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THE NEWS RECORD

KITCHENER, ONTARIO, TUESDAY, DECEMBER 16TH, 1919.

PROBS. Fresh north winds, a few light snow falls or flurries, but mostly fair and very cold to-day and on Wednesday.
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Compulsory Vaccination in The City of Toronto Goes Before Court

PROVINCIAL BOARD OF HEALTH ASKS FOR ORDER OF MANDAMUS

City May Appeal and Thus Secure Postponement Until After Election.
56 NEW CASES YESTERDAY.

(Special to the Record.)
TORONTO, Dec. 16.—The first gun in the legal battle over compulsory vaccination will be fired at Osgoode Hall on Thursday morning by Major Mowat, Counsel for the Provincial Board of Health, although ordinarily seven days' notice is required.

Mr. Justice Kelly has given Major Mowat special leave to proceed two days hence with his motion for a peremptory order of Mandamus, directing the City Council to order the vaccination or revaccination of persons resident in this city who have not been vaccinated within seven years and to issue a proclamation by posters to that effect.

This action is demanded by the Provincial Health authorities in view of the seriousness of the smallpox epidemic which has its storm centre in Toronto. An order of mandamus is for the purpose of making municipal authorities carry out their duty. It has been in vogue in Britain for two hundred years and has frequently been pressed into service when city or town councils were inclined to be balky.

If Judge Kelly grants Major Mowat's application the order will be served on His Worship Mayor Church who must bring it before the City Council at the earliest possible moment. If he fails to do that, he can be proceeded against for contempt of court and if the individual member of the City Council fail to carry out their duty they are liable to imprisonment or heavy fine.

There is one loophole, however. Counsel for the city may appeal against the mandamus order and that appeal would have to be heard by the Appellate Division. This would at least afford a breathing space and might possibly put off the evil day until after the members of the City Council go before the electors on New Year's day. It is believed by the Provincial authorities that the compulsory vaccination order would stand a better chance with the City Council if it were not so near civic elections' time.

Reports covering the past 24 hours again show a slight increase in the number of new smallpox cases. There was a total of 56 new cases reported, which is a little above the average. There are now 674 patients being treated for the disease.

SHARES HIS PROFITS, \$300 TO EACH WORKER.

Brockville, Dec. 16.—Believing that the cause of industrial unrest is largely due to unfair profits, T. J. Storey, President of the International Metal Works, Limited, Brockville, has decided to share profits with the employees. At a banquet given to his staff he announced that on last year's profits, the amount to each man would be about three hundred dollars.

GERMAN REPLY IS CONSIDERED A SURRENDER

Paris, Dec. 16.—The German note in reply to the Entente, says in part: "The German Government desires to dissipate the misunderstanding that, owing to the momentary absence of American delegates from the Commissions provided for by the Peace Treaty, Germany claimed modifications and dispositions of the treaty concerning the extradition of persons charged with culpability in acts contrary to military law, or the repatriation of prisoners."

Ready to Make Reparation.
"The German Government, previous to receiving the allied note, had already explained the reasons why it would appear necessary to modify the conditions for the execution of those clauses, but the German Government never made its assent for the putting into force of the Peace Treaty conditional upon a previous solution of that question."

"The German Government maintains that the best means to reach a solution of the Sepsa flow incident would have been to submit the case to international arbitration at The Hague. Such a measure would not have delayed putting the treaty into force, or the signing of the protocol thus modified."

"Desirous, however, of doing its utmost for the early re-establishment of peace, the German Government declares itself ready to make reparation for the damages caused by the allied and associated Governments by the destruction of the ships."

But the German Government is unable to effect such reparations in the manner demanded by the protocol of November 1, because the execution of the demands formulated in that protocol would compromise irretrievably Germany's economic life, and also render impossible of execution the other economic obligations which the treaty imposes on Germany.

The German Government will formulate, through experts, positive detailed propositions, showing a mode of reparations which, although adding a new and heavy burden on Germany in its present situation, are not altogether incompatible with its vital interests."

The note demands that the crews of the sunken warships be set at liberty. It closes with an expression of the hope that through the means thus set forth the peace that has been so much desired will at last be realized.

The London Daily Chronicle bears the news of the German reply to the allied and associated Governments. The German reply will be concise and formal, and that a time limit will be fixed for the ratification of the treaty and the signature of the protocol.

WHEAT EXPORTS WILL NOT REACH EXCESSIVE AMOUNT

Carloads Not Allowed to Cross Border.—Grain Growers and Millers Oppose Export.—Border Farmers Reaping Great Benefit.
\$40 MORE PER LOAD FOR CAN. WHEAT.

WINNIPEG, Dec. 16.—As far as can be gathered here to-day no increase in the volume of wheat leaving Canada will be permitted, but carloads will not be allowed to cross the border. The only parties anxious to sell to the Americans are the farmers located in areas where crops were abundant this season, and brokers who have customers in the States and who have not been allowed to trade with them this year owing to the Wheat Board taking over all sales.

The Grain Growers as an organized body in Saskatchewan and Manitoba are dead against it. The Saskatchewan Co-operative Elevator Co. last week passed a resolution against the proposal. The millers are certainly against it, as are the livestock interests and also farmers who live in poor crop districts, and who need seed badly for next spring.

But all along the border from the eastern boundary of Manitoba up to the districts in Saskatchewan where there was no crop failure, the farmer is hauling wheat by the load to U.S. points and realizing \$40 per load more than they would be able to get in Canada. The difference in exchange, the higher fixed price on the Canadian wheat in the United States and the keenness of U.S. millers to secure these loads, are all tending to make prices very attractive.

A Community Xmas Cheer!

Christmas cheer is to be brought to the city's young folk in earnest this year. It will be through a community spirit and the remembrances of citizens with wide open hearts will reach to many corners of the city.

Through the Young Men's Club of the city the idea to provide this Christmas cheer and a community Christmas tree on a scale heretofore unattempted in the city, will be ensured. The members already have secured the promise of support from various organizations. Every organization is needed, including business, church, fraternal, patriotic, and so forth. To-morrow evening a general conference to take definite steps will be held.

In order to carry out the idea of course a big fund will be needed. The minimum is \$2,000. It is the object to raise this through cash donations from citizens. The worthiness of the cause has justified the hope that the contributions will be large individually. Various means of reaching the public-spirited people of the city are to be worked out. All is to be accomplished within a week.

Something For Everybody.

The idea embraces three phases. Firstly there is the decision to have something in the way of Christmas cheer for every child in the city who accompanied by the mother will come to the civic centre and secure the same.

Secondly, there is to be a special Christmas cheer for the children who are minus friends or relatives. Their places of residence will be visited. Christmas trees for these places also to be provided.

Thirdly, public institutions are to be remembered with Christmas cheer. These are the local and St. Agatha orphanages, the Kitchener and Waterloo Hospital, the House of Refuge and the Freeport Hospital.

Donations of Christmas trees by donors will be received. More on the subject later. Suffice it to say, that as the object is a worthy one, the co-operation of each and every public-spirited citizen and all the organizations in the city is needed.

PRESENTED WITH MAYOR'S CHAIR

Mayor D. Gross Honored at Last 1919 Council Meeting.
RETIRE FROM OFFICE



Mayor Gross, who retires from office at the end of the year at the last Council meeting for 1919 held last evening was presented with the Mayor's chair. The following motion moved and seconded by Aldermen Ratz and Sass was unanimously passed by the Council before the close of the meeting.

"That the Council heartily appreciate the efficient services our Mayor has rendered to this city and his splendid co-operation with the Council during his term of office and as a small token of our appreciation we present him with the Mayor's chair."

"I think the Mayor has done exceedingly well considering what he has had to go through," Ald. Ratz said.

Ald. Sass the sponsor of the motion congratulated the Mayor on his departure from office. "I thank you for the honor you have done me. I would say that it has been a great pleasure for me to serve the city during these three years with all the hard work and heavy responsibilities. While my own private occupation might have received my whole attention, I devoted considerable of my time as I did and followed the course I have so I could be of service to the city. My accepting the office in each of these three years was not my own wish but the will of the citizens, so I consented to accept the office. I wish to acknowledge the co-operation of the Council and the citizens, which made it easier for me to perform the duties. The last year of my office is gone. As to the future occupant of the office we don't know anything but we know that there are many capable men in the city who could qualify for it. During these three years we in this city have had our ups and downs and have gone through conditions the like of which perhaps never before and will never come again. Personally I am glad to have gone through nearly three years without any interruption but I was sorry that these conditions were broken on the occasion of our last meeting.

"Now I have nothing more to add. Only this, that there is an unwritten law dominating the world which will continue to dominate in the future. Should that unwritten law be dragged in the dust we would have to go through a period when no one would wish to go through."

"With these few remarks, I again thank you."

The Mayor then invited the aldermen, city officials and the press to an evening supper at the dining hall of Messrs. Gettas and Gettas, which was gratefully accepted.

Angela Kauffman, about the first famous woman painter in the world, was one of the first of the original thirty-six members of the Royal Academy in London, founded in 1768.

CITY COUNCIL WINDS UP BUSINESS FOR THIS YEAR

Session Was Short. Council Asks Police Commission To Dispense With Services of Present Chief of Police. Motion Was Passed Unanimously.

OTHER MINOR MATTERS BEFORE COUNCIL

The last meeting of the City Council for the year 1919 was held last evening and was a comparatively short session marked by the transacting of all business with dispatch and unanimity.

The feature of the meeting was the decision of the Council to request the resignation of the Chief of Police, Mr. George O'Neill, following the recent riots in the city.

The following resolution was passed by the Council:

"On account of our police force having taken no action in the recent riot on Dec. 1st to protect life and property of our citizens that the police commission be requested to ask for the resignation of our chief of police and that strong efforts be made to secure a competent chief at an early date."

This motion, moved by Aldermen Amussen and Sass, was supported by all aldermen present, except two, namely Aldermen Greb and Selinger, who did not vote.

The Arguments Presented

"As mover of that motion," Ald. Amussen said, "I am most sincere in making it. From observation of the work of our police force and of events in recent years, I come to the conclusion that our chief is not the man for the position. He seems to be cowardly, lazy and incompetent. It is high time a capable man was secured to keep order. On every occasion when his services were required he fell down and has proven himself unable to fill the position as he should. While some people there are who do not blame the chief we must remember that those people are sympathizers with the events we have had to go through. Their opinion does not represent the opinion of the people.

The present chief is merely an accident in the position he holds. But it was not only the riots which showed his incompetency. There are other things which have occurred. The force has been disorganized and things have been going on which show that he is not the right man."

Ald. Sass: "It is not my intention to refer to any one personally or to any particular matter. I am merely looking at the question from the standpoint of efficiency. Anyone familiar with conditions here could not help realize that our police force has been inactive whenever action was necessary. It has been said that this Council had always complained we had too many policemen. Now I am safe in declaring that the Council never had anything in mind which without there would not be proper protection.

"During the last number of years things have been going on which show that our police department is not what it ought to be. Only recently the chief was on a hunting trip for a whole month. He is willing as one of inefficient capacity and as if he did not have the position at heart. There seems to be a lack of interest in his work. Again in the recent trouble he showed himself incompetent. If he had performed his duties properly, we'd have never had the trouble we had. The people are entitled to be assured that they are protected against such things as have occurred. If there is any disloyalty on the part of some people let the proper people investigate and act accordingly. If we as a city are not responsible for what has occurred should not those who are responsible be gotten after? I am not saying this against the soldiers but I do say that I believe that there are certain individual citizens who have been busy, were behind some of these things, and who are responsible. Some action should be taken, therefore, for law and order."

Ald. Lippert: "As it is possible that this may be my last year in Council and I may not be in the Council next year, I would just wish to add a few words. The situation in our city in recent years has been very alarming, viewed from the standpoint of Kitchener, our country and the King. It is just such things as we have gone through which has been the start of revolution. A thing like this sometimes spreads into a big conflagration. Just an example as to how easily what a thing like this may easily become. I was told that on the occasion of the riot two weeks ago while the crowd was going down the streets a little boy said let us go and clean up the Record office. And immediately the crowd proceeded there. Now such incidents as we have seen are patriotism but a reflection on the laws of our country and an insult to the flag. These things are not in keeping with the ideals of the British Empire which has always stood for fair-play. It is unnecessary to have such things which make for revolution."

"Now as to charges of pro-Germanism, there are the law and the secret police for that. Such charges should have a thorough investigation. The worst murderer and other criminals are given a man to defend them and they are dealt with accordingly. If guilty they are given the punishment they deserve. So let the proper people deal with any such charges. I am inclined to blame other people for inciting men and to have the policemen stand by, see men abus-

SIR SAM HUGHES ADVISES BORDEN

WINNIPEG, Dec. 16.—In place of retiring he should get his nerve, divest himself of the whole of his Toronto entourage which have been an evil influence in the government of Canada hold on until the close of the term and so give the old parties the chance of rallying their forces against the Grain Growers and the U.F.O. who have had 5 years to organize."

This was advice tendered Premier Borden, by Sir Sam Hughes, speaking at an Orange Lodge meeting here.

CALDER SPOKE OF AS PREMIER

OTTAWA, Dec. 16.—Hon. J.A. Calder, Minister of Immigration, is prominently suggested today as likely successor to Premier Borden. He however is understood to have no personal ambitions in this regard. As a result of present situation three appointments to the Senate now pending will probably go over.

ST. CHARLES, DEC. 16.—The Collegiate Institute was closed this morning by order of the Board of Health till after the Xmas holidays on account of the discovery of a number of cases of smallpox. The Board will likely order general vaccination among the children.

HEARD SOMETHING DOWN IN HAMILTON

HAMILTON, Dec. 16.—Residents of Elgin street, who had read the Toronto Record's prediction of a calamity on December 17 from a comet, thought the comet had arrived ahead of time yesterday morning when they heard a prolonged hissing noise. They rushed to their doors in alarm, and some dropped on their knees to pray, believing that the end of the world had come. The cause of the alarm was a new boiler that had been installed in a nearby factory, which was being tested by the blowing off steam.

NEW PREMIER IN ONE MONTH

Ottawa, Dec. 16.—Sir Robert Borden's successor will most likely be appointed and the new Government installed within a month.

It is semi-officially intimated that the condition of the Premier's health is such that retirement from active work in public affairs should be a several possibility.

Several members of the present Administration will retire from public life. Since early summer Cabinet changes and retirements have been discussed, with the inevitable flood of rumors.

With a change in Administration so near at hand, it is not expected that there will be any Cabinet retirements in the interval between now and the gathering of the Unionist supporters.

Early in January has been mentioned as the probable date of party caucus, but nothing definite has so far been announced. Prime Minister's office to-day brought no further details.

FARMERS INVADE TORONTO SIXTH U.F.O. CONVENTION

Gathering Has Great Political Significance.—Delegates Not Backward in Expression of Opinion.

UNION GOVERNMENT SHOULD RESIGN

(Special to the Record.)
TORONTO, Dec. 16th.—President med up the Government's move in announcing the postponement of a convention to enquire into the tariff and adopt a revision. Mr. McMillan is one of the directors of the United Farmers Co-operative Co., and is in town for today's convention. R. H. Halbert of Uxbridge, the newly elected M.P. for North Ontario and President of the Farmers Association, and F. W. Fisher from Bruce County, silently echoed assent with emphatic nods of the head. "A British paper stated last week," continued Mr. McMillan, "that it would help if they threw off the tariff on British goods."

"Sir Robert Borden is going to resign," said your correspondent. "They should all resign with him," declared Mr. McMillan. "If they had any sense, they would," added Mr. Fisher.

MONTREAL BANS ONTARIO TRAVEL

Vaccination Certificate Necessary to Celebrate a Wet Christmas.

Montreal, Dec. 16.—On account of the small pox epidemic in Ontario, the local health Board has issued orders forbidding entrance into the city from Ontario to all who cannot prove they have been successfully vaccinated during the past seven years. The order also announces that no one will be allowed to leave from Montreal for Ontario points over the Christmas holidays and return here who cannot submit similar proof.

All is ready for to-morrow evening when Hamilton's ferocious tigers will come here to line up against the local seniors. With good ice in sight and all players in shape there should be a real game.

ACKNOWLEDGEMENT OF LIABILITY

On the motion of Ald. Amussen and Ald. Ratz the following motion was carried, all members present voting for it:

"That in the opinion of this Council, the city is morally liable for the damages caused in the riot of December 1st to the office and plant of the News Record, and that application be made to the Legislature for enactment legalizing payment by the city covering the damages."

Before this motion was put Ald. Sass asked for the solicitor's opinion on the city's liability, adding that a special committee was to have secured his advice.

Ald. Amussen, on behalf of this special committee, reported that the City Solicitor had said the city was morally liable yet as to the legal liability the question was uncertain. Some cases had been decided one way and others another way. The strange position of the police commission which was not appointed by the city but which was supposed to enforce the law for the city, caused this uncertainty.

OTHER MATTERS

Architect F. A. Baker, of Toronto, wrote enquiring what the prospects were for proceeding with the erection of a large hotel in the city, plans for which were begun by him several years ago. If favorable he would like to have the civic and moral support of the city, the intention being to erect the building. Referral to the finance committee.

The Canadian Fire Underwriters wrote alluding to the necessity of having all fire fighting appliances at this time of the year in the best of shape. Referred to the fire chief. The Water Commission will be requested to notify the landlords in cases where tenants leave accounts on water used unpaid.

An account for \$302.01 for fees by the city solicitor was passed.

The Council just before the close of the meeting presented Mayor Gross with the Mayor's chair on the occasion of his retirement. A further reference will be found elsewhere in this issue.

All the members, except Ald. L. O. Brethaupt, who is still out of the city, and Aldermen Bowman and Bitzer, were present.

The singing of the National Anthem concluded the meeting. The Council adjourned at 9.20 o'clock.

RECORD TELEPHONE NUMBERS

Owing to alterations and improvements in the Record office, the telephone numbers have had to be changed. They are as follows:

Want Ads. and Advertising—395.
News and Editorial—396.

ALL BY ACCLAMATION

All members of the Drury Cabinet who had been elected in the October general election, secured re-election yesterday by acclamation.

Messrs. Drury and Doherty had no seats in the new House, and will have to seek election somewhere. Mr. Raney was likewise without a seat and will run in North Victoria.

Overcoats
Trousers
different colors
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111 Queen,
Phone 808.