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Fred. Sexsmith Examined in the Orange Order Injunction Case

BRITISH SYSTEM OF PENOLOGY MAY BE COMPLETELY REVISED

House of Commons Passes the Second Reading of a Bill to Give Judges Power to Impose Long Sentences of Penal Servitude for Certain Multiple Offences.

London, Feb. 20.—The recent case of Harley Morris, a wealthy merchant and landowner, who was sentenced to three years imprisonment for offences against young servant girls employed by him in his country home, possibly may be the forerunner of a complete revision of the British system of penology. When the presiding judge gave Morris three years and his wife nine months of hard labor for conspiring with her husband, he complained that the law did not allow him to inflict adequate sentences.

ESTONIAN SPIES ARE CONDEMNED TO DEATH

Convicted With Plotting Against Soviet in Combination With British Service.

Leningrad, Feb. 20.—Thirteen of the Estonian spies, whose trial has been in progress here for three weeks, were condemned to death yesterday. Two of the band were sentenced to ten years' imprisonment, and the remainder of forty-eight, with the exception of one who was acquitted, were sentenced to prison terms ranging from one to five years. M. Tarr, former Estonian consul at Hamburg, was given a three-year sentence. The condemned

Injunction Secured By the Grand Orange Lodge Against F. Sexsmith

Defendant in Action Says He Would Expose Orange Ritual Because He Has Changed His Mind—Examination for Discovery by A. B. Cunningham, K.C.

Fred Sexsmith, who proposes to publish a book entitled "Orangemen Unfolded," was examined for discovery at Napane on Tuesday. Questioned by A. B. Cunningham, K.C., Kingston, counsel for the Grand Orange Lodge of British America, Sexsmith said he became an Orangeman on April 11th, 1882, in Lodge 227, 5th Concession of the Township of Richmond. The last dues he paid was in December, 1921. He had never applied for a certificate of resignation to terminate his membership. "As far as you know you are an Orangeman yet?" Sexsmith, continuing, said he had held almost every office in the lodge, master, deputy master, secretary, district treasurer and county master, committee man and director of ceremonies. He admitted having taken a vow of secrecy when he joined the lodge and that it was on that vow that he was admitted to the order. He explained that the ritual was written, but that only four or five copies were sent to each lodge, one for the master, the deputy master, chaplain, etc. It was in that way he became familiar with the ritual. All this information was given to him relying on the strength of his vow of secrecy.

Has No Copy. "Now, have you got a copy of the work 'Orangemen Unfolded'?" "I have not." "You issued circulars similar to Exhibit A?" "Yes." "How many?" "200." These, he said, were distributed all around. He threw them around, gave them to people, Orangemen, and sent them through the mails, the idea being to create an interest, if possible, to have the book printed. "Has the book then printed or arrangements for it made?" "I wrote the circular as a front-piece to the book, and I got it printed, and I saw it would mislead people." "So you issued 200 to mislead people?" "Yes." "If you were honest you would have told them?" "I made a mistake. I should have said 'will continue,' instead of 'continue.'" "Where was this printed?" "In the office of the Canadian Freeman, Kingston." "What did they charge?" "Three dollars." "Did you make arrangements with the Canadian Freeman to print the book?" "Only seeking information." "So that the book is not written?"

In the course of a debate in the House of Commons yesterday, on a bill to remedy this alleged defect in law, the Home Secretary announced that as the culmination of his discussions with the Lord Chief Justice of the Morris case, Parliament might be asked in a year or two to re-consider the whole of the existing system of penology. The House passed the second reading of the bill. Under it, power would be given judges to impose long sentences of penal servitude for certain multiple offences.

men were convicted of plotting against the Soviet state and working in combination with the British Intelligence Service.

No More Tours for Lauder. Edinburgh, Scotland, Feb. 20.—Sir Harry Lauder, who has returned from a tour of India and the Far East, has become a member of the coterie of actors who have made their last tour. "I have come to that time of life when home is good enough for me and I will not tour again," Sir Harry says.

New Brunswick Assembly. St. John, N.B., Feb. 20.—Premier Baxter has announced that the New Brunswick Legislature will open on Thursday, March 11th.

AIR SERVICE BETWEEN SPAIN AND AMERICA

Madrid, Feb. 20.—Schulte Prohl, chief director of the Italian Branch of the Italian-Dornier Motal Airplanes Company, has arrived here to organize a regular mail and passenger service between Spain and America.

CHARGED WITH BLACKMAIL

After Being Released on Charge of Beating His Wife. Peterboro, Feb. 20.—Harold Gilbert, former organizer in Peterboro for the Ku Klux Klan of the British Empire, was released yesterday on suspended sentence following a charge of beating his wife, and was immediately re-arrested on three charges of blackmail. Gilbert pleaded guilty to the assault charge, and on representations made by his lawyer that Mrs. Mary Gilbert, his wife, was willing to give him one more chance, he was released under his own \$500 bond bound over to keep the peace. The Ku Klux Klan of Canada indignantly denies any connection with Gilbert.

BETTER PROSPECTS FOR PREMIER KING

Glasgow Herald Believes He May Retrieve Some of Ground Lost.

Glasgow, Feb. 20.—The Glasgow Herald regards Premier Mackenzie King's return to the House of Commons at Ottawa as representative of Prince Albert, Sask., as showing that his decision to continue in office despite the lack of a majority in the House is approved instead of resented, and that the rank and file of the Progressives are willing to sanction a working arrangement with the Liberals in preference to facing another election. The Herald adds that no government without a majority can hope to break much new ground. Premier King will have performed as much as reasonably can be expected of him, the Herald continues, if he carries on the ordinary work of administration throughout the spring and summer and outlines a constructive programme which he would translate if the next general election should turn in his favor. Should Premier King be able to find a seat in Parliament for Vincent Massey and succeed in prevailing upon Premier Charles A. Dunning, of Saskatchewan, to abandon provincial for federal politics, the Herald further says, he might do surprisingly well. The Herald concludes thus: "It is one of the paradoxes of the present situation of Mr. Mackenzie King that despite the precariousness of his party he has a fair prospect, by a skilful reconstruction of his cabinet, of recovering some of the ground he lost last October."

PLEA FOR CLEMENCY TO BE DEALT WITH

By the Justice Department in Connection With Cobourg Young Man.

Cobourg, Feb. 20.—F. M. Field, K.C., counsel for Frederick James Townsend, Barnardo boy, who is now serving three years' term in Portsmouth penitentiary, having been sentenced at Ottawa a few months ago, has received the assurance of Hon. Ernest Lapointe, Minister of Justice, that the remission branch of the Department of Justice will deal with the plea for clemency at an early date. Townsend was convicted at Ottawa and sentenced by Magistrate Hind to four years in prison for the forgery of a cheque for a trifling sum. The sentence was reduced to three years on the appeal to the appellate court at Osgoode Hall.

Rosen Defeats Eber. Detroit, Mich., Feb. 20.—Clarence Rosen of Detroit defeated Bobby Eber, Canadian bantamweight champion, in a ten-round bout here last night.

Did Husband Murder Wife By Poisoning Pancakes?

Calgary, Alta., Feb. 20.—The preliminary hearing of Joseph Demers, fifty-nine years old, shoe repairer of Crossfield, Alta., who is facing a charge of having murdered his wife by placing poison in a pancake batter, was adjourned for one week after several witnesses had been heard yesterday.

Fighting between French and rebels has been in progress in various parts of Syria.

THE END OF OBSTRUCTION

Ottawa, Feb. 20.—The actual work of the House of Commons during the past week may be dismissed in a sentence—the full implications of its actions might require a page or two. The week dragged on until the defeat of the butter amendment by a majority of 11. That debate ended in a speech from the Honorable Arthur Meighen which constituted an excellent exhibition of that gentleman's capacity for vituperative and irritating invective. By swift movement over a circuitous route he evaded the rules of the House and insinuated that the Progressives had been bought by promises of legislation. The laws of decency laid down by the Speaker forbade the utterance of such statements. The evasion of these rules is counted as clever by certain supporters of Mr. Meighen. The infraction of the rules of good conduct rarely exacts the individual or enhances his power and influence for public good.

THE REMEDIES

Is there a remedy? Yes—closure. But the Liberals have a fundamental objection to closure. It is rather a cardinal Liberal conviction that men should be converted by argument instead of being knocked on the head with a club. The members of French extraction have a strong aversion to it. They want to go forward by reason and compromise. Labor and Independents hold the same views. The Progressives for quite different reasons object to closure. He feels that common sense should direct the affairs of Parliament. Side stepping, legalistic by-play—dilatory motions and other means for avoiding the accomplishment of a purpose seem to him as absurd as walking seven times around a binder in the hope that the circumambulatory motion will cut the field of wheat.

THE PREVIOUS MOTION

There is another way of shortening the game. That is by "moving the previous question." This move brings the House back to the discussion of the main motion and avoids further amendments. Tired of all the wearisome and nonsensical amendments on Tuesday last, T. W. Bird, Progressive of Nelson, Manitoba, moved the "previous question." He wanted as he said to find out whether or not the House was tired of these never ending amendments. That is the resolution now under discussion. There are Tory threats of delivering 116 speeches on this motion. They may do it unless the common sense of the people and the Press in virile action makes clear to Tory die-hards that the jig is up. There is another hope. It is an open secret that within the Tory ranks there is the dawning consciousness of mind. There is no unanimity of opinion. Meighen, Cahen, Stevens, Manion and a bunch of the desk pounders—are strong for fighting in the last ditch no matter how far that rendezvous may separate them from reason and common sense. But Toryism in Canada is no means vacant of brains despite many partisan opinions to the contrary. R. B. Bennett is displaying a wholly unexpected parliamentary power. Those who have read my past articles especially in the West, know that I hold no brief for the Calgary exponent of a more or less blatant imperialism but facts must be faced. Bennett displays in the House a reserve, a dignity, a power that shames by comparison the picaresque, pepper dusting spirit of a Meighen and a Stevens. His growing sense of fairness seems destined to save the Customs Inquiry from degenerating into a partisan graft hunting escapade dominated by trivial bitterness. His perception of historical values is making him cognizant of the fact that Toryism may be senseless obstruction if a grave for itself so deep that time may never witness its resurrection. Bennett is not in accord with the present action of his party. The younger and more intelligent members are drawing to his viewpoint. A sense of party loyalty holds him to his present silence but there comes a time when loyalty to the mistaken conceptions of a political party is treason to that party's best interests and that day may not be distant or remote.

HISTORY REPEATS

History has a strange way of repeating itself. Chickens come home to roost. The two-party system is over. It has passed in every country in Europe. It is gone in England. It is breaking in the United States. In Canada we are trying to work out a form of government under which the Progressive, Labor, Independent and Liberal may by co-operative association carry on the government of the country. Against that conception stands the massed forces of the Conservative Party. How little they stand the masses for the future! A year or two hence it may be the Conservative groups which are trying to establish the same concept of action. Is Toryism to-day going to condemn the course which must be its inevitable direction tomorrow? Is it going to carry on a game of obstruction dictated by the strabismic vision of those who claim to lead the party or is it possible that from these depths may arise a new Moses capable of seeing beyond the partisan haze, a vision of service to his country and eventually to the larger interests of the party he supports.

Lieut.-Col. Seelye Dead

Yarmouth, N.S., Feb. 21.—The death occurred here yesterday of Lieut.-Col. Thomas Melvin Seelye, in his sixty-first year. He was one of the best-known journalists in Nova Scotia, and had been associated with

WALL COLLAPSES AND TWO FIREMEN KILLED

Valparaiso, Indiana, Feb. 20.—The collapse of a wall today, during a fire that destroyed the Academy of Music building here, caused the death of two firemen and the injury of four others, one of whom may die. The fire damage is estimated at \$300,000.

A SEAT FOR DUNNING

A Regina Report Says F. N. Darke Will Resign. Winnipeg, Feb. 20.—Advices from Regina are to the effect that F. N. Darke, Liberal member, will resign the Federal seat in favor of Premier Dunning, who has made up his mind to go to Ottawa before the next session of the House. It is also reported that Liberals in caucus at Ottawa Thursday considered the question of Darke's resignation. In the general election of October 23rd last, Darke led his opponents, F. W. Turnbull, Conservative, and M. J. Caldwell, Progressive, by 2,163 votes.

"WE WILL RETALIATE" EARL OF CRAVEN SAYS

Countess of Cathcart Plans to Be Back in London in Three Weeks.

Montreal, Feb. 20.—The Earl of Craven's bitterness toward the United States immigration authorities, who held a warrant for his arrest, increased yesterday after his wife had arrived from New York and told him the latest development in the Countess Cathcart exclusion case. "We will retaliate," he said, promising to exert all the influence he can muster in the homeland to seek "retribution." The warrant for Lord Craven was issued when Countess Cathcart was held at Ellis Island after admitting relations with the earl involving "moral turpitude."

OUT IN THREE WEEKS?

London, Feb. 20.—Lady Cathcart plans to be in England within three weeks. At least she cabled Agreville Collins yesterday that she would be present for the "first night," when he produces her new play, and this Collins intends to do within that time. No Application at Ottawa. Ottawa, Feb. 20.—"I would like to ask the Minister of Immigration if any application has been received for entry to Canada," asked S. W. Jacobs, M.P., in the House yesterday afternoon. "If so," he enquired, "will the 'moral turpitude' clause which is similar here to the United States be applied?" Hon. Charles Stewart laconically answered, "No."

A RUM SCHOONER WAS BOMBARDED

Off Long Island by U.S. Cutter Which Likely Was at Target Practice.

Lunenburg, N.S., Feb. 20.—Protest to Ottawa, it was understood here to-day, would be made immediately by the owner of the schooner Eastwood in connection with the alleged shelling of that vessel by the United States cutter Seneca. The bombardment, according to Capt. John Spindler, of the Eastwood, took place a few days ago while the schooner was anchored about twenty miles off the coast of Long Island. The Eastwood arrived here yesterday morning in a badly-battered condition, but without a casualty among the crew, who took shelter in the hold during the firing. Capt. Spindler reported that his ship left Halifax on December 29th and proceeded to Rum Row with a cargo of 5,000 cases of liquor. On February 15th, the day of the alleged shelling, she was lying at anchor twenty-one miles off Long Island. It is stated that the vessel that did the firing was possibly at target practice.

Given Carbohic to Drink For Liquor

Port Colborne, Feb. 20.—John Kilbia is in a serious condition at his home here as the result of having swallowed carbohic acid. The police investigating the case declare that Kilbia was given a shot of carbohic acid for alcohol at one of the east side liquor joints. The man's lips and stomach are badly burned, but the doctors hold out hope for his recovery.

WOULD ALTER THE ONTARIO ELECTION ACT

So Cabinet Ministers Would Not Have to Be Re-Elected.

DENIAL BY SINCLAIR

Of Report That He Was Slated for the Bench—Friday in Legislature.

Toronto, Feb. 20.—The Legislature yesterday afternoon gave several important Government bills first readings and also secured a great volume of valuable information in replies to members' questions. Hon. W. F. Nickle, attorney-general, introduced an amendment to the Ontario Elections Act which proposes a radical departure. He would amend the law so that a member who accepts a cabinet post will not have to seek re-election in his constituency. Mr. Nickle said he was not enthusiastic about the bill, but he thought there was a great deal of money wasted in the re-election of men after they had accepted cabinet positions. Hon. John S. Martin obtained first reading for the Cream Grading bill. It also provides for pasteurization of cream used for butter making and for graded certificates for butter makers according to the efficiency. None of the clauses will come into immediate effect, as that would cause some hardship, but creamery men are notified that all these rules will become compulsory in the near future.

That Liquor Bill

Replying to questions by Hon. W. E. Raney asking if the Government was considering the passage of a Government control of liquor bill, the Prime Minister said the question was not in order but stated that no such bill had been drafted. No instructions were given for the drafting of such a bill and no such legislation was considered. Replying to another question, he said that when the Government had anything to say about the Ontario Temperance Act, it would take the House and public into its confidence. It was also stated in reply to a question that George Oakley and Son had secured a sub-contract for the stone work on the new Government buildings from the main contractors. George Oakley, a shareholder in the Oakley firm, is Conservative member for Riverdale.

The Premier answering a question about the seven vacancies in the House, said he was unaware that the Assembly Act required a writ to be immediately issued. Replying to Mr. Sinclair, Colonel Price stated that the total tax revenue from 4.4 beer was \$236,529; from wines, \$53,433, and from soft drinks, \$50,490. The total cost of collection was \$33,254.

Sinclair Denies Rumor. W. E. N. Sinclair, Liberal leader, took occasion to deny the rumor that he was slated for the Bench. "That rumor is as vague as the Government's temperance policy," he declared.

Answering questions about the new Government building, Hon. G. S. Henry, Minister of Public Works, said that about \$145,000 had been spent on contracts and the estimated cost was \$240,000. Hon. Mr. Martin informed the House that municipal councils had passed by-laws under the corn borer bill of last year.

Premier Ferguson stated in reply to questions that the following ministers had been overseas since the government had come into power: Hon. Charles McCree, \$2,000 and expenses; Hon. J. S. Martin to Denmark, \$2,000; Hon. Dr. Godfrey to Geneva, expenses \$1,450; Hon. Mr. Ferguson, personal, no expense.

Answering K. K. Homuth, South Waterloo, Hon. Mr. Price stated that thirteen appointments were made for the purpose of collecting the beverage and gasoline tax. Hon. George Henry informed Mr. Sinclair that the province had had \$2,446,643.59 for maintenance of highway in Ontario in the last fiscal year.

May Reject Offer. London, Feb. 20.—A Cairo dispatch to the Daily Mail asserts that official circles in Egypt are inclining to believe that the offer of John D. Rockefeller of \$10,000,000 to found a museum of antiquities and archaeological institute at Cairo will be rejected. The reason stated is that "the country is not so poor as to need such outside assistance."