

The Semi-Weekly Telegraph

VOL. XLVII.

ST. JOHN, N. B., SATURDAY, MAY 30, 1908.

NO. 78

WARM REMARKS OVER LOCH LOMOND BILL

City Representatives and Engineers Declare No Damage Has Been Done

Aldermen Baxter and Frink Intimate That if Bill Passes Another Raid Will Be Made on the City Treasury--R. G. Murray Claims That New Dam Has Made a Perpetual Flow to Lands on Lake Shore.

Fredericton, May 28.—The Municipality committee this afternoon continued the consideration of the bill promoted by the residents of the parish of Simonds, St. John county, and which seeks to place the power in the owners of land adjoining Loch Lomond to get damages from the city for any injury which might be done to their land by an overflow from the works there in connection with the water-works system of the City of St. John.

The bill was promoted by R. G. Murray, barrister, of St. John, and Alex. T. Johnson, owners of land in the section referred to. Those appearing in opposition to the bill included Aldermen Baxter, Frink, Sproul, Willet, Vanwart and McGowan, Recorder Skinner and Engineers Hunter and Barbour and Contractor M. F. Mooney as witnesses.

When the afternoon session of the committee opened Mr. Murray concluded the presentation of the case in favor of the bill. He claimed that since the dam erected as part of the water-works system by Messrs. Mooney and contractors, the water in the lake and above the dam had been made considerably higher and that it thus deprived himself and other owners of the land in the vicinity of the use of portions of their land. Before the dam was erected, the overflow only occurred at freshet times but now there was an overflow all the time.

Recorder Skinner called Contractor Mooney and Engineer Hunter who told of soundings having been taken and records kept, which showed that the result of placing the dam had not been to make the water overflow the land any more than it did before the dam was placed there.

Chairman Clarke of the committee in an endeavor to stop the flow of evidence remarked that he thought the evidence produced was such that it should be a court of law instead of a committee of the legislature for a decision. He said he understood it, authorized people of the Parish of Simonds and the City of St. John, which they claimed had resulted from the erection of works in connection with the St. John water extension. The city's share of the cost of the dam had been done and if that was why not let the bill pass and let the people go to the courts and have the matter settled there?

In answer to this Recorder Skinner claimed that the works were erected under an act which did not give the city any damages even if any injury should occur in the section referred to now, and he contended that the owners of these properties should not now have the right to come in and make a claim for damages.

Yield Up.
Ald. Baxter claimed that if the bill passed and became law, it would let in also the owners of property in the vicinity of the Spruce Lake work. He also claimed that as a result of the operations in the vicinity of Loch Lomond by the Messrs. Mooney they had received more than their share of the land and that it was a question as to how many times the city must pay for property at Loch Lomond and vicinity which were claimed to be injured. The city was not unwilling to pay damages for land which was really damaged but felt that first of all some damage should be really shown.

He also claimed that when Ex-Mayor White and a delegation from the common council of St. John came up here several years ago for legislation to carry on the work at Loch Lomond, they had to pay \$10,000 for a property owned by Messrs. Mooney which was really worth about \$5,000. A former attorney general had acted in the matter and the city was not to state that it was not the late Mr. Kelley had to be sent for to fight this bill through in the legislature, when he could have used his opportunities at the common council.

City Treasury Looted.
Ald. Frink said that if the damages claimed were occurring that the city should appropriate the land and compensate the owners. It was the same condition as existed before at Spruce Lake when the city's treasury was looted and plundered for damages. He thought that the flow of water could be regulated by gates and appliances to suit all riparian owners on Loch Lomond.

Ald. Lewis on Deck.
Mr. Murray was about to speak again when Ald. Lewis rose and claimed that somebody else should have a chance to talk, as Mr. Murray had taken up more time than all the eight aldermen together. Ald. Pickett contended that last year was an unusual year so far as water conditions at Loch Lomond were concerned and he felt that it would be best to follow the suggestions of Ald. Baxter and to take at least a year in which to have observations made so as to determine what damages, if any, were being done to the property referred to.

He also claimed that the representatives of the city of St. John had not been given a proper opportunity of seeing the bill under discussion and had been unable to get a copy of it before coming here.

Hon. Mr. Maxwell stated that the bill had been allowed to come into the house under the suspension of rules without having been properly advertised and it had only been at a very late hour that copies of the bill had been obtainable.

Mr. Johnson wanted to know if this matter was going to be left hanging for three years. If they couldn't get any better laws than these of a private individual and no doubt would be lived up to.

The proceedings were becoming somewhat enlivened when Mr. Murray, with his arms outstretched and his fists clinched, vehemently asserted, "Why, you don't live up to your promises now." The chairman called for order and Ald. Frink stated that if Mr. Murray was going to assume an attitude of that kind he should remember that (Frink) was somewhat of a boxer himself.

Then Mr. Lowell of St. John, seconded by Mr. Murray of Kings, moved that the question be referred to a committee composed of Hon. Mr. Maxwell and Mr. McKewen to report when the committee met in the evening.

The municipalities committee this afternoon passed a resolution similar to that recently passed by the joint committee on municipalities and corporations in which the committee declared itself in favor of the principle of municipal control of local franchises, but declaring that the principle involved in the Moncton street to the rule had been made in that case on account of the franchise having formerly been held by a private company.

OPTIMISM PREVAILS AT U. N. B. COMMENCEMENT

School of Forestry and Second Engineering Professor Assured

Brilliant Gathering of Distinguished Alumni Present Thursday, When Degrees Were Conferred on Many Graduates and Noted Sons Honored--Principal Peterson Makes Eloquent Plea for Technical Education--Would Make University a Big School of Technology.

(Special to The Telegraph.)
Fredericton, N.B., May 28.—The Academic year of the University of New Brunswick, was brought to a close this afternoon when a class of twenty-eight young men and women, each bearing the reward of four years of patient study, graduated. Nineteen went forth from the classic halls to enter upon the active duties of life. The essential exercises were the most successful in recent years and attracted a large and representative gathering of friends of higher education, including members of the government and legislature, members of the senate and alumni society.

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Miss Iris A. Fisher of Newcastle, who had stood second in the competition for the first time had been won by Harry F. Bennett, of St. John, who had excelled in municipal engineering.

Mayor Chestnut presented the medal in a neat speech and announced that next year the medal would be awarded for the best one of the following subjects: "The chemistry of water supply," or "The chemistry of soil or fertilizer."

Prof. Geoghegan.
Prof. Harold Geoghegan, professor of literature and modern languages, was next introduced and delivered an address in praise of the founders which was well received.

The oration in praise of the founders was delivered by Professor Geoghegan. He said in part, in the connections of a university degree? Why go to a university degree? There are other and shorter ways of becoming efficient in the various branches of professional work, if practical utility be our only aim.

But, as has been well said, "the professional character is not the only one which a man engaged in a profession has to support. As a friend, as a companion, as a citizen at large, the university graduate has in view, just as much as the production of men skilled in one particular branch of learning."

A professional man's professional talk can only influence those interested in his work, to outsiders it is more or less unintelligible, but I quote again—"one of the best companions is the man who, in the research and accuracy of a profession, has joined a free executive acquaintance."

Chancellor Jones.
In opening the proceedings the chancellor welcomed the visitors well chosen words, and reported that the institution had enjoyed a very prosperous year. He praised the action of the senate in establishing a chair of chemistry and spoke highly of Prof. Cartmel, who is in charge of the department. He also approved of the appointment of a second professor of engineering and announced that it had been made permanent.

The new forestry department, he said, would be in good working order by next fall, and he felt sure that it would be the means of attracting many young men to the institution. He closed with a few words of advice to the members of the graduating class and expressed the hope that they would take a leading place in the life of the province and Dominion.

Lieut. Governor Tweedie presented the governor-general's medal to the winner, C. D. Upton Hill, and announced that the subject for next year's Douglas essay would be "The Contributions of Women to English Literature."

Mr. Bridges presented the report of the examiners for the Alumni, commending that the society's gold medal for the best Latin essay be awarded to E. Stanley Bridges of St. John. The examiners also recommended that a special prize be awarded to W. R. Morrow of St. John, who had submitted a translation of exceptional merit.

Prizes Presented.
President Carter, of the Alumni society, in presenting the medal to Mr. Bridges, complimented him on the honor he had won, not only as a student but as an athlete, and pointed out that he had in his make-up the material for a Rhodes scholar. President Carter also presented, on behalf of the society, a round robin, to Mr. Morrow, and expressed his pleasure that he, as well as Bridges, hailed from St. John.

Mr. Bridges was then called upon by the chancellor and read a portion of his Latin essay, receiving very hearty applause. H. V. B. Bridges presented the report of the examiners for the Alumni, commending that the society's gold medal for the best Latin essay be awarded to E. Stanley Bridges of St. John. The examiners also recommended that a special prize be awarded to W. R. Morrow of St. John, who had submitted a translation of exceptional merit.

Chancellor Jones then announced Chas. M. Hoar, of Hopewell Cape, as winner of the Byrd-Jack scholarship, and requested to say that he had been obliged to return home a few days ago.

Senator Ellis in a few well chosen remarks presented the Ketchum silver medal for engineering to Harry F. Bennett, of St. John.

Chancellor Jones stated that Senator Ellis had renewed his offer of \$50 per year for a term of four years to the university to assist some needy student in taking a college education. Mr. Bennett had been in receipt of the money during

the past four years and had proved that the investment was a wise one. Dr. Inch presented the Lieut. Governor's prize of \$50 to the winner Stanley Bridges, and in doing so took occasion to point out that his honor had contributed a similar prize for competition at the Normal school, and consolidated schools, in addition to presenting thirteen medals for competition in the common schools. The doctor referred to the high place the worthy son of a worthy sire, and spoke of the prominent part his father before him had taken in the teaching profession. He referred to the high place the winner had taken in athletics and was pleased to know that he had not "covered up" the lustre of philosophy by the dust of the arena.

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MANY AMENDMENTS TO COMPENSATION ACT

Maximum Sum in Case of Death of Employee Reduced to \$1,500

Scope of Bill Enlarged to Include Other Classes of Labor-- Opposition in Sorry Plight and Try to Ride Two Horses --Highway Act and Many Measures Agreed to After Busy Session.

Fredericton, N.B., May 28.—The house met at 8 o'clock. Hon. Mr. Hazen moved to rescind the order for the third reading of the bill to amend the workmen's compensation act and that the same be re-committed for further consideration.

Hon. Mr. Hazen moved that the speaker leave the chair and that the house go into committee for consideration of certain bills.

The house then went into committee and agreed to the following bills: the bill to incorporate the Alexandria Lodge of Free and Accepted Masons; the bill to incorporate the master and wardens of Hiram Lodge No. 6 Free and Accepted Masons; the bill relating to the town of Dalhousie, and the bill relating to the town of Marysville.

The house then went into committee for the purpose of reconsidering the bill to amend the workmen's compensation act.

Hon. Mr. Hazen said that since the bill was last under consideration the members of the legislature had had the opportunity of hearing delegations of employers and employees, who had each expressed their views very fully on the questions dealt with by the bill and the members had received, in consequence, a great deal of information. In the light of this further information it would be better that the bill should be read through again section by section.

Hatheway's Amendment.
Mr. Hatheway moved in amendment to the definition of the expression "Workmen," excluding persons engaged in granite working, or a person employed as a clerk in an office or store, or as a seaman or fisherman, and also to amend the section so as to make it provide that where the injury is caused to a workman by reason of his own willful act with intent to cause personal injury, or by his own neglect or carelessness or disobedience to the rules of his employer posted in a prominent position in the works, or where the injury is caused to such workman by reason of the malicious act or neglect of the fellow workmen.

Mr. Munro moved to add another clause to the section providing that where a workman is injured or killed through the negligence of a fellow workman under the influence of drink no compensation should be payable, unless the injured workman on becoming aware of the intoxicated condition of his fellow workman gives notice thereof to the foreman or other person in charge of the work.

Mr. Sprout said he thought there was a general consensus of opinion among the more enlightened section of the public that all possible safeguards should be thrown around the working classes in the performance of their daily labors. He held no special brief for the working man but it would be admitted by all that in those cases where compensation was becoming the law they must all keep in touch with the modern trend of public opinion. This was especially the case in regard to the proposed amendment. He did not believe that any intelligent working man would view that amendment with disfavor. It was in the public interest both of the employer and the employe that any measure along that line should meet with their approval. He congratulated the working man that in this the first session of the new legislature advanced legislation of the nature now under discussion was meeting with favor.

Mr. Lowell said that the representatives of the labor unions had clearly shown that the government had promised them the compensation act as first introduced into the house, but with the several amendments then proposed it looked as if the government intended to kill the bill.

Hon. Mr. Hazen said such a remark was most unparliamentary. Everything the labor unions wanted was provided for by the bill.

Mr. Lowell said the labor unions had had no opportunity to consider the proposed amendments.

Hon. Mr. Hazen said that as soon as the discussion on the amendments was concluded he would hold over the bill from its third reading as long as ever the hon. gentleman wished in reason, so that he might have all the opportunity he wanted to consider the matter.

Mr. McKewen said the bill was the result of an arrangement come to between the members of the labor unions and the government candidates for the city of St. John at the late election when certain

promises were made by those candidates and the government should hold to them. No Bargain Made.

Dr. McInerney said they had heard a good deal about that celebrated bargain, but as he had stated emphatically the other day, so far as he was aware no such bargain was ever made. But they, as candidates, did say before the longshoremen that they knew of no reason why they should vote against them as they, the candidates, would, if returned, see that a fair measure of compensation should be provided. The contention of the hon. members for St. John county was ridiculous in the extreme. How could they make a bargain when they did not occupy any authoritative position and did not even know if they ever would occupy one?

He was glad, however, to know that the longshoremen had provided them with a majority and that was why they were there to see that a fair measure of compensation was given.

Mr. Wilson said he wished to deny most emphatically the existence of any such bargain as had been mentioned. He was glad to say that the working men had given him their confidence in him as shown by the manner in which they had so often given him their votes that it was quite unnecessary for him to make any bargain with them whatever. They knew him sufficiently well to trust him with their interests.

Mr. McKewen said it might be the hon. gentleman said and he must take them at their word. But a few days ago the members of labor unions came to that house and said the bargain had been made and demanded that the promise be kept to support the bill before the house without amendments.

Mr. Hatheway said that when the bill was last before the house the hon. member who just sat down had characterized the section now under discussion as the very heart of the bill and he was surprised at the remarks which he had just heard and full discussion instead of the manner in which he had been told had been pledged himself to have given all the support possible to the bill.

Mr. Tweeddale said the bill did not provide for the great bulk of laboring men in the province. As a government measure it should. It was sectional and apparently only given in response to a pledge made to a certain labor union. On account of protests from manufacturers the government had gone into caucus and made amendments which destroyed the usefulness of the bill.

Hon. Mr. Fleming said this was one of the most important bills that could be brought before the house and deserved both a full and full discussion on both sides of the question at once. He was not surprised at this attitude on the part of the hon. member from the county of St. John, because he had been converted and reconverted to both sides of politics in a short career. This act with its amendments deserved support better than ever taken before for the protection of the workman and was designed to serve his interests without laying any unreasonable burden upon his employer. The amendments proposed were most reasonable and the hon. gentleman opposite seemed afraid, probably with a view to their future political welfare, to express any opinion upon it.

Mr. Copp said the main objection he had to the bill was that the whole matter originated in the city of St. John. The late government had gone a long way in this legislation, but he would not say that the government had gone a long way not to cripple the industries of the country though laboring men should be protected as far as possible, but not so far as to drive capital from the province. This bill was drastic and would have the effect of throwing cold water on schemes to employ labor in this province.

Mr. Wilson inquired of the last speaker if when he was referring to the bill originating in St. John, he did not know that a petition was sent from Moncton asking for it and said to be signed by some 700 men.

Mr. Robinson said there was a petition received from three men who stated they were representing the machinists of Moncton. They also stated they had had some correspondence with Mr. Hatheway and were communicating with him on that account. (Continued on page 8, seventh column.)

WILL ARBITRATE PUGSLEY'S CLAIM

Local Government Agrees to Most of ex-Premier's Proposal

A. B. CONNELL NAMED

Minister of Public Works Wires That He is Willing to Abide by Decision of a Leading Barrister--Some Items Will Not Be Considered.

Hon. Wm. Pugsley sent to The Telegraph from Ottawa yesterday by wire the following copy of a despatch to Hon. J. K. Fleming:

Ottawa, May 28, 1908.
Hon. J. K. Fleming, Provincial Secretary.

"Being desirous of getting my account against your government closed, I make the following proposition: Let a leading barrister be mutually agreed on as arbitrator, to decide what I should be paid, in respect to my services and disbursements, in Eastern Extension claim, St. John Lumber Company suit, Lovitt case, professional services re provincial fund of three hundred thousand pounds sterling, and argument at Ottawa against allowance of location of Atlantic Quebec & Western Railway; he also to consider and determine claims for ordinary traveling expenses last fiscal year, also expenses to Washington re forestry account, and other items contained in my account, and am willing you check for \$50 for this purpose. This, I think, you will agree with me, a fair proposition and should be accepted by you."

Hon. Mr. Fleming's Reply.
Fredericton, May 28.—(Special)—Hon. J. K. Fleming tonight sent the following reply to Hon. Mr. Pugsley:

"I have received your letter of the 27th inst. regarding my account against the government. I have already been paid a very large sum in connection therewith. Will you please send me a copy of your proposal for arbitration on all items in your account, and I will pay the expenses of an arbitrator and am willing you check for \$50 for this purpose. This, I think, you will agree with me, a fair proposition and should be accepted by you."

The bill of Feb. 22, to which Mr. Fleming refers is for \$3,750 and does not include any new charges in connection with the veteran Eastern Extension claim, which the government regards as having been "worked out."

It is understood that the government regards some of Mr. Pugsley's items as excessive, and some as wholly unjustifiable, as for instance, retaining fees. It is pointed out that the attorney general of the province cannot properly retain himself.

That Pugsley \$4,931 Overdraft.
(Fredericton dispatch, May 28.)
The afternoon at the meeting of the Public Accounts Committee Chairman Pinder received a letter written by Hon. William Pugsley, in which he demanded that the Receiver General Rabbit with which he had closed the checks to repay the province for the money he had taken, and which was allowed to appear in the form of an overdraft amounting to \$4,931.

The letter was dated "Feb. 27th," but the official stamp showing the date when it was received by the Receiver General shows that it did not come to hand until "March 27th."

Mr. Pugsley in the course of the letter asked the Receiver General to return his "other check."

Further inquiry will be made into the matter by the committee.

SERIOUS SHOOTING AFFRAY AT EDMUNDSTON

Swedish Employee of G. T. P. Riddled With Buckshot in Row at Indian Camp and May Die.

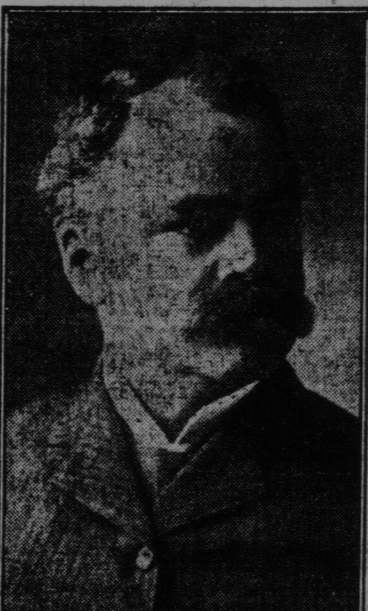
(Special to The Telegraph.)
Edmundston, N. B., May 28.—As the result of a shooting affray Wednesday night in the Indian camp about a mile from this town, one of the laborers on the G. T. P. is now in the hospital here and may die. The man is a Swede. It is supposed that he wandered into one of the camps and that he was shot in a quarrel with one of the Indians. His friends heard the noise of shooting about 11:30 p. m. and on going out to search found the Swede riddled with buck shot.

The wounded man was taken to the hospital here and Dr. Grey attended him. It was reported this evening that the man was in a serious condition and that while there was a chance of recovery, the probability was that he would die. There is considerable mystery about the affair, and so far no arrests have been made.

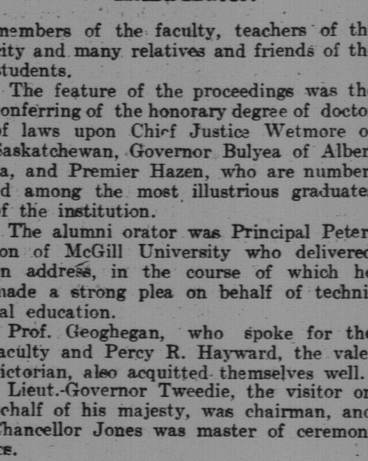
FELL OVER 100 FEET INTO NIAGARA FALLS GORGE AND LIVED

David Hutton of Toronto Had Both Legs and Right Arm Broken.

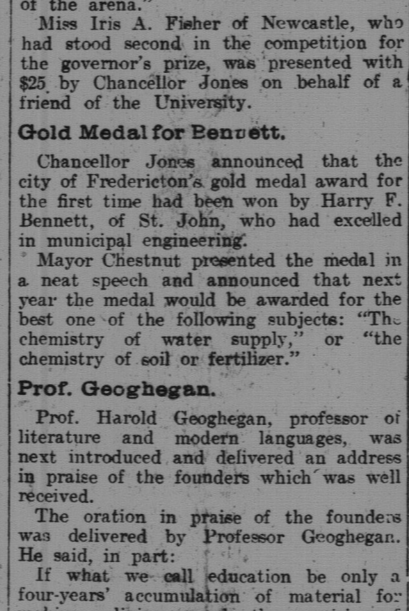
(Special to The Telegraph.)
Toronto, May 28.—David Hutton of Niagara street, Toronto, fell more than 100 feet into the yawning gorge in front of Frontier amusement park, Niagara Falls, Ontario, today. It was a miraculous escape from death and although lighting on the stones below, he got off with both legs and his right arm broken. There is little doubt that he will live. He was rescued by a rowboat.



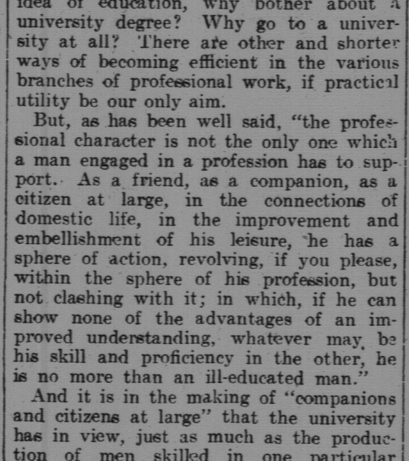
Premier Hazen, Who Received Degree of LL. D. from Elia Alma Mater.



Chancellor Jones.



Prof. Geoghegan.



Hon. Mr. Pugsley.



Chancellor Jones.

LAURIER HESITATES ABOUT DISSOLUTION

Ottawa Full of Election Rumors, But it is Believed the Government is Not Prepared to Face the People--Fight Will Be Resumed Today.

(Special to The Telegraph.)
Ottawa, May 28.—Although rumors of a speedy dissolution are in the air it is not thought, in the best informed circles, that Sir Wilfrid will take that cold plunge.

The deadlock here is acute and the string holding together the two parties is stretched to the snapping point. Tomorrow the house will again be moved into committee to supply, and the talk on the Sir Frederick

Borden matter, that of meddling with cold storage contracts and subsidies to his own advantages, will be continued by Mr. Fowler. Tomorrow the fight will be resumed. The attempt to get supply will be renounced by the government and the opposition will refuse, unless a definite statement is made by Sir Wilfrid as to what amendment he is prepared to make in the obnoxious clause of the

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Mr. Margeson, who graduated from Dalhousie in law this year, is a rising young man of splendid ability. He is easily one of the best and most fluent speakers in Nova Scotia.

WILL LIKELY OPPOSE SIR FREDERICK BORDEN

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SHAUGHNESSY ON MAIL BOAT AT NORTH SYDNEY

North Sydney, May 28.—(Special).—Steamer Virginian of the Allan line, arrived this afternoon from Liverpool with mails and passengers. Sir Thos. Shaughnessy, president of the C. P. R., was among the passengers on the Virginian.

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FIVE LIVES LOST IN PORT ARTHUR FLOOD

Civic Dam Burst Causing Great Loss of Property---Three C.P.R. Trainmen Drowned in Wreck---Two Bridges Swept Away and Trains Stalled.

(Special to The Telegraph.)
Port Arthur, Ont., May 28.—The civic dam on Current River burst yesterday, causing a disastrous flood, costing five lives and a money loss which will run to more than \$100,000 while it is possible other lives are also lost.

The five deaths were caused by a C. P. R. freight train, while pulling into Port Arthur, running into a submerged track. The engine turned over and Engineer Savage, Fireman McBride and Brakeman Inman, who were in the engine at the time, were pinned

under the wreck and drowned. Five cars were also buried over.

An effort is being made this morning to get out the bodies.

Conductor Rose, though severely injured, succeeded in stopping the express.

The C. P. R. will be the province's loser with miles of track washed away and two bridges.

The railway is using gasoline launches to carry passengers across.

Among the trains held up is the express with the steamship passengers for Quebec, who will miss their boat.