

SECOND DAY OF THE STREET CAR STRIKE PASSES QUIETLY

RAILWAY BOARD ORDERS COMPANY TO OPERATE CARS

Insists Upon Street Railway Company Abiding by Agreement.

ASK MORE TIME

Company Representatives Express Official Ignorance of Impending Strike.

The Ontario Railway Board yesterday morning on an application of the company, ordered the Toronto Railway Company to furnish an adequate and sufficient service upon its lines, in default thereof for an order granting the applicant such relief as to the board may seem meet under the circumstances.

The board's order was: "Upon the application of the corporation of the City of Toronto, and upon hearing what was alleged by the applicants and by the respondents, and the evidence adduced,

"And it appearing to the board that the respondents' railway is a street railway operated upon and along certain highways of the said city under an agreement with the applicants,

"And it further appearing that on the 23rd day of June, 1919, no adequate service has been furnished by the respondents in the said City of Toronto since 5:30 a.m.,

"This board doth order and direct that the respondents, the Toronto Railway Company, do commence forthwith to operate its said railway in the said City of Toronto and continue to operate an adequate service."

Just towards the close of the question of what was a "reasonable time" to commence service was raised, and Corporation Counsel Geary asked the chairman of the board for a definition.

Chairman McIntyre: I hardly know. We know that great inconvenience is being caused to thousands of people by the cessation of this service, and the board will not properly be satisfied not only that no service is being rendered, but that there is little likelihood in the immediate future of the company being able to provide a remedy. We will not be very astute to find objections favoring delay.

The application came before Chairman D. M. Moore, Commissioner J. A. Ellis, both of whom had visited the premises of the company previous to the meeting.

Mr. Geary, K.C., I. S. Fairly and Commissioner R. C. Harris represented the city, while D. L. McCarthy, K.C., and F. L. Hubbard, assistant manager of the Toronto Railway Company, were present on behalf of the company. The general manager, "R. J.", was absent.

Right at the start Mr. McCarthy took exception to short notice. He then remarked: "It is quite true we did not operate Sunday. It is also quite true our agreement does not call for us to operate on Sundays. It is quite true we were not able to operate early this morning, but we expect to be in operation very shortly, if not in operation now."

We say at the present time the application is premature, and the company should be given an opportunity in the circumstances to get its cars into operation. In the meantime this motion should stand to enable us to do it."

Chairman McIntyre: "What grounds have you for supposing this motion will improve with the lapse of time—a reasonable time?"

Mr. McCarthy: "It is, as your honor knows, difficult to get 1000 men in a short time, but at the same time we think that under the circumstances we should be given an opportunity of attempting to operate our cars. It is difficult to come before your honor with any definite statement as to what we would be able to do, and as to the prospects. We were served with our notice only half an hour ago, and your honor's judgment must be based upon whatever answer we are able to make. At half an hour's notice it is not easy to get into this. Organization has been going on all yesterday, and in a day or two we will be able to know."

Commissioner Ellis: For some considerable time it has been apparent the present condition of affairs was impending.

Mr. McCarthy: Has it, your honor? Mr. Ellis: I came to my own conclusions some time ago, and I think it is the conclusion of nearly everyone else in Toronto.

Mr. McCarthy: That conclusion may or may not be justified. We had been hoping that something might be accomplished by the conciliation board.

The chairman: The men disavowed the conciliation board from the start, didn't they?

Mr. McCarthy: No, the government appointed somebody for them. The chairman: But they are an organization disavowed the conciliation board. The men refused to appoint a representative to this conciliation board, but the government made appointments.

Mr. McCarthy: I understand the men indicated their disavowal. Mr. McCarthy: I do not know that. We have no evidence of that.

Official Ignorance. This questioning and answering was quite interesting and amusing, and Mr. McCarthy's "I did not know that" brought more than a smile to some who had been reading the papers and wondered if it was a case of official ignorance.

Mr. McIntyre inquired concerning the new obligation of the company to operate on Sunday.

Mr. Geary: The franchise was originally granted, but a Sunday service later became part of the contract under special arrangements between the city and the company.

Mr. McCarthy: "Never! It couldn't become part of the contract." Mr. Geary, after a reference to the

statutes, read a section by which he stated, "the company agreed to maintain a Sunday service. 'Of course,' he pointed out, 'there is nothing in this point of a service on Sunday. There has been no service this morning.'"

Violation of Agreement. The chairman: The position appears to me there has been, in the language of the statute, a violation of the agreement by reason of the failure of the company to operate yesterday and so far today. Now the real and only question before the board is whether the extreme step should be taken in view of that."

Mr. McCarthy took objection on the ground that the matter was beyond the board's jurisdiction, and also submitted he was not prepared to go on with the case at half an hour's notice.

Mr. Geary then called witnesses to show that cars had not left the barns between the hours of five and nine in the morning.

"All you ask is an order to compel the company to operate," asked Mr. Ellis.

"That's the first order that should be passed," answered Mr. Geary. In reply to further questions, the corporation counsel said that application was under section 260 and 105 of the Ontario railway act, and 26 and 27 of the railway board act.

No Service at All. Mr. Geary submitted that let alone an inadequate service there was no service on the streets of Toronto that morning. That being the case, he maintained the railway board should make an order compelling the Toronto Railway Company to put in operation its service on the streets.

Mr. McCarthy said, while he was not admitting the jurisdiction of the board, section 260 relating to alleged violation of the agreement set forth they should hear all matters relating to the agreement. He was not in a position to submit evidence on such short notice.

Chairman McIntyre: I think under section 105 sufficient evidence has been given to us that an adequate service has not been given, that no service has been given.

Power to Operate. Mr. McCarthy: What power does that give you?

Chairman McIntyre: It gives us power to operate, that is to cure the inadequacy of the service. I think, Mr. McCarthy, there is sufficient evidence here of an inadequate service being rendered by the company, and the city is entitled to an order from the board to operate.

Mr. McCarthy: I entirely disagree in the circumstances. If you can go in and hire enough men to operate that road I think you are coming very close to the age of miracles.

Mr. Ellis: It is a matter of paying the money.

Mr. McCarthy: If you give five dollars a day I suppose you will get many men. Before you assume jurisdiction you have got to find a violation of the agreement or inadequate service under certain circumstances. I maintain you have not taken into account the circumstances. So far as I am concerned, I am going simply to withdraw. How can I go on at half an hour's notice? I asked for a postponement, which has been refused.

Chairman McIntyre: There is sufficient evidence to show there is no service at all.

Entitled to Hearing. Mr. McCarthy: There are two parties to every case and I am entitled to show what efforts are being made.

The chairman: I think the city is entitled to an order that the company operate the cars forthwith.

Mr. McCarthy: I think I am entitled to a hearing.

Mr. Geary: I must call your honor's attention to the fact that the company was notified that under certain circumstances an application would be made this morning. The company has had 48 hours' time.

Mr. McCarthy was understood to dissent from his bag and left.

This was pretty near the close of the proceedings, and Corporation Counsel Geary waited and received the order signed, sealed and delivered, which he delivered to the city hall.

The decision of the Ontario railway board yesterday, Manager Fleming sent a letter to the mayor asking for police protection to enable the company to carry out its obligations. The communication was in the following terms:

"The Toronto Railway Company has been ordered by the Ontario railway board and municipal board forthwith to commence the operation of its street railway service in the city of Toronto. It is the intention of the Toronto Railway Company to comply with this order, and for this purpose requires police or other protection to enable it to carry out its obligations. Full information when and where the police constables will be required will be furnished to you later in the day."

The letter was immediately sent down to Col. H. J. Grassett, chief of police.

MAYOR'S ADVICE AGAINST MEETING

"There was no chance of the company and the men getting together Saturday night," says a statement by the mayor. "At the morning meeting the men's committee told all present that a strike had been decided upon a week ago, and the committee had been given a week to adjust all matters, and there was no chance of the men not striking, unless someone went down and guaranteed that the money would be paid and the demands met at once."

"The meeting on Saturday night was called by Judge Barron, and was against my advice," said the mayor, "and there was no chance whatsoever of avoiding a strike. I urged the Hon. Mr. Maclean and the deputy minister that any conciliation board appointed should simply go into the rate to be paid, and not the ability of the company to pay."

"Negotiations have been pending about a month in order to prevent a strike, and everything was done that could have been done to avoid it," he added.

RAILWAY BOARD HOLD PRIVATE SESSION

The members of the railway board were in private session in their office at parliament buildings all yesterday afternoon. Mr. McIntyre said there was nothing of a public nature to be given out.

CONTROLLERS HOLD CLOSED MEETING

Discuss Application to Railway Board to Run Street Cars.

The board of control met at 2:30 yesterday morning to discuss an application to the Ontario Railway Board in connection with the street railway situation. The meeting lasted about five minutes in public, and then Controller McBride indicated to the reporters that they might retire.

The mayor, Controller Robbins and Corporation Counsel Geary were also present at the meeting, which was held in the mayor's office.

In opening, the mayor said the public to take it for granted that the service and the object of the meeting was to make an application to the railway board for an order to operate the cars. The railway board should step in and operate. He would like to see the same body of servants, the same workmen. He had told the men to go to arbitration and that they would be paid by the proper authorities. The men, however, seemed to take it for granted that the company could not pay. Judge Barron, who had resigned, had now reconsidered his decision.

Controller McBride said it did not matter who operated the cars, but it mattered to the public that they were operated. The conditions resulting from the strike were intolerable. "This thing has got to stop," he affirmed.

The mayor: The men have long standing grievances and the company with a gross revenue of \$4,500,000, should be able to pay its men a living wage.

The board then sat in private.

STRIKERS LIABLE TO DAILY FINE

According to the industrial disputes investigation act, prohibiting strikes or lock-outs by employers or employees in mines or public utilities, prior to or pending a reference of the dispute to the board of conciliation, provided for by the act, it is stated that any employer declaring or causing a lock-out shall be liable to a fine of not less than \$100, nor more than \$1000, for each day or part of day that such lock-out exists.

Any employee who goes on strike contrary to the provisions, it is stated, shall be liable to a fine of not less than \$10, nor more than \$50, for each day or part of day that such employee is on strike.

This act, however, does not prevent employers from declaring a lock-out or employees from going on strike, but it is a board of dispute that has been fully dealt with, except in certain cases where the parties undertake themselves to accept the finding of the board.

OFFICIALS REFUSE TO EXPRESS OPINION

It was impossible to obtain any expressions of opinion in official circles at parliament buildings regarding the merits or otherwise of the street railway strike. "If I did say anything it might be misconstrued or used as an argument by either side," remarked one authority. "Besides the railway board is the official mouth-piece and any views or information must come from that source."

The government employees did not appear to be seriously worried or inconvenienced by the stoppage of the cars. In the first place they are not required to get down to business until the streets are well aired, and a little earlier start from their homes by any who live some distance out, gets them to work at the regular hour.

Then when they leave duty they are able to reach home in good time even on "shank's pony." In any case the government officials and clerks will, like the rest of the community, be glad when the trouble is over and cars are running again.

FAVORS ROUND TABLE; TRULY ROUND ONE

"I would certainly have a round table conference to settle the street railway strike," remarked a gentleman in the vicinity of the parliament buildings yesterday. He had a merry twinkle in his eye, and was obviously one of those who do not take a very serious view of the situation.

"Remember, it must be a round table," he emphasized. "None of your square tables, or any other tables, but a real round table. You must know that round table conferences have settled most of the big questions in the history of the world. Even the staff of Punch has a weekly round table conference, and look at the momentous issues they have decided."

"Yes, by all means let us have a round table conference. Then I think the men would get all they ask for, and perhaps more, and, as for the railway company—well, even that poor, hard-up body might get some concessions. But remember, the table must be round, one additional reason for this being that you would not then be able to put any square pegs in round holes. Then the gentlemen winked the other eye and vanished."

STRIKE ADJOURNS INQUEST.

Coroner Burgess adjourned the inquest at the morgue last night until July 3, at which time he thought the street railway strike would be over. When the coroner's inquest was held there were only three of the seven jurymen summoned to the inquest present. The inquest was the result of a street car accident that occurred at the corner of Bathurst and Dundas street last Friday evening, when Henry J. Wells was struck round the neck and the head.

Dr. Burgess thought that it might be prejudicial to the company to go on with the hearing before the strike had been settled.

CONCILIATORS SEEK NEW INSTRUCTIONS

Consider Order as to Procedure Unfair to Striking Employees.

MAYOR WIRES

Appeals to Minister of Labor to Alter Orders to Board.

Judge Barron, the chairman of the street railway conciliation board, is back on the job again. On Saturday he resigned his position, but at the urgent request of the minister of labor he reconsidered the decision, and was at the old stand in the city hall yesterday afternoon. The other members of the committee present were P. H. Phippen and W. J. Hevey. Messrs. Gibbons and Robbins represented the men, and R. J. Fleming, who arrived late, the company.

Judge Barron made a lengthy personal statement, explaining his position on Saturday and today, and asked the men's leaders to say plainly if they had confidence in him or not, as he did not wish to act unless he could get such confidence. He added, however, he was anxious to go on if possible and get some result. Looking round the room, the judge suddenly asked: "Where is the railway company?" Mr. Fleming had not up to this time put in an appearance.

"On strike, probably," returned Mr. Gibbons. "Perhaps they may try to operate whilst we are here."

On the suggestion of Mr. Phippen, the judge next read his instructions from the minister of labor as to the subject of the inquiry, and said the board was in no way responsible for the men. The board was to investigate the demands of either party. The present agreement expired at midnight June 15. The employees had submitted a draft of a new schedule, asking for 55c an hour and time, and a half for overtime, and also an eight-hour day.

"The Toronto Railway," read the document, "is not in a financial condition to grant the short day or wages demanded, and many of the other operating conditions are impracticable and unreasonable, considering the company's low rate of fare, the high percentage of gross receipts being paid to the city, increased cost of materials and all operating expenses."

Not Firebrands. Controller Robbins: I don't like that statement.

P. H. Phippen: I never saw that until Saturday.

Judge Barron: I did not read this on Saturday, because some of you firebrands.

Mr. Gibbons—Oh, we're not firebrands.

Mr. Phippen—That may be no more

a statement of fact than the statement about the demand of the men.

Mr. Gibbons: I don't think that is any of the deputy minister's business.

Mr. Gibbons said that the same statement was made last year, objecting to the opening of the agreement.

Controller Robbins: We told them that had nothing to do with the question.

Mr. Gibbons said that, according to Mr. Fleming, if the men got an award from the board the company could not act up to it.

Mr. Phippen asked the men's leaders to be a bit more helpful—that would help both the company and the men. It was no good bombarding a bankrupt concern.

Mr. Gibbons contended the instructions from Ottawa were most unfair to the men.

Seek Altered Instructions. After a long discussion it was decided to wire to the deputy minister of labor to try and get the instructions altered to meet the employers' desire to do his best in the interval he would adjourn until Wednesday at 11 o'clock, said in the role of a settlement. He had done this in 1910—unofficially passing between the men and the company—and had effected a settlement. By this means he hoped to work out a scheme of settlement. All he asked for was a chance and the goodwill of both sides. He proposed first of all to see Finance Commissioner Bradshaw with a view of getting the exact details of the financial position involved.

R. J. Fleming: Why not operate on the mayor?

Judge Barron: He would be easier to operate upon than you.

R. J. Fleming: If you can work out some plan as to who will pay the bill—outside of us—go ahead.

Judge Barron: Let the people pay the bill.

R. J. Fleming: All right. The general manager contended that the financial position of his company should be taken into consideration by the board. The company would operate cars if they could get men to work them.

Mr. Gibbons: Pay our men the same rate as the men you are going to operate the cars with and we will sign an agreement now.

"Oh, you must not believe all you hear," retorted Mr. Fleming, and the board then adjourned.

After adjournment it was found that the mayor had sent the wire reported before to Ottawa, and that, therefore, it was unnecessary for the board to do likewise.

Mayor Telegraphs. The following telegram was sent yesterday to the deputy minister of labor, Ottawa, by Mayor Church: "Considerable trouble here over in-

structions issued to conciliation board. Kindly have them instructed solely to report on the hours of labor and rate of pay per hour. Holding board liable to pay to other authorities. If this is done it will considerably help the situation here in negotiating."

with Ken. Please wire Judge Barron an answer."

Receives Reply. Late in the afternoon Mayor Church received the following reply from F. D. Acland, deputy minister of labor: "Your message received. In reply am to state that no special instructions have been given chairman, other than that it is understood urgency of situation seemed to demand prompt action possible on part of board. Minister is without jurisdiction to enlarge or curtail authority of board, and board is free within limits of statute to determine its course. On this point I am to quote for your information and convenience section 23 of statute, namely: 'In any case where a dispute is duly referred to a board it shall be the duty of the board to endeavor to bring about a settlement of the dispute, and this end the board shall in such manner as it thinks fit expeditiously and carefully enquire into the dispute, and all matters affecting the merits thereof, and the right settlement there- of, and do all such things as it deems right and proper for inducing the parties to come to a fair and amicable settlement of the dispute, and may adjourn the proceedings, for any period the board thinks reasonable to allow the parties to agree upon terms of settlement.'"

Why He Came Back. Explaining his resignation, and his reappearance as chairman of the conciliation board, Judge Barron yesterday remarked: "I resigned as far as I could resign, but no resignation can be complete until it has been accepted, and I am here at the request of the department to make a final effort. The department is most anxious, and realizes that delays may be serious."

Trying His Best. "I am glad that Mr. Gibbons and Mr. Robbins that there is nothing personal in the attitude towards me, but there is the thought, and quite naturally so, that because I was the chairman of a former board I might be influenced by the findings on a former occasion. Of course, that is not so, but still the men might think so, creating a lack of confidence, and under such circumstances I don't desire to act."

"I want to add if something cannot be done to bridge over the difficulties and so avoid not only restitution of the board, but even a hearing before any board."

VETERANS

Items of Interest to Returned Soldiers Will Be Printed in This Column if Phoned or Sent In.

WHAT AUSTRALIANS GET.

According to Comrade C. G. McNeill, Dominion secretary of the G. W. V. A., the Australian government grants no such gratuity to its returned soldiers as is suggested for the Canadian places of this gratuity an unemployment insurance is awarded, amounting from two pounds in the case of single men to \$2 shillings for men with dependents, the latter figure being rather the minimum for men with dependents. Vocational training in Australia is provided for those who are unable to follow their pre-war occupations, those who were at enlistment under 20 years of age, those who are unable to command pre-war wages because of wounds or other disabilities received thru service at the front. Loans are advanced up to \$1200 to those who desire to engage in business and have the proper bona fides.

CHAPLAIN ELECTED PRESIDENT.

Chaplain A. L. Burch, of the 24th Battalion, was last night elected president of the new branch of the G. W. V. A. organized as part of the west Toronto district. Other officers elected were: First vice-president, Comrade Mockford; second vice-president, W. W. Patterson; treasurer, Comrade H. Cagney; secretary, Comrade J. D. Martin; and executive, Comrades Smith, Fraser, Plency, Morcom, Mitchell and Alredale.

TORONTO TO NEW YORK CITY

A through train from Toronto to New York City leaving Toronto 5:45 p.m. daily via Grand Trunk Railway, carries through coaches and sleeping cars and arrives at New York at the Pennsylvania terminal, 33rd street and 7th Avenue. Also train leaving Toronto 4:00 p.m. daily runs through to Buffalo, making direct connections at Buffalo for New York, coaches and parlor-library-buffet car. Toronto to Buffalo, sleeping cars Buffalo to New York and Philadelphia.

FRENCH NAVY TO TAKE INTERNED SHIPS IN SPAIN

Have, June 23.—The French navy will take possession of three German ships now interned in Spain. These ships are the Faro, now Huevar; the Planet, at Balboa, and the old Endenburg, at Cadix. The crews, of 27 men each, will leave here immediately by train for the various ports.

ARMISTICE CONCLUDED

Paris, June 23.—An armistice has been concluded between the Polish and Ukrainians, who have been fighting in Galicia and Volhynia, a despatch from Warsaw states. It is reported also that an agreement has been reached between the Poles and the Rumanians so that neither will cross the River Dniester.

King and Queen of Belgium Will Visit United States

Brussels, June 23.—Before President Wilson left Belgium it was announced today King Albert and Queen Elizabeth accepted his invitation to visit the United States. The Belgian rulers probably will go to America in September.

TORONTO ISLAND DELIVERY.

Delivery of The Morning World's Hanlan's Island Cent Island, and Ward's Island will resume on May 1st. An early and efficient service is assured. Orders telephoned to Main 6306 will receive prompt attention.

Some Facts About Local Street Railway Fares

TORONTO is now enjoying the lowest car fare of any city in the country. Not only that, but the fares here are about half what is being paid in a number of cities where the service is much below the local standard.

Car riders are allowed free transfer privileges on an almost unlimited scale. This makes it possible for a patron of the road to ride 11 miles for one fare. We do not recall any other city at the present time where a ride of this length is given for as low a fare.

In a number of cities a charge is made for all transfers, and they are limited to one connecting line. Here a transfer can be used to reach almost any desired destination.

When this road started the average fare collected amounted to 4.63 cents, with no transfer privilege.

Last year the average fare collected amounted to 3.89 cents, with unlimited transfers.

When the road was first operated the longest ride was 1.7 miles.

Today one can ride 11.1 miles for one fare.

This represents a maximum of ten times as much service as was given when the average fare revenue was more than it is now.

When the road began operations 1 cent would carry a passenger one-third of a mile. Today 1 cent will take a passenger more than three and a half miles.

The revenue when we started the road was 2.72 per mile on the longest ride. Now it is about a quarter of a cent.

The Toronto Railway Company