TWELVE PAGES—WEDNESDAY MORNING DECEMBER 2 1908—TWELVE PAGES

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Railway Commission Has Too Wide Powers in Its Treatment of the Act as Con-

cerns Reduced Fares.

Ald. T. L. Church is not disheartened by the adverse decision of the board of Railway Commissioners in refusing to grant Brampton reduced railway rates. Speaking as chairman of the

special committee in council on sub-urban railway service, he said:

"The special committee were au-thorized to go first to the railway commission, and to also report the facts to Sir James P. Whitney and to the Hon. Geo. P. Graham, minister of railways. The railway commission are

against us evidently.
"I have discussed sections of the Railway Act under which we might proceed with the city solicitor, and Mr. Fullerton, K.C., corporation counsel, but in view of the Wegenast case I do not think under the present reading of the act we can succeed.

"The statute law will have to be widened to make it a statutory duty to give this service under certain proved, equitable conditions on application, to the commission, and making it man-datory on the commission and railways to see that such an order is car-

"I intend again calling our city and suburban committee together, and advising now going to the minister of railways and asking for amendments o the Railway Act, which I am preparing and which are to be found in different states' railway legislation. The act now is fairly clear, but the com-mission will not enforce the equity of the statute, for the act now gives the commission too much discretion. I am writing Hon. Geo. P. Graham for an appointment here when our committee may meet him; we will also get an appointment and carry an appeal to the Hon. Sir J. P. Whitney, premier of the prevince, who has supreme powers of commons, give an eloquent adswer questions properly.

Get Present intment and carry an appeal to the on. Sir J. P. Whitney, premier of the revince, who has supreme powers of the return on, and the legislature has granted on the condition of the government steamer Lady Minto, on the route between Pictou and Charlotte route route between Pictou and Charlotte route route between Pictou and Charlotte route route route route route between Pictou and Charlotte route ver the railways in matters of taxa-

the gross way Ontario is being discriminated against by the two roads the G.T.R. and C.P.R. Alberta and other provinces are doing so, and Ontario is being discriminated against in numerous other ways in violation of the Raijway Act."

States or Argentine.

States or Argentine.

States or Argentine.

States or Argentine.

The speaker was strongly in favor of a preferential tariff and after stating that he believed many of his hearers would see Canada with a population of twenty millions he said he hoped that before that time came Great Britain would see the importance of where he has been for nine years. He said he got a telegram from the deputy minister ordering him here. It was an order to appear at Hellfox to small the control of the Raijway Act." against in numerous other ways in violation of the Railway Act."

The following is a copy of the de-ision of the railway board: Wegenast v. G. T. Rv. Co. Heard Nov. 12th and 18th. Judg- Laurier's Choice ment, November 23rd, 1908.

The applicant alleges that he is a resident of the Town of Brampton, is a law student attending lectures at Osgoode Hall, Toronto, and dally, except Saturdays and Sundays return fare between which places is \$1.10. Brampton being 21.1 miles distant. That between Toronto and Oak-ville, 21.14 miles from the former city, the railway company issues commuta-tion tickets consisting of 55 coupons good for one trip each way at 13 cents per trip, and also a ticket consisting of ten coupons for \$3.25 or 32.5 cents The applicant claims that the railway company should be required to issue trip tickets good between Toronto and Brampton upon a similar

The application was supported by counsel for the Town and Board of Trade of Brampton, and by counsel

for the City of Toronto.

The case was based entirely upon RECORD SHIPMENTS OF the contention that the action of the railway company was an unjust diserimination against Brampton in favor

Section 341 of the Railway Act provides that nothing in the act shall be construed to prevent the company from issuing "mileage, excursion or com-mutation passenger tickets," so that the company is within its rights in charges to other persons in another district "for the same or similar services," the burden of showing that sent week, but the heavy storm may

such difference in treatment does not interfere. The big outward grain amount to an undue preference, or an movment leaves farmers in excellent unjust discrimination, shall lie on the position this winter. The Service to Oakville. Much evidence was given showing the train facilities between Toronto and the towns in question, and the Cold Wave Strikes Upper Lakes and history of the granting of these Ships Seek Shelter. history of the granting of these tickets between Toronto and Oakville.

and Brampton, but they were abanwho contended that it took trade from them to the Toronto merchants. The this morning and reports many shelterformer, it is said, went so far as to ing in Whitefish Bay. threaten the company that they would divert their traffic from the runk Railway Company if these reduced rates were continued.

At the same time similar reduced fares existed between Oakville and this afternoon. foronto, and no complaints were made by Oakville merchants against the practice. It would therefore seem that the withdrawal of these privileged that the withdrawal of these privileges from Brampton was not about by the railway company upon its own initiative, but was solely upon account of the situation above indicat-

It was said also that during the ex-Continued on Page 5.

## Light Charge Cut Almost in Two by **Municipal Plant**

ORILLIA, Dec. 1 .- (Special).—At a special meeting of the council to night the charges of electric light under municipal ownership were reduced.

For stores, from 28c to 18c per lump a month. For houses, from 20c to 18c

a month. This is for 24-hour power every day.

Last year there was a profit of \$10,000 after meeting all charges, which was applied to the reduction of taxes.

Even with the reduced cost of light to consumers this year, it is expected that there will be the same surplus, as 1000 new lights have been installed in the past three months.

Under private ownership the cost of lighting was about 35c per lamp.

Had it not been for unforseen difficulties in installing the plant at Ragged Rapids, Orillia would now be paying only 12c or 13c for light.

## No Reason Why Canada Should

Hon. Charles Marcil Says We
Get No More Protection From
It Than U. S.

to get small items such as nalls, etc.
The stores were wide open and all could go in and help themselves to nails and other things.
He handed in a list of seven names of those he had seen taking stores.
He had spoken of 50 such persons. After heirs on the stand a short time in

The city and outside committee will meet next Tuesday at 3 p.m. to consider what is next to be done.

Canadians were strong on loyalty, but Canadians were strong on loyalty were only right in demanding that Drollet or his bookkeeper?"
they be treated as equals.

"From the bookkeeper or

# Is Quebec East

between Brampton and Toronto, the Not Likely Conservatives Will Have Candidate in Ottawa By-election.

> OTTAWA, Dec. 1.—(Special).—It is learned that Sir Wilfrid Laurier will sit in Quebec East, thus involving a by-election in Ottawa.
>
> Those for the Liberal nomination

prominently mentioned are: Auguste Lemieux, Emmanuel Tasse and Dr. Chevrier. An Independent-Conserva-tive candidate may take the field, but it is improbable that the Conservative party will undertake to nominate a candidate officially.

WHEAT IN NOVEMBER Over Half a Million Bushels a Day From Winnipeg to Lakes.

WINNIPEG, Dec. 1.—(Special).—The extraordinary mild weather last month led to record grain shipments. The daily shipments from Winnipeg the company is within its rights in to Port William averaged 541 cars, or issuing these reduced fare tickets beeer Toronto and Oakville.

total shipments for the month approximating fifteen millions, which ranks whenever the company charges per-sons in one district lower tolls than it The Canadian Pacific is endeavoring

TWELVE BELOW ZERO.

kets between Toronto and Oakville.

appears that many years ago reced rates existed between Toronto and Brampton, but they were abandoned by the railway company upon the complaint of Brampton merchants, who contended that it took trade from lakes last night and boat movements

> Killed Felling Tree.
>
> BRESLAU, Dec. 1.—R. Giese was killed while felling a tree on his bush With his son Bruno he was chop-

HOT SPRINGS, Va., Dec. 1.-Judge Taft and Serator Bourne defeated their Canadian opponents at golf again today. Their opponents were R. L. Borden and G. H. Perley of the Canadian

Government Supplies at Halifax Stolen, According to Marine Enquiry Witness.

HALIFAX, Dec. 1.—(Special).—The third session of the marine enquiry opened this morning. The usual crowd of spectators and witnesses filled the court room long before the opening

hour.
W. S. Davidson of the Halifax Sal-tage Co. was on the stand most of the morning. He said the company had paid Captain Johnson, formerly of the steamer Lady Laurier, \$400 in connection with the floating and salv-ing of the steamer Mount Temple last spring. Payment to Johnson was in the nature of a gratuity. The govern-ment steamer Lady Laurier had ren-dered valuable services to the company in connection with the Mount remple job, but only such as would be expected from a government vessel under the circumstances, and the firm would have resisted any charge for such services even if made by the de-

partment. In answer to Judge Cassels, David-son admitted the Laurier had, when passing, run into Ironbound to see how the work on the Mount Temple was

progressing.

Open to Everybody.

on employ William Merlin, an employe of the dockyard, as general messenger, proved the most difficult witness yet examin-ed. His answers were so unsatisfactory at both sessions of the court that he was repeatedly warned by the judge. he was repeatedly warned by the judge.

It is generally believed that Merlin can give sensational evidence in connection with dockyard stores, which are alleged to have been taken away by employes and others. He said that "most everybody around the yard" had the privilege of going into the stores to get small items such as nails, etc.

The stores were wide open and alleged to the stores with the privilege of going into the stores to get small items such as nails, etc.

these railways states aid of a very substantial nature and has allowed Terestal nature. There was no reason why Canada should contribute toward the maintenance of the British navy since she got no more protection from it than did the United appoint a commission to investigate the gross way Ontario is being discontinuous to investigate the gross way Ontario is being discontinuous the said, grown to be the town, was examined. He admitted receiving "presents" from firms doing work for his ship at both places. Those presents ranged from \$20 to \$50, received at various times. He thought it not wrong to take these presents, as it was the practice, especially on British ships.

Canada and other colonies and would order to appear at Halifax to explain the members of the central committee

Bruce Stewart & Co. was doing the work for him now at Charlottetown. This firm had also paid him. The money came in 50, 30 or 20 dollars. The Pictou Foundry Co. Hanning and Ferguson, gave him \$20. It was given him by Mr. Hanning, who said nother than the said n him by Mr. Hanning, who said nothing. He simple slipped it in his pocket.
William Merlin handed in a list to

Irish parents. He was educated there

UPRISING CRUSHED SAN SALVADOR QUIET ciation, Plot to Overthrow Government Dis-covered and Frustrated.

SAN SALVADOR, Salvador, Dec. 1. of President Fuguerea was discovered and frustrated to-day. Martial law has But the Difficulty is to Find a Seat for Him. -A plot to overthrow the government

sent week, but the heavy storm may interfere. The big outward grain been proclaimed.

The revolutionary movement, which was started in the department of Son-sonato, was crushed immediately. Many persons well known in political circles opposed to the government were mplicated and have been imprisoned.

The public generally is satisfied with

Better Police Protection For John

MR. CHINK: You betee them Eulopean hoodluns bettel keep away fon my laundly now.

Former Globe Editor Succumbs to Heart Failure After

Banquet.

LONDON, Dec. 1.—(Special.)—John Cameron, postmaster of London, drop-ped dead at 8.45 to-night, in the ban-

d the alleged receipt of a commission of the Y. M. C. A., where the alleged receipt of a commission of \$30 from Mr. Drollet.

"Drollet or his bookkeeper?"

"From the bookkeeper on the ship," "How much did he pay you?"

"In 1907 he left an envelope with \$20 in my room on the ship, saying it was the custom of his firm to give something to the engineer. The previous fall I received a postoffice order from that firm for \$20."

"You were getting engineering work done?"

"Yes. Work that was necessary, and I signed certificates when the work was done."

"Did Mr. Schmidt tell you he got \$1700 from the same firm?"

"He did not, but the taking of such gratuities is universal in the engineering offices of all ships in the British service."

He is survived by his wife, one son, service."

Queting room of the Y. M. C. A., where the members of the central committee of the laymen's missionary movement the accomplishment of the laymen's missionary movement the discussion at various times during the evening and various times during the evening at various times during the evening and spoke in his úsual quiet way. After his last comment and suggestion he sat down, threw his head back, drew in one or two deep breaths and was dead.

Dr. Hass had dily wisited and placed followers, upon the grown that committee of the had taken part in the discussion at various times duri

gratuities is universal in the engineering offices of all ships in the British Ray, at home; three daughters, Mrs. S.

William Merlin handed in a list to the court of seven names of employes of the dockyard who had been helping themselves to stores. He had previously spoken of 50 such people. They took nails, hardware, brooms, brushes, buckets, iron, etc.

The court adjourned till 10 o'clock to-morrow.

WPRISING CRUSHED

Irish parents. He was educated there and in London, where he was apprenticed as a printer. In October, 1863, he started The London Advertiser, and in 1875 at Toronto, The Liberal. This was the organ of the Blake wing of the Reform party. After the death of Geo.

Brown, in 1882, he became editor and general manager of The Globe, a position he retained till 1890. He had been president of the Canadian Press Asso-

OTTAWA, Dec. 1.-(Special.)-The Free Press, Liberal, says to-day:
"The statement published both in and out of Ottawa that Hon William Templeman, minister of inland revenue, had tendered his resignation to government supporters elected on Oct.

### **Dentist Suicides** On Wife's Grave

Woman Had Taken Her Own Life on "Friday, the Thirteenth."

NEW YORK, Dec. 1.—Depressed by an apparently uncontrollable melan-cholla, which had haunted him since the suicide of his wife on an ill-omen-ed day, Friday, Nov. 13 last, Dr. Ran-dolph F. Hass, a Lexington-avenue dentist, to-day ended his life by swal-lowing relieved.

lowing poison. He was kneeling on the grave of his wife in Woodlawn Cemetery as he drank the fatal potion, and a watchman who some days ago had prevented his suicide with a revolver on the same spot, was unable to reach him in

and as Many in On-

tion he retained till 1890. He had been president of the Canadian Press Association, and was an officer of the Lord's Day Alliance.

He married Elizabeth, daughter of Capt. D. Miller, and belonged to the Presbyterian Church.

TEMPLEMAN TO STAY.

Laurier will be asked for in the legal proceedings which are in progress where the leader of the federal government as regards the Ottawa seat. Lt was semi-officially announced this evening that by the evening of the fifth of the present month, which is the last day papers of contestation can be presented by Conservatives, the constituencies of Argenteu I, Ctarley Champlain. St. Annes. St. An-very semi-officially announced this evening that by the evening of the leader of the federal government as regards the Ottawa seat. Lt was semi-officially announced this evening that by the evening of the leader of the federal government as regards the Ottawa seat. Lt was semi-officially announced this evening that by the evening of the leader of the federal government as regards the Ottawa seat. Lt was semi-officially announced this evening that by the evening of the leader of the federal government as regards the Ottawa seat. Lt was semi-officially announced this evening that by the evening of the fifth of the present month which is the leader of the federal government as regards the Ottawa seat. Lt was semi-officially announced this evening of the fifth of the present month which is the leader of the federal government as regards the Ottawa seat. Lt was semi-officially announced this evening of the fifth of the present month which is the leader of the federal government as regards the Ottawa seat. Lt was semi-officially announced this evening that the leader of the federal government as regards the Ottawa seat. Lt was semi-officially announced this evening that the leader of the federal government as regards the Ottawa seat. Lt was semi-officially announced this evening that the leader of the lea levolx, Champlain, St. Annes, St. Antoine, Sherbrooke, Jacques, Cartier, Soulanges, Quebec West, L'Islet and Terretonne will have been formally

circles opposed to the government were implicated and have been implicated with the government is successful downing the revolt and tranquility now prevails thrust the country.

FERGUS POSTOFFICE.

Liberah Hold Meeting to Decide on the Site.

\*\*FERGUS, Dec. 1—A, public meeting of to local Liberah Walls and to Decide on the Site.

\*\*FERGUS, Dec. 1—A, public meeting of to lead to might for the purpose of recommending to the government a site for the proposed in the final vote giving the Munro property a majority of six over the Watt property.

\*\*Dead Number 135.\*\*

\*\*PERGUS, Dec. 1—The death East of the Munro property a majority of six over the Watt property.

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Candidates Beaten in By-Elections, The Hon. Mr. Burchill

held in two constituencies owing to the rium it was found that one resignation of the members to con-

test the federal elections.

At Woodstock George W. Upham, Liberal, was elected over W. F. Owens,
Conservative, by a majority of 193.
The contest was bitterly fought, and the result is a decided blow to the Hazen government.
Hon. John Burchill was elected in Northumberland County over James Swim, Conservative candidate by a majority of 190, with two small places to hear from The situation in this tood within a yard of his victim, as the powder from the revolver scorched Wilkins face and the back of his coat was burned. Five shots were fired, the first taking effect over the eye and the second going wide, while the three following were evidently fired after Wilkins fell. He was too weak to permit of probing for the bullets.

A number of townsfolk were arous-

majority of 190, with two small places to hear from. The situation in this county was peculiar, Burchill receiving the hearty support of Hon. John Morrissey, chief commissioner in Premier Hazen's cabinet, while Swim was strongly supported by Hazen and the other members of the cabinet. Burchill, however, pledged himself to give the

LOCAL OPTION BYLAW MAY FALL THRU ERROR

to "reconsider and amend" the bylaw. the bark.

The point has been raised that council No further light has been thrown when it reassembles two weeks hence must go back into committee and dispose of the issue. It will then be too late to advertise the bylaw sufficient—

A special meeting is proposed, but it is doubtful if the local optionists can secure a quorum, the vote being

THE NEW STORE.

The Man of Yesterday stood at the city's busiest hub. His eyes expressed the wonder that possessed him.

"Who could have believed it—such changes—such changes?" he murmured, as beside him paused a Man of To-day.

"What is it, Old Man, you marvet at?"

Constable Wilkins Wounded in Simcoe Park, Where He Alleges, He Was Lured By Superior Officer.

SIMCOE, Ont., Dec. 1.-(Special.)-Charged with attempting to murder Night Constable William Wilkins, who is lying dangerously wounded in Lynwood Sanitarium; Chief Constable A. W. Malone was arrested early this morning, and is confined in the jail

here.

Wilkins' left eyeball was pierced by a bullet, while three other bullets were fired into his back. At 9 o'clock to-night Dr. Stanton and a specialist from Hamilton made a search for the bullets, without result. They could not locate the bullet which entered the eye anywhere near the brain, and it appears that it must have taken a downward course and is locat-ed somewhere near his cheek bone.

They were also unsuccessful in their search for the bullets in the back, Wilkins is resting as easy as can be ex-pected since the operations and fur-ther treatment will be decided on to-

morrow.

Chief Malone has engaged W.E. Kelly of the law firm of Kelly & Porter, to look affer his interests. He stoutly denies any knowledge of the shooting and is in a gloomy mood in his cell, declining to hold any conversation. His summary hearing will likely be postponed until further developments take place.

postponed until further developments take place.

Chief His Assailant.

Malone was arrested on the statement of the wounded man that the chief constable was his assailant. The motive is not clearly known, but it is thought that Malone may have been apprehensive that Wilkins would make disclosures regarding his conduct. When taken into custody Malone had two revolvers and a flask of whiskey in his possession.

in his possession.

The shooting occurred in a lonely spotin Lynnwood Park, about 12.45 a.m. Several young men who had spent a social evening were passing near the park at this hour and heard revolver shots. Running in the direction of the tions, The Han, Mr. Burchill

Will Give Independent

Support.

Support.

St. John, N.B., Dec. 1.—(Special).—

The Hazen government sustained two reverses to-day, when by-elections were held in two constituencies owing to the

left eye, and three were lodged in his back. The assailant must have stood within a yard of his victim, as

other members of the cabinet. Burchill, however, pledged himself to give the Hazen government his independent taken to the santarium, where he was not taken to the santarium, where he was not on the street by Constable McQuten and taken to the santarium, where he was placed under arrest. On a brace of loaded revolvers and a whisky flask being found, he was taken to the county jail.

It was learned later from Wilkins that Malone had made an appoint-Action of Temperance Men in Leaving ment to meet him in the park about 1 o'clock in the morning. BRANTFORD, Dec. f.—(Special).—
The local option bylaw, legal authorities claim, is tied up in technical difficulties and cannot be presented to the ratepayers.

When the temperance aldermen left the council chamber last night the council chamber last night the council was in committee of the whole to "reconsider and amend" the burk.

why he was arrested. Veteran of S. A. War.

Chief Malone was employed for some time as a police officer on the London. England, force, and served during the South African War. His home is in Strathroy, and he has been in Sim-coe only about a year. He is Irish by birth and has a wife and family of

four children. of Wilkins, who is an Englishman, with wife and family of small children. He