought by Warren Brothers Company, about four years ago, against the City of Oxnego, Mich., for a street pavement laid in that city by the Barber Asphalt Paving Company under an agreement to protect the city from all liability against suit for infringement of patents. The case was defended at great length, and regarded as a test case, by that company, although it was not formally a party to the suit.

The decision rendered is one of very great importance to all municipalities throughout the country, as the decision of the circuit court of appeals in patent cases is final.

The introduction of the bitulithic pavement began in the year 1901, and has since been laid down in more than one hundred and fifty cities throughout the country to the extent of over 8,000,000 square yards, or more than five hundred miles of city streets.

The Barber Asphalt Paving Company and its allied company, the first denied the validity of the patent, and offered to municipalities in general to construct pavements as called for by the city, and to indemnify the municipalities against loss for infringement.

But comparatively few municipalities, however, were willing to accept themselves of such an offer to become

a party to such an effort to deprive the owners of the property rights saved to them under the patents. In almost every instance the city officials having either adopted specifications calling for the patented pavement, or decided to await the final decision in this case.

The district judge at Detroit, before whom the case was first tried, dismissed the bill without definitely passing either upon the fact of infringement or upon the validity of the patents, both of which defenses were made to the suit.

By the decision just rendered, both the fact of infringement and the validity of the patent, relied upon by the city, have now been finally adjudicated by the court of last resort having jurisdiction of this case.

The case has been in the courts for over four years, and the record and the briefs cover over 2000 pages of printed matter, the literature and history of the street paving art having been thoroughly gone into by the examination of over thirty city engineers selected from all over the country, and the best expert witnesses upon the street paving industry and the interpretation of patents for street pavements that could be found.

The defendants failed to produce a single instance where any street pavement had ever been constructed anywhere, either in this country or in Europe, in accordance with the claims of the patent in suit, having rested their defense upon the fact that the production of a small bit of sidewalk laid in front of the Barber Asphalt Paving Company's test laboratory, which was never duplicated on a sidewalk, and an abandoned reservoir found somewhere in the Baldy mountains of California.

IN THE LAW COURTS.

IN THE HIGH COURT.

Osgoode Hall, Jan. 11, 1909.

Announcements.

Judges' chambers will be held on Tuesday at 11 a.m.

Peremptory list for divisional court for Tuesday, 12th inst., at 11 a.m.:

1. Crawford v. Bank of Commerce.

2. Robinson v. Morris.

3. Schmeier v. Foster.

4. Rizzo v. Ottawa Electric Railway.

5. Van Every v. Malcolm.

6. Vasilip v. McDonald.

Master's Chambers.

Before Mr. Justice, at 10 a.m.

Weston v. Perry, T. N. Plaster, for defendant, on motion to strike out Paragraphs of statement and to set aside judgment and judgment of costs.

Plaintiff, contra. Judgment (G.). The motion must be disposed of on the day as the trial judge thinks best. He might object to it, and the judge will have to deal with it. In some way claim will be taken not to prejudice the case in any way by allowing a claim to go to the jury which cannot be sustained in law. Motion dismissed, costs in issue.

Without prejudice to any application that the plaintiff may make to the judge at the trial, the plaintiff's motion for leave to amend can also be disposed of at the trial, resting material.

Gillespie v. Richardson, Clapham (Scott, S. & Co.), for plaintiff, moved for judgment, entered, and costs to be taxed.

Costs to plaintiff, entered, and costs to be taxed.

Sproule v. Mineral Range, J. T. White, for plaintiff, moved for judgment. Judgment for plaintiff, entered, and costs to be taxed.

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## EATON'S JANUARY SALE

Men's Stylish Serviceable Suits

THIS is "good buying," because the materials are sturdy wearers and neatly patterned, and the tailoring all that makes for steady satisfactory wear.

English and domestic tweeds; with a small scattering of worsteds; striped and checked patterns, in browns and greys; coat cut in three-button single-breasted sack style; lined with Italian cloth, sizes 35 to 40; January Sale price 4.69

Men's Reefer Coats

Of heavy black frieze cloth, double-breasted; high throat collars, with tab for throat, strong tweed linings; sizes 36 to 46; January Sale price 2.50

Boys' and Youths' Coats

Your boy needs another coat—you are saving money by getting one NOW. They are made from a heavy dark grey Canadian frieze and cheviot, single-breasted, three-quarter length, with vent in back, good velvet collar, Italian lining; sizes 29 to 33; January Sale price 4.85

A Chance in Norfolk Suits Wednesday

Of course HE would look nice in one of these Norfolk suits, made from good durable English tweed, very dark shade with grey pattern; coats box pleated, with Italian lining, knee pants, sizes 24 to 28; January Sale price 2.55

Low Prices in Neckwear

This Necktie offering of Men's Fine Silk Shield Knot Neckwear should command your attention at once. They come in neat fancy stripes, colorings of the very best, light and dark patterns; very special values; Wednesday, each 10

Sweater Coats for Men 75c

The cold weather you will have to face, so be prepared with one of these men's grey Sweater Coats, buttoned down the front, you will have nothing to regret; some plain, others with fancy colored trimmings; Wednesday, each .75