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TWENTY-SEVENTH

COMING LATE, BUT COMING HARD

#### May Head Off Haultain By Barring Litigation

## If Bill Is As It Seems

Measure Passed Senate Which May Enable Supreme Court to Prevent Any Appeal From School Clauses in Autonomy

Ottawa, March 27.-(Special.)- An important bill hidden away in the senate, where it was passed to-day under the innocent title of "An Act ccurts acts" has already attracted at-

It was introduced by Hon, Mr. Scott and its pendency and effect was undoubtedly canvassed with the government by his namesake, Hon. Walter Scott, during his recent hurried visit from Saskatchewan. The gist of the neasure is found in those section which relate to the submission of abstract of hypothecal questions to the supreme court of Canada by the gov-ernor general in council. As the law now stands he may submit important questions of law or fact touching:

(a) Provincial legislation.(b) The appellate jurisdiction as to

1867 or

(c) by any other act or law.

(d) The constitutionality of any legislation of the parliament of Canada.

(e) Any other matter with which he sees fit to exercise the power.

But if the proposed amendment is foisted upon the country this jurisdiction is radically changed and enlarged.

The governor may then submit im-

The governor may then submit important questions of law or fact touch.

(a) the interpretation of the British North America Acts, 1867 to 1886; or (b) the constitutionality or interpretanon of any Dominion or provincial leg-(c) the appellate jurisdiction as to

in council, shall be conclusively deem-ed to be an important question. People are asking whether this pro-posed legislation will not enable the present government to obtain a snap judgment upon the validity of the edu-cational clauses of the autonomy acts cational clauses of the autonomy acts and to shut off appeals to the privy

The main purpose of the bill undoubtedly is to enlarge the scope of those questions that may be referred by the governor-general in council to the suprenie court for its opinion and to com-

pel that court to answer.

By comparing, word by word and line by line, the sections passed in 1891 and the amendments now proposed to be made, it will be found that the latter go into minute details and permit of no misunderstanding. Some of them are evidently drawn so as to foreclose hereafter the line of reasoning adopted by the majority of the supreme court in re Sunday observance 35, Can-

It is there most plainly intimated that concrete cases and not abstract questions are proper material for the siderattion of cours. THE PROPOSED LAW COMPELS THE SUPREME COURT TO ANSWER ANY QUESTION SUBMITTED BY THE GOVER-

by the supreme court that the educa-tional clauses of the Autonomy Act and What Rumor Says. kindred legislation, Dominion and pro-

vincial, are valid;
(2) It is unlikely that any appeal will be entertained from such finding tion is encouraging intemperance in by the imperial privy council for the some parts of it. The stool pigeon talk

Railway Company their lordships said: They are questions proper to be consicered in concrete cases only. . . . It would be contrary to principle, in-

convenient and inexpedient that opin-ions should be given upon such questions at all. When they arise they must arise in concrete cases involving private rights and it would be extremely unwise for any judicial tribunal to attempt beforehand to exhaust all possible cases and facts which might cecur to qualify, cut down and overrile the operation of the particular words when the concrete case is not before (1903 a.c. 534.)

True, the supreme court, as a matter of fact, did answer the questions addiessed to it re Sunday observance; and Braces like a sea breeze "Club Coffee." may be noted that the privy council (July 26, 1905) refused to permit an

It is, therefore, reasonably certain: (1) The proposed bill will enable the Does Your Watchman Do His Duty? actonomy legislation to be at once upheld by the supreme court; and (2) from such ruling the privy council will not permit an appeal.

(5) Nevertheless, the proposed bill does not directly deal with the appellate jurisdiction of the privy council. That body is free to grant an appeal. IF IT SEES FIT. It is not likely to do so IF IT SEES FIT. It is not likely to do so where the supreme court has ruled only upon abstract.

Edwards. Morgan & Company, Chartered Accountants, 26 Wellington-st upon abstract. upon abstract questions submitted by the governor in council.

# BUT NOBODY'S BUSINESS TO MAKE IT CLEAR

to amend the supreme and exchequer | What Fire, Police and Insurance Men Have to Say, as Well as Some People in the Neighborhood.

> "I never saw a clearer case of an attempp to burn a building down in all my experience, and lives were certainly endangered," said Capt. Smith of truck No. 1.

"It's hard to make an arrest for alleged incendiarism and to secure a conviction. I recollect the case of a man who was caught in the act but was aceducational matters vested in the governor in council by the B.N.A. Act of ed on any stool pigeon favors. I don't know him in that regard," said Sergt. Detective Duncan

"I am perfectly satisfied that the firing of the place was deliberate, but so far I have not the evidence to act decisively upon, as that is a rather un-reliable neighborhood," said Detective Archibald

"We had a policy, I think it was for \$800, granted about six months ago, as far as I can recollect. No claim was made upon us, but we paid the proprietor back the unearned premium yesterday. It doesn't pay us to have that kind of business. Our inspector found gasoline, and it's certainly a matter that should be investigated," said John (c) the appellate jurisdiction as to that should be investigated, said John educational matters, by the British North America Act, 1867, or by any other act or law vested in the governor what Might Have Been.

in council; or

(d) the powers of the parliament of Canada or of the legislatures of the provinces, or of the respective governments thereof, whether or not the particular power in question has been or is proposed to be executed; or

(e) any other matter, whether or not in the opinion of the court ejusdem seteris with the foregoing enumeration.

What Might Have Been.

Had the fire at 87 Jarvis-street, the City Hall Restaurant, got the hold that it was probably intended to have by whoever started it on Sunday hight, there would have been a holocaust that might have stirred up the authorities to a realization of the fact that one firebug in hand is worth two safe robbers in the bugh. The first investigation was presumably sidetracked in favor of the seteris with the foregoing enumerations, with reference to which the governor in council sees fit to submit any such question.

And it is further provided that any question touching any of the matters aforesaid, so referred by the governor in council, shall be conclusively deem.

Morris Diamond was the restaurant was the restaurant of the first investigation was presumably sidetracked in favor of the robbers. The repeated rumors—tho admittedly from unreliable sources—that was a "stool pigeon" for the police, and was thus entitled to convenient overlooking, is strenuously denied by the officers.

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Morris Diamond was the restaurant man' Only recently he acquired the premises, and it is said that a young boarder named Fergusson had a sort of proprietary interest. Diamond is on the home-stretch side of 50, is of short stature and wears a grey mustache. He has a wife and they conducted the restaurant on Jarvis-street, right oppo-site Adelaide-street. It isn't exactly a cheerful looking place, and last night, before 10, it was all locked up with no

dailed when the establishment was fired early on Sunday night. Numerous infants were among the real boarders. Mr. Rooney, who is prominently shock to the members of the family connected with a coal cart as his regular. lar avocation, was among the first to

discover the danger.

The cause of it all was between the rafters and the floor beside where the stove. was It was an earthen- Jaffray November 22, 1860, and last fall ware jar and some newspapers of very the 45th anniversary was celebrated by recent date, now at Lombard-street fire station. The jar is a bit of a half-gallon size curiosity, and some of the ladies who often had access to the Diamond kitchen say it was often there until it was found where the firemen found it, more than half full of coal oil, between the lath and the floor, with burning newspapers around it and a family re-union. On this occasion a family re-union. On this occasion all the members of the family with the exception of Rev. Robert Jaffray, who is engaged in missionary work, were present. The family comprise four children, two sons and two daughters. They are: Mrs. Christopher Eaton, Owen Sound; Mrs. Wellington A. Camberton Toronto: W. G. Laffray broker. recent date, now at Lombard-street fire

will be entertained from such many by the imperial privy council for the reason that, in the absence of any statute (and there is no such statute in England), the lords have always represent the fused to consider and pass upon abstract questions of law.

THREE NEW

THREE NEW

Montreal, March 27.—(Special.)—A member of parliament stated to-day ish work, and who knew the vase of coal oil was in the rafters. Women coal oil was in the rafters. Women now and November. Questions in the reference made by the Ontario government re Hamilton Street unable to tell now had there been a

The board of underwriters allow a

Jordan-street. Phone Main 676.

Smoke Taylor's Maple Leaf Cigar Try them, they are fine cigars



UNCLE SAM: "That's the duck that joshed us abaout the blizzard we hed awhile ago."

# MRS. ROBT. JAFFRAY DEAD AN ELECTION SENSATION BRITAIN WILL NOT ALLOW

Away Yesterday Afternoon After Lingering Illness.

The death occured yesterday afternoon of Mrs. Jaffray, wife of Senator Robert Jaffray, at the family residence, "Surrey Place," Grenville-street.

news of her demise came as a great Mrs. Jaffray was born in this city

October 22, 1840, and was the youngest TION SUBMITTED BY THE GOVERNOR IN COUNCIL.
Now, how does all this affect the burning newspapers around it and a stinking, smouldering, oily mattress, and the imperial privy council? It is feared (1) that the Canadian government (1) that the Canadian government (2) the imperial privy councils are the place and leave things so that it could all be blamed (3) the more worthy for he delivered th and prior to her illness was prominent in charitable work thruout the city.

A Recipe for the Blues. rebate on buildings and contents of buildings using our system of night watch signals. The Holmes Electric Protection Co. of Toronto, Limited, 5 Keep her supplied in pints and quar And everything seems to sidden her, Keep her supplied in pints and quarts, Of that Empress of Waters, "Radnor."

The famous imported Havana cigar "Bolivar" on sale at A. Cubb & Sons, 49 West King-street, at 10c straight.

Prince Albert Trial Assumes a New Select Committee of House of Phase by Suspension of Presiding Justice

Prince Albert, Sask., March 27.-(Spethe Prince Albert election case to day of trade, replying in the house of lords when James Agnew, justice of the to-day to the Earl of Onslow (Conser-

him can be, and has demanded an immediate investigation. In addition to this the most import-

ONE GOOD WORD FOR THE M.P. OF

the more worthy for his deliverance.

things so that it collies store.

This is not the section of Jarvigatest the property of the p

Bolivar Cigars 10c Straight. The genuine "Bolivar," acknowledg d the cream of imported Havana cigars, 10c straight and up; try them, at A. Clubb & Sons, 49 King West.

The Only Clean Pipe. The Bilton filters the smoke. Price 75c. Alive Bollard.

Babbit Metal. The best made, Cana-

### Lords Consider Compelling Deposit of Necessary Securities.

London, March 27.- The Earl of Gracial.)-A great surprise was sprung in nard (Liberal), in behalf of the board This is the three-storey place where about thirty saved and unsaved souls to rather a short time before her death time before her death time before her death time bef made regarding certain American in-"Owing to the charges of improper surance companies, it intended to comconduct as a justice of the peace, your commission is revoked, pending investigation. (Signed) C. E. D. Wood, Deputy Atterney-General."

a sufficient proportion of their securiMr. Agnew has been magistrate here ties to cover the claims of British for years and is highly respected. He policyholders, said the government has no idea what the charge against would appoint a select committee to would appoint a select committee to consider the question.

In introducing the subject, the Earl ant witness for the crown prosecution has mysteriously disappeared and oul play is hinted at.

In introducing the stoye of the alleged practice of the officers of insurance companies are advancing large sums to companies in which they we're personally interested and of the control

awake some morning to find that the assets had disappeared.

Shea's 8.
Royal Foresters' Trumpet Band, banquet. Temple, 8.
Princess—Argonauts' production of "Pinafore," 2, 8.
Grand—"The Office Boy," 2, 8.
Majestic—"Why Girls Leave Home,"

Shea's—Vandeville, 2, 8. Star—Merrymakers Burlesquers, 2, 8.

Empress Hotel. Youze and Gould Sts. R. Dissette, Prop. \$1.50 and \$2.00 per day.

For "Better Tailoring," MacLeod, Yonge and College Street.

#### \$14,000 Wanted in Hurry For "Darkest London" Display

## To Case Some Exhibits

## ONE MAN IS DROWNED BRIDGE IN DANGER

Charles Reddy of Georgetown Loses Life in Freshet-Port Hope Fears a Wholesale Flooding.

Georgetown yesterday morning Charles the pending estimate without delay. Reddy, contractor and builder, of Glen Williams, was drowned in the Credit River. The river was swollen by the freshets, and he was assisting Joseph mates were easily put thru supply, pro-Hutchinson, electrician, to clear ice viding for the entertainment of Prince away from the Electric Light Com- Arthur, the expense of the insurance

ous is reported.

The Annual Rampage. The Don River yesterday rose almost feet and for a few hours thunderous

of feet and for a few hours thunderous reports echoed at intervals all thru the valley as the ice broke up.

The temporary bridge over the Etobicoke River, on the Port Credit branch of the Toronto & York Radial line, was washed away, and means a delay of traffic for two or three days. At other times the river is very shallow.

The Grand River is reported to have overflowed the banks and caused a considerable flooding of land because of the great quantities of ice which the water was unable to carry away. In some places the ice is piled 10 feet high.

Fort Hope Alarmed.

Fort Hope, March 27.—(Special.)—
There is great excitement thruout the whole town with the fear that there will be a disastrous flood. The heavy rains of last night and to-day have turned the Ganeraska Riverinto a raging torrent, and the whole business part of the town is threatened if any of the dams to the parth give way. will be a disastrous flood. The heavy rains of last night and today have turned the Ganeraska Riverinto a ragital torrent, and the whole business part of the town is threatened if any of the dams to the north give way. The large Walton-street bridge is impassable and part has already been carried away. The water is flowing over all the other bridges. These bridges connect Protestant Hill with the west part of the town and the rebridges connect Protestant Hill with the west part of the town, and the residences are practically cut off. The only means of connection is the G.T.P. viaduct. The water is flowing over the dams at Barrett's flour mills and along. Charles street down Walton-street, thereby hemming in all the southeast breiness section. Patrols have been blaced on all the railroad and town bridges, for it is feared the bridges may would be on the table at the evening. ridges, for it is feared the bridges may go at any time as the water is rising gradually. The whole population of the town is out waiting to see the town bridge carried away, which, if it occurs, means considerable damage to

#### FREE SILVER IS FOUND. Another Important Discovery in the Cobalt District.

Cobalt, March 27 .- (Special.)-The reported find of free silver on a property Copies of Reports, Etc., for Three one and one-half miles from Latchford and near the Montreal River, has been

smaltite and free silver to the value

This means a great deal to the camp, as many have urged that no find would be made of pure silver, tho many old prospectors have always declared that

Funeral Taursday, at 2 p.m., from her late residence to Prospect Cemetery.

[AFFRAY—At 78 Grenville-street, Toronto, on Tuesday, the 27th March, 1996, Sarah, beloved wife of Robert Jeffray.

Notice of funeral later.

W. Hall

The F. W. Matthews Co., Phone M. 2571. Private Ambulance Service. Cool Tobacco. No. 71 guaranted not to bite tongu-Try it once. Alive Bollard.

Talk of the Town, "Club Coffee."

Just Because Opposition Wanted to Know Why Money Was Required Mr. Fisher Threatened to Cancel the Whole Show by Cable.

Ottawa, March 27.-(Special:)-Hon. Sidney Fisher, minister of agriculture, had an unpleasant time this afternoon. Even that skilled tactician, the minister of customs, who led the house in the absence of Sir Wilfrid Laurier, indisposed, was unable to save the situation. At times Mr. Fisher was inclined to pout and failed to answer enquiries that were evidently intended to aid him. Later on, he completely lost The spring floods are commencing, his head and threatened to cable to and already one life has been lost. At London unless the house should pass

The incident arose when the house was in committee on ways and means. Some days ago supplementary estiaway from the Electric Light Company's plant when a large piece of ice broke away, sweeping them over. Hutch inson was rescued a short distance down the river, but the rescuers were not so fortunate with Reddy. When aid was almost within reach a large cake of ice struck him and he was never seen alive afterwards. Efforts to locate the body have proved futile.

In spite of the lack of show, the recent rains have swollen the waterways, and already damage more or less serious is reported.

Arthur, the expense of the insurance commission, and two or three other urgent matters. Item of \$26,0000 for the Canadian exhibit at the Imverial Institute in London. At the time R. L. Borden made some enquiry as to what this exhibit amounted to. He said that some years ago he had made a personal visit and had been humillated by the wretened exhibit made by the Canadian government. For example, his native Province of Nova Scotia was represented

by a bushel basket of coal.

Hon, Mr. Paterson agreed with him that the exhibit in the past had been altogether insufficient, but he assured the house that there had been quite an improvement; he said this appropriaimprovement; he said this appropriation, indeed, was needed for that very purpose. At this time, the minister of agriculture was absent, but the item passed with the understanding that he would law on the table all appropriate would lay on the table all appropriate

The Reason Why. When the matter came up this after noon, it developed that some \$8000 had been voted annually for this purpose, and that this year an aditional \$15,000 was needed. An excuse for this was exhibit at Liege, that had been intended for the Imperial Institute, had been transferred to Milan, so that additional money was now required to improve the exhibit.

house. At 6 o'clock a recess was taken with the understanding that the report would be on the table at the evening session.

\$14,000 for Cases. At 8 o'clock the house re-assembled and Dr. Sproule requested to see the report. It still was missing, and the government was inclined to force the item thru. The doctor held his ground, and about 30 minutes later a few blue prints were produced and the minister

INSURANCE RECOMMENDATION

Continued on Page 4.

Years Back Are Asked for,

Ottawa, March 27.-(Special.)-R. L. Assays have been made showing Borden has placed on the order paper of over \$5000 per ton.

The exact location of the property cannot be obtained, but C. L. Hanson is the purchaser, having finally closed the purchaser, having finally closed the communications from the superintendent of insurance to the government, or to the minister of finance, a notice calling for copies of all rereferring to the desirability or expediency of any further amendment to the insurance act or relating or refer-

It takes a good hat to stand this



quality of weather. In England they make hats to stand the stress of damp weather there, and Toronto's worst days are no more thoroughly damp. Dineen's import ex-clusive lines of English hats to sell at the ordinary prices—two, two-fifty and three dollars. Dineen's, corner

Yonge and Temperance-streets.

Meteorological Office, Toronto, March 27. —(8 p.m.)—The weather it day has been fine and quite mild from Manifoba to the Pacific coast, and from Outario to the Maritime Provinces it has been tails, with snow and rain. The depression centred has night over the Great Lakes is now passing the Gulf of St. Lawrence, accompanied by moderate gales.

erate gales.

Minimum and maximum temperatures:
Dawson, 24-24; Victoria 4-56; Vancouver, 44-56; Calgary, 24-2; Qu'Appelle, 28-40; Wingley, 30-40; Fort Arthur, 24-36; Toresto, 74-2; Ortewa, 35-46; Montreal, 36-42; Quebec, 28-44; St. John, 34-44; Halifax, 23-44.

Lower Lakes and Georgian Bay-Pair, not auch change in tempera-

W. Harper, Guston's Broker, 5 Melinda STEAMSHIP ARRIVALS.

Ryndam. New York Rotterdam
Numidian Paifax Giasgow
Romanic Gibraltar Boston
Minnetonka Loudon New York

PARKDALE ROLLER RINK