playing the utmost fervor in the attack, their desire being to strike a strong blow in return for the recent

German assault.

It is the first occasion this year that the entente allies have counterattacked on such a big front. Their operation directly affects the position of the German western flank and probably will cause the German crown prince to hurry some of his reserves to the scene of the fighting from the Marne and the Champagne where yesterday and today everything was quiet.

The Germans have widely announce.

The Germans have widely announced that their armies were engaged in

a that their armies were engaged in a war of movement. This operation gives them the other side of such warfare in which the offer end of such warfare in which the allies have taken the initiative.

On the French Front in France, July 13.—With wonderful vitality and with spirits still high, notwithstanding the big battle of the last two days. Franco-American troops dashed forward at dawn today along the western side of the salient formed by the German advance and the walidity of the order-in-council move back the energioners.

The depth of the advance cannot be exactly determined tonight, but it certainly is several miles in average.

The allied commander-in-chief had permitted the enemy to exhaust a large portion of his forces in striking the blows on both sides of Rheims. While was intended to one harmy. The blow was successfully parried, and before the Germans recovered sufficiently to fill the great gap in their ranks and make another effort the allies bounded back and staggered them with a lightning-like diversion from the Marne to the Alsne.

Thousands of prisoners, was and much and his material fell into the hands of the allies to the sweet of the neighbour of the recovered sufficiently to fill the great gap in their ranks and make another effort the allies bounded back and staggered them with a lightning-like diversion from the Marne to the Alsne.

Thousands of prisoners, was and much his material fell into the hands of the allies bounded back and staggered them with a lightning-like diversion of the heights dominating Soissons from the south a couple dozen villages were reconquered by the allies, who tonight were engaged in severe fighting which disconcerted the enemy slong the whole line from Chateau Thierry to Soissons.

Two weeks NEEDED

dule will be announced in Washington. On those amendments further consultation with the men will be necessary. Since the upshot of such consultation is not gathered in before

says there must be so much heat and doubt that it was cloths; and extraordinary values. Our ment had authorized the government week-end haberdashery specials Son, Limited, 77 King street west.

RHINE HOSPITALS FULL

German Empress, accompanied by passed the necessary legislation with-German Empress, accompanied by out delay.

Prince Joachim, has been visiting the What Counsel Contended. are said to be crowded with wounded, had no power to repeal the statute under which Grey had formerly semostly Prussian soldiers from the cured exemption. zone of the German offensive along

The empress is reported to have broken down and wept at seeing so not contemplate compulsory service many wounded at Strassburg.

ng added to the hospitals at time the Wolff Bureau, the German semi-official news agency, continues have been insignificant.

FEW GERMAN AIRCRAFT DISCOVERED BY BRITISH legislation

tonight says: "On July 17 the weather was cloudy at first, but improved later, allowing a

considerable amount of aerial reconnaissance, photography and artillery work to be accomplished by us. "Eleven and a half tons of bombs were dropped during the day on enemy dumps and railways and on the

"Comparatively few enemy machines were encountered. We shot down "that the order-in-council takes away three and drove one down out of con-We lost one machine. We also light of exemption." hot down six hostile balloons in

IMMENSE BOOTY TAKEN IN ADVANCE OF ALLIES

With the American Army in France, July 18.—The American troops up to noon just south of Soissons had captured 3300 prisoners. Fifty cannon had been counted and thousands of

machine guns. Northwest of Chateau Thierry the Americans captured large numbers of prisoners and an equally important quantity of munitions and stores. The captures south of Soissons in the way of stores were immense and included some airplanes which the eneincluded some airplanes which the ene
included some airplanes which the ene
inc

That Government Had Full Authority.

the south a couple dozen who tonish were engaged in severe fighting which disconcerted the enemy along the whole line from Chateau Thierry to Soissons.

TWO WEEKS NEEDED

TO CALL A STRIKE

Montreal, July 18.— According to well-informed opinion in labor circles here, if a strike of railway shopmen occurs at all, it is doubtful if the order for it could be sent out within two weeks from the present date by the mens' representatives now in Montreal. The opinion of the men is being asked now on the present situation, but that situation will have changed by the end of next week when the amendments to the McAdoo sche
THO WEEKS NEEDED

TO CALL A STRIKE

Montreal, July 18.— According to well-informed opinion in labor circles here, if a strike of railway shopmen occurs at all, it is doubtful if the order for it could be sent out within two weeks from the present date by the mens' representatives now in Montreal. The opinion of the men is being asked now on the present situation, but that situation will have changed by the end of next week when the amendments to the McAdoo sche
THO WEEKS NEEDED

TO CALL A STRIKE

Montreal, July 18.— According to the governor-general-in-council that the War amplicant that parliament cill. They argued that, as a consider that parliament that a second that as a considered that the power to the word institute to do so, the sequence of its failure to do s

now when we suggest for the heated term Score's tailored to measure Palm Beach suits in grey, agne, blue and black; tropi-In a word, he maintained that parliato take any action necessary. Parlia-ment had not definitely surrendered clude Buckingham's Imperial cravats, ment had not definitely surrendered regular \$1.50, for \$1.15. R. Score & any of its powers which could be taken back at any time. It had simply turned over to the executive a do-

The argument was closed by Mr. OF GERMAN WOUNDED Chrysler who held that there was no emergency in April because parliament by suspension of the rules and Geneva, Switzerland, July 18.-The the application of closure could have

hospitals in the Rhine towns since Briefly, counsel for the applicant Sunday, says a despatch from Strass- contended that the order-in-council burg by way of Basle. The hospitals under which Grey had been taken which Grey had formerly se-

First, that the War Measures Act the Marne. Bavarian and Saxon wounded are being sent into the incouncil was passed, dealt with the defense of Canada wholly and did

> Second, that if the War Measures Ac: was powerful enough to do what was here claimed for it, the Military Service Act was unnecessary since all that was provided under it could have been provided for by order-in-

Third, that it was not contemplated by parliament that the governor-in-council thru the War Measures Act should have power to repeal unnamed Sir Charles Fitzpatrick asked Mr.

in-council of April 20. Mr. Chrysler:

Sir Charles Fitzpatrick: "You maintain that the order-in-council repealed

the statute? "And that the government had not

the power to do this?" "That is your whole case, is it not?" Order is Challenged. "I maintain," replied Mr. Chrysler, "that the order-in-council takes away

"Severe thunderstorms prevented government under the War Measures only as a part of the empire, but exercise such powers as it possessed thority to make orders and regula-under the Militia Act. Under that act tions which had the force of law:

Defence of Canada. Sir Louis Davies observed that the defence of Canada might be consid"the existence of apprehended war, ered to be in the State of Maine, in invasion or insurrection." Many prisoners and many guns still power did not exist to send soldiers and, in the present instance all its

only for the defence of Canada.

this order-in-council is the exercise of the highest legislative power conceivable in a parliament and that action cannot be justified except by supporting the claim that under the War Measures Act there was a blank delegation of every legislative power that

make laws. It was a common thing, he said, to make law by means of regulations. If the power to make law is excluded then what power is given?

Order Ultra Vires

Mr. Geoffrion agreed that unless the restrictions in the act are taken authorizing the most unlimited deleexercised by the governor-general and his advisors. Can the house of com-

ment is sound there can be no dele could be delegation of authority on minor points that are open to disussion as to whether they are legis-

lative or executive.

R. B. Bennett, who was given per mission to address the court, said that he did not intend to take up the general argument. Speaking briefly, he said that insofar as the Lewis possessed rights within the act which London, July 18. — The officials hrysler if he maintained that Grey could not be taken away from him had acquired a right to exemption by order-in-council. He argued that, which was denied to him by the order-in-council. He argued that, incofar as his case and other

E. L. Newcombe then commenced argument on behalf of the department of justice. He said that for a complete grasp of the situation it is when the emergency war session was called. At that session the War Measures Act, granting large powers to the governor-in-council, was passed tecause it is not convenient for the Dominion Parliament to be con-Mr. Chrysler proceeded to argue at timorsly in session. The Dominion length that the powers taken by the had a responsibility to discharge not our machines from carrying out night bombing."

Act of 1914 applied only to such matters as those with which it was recognized parliament has the right to deal, thority for action was found in the nized parliament has the right to deal. thority for action was found in the Militia Act. It was under this power to the arming and equipment of militia Act. It was under this power that the expeditionary force was tary forces. He presumed that the government at that time intended to War Measures Act constituted au-

it would not have been possible to secure forces by compulsion for serin the matter of a delegation of auvice overseas. The government had thority to the governor-in-council, power to enforce compulsory service there had been two strict limitations. One was that of time-the period of the war. The second was the limita-

Mr. Newcombe argued that there overseas. The wider step which gave powers were not delegated. The

Sir Louis Davies: "Does it make any

Mr. Geoffrion's Argument.

Aime Geoffrion argued that as the order-in-council amended the MilitaryService Act and the Militia Act in vital respects it could only be upheld on the contention that the War Meas-ures Act conferred full legislative authority on the governor-in-council. "I submit." Mr. Geoffrion declared, "that

A Contradiction

consultation with the men will be necessary. Since the upshot of such consultation is not gathered in before a week's time, it is not clear that a strike, if one is ever called at all, can be ordered at the earliest before a fortnight's time.

Claims Full Authority

In support of the validity of the order-in-council, Mr. Newcombe maintained that governor-general-in-council was empowered to make orders and regulations and, by subsequent orders and regulations and regulations and orders. But the governor-in-council was not concerned with revoking or amending statutes. The provisions of the War Measures Act to alter the M.S.A. Par-Measures Act to alter the M.S.A. Par-Meas

In closing his argument, Mr. Geoffrion dealt with the claim that the order-in-council of April 20 is ultra Mr. Justice Idington interrupted his opening observations on this point with the remark that, if the War Measures Act is interpreted literally

it means the abolition of parliament's gation of all legislative authority. The government in amending the War Measures Act, had used the widest legislative powers. Legislative power, he said, was a combination of three authorities, the King, the house of commons and the senate. But apart from that there is the executive power

mons, he said, say to the executive, we give you blanket authority? Mr. Justice Anglin: If your argugation of authority on any matter.

Mr. Geoffrion replied that there

affecting farmers are concerned, they are really civil contracts. Argument for Department. necessary to go back to August, 1914,

in the case, the court adjourning unti

Band Music



90 cems for 10-inch.

Washington Post March El Capitan March

The ROBERT SIMPSON CO., Limited.
176 Yonge Street.
JEROME H. REMICK & CO., 127 Yonge Street.
WHALEY, ROYCE & CO., Limited, 237 Yonge Street R. S. WILLIAMS & SONS Co., Limited, 145 Yonge St.

The T. EATON CO., Ltd., 190 Yonge Street. GERHARD HEINTZMAN
Limited.
41 Queen St. West.

New York Hippodrome March The Pathfinder of Panama March

"His Master's Voice" Records same price as before the war

Sousa's Band will play for you any time you wish in your own home on the Victrola.

Canadian Medley March—No. 2 Sousa's Band } 120170 Played yesterday.

Sousa's Band } 17302 We're From Canada Strike for the Grand Old Flag Alan Turner } 17565 Sousa's Band } 17901 \$1.50 for 12-inch, double-Sousa's Band } 25289
Arthur Pryor's Band

U. S. Field Artillery March (Just issued) Liberty Lean March (Just issued) Sousa's Band | 18430 Ask to hear them at any "His Master's Voice" dealer Victrolas from \$24 up, on easy payments if desired. Write for free copy of our 620-page Musical Encyclopedia listing over 9000 "His Master's Voice" Records.

GRAM - O - PHONE COMPANY. BERLINER "His Master's Voice" Toronto Dealers

Downtown District HEINTZMAN & Co., Lim-MASON & RISCH, Limited. NATIONAL PIANO CO.. Limited. 266-268 Yonge Street.

THOMAS S. BEASLEY. A.R.BLACKBURN & SONS, 480 Yonge Street.

Yonge, North of College CHARLES RUSE, 772 Yonge Street.

Yenge, North of College ST. CLAIR MUSIC STORE, 14 St. Clair Ave. West.

East of Yonge GEORGE DODDS, 193 Danforth Avenue.

East of Yonge FRED TAYLOR. 290 Danforth Avenue and 190 Main St., E. Toronto, A. SOLOMON, 2056 Queen Street East. West of Yonge

NATIONAL FURNITURE PARKDALE VICTROLA
PARLORS.
1381 Queen Street West
N. L. McMILLAN,
36 Vaughan Road.

West of Yonge T. SMITH, 428 Bloor Street West. F. H. BAWDEN, 1190 St. Clair Ave. West. DANIELSON'S VIOTROLA SHOPS. No. 1—534 Queen St. West. No. 2—2547 Dundas St. W. T. H. FROST. 1093 Bathurst Street. MeLAUGHLIN'S VIC-TROLA PARLORS, No. 1 394 Roncesvalles Ave.

M. KAPLAN

FULL SELECTION OF

Victor Records and Victor Victrolas OBTAINABLE EATON'S

ment.

Mr. Justice Duff: "You get away from the word 'order,' which to my mind is much wider."

In reply Mr. Geoffrion argued that the word "order" simply covers a special direction given under a regulation.

great bulk of its powers were preserved to parliament itself under the war Measures Act. In view of the war, however, special powers had been transferred in the broadest lan-

Mr. Geoffrion argued that the gov- No Change in Constitution.

ays there must be so much heat and something that it was the intention of the following officers:

so much cold. It's good advice to give a man just of the thought that if the emergence advice to give a man just on the governor-in-council the thought that if the emergence advice to give a man just on the governor-in-council the thought that if the emergence advice to give a man just of the thought that if the emergence advice to give a man just of the governor-in-council the case demanded speedy action.

Justice Anglin: If parliament in 1914 to grant plenary from went on, "the view was taken that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative powers than usual had been conferred on the governor-in-council. If powers to the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full legislative authority was conferred on the governor-in-council that full

Mr. Newcombe remarked that this tive committee is composed of the offiwas criticism of parliament. Justice Anglin: It is a criticism of

with the will of parliament as -x- and Chief Davis, Vancouver, B.C.

pressed by the resolutions.

Mr. Newcombe said the urgency at the time the order-in-council was passed so great that the number of men required could not be obtained by review of the certificates of exemption. So the power of calling men up by order of the executive was resorted to and it was done for "the assorted to an and a resolution was association." the executive was resorted to and it was done for "the security and defence of Canada." This authority was to be found in the War Measures Act.

Counsel for Justice Department. W. N. Tilley, K.C., counsel for the justice department, in elaborating the arguments presented by Mr. Newcombe, said that an attempt had been trade to bring into active forces men who were on leave of absence without following the precise procedure outlined in the Military Service Act. The question to be decided was whether parliament had authorized such procedures and if a great their anything to dure, and if so, was theer anything to prevent such action being taken.
Replying to questions from the

teach, Mr. Tilley said it was a very difficult matter for parliament to draw a statute so well that it could not be to d there was a better way, and referring to the judgment of the Alberta court, declared that the Alberta judges had assumed that parliament had an intention which parliament had re-Mr. Justice Idington could not un

derstand why parliament did not pass a statute instead of an order-in-coun-Mr. Tilley: "Because they thought Mr. Tilley: Because the way."
Mr. Justice Anglin asked Mr. Tilley
if he would contend that the government has the power to increase the number of men authorized by the M.S.A. beyond the 100,000 mark.

Mr. Tilley: treme case." "You are putting an ex-Mr. Tilley maintained that parliament had not abandoned any of its powers, because any power surrendered could be taken back. It had simply urned over a domain of legislation.
In rebuttal, Mr. Chrysler said he was villing to show that there was no real emergency for the passing of the order just as easy to pass an act of parlia This could have been done in short order by a suspension of the rule and closure. The imperial parliament 1: d passed important bills in 48 hours. This concluded the argument

2 p.m. on Friday. MORE SHIP CONTRACTS

ping board. Of the tonnage 392,800 contract for 35 steel cargo steamships of a deadweight tonnage of 322,800.

INTERN ALIENS WHEREVER FOUND

Advice Given by U. S. Military Inspector to Police Chiefs at Hamilton.

Hamilton, July 13.—Chief constables of Canada brought their fourteenth annual convention to a close in the Royal gina; second vice-president, Chief Whatley, Hamilton; secy.-treasurer, Chief Inspector McClelland, Toronto; William Banks, Toronto. The execu-

cers and the following provincial re-presentatives: Chief Ridout, Moncton, Justice Anglin: It is a criticism of the action of the state.

Mr. Newcombe: The government took pains to consult parliament on the measures altho it was not necessary to do so. They acted in harmony ont: Chief Baker, Outremont, Que.;

> Speaking to the above resolution Inspector Rogers stated that he would never attend another convention un-less it passed, while another delegate said it was shameful to bar men who

hold such positions from men or present members who may attain such positions in the future.

It was also decided that men with stables, of twenty-five years' experience as policemen, and who may have re-linquished their positions as police officers, should be eligible for life mem-

bership.
Copies of the resolution against Wednesday session, was ordered to be sent to all boards of police commissioners in Canada. Thanks were tendered Chief Ridout, retiring president, interested. and Chief Whatley for their

and Calgay was chosen for the conven-tion of 1919. Intern every alien enemy, no matter who they are or where they are, was the advice given by Inspector Thomas J. Tunney, of the military intelligence staff of the United States army, in the course of an address on enemy propa-ganda, the means by which the enemy agents worked, and the manner in which they were finally rounded up. The United States, the inspector de-

confidence that not a cent of the \$32.-000,000 provided by Hun agents to buy over the police force had ever been Inspector Tunney related how an American woman had uncovered a plot to ship one ton of dynamite and about fifty guns into Canada to destroy bridges and railways. She got one of the agents, who was a Hindoo, drunk, case, he said, was connected with the Hindoo shooting in the San Francisco

police court two months ago. Eventually Rounded Up. Reference was also made to the cap

ture of Lieut. Fay, the German offi-U. S. Shipping Board Announces cer who is now serving a sentence in a United States prison for placing bombs on ships. Fay had planned to Washington, July 18.-Contracts for visit all the coast and lake ports for 61 ships of 439,800 deadweight tons the purpose of destroying all shipwere announced today by the ship-his gang were eventually rounded up. ping board. Of the tonnage 392,800 The following resolution, moved by will be steel. To the Skinner and Chief Williams, London, and seconded Eddy Corporation of Seattle went a by Inspector Forster, was passed: contract for 35 steel cargo steamships "That the attorney-general of Cana-

Come to Simpson's for your Victrola Hear it Demonstrated in Our Comfortable and Pleasant Music Studio

The SIMIPSON Company
Robert SIMIPSON Limited

Peking, July 18.—General Horvath, averted, but not finally disposed of commander of the anti-Bolsheviki torces in Siberia, is reported to have reached an agreement with the comreached an agreement with the compact of reached an agreement with the com-manders of the Czecho-Slovak forces. The latter, it is stated, will proceed to the westward by way of Manchi General Horvath is quoted as say-ing that he was forced to issue his recent dictatorship proclamation recent dictatorship proclamation against his judgment; that he had little hope of success but that conditions in Russia were such that he saw no

alternative. ADVANCE FAR ENOUGH

TO THROW IN CAVALRY With the American Army France, July 18.—The American troops had carried all before them by late in the afternoon, and had proceeded so fast that cavalry was thrown into the action. All the American headquarters staffs tonight were well in-

held this morning.

ALLEGED GUNMEN ACQUITTED. Montreal, July 18.—The trial of the alleged "gunmen' in this city came to an end today when "Doc" Lamothe, "Red" Allen, and Alex. Gold were acof special sessions of the charge of conspiracy in connection with assaults Copies of the resolution against on the person of Bernard Kaufmann. policemen organizing themselves Judge Bazin acquitted the three acinto unions, which was passed at the cused following the hearing of evidence for the prosecution on ground that the principal witness

WHAT FOCH WANTS.

were self-confessed criminals and were

Splendidly Executed Counter-Attack
May Halt German Offensive.

ment Foch has been looking for, said a military authorky here today "and if all goes well his splendidly the whole German offensive on the Rheims sector to a halt clared, had a line on the German propa-gandists in that country before the war started, and he could state with

ROOSEVELT'S SON MISSING. Pershing Reports Quentin Roosevel Last Seen in German Lines Four

Days Ago. Washington, July 18.-The following cessage from General Pershing was t; ansmitted by the war department to-day to Colonel Roosevelt at Oyster the agents, who was a Hindoo, drunk, and then stole the plans and \$3,000. The plans she turned over to the government, but she kept the money. This case, he said, was connected with the enemy planes about 9.15 morning of July 14."

POLA FORTRESS BOMBED.

Italians Attack Austrian Arsenal Downing Three Hostile Aircraft. communication issued today follows: "On the whole of the front there has been moderate fighting by both artil-leries and the usual activity by our reconnoitring detachments. Tuesday night and Wednesday morning the were bombed. Three hostile at

the appointment of independent police commissioners in all towns and cities the appointment of independent commissioners in all towns and cities thruout the various provinces, so that Canada's law administration be free from political influence."

Dr. Copp. of Toronto, representing St. John's Ambulance Corps, urged every member of the police force to take up first aid work, while James Parker, legal adviser of the Canada Food board, discussed the food regulations and the events which led up to the organization of the food board.

AGREES

SECURE CONCESSIONS

Dublin, July 18.—After another neeting of the anti-conscription conference an official report was issued late stating that the result of the conference so far was satisfactory and successful. The anti-conscription is an entitled to claim, the statement says, that "they have succeeded with the co-operation of the Catholic hierarchy in saving the country from the cassures which would have inevitably constructed. WITH CZECHO-SLOVAKS the assures which would have inevitably led to terrible and incalculable conse-

"For the moment the danger

ELECTED FOR SECOND TERM.

National Division Sons of Temperanes of America Choose Patriarch. St. Catharines, July 18.—For the second time in the history of the National Division Sons of Temperance of America, a most worthy patriarch was this morning elected for a second term at the 75th annual conventions, the honor again being conferred on C. E. L. G. Hohenthal of South Manchester, Conn.

Manchester, Conn.
Other officers elected were. Me worthy associate, T. N. Willmott, Or lia; scribe, Ross Slack, Philadelphi treasurer, W. C. Acken, New Jerse conductor, J. E. Brodie, Prince B ward Island; sentinel, Mrs. J. O. M.

Carthy, Toronto; chaplain, G. E. Halifax. The national division decided meet at Philadelphia on June 18,

ing session was upon a proposal to change the pledge to make it more active. The pledge of the order was adopted in 1842 and has not been since assended. The delegates this afternoon motored to Niagara Camp.

A LOAN ADVISORY BOARD looking to the organization of cal loan advisory board to work in connection with the soldiers' lement board are being carried Major E. J. Ashton, D.S.O., has here during the past few days in preparation for the work. A committee is to be appointed comprising a number of leading Montreal financial men as well as representative of the war veterans. It is un the chairman will

SYMPATHY FOR ROOSEVELT.

London, July 18. — David Lic George, the British premier, today to graphed Former President Theode Roosevelt. The premier's mess read: "I am very sorry to hear news of the death of your gallant." He died, fighting valiantly great odds, for a great cause. convey my own wife's sympathy Mrs. Roosevelt."





28000