

ROGERS QUESTIONS STATUS OF PROBER

Justice Galt Not Legally Entitled to Receive Fees, He Declares.

TERMED "PURE GRAFT"

Rogers Repeats Denial of Ulterior Motive in Raising Tender.

WINNIPEG, Sept. 21.—Hon. Robert Rogers, who completed his evidence before the agricultural college commission this afternoon, attacked the right of judges to accept fees for presiding over such enquiries. He called the attention of the judges' act and said: "While the report is current on the street that those engaged in these commissions have been paid large sums of money, I cannot believe that such is the case. I would be very sorry to believe that such was the case, because under that law should any money be received by any judge it would undoubtedly represent nothing but pure and simple graft."

"If you go on with talk of that sort I shall stop you," interrupted the commissioner. "Under the law this is so clear and distinct that it requires no comment," continued Mr. Rogers. "How about the recent commission at Ottawa?" asked the commissioner. "I am glad you called my attention to that. The case is not at all parallel. The government would not appoint the commission until it went to parliament for full sanction," was the reply. Mr. Rogers said that he mentioned this matter in the most kindly spirit. The commissioner: I appreciate that, but it seems to me a little late for any minister of the crown to come up here and instruct judges in their duty, when commissions have been going on for years with it must be admitted, considerable necessity and very great good. Don't you think that any instructions should come from the minister of justice and not from you? Mr. Rogers: I am not giving instructions. I am merely pointing out the law. The commissioner: I think you are exceeding your functions. Mr. Rogers: I am merely pointing out this matter as a citizen. I am merely pointing out what I thought you would be glad to hear.

Rogers' Broad Claim. Mr. Phillips, concluded his examination of the minister of public works, and Mr. Rogers asked to make a statement. "I want to say," he said, "that during my 13 years as minister of public works in this province, I am sure no man, no contractor, no lawyer, no politician, no one, has ever suggested any improper act in connection with any work." Mr. Rogers then drew the attention of the commissioner to the judges' act. Mr. Rogers quoted section 83 of the act, to the effect that judges should engage in no occupation or business other than their judicial duties. "It is plain," Mr. Rogers went on, "from its wording that no more flamboyant display of the law of our country could be possibly committed than that committed by judges who have presided over the most important proceedings. Perhaps you have followed precedent, and to that extent have been led astray."

Diary as Evidence. At the opening of the afternoon session Mr. Phillips resumed his efforts to fix the date when Provincial Architect Hooper recommended to Mr. Rogers raising the power house contract for \$70,000. "It is plain," Mr. Rogers went on, "from its wording that no more flamboyant display of the law of our country could be possibly committed than that committed by judges who have presided over the most important proceedings. Perhaps you have followed precedent, and to that extent have been led astray."

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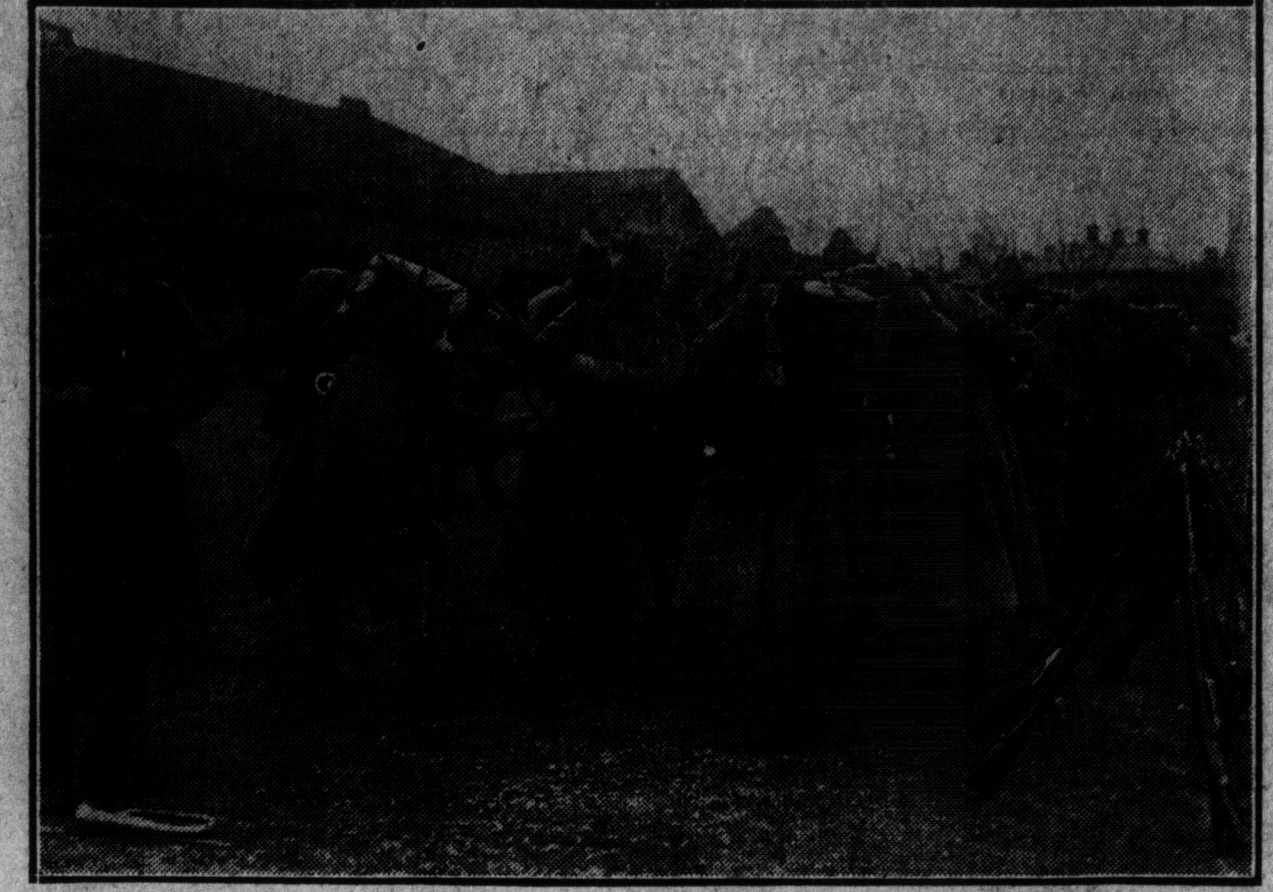
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INFANTRY HELPING EACH OTHER TO PACK THEIR KNAPSACKS BEFORE LEAVING FOR THE FRONT. OFFICIAL PHOTOGRAPH.

power house at their tendered price of \$60,228. He approved of the architect's opinion. This was soon after the tender was received. "When the tenders were opened by Hooper and myself," said the minister, "I recommended the acceptance of Carter's as the lowest, and a short time afterwards Hooper presented the condition that from his point of view, it was impossible to erect the building at the tender price."

The tender was accepted July 28, and Mr. Rogers could not tell the exact date on which he was informed of the tender was too low. It might have been a week or two days later. Mr. Hooper, he said, had always claimed Carter would have a loss of thirty to forty thousand dollars on the administration building, and had this in mind when he made the recommendation as to the power house. "Mr. Hooper," said Mr. Rogers, "was satisfied it was impossible to erect the power house for less than \$87,000 additional to the tender figure, which, he thought, was the actual cost of the building without profit. It was simply a matter of routine business of the department and I entirely accepted the judgment of the architect. I telephoned Carter his tender was too low and told him to come up and see Hooper about it. I don't recall that I saw Carter about it."

Mr. Rogers said the next lowest tender was discussed between himself and Hooper, but Hooper raised objection that accepting this would put three contractors on the job. This tender was for \$71,350. Mr. Rogers said the suggestion that the price be accepted for \$70,000 came from Hooper alone. The contract at \$60,228 had been executed by the contractor but not by the department when the change was prepared the substitute contract, which, likely, said Mr. Rogers, on his instruction.

Mr. Rogers said he was not sure his conversation with Hooper occurred after Aug. 16, 1911. "Assuming," said Phillips, "that it can be established that Hooper was sick in bed and did not leave his house from August 12th to the end of September, how could you have had this conversation with him?" "My memory is clear and distinct that Hooper made the recommendation," was the reply. "Hooper sometimes when sick in bed would come to the office for a short time." Mr. Rogers repeated that he would not swear to the date of the conversation, but "nothing of this sort would be done without Hooper's recommendation."

honestly that I never suggested or implied in any way the exacting of anything from any contractor for carrying on work. Whatever were the circumstances in this case my motives were nothing but the carrying on of the work in the public interest."

No Deduction Made. Phillips proceeded to question the minister on the administration building contract. He told Mr. Rogers no deduction had been made in favor of the province for \$20,000 saved to the contractor in steel construction. "That," said Mr. Rogers, "is a justification of my statement that it is a mistake to say that I saw Carter about it. He told Carter to see the architect."

Mr. Phillips claimed the order in council recommending the power house contract at \$68,928, was not correct, since it spoke of this figure as Mr. Carter's tender. Mr. Rogers saw nothing wrong in this "technical word," and said he had never prepared an order in council. It might have been an error on the part of the man who prepared the order.

OFFICERS WANTED FOR FLYING CORPS. Capt. Lord Alastair Innes-Ker, D.S.O., will carry out campaign in Canada to recruit officers for the Royal Flying Corps. The decision reached by the British authorities to recruit for the Royal Flying Corps (Military Wing) has been followed by the arrival in Canada of Capt. Lord Alastair Innes-Ker, D.S.O., Royal Flying Corps.

The campaign to recruit in Canada for officers and men to take up this branch of military service is brought about largely as a result of the highly successful performance of Canadians in that particular field. Canadians proved themselves to combine cool courage and resourcefulness to a marked extent. It is to be hoped, therefore, that thru the carrying out of a regular plan of recruiting a large number from well-to-do families, themselves of the new opportunity now given them to serve.

Paris Manufacturing Plant Installs Workers' Dining-Room

Back to Toronto on Charge of Stealing Car and Money

Conscience-Stricken Woman Pays Up for Free Car Rides

Political Intelligence

The Conservatives have carried the by-elections in Carleton County, N. B., electing their candidates by about four hundred majority. The riding went Conservative at the general election of 1912, when Hon. J. K. Fleming was returned to the legislature. Two years later when Mr. Fleming was forced to relinquish the premiership he also resigned his seat in the legislature, and Mr. B. F. Smith, the Conservative candidate, was returned at yesterday's election by five hundred majority.

There is undoubtedly considerable dissatisfaction among the Conservatives with the government at Fredericton, and it looked for a time as though no one who accepted a portfolio could be returned to the cabinet. Mr. Smith, however, has turned the trick and brought in a running mate with him, for there were two members of the legislature chosen at yesterday's election.

The Calgary Albertan in no unfriendly spirit discusses the return of R. B. Bennett, M.P., to the provincial field. The Albertan believes that Mr. Bennett is disgusted with Dominion politics and feels that he has been overlooked while men of less commanding ability were promoted to or retained in the cabinet. His retirement from Dominion politics will, in the Albertan's opinion, mean a collapse of the Dominion Conservative party in Alberta. Mr. Bennett is now the only Conservative M.P. from that province, and he carried Calgary largely upon his own personal popularity. Undoubtedly, however, Premier Stinson will sleep less easily when he hears that at the next session of the legislature R. B. Bennett may be pitted against him.

We had anticipated that Sir Wilfrid Laurier would strike the keynote for the next national campaign when he spoke at London next month, but The Montreal Herald intimates that the Liberal platform, or at least a portion of it, will be announced by Sir Wilfrid on next Wednesday, when the Liberal chairman will address a big mass meeting in Montreal. He will, at any rate, fashion the plans for the new platform upon recruiting, the economic situation created by the war, the cost of living. Perhaps he will also announce his attitude toward the new United Canadian party which The Mail announced yesterday had just been born.

Young Lad Caught in Belt Instantly Killed Near Galt

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DECLARES ALD. MAGUIRE UNDESERVING OF CREDIT

Robinette's "Old Warriors" Said to Be Responsible for Election of H. H. Dewar.

John Callahan, secretary of the executive of the Southwest Toronto Liberals, has sent the following to The World: At a meeting of the workers who had charge of Mr. Dewar's campaign in Southwest Toronto, exception was taken to the article which appeared in some of the Toronto papers a few days after the election, in which the credit was given to Ald. Maguire for the success of Mr. Dewar in retaining the riding for the Liberals. We wish to say that Ald. Maguire was not in favor of the candidature of Mr. Dewar at the outset, and did not attend the Thursday and Saturday nomination meetings, although asked to do so, and only spoke on the hydro at meetings held on Tuesday and Saturday evenings previous to election day. It is a well-known fact that opposition of the strongest nature was brought to bear to prevent a candidate being placed in the field, and even the executive were refused the use of the Ontario Reform Association rooms to hold the third and final meeting by locking the doors and posting a notice on the same, although the first of three meetings was called by Mr. Dewar, the president of the Toronto Central Association. At all of these meetings Ald. Maguire was present, and was opposed to a convention and refused to sign the same petition, and one thousand other progressive Liberals, demanding a convention. We wish to state that in other articles it was said that one hundred new

FOUR LARGE BARN, CROPS AND HOUSE BURNED NEAR PORT HOPE

Special to The Toronto World. PORT HOPE, Ont., Sept. 21.—While threshing operations were in progress on the farm of Thomas Atkins about four miles east of Bethany a spark from the engine ignited the roof of one of the barns. A high wind was blowing at the time and the blaze destroyed four large barns containing the crop of the season, a driving shed and other buildings with several animals, etc., and a house. Mr. Atkins' valuable residence was saved by neighbors and friends from Millbrook. The loss will be \$12,000 or more with insurance of \$5000.

TWO BARN BURNED.

Special to The Toronto World. BELLEVILLE, Ont., Sept. 21.—Fire last evening destroyed two barns situated on Newton Bird's farm in Sidney Township, together with some outbuildings. Three horses were burned, as were also a number of ducks and hens. The barns contained about 30 loads of hay, 600 bushels of oats and a quantity of rye and wheat. The loss is about \$4000, partially covered by insurance. The origin of the fire is a mystery.

CARRY OUT FORECLOSURE ON MISSOURI PACIFIC

Mortgaged Property to Be Sold to Satisfy Bondholders' Claims. NEW YORK, Sept. 21.—A special master appointed in the foreclosure litigation instituted by the Railway Trust Co. of New York, as trustee against the Missouri Pacific Railway Co., filed in the U. S. district court here today a report finding the plaintiff entitled to judgment. The special master recommended that the mortgaged property be sold in parcels until the aggregate amount of the bids shall be sufficient to pay the entire amount unpaid for principal and interest on the first collateral mortgage bonds, together with the costs and disbursements and allowances of the suit. The railway, it was held, had defaulted since Sept. 1, 1915, in the payment of interest upon the first and second mortgage bonds amounting to \$11,778,000. After sale of enough property to cover this the special master recommended that whatever proceeds or unsold bonds remained be delivered and paid to the refunding mortgage trustees.

THIRD TIME WOUNDED.

Special to The Toronto World. BELLEVILLE, Sept. 21.—Pvt. Bryant of this city today received a telegram from the record office, Ottawa, that his son, Pte. Eddie Bryant, had been seriously wounded and admitted to St. Lawrence Military Hospital in London. Bryant had twice previously been wounded, but upon recovering each time resumed his duties on the firing line.

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SAID SHAKESPEARE

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