SATURDAY MORNING

The Toronto World

tative.

FOUNDED 1880. A Morning Newspaper Published Every Day in the Year. WORLD BUILDING, TORONTO. Corner James and Richmond Streets. TELEPHONE CALLS: Main 6308-Frivate 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.

SATURDAY MORNING, FEB. 12, 1910.

EXPROPRIATION THE PLAN. The city has several strings to its bow, and one and the quickest as con- request cerns the street railway is that of expropriation. But The Globe newspaper for some reason is very much against expropriation; just why it is it does not say, excepting that the city may have to pay a large sum to acquire the railway. We do not think that a very large sum would be required, certainly not a sum exceeding what the railway is worth to the city to-day, and it is worth a good deal to get its freedom and be able to go ahead with a denent policy that will meet the ments of the city and which ever be subject thereafter to the had faith or any other kind of opposition from a private company.

But the great point is this, that the to Street Railway franchise to-Tore day is worth a certain amount of money, and whatever that amount is there will be no trouble on the part of the city in getting the necessary secured as it will be by the unmon dertaking.

The Globe was the newspaper that clamoring most for the admission was of the radials. Well, here is the way to get the radials in by the expropriation of the supposed enemy of the radials. the Toronto Railway Co.

Again we say that the quickest and hydrophobia. best way out of the deadlock is exprowill be able to do whatever it likes, fore that mill comes off, but the com-

AN EXCEPTIONAL REPORT posed to women's suffrage, and he knows he can rely upon the reactionary opposition not to take it up. There remains only the labor party with Allan Studholme as its sole represen-

The annual statement of the Trusts and Guarantee Company, which was forthcom-ing at the annual meeting of the company on Thursday, should prove most satisfac-tory to the stockholders of this progres-sive institution, constituting, as it does, che more evidence of the soundness and earting power of the company. The gross earnings and net profits for the year 1966 are very gratifying, the lai-ter being \$37,550.56, against \$38,729.60 the previous year. Of these profits \$72,312.23 was used to provide for two dividend payments at the rate of 6 per cent. per annum, and there was left to be placed to the credit of the profit and loss account \$25,278,32; making a total of \$279,442.25, an increase of \$229,121 over the figures for the preceding year. The politicians are not able to any votes in women's suffrage, and they do not think the principle arousing sufficient interest to bring 1 into the range of parliamentary discussion. The mere abstract justice of the thing is not in question. Sir James has pledged himself, however, that when the women of Ontario ask for votes he will comply with their

THEATRE EXITS.

Mayor Geary is to be commended for his attitude on the question of theatre exits. The World has brought it up constantly since the Iroquois disaster. For all intents and purposes most of the amusement houses might as well have no emergency exits. Those that are supposed to be in use are always closed, and look as if it would take several minutes to get them open. In case of such a disaster as overtook the Iroquois audience several minutes would be sufficient to kill everybody. What is needed is an order from the fire chief compelling all houses of enheld by the public.

tertainment to provide emergency doors fitted with automatic bar-locks, or such other automatic device as will enable the door to be opened at a moment's notice by inside pressure, and in addition, that the exits be opened for use as the mayor recommends at the close of every performance.

Dr. Sheard is composing an anthem to be entitled "The Boil Water."

It must not be supposed because Toronto citizens have a horror of water at present, that they are suffering from

We tried to say yesterday that priation. Let us get the Toronto Rail- Mayor Geary would have several way out of the way so that the city rounds with the permanent officials be-

Great Strides Made by Trusts and Guarantee Co. In Five Years. al statement of the Trusts and

Increase of \$25,121 over the lighter for the preceding year. Some idea of the confidence placed by the public in this institution may be de-rived when it is stated that an increase of \$925,817.52 was made in the trust funds deposited with the company. The assets now stand at \$7,431,639,29, against those of ast year of \$5,883,677,55, an increase of 5 page cent

last year of \$5,883,677,58, an increase of 25 per cent. The substantial growth achieved by the Trusts and Guarantee Company is effec-tively shown by a comparison of the standing five years ago, and that at the end of 1909. In 1905 the guaranteed trust funds amounted to but \$32,922.59; they are now \$1,935,238.72. The estate funds in that period have increased nearly two and a half millions; the assets nearly five mil-licns, while the net profits are now \$97,-500,55, against \$68,002.67 in 1905. Taken altogether the statement for the year is a sound guarantee of the efficiency of the management, and is an effective re-cord of the favor.in which the institution is held by the public.

will be able to do whatever it likes, whenever it likes with its own, and be fore to let in the radials, free to import the service, to extend the lines, to give cheaper fares, if that be possible and certainly to give a better service.
Will The Globe tells us what its plan is?
LAST AND GREATEST TRUST.
Trusts have engaged themselves, with every great industry but one, and that is the greatest. Capitalist, fare to lay free to lay out two diagonal streets suggested by the Guild in paying quantifies under the street railway undertaking to proceed thereon in view of quick underground transport have and that is the greatest. Capitalist, arc now beginning to realize that there so yas a frout the provincial railway. He would not regard it primarily as a froid to it the believ that Chairman Englehart has the same view, but the the botter data to it the believ that Chairman Englehart has the same view, but hat shows a deficit will be of no more ise as a colonization road than as a commple to the other farmers, and to show what, can be done on the context of the death of Henry Penning and for the street railway indertaking an an example to the other farmers, and to show what, can be added to the provincial railway.

ANNOUNCEMENTS. Peremptory list for divisional court r Monday, 14th inst., at 11 a.m.: r Monday, 14th Inst., at It was 1—Titchmarsh v. Graham. 2—Re Cartwright and Napanee. 3—Rex v. Teasdale.. 4—Ward v. Owen Sound. 5—Re Sing and Chatham. 6—Silverman v. Marsh.

AT OSGOODE HALL

THE TORONTO WORLD

Present sittings of court of appeal

Jury Assize Court. Peremptory list for jury assize court, Monday, Eeb. 14, at city hall, at 11 1.m.: 2. Deecker y. Moore. 52. Foster y. Macdonald. 35. Everson y. Dunfield. a.m.:

Non-Jury Assize Courts. Peremptery list for non-jury assize ourt, before Chief Justice Meredith, Monday, Feb. 14, at city hall, at 11

.m.: 89. Meyer v. Northern Crown Bank, 63. Glanylle, v. Glanville, 41. Michaelson v. Muller. 148. White v. Equity Insurance Co.

Peremptory list for non-jury assize court, before Chief Justice Mulock, Monday, Feb. 15, at. city hall, at 11 a.m.

17. McLean Stinson v. White.
46. Sovereign Bank v. Laughlin.
150. Hetherington v. McCabe.
154. Thompson v. Downs.

Master's Chambers. Before Cartwright, K.C., Master.

SUBWAYS ARE POPULAR. A five year period lately elapsed in the working of the subways in the City of New York. To travel under-ground was a novelty, and many doubted if it would meet with popu-lar favor. The first day's operation put a permanent quietus on doubt, the four portioned tracks are now so overcrowded that it is imperatively necessary to construct more "tubes." and the advantages of the tubes and their popularity are so manifest that no one thinks of anything but sub-ways. An agreement between the Pennsyl-

An agreement between the Pennsyl-vania Railway and the Hudson Ter-fers that course. Plaintiff will either minal Company calls for a thru service of trains between Newark, N.J. and "down town" centre of New York, the time occupied being only 18 minutes for the nine miles. A few years may intervene before against Fasken, this can be done on the citizens can afford to lay out two the usual terms and the action might

EATON'S DAILY STORE NEWS

TREND OF FASHION IN MILLINERY FOR SPRING 1910---A FORECAST

Easter coming earlier this year than usual, spring fashions will be in evidence early, and we think that an intimation of what is to be will prove of interest. White and black is a combination that will

Untrimmed Dress Hat Shapes will be larger than ever, the styles being deep back brim rolled off the face, Gainsborough side wing shapes; while Toques and Close-fitting Shapes will be in good demand until Easter. Some medium shapes, copies of French models, will be very wearable. Broad makes of fancy Ramee and other plaits will be much used in Toques and Close Shapes, but for large Dress Hats, chips, crinolines, pedals and tagels will be adopted.

Leghorns are going to be a "craze"; even at this early date they are in demand. They are trimmed with velvet underbrim; in fact, velvet will be a feature in this spring's millinery.

Begonia and black, royal and black, burnt and black are colorings much in vogue at present in Paris. Amethyst, vieux rose, mulberry, sphinx, tael, moss, royal, burnt, aeroplane, and cinnamon are all good, but champagne, white, burnt, and black will be best, with black especially good.

Patent Leather Boots for the Spring Outfit

T HERE'S just a touch of fastidiousness to the smart patent leather boots that most people require to give a smartness and finish to their new costume, and there's

just a touch of "dash"-"piquant"-to the spring styles we're showing, that appeals most favorably to those who would choose the dressy patent leathers. Prices you'll notice are what you'd expect to pay for quite ordinary footwear -that's our way of bringing business here.

PATENT COLTSKIN IS THE MOST SATISFACTORY SHINY. LEATHER MADE. A FEW OF THE NEW LINES 3.00WE'RE OFFERING AT

WOMEN'S FINE PATENT

COLT OXFORD SHOES,

Goodyear welt, or hand turned

soles, the newest creations.

WOMEN'S FINE PATENT COLT BOOT, the new pointed toe, short vamp, dull kid blucher tops, Goodyear welted soles.

WOMEN'S FINE PATENT

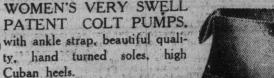
COLT BOOT, blucher top of

dull kid, Goodyear welted soles,

a new medium round toe, very

dressy.

WOMEN'S VERY SWELL PATENT COLT PUMPS. ty, hand turned soles, high Cuban heels.



brim with black velvet, white and black lace trim-Laces are to be very fashionable, especially

FEBRUARY 12 1910

IOHN

a

The news ties are aced in st oked to

tully repres nakers. B of Colored a Black a good. Som hand every are down to be disappo comethins

Silk

bout these the have e ects, as crus, etc round col i neat fis as, etc.

Silk

As Sha essaline rofusion

Gov

Mal

Dra

already, i shipments their places ever your BUT N the early a partice advise al certain d servation rapidly d will soor Out-serv Heasuren timates C

Nev

Wa

are alre

35

MA

But Wa

With

the spe the jall a short for libe at work ed with o'clock, tens in went to about 1 guards He w street r and fir run in He wa taken a enough utes of Gove to exp attemp Franci to see and t promp led hir the ca of age manip roomin

Witner

Geo called

morni fraud. time to One in the

with from a preter in the clerk at Ott Atlas ed int the N a chai paid say the rende

Dati ond-o sale specia toria s41.05 San Pacifi TH

Bu and Da

senten

Chantilly; tulle will be very good, as also will shot effects, in ribbons, silks, plaits, etc. Black and col-

be very modish, say large, white chips, lined under-

Flowers, after a lull, are going to be better than ever, and good ostrich feathers, as well as

ored nets will be much used. osprey and paradise, will be much used.

farmers, and to show what can be seeding and other up-to-date methods. course of treatment. But if money can sconer it is occupied the better. be made in this way, and the railways demonstrate it for themselves, how long will it be before great syndicates will be ready to take up the practice of agriculture on a gigantic scale? The economies of huge acreages have already been proven, and the higher average of production over immense areas. These elements tend to the stability of profit, and this is all that is needed to tempt capital.

THE PARTIAL GLOBE.

the iniquity of appointing civil ser- can materially assist in this, and in vants because they have a political the meantime all bills now pending pull, irrespective of their ability or efficiency. The evils it would appear from the article in The Globe are strictly confined to the Ontario Conservative Government. It is unfortunate that Sir James should follow the precedent established by over thirty years' Liberal rule, during which no Conservative was ever known to be appointed to office. And it is unfortunate also that the Ottawa Government does not practise what The Globe preaches. Until civil service reform is adopted and practised it might be as well for The Globe for the sake of consistency to include all parties and governments in its censure over the patronage system. Two blacks do not make a white, and we have no intention of excusing the Whitney Government for patronage shortcomings, but after the complaints that have come from Cochrane, for example, over Dominion appointments, The Globe might be a little inclined to impertiality.

WOMEN'S SUFFRAGE IN ONTARIO. It was understood by the women suffragists that several members of the Ontario Government party would be willing to introduce a bill embodying some of the measures that thoughtful women advocate.

They wish, for example, to have the law conform to the English practice, whereby such privileges as are now granted to a woman under the municlpal acts are not taken away from her because she happens to get married. This is putting a premium on celibacy which is not considered desirable.

None of the gentlemen who were regarded as available have been able to summon up sufficient courage to take the chance of facing such a storm of invective as assailed the late John Smith when that gentleman faced the prime minister some years ago. Sir James has lined himself up with Asquith as unalterably on

use as a colonization done by rotation of crops, scientific money-maker. Neither view is incommanuring, nitrogen treatment, superior patrole with the opinion of many more seeding and other un-to-date methods besides Mr. Shillington that the branch When they have improved a farm to line should be built immediately from a productive condition, they intend to Charlton thru to Sudbury. A splendid sell it and take another for a similar grade has been surveyed, and the

Before any more private bills dealing with waterpowers are passed, the whole conservation question should be seriously and thoroly considered by the Dominion Government and the provincial governments should also be invited to present their views. What is greatly needed is the formulation of a clear recently expelled from the Christian Science Church. Later he had some controversies with her, but it is aband distinctive policy that will include the protection of provincial rights, and, if grants to private companies are to cent trouble with Mrs. Stetson had be made, the safeguarding of public in-terests. The conservation commission having been previously afflicted, as The Globe has a noble editorial on terests. The conservation commission stated above.

Toler's troubles were not due to any form of Christian Science, but rather to a want of Christian Science C R Munro. should be delayed.



Scientist, in this city (New York)," and also that Toler had been a first read-er in the Christian Science Church. Mr. Toler had not been a first reader Mr. Toler had not been a first reader in the Christian Science Church, as der dismissing actions, without costs, der dismissing actions, without costs, der dismissing actions without costs, in the Christian Science Church, as der dismissing actions without reported, and the fact is that he had for costs in each case for cancellation. been insane for a number of years. His condition is said to have been Orders made.

been insane for a number of years. His condition is said to have been brought about by his experience in a scheme to recover a large tract of land in the upper part of New York, for-merly known as Harlem, of which Toler believed himself to be one of the helrs. He had halfucinations on this subject, and is said to have spent a fortune in the scheme. Christian Scientists did not believe in his plan, but on the contrary, looked upon it with disfavor. Toler was at that time with disfavor. Toler was at that time a supporter of Mrs. Stetson, who was interest, and \$24 for costs, in all \$1050. due on that date \$1026 for principal and Montreal River Syndicate v. Germen -N. B. Gash, K.C., for plaintiff. Motion for leave to issue writ for service out of the jurisdiction. Order made. Doyle v. C. P. Rallway-Driver (MacMurchy, K. C.)' for defendants. Motion on consent for order dismissing

action without costs. Order made. Laidlaw v. Farrell-R. B. Beaumont for owner. R. S. Smellie, for other parties. Motion by owner for leave pay money into court and to vacate

lien and lis pendens in a mechanic's lien action. Order made for payment in less costs fixed at \$30. Lawson v. Clarridge-W. H. Wall-bridge, for plaintiff. Motion for order shortening time for appearance to twelve days. Order made.

Judge's Chambers.

Before Meredith, C.J. Re Freel Estate .- F. W. Harcourt. K.C., for infant. Motion on behalf of Charles Freel an infant for an order allowing the admnistrator of the estate to pay \$221.48 into court to the credit of the infant, and for payment out at majority. Reserved. Re Fagan.—Armstrong v. Fagan.

W. S. Edwards, for inspector of P. & P. charities. Motion on behalf of In-spector of prisons and public charities for administration of estate of a de-

ceased lunatic. No order. Woods v. Alford.-F. E. Hodgins. K.C., for plaintiff. A. R. Hassard, for Brennan, a third party. An appeal from order of the master in chambers. etting aside order allowing judgment for plaintiff against third party. Ap-peal allowed with costs, and there is to be no costs of motion before the

Ichetto v. City of Guelph.-F. Ayles worth, for defendants. R. R. Waddell. for plaintiff. An appeal by de-fendant from the order of the master in chambers of Feb. 2, refusing to order security for costs. Enlarged until March 25 next. Proceedings stayed meanwhile to get an affidavit from plaintiff now, in Italy to be made 'n the Italian language before an Italian lawyer, and to be translated here. Armstrong v. Proctor: McCallum v.

Proctor; Kenner v. Proctor.-R. Harding (Stratford), for plaintiff. S. Robertson (Stratford), for defend-ants, contra. An appeal by plaintiff from three orders made by Judge Barron on 7th February, 1910, Order made striking out counterclaim and allowing appeal with costs to plaintiff in any event.

Before Sutherland, J.

Mackenzie Mann Co. v. Scott.-F Aylesworth, for plaintiffs. W. H. Price, for defendant. Appeal by plain. tiffs from order of district judge of

Fort Frances, adding the Township of McIrvine as parties defendant on the grounds: (1) that he had no juris-diction; (2) that the Township was improperly added against the wishes of plaintiff. The action was brought

A NEW ONE FOR BOYS made from fine quality MEN'S PATENT COLT BOOTS, several styles patent colt, contains all the up-to-date features and in the niftiest ideas for seasonable wear, Goodyear style found in men's dull kid blucher tops, Goodyear welted soles, dull blucher tops, high, medium, or welted soles, nothing to equal them for neat dressy low heels, exceptional value. wear. SECOND FLOOR-QUEEN STREET. T. EATON CO Great Assortment TORONTO. of Valentines at Kenora, and the venue laid at Fort Frances. Judgment on ground of want of jurisdiction. Appeal allowed ents. An appeal by plaintiff from the of jurisdiction. Appear and event judgment of a divisional court dismiss-costs to plaintiff in any event ing appeal from judgment of trial with costs to of the cause. judge, who dismissed the action with Single Court. Before Meredith, C. J. costs. Argument of appeal resumed from yesterday and concluded. Judg-Re Ellen McDowell Estate-R. J. Mcment reserved. Laughlin, K.C., for executors. H. L. Drayton, K.C., for heirs of H. M. Pick-Rathbone v. Michael-G. F. Shepley, K.C., for defendants, trustees of Anering. S. Denison for legatees and nette-street Methodist Church. J. beneficiaries under will of E. McDow- Bicknell, K.C., and G. M. Gardner for ell. A motion under C. R. 928 for conplaintiff. The action was on a claim for a mechanic's lien on defendants' property for \$1125.98, tried before ed7 7 King St. West struction of a will and for advice by the executors. The whole amount in question being only \$1200, on the ad-J. A. C. Cameron, an official referee vice of the court, motion enlarged sine who gave judgment for plaintiff, hold die to see if parties cannot come to ing him entitled to a lien for \$1075.17. an amicable arrangement and so pre-Defendants appealed to a divisional vent estate being eaten up in costs. court on ground that action had not If parties cannot agree, may be men-

been commenced within 30 days from delivery of materials therein mention ed to amount of \$1700, and divisional court allowed the appeal, but afterwards on application therefor reopened the judgment, received further evidence, reversed their former judgment and dismissed defendants' appeal. Defendants now appeal to this court from the latter judgment. Appeal argued and judgment reserved.

This closed present sittings of court. Writs Issued.

Mr. Justice Clute has served the city with a notice of a claim for damages for alleged negligence. The plaintiff, it is stated, was driving in a cutter on St. Clair-avenue west of the Union Stock Yards, and while crossing the railway track the runner got caught between the planking and the rail. The horses became unmanageable, upset the sleigh, throwing the tain rooms in the hotel at certain prices occupants out, and then ran away, and she claimed \$10,000 damages there- colliding with another sleigh, which was also damaged. It is claimed that pealed from affirmed with costs, but the city is liable for the condition of the planking that caused the runner to get fastened in the groove. Henshaw Maddock of Toronto has

issued a writ, claiming \$2000, against C. Murray, also of Toronto. The plaintiff alleges libel, and wants the defendant restrained from publishing the statement complained of. costs will be paid out of sum paid into

court by plaintiff as security for am-Dr. B. E. Walker's Defence Views, ount of defendants' counter claim. Editor World: I have to thank you for the report of my remarks last night, altho I regret that you. Before Moss, C.J.Q.; Osler, J.A.; Garmade it sound as if I thought fighting row, J. A.; Maclaren, J. A.; good for its own sake. My purpose in

writing, however, is to correct an er-ror. You made me say, "We can, I Meredith, J.A. Mackenzie v. Maple Mountain Min- ror. You made me say, "V ing Co.-J. W. Pain, K.C., and M. L. think, afford to defend our

MICHIE'S Extra Old Rye Whiskey is always of the same even quality and mellow flavor-none better. Michie & Co., Ltd.

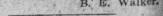
CANADA

Spring

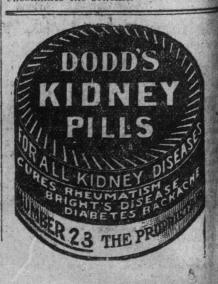
Quarterly

Style Book

and by doing without other things in able to spend \$100,000,000 on her fence." It may be natural to desire to translate the ideas of a banker into dollars, but I did not venture in any form to suggest what defence would cost. I merely urged that we should take up the question of our own de-fence, and that while there might be other things in connection with aational government which we could not afford, we certainly could bear thecost of preparing and carrying out # system of national defence. B. E. Walker.



Will Oppose G.T.R. BOSTON, Mass., Feb. 11.—The plan of the Grand Trunk Railway to se-cure a terminal in Providence, Rhode Island, is keenly interesting railwa circles here. It is reported that the Boston & Maine will do all it can t heckmate the scheme



tioned again. Divisional Court. Before the Chancellor, Magee J.; Latchford, J. Barnet V. G. T. R. Co.-J. F. Faulds (London) and P. H. Bartlett (London)

for plaintiff. W. Nesbitt, K.C., for defendants. An appeal from the judgment of Meredith, C.J., of Jan. 15, 1910, dismissing action. Argument of appeal resumed from yesterday and concluded. Judgment reserved.

Court of Appeal.

Appleyard v. Mulligan-C. A. Masten, K.C., and J. H. Spence for plaintiff. M. J. Gorman, K.C., for defendants. Appeal by plaintiff from order of Clute, J., of Dec. 6, 1909, refusing to postpone trial and dismissing action with costs. This action was against the proprietors of the Russell House, Ottawa, for alleged breach of contract to let cer-

for. Appeal argued and judgment apwithout prejudice to any future pro-ceedings the plaintiff may be advised to take, if any. Judgment upon counter claim varied by reducing the amount thereof to \$1081. No costs on this branch of appeal. The costs of former trial and appeal in excess of the sum paid into court to answer