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TWELVE PAGES—FRIDAY MORNING JANUARY 24 1908—TWELVE PAGES

28TH YEAR

Senate Reading Room—
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3 TRAINMEN BLAMED FOR WRECK DISAPPEAR WARRANTS ARE ISSUED

Coroner's Jury Return Verdict of Criminal Negligence Against Engineer Bryce, Conductor Marks and Brakeman Liddle, Who Can't Be Found.

IF ORDERS WERE OBEYED WRECK WAS IMPOSSIBLE

At the inquest at the city hall last night into the death of Hyacinthe Larocque, killed in the collision on the Grand Trunk near Dufferin-street, on Saturday afternoon, Crown Attorney Drayton announced that three members of the two train crews had apparently left the country. These men are Alex. G. Bryce, engineer of the light engine which ran into the rear of the freight train, and Gideon Marks and Andrew Lidelle, conductor and brakeman of the freight train to which the G.L.W. linemen's car was attached. Coroner Lynd issued warrants for their arrest for criminal negligence. The decision of the jury was that the collision was due to the negligence of the three men nmed. To the verdict was added a rider that it was dangerous for engines and trains to be running rear end first at any time.

G. W. Ross, who was right beside the train at the time of the accident, was the first witness. The light engine had approached at what he judged to be 40 miles an hour. He ran down the track trying to warn the engineer, but had seen no one on the engine.

"I thought at first that the freight was stalled and the engine to its assistace," said the witness. "If it had not been for that I could have run far enough down the track to waken the engineer."

Working of Protective System.

W. H. Farrell, superintendent of terminals, whose jurisdiction extends to the west semaphore at Mimico, explained that there was a block between South Parkdale and Mimico, that is, no train could pass the Parkdale station until the preceding train had left Mimico. East of the east semaphore at South Parkdale trains were supposed to protect themselves.

The orders addressed to the conductor and engineer of the freight were to proceed to Mimico as an extra. A time card on each locomotive would enable the train crew to keep out of the way of the regular train. The freight left Bathurst-street at 3.54 p.m., following a regular leaving the station at 3.45. It drew into the siding at Strathcan-avenue to allow a regular train leaving the sation at 4.06 p.m. to pass. Then it backed off the siding and proceeded to Parkdale, where it was stopped until the other train passed Mimico.

Inthis position the train had to protect itself, and according to the rules the rear end brakeman shoull have gone back 15 telegraph poles, or 800 yards, with a flag. It was the conductor's duty to see that the brakeman did this. At this point one could see a mile and a quarter along the track toward the east.

The Engineer's Orders.

The orders received by Engineer Bryce of the light engine were to proceed to Mimico as an extra. He had pulled out from Bathurst-street at 4.19. The point at which the accident happened was a little over a mile and a quarter from Bathurst-street, and as far as Mr. Farrell was able to discover the accident happened between 4.20 and 4.21. At that he would probably have stopped, said Mr. Farrell, at Strachan-avenue.

Reading the rules Mr. Farrell showed that it was the duty of the crew to look out to see that all semaphores and switches were set for them and to keep a sharp lookout ahead. The rule also was that a train going rear end first should not go over 20 miles an hour.

"He must have been going 25 or 26 miles an hour," said Mr. Farrell.

Mr. Farrell said that he had seen Marks, Liddell and Bryce Sunday morning. Bryce had said that he had been unable to see ahead because of the coal dust. Liddell said that he had gone 130 yards back of the train with a flag.

"Proper Precautions."

"What do you say as to the local coal dust?" asked Mr. Drayton.

"There may have been some coal dust blowing, but if he had taken the proper precautions the accident would not have happened," said Mr. Farrell.

"What do you mean by the proper precautions?"

"If he couldn't see he should have slowed down so he could," said Mr. Farrell.

"Bryce seemed to think that he was not responsible," continued Mr. Farrell. "I told him he was. That was on Sunday morning. I told him to come back to the office that afternoon, but I have not seen or heard of him since. I have sent to his house three times, but he could not be found."

Lidelle and Marks were also missing, added Mr. Farrell. Here Mr. Drayton announced that the police had been unable to find the men and instructions were given for the warrants to be issued.

"The accident was due," said Mr. Farrell in conclusion, "to carelessness on the part of Bryce in not looking where he was going. The other men did not go far enough back with the flag, but even if Lidelle had gone back further I do not think Bryce would have seen him."

Fireman Blames Coal Dust.

Robert Holmes, the fireman under Bryce, could give very little information. He had been unable to look out of his side of the cab because of the coal dust. He could not see out of the back of the cab because on his side the coal was piled too high. After the accident he went back to protect his engine. In doing so he had not seen the brakesman of the freight train. He had not seen the orders given to Bryce.

Mr. Farrell was recalled and said that Bryce should have read the orders to Holmes.

Robert D. Butler, 78 Dufferin-street, another eyewitness of the accident, had not seen anyone go back to flag oncoming trains after the freight stopped

Coroner Adams then told the jury that that was all the evidence that could be procured, as the other three men had apparently left the country. Mrs. Bryce, he said, had told the detective that her husband had gone out of the country. Bryce left hih home on Sixth-street, New Toronto, Monday at noon. He told his wife that he was going to the opening of the inquest at the morgue. He has not been seen since. Lidelle and Marks also left on Monday. Acting Detective Murray was detailed to the case upon information furnished to Crown Attorney Drayton on Tuesday night.

SENATE TALKS OF HOW BEST TO REFORM ITSELF

Hon. G. W. Ross Contributes to the Debate--Plans for Reformation Set Forth.

OTTAWA, Jan. 23.—(Special.)—Senate reform was discussed in the red chamber to-day, when a valuable contribution to the debate was made by Hon. G. W. Ross. Senator McMullen moved that in view of the agitation regarding the service rendered by the senate as a part of the legislative system, and in view of criticism in parliament and press respecting appointments, it is desirable that a question of methods of appointments and term for which appointments are made should be considered and the system recast. He said that he believed that the intention of the founders of confederation was that the best men of the country, regardless of political affiliation, should be appointed to the senate.

Unfortunately that intention had not been carried out, and appointments to the senate had been made only from the followers of the party in power.

Senator McMullen would have the method of choosing senators changed, and would fill the vacancies by having all members of the senate and the commons from any one province where there was a vacancy meet and vote for a man to fil lthe vacancy.

Senator Ross seconded the motion, and said that coming recently from the outside he could say that there was a large body of public opinion in favor of abolishing the senate. He thought this was largely due to misapprehension of the work done by the senate, and the constitutional limits placed upon it. Another charge against the senate was that it was partisan. If that was true, the senate had better be abolished, for there was no more room in parliament or the country for more partisanship than existed already.

It was claimed that the senate should not have the power of veto, and this seemed to be one of the strongest arguments with the public. The power of veto was a great one, but without it the senate would have no purpose, and should be abolished, and the parliamentary system of Canada centred in one chamber.

Senator Ross then came to the question of reforms. As to administrative reforms, he said the first point he would make was that the government was not sufficiently represented in the senate. On that account it was starved for legislation of a character which interested public opinion. The senate contained only two of the fourteen members of the government. In Great Britain about one-third of the cabinet sat in the house of lords. There should be a system of under secretaries to represent in either house great departments which were not represented in the other.

It might b an improvement if a composite system were adopted, by which half of the members of the senate would be elected and the other half nominated as at present. There wer men in the country whom it was desirable to have in the upper house, who would not fight their way to it thru elections. Senator Ross would have each province divided into half as man senatorial electoral districts as it was entitled to have senators. For instance, Ontario with twenty-four senators would be divided into twelve constituencies, and each would be represented by two senators, one to be elected and the other to be nominated as at present. The large constituencies would ensure the return of large men. He would have present senators retain their places until death, and then have them replaced by nomination and election in the manner described. He would have them designated at the present time as the representatives of the districts h proposed. To bring fresh blood into the senate he would have the elected members sit only thru two parliaments without returning to their constituencies. To place the nominated senators above the influence of government or ofany minister he would give them life tenure. The plan, he thought, would give better results than the present, tho the senate to-day was a far more effective and useful body than men knew.

Ends Life With Bullets.

Eugene Chandos, 30 years, a young married Englishman with one child, shot himself twice in the head in his room over the Hughes Restaurant, 38 West Market-street, at noon yesterday.

He was removed to St. Michael's Hospital in the police ambulance, where he died shortly after.

He had been in ill-health for some time.

Death of Thomas Clarke.

Thomas Clarke, who was seized with an apoplectic stroke some two and one-half months ago, died yesterday morning, aged 42. The deceased was a brother of the late E. F. Clarke, the late Richard Clarke, Charles Clarke and Frank Clarke, and one sister, Miss Janette Clarke. Deceased leaves a widow and five children.

A NEW BILL FOR THE SOCIETIES

Fraternal Clauses Are Withdrawn From Proposed Insurance Act.

OTTAWA, Jan. 23.—(Special.)—It was stated by Mr. Fielding in the house to-day that owing to representations made by the Independent Order of Foresters, the government had decided to withdraw clauses in the insurance bill relating to assessment and fraternal societies, and to deal with this class of insurance in a second bill, if found necessary. Mr. Fielding said the Foresters would hold supreme court a year earlier than usual to take steps to put the organization on a more permanent basis, and he believed other fraternal societies would confer with the government along similar lines.

In moving the second reading of the insurance bill, Mr. Fielding said it was his intention to adhere to the original suggestion to pass the second reading pro forma, and send it to the committee on banking and commerce, where the views of parties interested would be learned. With respect to the assessment of fraternal insurance feature, Mr. Fielding said representations had been made to the government by a large and influential deputation of the largest of fraternal societies, the Independent Order of Foresters, and no doubt their views were also shared by other assessment and fraternal societies. Leaders of that society had frankly acknowledged the necessity for reorganization to strengthen its position and make it a permanent institution, and a meeting of the supreme order had been called to meet in June next, a year earlier than usual, to take into consideration measures of reorganization. The representations of the I. O. F. seemed to Mr. Fielding so fair and reasonable that he had pleasure in meeting its suggestions, and he proopsed to strike out of the bill all clauses dealing with assessment and fraternal insurance, and deal with this class of insurance in a separate bill.

Mr. Foster said the action of the finance minister was the most business-like course to get at the best results. It was understood, of course, that the second reading was only pro proma.

"Surely," replied Mr. Fielding.

Dr. Sproule feared that the only means of getting a true expression of the opinion of the country was by means of press reports and the press might slight the matter in committee. It would be better to have the house debate the principle of the bill on the second reading.

Mr. Fielding said he had entered into a lengthy explanation of the bill when it was introduced in the house.

Mr. Borden said it was desirable that the bill should be sent to committee, but when it was returned to the house it should not be taken that the questions involved had been determined. It should be considered as having gone to the committee simply to afford the companies an opportunity to express their views.

Mr. Fielding entirely agreed.

DRILLING SPIRAL TUNNELS.

Will Reduce by Half Grade in Kicking Horse Pass.

MONTREAL, Jan. 23.—(Special.)—James McDonell, who is building the famous Hector Field grade reduction in the Kicking Horse Pass, eight miles long, is in the city. The work embraces two spiral tunnels, one 3200 feet and the other 2800 feet in length, the only others of the kind being in the Simplon tunnel under the Alps, between Switzerland and Italy.

The present stretch of four miles in the C.P.R. will be increased by the new work to eight miles, but the grade will be reduced from 4.4 to 2.2. The tunnels are bored at the rate of 40 feet daily thru silicious sandstone and the contract will be completed next fall.

FOUR FIREMEN KILLED.

Walls Fell on Firefighters—Many Were Injured.

BALTIMORE, Md., Jan. 24.—Fire broke out a short time after midnight in the upper part of the building occupied by the firm of J. Regester & Sons, southwest corner of Holliday and Saratoga-streets, in this city. Four firemen were killed and many injured, among them George M. Horton, chief of the fire department.

The bodies of Lieut. Frederick Harmon, James Barrock, August Schriver and John Sleed, all of No. 3 engine company, were taken from beneath the burning wall.

Fifteen firemen are known to have been injured. Chief Horton's skull is said to have been fractured, and he is injured internally. It is feared that he will die. Those killed were badly mangled.

New York Fire Dept. Crippled ..

NEW YORK, Jan. 23.—Sensational testimony was given by Edward F. Croker, chief of the fire department, before the commissioners of accounts in the investigation to establish the blame for defective hose which recently resulted in the deaths of three firemen in the Parker Building. He swore that there is insufficient water pressure in the daytime for any fire downtown.

Chief Croker declared that not only was the hose in use by the city's fire fighters so old and weak that he had suspended his yearly tests three years ago for fear he would destroy a great deal of it, but that the water pressure in the downtown skyscraper district is too feeble during the daytime to combat "any fire." He said the pressure was not over ten pounds.

Fall Kills.

Mrs. Frances Leitshanes, 108 Chestnut-street, died in the General Hospital yesterday morning of concussion of the brain, resulting from a fall in her backyard the night before.

ON GUARD

FEDERAL OFFICER AYLESWORTH: Willison says he's only a loud noise, but Ross tells me he's an all-fired wicked shooter.

A REASONABLE PROFIT IN A TWO-CENT RATE WILL BE INVESTIGATED

New York State Public Service Commission Makes Its First Report and Dwells on Railway Problems.

SUCCESS OF MILEAGE BOOK IMPRESSES THE COMMISSION

ALBANY, N. Y., Jan. 23.—The public service commission for the third district submitted a summary of its first annual report to the legislature to-night. This commission has jurisdiction, in all counties of the state outside of New York City, over all railroads, steam and electric, sleeping car, express and freight companies and gas and electric light companies.

In regard to the work of the commission the summary says:

"The belief of the commission on taking office that it could in no way serve the people of the state better than by attempting to improve the adequacy and efficiency of service rendered by steam railroads, is fully confirmed by its experience of the past six months in actual traffic operations. It is notirious that in too large a proportion of cases the roads have failed to give that reasonable service which the public is entitled to expect and demand. Investigation of steam railroad service has been pushed actively by the commission. The investigation does not disclose very great public interest in what is known as 'reciprocal demurrage.'"

Attention is called to the large number of complaints that the commission has received. So far 400 have been made against public service corporations. "The corporations have shown commendable co-operation in remedying grievances and satisfying proper demands for improved conditions," the report adds.

In the official summary of its report, the commission says:

Power of the Commission.

"The commission is impressed with the view that interests so important and far-reaching in tei nature as the proper maintenance of railroads in this state, the adequate and efficient service which should be rendered by them, and the just and reasonable returns to which they are entitled, should not be subjected to arbitrary action or procedure upon guesswork by any body of five men, but that whatever action may be taken by the commission should be based upon appropriate examination of facts and thoro consideration of underlying principles, and that these facts and principles adopted in important cases should be presented plainly to the consideration of the public and interested parties.

"Powers conferred upon the commission in the way of supervision are capable of valuable and far-reaching results, and if properly exercised, will enhance the value of railroad service to the public and also inure to the benefit of the railroads themselves thru rendering them business investments capable of affording fair and satisfactory returns. On the other hand, it is possible not only to do the railroads great hurt, but in doing so impose upon the public incalculable

Continued on Page 7.

THREW BOMB AT BANK.

Italian Institution in New York Partially Wrecked.

NEW YORK, Jan. 23.—An exploding bomb to-night wrecked the front of an Italian bank building on Elizabeth-street, briefly exposing $40,000 in silver and gold which the bankers, Pasquale Pati & Son, had piled in the windows as ocular proof of their ability to pay depositors on demand.

The junior partner, Salvatore Pati, who was on guard inside, was badly cut by the glass that crashed in upon him, but stuck to his charge and soon had the money stored away in the vaults. The score of clerks had left the place some hours before and the explosion injured none by the younger Pati.

The bomb throwers, who were not seen by the banker, were quickly lost in the crowd of several thousand excited Italians who gathered about the wreck, and their motive is a mystery.

ARRESTED IN SICILY.

Three Men Wanted for Murder at Portage, Pa.

MESSINA, Sicily, Jan. 23.—The holding-up at Portage, Pa., several years ago of Patrick Campbell, paymaster, by a band of Italians, when a driver, Charles Hay, was killed and Campbell was wounded, found an echo here last night in the arrest of three men, who are declared to have been accomplices in the crime. The men's names are Carmelo Caralli, Rosario Desrazio and Giuseppe Felormo. Search for these men had been going on for many months.

Last night all three gathered together in a house near here. The police then came down on them, and the house was surrounded by carbineers. After all precautions had been taken, six policemen forced their way into the room where the men were. There was a desperate fight, but the men were outnumbered and were quickly forced to surrender.

$1,000,000 IN GIFTS.

Pinkerton Detectives to Guard Vanderbilt Wedding Presents.

NEW YORK, Jan. 23.—Pinkerton detectives have been engaged to guard the Vanderbilt mansion for the wedding of Miss Gladys Vanderbilt and Count Szchenyi, which will take place next Monday. One man in plain clothes was assigned to cover the interior of the house. Two men in uniform will, until the wedding takes place, with reliefs, patrol the street outside.

The wedding presents will be exhibited to-day, but it is not believed that a list will be given out. It is estimated that the value of these gifts will approximate at least $1,000,000. It is because of their extreme value that it was considered necessary to employ the Pinkertons.

Artemesia Society Officers.

PRICEVILLE, Jan. 23.—(Special.)—The following are the new officers for Artemesia Agriculture Society: President, D. McMillan; first vice-president, John Nichol; second vice-president, W. J. Meads; directors, A. Muir (reeve), D. Harrow, H. Watson, T. Nichol and W. Ramage.

HOUSE SITS ON AWHILE INTO MORNING

"I'll Stay Till I'm No Bigger Than Pipestem" is R. L. Borden's Defi.

OTTAWA, Jan. 24.—The house adjourned at 1.15 a.m. The debate continues this afternoon.

OTTAWA, Jan. 23.—(Special.)—The refusal of the government to bring down the original documents asked for by Mr. Ames of Montreal several days ago, in face of the affirmation of the principle that members of parliament have the right of access to such documnts, a determined fight was put up to-night by the opposition to force the premier and his supporters from their position.

All evening the opposition talked, only Mr. Fielding combatting the right of Mr. Ames to the papers, and at midnight Mr. Northrup moved the following amendment:

"That subject to such considerations of public policy as can be validly urged in any case, members of parliament have the right to have access to all the reports of the government and all the achives."

Armand Lavergne (Independent Liberal, Montmagny), in a reasonable argument, supported the contention of the opposition. He failed, to understand why Mr. Ames should not be allowed access to the documents. Last year he moved for copies which he secured! these were not sufficient, and he had given reasons for asking for the originals, which the premier himself had almitted were sufficient. Why then, were the originals not brought down.

At 12.25 E. M. Macdonald moved the adjournment of the debate, but Mr. Borden went on. It was a remarkable doctrine laid down by Mr. Fielding that the minority had no right in this house.

"Except what the majority may grant," remarked Mr Fielding

"Then," said Mr. Borden, "I will stay here until I am no bigger than a pipestem, before I will submit to that doctrine."

Mr. Borden asked the premier to state why the reasons given by Mr. Ames were not sufficient.

"Because he claimed it as his right without giving reasons," said the premier. He would go farther and say that when a member came to him and said he could not get the information he desired in the copies he (Laurier) would give him the originals.

Mr. Borden, quoting Mr. Ames, stated that this was exactly what Mr. Ames had done.

The premier replied. He declared the opposition was trying to bulldoze the government. He had resisted the principle involved in the question, but if Mr. Ames would state his reasons he would get the papers.

Mr. Foster described the turnings and twistings and quibblings of the prime minister as an effort to wriggle himself out of a position in which he had allowed himself to be placed. Mr. Foster declared the opposition refused to be gold-bricked any more.

The Beginning of it.

This afternoon R. L. Borden asked the premier if, in view of his recognition of principle that parliament was entitled to the original documents, pa-

Continued on Page 7.

TWO ARRESTED AS MURDERERS

Local Detectives Corral Pair of Italians Wanted by Philadelphia Police.

Two Italians, wanted in Philadelphia for "Black Hand" murder, were arrested by the city police yesterday. The first was taken on a Yonge-street car at 4 o'clock by Detectives Tipton and Twigg, and later, in company with Detectives Twigg, Newton and Sockett, Tipton picked out the second man from among forty of his fellow-countrymen at 167 York-street.

The World's Philadelphia correspondent wires:

"Alfred Voiande, whom the Vinalles are accused of having fatally stabbed over a game of cards on Jan. 7, died on the 13th in the Pennsylvania Hospital here. The fugitives were traced to Toronto by a clue furnished by a man from whom they tried to borrow money after the cutting affray, which occurred in Voiandess home."

Since Sunday the four detectives, occasionally relieved by Detectives Archibald and Wallace, have hidden in waiting in an unheated outhouse in a northern suburb watching for the men.

From information received by the department it was believed that one or other of the men would come to a meeting place near this shed, and from 7 o'clock in the morning until the same hour in the evening the detectives camped in the cold.

The men are Albernico Vianali, alias Cammillo Franccecetti, 24 years of age, and Joseph Viannli, alias Giovanni Martello, alias Biaggo De Marko, aged 26, thought to be a brother of the first man.

The arrest is the second in ten days of Italians taken here who are wanted on the American side for murder. The police also believe that they have here located a directing centre of the Black Hand order. This belief is strengthened by the confession of the man sent back to Mineola, N. Y., a week ago.

It is understood that no operations are carried on in Canada, but that operations in Pennsylvania, which have of late been extensive, have been directed from here. It is known that during the last few days one of the men had sent a registered letter to W. Paul, 1009 Kean-street, Philadelphia, and one of the men had a registered letter from Philadelphia, addressed to Giovanni Martello, when arrested.

The men, who pretend to speak little English, declare that they do not even know each other, but the police are informed that they have roomed together for weeks.

Neither made any attempt at resistance when arrested.

The local police have no particulars as to the crime for which the men are arrested.

PLOT UNCOVERED.

Abortive Attempt to Upset Government of Portugal.

LISBON, Jan. 23.—By courier to Badajos, Spain.—An abortive attempt to overthrow the monarchy and proclaim Portugal a republic was nipped in the bud last night by the prompt action of the government.

The plot was organized by a small group of advanced Republicans. As near as can be ascertained the plan was to assassinate Premier Franco and then depend for success on street risings, supported by secret Republican and labor organizations, armed with bombs and revolvers.

The conspirators intended to take advantage of various festivities to carry out the coup d'etat.

CANADIAN NORTHERN FIGHT.

Mackenzie and Mann Forces Opposing a New Road East From Victoria.

MONTREAL, Jan. 23.—(Special.)—A warm battle is expected during the present session between the Mackenzie & Mann forces and the promoters of the Vancouver Island & Eastern Railway, who are asking for a charter to build a railway from the City of Victoria to the Narrows, and thence to the Yellow Head Pass to Edmonton.

Promoters of this system are: T. W. Patterson, a railway contractor, of Victoria, B.C., and M. J. Haney of Toronto, who built the Crow's Nest Pass line for the C.P.R. When this same railway project was before parliament, under the name of the Pacific & Eastern, promoted by Sir Henry Pellatt, Hon. B. F. Pearson, Hugh Blain, J. T. Bethune and others, they won in the senate, but were bowled out in the commons by the Canadian Northern influence.

HAIR CAUGHT IN MACHINE.

Young Girl's Head Drawn Down to Pulley.

GUELPH, Jan. 23.—While working at one of the machines in the carpet mills this morning, Miss Beatrice Thompson, a girl of 19 years of age, met with a painful accident, which might easily have been attended by fatal results. She went around to the back of the machine to adjust a part known as the collar-box, when her hair caught in a set screw on a revolving shaft. The girl's hair wound round the shaft, and in an instant her face was against a fast moving pulley. One of the men working near heard her screams and had the machinery promptly stopped, but not before an ugly cut had been sustained and the girl's ear split open.

PROF. WRONG WELCOMED.

QUEBEC, Jan. 23.—(Special.)—A splendid ovation was accorded to Prof. Wrong of Toronto University here tonight at his lecture before the Literary and Historical Society at the old manor house of Murray Bay.

Mgr. Matpieu, C.M.G., rector of Laval University, and Sir Charles Fitzpatrick, chief justice of the supreme court, moved and seconded the vote of thanks to the lecturer.