

## BUILDERS

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COMPANY, LIMITED  
Monday, Jan. 28.

## Dangerous, Says Premier To Amend Constitution For Benefit of P. E. I.

Desire of Island Province to Have  
Restored the Representation in  
Parliament Accorded at Con-  
ference in Met With Cold  
Legal Argument — Members  
Urge that it Would Do no Harm  
to Be Generous.

Ottawa, Jan. 28.—(Special.)—Section  
of the British North America Act,  
1871, provides that after the census  
of 1871 and after each subsequent  
decennial census, the representation  
of the four provinces (Ontario, Quebec,  
New Brunswick and Nova Scotia),  
shall be readjusted by parliament sub-  
ject to the following rules: (1) Quebec  
shall have the fixed number of sixty-  
six members; (2) Dividing the popu-  
lation of Quebec by sixty-five, gives  
the quotient by which the unit of rep-  
resentation is to be arrived at; (3)  
On any readjustment the number of  
members for any one province is to  
be reduced "unless the proportion  
which the number of population of  
the province bears to the number of  
the aggregate population of Canada is  
diminished by one-twentieth part or  
upwards" since the last preceding  
census.

Hence the animated debate upon  
the representation to be accorded the  
Maritime Provinces, which arose on a  
resolution by Mr. Hughes (Liberal, P.  
E. I.) proposing an amendment to the  
B.N.A. Act providing that the Mar-  
time Provinces of the Dominion, com-  
prising the Provinces of New Brun-  
swick, Nova Scotia and Prince Edward  
Island, shall not at any time have  
fewer representatives in the house of  
commons than the number that was  
assigned to each when it entered the  
confederation.

Mr. Hughes put forward the familiar  
argument. Prince Edward had de-  
manded six members and refused to  
enter confederation because that  
number was not conceded. A few  
years later the island province opened  
communications with the Dominion.  
They were weeks of negotiation, and  
this point was yielded. Subsequently  
the representation of Prince Edward  
Island was reduced from six to four  
members upon a basis which it pushed  
to its logical conclusion might and  
will in time reduce that province to  
one member or perhaps to none at all.

Messrs. Hughes and Martin of  
Prince Edward Island and Messrs.  
Stonham and Daniels of St. John, N.B.,  
contended that the B.N.A. Act as in-  
terpreted by the courts was working  
a great injustice.

The Legal Argument.  
The legal argument is this:  
1. The original B.N.A. Act con-  
templated Quebec as the unit of rep-  
resentation. But what is Quebec?  
Since confederation that province has  
increased in area by 115,000  
square miles.

2. The loss in representation of the  
Maritime Provinces is due to the  
proportionate loss of more than five  
per cent, as compared to Canada, but  
what is meant by Canada? The B.N.A.  
Act apparently dealt with the Cana-  
da of that day with the four original  
provinces. They complained that the  
courts have taken away the Cana-  
da of to-day which extends from  
ocean to ocean.

Mr. Aikensworth made a very cold-  
blooded speech. He had been the at-  
torney for Prince Edward Island and  
as far as that province was concerned,  
he rather favored her contention. But  
it appeared that Nova Scotia and  
New Brunswick wanted their rep-  
resentation restored. Why were they  
not content with the terms of the  
constitution on its head? He sub-  
mitted that it was better to follow  
the terms of the constitution and re-  
ly upon the decision of the supreme  
court and of the privy council.

E. M. MacDonald (Liberal, Nova  
Scotia) urged the claims of the Mar-  
time Provinces. British Columbia and  
Manitoba had come into confederation  
with an irreducible minimum. Brit-  
ish Columbia's census had less than  
six members in the house, nor can  
Manitoba have more than four.

A Moral Claim.  
The New Brunswick members, in-  
cluding Mr. Crockett (Conservative,  
New Brunswick), did not so strongly  
insist upon any legal right for Prince  
Edward Island as they did upon the  
moral claim and the historical rights  
of the provinces by the sea. Passing  
this resolution would restore to On-  
tario the members which she had lost  
after the census of 1901. Mr. Crockett  
termed "Canada" as used in the B.N.A.  
Act was not intended by the fathers  
of confederation to bear the meaning  
imported into it by the decision of  
the privy council. It was evident that  
the resolution would restore the priv-  
ilege of imperial legislation passed  
subsequent to the passage of the  
original act of 1871.

Dr. Faubert (Conservative, New  
Brunswick), pointed out the prosper-  
ous and autonomous conditions of the  
Maritime Provinces before confeder-  
ation. They had scrutinized the terms  
sincerely and endeavored to make a  
union which they had insisted upon  
was an irreducible minimum. It was  
nevertheless the fact that they had  
the house and senate. It was never  
have its representation reduced. True,  
they were not in the majority, but the  
majority adversely, but in view of the  
manifest intention of the B.N.A. Act  
there should be legislation to carry out  
that intention.

Should Be Generous.  
W. F. Maclean (South York) said  
that legal argument, but should be  
based on the strict letter of the law.  
We are not on a question like this,  
but on a humane standpoint, and,  
Continued on Page 5.

# The Toronto World

FOURTEEN PAGES—TUESDAY MORNING JANUARY 29 1907—FOURTEEN PAGES

ONE CENT

## HUNDREDS DIE IN COAL MINE

Explosion From Fire Damp in a  
German Colliery is Attended  
With a Terrible Loss  
of Life.

ALMOST DUPLICATED IN FRANCE

Over 800 Miners Escape, While  
3 Are Killed—Heartrending  
Scenes Witnessed at the  
Pit Entrances.

Saarbrücken, Jan. 28.—A fire-damp  
explosion occurred this morning in the  
Bilstock shaft of the Reden Mine at  
Saint Johann-on-Saar, opposite here.  
This afternoon the bodies of 77 min-  
ers had been found, 50 men dangerously  
injured had been rescued, of whom  
25 will die, and more than a hundred  
miners were missing. The number of  
dead is estimated at 200.

There were about 600 men working  
in the shaft when the explosion occurred,  
but half of them were not in the  
galleries which were wrecked.

The rescue work was proceeding des-  
perately to reach the entrapped men,  
when the party was driven out by an  
outbreak of fire. Forty men probably  
are still in the pit.

The scenes at the pit-mouth, where  
the families of the miners gathered,  
were most distressing.  
The disaster occurred 2300 feet under  
ground and is one and one-quarter miles  
from the shaft. It is the greatest  
mine catastrophe ever known in the  
Saar region.

At a late hour to-night it was still  
uncertain how many workmen still  
were in the mine, the report being that  
the entrance to the gallery  
underground is blocked with dead  
bodies.

Heart-rending scenes are witnessed  
among the thousands of persons,  
mostly members of the families of the  
miners, who are gathered about the  
mouth of the shaft. Most of the bodies  
brought to the surface are mangled be-  
yond recognition.

The mine inspectors this evening  
ordered the rescuers to return to their  
homes, but to hold themselves in readi-  
ness for further orders.  
Emperor William has ordered that a  
full report of the disaster be sent to  
him.

Experts calculate that the rescue  
work will take one week.

THREE DEAD IN THIS ONE.  
Fire Damp in French Mine—300  
Escaped.

Lez, France, Jan. 28.—An explosion  
occurred in a coal mine in the  
Courrières district, due to an explo-  
sion of fire-damp in one of the pits.  
It is believed that the only victims  
were the chief engineer and his two  
assistants.

A panic followed the explosion and  
most of the population of the town  
rushed to the mouths of the pits, pre-  
serving the work of the rescue until  
the gendarmes restored order.

Of the 312 miners who descended into  
the pits 312 had been rescued at 11  
p.m. and the rest were ascertained to  
be safe. A declaration to this effect  
has been posted. The report, however,  
continues to show excitement and  
when this poster was read there were  
cries of "They said the same thing at  
Courrières."

EVERYBODY READS THE WORLD.  
Everybody in the family reads The  
World. It is essentially a home paper,  
attracting every member of the family.  
Father reads The World at breakfast,  
for it has all the news, put in terse and  
telling form; and then its views are  
the views of a strong man beginning a  
bright day. Mother reads The World  
because she wants to know what Father  
thinks and help him. Brother Bill  
reads The World for its pages devoted  
to athletics are the best in Canada.  
Sister Mary reads The World because  
The World's Woman is edited by a  
real woman and what is really going  
on in the world of women is made not  
of. Then the youngsters read The  
World to see Sam Hunter's cartoon.

Oscar Hudson & Company, Chartered  
Accountants, 5 King West, M780

TEN BUILDINGS BURNED.  
Ithaca, N.Y., Jan. 28.—Fire in Ed-  
dystreet, in the East Hill section of the  
city, destroyed about one-third of the  
business part of the street to-night,  
causing damage estimated at \$90,000. A  
number of Cornell students lost all of  
their effects, and some of them narrow-  
ly escaped from burning buildings with  
their lives. Ten brick buildings were  
destroyed.

Smoke No 7 cool Smoking Tobacco.  
Sold.

Harper, Customs Broker: 5 Melinda

## PUBLIC OWNERSHIP LEAGUE.

I approve the formation of a public ownership league and  
am prepared to give the movement my earnest and personal  
support.

Name \_\_\_\_\_  
Address \_\_\_\_\_

## A WORD TO LEADER GRAHAM.



OLD MAN ONTARIO: "Remember, George, there are no birds in last year's nest."

## THROWING ON OTHERS' RUIN

Official Report of Investigators In-  
to Standard Oil Business  
Condemns the Methods  
Employed.

Washington, Jan. 28.—The Interstate  
commerce commission to-day sent to  
congress a report of the investigations  
made by it under the Tillman-Gillespie  
resolution, approved March 7 last, con-  
cerning the relation of common car-  
riers by rail to the production and dis-  
tribution of oil.

The report covers the distribution of  
petroleum and its products east of the  
Mississippi River, and, incidentally,  
the Kansas and Texas fields. The re-  
port points out generally the methods by  
which the Standard Oil Co. has built  
up and perpetuated its monopoly and  
the relations of transportation  
agencies to that monopoly.

It is asserted that "the ruin of its  
competitors has been a distinct part  
of the policy of the Standard Oil Co.  
In the past, systematically, and per-  
sistently pursued." Considerable of  
the grounds covered has been given  
into fully in the report on oil and its  
distribution, made public by the bu-  
reau of corporations.

"No instance," the report says, "is  
found where any railway company has  
been interested in oil lands or in pe-  
troleum production, and only one in-  
stance is shown where officials of a  
railway company were interested in  
the production and sale of oil. This  
refers to certain officials of the  
Baltimore and Ohio Southwestern Rail-  
road having owned stock of the Ar-  
gand Refining Co., which was on their  
reconstruction afterwards sold to  
the Standard Oil Co., and the lubri-  
cating contract which the road trans-  
ferred to the Galena Oil Co., a Stan-  
dard Oil Co. company."

The Standard Oil Co. largely mon-  
opolized the oil business.

COSTLY ELECTIONEERING.  
Dr. Borden Says It Took \$50,000 to  
Elect Emmerson.

Moncton, N. B., Jan. 28.—(Special.)—  
Lecturing yesterday before the Men's  
League, Rev. Dr. Borden, principal of  
Mount Allison Ladies' College, made  
the assertion that he believed for last  
election in this province it took \$100,000  
to elect a member of parliament, and  
that \$200,000 had been spent in  
Westmoreland County, where the  
minister of railways was elected over  
H. A. Powell, K.C.

The subject of Dr. Borden's lecture  
was "Dangers of Government by De-  
mocracy."

## THREE FIREMEN BENEATH RUINS

Fatal Conflagration at Buffalo—  
Building Collapses, Carrying  
20 Men With It—Others  
Rescued.

Buffalo, Jan. 28.—Buried under tons  
of ice-coated debris of the eight-story  
Seneca Building, at 101-109 Seneca-  
street, destroyed by fire to-day, three  
firemen are to-night probably dead, or  
so badly injured that they will die be-  
fore all can reach them.

About twenty firemen, including the  
three missing men, were on the roof of  
the Heywood Building, the first struc-  
ture to the east of the Seneca-street  
building, fighting against a spread of  
the flames when two thick brick walls  
of the Seneca building collapsed. Tons  
of debris from the crumbling walls  
crashed down upon the roof of the  
lower Heywood building, going thru the  
roof and carrying floor after floor into  
the basement. Not one of the twenty  
men escaped without some injury, and  
half of them were able to fight their  
way out and to give aid to their less  
fortunate comrades.

Gangs of men were at once put to  
work clearing away the wreckage and  
rescuing the imprisoned firemen. By  
noon all but three of their number had  
been released and hurried to hospitals.  
All of them were painfully injured, and  
were covered with a thick coating of  
ice. None of the injured will die.

As night fell electric light wires were  
strung into the ruins, and to-night by  
the light of arc lamps and reflectors  
the work of rescue was kept up without  
a moment's pause.

The heaviest losses are: The Jewett  
estate, owners of the Seneca building  
destroyed, \$70,000; the Seneca building  
(also known as the Columbia), \$125,000;  
Durt & Siedel, candy manufacturers,  
\$75,000; Heywood Bros. & Wakefield, fur-  
niture, \$75,000; Stroetman Shoe Company,  
\$10,000; Standard Mirror Company, \$10,  
000; The Phelps Company, candy manu-  
facturers, \$20,000; Blackhall Manu-  
facturing Company, printers, \$20,000;  
Hart Manufacturing Company, shirt-  
waists, \$15,000; C. B. Russell Company,  
printers, \$5,000; C. A. Heine Com-  
pany, bookbinders, \$10,000.

The remainder of the loss fell upon  
small firms in the Seneca and adjoining  
buildings, bringing the total up to \$500,  
000.

For Loose Leaf Supplies call M. 6874  
representative to call.

## JAIL OR WEDDING HIS ALTERNATIVE

Belleville Farmer Weds Brother's  
Widow Rather Than Go  
Down for Working  
Her Ruin.

Port Huron, Mich., Jan. 28.—(Special.)—  
Given the alternative of marrying the  
young widow of his brother, or of  
serving ninety days in the Detroit  
House of Correction, Fred Rushnell, a  
farmer residing near Belleville, Ont.,  
chose the former course this afternoon.

Sheriff Davidson was informed of the  
situation by the woman, who wished to  
know if a man could be forced to marry  
a girl whom he had ruined. She told  
the sheriff a pitiful story of a wrecked  
life, in which she implicated her bro-  
ther-in-law. Altho only 21 years old,  
the woman is the mother of a three-  
year-old child. Shortly after the death  
of her husband, she began going with  
her brother-in-law. The girl was afraid  
to return to her parents.

When Rushnell, who had been enticed  
to this city by the woman, was con-  
fronted with the situation, he broke  
down and wept like a child. When  
asked whether he would marry the girl  
or go to prison, he replied: "Yes, I'll  
marry her."

The couple were taken over to the  
parsonage of Rev. Abner Bowling,  
where the ceremony was performed.  
They returned to Belleville this after-  
noon.

BIRTHS.  
RUTHERFORD—At the residence of Mr.  
James Boyle, 372 Manning-avenue, on  
Sunday, Jan. 27, to Mr. and Mrs. F. J.  
Rutherford of Hamilton, a daughter. Both  
doing well.

DEATHS.  
DIMBLEBY—On Sunday evening, Jan. 27th,  
1907, Joseph, dearly beloved husband of  
Mary Dimbleby, in his 68th year.

Funeral from his late residence, 75 Uni-  
versity-avenue, Wednesday, 2 p.m., to  
Mount Pleasant Cemetery.

Funeral from the above address at 2  
o'clock p.m., Wednesday, to Mount Pleas-  
ant Cemetery.

OFFICE AND WAREHOUSES TO LET  
At 77 York St., Large office, containing nine  
rooms, first and basement, containing about  
twenty-two hundred feet. Good vault accommo-  
dation and shipping facilities, good light.  
For further particulars apply to E. J. SMITH  
& CO., 51 Victoria St. Phone M. 1290.

## THAW'S DEFENCE TO BE INSANITY

But of a Temporary Character—  
No Appeal to Jury on a  
Plea of "Unwritten  
Law."

WHITE NOT TO BE ATTACKED

Purely Legal Tactics Contemplated  
—Protest Against State Using  
Mrs. Evelyn Thaw as  
a Witness.

New York, Jan. 28.—The jury which  
is to try Harry K. Thaw for the kill-  
ing of Stanford White is rapidly near-  
ing completion. When court adjourned  
this evening there were nine men  
in the jury box, one having been  
added during the morning session and a  
second must before the hour of ad-  
journment, 5 o'clock. It is thought  
that the taking of testimony may be  
begun Wednesday afternoon.

Fifty talemen were examined to-  
day. So rapidly were the remaining  
members of the special panel disposed  
of at the morning session, that at the  
noon recess orders were hurried from  
the court that an additional 100 men  
be summoned to report before Justice  
Fitzgerald to-morrow morning. This  
will make a total of 200 men thus far  
summoned. Of the original panel there  
remains to-night but thirty-five. It  
was not considered this number would  
be sufficient for the selection of the  
three jurors necessary to make up the  
trial complement of the twelve.

Of the fifty men examined to-day,  
forty-three were excused upon doctors'  
certificates; upon the ground that they  
had formed opinions too strong to be  
shaken by the forthcoming testimony;  
because they knew Stanford White,  
or some important witness in the case,  
were for various other reasons. Five  
talemen were challenged peremptorily,  
the state leading in the exercise  
of this privilege with three chal-  
lenges. The defence exercised the  
right in two instances.

Thaw's counsel issued the following  
authoritative statement last night:  
"Harry K. Thaw will be freed on the  
strict application of the laws on the  
statute books of the State of New  
York. There will be no intervention of  
any 'unwritten or higher law,' as has  
been asserted. We do not need to go  
beyond the statute books to secure the  
jury that he should be acquitted."

Temporary Insanity.  
"It will be shown to the jury that at  
the time Stanford White was shot and  
killed in Madison-square Roof Garden,  
Thaw was laboring under a spell of  
temporary insanity, did not appreciate  
the difference between right and  
wrong, and is therefore irresponsible  
—18.

Continued on Page 5.  
BRITISH BOYS FOR CANADA.

London, Jan. 28.—(C.A.P.)—The Mail  
states the scheme for finding Cana-  
dian posts for specially selected British  
school boys awaits initiation by the  
Montreal association, which will  
shortly be done.

CONTINUED COLD.

Meteorological Office, Toronto, Jan. 28.—  
(8 p.m.)—Extreme cold continues in  
the western provinces, with no indica-  
tion of much change. From Ontario to the  
Maritime Provinces the weather is fine,  
with fairly low temperatures.

Minimum and maximum temperatures:  
Toronto, 40 below—38 below; Victoria, 32—  
38; Vancouver, 25—33; Calgary, 28 below—  
10 below; Edmonton, 32 below—12 below;  
Patterson, 30 below—20 below; Winnipeg,  
40 below—10 below; Port Arthur, 22 below—  
10 below; Parry Sound, 4—14; Toronto,  
12—22; Ottawa, 2—16; Montreal, zero—16;  
Quebec, 4—10; St. John, 2—20; Halifax,  
4—18.

Probabilities.  
Lower Lakes and Georgian Bay—  
Continued cold with light snow-  
falls.

Ottawa and Upper St. Lawrence—Fair  
and continued cold.

Western provinces—Continued very cold,  
with light snow in Southern Alberta and  
Saskatchewan.

THE BAROMETER.

Time.	Bar.	Ther.	Bar.	Wind.
8 a.m.	30.1	31.0		
10 a.m.	30.1	31.0	12 S. W.	
Noon.	30.1	31.0		
2 p.m.	30.1	30.0	14 W.	
4 p.m.	30.1	30.0	10 W.	
8 p.m.	30.1	30.0	10 W.	
Difference from average, 3 below; High- est, 25; lowest, 10.				

STEAMSHIP ARRIVALS.

36 | 8; public cordially welcome.