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RAILWAY COMPANY IS GRANTED INJUNCTION

Good Order Restrains City of
Windsor From Interfer-
ing With Line.

PLAINTIFF IS OVERSEAS

Commission Will Take Evidence
of Lord Seymour in
England.

The injunction asked for by the
Standard, Windsor and Amherstburg
Railway restraining the City of Win-
dors from interfering with the exten-
sion of a line on Erie street, was granted
by Justice Falconbridge at Oshawa
Hall yesterday.

The chief justice di-
rected a reference to assess the dam-
ages. The claim of the company was
under an assignment of a franchise
granted by the city to the People's
Electric Company. The S. W. and A.
Co. had applied for leave to extend
and had received no satisfaction from
the city. When it constructed its line
it was torn down by the city, and the
wires had been removed.

The master in chambers yesterday
granted a motion for the removal of
the stay of proceedings to enable a
commission to take the evidence of
Lord Seymour, now on active service,
who is the plaintiff in an action against
J. H. Hamilton & Co., real estate
dealers, to recover \$1650, alleged to be
due on a Moose Jaw real estate trans-
action.

The taking of evidence by the com-
mission of Lord Seymour was impos-
sible a few weeks ago, but now it is
stated that he is in England, and unless
the commission is issued within a week
the stay of proceedings will be re-
moved. Lord Seymour for some time
was a farmer in the neighborhood of
Brantford. Since last March he has been
at the front in charge of a machine
gun brigade. In his statement of
claim he alleges that there was an un-
derstanding for a resale of the land at a
profit of ten per cent, within two years
or his money would be returned. The
plaintiffs deny that there was any un-
derstanding made with the plaintiff to
such effect.

The following is today's list for the
second divisional appellate court: Re
Lee and Lake Erie and Northern Rail-
way; Fletcher v. Griffin; Brainer v.
McKay; Morris v. Hamer; Ormsby v.
Forsyth of Walmer; Probes v. Tor-
onto General Trusts; St. Denis v. Es-
tates Ontario and L. S. Association.

CANADA'S OPPORTUNITY TO ENLARGE IN EXPORTS

Representative of Petrograd
Firm Says Men Should Be
Sent to Study Conditions.

That from her previous supremacy
an extremely inferior position would
be the fate of commerce. He
stated the opinion of R. Martin of St.
Martin Co. of Petrograd, Russia, given
at the Queen's Hotel yesterday. He
stated that Germany would
regain the position she held be-
fore the war. His firm intends to es-
tablish a steamship company in Am-
erica, known as the American-Black
Sea Line, for the development of a dis-
tinct trade.

Mr. Martin said that Canada should
take advantage of present conditions
to establish a trade with the allied
countries on a greater scale than be-
fore attempted. She should send
men to different parts of the world to
study commercial conditions.

EXPECTS GOOD RESULTS.

"I expect good results to follow
from the commission's work," said
Mayor Church yesterday in an
address at the meeting of the com-
mission on Tuesday at 11 o'clock for
organization purposes. One of the
first questions taken up will be a
survey of the service.

LOST ACTION AGAINST RAILWAY COMPANY

The action of R. G. McKee of
Windsor against the Grand Trunk
Railway for \$500 damages was heard
yesterday before Judge Denton and a
jury in the county court, and was
dismissed. McKee was injured when
struck by a train near the Weston
station on July 19, 1915. He was
walking along a footpath after
leaving the train and alleges he
was struck, no warning being given.
The judge was of the opinion that
the negligence was on his part and
not the company.

JAMES HOLLINGER DEAD WELL-KNOWN CONDUCTOR

Fifty Years on Run to Sarnia and
Veteran of Fenian Raids.

James Hollinger, for fifty years a
conductor on one of the G. T. R. tra-
ins running between Toronto and
Sarnia, died yesterday morning in the
Parkdale Hospital. He was born in
Toronto, where he had lived all his
life, lately residing at 139 Grenadier
road. Mr. Hollinger was a military
man, a member of the Oddfellows Society and Royal
Templars of Temperance. For two
years and a half he has been super-
annuated.

He is survived by his wife and a
brother in Michigan, Mrs. Dods of
Toronto, a sister, one daughter and a
son, who is manager of one of the de-
partments of the Gordon McKay Co.

ONE QUESTION FOR THE JURYMEN TO DETERMINE

Statement Produced to Show Dr.
Tyrer Was Not Responsible
for Girl's Death.

Whether Dr. E. Roy Tyrer was guilty
of destroying life when he performed
the operation on Dorothy Leonard or
whether he only tried to remove a
dead unborn child is the question
which has to be determined by a jury
in the criminal assizes under Mr. Jus-
tice Middleton. The young doctor is
charged with Alex. McCordale with
conspiring to commit an illegal opera-
tion on the girl nearly two years ago,
and the case will be decided on the
above question. Dr. Tyrer was placed
in the box yesterday afternoon and
told of the first visit of the girl to his
office on St. Clair avenue on July 8.

He said that Dr. Parr had been pre-
sent at the consultation, and after she
had described her symptoms they de-
cided that a miscarriage had taken
place, and advised her to go to a hospi-
tal. Later the girl was told to go to
a hospital, but she refused.

Here T. C. Robinson, K.C., for the
defence, produced a statement in which
Miss Leonard declared that Dr. Tyrer
was not responsible for her condition.
The doctor explained that he had never
seen the girl before the visit in July;
he thought it was advisable to have a
single statement such as the one pro-
duced.

When the trial was resumed yester-
day morning Detective A. R. Mitchell
told the jury the full story of a state-
ment made to the police authorities by the
girl shortly before her death. Mr.
Robinson objected to the reading, and
after some discussion, during which the
jury retired, his lordship ruled against
the evidence being admitted.

Alex. McCordale, giving evidence
on his own behalf, stated that he
thought well of the girl and was quite
willing to marry her.

TRUE BILLS RETURNED.

The grand jury in the sessions yester-
day brought in five bills against
Azenda McKendrick, charged with
theft of milk tickets belonging to the
City Dairy Company; Jacob Stein,
obtaining credit by fraud from the
Premier Manufacturing Company to the
amount of \$380, and Robert Ut-
ting, charged with criminal negli-
gence while in charge of a motor
truck.

SEE NIAGARA FALLS IN WINTER. ICE BRIDGE NOW IN FULL FORMATION.

\$2.25 Niagara Falls, Ont., and Return;
\$2.70 Buffalo and Return From To-
ronto, Saturday, March 18.

The Toronto Bowling Club is run-
ning an excursion to Niagara Falls and
Buffalo, Saturday, March 18, leaving
Toronto 8.40 a.m. via Grand Trunk
Railway. Do not miss this opportunity
of visiting Niagara in winter. It has
been well said that those who have
viewed Niagara only in summer have
but half seen it.

Return fare to Niagara Falls, Ont.,
\$2.25, and Buffalo \$2.70. Tickets are
valid returning on all regular trains
up to and including Monday, March 20.
Secure tickets at city office, north-
west corner King and Yonge streets, or
Union Station ticket office. 12345

CLAIMS BALANCE DUE.

Before Judge Denton and a jury in
the county court yesterday, George
N. Wright commenced an action
against H. P. Eckardt & Company to
recover \$578, which he claims is the
balance of his salary due as a traveler
and a clerk for the firm.

MRS. SCHMIDT TELLS OF HER MARRIED LIFE

Only Religious Teaching Her
Children Received Was at
School.

HIS LORDSHIP'S COMMENT

Mr. Justice Latchford Severely
Criticized Abuse of Chil-
dren's Aid Act.

When the action of Mrs. Christine
Schmidt against her husband Fritz was
resumed in the non-jury assize court
before Mr. Justice Latchford yester-
day morning, the plaintiff was again
put on the stand and gave further tes-
timony regarding her married life. Mrs.
Schmidt is suing to recover the cus-
tody of her two children, Marcelle and
Andree, the setting aside of an agree-
ment and a bond for \$3000 and alimony.

The question of the religious educa-
tion of the children was taken up and
in reply to Mr. Wilkie for the defence
she said she never took them to church
and only sent them to Sunday School
when they were young. She did not
teach them to say their prayers and
the only education they received along
religious lines was received at school.

She said that after her husband left
she resumed her career as an artist
in New York. She took up singing as
a profession and gave piano recitals
in New York under her maiden name.
Sometimes these concerts, at which
the children assisted, were given on
Sunday afternoons.

Judge's Severe Comment.

Later on when the children elected
to live with their father at Barrie
Mrs. Schmidt complained to the
authorities at that town that her hus-
band was unfit to look after his chil-
dren. This resulted in the girls being
placed under the care of the Children's
Aid Society for two months, during
which time neither of the parents
saw them.

This caused his lordship to exclaim:
"That is an outrage on the adminis-
tration of justice and an abuse of the
Children's Aid Act. This is the second
case that has come before me in which
the act respecting neglected or aban-
doned children has been abused."

During the afternoon evidence was
read which had been taken on com-
mission in New York, regarding the
state of the home up till 1913.

FOUNDER HAS RESIGNED AND REGRET EXPRESSED

Ill-Health Reason Mrs. Broughall
Cannot Continue President of
Gerogina Houses Ass'n.

At the seventh annual meeting of the
Gerogina Houses Association at which
his lordship, the Bishop of Toronto
presided, general regret was expressed
at the resignation of Mrs. Broughall
as president. Ill health of the founder
of the association, Mrs. Broughall, re-
sulted in her withdrawal from office.
The feeling of the loss was expressed
by Mrs. Larratt Smith.

Total receipts were reported to be
\$2,171.40 and expenditure \$1,858.43.
During the past year \$2,440.59 had
been paid on the mortgage, leaving the
small balance of \$27.

Spadina Lodge was reported to be
only half self-supporting. For lunch-
eons \$1,759 had been received; receipts
from boarders \$1,400; total receipts,
\$3,159; total expenses, \$5,432; dinners
served, 11,655.

The officers for the current year are:
Honorary president, Mrs. Sweeney;
president, Miss Ethel Baldwin, vice-
president, Mrs. DuBois; secretary,
Mrs. T. Larratt Smith; treasurer, Miss
Gertrude Brock; executive committee,
Mrs. Kammerer, Mrs. Lummis and
Mrs. Stroud; representative to
Local Council of Women, Mrs. Mill
Pellatt.

WILL RELEASE PAPERS HELD BY THE CROWN

Notification was made by N. F. Da-
vidson, K.C., for the crown, and C. B.
Nasmith for the McCutcheon Brothers,
Mr. Justice Middleton, in chambers
yesterday, that evidence regarding
the books of the McCutcheons had
been arrived at. All the papers in the
possession of the crown will be re-
leased and the books will be re-
turned to the defence counsel on their as-
surance that the books will be available
for the trial when it comes up again. All
the documents which were put in as
exhibits must remain in the custody of
the court.



NEWS FROM THE CITY HALL

CITY HALL NOTES

APPROPRIATION TO THE TORONTO JAIL REFUSED

Application Shelved by Board of
Control Until Accounting
is Received.

CONTRACT IS AWARDED

Tender of Custodis Company for
Erection of Incinerator
Chimney Lowest.

Not until a statement has been
rendered as to how the last \$5000
was spent will Controller Cameron
consent to making another interim
appropriation of the same amount to
the Toronto jail, according to his
stand at the board meeting yesterday.

An application from the steward was
received, and the controller figured a
cost of something like \$30,000 a year
at the rate the money is being asked
for now.

As a result of the objections the
amount requested was not given and
the question held over until an ac-
counting is received. The board,
however, authorized the calling of
tenders for fuel supplies after it was
made clear that in the event the ap-
propriation is closed the taking of sup-
plies can be discontinued.

Sergeant-Major Crighton will be re-
quested thru the property commis-
sioner to make an investigation re-
garding the quarters of the 199th
Battalion, a communication from
Lieut.-Col. Wright having been re-
ceived, which asked for the cancella-
tion of taxes. It was stated that the
city has property available for sol-
diers' quarters at St. Patrick's mar-
ket, and some of the controllers be-
lieved it could be used instead of the
present site. A report will be made.

Tender for Chimney.

The contract for the erection of a
radial brick chimney, to be erected
by the Custodis Company, as their
price was the lowest, namely, \$10-
070. When this tender was first re-
ceived it was stated that the firm
was of foreign membership, but a
new company has been formed and
the same made which now satisfy
the board.

A member of the Godson char-
ter firm appeared and asked for a
resolution of approval in connection
with payment of team work, such as
clearing snow, an order stipulating that
the work is to be paid for at the rate
of \$6 a day, and this amount is to
be divided, \$2.25 being for drivers
and as well as that of her husband, Canon
Broughall, necessitated withdrawal
from office. The feeling of the loss was
expressed by Mrs. Larratt Smith.

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\$2,171.40 and expenditure \$1,858.43.
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Mrs. T. Larratt Smith; treasurer, Miss
Gertrude Brock; executive committee,
Mrs. Kammerer, Mrs. Lummis and
Mrs. Stroud; representative to
Local Council of Women, Mrs. Mill
Pellatt.

BOARD'S ATTITUDE MAY STIMULATE RECRUITING

Controller's Threat to Stop Sal-
aries Likely to Have Effect
on Employes.

One result consequent upon the
attitude of the board of control which
may mean discontinuing the pay-
ment of salaries to employes, who enlist
may be that all those who have any
intention of offering themselves for
active service will do so before an
order stopping payment is passed.
Yesterday it was stated that seven
men from the works department had
applied for enlistment, and others
from other departments are expected
to come to a decision soon.

"They have had a year and a half
to think it over," observed Controller
Cameron yesterday, "and they know
they are needed as badly now as they
ever will be. It is my opinion that
all who have any idea of going to the
war will decide right away."

Fifteen names of men who have
enlisted and who have applied for
consideration from the city were
read at the board of control meeting,
but no action was taken, as it was
decided they were all intermittent
workmen and not entitled to pay from
the city.

WANTS ALL ELIGIBLES TO ENLIST FOR OVERSEAS

Trustee Dr. Noble Will Move
That Men Without Responsi-
bilities Be Relieved.

School Trustee Dr. Noble will move
at tonight's meeting of the board of
education:

"That all male employes unmarried
or widowers without encumbrance,
of military age and fitness now in
the employ of this board, be notified
that they will be relieved of further
service in order that they may enlist
for overseas service as soon as their
positions can be filled by females or
returned soldiers or those who have
been rejected, or others over or under
military age; also that this board do
not engage any male person or per-
sons unmarried or widowers without
encumbrance, of military age or fit-
ness, until after the close of the
present war."

COMMISSIONER HARRIS FAST LOSING HIS STAFF

Works Commissioner Harris will
soon have to play the role of office
boy as well as chief if the members
of his staff keep on enlisting. Yester-
day all but three men in the head
office asked for leave of absence that
they might enlist on the front. The de-
partment now has 280 men serving
the colors. D. A. McClellan, chief of
the archaic department, who left on
Monday and yesterday appeared in
kaki, giving the department a re-
cord of five men in uniform.

The Canadian Buffs

A JOLLY NIGHT= SMOKING CONCERT

At Bell Telephone Hall
(Corner Hayden and Yonge Sts.)

Thursday Eve. March 16—at 8 o'clock

MUSIC AND ATHLETIC EVENTS

Short addresses by prominent
citizens and officers of the

Canadian Buffs

ROBERT G. SMYTHE, K.C.
Chairman

198TH EVERYBODY WELCOME
—BRING YOUR PIPE—

The Canadian Buffs

ed in the police court yesterday and
the case was remanded for a week.

OVER \$30,000 FOR PATRIOTIC PURPOSES FROM LOCAL SOURCES.

LEAMINGTON, March 15.—This
town has shown wonderful enterprise
in encouraging recruiting. A picture
of the display in Smith & Son's Fur-
niture Store window, together with a
platoon of the 99th Battalion, which
is being recruited here, appears in this
week's issue of The Toronto Sunday
World. Leamington has a very cred-
itable showing in the number of re-
cruits obtained for overseas service,
and is reported to have contributed over
\$30,000 to patriotic causes. These pic-
tures are of unusual interest, and
copies of The Sunday World may be
obtained from any newsdealer in town,
but as the edition is limited, it would
be well to place your order at once in
order to secure a copy.

PERSONAL SERVICE CLUB PRESENTED SKETCHES

Two sketches, "The Theft of
"Thistlefoot" and "How the Vote
Was Won," were presented on Tues-
day evening in the Y.W.C.A. Hall by
the Personal Service Club. The
ladies' quartet and Messrs. Young
and Bradley gave some delightful
vocal numbers and Mrs. N. Brock
Wilkins gave a short talk on the
work of the club amongst the poor,
sick and helpless. Miss Jeffers was
presented with a cluster of carnations.

CHARGED WITH SELLING DRUGS

Dr. W. J. Defries appeared in the
police court yesterday charged with
a breach of the Medical Act by sell-
ing "heroin," to which he pleaded not
guilty. The case was adjourned till
Friday.

Something to
Crow about!



"BLACK & WHITE" Scotch

Buchanan's Scotch Whisky is
properly Aged and perfectly
Blended, and their large Stocks in
Scotland ensure an unfailing supply
of the same Faultless Quality.

GILLESPIES & CO., MONTREAL. AGENTS FOR CANADA.

THE SUNDAY WORLD

Sold Over 101,000

Copies Last Week

The entire edition completely sold out. The Illustrated Art Section of this week's issue will contain an amazing variety of pictures of the overseas troops now training in Ontario. There are views of the 74th, 81st and 83rd Battalions manoeuvring and demonstrating the arts of war at different points; a fine group view of No. 1 Platoon of the 134th Battalion, Lieut. Crawford commanding; No. 2 Platoon of the same Battalion, Lieut. Marani commanding; No. 4 Platoon of the same Battalion, Lieut. Gordon commanding, also No. 3 Platoon of the 134th is shown, with Lieut. Malone in charge. The Signallers of the 58th Battalion are shown, with their names appearing under the picture. See the unit of husky boys in training at Barrie. Also the non-commissioned officers' training class of the 134th, and "A," "B" and "C" subsections of the 47th Battery, together with a platoon of the 99th Battalion at Leamington. The Brantford troops are shown in a series of pictures engaged in tactical and other exercises; convalescents in England; portraits of Canadians now "somewhere in France"; the staff of the 2nd Canadian Pioneer Battalion. There are many other pictures of absorbing interest. The Sunday World is Canada's biggest and best week-end paper, and is for sale by all newsdealers and newsboys. Order this week's copy early—5 cents everywhere.