

EVIDENCE ENDS IN O'LEARY-SIMPSON SLANDER ACTION

Defendant Admits Not Fully
Confirming Charges Pub-
lished by Him.

HAD HIS DOUBTS

Evidence was concluded and counsel addressed the jury yesterday in the action for slander charges laid by A. E. O'Leary against James Simpson, both prominent labor men, for alleged slander. Mr. Justice Middleton will charge the jury at the conclusion of the trial.

Walter Redpath, a patternmaker, was the first witness called, and testified that he was present at the meeting of the Engineers' Club, which was held at the Engineers' Club. He was an employer, not a member of the association. They were discussing about a newspaper and as to some money from the association to promote it. The money was to be deposited in the Home Bank without any strings attached to it. It was said it would be like a gift from heaven. Witness said General Gunn remarked that Hevey and O'Leary required \$5000 to start the paper. The meeting was opposed to the idea.

Answering Mr. Ferguson, for O'Leary, witness said he had advanced very radical ideas and that five years ago he was a member of the Toronto District Labor Council. His views were more radical than Simpson's. "If Gen. Gunn did the approaching, then there is no blame to be attached to O'Leary and Hevey," "No, but to the best of my memory Hevey and O'Leary did the approaching." No other labor names were mentioned at the meeting in connection with the paper excepting O'Leary's and Hevey's. He was invited to make an affidavit as to what occurred at the meeting; this, he thought, was after the election.

Simpson Gives Evidence.
James Simpson, the defendant, answering Mr. Redpath, said he had been the editor of the Industrial Banner for thirteen months. The stock in the paper was held by the unions throughout Ontario. He considered himself a labor leader. He saw Davis of the Imperial Foundry Co. after the meeting of the employers' association, and that gentleman signed a statement in which he stated that at the meeting, he saw Redpath, who stated that the affidavit gave a very good account of what had transpired. He was a labor leader, he said, and himself. Witness declined to bring the matter before the Trades Council. He typed a statement from the affidavit, and his statement printed, and had twelve copies run off.

He had no idea as to how far the news had spread, but the meeting was the subject of conversation among the men. He knew of five who positively were aware of the meeting. He had a conference with the Metal Trades Union, and he was in charge of the strike, when he informed them how he had got his information. At the Trades Council the following night, he read the statement and replied to a question that his statement was in the nature of a charge. He had no personal quarrel with O'Leary, only a difference of opinion. Witness' sole idea was to protect labor interests, and he thought that two officials who held stock in one paper should not take steps in the formation of a competing paper. He did not know of any positions which O'Leary had held, but he knew the charges being made.

Had No Personal Knowledge.
Replying to Mr. Ferguson, witness said he had no personal knowledge of the charges. He admitted he might have gone to more trouble to get further confirmation. He told others that the charges would be made, and had seen O'Leary several times between July 17 and 23, but did not mention the matter to him. That the galleries were full when the charges were made was only an incidental. He would not have made the charges unless he thought he was in the right.

Mr. Justice Middleton—"You were the one who knew that a serious charge against a person was going to be made. Why did you do it in secret?"

Witness replied that he used his best judgment at the time, and said that while the affidavit stated that O'Leary and Hevey had made a canvass, the definite statement was that Hevey alone had made a canvass. He further stated that he had information that Hevey had visited a number of industrial establishments with a number of cheques. He still believed Davis and Redpath.

Admits Doubt.
Witness admitted that he had good grounds to doubt O'Leary's connection with the incident after hearing his evidence. "Which was at your service before you made the charges?" pointed out Mr. Ferguson.

"Did you have any knowledge as to whether or not the charges were true?" asked Justice Middleton. A—"No."

"Then why did you state 'This information I give to the council, knowing it to be true?' A—"I must have used the wrong word, saying 'knowing' instead of 'believing.'"

Replying to Mr. Redpath, witness said that he had heard from Davis that Hevey had called on several houses and had had cheques—some of \$500 from the Dominion Shipbuilding Company—in his possession.

"Did you hear Davis say yesterday that he had asked for the statement regarding O'Leary and Hevey be left out?" A—"No."

Evidence for Plaintiff.
Thomas Roden was the first witness called by Mr. Ferguson, who stated that he was responsible for Gen. Gunn being brought to the attention of the public. O'Leary's name was not mentioned in any way in regard to getting money from that association. Mr. Redpath, witness thought it was proper thing for the Employers' Association to provide funds to start a labor paper. He believed that Gen. Gunn had added publicity in opposition to Bolshevism would be beneficial. He considered the interests of employers and those of labor alike. He thought the paper was to be run honestly and that it would have been all right, as

the paper was to combat Bolshevism. After the meeting he made no statement to the press and he did not think it was his duty to clear up matters between O'Leary and Simpson. He had named the sum of \$5,000 to be contributed. Gunn had asked that the proposal be kept in confidence. Witness had never known of employers' money being used for purposes similar to the proposal for the new labor paper.

Secretary Merrick's Testimony.
Fred Merrick, secretary of the Employers' Association, said that Gen. Gunn had told him that the new labor paper was to counteract labor conditions, which were serious. Gunn had said that the proposal was imminent, and the paper was to prevent that. O'Leary's name was not mentioned at the meeting.

Fred Baden, manager of the Bawden Machinery Co., who was chairman at the meeting of employers held in the Engineers' Club, said that time was beginning to look more serious. Some papers had a lot of Bolshevik articles, and employers got scared. He had been told that there had been talk about putting out a paper in opposition to the Bolshevik propaganda and they could get no one to take it. He was not present at the meeting, and witness was certain the former did not use O'Leary's name. Q. "You have heard the statement that was made at the meeting, and in which it is stated that Gen. Gunn made certain statements at the meeting in regard to O'Leary. Are those statements true?" A—"Yes," but witness could not remember what Gen. Gunn said anything. It is true, I was in the chair during the whole time the meeting lasted."

Cross-examined. Q. "Did Gunn say anything at the meeting where the money from the employers was to go?" A—"No, but gave us to understand he could have it placed so that it could not be traced back to the association. It was all a suggestion." Q. "Did Gunn mention a deposit in the bank?" A—"Yes," but witness could not remember what bank. Gen. Gunn had said that he knew some person who would take control of the paper. He had not seen Gunn previous to this meeting. Witness sent out a written report to the press.

Other Names Used.
Daggett, Simpson, O'Leary, Hevey, Stevenson, Lewis and other labor men's names were spoken about after Gen. Gunn left. Witness said it was contemptible for him to suggest he had made a statement that the context of Gen. Gunn's address was to get \$5000 subscribed for O'Leary's and Hevey's paper. "To the best of my knowledge and belief," Gunn did not mention O'Leary's name."

On re-examination witness said he practically did not know O'Leary at all. He was not present at the meeting. Brig-Gen. Gunn said that at the time of the meeting in the Engineers' Club he was G.O.C. and was responsible for the safety of the city. He considered the position in Toronto in June and July of 1919 was very serious. There was a general feeling that the conditions prevailing in Winnipeg would spread to Toronto. The department had some information on the point. As to how he came to be at the meeting of the employers' association, Gen. Gunn said that one morning Hevey called at his office and stated he was going to start a labor paper, which he told witness in reply to a question, was going to advocate moderate action. "I said to him, if such were the case, his paper should have support. I felt we should have a paper in the city. Day after day literature of a very serious character was coming into my office." Q. "How did you mean of a serious character?" A—"This literature was opposed to constituted authority. This paper that Hevey proposed was to take an opposite view."

On the day that a dinner was given to Prof. Macleannan, witness spoke to one or two manufacturers, about Hevey's proposed paper and told them he thought the paper should be supported. By that he meant advertising support. He met Roden two or three days after that at the National Club and spoke to him about the paper. "We discussed the matter and he said he thought the employers' association should become interested and that we should walk around and see Merrick. Witness, continuing, said Roden and he attended the employers' meeting at the Engineers' Club, where he was told the employers would have a paper in a few minutes. Q. "Had you any proposition made to you up to this time by O'Leary?" A—"O'Leary's name was never mentioned to me in any way. He had met O'Leary on one or two occasions, one being at the Salvation Army campaign."

Witness said he told them at the meeting that this paper was going to be started and felt that the Employers' Association could subscribe to a paper of this kind, which would mean so much to the people at large.

Why Bank Mentioned.
The witness said a great deal had been said about the Home Bank, and he explained that he had asked Hevey at one time where the bank was, as it might be necessary for witness to find out his financial standing. Hevey had told him the Home Bank.

Witness went to the Engineers' Club of his own accord, and he was not connected with the matter in any shape or form. Roden did not refer to O'Leary. Witness recounted the whole occasion upon which he met O'Leary and on neither of these was the new paper discussed. He made no proposition on his behalf at the Engineers' Club.

Cross-examined by Mr. Redpath. Witness said he went to the Labor Temple in his capacity of G.O.C. It was in regard to the meat packers. At the meeting at the National Club there were several men present, including O'Leary and other labor men, in an endeavor to bring about a settlement of the metal workers' strike. He formed a very high opinion of O'Leary.

Gunn had subscribed \$200 to this new paper. Witness declared emphatically that O'Leary had never spoken to him in regard to the new paper. Regarding the statement witness handed out to the press, he had no hesitation in saying to the jury that the whole occasion upon which he met O'Leary and on neither of these was the new paper discussed. He made no proposition on his behalf at the Engineers' Club.

Re-examined, witness said the \$200 subscribed by Gunn was for advertising. This concluded the evidence.

Mr. Justice Middleton addressed the jury. Mr. Justice Middleton intimated he would charge the jury this morning.

PRETORIAN DISABLED.
Glasgow, May 4.—The British steamer Pretorian from St. John, N.B., April 21, for Glasgow, arrived here today, in tow, disabled by a broken rudder. She will go into drydock for repairs.

BIG FRENCH STRIKE IS NEARLY AT END, DECLARE OFFICIALS

Railroad Men Have Been
Given Until Thursday to
Return to Jobs.

MINERS ARE AT WORK

Paris, May 4.—Official circles tonight feel that the end of the strike is near. The railroad men have been given until Thursday a return to duty. After that time they will be irreconcilably discharged.

In the northern mine field, which furnishes 27,000 out of the 40,000 tons of coal mined in France daily, the men are continuing at work. The dockers' and seamen's strike, while not a general one, is more complete than that of the miners and railway men, but the hesitation of the men in other industries to join the movement, it is considered, is bound to have its effect sooner or later.

At Havre the crew of La Touraine, just arrived from New York, deserted the vessel after putting everything in order, but the crew of La Parouse, also from New York, remained at their posts.

M. Sirole, a prominent officer of the State Railroad Union, was arrested tonight.

The Union of Metal Workers of the Paris region has called a general strike for Thursday, in support of the General Federation of Labor, and as a protest against the action of the police in making arrests on May Day.

EXEMPT FROM TAXES ALL IMPROVEMENTS

(Continued from Page 1.)
The bill and looked forward to the day when single tax would be the universal tax of the land. The present system of taxation was wrong—it favored the rich man at the expense of the poor.

Hon. G. S. Henry thought the measure very radical and a step towards single tax.

A. Pinard (Ottawa) said there should be a general system of taxation for the province and the question should not be left to the municipalities for them to decide. The premier's bill meant as far as cities and towns were concerned the shifting of the burden of taxation from the rich man to the poor man.

Liberal Leader Against.
Harley Dewar, Liberal leader, did not approve the measure. In cities it would wipe out tens of millions of assessment on buildings. The change was so radical the house should pass and consider the effect. Might the bill not be limited to townships? However, in any event the bill should be allowed to stand.

W. A. Crockett (Wentworth South) supported the measure, while W. E. Sinclair (South Ontario) counseled against it. The measure might not matter in townships.

Hon. Thos. Crawford and J. W. Curry opposed the bill.

The bill was given a second reading and forwarded to the municipal committee.

"My idea in moving a second reading," said the premier, "was to gain an expression of opinion."

Extend T. and N. O.
In moving the second reading of his bill to extend the Timiskaming and Northern Ontario Railway to James Bay, the premier said the government felt more than justified in projecting the line. It would open up a great country, induce paper industries to locate in the district, and traffic which would turn the Ontario railway from a losing to a paying proposition. There were valuable iron and other deposits in the district, and while the government did not favor the immediate construction of the extension because of the high cost of labor and material, by an act, members had not been supplied with copies of the draft, so that the treasurer had to provide the chairman with a typewritten copy. The bill passed the committee.

When the house, in committee, considered Hon. W. R. Rollo's bill, reducing property qualifications for candidates for membership in municipal councils, the sponsor said that an amendment would provide that a house owner resident within two miles of the town or city would be qualified for candidature for municipal office.

Hon. W. E. Roney thought that, in view of the importance of the amendment, it would be well to have the bill reprinted. This will be done.

Victimized Soldiers.
Second reading was given the bill re-circuses and traveling shows, which makes it compulsory for proprietors of shows to take out their own licenses. Hon. Peter Smith explained that last year war veterans and others had been victimized by show proprietors.

COAST STRIKE BY BAKERS.
Vancouver, B. C., May 4.—At the Labor Temple today it was stated that Victoria bakers had gone on strike and that, with Vancouver, Seattle, Portland and San Francisco bakers on the strike would extend along the entire Pacific coast.

Victrola Parlors—"Ye Olde Firme," Heintzman & Co., Limited

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FRESH EVIDENCE IN HASSAN MURDER

(Continued from Page 1.)
into a stick-pin. He took these articles to a jeweler and also had the die re-engraved with his own English name.

Saw Him Pick Purse Up.
Apparently Tom Bell saw him pick up the purse, for two men, Regis Shine and Raja Abidin, came to his boarding house and asked what he had found. He told them that he had found the purse and that he had left it with the jeweler to be repaired. They also asked him concerning his knowledge of the disappearance of Hassan and when he denied all knowledge of it they told him that he had been misquoting him about the street and asked him how he had disposed of the contents of the purse. Then Bell offered him money if he would give them the purse. He refused to do so, but he saw Abraham Selim (first witness called last week) watching him. He came into the dining room and also inquired about the jewelry, and after hearing what he had done with it persuaded him to go with Selim and recover it. They went to the jeweler, but he was closed and so they were unable to secure it. The next day he went into Adosey's Cafe and Adosey, who was so radical, told him that he retained possession of it after paying him what it had cost him to have the articles fixed. Then he and Adosey went to see Bell at his request. Mr. Henderson, and acting on his advice, they went to see the detective department.

Beatrice Liked Both.
As regards the presence of the young woman, Beatrice Wilson, in the room of Tom Bell at the time that he saw Bell at his request, the witness stated that he had heard her say: "I have known both Tom Bell and Hassan for two years and like them both." Witness also stated that he did not know that Hassan's body had been recovered until he overheard the customers in the shop discussing the matter.

The second witness called was Miss Irish, alias Jumbo Irish, a resident of 139 Woleley street at the time of the crime. He had lived there for about nine months, but had known Hassan for eight years in Canada, besides knowing him in the old country. The supposed morning of the murder he had arisen at about 5 a.m. and known him in the district, in order to awaken him. Allick replied to him and so he proceeded to his work. Witness stated that he was aware of the fact that Hassan had been recovered until he overheard the customers in the shop discussing the matter.

It was just about three months previous to this that the witness supposed that Tom Bell had come to the house in search of Hassan with a revolver.

How Hassan Died.
Following a request made by Mr. Julian London of 33 St. George street, who performed the autopsy, was called to the stand. Dr. London stated that in his opinion, the cause of death was a blow to the head, which had come from the first of all been struck on the head with some blunt instrument, and that this blow had been delivered by a man had been severed with a keen-cutting instrument, probably a razor, as three or four pieces of steel, apparently from a razor blade, had been found in the trachea and region of the neck, where the principal arteries and other structures had been severed. Death as a result of this cut was practically instantaneous. An examination of the stomach also revealed the fact that the crime must have been committed shortly after a meal, as the organ contained a large quantity of undigested spaghetti.

The next witness was Henry Matthy of 228 Beach avenue. Mr. Matthy, who is an architect, showed the general plan of the house, and gave the dimensions of the cellar in which the body was found. This concluded the evidence for the defence for the day, and the quest was adjourned until Friday evening, the 7th inst.

THE FIRST STRAW HAT
Yesterday The World saw what it recognizes to be the one unmistakable symptom of the immediate summer. It was down Yonge street, bright and shining, set at a jaunty angle on the head of an audacious young man, and The World gained an admiration at the first straw hat.

WOMEN TO GET VOTES.
Capetown, Union of South Africa, May 4.—The house of assembly today passed a resolution in favor of the extension of the parliamentary franchise to women.

NEW LABOR MEMBER SUGGESTS A CHANGE IN THE LEMIEUX ACT

Angus McDonald's Motion
Accepted—Midnight Vote—
Unionist Majority 12.

T. A. CRERAR RETURNS

Ottawa, May 4.—(By Canadian Press).—Amendments proposed to the Lemieux act were again before the house tonight and again they remained unpassed. Previously, the house had talked on civility as exemplified in the British Empire Steel Corporation. Reversion to a labor topic revealed that much of the previous discussion had been at cross-purposes. Under the Lemieux act men employed in a public utility, who think they have a grievance, can apply for a board of conciliation, providing the application has the approval of a majority of union members present at a meeting specially called for the purpose.

The amending bill (which came down from the senate, where it was introduced by the minister of labor) modifies that provision. When introduced in the house the bill was interpreted as providing that application for a conciliation board must have approval of a majority of all the members of a union.

New Member Scores.
Angus McDonald, Labor-U.F.O. member for Timiskaming, tonight submitted an amendment to require approval by a majority of the men affected rather than by a majority of the union. Finally, it was accepted by the government.

Hon. T. A. Crerar, who has been ill for some weeks, received a warm ovation from all parts of the house when he resumed his seat in the chamber. Late in the evening the house resumed consideration of the franchise bill. An amendment was adopted providing for the use of standard time in elections.

Take Surprise Vote.
Just after midnight a surprise vote was taken on the question of designating those who may vote at advanced polls. The proposition, which bore the designation, on motion of F. F. Pardee, was defeated by 35 to 23, the five National Progressives present going with the government.

DRURY TURNS DOWN MEMBERS' REQUEST

(Continued from Page 1.)
the opinion of 75 per cent. of the members of the house.

P. Heenan (Kenora) said he was the one to sign the round robin, and the debate was on in earnest. Nearly every member spoke. J. C. Brown (Middlesex) was one of those who sought to sign in a house for honor and not the indemnity. He had voted against the round robin, as did also T. K. Slack (Dufferin), J. W. Widdelton (Ottawa), while J. C. Brown, O'Neill and J. W. Curry said they believed the laborer worthy his hire and had signed yes.

Premier Reduced Salary.
The premier further explained that realizing the state of the province's finances, he had reduced his own salary and he needed the money as badly as anybody.

Mr. MacBride (Brant) wanted to know if the decision not to grant the increase had been arrived at by the premier himself or by the cabinet, but the premier declined to answer.

J. B. Johnston (East Lambton) accused the premier of laughing at him when he advocated an increased indemnity, and said he had a letter in his pocket which would make the first minister blush.

Sen. Chalmers (Northumberland), the dean of the house, told how he served when the indemnity was only \$400. It was humiliating for the members to have to go on their hended knees for an increase. If a member was not worth the increase he should be left at home.

Pay the Members.
R. L. Brackin (West Kent) said no member of western Ontario need fear criticism. All the people in that district believed in paying well; they were prosperous themselves. There would be no trouble in raising the money if the government canceled the timber grants made on the eve of the last election and nearly every member in the house participated. He developed that only about 15 members did not sign the round robin. Since the present government took office has such a proposal been more stubbornly fought. In summing up, the premier said the indemnity increase would amount to \$66,000 a year. It was true it was only a comparatively small item, but what could the government say to the thousands of civil servants asking for increases, having in mind the fact that they increased their own salaries? The bill should stand and the speaker's motion to adjourn to adjourn the house had been made so as to give the members a chance to discuss the increase. It, therefore, had accomplished its purpose.

The premier then moved the adjournment of the house, so that the winter session would close when it first came up other than that the members had been given an opportunity to state their position.

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Lawn Grass, Queen City, cheaper than sodding, per lb., 50c.
Lawn and Garden Fertilizer, Freeman's, per 4 lbs., 25c; per 10 lbs., 50c; per 100 lbs., \$4.00.
Hardy Lilies, Golden Banded, very fine, each, 30c; 4 for \$1.00.
Gladiolus, in mixture, best varieties, per doz., 50c; 100, \$3.50.
Potatoes, Irish Cobblers, earliest and best, per peck, 70c.
Hardy Hydrangeas, plants very showy, each, 50c; 3 for 75c.
Roses, Hardy Perennial Bloomers, large plants, 60c each.
Boston Ivy, for climbing on walls, 50c and 75c each.
Spiraea, Van Houtte, splendid for cetermeties, 50c and 75c each.
Perennial Phlox, each, 20c; Hardy Pinks, each, 20c.
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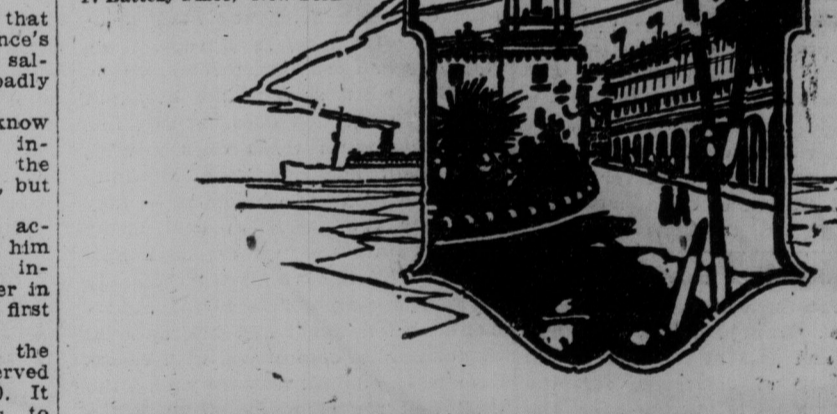
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DEFER HEARING IN CASE OF CANADA TO U. S. STATES

Ottawa, May 4.—(By Canadian Press).—Consideration of increased passenger rates from Canada to the United States was postponed at the end of the sitting of the Canadian Railway Commission today by arrangement between counsel. No reason was given for the postponement, and no date has been fixed for the hearing of argument as to why the rates should be increased to meet the cost of exchange. The next regular sitting of the Railway Commission is fixed for Tuesday, May 18 next.

Canadian Beaver on Trial Trip Up Lake Ontario, From Kingston

Kingston, May 4.—(Special).—Today the steamer Canadian Beaver left its moorings at the Collingwood Shipbuilding Company and started out on its trial trip up the lake. It is the largest steamboat ever built in Kingston, and is so constructed that it may be used for either ocean or lake traffic.

MONEY FOR ARMENIAN ARMY.

Brantford, Ont., May 4.—(Special).—With Armenia's status as a nation determined by the entente, the local Armenians have raised \$1,700 to be sent to their fatherland to aid in equipping the new national Armenian army.

PILES

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Bank Bldg., King and Yonge, Toronto.

APPOINT OTTAWA WOMAN

Kingston, May 4.—(Special).—Nursing Sister Stronach, Ottawa, has been appointed matron at Sydenham Hospital in place of Miss Willoughby, resigned.