

The Toronto World

FOUNDED 1880.

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FRIDAY MORNING, NOV. 7.

GETTING DOWN TO BUSINESS.

We welcome the change of heart in The Globe yesterday morning on the street railway finances. It does not deny that there would be a \$12,000,000 surplus receivable by the city during the next eight years from the present railway company's system, with all the additional lines needed in the old territory, and the service turned up to the spirit of the agreement. Now, this is all we have contended for. The property we are expecting to buy must stand on its own bottom, and its profit and loss account is not to be mixed up with the profit and loss account of the city car lines which will have to be operated by the city whether we buy the railway or not.

The great point which The Globe now admits is that the experts figure that after allowing for new lines required in the old city limits, and providing a fully adequate service, the revenue would recoup the city for its outlay.

The next point is that the city lines have to be operated by the city. Will it be cheaper to operate them as constituent portions of a unified system or as sub-lines doing a disjointed business for the next eight years? We are not referring now to the comfort or convenience of the passengers, but merely to the cash side of the matter. There is no question at all about this. Money would be saved by running the whole of the lines in Toronto as one system with a common rolling stock, a common staff of officials, and the elimination of unnecessary and duplicated overhead charges. Besides the saving there would be much larger revenue. It is quite absurd to say, as The Telegram contends, that Toronto will build in the next eight years 118 miles of new car lines, and that there won't be an extra cent of revenue from the extended traffic. We do not go on step beyond supposing that at least the business of the new lines will carry itself, and we believe that statement to be much more conservative than the facts will warrant, but it is quite sufficient for our argument. If the new lines carry themselves, if, as The Globe admits, and the experts declare, there will be a \$12,000,000 (really \$10,700,000) surplus for the eight years, and if the citizens get in addition to this a unified service, a service improved to the standard expected originally by the citizens under the agreement, and, in addition, the city gets back all its franchises and control of its streets, and relief from corporation influence and manipulation, such as the last fifteen years have exhibited, the Mayor Hocken's proposals would seem to be very advantageous to Toronto.

We still await the reports of Mr. Mackay and Mr. Couzens before we can have any final assurance about this, but if they confirm the reports of Messrs. Arnold, Moyes and Ross, we cannot anticipate any opposition from the business men of the city to the proposals.

The Globe closes its article by asking if the mayor, Mr. Mackay and Mr. Fleming would undertake to operate the whole system for the next eight years and turn over \$12,000,000 profits to the city in that time, and replies that the question answers itself, and that the thing could not be done. But it makes the following concession:

If it could be guaranteed that by 1921 the capital account of the street railway could be reduced by the accumulation of surplus profits from operation in the enlarged area by so much as eight millions instead of the twelve of estimated profits, The Globe would be glad to support the purchase.

Taking for granted that The Globe uses the word guarantee in an academic sense, we believe it should be possible to arrive at this very result. To be particular, the sum is not \$12,000,000, but \$10,700,000, which has been estimated as surplus, and from this must be deducted the difference between the \$22,000,000 to be paid by the city, and the value of the tangible and intangible assets. This amount is \$20,944,478 which leaves \$11,055,522, and this sum deducted from the \$10,700,000 estimated surplus, leaves \$3,655,022. There would thus be a sum of \$1,658,081 for accidentals, or, to meet any possible losses in operating the new lines in the territory outside the present city limits during the next eight years, and still leave \$8,000,000 to the city as the profit for the term.

With a proper street railway commission, conducted as the hydro commission, or the harbor commission, or the Queen Victoria Park Commission is conducted, we believe it is reasonable to expect such a result, and if the further reports justify this belief, we shall have cause to congratulate Mayor Hocken.

SPEEDY AND HONEST JUSTICE

The principle upon which these rely

who object to appeals from Canadian courts to the law lords of the privy council will not be affected in any way by the proposal to have the judicial committee perambulate from place to place in the various dominions. It matters little whether our Canadian cases are carried to the lords in London for review or whether the lords come over here to review and correct them. Our contention is that the private litigation arising in Canada should be finally determined and decided by the courts of Canada. Surely we have judges in this country competent to hear and determine the disputes which arise among our people. Perhaps some political cases involving the interpretation of the B. N. A. Act can be more impartially or more diplomatically dealt with by British judges, but there is no conceivable reason why our Canadian judges should not be able to apply the law to the ordinary litigation of the country.

Should a man living in Toronto who has lost his leg in a street car accident and recovered a verdict therefor be kept out of his money and subjected to a fresh appeal after four Canadian courts and sixteen Canadian judges have upheld the verdict? Yet such a verdict has been taken to the British board of last appeals for review, although upheld by the nine judges, the divisional court, the Ontario court of appeals and the supreme court of Canada.

Moreover, there are already too many appeals in Canada. Every public utility corporation getting a provincial or municipal franchise should be bound to submit all cases and controversies arising thereunder to the final arbitration of the provincial courts. Indeed there should be no appeal from the decision of the highest provincial courts to the supreme court of Canada unless some federal question is involved. In the United States there is no appeal from the supreme courts of the various states to the supreme court of the United States unless the existence of a federal question clearly appears on the face of the record. There are federal courts of first instance from whose judgments an appeal may be taken to the supreme court if a large amount of money is involved—at present we think \$14,000 is the minimum—but the point we are making is that each state settles its own law, and through its courts arbitrates the differences which arise between its citizens. And in few cases—perhaps none for years at a time—will an appeal lie from the state supreme court to Washington.

So far as the ordinary litigation goes, we would favor limiting appeals to Ottawa as cases where some federal right is involved and cutting off appeals to the privy council whether that august tribunal sits in London or perambulates through the empire.

BARKING UP THE WRONG TREE.

The Montreal Board of Trade, the Georgian Bay Canal built immediately so as to give western grain a "short cut" to Montreal and prevent its diversion from Montreal to American ports. But the board of trade is working at the wrong end. The great port of Montreal is not deserted because there is any lack of water in the great lakes or the St. Lawrence River, but because of the extortionate freight rates charged for the carriage of grain from the wheat fields to Montreal and from Montreal over sea.

If the inland navigation merger is able to control all the vessels on the great lakes and the St. Lawrence it will also be able to control the vessels which ply on the Georgian Bay Canal. The rate upon grain from Fort William to Montreal we venture to say, will be the same whether it goes via the Ottawa valley or via the St. Lawrence valley. Just as the rate is identical at present whether the grain goes all water or partly by water and partly by rail.

Western wheat is manipulated by the banks and the grain speculators, and especially by the transportation trust. The grain is held back until after the close of navigation so that the Canadian Pacific may have the long rail haul. This gorges the terminal and line elevators, and the government in an effort to help the farmer is facilitating the holding back of the grain by building interior elevators.

The ocean grain carriers are in the same pool with the Canadian Pacific and keep away from Montreal. Our lake vessels, all owned by the inland navigation merger and therefore dominated by the Canadian Pacific transportation trust, carry the bulk of what grain they get to Buffalo.

This year the game has been more difficult to play because the crop was harvested a month earlier than usual and we are having a late fall. Montreal business men are aghast to find no vessels calling for grain at their port, and little or no grain being received for shipment. They feel some thing must be done, and they petition the government to construct another waterway. What they should petition the government to do is to break up the gigantic combine, which includes the Canadian Pacific, the inland navigation merger and the North Atlantic shipping interests. So long as this combine exists rates will be fixed and competition stifled so that what little Canadian grain gets to the seaboard during the summer and fall will go via Buffalo.

The situation in Montreal is indeed serious, but it will not be relieved by building the Georgian Bay Canal. The root of the evil is to be found in the extortionate and discriminatory freight rates upon grain levied by the transportation trust. The Canadian Pacific is the backbone of this trust, and the Canadian Pacific today is

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doing all in its power to cripple and destroy Montreal as a grain port.

WELL DESERVED.

Very few men have the ability, or having the ability, have the endurance, or having the endurance, have the capacity for retaining public good-will which has brought Ald. Hubbard the fine compliment bestowed upon him on Wednesday. A record of twenty years' service in the city council was signalled by the presentation of a portrait by his friends, which will be placed in the city hall to commemorate the alderman's long connection with civic affairs. Hon. Adam Beck was among those who voted the general esteem in which Ald. Hubbard is held, and he emphasized the fact that not in Toronto alone but throughout Ontario Ald. Hubbard's merits were recognized, and this had been evidenced by the fact of his having been chosen for two years as chairman of the Municipal Association of the province. Besides Mayor Hocken, ex-Mayors Fleming, Oliver and Garry, joined in the friendly tribute, and his fellow-aldermen and the representatives of the citizens at large and of the city hall officials expressed their appreciation of his high qualities. As Mr. Owens said, Ald. Hubbard is a credit to the city, to the country and to the race from which he has sprung.

LONG DISTANCE REFORMERS.

We observe with edification that many Canadian newspapers are hurrahing over the defeat of Tammany. They are all looking forward to the day when land monopoly in Britain will be broken up. They are always anxious for the redress of social and economic abuses in the United States and across the sea. They are unsparing in their denunciations of the coffee trust in Brazil and hasten to comment government ownership of railways in Denmark.

Indeed they shine in the foreign mission field; they exhort to battle those who struggle for public rights and progressive reforms in every country of the world—except Canada.

Perhaps it is their activities abroad which prevent them from calling attention to the over-capitalization of Canadian corporations; to the extortionate rates charged for public utility services; to the mergers and combines which make up the transportation trust. They have nothing to say about the empty harbor at Montreal, the low prices paid to the farmer for his grain and the extortionate toll taken from the people of Canada by the Canadian Pacific land-and-water transportation combine.

We venture to think that when the C. P. is cutting its next huge melon, and diverting to the pockets of its stockholders \$250,000,000 of assets, which are in equity consecrated to the enterprise, that many of these papers will be so deeply absorbed in questions relating to the public affairs of all mankind from China to Peru, that they will quite overlook what is going on in Canada.

The journalist Mrs. Jellyby may have an untidy home and neglected children, but her interest never flags for a moment in the natives of Borrioboola-Gha.

The Telegram has returned to its pleasant occupation of lecturing Hon. Adam Beck.

CANADA UNKIND TO ASIATICS.

LONDON, Nov. 5.—(C. A. P.)—A meeting held to protest against the treatment of British Indians in the dominions arranged South Africa, as the chief offender, but Canada was also included in the resolutions which threatened retaliatory measures.

Canada's laws relating to the exclusion of Asiatics probably caused the complaint.

Sinking Funds

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PRAISES FROM KNOWING ONES

Hearty Commendations Are Being Received From Enthusiastic Purchasers.

The World is in daily receipt of many testimonials and hearty words of praise from those who get "Panama," the beautiful big volume which is now being presented to readers at the bare cost of distribution.

One enthusiastic admirer writes as follows: "It is a most comprehensive and complete book on the canal, and I am in a position to know that its pictures are true to life and work on the isthmus, and its reading matter absolutely correct. I spent three years down there as one of the workmen."

Such testimony as this is indeed convincing. One who has spent three years in actual work on the canal zone must thoroughly familiar with the wonders of this gigantic undertaking, and is surely competent to judge the merits of this volume.

Those who have visited Panama on sight-seeing trips are loud in their praises of this beautiful book. Pictures and scenes are shown on almost every page, and the full page color plates call forth expressions of admiration and delight.

Many kind words of commendation are received daily, and but few fail to express a desire to obtain a copy of this educational work of rare value at this particular time, for everybody is interested in Panama and the great work of this volume.

270 BUFFALO AND RETURN.

Canadian Pacific, 1:15 p.m., Saturday, Nov. 8.

Hillcrest Club excursion to Buffalo via Canadian Pacific 1:15 p.m., Saturday, Nov. 8, promises to be a big success. Tickets good to return until Monday, Nov. 10. Parlor car and day coach service in both directions. Tickets from committee on Canadian Pacific offices, corner King and Yonge streets, and Union Station. 2545

A WORTHY FOUNDER OF A GREAT BUSINESS

Late Adolphus Busch was a Man of Fine Attainments.

The late Adolphus Busch, head of the great Anheuser-Busch Brewing Company, who died on Oct. 10 last at his summer home on the Rhine, in Germany, was also president of the South Side Bank of St. Louis, Mo. At a meeting of the bank, convened on Oct. 22, a last tribute was paid to one who in strength and influence in the interests of his associates, and his memory drew forth a full appreciation.

Mr. Busch was born in the Town of Kasten, opposite Mainz, in Germany, on July 10, 1829. With a good constitution and a thorough business training, he came to America in 1857. On March 7, 1861, he married, in the City of St. Louis, Miss Lily Anheuser, whose father was the proprietor of a small brewery, the site of which has long since been swallowed up in the immense plant of the Anheuser-Busch Brewing Company.

Mr. Busch's wife survives him, and he had the pleasure on March 7, 1911, of celebrating the 50th anniversary of his marriage, surrounded by children and grand-children, the event was a particularly happy one.

The business career of Mr. Busch was a marvelous one. He had not the benefits of a protective tariff or of any favorable legislation, but in spite of the burdens of state and federal excise taxation he and his lieutenants, whom he himself had chosen, built up a vast manufacturing establishment which became the leading plant of its kind in the world, its output on sale wherever modern travel can penetrate. The huge organization built up by Mr. Busch has fair to go on in unparalleled success under the able management of his son, Mr. August A. Busch, the aim being a perfection of product rather than a building up by methods sanctioned by unfair competition.

Much ought to be said of the late gentleman's philanthropic work. In times of crisis or public calamity he was always to the front. His tastes were truly artistic. The painter, the sculptor and the landscape gardener received in turn his commendation.

Perfect ceremony would be seen in his fine estate in the Rhine, and in California, in the Central New York region, or even in his business home in London. Being a foremost citizen of the city of his adoption, he was warm in his regard for its institutions, and universally beloved.

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ANNOUNCEMENTS.

Judges' chambers will be held on Friday, 7th inst., at 11 a.m.

Peremptory list for appellate division, for Friday, 7th inst., at 11 a.m.: 1. Dahl v. St. Pierre.

2. Ontario Asphalt v. Montreuil.
3. Burton v. Sherenko.
4. Barton v. Sherenko.

Master's Chambers.
Before George S. Holmsted, K.C., Registrar.

Columbia Gramophone Co. v. Real Estate Corporation—J. G. Smith obtained enlargement of motion for particulars returnable today, until 7th inst.

Clark v. Davy Pulp Co.—T. N. Phelps, for defendants, moved for order for particulars of statement of claim. M. R. Roach for plaintiff. Order that plaintiff be limited to particulars of defective system set out in statement of claim and to deliver particulars as to damages claimed. Costs in the cause. Time for defence extended for five days after delivery of particulars.

Laird v. Taxicabs—J. P. MacGregor, for defendant, moved for order for particulars of damages claimed. T. N. Phelps for plaintiff. Order made for delivery of particulars of damages sustained by car before end of this month. Costs in cause.

Adams v. Judge—G. T. Walsh, for defendant, moved for order for particulars of statement of claim. T. N. Phelps, for plaintiff, asked enlargement. Enlarged until 11th inst. Time for defence extended meantime.

McCarthy v. Vanickie—J. M. Laing, staff, for plaintiff, moved for order amending statement of claim. E. F. Farmer (Hamilton) for Vanickie, J. G. Smith, K.C., for Burke. Order made allowing amendment. Costs of motion to defendants in the cause.

Georgian Bay M. and P. Co. v. Factories Insurance Co. and two other parties—J. McCarthy, for defendants, moved for order to amend writ by striking out direction to file affidavit with appearance on ground that the claim is not the subject of special endorsement. G. W. Mason for plaintiff. Order made striking out command to file an affidavit. Costs to defendant in the cause.

Leonard v. Cushing—G. Oaler, for defendant, on motion to set aside order allowing service out of the jurisdiction. F. Ayleworth for plaintiff. Enlarged until 10th inst. Time for appearance extended until after motion disposed of.

Russell v. Clarkson—A. H. Britton, for plaintiff, obtained order on consent for payment of money out of court with interest to F. C. Clarkson. Greenhill, R. City of Toronto—E. W. Boyd, for plaintiff, obtained order on consent amending writ by adding Constructing and Paving Company of Ontario as defendant, using apt words for that purpose. Costs to defendants in the cause.

Single Court.

Before Falconbridge, C.J.

Scott v. C. P. Railway—W. Proudfoot, K.C., for plaintiff, on two motions for injunction, asks enlargement pending negotiations for settlement. C. W. Livingston for defendants. Both motions enlarged for one week.

Fletcher v. Menzies—E. F. Laier (Hamilton) for plaintiff, and added defendants, H. White for original defendants, H. W. Harcourt, K.C., for infants. Motion for judgment approving settlement between parties. Judgment by consent that Margaret L. Menzies and Rosetta M. Hawn be each paid the sum of \$2200 out of the residue of the estate forthwith, after payment of probate in full of all their claims against the estate of Daniel T. Fletcher. Costs of all parties out of estate, those of executors as between solicitor and client.

Leckie v. Marshall—W. J. McWhinney, K.C., for Gray's Shiding and Development Co., on appeal from order or report of the master in ordinary. Bell, K.C., for defendant, Marshall, G. Oaler for plaintiff.

Re Massey and Campbellford L. O. & W. Railway Co.—A. MacMurchy, K.C., for defendant, asked enlargement of motion to set aside award. R. S. Cassels, K.C., for Mrs. Massey. Motion enlarged to trial, subject to all objections. Costs reserved to trial judge.

Re Livingstone and Campbellford L. O. & W. Railway Co.—A. MacMurchy, K.C., for the railway company, on motion to set aside award. H. Cassels, K.C., for Livingstone. Motion enlarged to trial. No further examinations to be had until Livingstone is examined. All objections reserved. Costs reserved to trial judge.

Bolton v. Smith—W. Proudfoot, K.C., for plaintiff, moved for injunction restraining defendants from interfering with plaintiff's use of lane in rear of 202 Bathurst street. N. Sommerville for defendants. Motion stands over until trial. Costs in cause, unless trial judge otherwise orders. Defendants to expedite trial.

Re Tanner Estate—T. H. Barkton, for executors, moved under C.R. 600 for an order construing will of G. H. M. Tanner. A. R. Cochrane for widow. Reserved.

Maclean v. C. P. R. Co.—R. B. Henderson for plaintiff. A. MacMurchy, K.C., for defendant. Motion by plaintiff for an order continuing injunction restraining defendants from performing any work on plaintiffs' land until expropriation proceedings taken. Motion adjourned until after meeting of railway board, suspending operation of injunction meantime as to piers 1 to 10, 17, 18, 19 and west abutment.

Re Zbych Estate—W. M. Douglas, K.C., for McGarry, one of the trustees of the estate, moved for order passing the trustees' accounts and relieving the trustees of his office. A. Fraser (Niagara Falls) for the other trustees. F. W. Harcourt, K.C., for infant. Order made referring to surrogate judge at Welland to pass the accounts and relieving the trustee of his office, as asked.

Appellate Division.
Before Meredith, C.J., MacLaren, J. A. Magee, J.A.; Hodgins, J.A.; Cronin v. Robinson—J. Fraser (Toronto) for defendant. W. T. J. Lee for plaintiff. Appeal by defendant from the judgment of the county

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AIMS TO CHECK STOCK WATERING.

OTTAWA, Nov. 6.—Major Sam Sharpe, M.P., will introduce next session a bill to compel companies to file with the government annual returns of their business. He will also seek to regulate the capital of companies to prevent stock watering.

Making More Dollars

Canada is "making" money. The Government has to print more dollars every year to meet the demands of business prosperity—but the dollar you make must have purchasing power if it adds to your health and comfort. For a Canadian dollar you can get one hundred

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