

IMPORTANT BUILDING ON LABOR'S RIGHTS BY WINNIPEG JUDGE

At Russell Appeal Says Statutes Do Not Give Free Rein at Meetings.

PROTECTION IS LIMITED

Winnipeg, Jan. 9.—(By Canadian Press).—The extent to which section 590 of the criminal code protected the activities of members of trades unions was defined in the court of appeals by Chief Justice Perdue today when Robert Cassidy, K.C., in speaking to the Russell appeal case, claimed that under this section no evidence concerning the Winnipeg general strike should have been admitted. No charge of conspiracy could be laid against an individual, he said, for actions within the orbit of a trade combination. Chief Justice Perdue, in defining the meaning of this section, said: "The object of section 590 of the criminal code is to protect trade unions. Otherwise they might be absolutely protected, notwithstanding there was a conspiracy to commit a crime or violate a statute."

Chief Justice Perdue said: "It was introduced to protect trades unions. It was not introduced to make them immune from charges of conspiracy if they were guilty of it." Mr. Cassidy contended that the overt acts which had occurred during the strike should have been kept out of the prosecution under this section of the code. Mr. Justice Fullerton: "In other words, you are arguing that Russell could make speeches as seditious as he pleased in a labor meeting and would not be liable for prosecution for them."

Some discussion of the learned judges and Mr. Cassidy took place as to whether the sentence passed upon Russell was a fair one. Mr. Cassidy thought that it was solely due to leniency that the sentence which Russell is serving is two years instead of three. Mr. Cassidy said that Russell had to bear all the stigma of the lower sentence. Chief Justice Perdue thought that the court of appeal had the power to set aside the sentence passed upon Russell and direct what penalty should be imposed. For instance, instead of two years each on Russell and Cassidy, a sentence of two years on the whole indictment could be given. This action, the chief justice thought, would not upset the trial.

Admittance of Evidence. Mr. Cassidy jumped the fifth objection and commenced arguing the sixth. He contended that Mr. Cassidy's evidence should not have admitted because he was inadmissible as a witness for the defence. Chief Justice Perdue remarked that this point had nothing whatever to do with the result of the trial, and he was surprised that the trial judge had permitted the point to be included in the reserved case. The fact that the accused had repented, had undergone a change of heart after the strike had started, was not of importance so far as the legal result of the trial was concerned. Other of the judges, however, remarked that when Mr. Cassidy said that Russell worked a ceaseless finish from the standpoint of labor, this could not be taken as a whole-hearted effort to end the strike from an impartial viewpoint. Mr. Cassidy did not entirely accept this version of Mr. Russell's efforts. He said that Russell strove rather to bring the strike to an end by accommodating the various interests.

Much dissatisfaction was expressed by the meeting regarding the apathy displayed and the disinterestedness shown by the civic authorities towards the construction of the Pape avenue car line. It was decided to visit the city hall with a strong deputation at an early date to firmly request immediate action in the matter. Other matters discussed were the suggested supervised playground in Withrow Park for the children of the district; better lighting of Danforth avenue, particularly along the business section from Broadview to Jones avenue; the beautifying of the viaduct approaches at the eastern end; and more police protection at busy corners.

WINTHROW ICE GOOD. The ice in Withrow Park since the advent of winter has never been in better condition and the rink and hockey cushions are crowded nightly with residents of the district, both old and young.

NOT COMMISSIONER'S FAULT. Regarding the long expected public lavatory at Broadview and Danforth, Alderman R. Honeycutt is in receipt of a communication from D. Reichel, property commissioner, in which he points out that the matter of delay is not attributable to the department, but to the board of control, who had advertised for tenders, afterwards adjourned the session, and the matter has not had an opportunity for consideration since Dec. 15.

FORM NATIONAL DAIRY COUNCIL. Ottawa, Jan. 9.—(By the Canadian Press).—The Canada Gazette announces the issue of letters patent under the companies act to the National Dairy Council, Edward James Stonehouse, dairyman and James McArthur, merchant of Winnipeg; John Bingham, merchant, and D'Arcy Scott, barrister, both of Ottawa, and incorporated to assist in the improvement of the dairy industry in Canada, including production, manufacture, transportation, storage and marketing.

The National Dairy Council is also to consider proposed federal and provincial legislation and regulations to assist in obtaining beneficial regulations to the dairy industry, to encourage co-operation; to encourage production; to assist in developing a better trade for Canadian dairy products. The head office of the council will be in Ottawa.

P.C. Naylor of No. 8, who distinguished himself as a private in Thursday night's capture of bandits, was a private in the 27th Battalion and a sergeant-major in the London military police. He lives at 227 Kenilworth avenue.

YORK COUNTY AND SUBURBS EAST END Y.M.C.A. SCHOOL WITHOUT WATER.

"If the East End Y.M.C.A. is to successfully carry on during the present year, a new and larger building will be absolutely necessary," said H. J. Pearson, secretary, who points out that the present headquarters is an old, dilapidated building on Main street, which has been in existence 25 years, and totally inadequate to serve the live and increasing east end membership. The railway men who are accommodated in the building are sufficient to tax its present capacity, and a gymnasium and swimming pool are required for the young men and boys. A hall for an occasional dance and other amusements is also badly needed, along with other equipment. The upper room of the old building was condemned a short time ago by the civic authorities as unsafe and closed up, thus further limiting the capacity of the establishment. The matter was discussed at the annual meeting in April, which ends the financial year. J. W. Brannon is chairman of the district.

MARKHAM CONSERVATIVES. The annual meeting of the Markham Township Liberal-Conservative Association has been called for next Saturday, Jan. 17, at Unionville. F. Maclean, M.P., H. S. Henry, M.L.A., and other well-known public men have promised to be present.

Earlscourt G.W.V.A. Asks President Richardson to Remain. To consider the resignation of President G. Richardson as Secretary J. W. Beauchamp of the Earlscourt branch of the G.W.V.A., the executive committee met at the headquarters of the branch, 150 St. George street, on Thursday evening. The resignation of Richardson was accepted, and Beauchamp has decided to retain his position as secretary for the present. The committee also discussed the resignation of Richardson as Secretary J. W. Beauchamp of the Earlscourt branch of the G.W.V.A., the executive committee met at the headquarters of the branch, 150 St. George street, on Thursday evening. The resignation of Richardson was accepted, and Beauchamp has decided to retain his position as secretary for the present.

WOODBINE AVENUE SURVEYED. The city surveyors took heights and measurements yesterday on Woodbine avenue in connection with the proposed grading of the roadway between East Gerrard street and King street. It is expected that the estimate of cost will shortly be submitted by the works commissioner to the city council.

CONDITION SERIOUS. Mrs. J. Clarkson, 52 Kimberley avenue, was removed to Wellesley Hospital to undergo an operation yesterday. Her condition is considered serious. Mrs. Clarkson has a husband and four young children.

QUENCHED SINGLE-HANDED. W. McMurray, 68 Loyal avenue, found his back kitchen on fire when about to leave the house a few evenings ago. He succeeded in extinguishing the flames with the aid of pails of water after a long tussle single-handed. There was considerable water damage. Mr. McMurray did not call in the help of the fire department.

WEEK OF PRAYER SERVICES. A successful week of prayer services was brought to a close at Hope Methodist Church last evening, which, according to the opinion of Rev. A. Terryberry, pastor, was the most productive of results in the term of his pastorate. The proceedings were conducted by Rev. A. Terryberry, pastor, and one member presiding and two delivering the addresses.

Release of Frank Currell. Pleases Earlscourt Veterans. Earlscourt veterans are well satisfied that one of their members, Frank Currell, the brother of Earlscourt, who was held in the Earlscourt Jail, has been released by Judge Cotnam. The Earlscourt G.W.V.A. took the case and instructed Hugh J. MacDonald, barrister, to deliver Currell. Currell is working as a tinsmith in Earlscourt, and has a wife and small baby.

EARL GREY ADDITIONS. Tenders have been called for the erection of additional wings to the Earl Grey School, Jones avenue, which it is expected will be built during the coming spring. With the proposed extension of the building a large kindergarten and five additional rooms will be added.

TORBAY LODGE, L.O.L. A well-attended meeting of Torbay Lodge, L.O.L. No. 361, was held last night in Player's Hall, Danforth avenue. S. H. Smith, W.M., was in the chair. A feature of the proceedings was the presentation of a pastmaster's jewel to A. O. Smith, immediate pastmaster. Rev. F. E. Powell made the presentation of the jewel. The president, S. H. Smith, was appointed delegate to the Grand Lodge, with J. Harley D. alternate, and A. J. Smith, proxy.

Two candidates were initiated and four applications for membership were received.

FOR THE SICK. FLAGE ONE LEVEL TRANSPORTER OF GROVES O-PEN-TRATE BALVE is a hot saucer in the stock room. The Antiseptic Vapor rising from the hot saucer circulates and makes breathing easy for the patient. It induces sleep and is a great comfort to those suffering with Spasmodic Croup, Asthma, Bronchitis, Sore Throat, Coughs, Colds, Whooping Cough, Diphtheria, Pneumonia. The Healing Effect of the Vapor relieves the patient and is very comforting. Price 25c per box. If your Druggist hasn't any, send 25c in postage stamps to Paris Medines Co., 103 Spadina Ave., Toronto, and a full-size box will be mailed to you promptly.

Lieut. J. V. McKenzie, Toronto, is Commissioner at Glasgow. Ottawa, Ont., Jan. 9.—Lieut. James Vernon McKenzie, of Toronto, has been appointed Canadian trade commissioner at Glasgow by civil service commission. Mr. McKenzie is a graduate of Toronto and Harvard Universities. At Harvard, where he took the degree of M. A., he specialized in political economy and supplemented by a short post graduate course at the Sorbonne, Paris. He has had extensive newspaper experience in Canada and the United States.

Another communication from Moscow says the booty captured by the Reds on the southern front in Russia in the present offensive include 400 guns, 1400 machine-guns, 11,000 rifles, 18 armored trains, 200 locomotives, 10,000 wagons and large stores of food and munitions, and 35,000 prisoners. A despatch from the British general staff states that when the Letts and Poles captured Dvinsk ear, in the present week they found the population starving. Typhus is raging throughout the city.

A British sailing ship salved after twenty years on the rocks, together with the valuable cargo, also the relic of sail power in competition with steam, is the subject of an interesting article which will appear in this week's Toronto Sunday World. Secure a copy by an order to your newsdealer now. Price only 5 cents—all newsboys and dealers.

Ottawa—Dairy products to the value of \$50,558,000 were exported from Canada during the calendar year 1918, according to the report of the department of agriculture for the financial year ending March 31 last, just issued.

ANOTHER VICTIM OF RHEUMATISM

Entirely Well After Six Weeks' Treatment With "FRUIT-A-TIVES"



MR. AMEDEE GARCEAU. 82 Hickory St., Ottawa, Ont. "I was for many years a victim of that terrible disease, Rheumatism. In 1913, I was laid up for four months with Rheumatism in the joints of the knees, hips and shoulders and was prevented from following my work, that of Electrician. I tried many remedies and was under the care of a physician; but nothing did me any good. Then I began to take 'Fruit-a-tives' and in a week I was easier, and in six weeks I was so well I went to work again. I look upon this 'fruit medicine', 'Fruit-a-tives', as simply marvellous in the case of Rheumatism, and strongly advise everyone suffering with Rheumatism to give 'Fruit-a-tives' a trial." AMEDEE GARCEAU. 82c. a box, 6 for \$2.50, trial size, 25c. At all dealers or sent postpaid by Fruit-a-tives Limited, Ottawa, Ont.

HAMILTON

HAMILTON, Jan. 9.—A Yarosh, court interpreter, doubts the entry of alien Mrs. Fannie Horton, aged 77, died in the aged women's home today. Herbert Bull, aged 16, 245 Balmoral avenue, fractured his right arm while at work.

At the Independent Labor party elections, held today H. G. Foster was elected president of the East Hamilton branch. John A. Wetliar was re-elected president of the Hamilton Horticultural Society.

The police benefit fund elected Sgt. T. Clarke as chairman. Mrs. Fannie Horton, aged 77, died in the aged women's home today.

Due to weather conditions and the unusually heavy demands, Hydro services ebbed in the east end of the city, and the gas pressure was so low it could not be used.

Eight cottages at the Beach have been entered by robbers. The recovery was made by Chief Teplin while on a tour of inspection.

The Plumbers' Union today notified the masters that hereafter they want a 40-hour week instead of 44. Ed H. Donnelly was re-elected mayor of Sandwich.

At the semi-annual meeting of the Meat Cutters' and Butchers' Union elections took place and G. Derbyshire gained the presidency.

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U. F. OF MANITOBA ENTRY IN POLITICS NOT YET COMPLETE

Leave Open Special Means, However, for "Concerted Action."

Canadian Press Despatch. Brandon, Jan. 9.—While declining at this time to enter provincial politics as a provincial organization, the United Farmers of Manitoba, at this afternoon's session of their annual convention, left open a means by which "concerted action" in Manitoba politics, on behalf of the new National Farmers' Policy, can be arranged if a majority of the federal constituency in the province so desire.

The political action resolutions were discussed in open convention all morning, and during most of the afternoon they were in the hands of a special committee, which finally brought in majority and minority reports. When the minority report was defeated, the adoption of the resolution, as finally passed, was carried only half a dozen votes in opposition.

The majority report, while adhering to the principle that the initiative in taking provincial political action should be left to the provincial organization in constituency and adding, "but further, if a majority of the constituencies in the province, after consulting the electors in their respective constituencies, declare in favor of taking concerted political action at the next provincial election, the executive shall be asked to call a convention of accredited delegates from these constituencies for the purpose of formulating a provincial platform."

The minority report objected only to the use of the word "majority," declaring it defeated the principle of the matter. Changes endorsed in the new national policy approved of "endeavouring to secure unrestricted reciprocal trade in natural products with the United States along the lines of the reciprocity agreement of 1911" and of placing all foodstuffs on the free list.

By a standing almost unanimous vote, the United Farmers adopted a resolution asking the provincial government to amend legislation immediately to make it illegal for residents of Manitoba to purchase intoxicating liquor for beverage purposes or to import liquor into liquor warehouses. The resolution also sought a referendum on importation of liquor and requested that no license be granted in Manitoba for liquor warehouses.

Decision was made unanimously to hold the 1921 convention in Brandon. The convention called upon the Canadian Farmers' Association to urge the abolition of the complete reconstruction of the board of commerce. The convention approved and referred to their executive for action a resolution endorsing the stand of the Great War Veterans Association on the gratuity question, it being set out that cash grants should not be made, but that no gratuity should be paid on a graduated scale to reduce the mortgage on his industry, or business, or home, or as first payment to enable him to secure such business or home.

PROMPTLY ARRESTED. One of Three Men Lurking Near Jewelry Store Held on Vagrancy Charge. Seeing three suspicious characters run out of the lane by Galster's jewelry store, 718 Queen street east, Police Constable Harper (407) ran after them and succeeded in arresting John MacIntyre, Hastings avenue, who was taken to the station, where he was charged with vagrancy.

Anti-Jap Rising in Korea, Bolshevik Report From Moscow. London, Jan. 9.—An anti-Japanese uprising has broken out in Korea, according to a Bolshevik wireless communication received here tonight from Moscow.

EAST KENT OPEN TO HON. M. DOHERTY. Rumor of Raney's Resignation Denied by Premier Drury. As already foreshadowed in The World, Premier Drury will run in North Norfolk, where G. D. Sewell, the U.F.O. member-elect, has offered to give up his seat, and Hon. Manning Boheny, minister of agriculture, will have East Kent open to him by the retirement of J. B. Clark, also a U.F.O. member-elect.

It was given out that no fewer than a dozen U.F.O. members-elect had voluntarily offered themselves as political candidates for the three ministers. Apparently, however, there has been no particular rush to accommodate Mr. Raney, who is still in the wilderness so far as finding a seat is concerned.

There was a persistent rumor going the rounds of parliament buildings yesterday afternoon, that the attorney-general had offered his resignation to the premier. When asked regarding the matter last night, Mr. Drury promptly denied the report.

Nothing to Say. J. B. Clarendon, who is resigning in East Kent, saw Premier Drury and Mr. Raney yesterday, but had nothing to say, beyond the fact that he had incorporated his seat in the disposal of the selection committee.

It is regarded as certain that there will be opposition to Mr. Doherty in East Kent and owing to the length of time it has taken Premier Drury to find an opening it would not be surprising in view of Hartley Dewar's recent statement, to find a Liberal candidate in the field in North Norfolk.

SWALLOWED LYCOL. Mrs. Lena Brooks, 523 East King street, was admitted to St. Michael's Hospital this morning suffering from poison. She is believed to have taken lycol. Her condition is not serious.

BABAYAN'S January Sale

AN OPPORTUNITY TO OBTAIN HIGH-GRADE AND GENUINE Oriental RUGS At a Great Saving

Many months ago our Buyers in Persia and the Near East had succeeded in procuring an especially fine collection of several hundred ORIENTAL RUGS, which Goods were hidden away to escape the plunder of the War. This fortunate purchase has just arrived in time to be included in our Annual January Sale with the rest of our large stock of Rugs. The following is only a partial list of many bargains to be offered during this month—

75 EXTRA FINE KAZAKS.—A lot of well-selected specimens of this famous make, in silky and lustrous piles with rich blues, rose and ivories; suitable for Halls and Living Rooms. Average size, 7 x 4. Regular values, \$150.00. Very Special (only two to one customer) at \$112.00

60 KAZAKJAS.—Small Kazaks, suitable for Landings and Vestibules. Average size, 4 x 3.6. Regular \$50.00 to \$65.00. Special \$35.00

15 DOZAR IRANS.—Close pile and silky Persian weave. In small all-over designs. Average size, 6 x 4.6. Special \$137.50

1 EXTRA FINE KIRMANSHAH.—Very fine specimen, in deep rose, blues and browns. Size, 12.8 x 8.10. Regular \$875.00. Special \$625.00

1 FINE ARAK.—Beautiful shades of blues and mulberry, small Fereghen design, 12.4 x 8.8. Regular \$350.00. Very special \$305.00

In addition to above, we have a great many Rugs in small, large and medium sizes at very special and attractive prices. In view of the great scarcity and prevailing high prices of Oriental Rugs, this announcement should meet with an enthusiastic response from our city and out-of-town buyers.

L. BABAYAN

Canada's Largest Exclusive Rug House WHOLESALE AND RETAIL 30-34 King St. East Toronto

Woodstock School Board Elects Dr. Brodie Chairman. Woodstock, Ont., Jan. 9.—(Special).—At the organization meeting of the board of education Dr. G. M. Brodie was elected chairman for 1920. The chairman of the committees for the year are: H. C. Norry, finance; G. F. Mahon, management; E. J. Canfield, property; E. A. Rea, manual training and domestic science; James Steele, evening and industrial classes.

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How to Convert Your Ford Into a Cozy, Closed Car. You want the comforts of a Limousine when driving against bitter-cold winter blizzards. The USTUS Limousette for Fords converts either a Ford Touring Car or Roadster into a machine that shuts out biting winter winds, and enables you to ride in comfort. It provides clear vision front and sides—is free from rattles and vibration and can be installed in an hour. Better see the USTUS Limousette Dealer promptly for demonstration of its advantages. So Many Ford Owners are ordering Limousettes that we cannot build them fast enough to meet the demand.

Northern Electric Company Limited. Montreal, Quebec, Halifax, Ottawa, Toronto, London, Winnipeg, Regina, Edmonton, Calgary, Vancouver.