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SIXTEENTH YEAR THURSDAY MORNING MAY 16 1895. ONE CENT.

Senate Rdg Rm 22ap95

A CONSPIRACY TO KILL THE CROWN CHARGES

Willie Wells Was Not the Only Victim Selected.

HIS SISTER WAS ALSO TO BE SLAIN

The Reasons Why $200,000 Was Placed on Her Life.

The Attempt to Secure the Admission of Evidence as to This Subsequent Transaction Is Ruled Out by the Judge, Who, However, Grants a Reserved Case—The Crown Introduces Testimony Showing That the Time Wells Was Killed All the Effects of the Prisoners in Their House, Office and Warehouse Were Under Chattel Mortgage and Suggests That the Loans Were Repaid Out of the Insurance Money Advanced to Harry Hyams by Martha Wells.

The first week of the trial of the Hyams twins, which terminated last night, saw the case for the Crown pretty well under way. The line to be pursued by the defence was also partially made manifest.

By the decision of Mr. Justice Street not to allow of the introduction of evidence proving that the prisoners had, subsequent to the death of Wells, attempted to place $200,000 on the life of Martha Wells-Hyams, the sister of the dead boy with the object, the Crown claims, of murdering her also, the case for the Crown was considerably shortened and the trial will probably conclude a couple of days earlier. As the result the 12 witnesses who had been summoned on this branch of the case were relieved from further attendance at the court.

A remark by Mr. Osler, that had the evidence been admitted the Crown purposed proving a conspiracy to murder the wife, was taken to mean that in the event of the acquittal of the twins on the charge of which they are now being tried, the Crown may proceed against them on the charge of conspiracy to murder Martha Wells-Hyams.

Even should this not be decided upon, the prisoners will not be released in the event of acquittal until the reserved case granted is decided, although they might be released on heavy bail.

The Defence.

The defence will be that Willie Wells went down the cellar of the warehouse early on the morning of Jan. 16 to fill the coal scuttle, preparatory to attending to the fires; that he put the scuttle on the elevator, which failed to work properly; that he looked up the weight shaft to see what was the matter, and the weight fell and killed him.

It is for this reason that the defence lay so much stress on the evidence of Fox, the expressman, that the boy had on his hands at the time of his death an old pair of gloves, which he was in the habit of wearing while doing chores around the warehouse.

Dr. King, who was the first party in the warehouse after the killing, testified yesterday, however, that he did not see any gloves on the boy's hands. He also flatly contradicted Fox with reference to the spectacles alleged to have been worn by the dead boy. Fox swore that there was a pair of spectacles on the boy when he came into the warehouse, and that he took them off himself and handed them to Harry Hyams. Dr. King, who was there before Fox, swore positively that there were no spectacles, and had there been he must have seen them. The Crown claims that, if Fox is not mistaken, both the gloves and the spectacles had been put on by somebody after Dr. King had left the place.

Strong Testimony for the Crown.

The evidence of the Crown yesterday was in many respects the strongest yet presented against the twins. It was proven by the evidence of several moneylenders that prior to the tragedy the Hyams' had mortgaged their household furniture, their office furniture and the effects in their warehouse. It was also proven that these chattel mortgages were retired subsequent to the death of Wells and after Harry Hyams had been advanced part of the insurance money by the sister of the dead boy—that, in fact, one of the cheques issued by Martha was used to retire the chattel mortgage on the Hyams' furniture.

Mrs. Hyams Again Prostrated.

Mrs. Harry Hyams, the wife of one of the twins, was in the witness box for a short time in the forenoon; but when she came to that part of the cross-examination where she was requested to describe the particulars of the killing, as given to her by the two prisoners, she became greatly unnerved and gave every evidence of fainting. Her examination had to be postponed in the meantime and she was sent home in a cab.

The Second Insurance Deal Not Admitted.

The question of the admissibility of the evidence as to the attempt to insure the life of Mrs. Hyams came up when Mr. Osler put in the box O. Leger, the manager of the French department of the Sun Life Insurance Co. at Montreal. Mr. Leger had spoken of a visit paid to him by Harry Hyams, when Mr. Osler asked what was the object of the visit. Then Mr. Lount objected and requested that the jury retire while the admissibility of the testimony was being argued.

Mr. Osler stated that he did not see why the jury should be asked to go out when the question was one bearing on the facts in connection with the guilt of the accused, but the judge ruled against him, and the jurors retired.

Then Mr. Osler said he proposed to prove by this witness and others, that Harry P. Hyams made the representation to Leger that there was a lady in Toronto whose life he wished to insure for $100,000; that the lady was wealthy; that the wealth would die with her, and she desired to insure her life in his favor. Subsequently, it turned out that the woman was the wife of Harry Hyams. Mr. Osler proposed to show that these prisoners attempted to put something like $200,000 upon the life of this woman, and the Crown was prepared to show that at the time the carrying of these policies was entirely beyond their means. He submitted that this was evidence that ought to go before the jury, on the issue that was being tried, because it was evidence as to the intent with which the insurance upon the deceased's life had been placed, and it was evidence within the authorities. He contended that, wherever an equivalent act was surrounded with good or based on evil intentions, the court and jury should have light thereupon, and it was for the purpose of throwing light on the first transaction that evidence as to the second transaction was desired. If the Crown's contention is correct that it was with a criminal design that the insurance was placed on Wells' life the jury had a right to hear the evidence.

Justice Street's View.

His Lordship said that if the wife had been killed under suspicious circumstances, then the evidence would have been receivable, but he had looked over the cases that had been cited to him on Saturday and had found none that were analogous to this application.

Mr. Osler: Then if it applies on subsequent transactions, it is evidence on the antecedent. We say, if it was dishonest insurance, it means murder, and if I show an attempt to place $200,000 on the life of that woman, when the prisoners could not keep up that insurance, then it meant murder. That is, therefore, a most cogent reason why this testimony should be admitted.

Deputy Attorney-General Cartwright also argued for the admission of the testimony.

His Lordship stated that the fact that another insurance which was placed was dishonest does not prove that the insurance on the dead man was also dishonest. With regard to the cases cited by Mr. Osler, he held that if an incendiary was being tried for burning a barn, the fact that another barn owned by the same man was subsequently burned under suspicious circumstances might be used in evidence, as there could hardly be two or more accidents of a similar character occurring, but where the evidence does not show that any crime was committed there is nothing analogous to the cases cited. He had read the cases very carefully and could not find one under which this testimony could be admitted.

Conspiracy to Murder.

Mr. Osler said that what the Crown intended to prove was that there was a conspiracy to murder. The prisoners were charged with murder for insurance. The evidence which was now tendered would show a continuous course of crime and an intention to carry out crimes of this nature.

His Lordship: It is not an indictable offence to insure a person's life for a larger amount than you can carry.

Mr. Osler: No; but we propose to produce evidence of a conspiracy to murder the wife, evidence upon which the prisoners might be convicted if tried on that charge. Continuing, Mr. Osler said the matter was of extreme importance to the community. Murder for insurance was developing into a serious crime, and he thought that all evidence which was cogent should be admitted.

Upon His Lordship declining to allow the testimony to go in, Mr. Osler applied for a reserved case to the Divisional Court of Chancery.

His Lordship granted the reserved case.

The prisoners maintained the same anxious demeanor throughout the day, but they looked immeasurably relieved when the judge declined to allow evidence as to the attempt to insure the life of Mrs. Harry Hyams.

William Steen, secretary of L.O.L. No. 711, was called to prove that the annual supper at which Sullivan told Fox he was going to "open up" on the Hyamses was held on the evening of Friday, March 2, 1894.

Then the cross-examination of Mrs. Hyams was resumed. Witness was positive that nothing was said to her by Harry Hyams the Saturday prior to the tragedy about their marriage. It was some time prior to Christmas that Harry made the remark about being tired of coming day after day and urged her to get married right away. The death of her brother naturally put away any idea of immediate marriage.

To show that Harry Hyams was very attentive to Martha and to her relatives, Mr. Lount asked if it were not the fact that when her brother was ill Harry Hyams brought a nurse to Oshawa to wait upon him and paid her for her services

"No," said the witness. "I paid her myself."

Again touching upon the day of the tragedy, Mrs. Hyams swore that she knew the time her brother Willie left the house in the morning, because she had looked at his watch and it was 8.45.

"You don't know whether his watch was right or not, do you?"—A. "I presume it was."

"Don't presume, and don't make excuses for your answers," said Mr. Lount. "Merely answer my questions."

The hour at which Willie left the house is important, in view of the statement of the Leader-lane barber that he heard of the tragedy at 9.10. The Crown claims that sufficient time did not elapse between 8.45, when the boy left home, and 9.10 for the boy to have been killed either accidentally or otherwise.

Hyams' Story of the Tragedy

Mrs. Hyams stated that when her husband came to Aylesworth's house at noon on the day of the tragedy, he appeared very much distressed and almost in tears.

"Like a person who had suffered a great shock or great grief," suggested Mr. Lount. "Yes," said the witness.

While this portion of the examination was in progress the witness became very much moved. She burst into tears when repeating the language used by her husband in describing the affair, but was positive that he said this "I assure you, Mina, I was not there. I was at the barber shop when I came in with Expressman Fox. I found no one there and Fox and I went down stairs and found Willie. Fox and I lifted the weight off Willie's head."

Mrs. Hyams was sure that her husband said that Fox assisted in lifting the weight off Willie's head.

"Is not this what was said?" asked Mr. Lount: "That he went to the basement and found Willie there and lifted the weight off, and Expressman Fox came in after he lifted the weight off?"

"No," said the witness, "that is not what was said. "I told you, Mr. Lount, word for word what was said that day. That occasion so impressed the words upon my mind that I have not forgotten one of them."

Then witness related the explanation Dallas had given of the accident. He said he had gone into the office to write a letter, and hearing a terrible noise ran down cellar and found Willie. The scene sickened him and he fainted.

At this stage of the proceedings Mrs. Hyams was trembling so violently that her examination was dropped and she was allowed to retire to the judge's room.

Dallas' Arrival at the House.

Mrs. Pengally, who was employed as a domestic at the Hyams residence on January 16, 1893, testified that on the morning of that day the occupants of the house were Dallas and Harry Hyams and witness. Dallas' wife and mother were absent in the south and Dallas' 12-year-old daughter Clara was at school. The two brothers left the house hurriedly at 8 to 8.30. She had no particular recollection what time they left that morning. Dallas returned to the house during the forenoon. She could not fix the hour definitely, but she thought it was between 10 and 11. He was in a very nervous condition. Dallas did not go out that day, nor for several days thereafter. He gave witness instructions if any one came not to disturb him. There were several callers and she obeyed his instructions.

Dallas' Bloodstained Pants.

A few days after the tragedy Harry Hyams gave witness instructions to wash a pair of light drab pants. She noticed several spots of blood on one leg below the knee. The spots were about the size of a pin's head and there were a good many. She tried to get the blood out, but could not. They were then sent to the dye works to be dyed. Witness could not remember whether both legs were bespattered, but she knew that she had to put the whole of the trousers in the water. The blood spots were scattered.

To Mr. Lount witness said that during the time she lived with the twins they impressed her as very kind-hearted gentlemen. They were very fond of their home, and never went out at night. Mrs. Pengally noticed nothing peculiar about the twins the morning of the killing. They locked and acted as usual.

Witness knew it was after 10 o'clock when Dallas came back as she "had done her upstairs work and she couldn't do that before 10."

Witness said the bloodstains on the pants given her to wash numbered about a dozen and were on the front of the right leg of the trousers and about two or three inches from the bottom. There was no effort at concealing the trousers. After they were washed they had hung up in an open closet where detectives or any person else could have seen them until Mrs. Dallas Hyams returned from her visit to Florida, and noticing the spots on them sent them to the dye works.

John Wright, who knew the deceased intimately, saw the notice of his death in the papers and in consequence visited the Colborne-street warehouse the day after the funeral. Harry Hyams took witness down cellar and pointed out the place he alleged Wells was found. Wright swore that on the occasion of his visit there was no weight shaft in the cellar. The weight swung loose. There was no block to receive the weight, as he examined the concrete floor to see if any depression had been made in it by the weight in falling. There was a depression in the concrete of about half an inch and about the size of the end of the weight.

Wright examined the weight and succeeded in getting it off the hook, but not without some difficulty.

Then Mr. Osler had the witness demonstrate to the jury the manner in which he released the hook from the weight. He found it necessary to cant the hook over considerably in order to release it from the weight.

How He Thought It Occurred.

To Mr. Lount he said when he went into the basement the thought suggested itself to him that Wells must have been looking up the weight box when the weight came down and struck him. He found that he could take hold of the hoist rope with one hand and look up the weight box, and thought had the weight fallen it might have produced the wound he saw on the head of Wells. Pulling the weight rope he also thought would loosen the weight should it chance to be caught in the box in any manner.

"That was your opinion at the time. Do you still entertain that opinion?" asked Mr. Osler.

Mr. Lount was on his feet in a minute and objected to the question.

His Lordship held that as witness was testifying as a mechanical expert the question should be admitted. Then Mr. Osler repeated the question, "Are you still of the same opinion?"

"Well, no, I am not," said the witness emphatically.

The Brothers' Financial Condition

Then the Crown proceeded to show that immediately preceding the tragedy the prisoners were in straitened circumstances.

Samuel Grandidge testified that he had during 1892 advanced $1400 in two loans of $700 each to the prisoners, taking a chattel mortgage on their furniture as security; about the middle of December, a month before the tragedy, the prisoners wanted to increase the amount of the mortgage by $500, but Grandidge, who, by the way, was charging them 2 per cent. a month interest, declined to advance it. Two days later his mortgage was paid off by Dr. McPherson.

A further loan of $150, which Grandidge had advanced in July, 1892, was not paid until April, 1893, three months after the tragedy. Witness swore that he had attempted to collect the $150 twenty times, but could not get it "because the prisoners did not have the money."

"I could not tell one of the men from the other," said the witness, "and when I would call and say, "Are you the man I made the appointment with for this morning," the invariable reply would be, "No, that would be my brother."

Grandidge corroborated the testimony of Mrs. Harry Hyams with respect to seeing blood on her husband's shirt front. The day of the tragedy he called at the Colborne-street warehouse between 11 and 12 o'clock and saw Harry Hyams there. Prisoner was very much excited and Grandidge observed blood on his hands, on the collar of his coat and on his shirt front.

The Sullivan threat to "open up" on the prisoners was revived. Witness testified that the Hyams had a note for $400 or $500 against Sullivan and he was trying to secure it.

To Mr. Lount witness stated that after he had disposed of their note, one of the prisoners asked him if he had lost anything by it. Grandidge said that he had, that he was out $12.50. The prisoner then put his hand in his pocket, pulled out a $10 bill and gave it to him with the remark, "Will that square it?" This was brought out with a view of showing the accused had plenty of money and were generous with it. "But this was in April, 1893," said Mr. Osler. "Yes," answered the witness. Wells' death occurred the February before and part of the insurance money had been advanced to the prisoner.

Were Paying Five Per Cent. Per Month.

Richard Lane, broker, who said his usual rate of interest was about 5 per cent. per month, was next called. "Five per cent. per month is about 60 per cent. per annum, is it not?" said Mr. Osler. "Yes, that's what it is."

That wasn't Lane's invariable rate, as he couldn't always get that sum. Two and a half per cent. was the minimum rate. He thought 5 per cent. per month was the highest he had ever gone with the Hyams, although that wasn't his maximum rate, as he charged other people more than that sometimes.

Lane testified that he loaned the prisoners $1300 in September, November and December of 1892, taking as security chattel mortgages on their household furniture, their office effects and the goods in their warehouse. This money was repaid as follows: March 6, 1893, $100; April 1, $500; April 19, $745. The dates of these payments corresponded with the dates of the

Continued on Second Page.

CONFEDERATION DEADLOCK

NEWFOUNDLAND ASKS RECONSIDERATION OF CANADA'S TERMS.

If Hon. Mr. Bond Fails in His Mission the Ancient Colony Will Raise Its Tariff Fifteen Per Cent. and Will Reduce Its Expenditures by a Million.

St. John's, Nfld., May 15.—It is generally admitted that there is a deadlock in the confederation proceedings. The Government will to-morrow place the report of the delegates to Ottawa on the table of the Legislature.

If Mr. Robert Bond, the Colonial Secretary, who is now on a mission to Ottawa, is unable to arrange with the Dominion authorities for a re-consideration of the question the Government here will introduce a measure for a revision of the tariff, placing a special increase in taxation of 15 per cent. on the regular duties, so as to provide the $250,000 necessary to cover the interest on the loan required to complete the railway.

A retrenchment scheme will also be introduced, cutting the expenditures to below $1,000,000.

The Custom House was to-day besieged by importers clearing their goods so as to escape the increased duty which will be collected as soon as the Budget returns are tabled.

A stormy session of the Legislature is expected to-morrow. The deficit for last year is reported to have been $400,000.

Will Not Assume the Debt.

London, May 15.—The Times says: To accede to Newfoundland's request that Great Britain guarantee the savings banks deposits would be merely the indirect taking over of a large portion of the colonial debt. There is no probability that the Government will reverse their previous decision that an enquiry must be held before financial arrangements are entered into.

The Morning Post says that Great Britain would doubtless be willing to administer Newfoundland as a Crown colony if the latter would withdraw her opposition to the settlement of the French shore question that was effected by Lord Salisbury during his last administration.

Windsor's Tartan Craze.

Queen's Birthday will be a gala day for Windsor; every man, woman and child will don a Tartan tie. If you are going don't fail to secure some of our Tartan neckwear, Tartan Hopsack ties, 2 for 25c, Tartan Windsors 25c, Tartan bows and derbys 25c, Tartan braces in silk 60c, worth $1. These are of no use to the men of the gallant 48th, but all admirers of the crack regiment should procure a pair. Another shipment of Lloyd, Attree & Smith's high grade English collars, including the Imp. Royal, Imp. Comfort, New Roll, Madras, etc., Sword, 55 King-street east.

Ask for delicious "Salada" tea.

After This Cold Snap.

There will be a great demand for spring suits. Do not imagine that we are not going to have any summer. We will have plenty of it, and you will require a suit as soon as the weather changes; order it now; our selection is complete, and our prices right: $4 for pants, $18 for suits; that means ordered clothing in every sense of the word. Waterson, 126 Yonge.

A Gratifying Report.

The new business received during the year 1894 by the North American Life Assurance Company was over $3,000,000, being the largest in the history of the company. Notwithstanding the procurement of this large volume of new business, and the payment to policy-holders of death claims, matured endowments, profits, etc., of the large sum of $133,426, it increased its reserve and surplus funds for policyholders by $284,000.—Globe, Toronto, Feb. 2, 1895. 246

Errors in diet corrected by the use of Adams' Tutti Frutti. See that Tutti Frutti is on each five cent package.

Eggs 11c per dozen, Redpath granulated sugar 3 1-2c. Peas, corn, tomatoes 7c per tin, potatoes 70c per bag. John Miller & Co., 77-81 Queen-street west. 246

Monumental.

D. McIntosh & Sons, the leading sculptors, have best designs and most complete facilities for turning out best work in monuments, etc., in the Dominion. Showrooms, 524 Yonge-street; works, Yonge-street, Deer Park. 146

Dufrane, Photographer, Yonge-street Arcade. Finest cabinets, $1.50 per doz. For 30 days only. 236

Blight Bros.

One thousand-page special parchment copying tissue letter book at $1.25 is the cheapest and best on the market. 65 Yonge-street. 246

Billiards, Sutton's, all new tables. 130 King w

The patent pipe sifter, enclosed in each 10c package Tonka smoking, fills the bill. Try it.

Breakfast Specialties

Most people use coffee at breakfast, and those who are looking for a pure, fine flavored article at a medium price should try Michie & Co.'s plantation blend at 37c lb.

Warden Massie of the Central Prison, accompanied K. Tomeoka, a Japanese representative to the coming Prison Conference in France, to various city institutions yesterday. The first place visited was the Insane Asylum in Queen-street west. Mr. Tomeoka will spend some time in America before going to France.

LITERATURE AND SCIENCE.

A Splendid Issue is the Second Number of The University Quarterly.

The May number of The University Quarterly is replete with excellent articles, fully equaling if not surpassing in interest those that appeared in the first issue. It opens with a scholarly essay by Professor Baker, entitled "Mathematics a Means of Culture," in which are shown the advantages and pleasures gained by the pursuit of that science. Among other articles contained in this excellent number, and now for sale by John P. McKenna, Bookseller, 30 Yonge-street, may be mentioned, "The Women of the Homeric Poems," by F. B. R. Hellems, B.C., and "Hans Sachs," the cobbler-poet of Nuremberg, by W. H. Vander Smissen, M.A.

James Swift, Henry-street, was knocked down by an express wagon at College- and Beverley-streets, and sustained fracture of the collar bone.

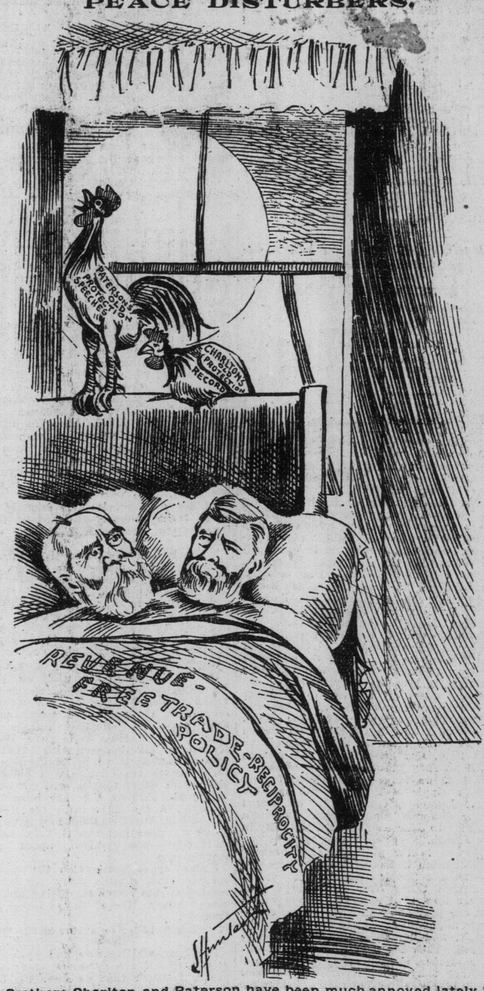
Ask your shoe dealer for Cerol Russet Dressing. Price 15 cents.

Turkish baths, day and night, 204 King-st

Beaver, "the gentleman's chew," can now be had in thin plugs. d

Ask for Dewar's Scotch whisky, as supplied to her Majesty, Queen Victoria. 246

PEACE DISTURBERS.



Brothers Charlton and Paterson have been much annoyed lately by the unwelcome appearance of chickens that will insist upon coming home to roost.

WELLMAN IS BARRED OUT

FAILS TO GET ELECTED TO THE BAR ASSOCIATION.

Although Desirous of Securing the Position the Forces Against Him Are So Strong That the Committee Fail to Submit His Name—Mr. Wellman Explains the Reason Why He Was Refused Admission.

Francis L. Wellman, advising counsel for the Hyams twins at the trial now in progress at the York Assize Court, is not a member of the New York Bar Association. Some weeks ago he applied for admission, and the New York papers, other than The Sun, were confident that he would be elected. The report of the committee on admissions which was presented on Tuesday night did not contain Mr. Wellman's name. The Association's stated meetings are held every three months. Bylaw No. 3 says: "Candidates against whom there shall be five negative votes in the committee on admissions will not be recommended for admission."

The meeting at which Mr. Wellman's admission was to be discussed was very largely attended; so great was the throng who attended that many of those present were unable to get chairs. The committee on admissions consists of twenty-one persons, and Mr. Wellman has long been desirous of becoming a member of the Association. The rule is that five negative votes shall prevent a candidate's name going before the general meeting; so that if any person had an antipathy to Mr. Wellman, and could control 4 votes in addition to his own, he could "queer" him in the nomination. Of course, at this distance the reason why Mr. Wellman's name did not appear could not be learned. In fact, it is doubtful if any of the New York papers could ascertain that, as the members of the committee are under various pains and penalties for divulging the modus of their action. According to The New York Herald, a member of the committee said that Mr. Wellman was not altogether objectionable on account of his political career, but rather for reasons of a "club" nature.

Mr. Wellman Explains.

When a World reporter saw Mr. Wellman last evening at the Queen's Hotel and questioned him in reference to the action of the New York Bar Association, or that of its committee, in having failed to recommend him as a member, he said: "The discussions of the Bar Association's Committee were secret, and while I have been told about them it was in confidence, and I do not feel justified in discussing them in public. The sub-committee who had my case in charge are the proper persons to whom to apply for information, and I hope that they will feel it possible to tell what they know."

Ask for delicious "Salada" tea.

Ten Days Off.

Queen's Birthday almost here, and if you have not ordered your suit do it now and let us make it. We will give you an up-to-date suit for $18, and have it ready for the holiday. Waterson, 126 Yonge-street.

Turkish baths, bed for all night bather

ASSESSMENT SYSTEM.

The large amount of insurance written daily by the Commercial Travelers' Mutual Benefit Society attests the confidence reposed by travelers and business men in the board of management. Head office, 51 Yonge-street, Toronto. 461

Arlington Hotel.

This elegant, comfortable hotel offers every inducement to those desiring permanent winter accommodations.

150 patterns of tea sets to select from at less than wholesale prices at James A. Skinner & Co.'s liquidation sale, 54 and 56 Wellington-street west.

DR. COOPER DROPS DEAD.

Sudden Call to a Former Toronto Episcopal Clergyman.

New Westminster, B.C., May 15.—Dr. Hugh M. Cooper, aged 86, a well-known physician, was found dead in his office this morning. He attended a reception given by the local Knights of Pythias last night to their Vancouver brethren and delivered the speech of welcome. He left the gathering at about midnight and went to his office, where he dropped dead, presumably while closing up. Heart disease was the cause of death.

Dr. Cooper was for many years Anglican clergyman in the diocese of Toronto, Ont. Some years ago he left the church and took up the practice of medicine, and has practiced here for the last thirteen years. He was a prominent member of the Orangemen's organization, and also of the Knights of Pythias and the Odd Fellows. He survived his wife only six weeks.

We Have Got a Lot More

of tobby Scotch suitings; going to sell them at $18; pay you to see them, they are elegant goods. Waterson, 126 Yonge-street.

Health and vigor maintained by using Adams' Tutti Frutti. Cure indigestion. Refuse imitations.

The "Empress."

"Empress" Hotel, corner Yonge and Gould-streets. R. Dissette, proprietor. Large, airy bedrooms, private parlors, excellent table, every convenience; electric cars pass every few minutes. Rates $1 and $1.50 per day. 246

DEATHS.

HOME—On Tuesday, May 14, 1895, at Toronto, Thomas Brown Home, in his 58th year.

Funeral from the residence of his son, Robert Home, 167 Huron-street. Private.

DEFRIES—At his late residence, 28 River-street, May 16, Thomas W. Defries.

Funeral on Saturday at 3 p.m. to St. James Cemetery.

Why Physicians Recommend Tokay

Physicians recommend California Tokay from the Santa Clara Valley Vineyards, because it is the most delicious red sweet pure wine ever sold in Canada. We sell it at $2.50 per gallon, $6 per dozen, 60 cents per bottle. Wm. Mara 79 Yonge-street.

Turkish baths, open all night, phone 1286

Cool, But Fine.

Lowest and highest temperatures yesterday: Edmonton, 36—60; Prince Albert, 28—58; Calgary, 26—64; Qu'Appelle, 36—62; Winnipeg, 38—62; Parry Sound, 28—50; Toronto, 38—54; Montreal, 42—52; Quebec, 42—52; Halifax, 42—50.

PROBS.—Moderate winds; continued cool; a little rain in southwestern Ontario; elsewhere fair.

Island Delivery.

Michie & Co. have made arrangements for prompt and efficient delivery of all orders for ale, wine, groceries, etc. ed

TO THINK OF HORNPIPE!

It Is the Unexpected That Frequently Happens on the Classic Turf.

Surprises must needs come, the same as offences. Hornpipe's victory was a surprise for all the professed knowing ones at Brooklyn yesterday. And there are surprises nearer home. All who purchase Dineen's Derbys or Fedoras for the first time are surprised alike at the price and quality. A shipment of these fashionable hats in all the new shades has this week been received from New York. They are light weights for general wear during the warm weather, and are especially prized by tourists. The price is within the reach of all—$2 and $2.50. Dineen's yearly consignment of straw hats in latest styles will be opened at the end of the week in readiness for the Woodbine races.

Fetherstonhaugh & Co., patent solicitor and experts, Bank Commerce Building, Toronto

A NEW PRINCIPAL FOR M'GILL UNIVERSITY

Professor Peterson of Dundee Accepts the Position.

THE BUDGET DEBATE DRAGS ON

Arms in Behring Sea Need Not Be Sealed.

Messrs. Cockburn, Wallace, Devlin and Edwards Take Part in the Day's Debate—Mr. Charlton Has the Floor To-Day—Ministerial Caucus—The Indian Annuities Appeal Not Finished—Toronto Street Railway Loses Its Appeal in the Bond Case—Montreal Still Hankers for a Quarter Million Grant to Its International Exhibition.

Ottawa, May 15.—Sir Donald Smith, Chancellor of McGill University, informed me to-day that Professor Peterson, Principal of University College, Dundee, Scotland, has accepted the position of principal of McGill University, Montreal, in succession to Sir J. W. Dawson, who resigned nearly two years ago. Prof. William Peterson, M.A., LL.D., was educated at Edinburgh, University and afterwards proceeded to Oxford, where he graduated in 1875. He became assistant to the professor of Latin, the late Prof. W. Y. Sellar in Edinburgh, and in 1883, when the college, founded by Miss Baxter in Dundee and long known as the Baxter College, was opened, he was chosen as the first principal. The name of this institution was subsequently changed to that of University College, and early in his career as principal, Mr. Peterson edited a school edition of Tacitus, the Roman historian. It was chiefly through the instrumentality of Mr. Peterson that the new college of which he was the head became affiliated to the ancient universities of St. Andrews. The university in recognition of the relation thus established created him a doctor of laws. Dr. Peterson has done much work as an examiner of schools in Scotland, and in 1892 he published his recent important work, viz., an edition of Quintillian. The notes and explanations accompanying the Latin text show much power of research in abstruse classical questions, and this edition, which was published by the Clarendon Press, Oxford, filled a vacancy, as no recent edition of uQintillian was available for students. Dundee College will feel the loss of Principal Peterson severely, for the recent decision of the House of Lords, that the incorporation of the college in 1890 with the University of St. Andrew's was illegal, rendered especially necessary his experience and organizing qualifications at this juncture.

Dr. Peterson in person is tall and dignified, reserved and somwhat youthful in appearance, and though he has published very little as a classical scholar, he has established a reputation for painstaking, exact scholarship, and much may be expected of him in the future.

A Ministerial Caucus.

The first ministerial caucus of the session was held this morning, Mr. Baker, M.P. for Missisquoi, presiding. There was a large attendance of senators and members and the greatest enthusiasm prevailed. Several congratulatory speeches were made and various subjects concerning the party welfare were discussed. The Premier promised that when the Government had decided on a policy in regard to Manitoba schools and the Hudson Bay Railway, they would lay the matter before a caucus previous to announcing it in Parliament. This was the most important announcement of the meeting.

No Sealed Arms in Behring Sea.

An important statement was made by Hon. Mr. Costigan at the opening of the House to-day in reply to a question of Col. Prior. It was that the Government had just received a despatch from the Secretary of State for the Colonies, announcing that Her Majesty's Government had decided not to renew the agreement with the United States as to the sealing up of arms and implements of sealing vessels on Behring Sea. The agreement of last year worked most disastrously to Canadian vessels, as it gave the United States an opportunity to interfere with them and break up the sealing voyages. The strenuous protest of the Dominion has led to the non-renewal of the agreement this year.

Hudson Bay Railway Subsidy.

Mr. Davies asked whether in view of the great public interest attaching to the proposal to commute the subsidies granted by Parliament to the Hudson Bay Railway, for a cash payment of two millions and a half, the Government was prepared, since it had a consultation, with its followers this morning, to announce its policy on the subject.

Mr. Foster: The Government is not prepared to lay the matter before the House at this moment.

Mr. Cockburn on the Absurd Reform Policy.

The debate on the Budget was resumed by Mr. Cockburn, who created a hearty laugh by his opening observation that the present attribute of the Liberal party reminded him of the poem, "Hope springs eternal in the human breast." He would remind the honorable gentlemen opposite that it would be best to be off with the old love before they were on with the new. (Hear, hear.)

Sir R. Cartwright: Do you speak from experience?

Mr. Cockburn: Before I have done with the hon gentlemen, I hope to have enlarged his experience. (Laughter.)

Continuing, Mr. Cockburn proceeded to sketch the trade policies of the Liberal party during the past five or six years. He dealt first with commercial union and showed that after it had been a pet of the Opposition for a couple of years it was then discarded for unrestricted reciprocity. He (Mr. Cockburn) had great hopes of that policy, as Sir Richard Cartwright had spoken of it in such glowing terms. When he (Mr. Cockburn) first became a member of the House he used to lie awake at nights thinking of the dire calamities that were about to overtake this country. This was after he had listened to one of the speeches of the member for South Oxford. Now, he knew him better. (Laughter.) The present policy of the Liberal party was the most absurd ever offered to the Canadian people. The Liberals were to sweep away every vestige of protection from this country and to substitute therefor free trade as it is in England. This was the wonderful babe of Sir Richard's old age. (Laughter.) The speaker proceeded to demonstrate how much better off the farmers were under protection than they would be under the Liberal policy. Sir Richard Cartwright had pictured the enormous burdens under which the people were suffering. He had claimed that the country was indebted to the extent of one thousand million dollars, and yet all that we are