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The Toronto World

27TH YEAR

PROBS: Showers and thunderstorms; then fine and cooler.

TWELVE PAGES—FRIDAY MORNING, JULY 26, 1907—TWELVE PAGES

ONE CENT.

STATE TO FIGHT FOR LOWER FARES

Governor of North Carolina Declines to Submit to Federal Interference With Law.

ASHEVILLE, N. C., July 25.—Those who have been closely following the developments in the clash between the state and federal authorities over the enforcement of the new 2-1-4 cents a mile railroad passenger rate law in this state, regard the situation as being more serious than averted. If one side or the other does not yield, they do not see how a resort to force can much longer be avoided.

In the event that further prosecutions are instituted in the state courts, as Gov. Glenn has said there will be, further writs of habeas corpus will be issued and prisoners discharged by the federal court, as in the case of Wood and Wilson, the two officials of the Southern Railway, United States District Attorney Hollister, who were fined for selling tickets at the old rate and disregarding the new law. Then when the state goes to arrest these prisoners, with the United States marshal acting under instructions from the federal court to resist them, a conflict between armed forces will take place.

Judge Lyon, who is presiding over a term of court in McDowell county, has directed that the grand jury should find more indictments against the Southern Railway, United States District Attorney Hollister, and there is talk of a special term of the United States Court and contempt proceedings against the state authorities.

State to Pile Up Fines.—The state has ready a plan of procedure intended to balk any effort of the United States Court forbidding the enforcement of the railroad rate law. It will proceed in many cases, and in such cases so enormous will be the total of these fines that the railway would find it more profitable to pay than to fight.

State authorities are convinced that as soon as the governor formally notifies them of his refusal to accept the proposition made by Assistant Attorney General Sanford, the railway attorneys will ask the United States Court to make an order forbidding every solicitor to appear in the scene, including judges of state courts, from proceeding in any prosecution against the railway.

Indictment by the grand jury of the superior court at Marion, N. C., of the railway and railway agents in the Southern and the Southern has planned to promptly meet that move by the state. Mr. Finley, president of the Southern, has written the governor and the attorney general, and in his letter has stated that the rate is confiscatory and is pending in the courts.

Gov. Glenn will not accept the peace offer, he says, as to accept it would be to surrender to the federal court entirely.

FALLS 5 FLATS AND ISN'T HURT

Little Boy Struck Seyerall Clothes Lines on Way Down and Escapes With a Scratch.

NEW YORK, July 25.—After falling from the roof of the five-story building, No. 10 Pitt-street, last evening, Harry Nicholas, nine years old, picked himself up and ran upstairs shouting: "Don't cry, mamma, I'm all right—I'm all right." He had only one scratch.

With others the boy was playing on the roof, where his mother was hanging out clothes. A three-foot awning separates the house No. 10 from No. 12. Against the protest of their parents, the boys jumped this many times.

It was while trying to make one of these leaps that the child fell. At the third floor he hit a clothesline, which broke, but also broke his fall. On the first floor another line was in the path of the boy and retarded his descent. He dropped into the yard of No. 12.

Women on the roof restrained the mother from throwing herself off. Shrieking she ran downstairs. On the way she heard her little son's reassuring voice. She glanced over the banister, saw that he was all right and fainted.

The boy was taken to Dr. Masterband, 44 No. 6 Pitt-street, who said beyond a slight abrasion above the eye, he appeared to be all right.

It is known that up to the present day Mackenzie and Mann have been the exclusive holders of the Canadian Northern's common stock, and it is not yet known how great a portion of it will now be issued.

It is stated that J. H. Dunn will have charge of the issue in London, and that it will also be listed on the Montreal and Toronto Stock Exchanges in the near future.

Under Terms of New Convention is Clothed With Wide Powers.

TOKIO, July 25.—The new convention between Japan and Korea was signed to-day at 1 p. m., after no small opposition by the Korean court. The articles are briefly as follows:

1. The government of Korea shall follow the direction of the resident-general in connection with the reform of the administration.

2. Korea shall not enact any law or ordinance or carry out any administrative measure unless it has previously received the approval of the resident-general.

3. Judicial affairs of Korea shall be kept distinct from ordinary administrative affairs.

4. No appointment or dismissal of Korean officials of high grade shall be made without the consent of the resident-general.

5. Korea shall appoint to official positions such Japanese as are recommended by the resident-general.

C.N.R. 'COMMON' SOON TO GO ON MARKET

Montreal Financial Circles Understand Mackenzie and Mann Will Part With Holdings.

MONTREAL, July 25.—(Special).—It was stated in financial circles to-day that the common stock of the Canadian Northern Railway Company amounting to \$40,000,000, will be placed on the market at a very early day of whenever the different stock exchanges of the world are in a better condition to absorb new issue.

In the opinion of railway men and financiers the world over the promoters of the C.N.R.—William Mackenzie and D. D. Mann, president and vice-president respectively—have performed wonders in being able to construct their already large system in both Eastern and Western Canada without the issue of any portion of the company's common stock, hence the interest to-day when it was learned that the security was at length to be offered to the public.

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RESIDENT-GENERAL REAL RULER OF KOREA

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5. Korea shall appoint to official positions such Japanese as are recommended by the resident-general.

6. Korea shall not engage any foreigner without the consent of the resident-general.

7. The first clause of the agreement between Japan and Korea, dated Aug. 22, 1904, is hereby abrogated.

THE LAY OF THE DAY.



NO GARB FOR THE CHILD UNTIL THE 10TH YEAR

Chicago Professor Makes a Somewhat Startling Proposal.

CHICAGO, July 25.—A presentation of the National Child Welfare Society to-day at an international congress was arranged for and the governor-general of the Province of Ontario, President Roosevelt and the governors of the various states bordering on the Great Lakes will be requested to send delegates.

The congress is to make a binding agreement between the United States and the Dominion of Canada regulating the catch of fish in the Great Lakes.

A resolution was passed authorizing such a congress and the sentiment was unanimous that some steps ought to be taken immediately to bring about more cordial and fairer relations between the two governments relative to the fishing industry.

A paper bearing directly on the subject was read this afternoon by A. Kelly Evans of Toronto, who maintained that it was absolutely necessary to regulate the size of commercial fish to prevent a possible prohibition of exports from this country.

There was much speculation as to how far Prof. Starr's theories would be employed in the residential district which will be built upon a cost of more than \$50,000 in the exclusive south side neighborhood.

These are the families, all prominent socially, who have joined in what is called the most remarkable "home experiment" since Mrs. Katherine Dingley built her colony at Point Loma, Cal.

Prof. Edwin E. Sparks, the noted historical authority and lecturer, and Mrs. Sparks, with their daughter Ethel, aged twelve years, No. 5631 Madison-avenue.

Prof. Harry A. Bigelow, of the University Law School, and Mrs. Whittier, with their daughter Florence, aged six years, No. 5631 Madison-avenue.

Dr. Charles Frederic Millsap, and Mrs. Millsap, No. 5748 Madison-avenue.

And Mrs. Andrews Allen, the former noted as a mechanical engineer, No. 5525 Washington-avenue.

FISHERIES CONGRESS TO MAKE AGREEMENT

Earl Grey and President Roosevelt Will Be Asked to Attend.

ERIE, Pa., July 25.—At the closing session of the National Child Welfare Society to-day an international congress was arranged for and the governor-general of the Province of Ontario, President Roosevelt and the governors of the various states bordering on the Great Lakes will be requested to send delegates.

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BIG BLAZE AT OTTAWA LUMBER MILLS IN FLAMES

\$300,000 Loss in Early Morning Conflagration Caused by Lightning.

OTTAWA, July 25.—W. C. Edwards' Planing Mill and Sash and Door Factory in the New Edinburgh section, the factory of the Library Bureau alongside, a mica warehouse owned by the Messrs. Blackburn, No. 6 Fire Hall, the club rooms of W. E. Edwards Company's staff, a large stock of lumber, and several small residences were destroyed by fire, which started by lightning at 5:30 this morning, with a loss of \$300,000, of which \$250,000 falls upon the W. C. Edwards Company.

The lumber mill of this company, situated on the western side of Rideau River, were saved, as well as the extensive lumber piling grounds adjoining the factory.

The presence of strong north-easterly wind saved the government house and the intervening properties, whilst on the other hand the Rideau River was broad enough to prevent the flames crossing to the western side. The blaze was discovered in the lumber piles, among which it spread with great rapidity.

In all two million feet of lumber were destroyed, including a considerable stock of hardwood.

Among the smaller properties that suffered were Foley's hotel, a portion of the Ottawa Car Sheds, Neat's grocery, the Blackburn residence (partially burned), and residences of Miss Julia Grey, Arthur Gilbault, and C. R. McLaren.

By 9 o'clock the fire was under control and rapidly burning itself out. The Edwards Company are covered by insurance to the extent of \$200,000.

The firemen were much hampered by the River Rideau between the blocks of buildings, but this eventually saved many lumber piles on one side of the river. At the height of the fire the bridge could not be used at all, and men had to cross the river by swimming to aid the salvage work.

About 250 men are thrown out of employment, including a considerable number of firemen.

Ald. Askwith has demanded the resignation of Chief Prevost of the fire department for incompetency in dealing with the fire. It is stated that the chief could have utilized with immense advantage the water of the river, but he refused, with the result that much of his hose was burned and rendered useless.

Oscar Hudson & Co., Chartered Accountants, 5 King West, M. 4788.

Excursion to Buffalo Saturday. Only \$2 to Buffalo and return, tickets good going on C.P.R. 9:30 a.m. train Saturday, July 27, returning on all regular trains Saturday and following Sunday and Monday. Tickets on sale at C.P.R. city ticket office.

Your Wedding Flowers. See Jennings' roses, beautiful blooms on long, stiff stems, 123 West King-street. Phones Main 7110 and Park 1237.

Pure ripened Port Hope Pale Ale does any woman more good than medicine.

"MALTESE CROSS" INTERLOCKING RUBBER TILING

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PLEADING FOR BILL HAYWOOD

Lawyer Darrow Explains Simkins' Hasty Flight and Adams' Silence.

BOISE, Idaho, July 25.—In resuming his address to the Haywood jury to-day, Clarence Darrow, who is having the last word for the defendant, took up a defence of Jack Simkins' flight after the arrest of Orchard. Mr. Darrow was very hoarse, the result of his five hours and forty minutes of speaking yesterday, and he spoke to-day only with the greatest effort.

Mr. Darrow, after speaking for 11 hours, concluded the final plea for Haywood's life at 4:20 p. m., and 7 o'clock this evening United States Senator Borah opened the closing argument for the prosecution. He will speak for three sessions, or about seven hours. Judge Fremont Wood will instruct and charge the jury on Saturday morning.

At least 1000 people were unable to find seats in the courtroom to-night. It was an audience composed almost entirely of Boise people, who were gathered to hear the speech of the young man who, recently elected by the people of Idaho to represent them in the United States, has been the assistant counsel for the prosecution in the case against Haywood.

"They ask us why Jack Simkins is not here," said Darrow. "The reason he is not here is that he is afraid to be here. Haywood tells you that Simkins' flight proves that he is guilty. It is the fact that Jack Simkins ran away proves he is guilty, then by the same token the fact that Haywood, Ayer and Pettibone did not run away proves that they are innocent."

"I don't know whether Jack Simkins is guilty or not. Simkins had reason to harbor hatred against Steuenerberg. Orchard had reason, either rightly or wrongly, to harbor hatred against Steuenerberg. Simkins and Orchard had been together in Spokane for a month before they went to Caldwell. If Jack Simkins went to Caldwell for the purpose Orchard has told me, went away without doing it, he did not make a hand against Steuenerberg."

Good Time A-coming. "Haywood blames us for re-electing Simkins to the executive board. It might have been better to have left him off. But if we had done that, Haywood would have told you that the federation dropped Simkins because he was guilty. But that is not the stuff the brave men of the Western Federation of Miners are made of. Every member of the federation will stand by him and will not judge him until he has had his day in court."

"If Simkins had been your brother you men of this jury would have told him to go away without doing it. A year ago I venture to say that every man not hanged can get a fair trial in Boise."

Darrow here went into a lengthy discussion as to why the defence had not put Steve Adams and George A. Pettibone on the stand. Adams, the attorney explained, was on trial for the murder of a man in Northern Idaho.

"I am not afraid of what he would say against Haywood, but I am afraid to say Adams, my client, turn himself around and accuse me of a crime. A year ago I venture to say that every man not hanged can get a fair trial in Boise."

To Save Bill Haywood. "It was a sick game of slippery shrewdness, the game of a man with his past life," said Darrow. "But you might have had more faith in this man if he had not confessed to the murder of a man in Northern Idaho. You men of the prosecution, you men of the Mine Owners' Association, you men who are seeking the life of Bill Haywood, not because he is Haywood, but because he represents a class, don't be so shortsighted, so foolish as to believe that you will strangle the Western Federation of Miners when you tie a rope around Bill Haywood's neck; don't be so blind as to believe that when you make their fresh new graves here in Idaho that you have killed the labor movement in this world. When Bill Haywood is gone, millions of other willing hands will carry on his work to victory in the end."

Continued on Page 7.

The Sunday World

The next edition of The Sunday World will be of special interest to every Canadian. It will contain many of the best features that you have yet appeared—look at it yourself and see. Here are a few:

- Eight pages, illustrated, giving scenes of delightful rural life in Western Ontario; motor-ing in Scotland; picture of the historic fire department of the city of Toronto's two speedy yachts.
- Twenty-four pages of latest news from a nation, special departments, accounts of Saturday sports, articles from bright writers, known to you, on current topics and comic supplement.
- You want to be as well informed as your neighbor. Get it.