

The Toronto World

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THURSDAY MORNING, JULY 3.

HYDRO.

Hydro-electric is having its trials. Other lines have had them, and its friends have the consolation of knowing that the trouble is not one that any human skill, governed by previous experience, could avert. The breakdown of Wednesday morning was on the trunk line between Niagara and Dundas. The commission had all the towers on this part of the line, numbering over 1000, tested, and weak insulators replaced, except 100 which were to have been finished today. It was in the weak spots among these tested 100 that the trouble developed.

As fast as new insulators can be got from Ohio the defective ones are being replaced, but the manufacturers are unable to turn them out fast enough to please the engineers.

A new testing method has been devised by the hydro-electric engineers which greatly facilitates the work, and as soon as the trunk line can be placed in normal security, which will be in a day or two, the Toronto and western lines will be overhauled, and the service restored to the reliable condition of the past two years. The failure of the insulators was a factor not unprovided for. Five of the porcelain protectors have been considered sufficient on other lines, but the hydro users eight. Even this extra resistance has been overcome, and the danger must be met with still greater vigilance. The staff of the commission are bestowing it without stint and they hope they have had their last serious break.

THE WORST STREET IN TOWN.
Yonge street for three miles north of Deer Park is in worse condition than any other street in Toronto. Nothing has been done by the city to improve it this year, and motorists and others who pass over the road declare the condition to be execrable, if not dangerous. The one way to improve this important highway is, of course, to put down a permanent pavement. The objection to this is the early widening of the street and the possibility of double-tracking for the street railway. But something has to be done, and done quickly. If northern street traffic is to receive only decent treatment.

Because of negligence, Yonge street is still the only outlet to the north, and development to the east and west on north Yonge street is consequently being doubly retarded. Commissioner Harris has been requested to work out a solution for fixing up the street, but does not appear to be seized with the necessity for prompt action. Perhaps the aldermen for wards two and three might find time to inspect the street and see how closely it conforms to present-day necessities, not to mention comfort. And where are the mayor and controllers to an open air meeting.

ONE, TWO, THREE, FOUR, "SANK."
More mistakes are now made on the telephone in confusing five and nine than from any other cause. Why not give five its French name and spell it "sank" for the benefit of the public? This would give a distinct sound for every numeral.

THE MULHALL CHARGES.
Yet another scandal growing out of the Mulhall charges is to be investigated by the U. S. senate committee, enquiring into the powerful lobbies which for years have infested Washington. Only last Sunday, Mark M. Mulhall gave to the press his far-reaching indictment of the National Association of Manufacturers, and their allies among members and ex-members of congress. Before the week is out he will be in the witness box, to be followed by hundreds of prominent men apparently implicated by his confession.

The fierce light of publicity which just now beats upon the congress, and the congressional lobbies of the United States, makes it more and more difficult for the "invisible powers of government" to work their will. Mulhall who makes the charges is, according to his own confession, a most disreputable type of lobbyist, but he was the trusted employee of the Manufacturers' Association for ten years, and he claims to have in his possession no less than 20,000 letters and telegrams to corroborate his story.

The Manufacturers' Association is composed of representative business men, frankly brought together to promote their own interest, especially in the matter of dealing with the demands of organized labor. According to Mul-

hall, he was employed to corrupt labor leaders and members of congress. When a big strike was on, Mulhall appeared on the scene, and by his lavish use of money, disorganized the strikers and induced their leaders to betray them. The times and places are given with great detail, and many names are mentioned, but it is gratifying to know that Samuel Gompers and John Mitchell appear on the "black list" of the association, as being unpurchasable.

Strikes usually occur in the summer, and thus Mr. Mulhall was able to spend his time in Washington during the sessions of congress. Thru the friendly aid of an official of the house of representatives, he ensconced himself in a room at the capitol and kept many members under espionage, with the assistance of 75 pages and messengers who were in his pay.

The Manufacturers' Association, according to Mulhall, had many devoted allies among the members, including Speaker Cannon and the late Mr. Sherman, who subsequently became vice-president. It was the association which foisted upon the country the tariff board in order to forestall a revision of the tariff, but its principal activity seems to have been directed, not only at Washington, but at various state capitals, to throttling progressive legislation. Thus it fought vigorously against compulsory education, and against all restrictions upon the employment of women and children. The association undoubtedly defeated a number of congressmen who favored labor legislation, and assisted in a financial way many members who opposed such legislation.

But the officers of the association say that they had to contend against a powerful labor lobby clamoring for flagrant class legislation, such as statutes exempting labor unions from the operation of the Sherman Anti-Trust Law, restricting the power of the federal courts to issue writs of injunction, and making contempt of court cases triable by jury.

Mulhall's story is tinged with considerable bitterness, and may be open to suspicion of exaggeration, but his charges are so specific that they must receive, and no doubt will receive, from congress, a searching investigation. The president deemed them so important that he took the unusual step of personally visiting the capitol, and urging immediate action.

VOGIFEROUSLY BAD ADVICE.

The Telegram now figures it out that the strapholders are necessary to pay the price which it wishes to believe the city will pay for the Street Railway Co. So it is telling the straphangers to take no chances. They will always be sure of a strap if the city doesn't buy the railway. When, then, is the use of running the risk of having to sit down on a seat if Mayor Hocken is allowed to buy it?

The Telegram divides the Cosmos, like all Gaul, into three parts, namely, straphangers, straphangers' friend and straphangers' foe, but it has all the insane excitement of a 15 puzzle in getting them lined up right.

Hadn't the Telegram better wait till Mayor Hocken gets a bid in shape before it alienates the straphangers and the straphangers' friends with such vociferously bad advice?

LAWYERS AND PARLIAMENT

As a side issue from the main question involved in the investigation into the stock dealings had by members of the British Government in American Marconi Company shares, an extremely interesting correspondence appeared in the columns of The London Times, in connection with the appearance of Sir Edward Carson and Mr. F. E. Smith, both prominent Unionist members of parliament, as counsel for Mr. Godfrey Isaacs, in his action against a Paris newspaper. It originated from an editorial in The Times animadverting on their judgment in accepting the briefs and suggesting that they would have been better advised had they refused to "occupy a position as advocates which might conceivably prove embarrassing to them in the performance of their duties in parliament and in public discussion generally." The Times at the same time admitted that, in the view of some authorities, the etiquette of the bar left them no choice and that they could not refuse briefs delivered to them.

In a letter contributed by Sir Harry Poland, that distinguished lawyer pointed out that the etiquette of the bar left Sir Edward Carson and Mr. F. E. Smith absolutely free to refuse briefs in the Matin case, and in the prosecution of Mr. Chesterton by Mr. Godfrey Isaacs, "if they thought that appearance in such cases would interfere with their duty in parliament to their constituents." But he also conceded that there were some cases in which counsel is bound in honor to appear for a client and cited as an instance the prosecution of Tom Paine in 1792, for a seditious libel, the first part of the "Rights of Man" where the famous Erskine was retained for the defence. Erskine was at the time attorney-general to the Prince of Wales and every effort was made to induce him to withdraw from the suit. In his speech for the defence, Erskine referred to the attack made upon him and proceeded:

Little indeed did they know me, who thought that such calumnies would influence my conduct. I will for ever, at all hazards, assert the dignity, independence and integrity of the English bar; without which impartial justice, the most valuable part of the English constitution, can

have no existence. From the moment that any advocate can be permitted to say that he will or will not stand between the crown and the subject arraigned in the court, where he daily sits to practice, from that moment the liberties of England are at an end. If the advocate refuses to defend from what he may think of the charge, or of the defence, he assumes the character of the judge; may, he assumes it before the hour of judgment, and in proportion to his rank and reputation puts the heavy influence of perhaps a mistaken opinion into the scale against the accused, in whose favor the benevolent principle of the English law makes all presumptions, and which commands the very judge to be his counsel.

Sir Harry Poland expressed the opinion that most English counsel "would act as Sir Edward Carson and Mr. F. E. Smith did, because they feel bound to give their services to any client who requires them."

Mr. Smith on his own behalf made a vigorous defence of his action. Neither he nor Sir Edward Carson were under any delusion as to their right to refuse the briefs offered to them. The relevant considerations before them were "(1) Was it or was it not our duty under the rules of the bar to accept the retainers offered to us or were there in the material words 'special circumstances' entitling or obliging us to refuse those retainers?" and, (2) Whatever the rules of the bar may have been, was it or was it not our duty in relation to the general public and the profession to accept the retainers which were offered to us? Mr. Smith has no difficulty in justifying their decision to accept the briefs and invites his critics to indicate with precision the grounds upon which it is suggested that the retainers should have been refused. "How long," he asks, "do you think this state of things will endure if every Conservative case is to be presented by Conservative advocates, and every Liberal case conversely resisted by Conservative advocates? How long do you think it would be before our law courts reproduced the grotesque travesty of judicial procedure which has disgraced the record of the Marconi committee?" Narrowed down the complaint really means that no practising lawyer should be eligible for election to the house of commons.

The Telegram is surely hard hit. It has had to betake itself to Cherry street and employ fabrication. The Telegram chooses to forget that The World and itself were the only two papers that did not support the Cherry street deal.

For years every sane agency on the continent has been trying to discourage the use of fireworks for patriotic celebrations, on account of the numerous deaths that result, as well as innumerable fires. Yet The Star last night complains about being unable to buy fireworks for Dominion Day.

SUCCESSION DUES TAKE A BIG JUMP

Hundred Thousand More Than Was Paid to the Province Last Year.

A leap of over \$100,000 features the returns of the Ontario succession duties for the month of June. A cheque for \$170,000 enters the treasury for the last thirty days and shows a huge increase on that of \$70,000 for the same period in 1912. The returns fluctuate from month to month, grow steadily as the financial years pass, the number of large estates bringing in the bulk of the amounts.

Two of these, those of the late Elmore Harris and Colonel J. H. Mason, swelled the figures enormously for June and placed York County at the head of the contributing list. The Harris estate brought in \$42,387.20 and that of Mr. Mason \$27,580.29. The total of the county was \$119,967.49.

For the eight months of the present year the total is \$627,441.18, in comparison with that of \$557,754.13 of 1912.

BAND CONCERT TONIGHT.

The band of the Royal Grenadiers, under the direction of Mr. J. Walden, will play at Exhibition Park on this (Thursday) evening from 8 till 10 o'clock.

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You may enjoy O'Keefe's Special Extra Mild Ale, even if you find ordinary ale too heavy. O'Keefe's is EXTRA MILD. 238

The Philosopher of Folly

By Sherwood Hart

STUBBORNNESS.

Oh, possible reader, I prithee give heed. I warn you the prospects are tough. I know you'll be sorry on starting to read this foolish collection of stuff. There's little of anything here that you'll find, the straight to the bottom you go, but that which will cause you vexation of mind and sorrow and sadness and woe. If you were a wise man you'd stop it right here, and not worry thru to the end, but I am striving to make myself clear, and acting the part of a friend, there's doubtless an obstinate person or two who, seizing the bit in his teeth, will carefully read all this paragraph after paragraph, and then he'll say, "Some people will never give heed to advice—they'll recklessly rush to their fate; and then they'll say, 'I wish I hadn't read this.'"

HAZARDOUS PLACE FOR PICTURE MEN

Official Photographer of Scott Expedition Took Big Chances on Trip.

One of the most wonderful scenes in the motion pictures of Capt. Scott's south polar expedition shows the Terra Nova, the ship in which they began their journey, crashing its way thru the thick ice, splitting it with its own strength. The ice in some cases was many feet thick, but the boat was able to cope with it, usually. Once, however, the party was held up for many days, the ship being stuck in the ice.

The interesting feature about the picture of this incident is the fact, that the audience can see the bow of the boat ramming the ice pack just as if one were looking over the front railing of the boat. In order to produce this effect Mr. Ponting, the official photographer of the expedition, had to reach a plank extended out from the side of the front deck and supported by means of ropes. On this he had to tie the motion picture camera, and then crawl out on the plank himself and say down. He took pictures for some little time in this uncomfortable and hazardous position. Every time the ship struck the ice the force of contact was so great that it nearly threw Mr. Ponting and his camera overboard. The audience is also shown a picture of the ship struck in the act of taking the motion pictures in that unusual manner.

These realistic motion pictures are now being exhibited twice daily at Massey Hall.

TORONTO TAXES FOR 1913.

The taxes for the recently annexed district of North Toronto are not due and payable until Sept. 10. The bills for the said district will be delivered during August. Ratepayers owning property in that locality need not worry on account of not receiving their bills, as the will all be delivered in good time previous to the date of payment.

SCHOOL CONTRACT QUEST ADJOURNED

Will Be Resumed in September When Papers Are Produced.

ADMIT SUBSTITUTION

Thousands of Feet of Radiation Not Up to Specifications.

The school contract investigation is adjourned until some time in September. Altho Judge Winchester notified the school board a week ago to have certain documents ready yesterday the papers were not forthcoming, and the judge had some very emphatic remarks to make about the laziness of the school board in the matter, in which he was supported by G. R. Geary, K.C. In order to fix the blame for the occurrence Supt. Bishop was called to the stand. He declared that they could not be obtained.

Ultimately, Mr. Waste, on instructions from G. R. Geary, K.C., to "get anything, something, to go on with," he returned with the specifications of the heating and ventilation in regard to Dewson street school. Supt. Bishop was then examined by Mr. Geary. Witness admitted that this particular contract had been let to the Fred Armstrong Co., altho they were \$2000 higher than the Peace Furnace Co. This he explained by declaring that the Peace people had not given sufficient detailed information as to what they would furnish. Their tender, he said, was unsatisfactory. He had not got the tenders now.

Here G. R. Geary declared that it was impossible to continue without the data the school board was to have furnished, and the enquiry was adjourned.

That the discrepancies found in the measurements for heating and ventilation by Mr. Goudy were correct was the most important admission of the day, made by Supt. Bishop and Fred K. Cowan on behalf of Mr. Fred Armstrong. He objected, however, to the word "discrepancies," but admitted "substitution." The difference in measurements amounts to thousands of feet of radiation.

GIBSON MAKES WRITTEN CHARGE

Wants Police Commissioners to Investigate Constable Chapman's Action at Jail.

Charles Gibson, senior father of Charles Gibson, who is under the death sentence at Toronto jail, has complained to Chief of Police Graesset of the conduct of Constable Chapman in the following statement. The police commissioners will investigate the case:

"One of your men, Constable Chapman, whose duties, I understand, is to accompany prisoners to and from the police court and Toronto jail, called on my son in the death chamber at the jail and approaching him addressed him in the following words: 'Gibson, what did I tell you?' and snapping his fingers in his face, said: 'You haven't that much chance.' I respectfully request that you will have this matter brought before the board of police commissioners at the earliest possible moment, as I wish it fully investigated."

Guard Censured.
"I want to find out what right Constable Chapman had to visit my son on that occasion, and by whose authority he was allowed to do so. I may state that I have interviewed Governor Chambers, who has admitted to me that Constable Chapman did visit my son on the occasion referred to, and that he gave the guard responsible for admitting him to the death chamber a severe reprimand."

Requests a Hearing.
"I shall be glad if you will kindly notify me of the date on which your board of commissioners meet, so that I may attend that I have interviewed Governor Chambers, who has admitted to me that Constable Chapman did visit my son on the occasion referred to, and that he gave the guard responsible for admitting him to the death chamber a severe reprimand."

GOVERNMENT STILL PAYS LESS THAN SCALE

Carpenters Who Take Less Than Rate Will Be Expelled From Union.

It was announced yesterday at the headquarters of the United Brotherhood of Carpenters and Joiners of America, 100 St. Lawrence street, that the union would expel from its ranks any carpenter who worked for less than 45 cents an hour would be expelled from the union. Thirty men, it was stated, have already felt the rod on their backs for neglecting to respect the union decree.

The Ontario Government has made no concessions to the unions, and is obtaining men at 42 cents to carry on its building works.

It is rumored among members of the union that for some time before the outbreak of the strike last month the union had been somewhat relaxed, with the result that the standard of men controlled by the brotherhood is not so high as formerly. If this is true, and many are anxious that there should be a weeding out of the unit.

NEW BRANCH FOR I. C. R.

OTTAWA, July 2.—The minister of railways has been in conference for the past few days with Thomas Malton, the principal owner of the International Railway of New Brunswick. The line runs from Campbellton to St. John's, where a bridge to be built will connect it with the Bangor and Aroostook. This is one of the roads most likely to be acquired as a branch of the Intercolonial. It is a new one.

AMERICAN CONSUL FOR OWEN SOUND.

WASHINGTON, July 2.—(Can. Press).—Among the nominations made today by President Wilson was: Consul at Owen Sound, Ont., North Win-

Poisonous Matches are passing away

Dangerous chemicals are not used in tipping EDDY'S Ses-qui Safe Light Matches. See that you get EDDY'S and no other "just as good." Safety—in its complete sense—is absolutely guaranteed, but you must ask for EDDY'S new

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At Osgoode Hall

July 2, 1913.
ANNOUNCEMENTS.
Motions set down for single court for Thursday, 3rd inst., at 11 a.m.:
1. Re Graham and Rogers.
2. Brown v. Brown.
3. Toronto v. Swartz.
4. Toronto v. Kopman.
5. Re Drew and Kewatin.
6. Howard v. Lynch.
7. In re C. T. Royce.
8. Russell v. Clarkson.
9. McInimoy v. McInimoy.

Single Court.
Before Falconbridge, C.J.

Re Rigotti and Kern—C. A. Moss and P. Morison (Hamilton), for vendors; W. S. McBrayne (Hamilton), for purchasers. Motion by vendor under Vendors' and Purchasers' Act, for order declaring that purchaser's objection to vendor's title has been satisfactorily answered, and that agreement objected to does not form a cloud upon the title. Judgment: Mr. Moss put the case ingenuously and ably as to the agreement of Jan. 9, 1909, being spent or effete so as to preclude the possibility of trouble arising to purchasers therefrom. But in view of the declared attitude of Mrs. Bell and the vis inertiae of the Bank of Hamilton, and the possible assertion of right of purchasers from the Cumberland Land Co., I am obliged to hold that there is a "reasonable decent probability of litigation," to which the purchasers may be exposed, and that this fact alone for this reason only be classified as doubtful. No costs.

Re Modern House Manufacturing Co.—G. F. Shepley, K.C., for liquidator; W. M. Douglas, K.C., and S. W. Keown, for contributors. Appeal by liquidator from order of Middleton, J., of Feb. 21, 1912. Action to recover \$130, claimed as balance due by defendant to plaintiff for the erection of a silo for defendant. Defendant claims to be entitled for \$200 damages on ground that silo not built in accordance with terms of contract. At trial plaintiff's action was dismissed with costs and judgment awarded defendant on his counterclaim for \$86 and costs. Judgment: The judgment dismissing action affirmed. Damages on counterclaim reduced to \$20.45 costs of the appeal.

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