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STILL CRIME TO SELL YOUR TICKET

Members of Railway Committee Fight Shy of Recording Their Votes on a Matter of Importance.

Ottawa, March 5.—(Special.)—The railway committee of the house has a membership of 187. Of this number, about 75 were in attendance, or within call, when the committee to-day discussed and voted upon W. F. Maclean's bill to repeal the present law making it criminal to sell a railway ticket or any unused portion thereof. Of the 75, only 42 answered to their name when the roll was called. The vote by which the bill was defeated was as follows:

Yeas—Christie, Finlay, Maclean (York), Sproule, Walsh (Huntingdon), Wilmot—6.

Nays—Barr, Bergeron, Bourbonnais, Brabazon, Broder, Caldwell, Chisholm (Huron), Cockshutt, Conmee, Derbyshire, Desjardins, Dugas, Emmerson, Ethier, Fortier, Gallihe, Gauvreau, Harty, Hunt, Lavergne (Drummondville and Art.), Lennox, McCool, Mackenzie, Marcil (Bagot), Martin (Wellington), Parent, Perley, Porter, Proulx, Rain, Roseau, Schell (Oxford), Smith (Nanaimo), Smith (Oxford), Tisdale, Tobin, Walsh (Montreal), Ward—36.

Indeed, the significant event of the day was the undignified scamper, resembling a panic, among the members of the committee when it became evident that Mr. Maclean would muster sufficient strength to compel a division. Among those recorded as present at the meeting but missing from the roll call are: Messrs. Armstrong, Boyce, Campbell, Cash, Clements, Gunn, Herron, Jackson (Elgin), Kemp, Kennedy, Lancto, Macdonald, Macdonell, Macpherson, McCraney, McIntyre (Perth), McIntyre (Strathcona), McLennan, Monk, Tolmie, Trugeon, White, Wright (Muskoka) and Wright (Renfrew).

Words and Deeds.

Mr. Armstrong (West Lambton) was about the only member of the committee who attempted to speak against the bill. Other members, like Bergeron, Caldwell, Conmee and Perley, delivered cogent reasons for passing the bill, but on the vote they joined the silent majority.

Mr. Perley said that the bill had his sympathy, but he must vote against it.

W. F. Maclean remarked somewhat grimly that the public usually got the sympathy, but the railway companies got the votes.

While a one-sided discussion, all favorable to the bill, was going on among a handful of members near the chairman, the onlooker could dimly see thin clouds of smoke from some twenty or more members of the committee, captained by the elder Lavergne, who, out of hearing, and almost out of sight, waited patiently for the slaughter. They did not leave when the roll was called, and they all of them voted in the negative.

Dan Derbyshire of Brockville interrupted Mr. Maclean's argument to ask how long he intended to talk, and moved that the committee adjourn. Apart from this, the promoter was given a courteous hearing by those who participated in the discussion.

A Passenger's Property.

Mr. Maclean pointed out that every citizen should be free to sell his own property, and pleaded for a standard ticket and the lowest possible mileage for all travelers, and without discrimination.

F. H. Chrysler, K.C.; C. E. E. Ussher, G.P.A., western lines, C.P.R.; Robert Kerr, passenger traffic manager, C.P.R.; W. E. Davis, G.P. & T.A., of the G.T.R., and William Wainwright of the G.T.R., represented the companies.

ENCOURAGING BEET SUGAR

Government Announces a Plan for Assisting Infant Industry.

Ottawa, March 5.—(Special.)—At the evening session of the house, in discussing the sugar schedule, Mr. Paterson claimed that the changes in the tariff would not increase the cost of sugar to the consumer. Hon. George E. Foster thought the consumer always paid the tax.

Mr. Paterson estimated that the increased revenue would be about $200,000. The government needed a surplus to develop the transportation facilities of the country. He stated that 95 per cent. of our sugar was refined in Canada.

In regard to beet sugar, the finance minister said a new departure had been determined upon. The great drawback to the industry in Canada was that as the factories converted the beet juice direct to granulated sugar they could be kept in operation for only about two months in the year, in which the beets were coming in. The government proposed to encourage an intermediate process by allowing the factories to import raw beet sugar for a period of three years, in the proportion of two pounds for every pound of refined sugar they produced from Canadian-grown beets. As the Ontario government had granted a bonus to the beet sugar factories, the Dominion government felt this was the least they could do to aid in the encouragement of the industry.

WABASH TRAIN WRECKED.

Locomotive, Tender and Two Horse Cars Ditched at Canfield.

Canfield Junction, March 5.—(Special.)—Wabash express No. 8 (Detroit to Buffalo) ran into an open switch here to-night. The engine, tender and two cars of horses were upset in the ditch. The fireman was injured.

The train from Toronto was on an adjoining track. Had the Wabash locomotive upset toward it, many passengers would have been injured.

GUILTY OF NEGLIGENCE.

Verdict of Courtmartial Into Accident to Dominion.

(Canadian Associated Press Cable).

London, March 5.—The court-martial into the accident to the battleship Dominion, near Quebec, last summer, to-day adjudged Capt. Kingsmill and Engineer Noake, the navigating officer, guilty of negligence. They were severely reprimanded. Lieut. Clarkson was acquitted.

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GROCERS WANT COSTS REFUNDED

Say Conspiracy Prosecutions Were Unwarranted—Also Ask for a Definition of "Unduly."

Nearly half a hundred wholesale grocers, from all parts of Canada, attended the annual meeting of the Dominion Wholesale Grocers' Guild in the board of trade yesterday.

Events of the past year of especial interest were discussed in private but made public in the following resolution:

"That the position of the Ontario and federal governments in connection with the prosecution of the Wholesale Grocery Trade of the Dominion of Canada, for alleged conspiracy and illegal combination, is a most unjust and unwarranted proceeding.

"Notwithstanding repeated suggestions for the appointment of a commission to intelligently, and without political bias, make a study of trade condition, no action has been taken by the government.

"Thru the attitude of the government in permitting crown attorneys to carry on wholesale prosecutions without evidence beyond the possible and doubtful difference of opinion as to the meaning of the word 'unduly,' the trade have been put to an expense of several thousand dollars in defending their right to existence.

"By reason of erroneous, ignorant, and deliberately false statements, manufacturers have been threatened with extinction and merchants with fine and imprisonment for fair and reasonable efforts they might make, in common, to protect their investments.

"That the Dominion government be again requested to deal with trade conditions in a manner that will fairly protect capital and encourage the commerce of the country on a sound, honest, financial basis.

"That the Dominion government define the meaning of the word 'unduly' (if it is their intention to leave same in the criminal code), without putting the trade to the expense of unreasonable court proceedings.

"That the Ontario and federal governments be requested to reimburse the Wholesale Grocers the costs they have, by reason of the unwarranted action with the consent of the crown, been called upon to incur."

The election of officers resulted:

President, H. C. Beckett of Hamilton.

Vice-Presidents, T. Kinnear (Ontario), E. Geoffrion (Quebec), E. Barbour (New Brunswick), R. N. Simmons (Nova Scotia), John J. Colville (Manitoba), F. C. Colpman (Alberta), H. G. Wilson (British Columbia).

Secretary, J. Stanley Cook, Montreal.

The retiring president, Albert Hebert of Montreal, presided yesterday.

SHOW CASE LOOTED

Two Men Out of Gang of Three Are Arrested for Theft.

With a policeman watching them, three men broke into a show case standing on the sidewalk in front of D. Young & Co.'s gent's furnishing store, No. 70 1-2 West Queen-street, at about 11.45 last night. The street was by no means deserted, but, according to the police, they deliberately took time to conceal their plunder beneath their overcoats and then started to walk leisurely west along Queen-street. When they had reached Elizabeth-street they were surprised to come face to face with P. C. Johnston of No. 2 division. One man jumped into the road. The other two were nabbed. One got away, but the third was arrested.

On the way to the station the officer was met by Patrol-Sergt. Crowe, who reached Richmond-street in time to identify one of the men (from description) in the custody of Policeman Macdonald, who had intercepted two suspicious looking charges who were running.

The men gave the names of Wm. Travess, 671 Shaw-street, and Charles Harding, 36 Sully-crescent. They also "peached" on their pal, who had gotten away, and he will be landed today.

SIGNALS TO WARN

Suggested by Coroner Crawford's Jury Enquiry.

The jury sitting on Coroner Crawford's inquest into the death of William Powell, who was killed by a shock Sunday, Feb. 24, returned the following verdict last night:

"That William Powell came to his death Feb. 24, 1907, at the Toronto Electric Light Co.'s power-house on Teraulay-street by coming in contact with a live switch in falling from a ladder—apparently purely accidental.

"We suggest that the company have movable signs of danger, that should be attached to any compartment when 'alive' and removed when it is 'dead.'"

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Epidemic of Grippe.

La grippe is becoming epidemic among us.

The greatest caution should be observed in what you drink.

Avoid waters bottled in crowded centres of humanity, where grippe germs abound.

Drink radnor water, bottled among the grand snow-clad peaks of the Laurentian Mountains, where no possibility exists of disease germs.

Healthful Nutriment is in every drop of honest, old-fashioned Port Hope Pale Ale.

Fub Hotel, cor. Yonge and Alice Sts. Remodeled under new management. First-class business men's lunch in connection. W. J Davidson, Prop. 246

JEROME STARTS FIGHT IN COURT

Prosecutor Flatly Defies Trial Judge in Thaw Case and is Forced to Quit Tactics After Heated Quarrel.

New York, March 5.—Justice Fitzgerald and District-Attorney Jerome had a lively tilt in the Thaw trial today at the climax of which the prosecutor refused point blank to cite to the court the authorities upon which he was predicating an argument.

The storm broke in the midst of an extremely dull morning session, when some of the spectators in the court room were actually nodding in their chairs. During the unusual scene between the judge and Jerome, however, there was a hush in the room which gave emphasis to each word uttered either from the bench or by the prosecuting attorney.

Jerome had directed the witness to tell all the defendant said to him in the tombs regarding epilepsy in the family.

Mr. Delmas objected on the ground that the question was too broad.

"This is a most unusual thing," said Jerome, "for a scientific witness to try to exclude fact. I am entitled to ask broad questions to test the credibility of this witness as an honest man."

Justice Refuses to Rule.

"I have ruled again and again on this question," said Justice Fitzgerald. "The testimony as to this defendant's statements in the Tombs was admitted on the ground that they were made at a time when he was insane. Up to now, we have not gone outside the field thus laid down."

Mr. Delmas was proceeding with his argument, saying that when the trial began, the defence offered to waive any privileges it might have as to protecting the truth or falsity of Evelyn Nesbit Thaw's story.

Jerome interrupted.

"This argument is on the question at issue," he said, "it does not call for a stump speech."

Mr. Delmas was taken aback for a moment. Then he said—

"These offensive remarks of the learned district attorney tend to lower the standard of the court and degrade this debate. He first indulged in his offensive remarks against the witness and now he directs them at counsel. They will not aid the court or jury in arriving at a verdict in this case."

Delmas Rebukes Jerome.

Justice Fitzgerald pounded several times with his gavel, but Mr. Delmas paid no heed until he had finished his remarks.

"What is the legal assumption before the court?" asked Justice Fitzgerald.

"The legal assumption," declared the district attorney, "is that this defendant is insane, in view of the evidence, and the ground for assuming that the insane condition as testified to has continued."

"Do you admit this defendant was insane?" asked Mr. Delmas.

"I admit nothing," said Jerome. "I say that, as the evidence stands, this man is shown to be insane."

"Was this jury empanelled for any other purpose than to try to determine whether or not this defendant was insane on the night of June 25 last?" asked Justice Fitzgerald.

"Your honor surely is not seeking information on that point," replied Jerome.

"I am seeking to know what the authorities are for proofs as to the present sanity of the defendant and the scope of this jury's duty," said Justice Fitzgerald.

Flatly Denies Court.

"I will not submit any such authorities," said Jerome.

"Are there any such authorities?"

"They are so elemental and so abundant that I am forced to assume that they are familiar to the court."

"Then you decline to furnish the court with the authorities requested?"

"I have such high respect for the courts of this jurisdiction that I will not submit authorities on a question of law so elemental."

"I would have you understand, Mr. District Attorney," said Justice Fitzgerald, with a rap of his gavel, "that it is the duty of the court to construe and declare the law, and if you have any authorities it is your duty to present them. I will assume, if you do not present them, that you do not know of any."

Justice Fitzgerald then sustained Mr. Delmas' objection to the district attorney going any further on cross-examination than counsel for the defence was allowed to go on direct examination.

BROKEN RAIL CAUSED WRECK

Jury Investigates Cause of Accident Near Guelph.

Guelph, March 5.—The jury empanelled to look into the circumstances surrounding the death of Charles E. Rankin in the G.T.R. wreck near Trainers' Cut on Tuesday met at the city hall here to-night.

The principal witnesses were Engineer Mountain and Inspector Lalonde of the Dominion railroad commission. Consulting Engineer Holgate and the railroad officials. The expert evidence showed the wreck was caused by a broken rail, but as to how and when the rail was broken, there was a difference of opinion.

An adjournment was taken for one week.

McILROY TO SUCCEED KIDD.

President of Carleton County Association Chosen For Seat.

Ottawa, March 5.—R. H. McIlroy, president of Carleton County Conservative Association, was chosen for the seat vacated by the death of G. N. Kidd, M.L.A., at the convention at Stittsville to-day. There will be no Liberal candidate.

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DOGBERRY AND THE WATCH

DOGBERRY (Sir W. Laurier): This is your charge. You shall comprehend all vagrom men. You are to bid any man stand in the Prince's name.

FIRST WATCHMAN (Aylesworth): How if a' will not stand?

DOGBERRY: Why, then, take no note of him but let him go; and presently call the rest of the watch together and thank God you are rid of a knave.

SECOND WATCHMAN (Emmerson): If we know him to be a thief shall we not lay hands on him?

DOGBERRY: Truly, by your office, you may—but I think they that touch pitch will be defiled; the most peaceable way for you, if you do take a thief, is to let him show himself what he is and steal out of your company.

"Much Ado About Nothing"—Act III, Scene 3.

REVOLUTIONARY, SAYS AYLESWORTH

AGHAST AT FEDERAL GOVERNMENT DOING MORE

TO DEMAND LAW ENFORCEMENT

W. F. Maclean (S. York) Introduces Motion, That if Further Legislation Be Necessary, to See That Federal Regulations Are Obeyed, Government Should Remedy Its Present Weakness—Folly of Present Position Explained.

MUST NOT SHIFT RESPONSIBILITY ON PROVINCIAL AUTHORITIES

Ottawa, March 5.—(Special.)—W. F. Maclean (South York) brought to the attention of the house this afternoon the anomaly presented by the present government in pressing for legislation and at the same time proclaiming that it has no power to enforce the acts of parliament.

Upon motion to go into committee of ways and means, he offered the following amendment:

"Resolved, that in the opinion of this house the government of the day is responsible for the due enforcement of all federal laws; and that if any further legislation is necessary to secure such due enforcement, and the punishment of violations thereof, it is the duty of the government to forthwith introduce such legislation."

The issues involved in this resolution, said Mr. Maclean, went to the very heart and life of our government. If parliament was unable to compel obedience to the laws it passed it had ceased to be a parliament.

Yet the prime minister, the minister of finance, and the minister of justice had severally stated that there was no power in this government to enforce the mandates of parliament. As to whether or no any federal law should be enforced was, to quote them, "a matter to be decided by the various provinces." No statute, therefore, could be enforced in any province unless it met with the approval of the attorney-general of that province.

Watchmen and Their Duty.

We had various departments under ministers of the crown. To them were committed the execution and enforcement of federal legislation. One minister was supposed to look after illicit distillers and compounders, and others who defrauded the revenues; another was charged with the administration of the Railway Act; a third had other laws and their administration confided to him.

These ministers might be compared to watchmen in the service of the

Continued on Page 7.

DOGBERRY AND THE WATCH

Being part of Wm. Shakespeare's comedy, "Much Ado About Nothing," the dialog of which would furnish fitting explanation for the attitude of the premier and the federal cabinet on the question of law enforcement.

CAST OF CHARACTERS.

Dogberry (a city officer)..... Sir Wilfrid Laurier
Verges (a city officer) ..Hon. Mr. Fielding
First Watchman .... Hon. Mr. Aylesworth
Second Watchman.... Hon. Mr. Emmerson

Dogb.—Are you good men and true?

Verg.—Yea, or else it were pity but they should suffer salvation, body and soul.

Dogb.—Nay, that were a punishment too good for them, if they should have any allegiance in them, being chosen for the prince's watch.

Verg.—Well, you shall give them their charge, neighbour Dogberry.

Dogb.—First, who think you, the most desartless man to be constable?

1 Watch.—Hugh Oatcake, sir, or George Seacoal; for they can write and read.

Dogb.—Come hither, neighbor Seacoal: God hath blessed you with a good name: to be a well-favored man is the gift of fortune; but to write and read comes by nature.

2 Watch.—Both which, master constable—

Dogb.—You have; I knew it would be your answer. Well, for your favor, sir, why, give God thanks, and make no boast of it; and for your writing and reading, let that appear when there is no need of such vanity. You are thought here to be the most senseless and fit man for the constable of the watch; therefore bear you the lantern. This is your charge: You shall comprehend all vagrom men; you are to bid any man stand, in the prince's name.

2 Watch.—How if a will not stand?

Dogb.—Why, then, take no note of him, but let him go; and presently call the rest of the watch together, and thank God you are rid of a knave.

Verg.—If he will not stand when he is bidden, he is none of the prince's subjects.

Dogb.—True, and they are to meddle with none but the prince's subjects: You shall also make no noise in the streets; for, for the watch to babble and talk, is most tolerable and not to be endured.

2 Watch.—We will rather sleep than talk; we know what belongs to a watch.

Dogb.—Why, you speak like an ancient and most quiet watchman; for I cannot see how sleeping should offend; only, have a care that your bills be not stolen: Well, you are to call at all the ale-houses and bid them that are drunk get them to bed.

2 Watch.—How if they will not?

Dogb.—Why, then, let them alone till they are sober; if they make you not then the better answer, you may say they are not the men you took them for.

2 Watch.—Well, sir.

Dogb.—If you meet a thief, you may suspect him, by virtue of your office, to be no true man; and, for such kind of men, the less you meddle or make with them, why, the more is for your honesty.

2 Watch.—If we know him to be a thief, shall we not lay hands on him?

Dogb.—Truly, by your office, you may; but I think they that touch pitch will be defiled; the most peaceable way for you, if you do take a thief, is to let him show himself what he is, and steal out of your company.

Verg.—You have been always called a merciful man, partner.

Dogb.—Truly, I would not hang a dog by my will; much more a man who hath any honesty in him.

Verg.—If you hear a child cry in the night, you must call to the nurse, and bid her still it.

2 Watch.—How if the nurse be asleep, and will not hear us?

Dogb.—Why, then depart in peace, and let the child wake her with crying; for the ewe that will not hear her lamb when it baes will never answer a calf when he bleats.

Verg.—'Tis very true.

Dogb.—This is the end of the charge. You, constable, are to present the prince's own person; if you meet the prince in the night, you may stay him.

Verg.—Nay, by'r lady, that, I think, a cannot.

Dogb.—Five shillings to one on't, with any man that knows the statutes, he may stay him: marry, not without the prince be willing; for, indeed, the watch ought to offend no man; and it is an offence to stay a man against his will.

Verg.—By'r lady, I think it be so.

Dogb.—Ha, ha, ha! Well, masters, good-night: an there be any matter of weight chances, call up me: keep your fellows' counsels and your own, and good-night. Come, neighbor.

2 Watch.—Well, masters, we hear our charge: let us go sit here upon the church bench till two, and then all to bed.

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WHIPS END RIOT OF 40,000 AT DOUMA

Revolutionaries Rouse Mob Spirit in Throng at Close of First Session, But Coolness of Police Averts Massacre.

LIKE PRELUDE OF RED SUNDAY

Demonstration Confined to Songs and Speeches Until Appearance of the Cossacks With Lances Cowed the Crowd.

St. Petersburg, March 5.—The opening to-day of the Douma, or lower house of the Russian parliament, altho in itself devoid of incident, was made the occasion of a great revolutionary demonstration by the St. Petersburg proletariat and the students of the city, which resulted in several encounters between the police and the populace and more or less injury to a number of the latter.

The situation was such that the authorities were forced to fill the streets with military patrols, as in the days of the Trepoff regime.

After adjournment, a tumultuous crowd of about 40,000 with red banners flying and chanting revolutionary songs started as did the followers of Father Gapon on Jan. 22, 1905, towards the central quarter of the city, where the winter palace of the emperor is located.

Few elements of the prelude of "Red Sunday" were lacking, and the command "fire" would have precipitated a similar massacre.

But the present prefect of St. Petersburg, Gen. Dracheffski, followed another course and dispersed the procession by charges of mounted gendarmes armed with whips, and, by an imposing display of force, he prevented the demonstrators from reforming.

Police Let Crowds Go.

During the day, the police guarding the Tauride palace acted with great forbearance, giving the spectators a free rein in singing and cheering, and only interfering to prevent the people from forcing their way into the palace.

When the deputies emerged after the adjournment of the session, the temper of the cowd was fired by several speeches from social revolutionary members, after which the vast concourse began to move along slowly down the broad Fourchstadtskaia-ave., stopping at intervals to listen to speeches and to sing.

In the meanwhile, the authorities had hastily concentrated a strong force of gendarmes, which charged the head of the procession when it reached the Liteiny Prospect, one of the main business avenues of the city. The gendarmes plied their whips vigorously, and, in one case, used the flats of their sabres.

The crowd attempted to reassemble in front of the detention prison, where hundreds of political prisoners are confined, and again in front of the general court building, where the political trials are held, but in each instance it was dispersed.

The gendarmes by this time had been reinforced by detachments of the crack Chevalier Guards, who galloped hither and thither clearing the roadway amid curses of derision from the sidewalks.

Mob Awed by Cossacks.

A large force of Cossacks, armed with lances, arrived in sight. The spiteful, red-pennoned weapons, which never before have been brought out in street demonstrations, took all the heart out of the crowd.

Another monster demonstration was held at the university to celebrate the "victory of revolutionary democracy." The quay along the Neva and the streets in the neighborhood of the university were densely packed, but there was no interference by troops or police, who arrived on the scene in strong force only after the demonstration had come to an end.

It was learned to-night that Premier Stolypin, in order to diminish his chances of possible assassination, would spend the night in the Tauride Palace, and it is understood he has taken a suite of rooms in a wing of the palace, which he will occupy as long as parliament is in session.

The douma was opened formally at noon in the presence of all the ministers and many other high functionaries. No member of the imperial household was present.

The first ceremony was a religious service, in which the Metropolitan Antonius, the higher clergy of the diocese and a full choir participated.

Members Sign the Oath.

M. Goluboff, vice-president of the Council of the Empire, then called the lower house to order and invited the members to sign the oath of allegiance to Emperor Nicholas. The Conservatives cheered the mention of the name of the emperor, but the opposition remained silent.

The Social Democrats did not enter the hall until M. Goluboff had finished speaking, when they came in a body, demonstratively.

Feodor Golovin, president of the Moscow zemstvo and Constitutional Democratic member of parliament, from Moscow Province, was elected president of the house.

The finance minister presented the budget estimates for 1907, accompanied by a memorandum in which the minister pointed out that the expenditure covered up to Jan. 1, 1907, amounted to $1,209,000,000.

He also showed that the revenue for 1906 exceeded the expenditure by more than $15,000,000, enabling him to cover the extraordinary expenditures as well as the deficit for 1905, and redeem the short term treasury bills issued in 1905.

The council of the empire, or upper house, was called to order in the afternoon by President Baron French.