disallewed. In pite of the party criticia THE TORONTO WORLD

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TUESDAY MORNING, APRIL 8, 1884.

The Law of Rivers and Streams The long pending lawsuit between Boyd Caldwell of Lanark and Peter McLaren of Perth over the right to control the Mississippi river was finally settled yesterday by the judicial committee of the privy council in Caldwell's favor, with full costs amount ing to not less than \$30,000 against Mc Laren. The importance of the issue and the manner in which it has been fought out will secure for Caldwell vs. Mc-Laren a permanent place amongst great leading cases in Canadian law, and will secure for Mr. Bethune, who has for four years, as Caldwell's counsel, conducted it with marked ability, a reputation which the ablest of his contemporaries at the bar might be proud of. Even be fore the privy council, contrary to the usual practice of colonial lawyers in that court, he took upon himself the chief burden of the argument; and wisely so, for by actual personal inspection of the locality and exhaustive study of the case he was better equipped for the forensic contest than any "coached" English lawyer could

It is a popular error to suppose that there was any constitutional point involved in the Caldwell-McLaren case. It turned on the interpretation of an old statute chapter 48 of the consolidated statutes of Upper Canada (1859). By that statute it is provided that if a riparian owner builds a dam across a stream "down which timber is usually brought," he must construct an "apron" or "slide" of dimensions sufficient to enable logs to be floated down the stream. It is also provided that " all persons may float saw logs and other timber rafts, and craft down all streams in Upper Canada during the spring, summer and

days or more and was followed by a three weeks period of steady, mild weather, medy for an unsatisfactory state of affairs. It compels the slide owner to resort to arrepeating bitration to settle the amount of his toll if ceable last autumn. the parties cannot agree amongst them.

The present cold period is, he thinks, selves, but it makes his toll a first lien on merely the old story over again. It will the timber after the government dues, and give way within a very tew days to a proit enables him to collect it sumlonged period of warm weather remark-able for its steadiness. Another dip about marily by a magistrate's warrant before the beginning of May will be followed the timber leaves the neighborhood. Incidentally the victory for Mr. Caldagain by a long warm spell. The first week or beginning of the well is a victory for the Ontario government. The principle affirmed by the privy second week of June may witness slight frosts over the coldest parts of Oncouncil is the principle of the frequently tario and New York. The most regular disallowed streams act. Moreover the op feature of the whole period between last position with their usual folly, for the pur pose of justifying Sir John Macdonald's September and next midsummer is a cycle of five to six weeks duration, the first and

blee

July heats in the past ten years. Taking

the whole prediction, which by the way is

good grain crops and a good spring dry

viously prepared bond.

For the first time this year Easter Mon-

day will be observed as a legal holiday

All the banks will be closed. Struggling

debtors have, therefore, one more day's re-

and

unjustifiable exercise of the veto power, have unsparingly denounced Caldwell's shorter part very cold for the season and the second part steady and moderately claims as monstrous, and the streams bill warm. Now that we are receding from as a measure expressly designed to confiswinter, the cold part of each of these cycles cate McLaren's property. In the opinion of the privy council Caldwell's claims are should shorten and become less marked all right and McLaren has no property at while the warm part should become more all in his improvements in the sense in which he and his political friends have prominent. There, then, is a prediction with a reason for it. The famous weather prophet looks for a very warm summer, and been using the term. mperatures in July quite as high as any

Emigration Gone Mad.

If our rulers have any regard for given only as an impression, is favorable to voice of the people, they will as promptly as possible put a damper on reckless emigration from the old country to Canada, goods season. As far as Toronto is concerned, we say hold, enough, let's have no more of it. The imit has been reached, we cannot stand any further infliction. We cannot stand another Conway street experience for next winter. Somebody must do something to stop the rush of old country paupers upon Toronto charities. We are glad to see that the St. George's society of Montreal is taking vigorous action, which will surely be well sustained by the St. George's ociety of Foronto.

There is a main reason why people from the old world should come to the new. There the land is all taken up, every foot spirit, while their opponents took it too of it held by somebody or other, and canmuch au serieux and converted it into not be got hold of at any reasonable price. professional contest. Next time Toronto's In Canada land is so abundant that we nine hundred and odd pounds of avoirduhave it to give away, and do give it away, poise will be wiser and will not only be provided only that the recipients will take prepared with cleats, leather belts and t, and live on it, and stay there. All other trappings, but will see that all the such we invite to come by millions; the conditions are strictly laid down in a pre-

Northwest will take them for long time to come, and even Ontario will take not a few. But they must come prepared to be farmers, and to employ themselves instead of seeking employment. In brief, nobody who wants employment is wanted in Canada.

spite given them. Heretofore it has been supposed that we never could get too many farm laborers here. Can any possible system of government The limit appears to have been reached. nspection prevent bank frauds ? Scarcely, The farmers now want only a comparatively we should say. But the Montreal Herfew for summer work : when winter comes ald throws out a sound idea thus: "In the the laborers may pack off to the cities. It vast array of figures comprised in the inis not merely that the demand for mechanspection of a large bank, involving transacics and city laborers has been checked ; the tions of a more or less intricate nature, and 1 zero. But the country is large and wide new ple to fill it up are wanted, surely. We reply, they are wanted most emphatically, provided only that they come in and od cupy the country aforesaid. But coming to Toronto and living on soup kitchens is not occupying the country. It is merely transferring the nauper burdens of some old country parishes to Toronto. Canada has the vacant land, and offers i either as a free gift or at very low price to all who will come, and live on it. Let them come, by thousands, by myriads, by millions. But they must not come to sit down in our city charities, and be a burden to us. The distinction is evident, and the difference is enormous. The Kind of Immigrants we are Getting. The caretaker of the immigrant sheds at Winnipeg gives a somewhat interesting account of a majority of the fifty or sixty people who are being fed there. He says : -"They can get work, and I could get it for them, but they won't take it. Only the other day I got an order for a number of farm laborers, and out of the whole lot I could only get one man to go. I could get them all situations as farm hands, at wages averaging from \$25 to \$30 per month with their board. * * * They are living at the sheds free of charge, and with nothing to do but amuse themselves and I guess they think they have too much of a soft thing to throw it up. * * * I think on Monday I will get passes for them over the Canadian Pacific railway, and ship them west to either work or thing on earth. They even quarrel about which of them shall go for a pail of water to make tea with."

militis of Canada. It is to be hoped he well equipped with taffy. it lasted

It Must be Paid Fo From the London Advertiser. It is reported that Big Push Wilkinson is ready to offer himself as a sacrifice to save Bunting and Meek. He would, of course, expect to draw his ten dollars a day from the dominion government. the very succession of change

Then There Was a Coalition Conspiracy From the Hamilton Spectate The promoters of the coalition scheme had no need to bribe members: they had eceived assurances of support from as many as were necessary to success, and they were only awaiting the proper time to carry their plan into execution.

ecure From Annoyance Mrs. Minks-Who would have thought that that lovely Mrs. Blank who was a bride only a few years ago, should now be suing for a divorce ? Mrs. Finks-I do not blame her. Her husband abused her terribly. Mrs. Minks-Why, when they were married her husband was just as devoted as dear John is to me. I would die if I thought that in a few years he could change that way. Mrs. Finks-Oh, don't alarm yourselfe won't. Mrs. Minks-You are sure, then?

Mrs. Finks-Certain. All your mon is in your own name.

Boston has again broken the monotony of daily existence. This time it is "mind cure." Three women pose before large and fashionable audiences and eradicate disease Street. and sickness by the influence of their minds.

and sickness by the influence of their minds. Their theory is that there is no such thing as disease; what is called disease is merely a delusion born of an unbalanced mind. One of the apostles has cured a patient subject to epileptic fits. None of them has tackled a red-hot case of small-pox yet, It is said the Toronto police intend to practice pulling with cleats and then to challenge their Buffalo brethren to a return tug. There is more sense such a course than in kicking at that which is past. however. That the visitors took care to have every -"They say love laughs at locksmiths" and we all know that a million combination advantage on their side, and that they

went out of their regular force to make up their team, has been proved. But what of that? They had heard so much of Toronto muscle and weight that they resolved to leave no stone unturned in their efforts to win. The trouble was that the Toronto win. The trouble was that the Toronto which he will whistle "Home sweet home men went into the affair in a friendly -and stay there too, is surprising.

"Pa, is a mamma-dog a mastiff?" "Oc-casionally, my son." "Then is a pa-dog a pastiff?" Then silence reigned at the preakfast table.

-By lack of open air exercise, and the - By lack of open ar exercise, and the want of sufficient care in the matter of diet, the whole physical mechanism often becomes impaired during the winter. Ayer's Sarsaparilla is the proper remedy to take in the spring of the year to purify the blood, invigorate the system, excite the liver to exton and restore the healthy the liver to action, and restore the health tone and vigor.

A young lady who attempts to capture nore than seven beaus, always tries to fas cinate. There now.

-Hall's Hair Renewer renews, cleanse brightens, and invigorates the hair, and restores faded or gray hair to its youthful color and lustre. People with gray hair prefer to use the Renewer, rather than pro claim to the world through their bleacher locks that they are becoming aged, and passing on to decay.

THE BUSINESS WORLD.

Local Markets.

Markets by Telegraph.

TORONTO, Monday. April 7.



William Gim

autumn freshets." The point in dispute was the kind of stream contemplated by the statute. It must be one down which timber is usually brought, and it must be one which is capable of floating logs in a time of high water. In other words it must be what is known in law as a "float. able" stream.

The immemorial practice in the lumber ing districts of Canada and the United States has been to regard a stream as float able when in a time of high water and with the aid of artificial improvements in will float logs. So far back as 1863, however, this view was to some extent shaken by the judgment of the court of common pleas in Boale v. Dickson. In that case the owner of the slide charged what the owner of the timber regarded as an unreasonabl toll, which the latter refused to pay. The court decided in favor of the slide owner, on the ground that the expression "al

streams " meant " only such streams as in their natural state will, without improvements, during freshets, permit logs to be floated down them."

Under cover of this decision, when dispute arose four years ago between Caldwell and McLaren, the latter undertook to prevent the former from floating his logs down the Mississippi except on such terms as suited him. He thought he was In a position to do this because at various points on the river he owned the land on both sides where obstructions rendered the stream impassable to logs. He obtained from the court of chancery an injunction forbidding Caldwell to use his improvements. The case was carried to the court of appeal of this province and starve. These men are no use for any was then decided in Caldwell's favor. It was then carried to the dominion supreme court, where McLaren was victorious.

And now Caldwell has secured a verdict in the privy, council which overrules the judgment of the supreme court and reaffirms that of the Ontario court of ap-

The most obvious consideration growing out of this case is the complete and satisfactory vindication of the public right to the use of floatable streams. Had the definition of such streams been limited as the court of common pleas limited it in 1863 and the supreme court in 1882, the riparian owners along streams in lumber. ing counties might have obstructed in the most unreasonable and capricious way a great national industry. As the law now stands, under the latest decision a stream capable of floating logs in time of high water and with the aid of improvements. is as much a public highway as the public

road is, and making improvements on the stream no more confers on the maker the right to control it than blasting a rock out that we are to have another cold and of the road confers on the man who blasts | backward spring. It is pleasing to know it the right to prevent others from using it that Moses Oates' impressions are entirely as a highway.

Though the Caldwell-McLaren decision does not directly affect the Ontario streams established there was a succession of act, it can hardly fail to do so indirectly. similar periods, all marked by the sudder It places McLaren and other slide owners advent of cold. A continuance of cold in the position of being unable to compel for a period of a week or more and then payment of fees and as the Ontarie streams about three weeks of warm weather. act guards carefully their right to do so it After the end of January steady, mild, will probably be allowed this time to re- but not very mild weather prevailed till main on the statute book after being twice the end of February; then came end

Cheap Wheat and Dear Bread. One of the commercial wonders of the day is the low price of wheat and the high

price of bread. There are two niggers in the fence at once, the flour dealers and the bakers. Wheat has not been so cheap for vears, but still bread keeps up. A Milwaukee despatch of Saturday's date says : 'The board of trade was a scene of great excitement yesterday owing to a continued panic. The oldest speculators were sp oct in reckonings that fear seized them, and they would find safety only in avoid ing the market altogether. Business men admit the situation is very grave. Large; loan companies are not disposed to adlighted. vance money to farmers when they know

it costs the farmers more to raise wheat than the price it is now selling at.

A Warm Spring and Summer. dying. The present cold weather creates fear

different. He points out that from the beout of public view. ginning of September till winter was fully

Sweets for the Sweet. om the Montreal Witness

Col. F. Middleton has been appointed

senting the daily work of a large staff of clerks for many months, it would Sterling exchange in New York to-day was posted at 4.901 to 4.881. be strange if the ingenious brain of a practical but dishonest cashier could not manage to insert in a manner not calculated to arouse the suspicion of the inspector's casual glance any evidence of his fraud. But the knowledge of an inspection by the in New York to-day, government official appointed for that purpose would act as a deterrent to many, perhaps, who might otherwise be inclined to overstep the bounds of business prudence and embark in risky transactions for their own profit at the bank's expense. Burglars do not usually select police beats Burglars do not usually select police beats for their evening's business. On the whole \$15.70 for May, and then rallied and closed at there is more to be urged in favor of a \$16.12. Lard closed at about opening prices. government inspection of banks than can be advanced against it." The trans-Atlantic steamship companies are being looked after. A correspondent at 1214

of the Montreal Witness makes out a strong case for interference in behalf of steerage passengers. Of course it is al-in; to offend the cabin passengers is what in ; to offend the cabin passengers is what no steamship company dare do. It might be a question whether, as the business is now conducted, poor steerage passengers are not being robbed to pay for the superior comforts enjoyed in the cabin. Some strong government interference appears to be wanted on both sides of the ocean. Poor passengers cannot fight a steamship company ; that is something that the gov ernment ought to do for them.

The capabilities of the electric light were never better illustrated than at Washed 23 ington, D.C., last week, when ten lamps were placed on the Washington monument THE FARMERS' MARKET.—There was a little doing on the street to-day, and prices rule firm and unchanged. ST. LAWRENCE MARKET.—There was little doing to-day and prices are unchanged. 930 feet high; six lamps on the Smith sonian institute, 169 feet high. and twelve lamps on the dome of the capitol, 392 feet

high. The capacity of ,each lamp was rated at 4000 candles. The light from the monument in the immediate neighborhood was inconsiderable, but a mile away it was so great that no difficulty was experienced in reading the face of a watch. At that, and even a greater distance, shadows were distinctly cast, and the streets were

sufficiently lighted. From the Smithsonian tower the grounds were so illuminated that you could read ordinary print. The light radiated from the capitol dome was so great that the city authorities turned off the gas from 400 or 500 lamps within a certain radius, leaving the streets 9-16c to 7%c. Molasses quiet and unchange tice firm. Petroleum, crude 7/c to 8c, refine nchanged. Tallow firm at 7 1-16c to 7%

Death Is Not New. London Cor. New York Sun. There is nothing very new in the lit-erary world. Charles Reade is probably

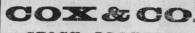
Portatoes strong. Eggs dull at 194 to 1940. Portatoes strong. Eggs dull at 194 to 1940. Pork dull, mess \$16.374 to \$16.50. Heef quiet and unchanged. Cut meats weaker, pickled bellies 740 to 740, pickled shoulders 80 to 840, pickled hams 1140, middles nomini, long clear 740. Lard lower at \$3.60 to \$8.7771. Hutter weak and unchanged. Cheese quiet and un-hanged. Gone From Our Gaze. hanged. CHICAGO, April 7.-Flour dull. Whea writed and unsettled. April 754c to 78c, Max From the Hamilton Special Mr. Mowat's bunco steerers, Messrs. McKim and Balfour, seem to have dropped

Does Look Somewhat Like It. From the Hamilton Times. It begins to look as if, Mowat, and not Macdonald, is the one man who really un-derstands constitutional law.

CHICAGO, April 7.-Flour dull. Wheat excited and unsettled. April 75ec to 78c, May 80gc to 82gc, June 82c to 584c, No. 2 spring 76c to 80gc. Corn unsettled at 45fc to 48gc, April 41c to 46c, May 48gc to 50gc, April 26c to 26gc, May 30gc to 31gc, June 30gc to 31gc. Rys lower at 50c to 51c. Pork steady at \$46.00 to \$16.10, May \$15.60 to \$16.15 June \$15.85 to \$16.40. Lard steady at \$25.25 to \$8.35, May 35.274 to \$8.45, June \$3.374 to \$8.50. Bulk means easier-shoulders \$7, short rib \$5.20, Short clear \$2.96 Whiaky steady and un-shaaged. Receipts-Flour 26.000 buls, wheat \$5,000 bush, corn \$4,000 bush, oats 120,000 bush, cyn 74,000 bush, cast 120,000 bush, corn 74,000 bush, cast 120,000 bush, corn 74,000 bush, cast 121,000 bush, corn 74,000 bush, cast 121,000 bush. rys 500 bush, barley 10,000 bush.

A cable to Cox & Co. guotes Hudson Bay at £251, and Northwest Land at 60s. New York stocks were dull ; Pacific Mail and Union Pacific held their own during day and closed firm. There was nothing done in Canadian Pacific CONOMY The local stock market was fairly activ Northwest Land sold at 561s. Chicago advices report that wheat opene 24c off from Saturday's closing, declined t 79% for May, and then advanced to 82%, and "The public cannot be misled if, who closed steady at 821c. Corn also opened a 1c off, declined to 48 c for May, and closed strong seeking an office in which to effect an in surance, they select one which transacts its business at a small per centage of work Best ing cost."-British Board of Trade Report. Slab Owing to strict economy in the conduc Toronto Stock Exchange. MORNING SALES.—Federal 10 at 136}. Do minion 23 at 199. Western Assurance 50 a 121 reported. Northwest Land 50-100-100 a 55. Canada Landed Credit Co, 20 at 122, 2 of its business the Ætna Life Insurance company claims to be able to furnish Life and Endowment Insurance on more favor-able terms to the public than most other Companie The Policyholders' Pocket Index, standard chart issued annually by The Spectator Publishing Company, 16 Dey St., New York, gives the expenses of all Amer-ican companies as a "Ratio to Total In-come," and shows the following average for the past three years, as to companies doing business in Caracle Montreal Stock Exchange. CLOSING BOARD--Montreal 1923 to 1.923; sales 100 at 1923; 175 at 1924; xd. 1883 to 1.823; sales i0 at 1829, 65 at 1894, 25 at 1884. Merchants 114 to 1134; sales 30 at 114, 10 at 113. Northwest Land 57 to 55; sales 5 at 116, 1 5 at 1154, 50 at 115. Montreal Gas company 1794 to 179; sales 275 at 1804, 75 at 1804, 25 at 1794, 25 at 1794, 75 at 1794. siness in Canada doing b Ætna Life, of Hartford. Equitable, of New York. New York Life, of New York. Travellers', of Hartford. Union Mutual, of Portland. United States. of New York. New York Stocks. CLOSING PRICES.—Canada Southern 504, Canadian Pacific 52, Lackawanna 1204, Lake Shore 974, Louisville & Nashville 47, New York Central 114, Michigan Central 854, Mis-souri Pacific 854, Northwest common 164, Northern Pacific 224, St. Paul, common 864, St. Paul & Manitoba 35, Union Pacific 714, Western Union 684, Wabash Pacific, pre-ferred 234. It is manifest that business cannot be done without some expenses, and that the less expense, other things equal, the better results to those insured with profits.

WESTERN CANADA BRANCH: York Chambers, Cor. of Toronto and Court Streets. WM. H. ORR - - Manager





STOCK EXCHANGES Also execute orders on the Chicago Board of Trade in grain and Provisions.

> Hudson's Bay Stock bought for cash Daily cable quotations received. **26 TORONTO STREET.**

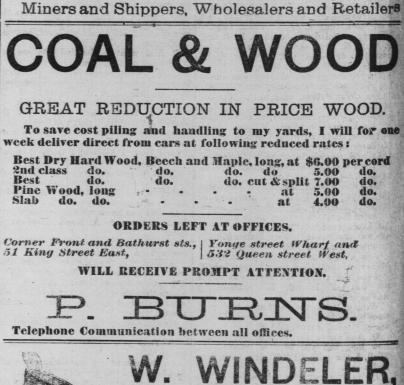
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ion, and a large 2-4-6

styles.

hundred yard race at P finish they breasted t gether and both fell flat oughly exhausted. The that the race was a dea left optic was a glass on ng broke it, severel ball cavity and parts of

A baseball club has be coe with the following president, Mr. John vice-president, Col. Ja president, Mr. T. A wice-president, Mr. A. I president, Mr. A. I aud captain, Mr. R. B. J aud captain, Mr. R. Kn Rev. Mr. Grant. Commi son; VanAmburg, Curt Boyd.

A prominent sporting York stands ready to giv for Mitchell and Edwar rounds. Billy Madden, manager, is in no burry face Edwards. He wan June, as the Madison so not be retited before the do meet, Edwards will t for the affair, and ther audience. The New York corr

Cincinnati Enquirer say biggest scheme out would sada, the Japanese wrest 'Melican,' or Marquis fashion. He is the quic the strongest man of h saw, and if he only knew 'dukes' in fighting as we wrestling he would ma would be champions 'stan when he came in. He's don't know what they c in Japanese, but he's fr cents." sada, the Japanese wres

The wrestler Matsada, 1 of Japan and future cham travels like a prince. On he left New York, accomp ard K. Fox, his backer, V ing and two hundred sp Cleveland. The party oc train, and other trains clear the track for it. M most costly silken robes the depot with six little his train. Two New Yo ing men accompanied h Japanese private secretary valet. He will wrestle Du night at Armory hall, Cle \$1000. Two rounds catch-can, two Japanese, the final round will be tos

The Leander rowing cl has 128 members, 41 of wh ing the past year. At th meeting on Saturday the were: R. A. Lucas, presi T. H. Macpherson, 1st v elected); Harold Lamber 2 (re-elected); Henry McLan sident (re-elected); Z. Ja electer₁; P. M. Bankiep electer₁; R. Hobson, treas J. J. Stewart, Campbell-Pristo', T. W. Faker, J. A. McAdam, H. E. Gat s delegaces to at letic con Lambe, A. H. McAdam The club's new boath pleted.

Speaking of the crook jockeys in England a write hear some of these jockey their horses in the weight race. One of them will fancy I shall win this. won anyhow. 'Yes, the mine,' a second says. s ven pounds of that form but it isn't good enough third jock-y would say. as the Blank cole that be eanter last week. "We enough te win,' the first sp

