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# The Toronto World

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of Toronto, Limited.

TWENTY-SEVENTH YEAR

TWELVE PAGES—FRIDAY MORNING MAY 18 1906—TWELVE PAGES

ONE CENT

## STORM CAUSES EXPRESS IN DANGER PERIL

50 Yards of Track Ballast Swept  
Away and Only Engineer's  
Alertness and Quick Wit Pre-  
vents Bad Accident.

**SCARBORO TP. BADLY FLOODED**  
RAILSTONES OF MAMMOTH SIZE

Another terrific rain and hailstorm,  
which swept over Scarborough Township  
last evening, not only caused great  
damage to farms, but was almost  
the cause of a bad railway wreck,  
near Wexford.

Alertness and cool-headedness shown  
in the prompt action of the  
engineer of the C.P.R. express from  
Montreal, due at the Union Station  
at 7:30 p.m., alone averted an accident  
that would have jeopardized the  
safety of two hundred or more pas-  
sengers.

A washout at Wexford, which is on  
the main line, about ten miles east  
of Toronto, provided the danger, and  
a quick turn of the lever was the sole  
means of preventing its tragic con-  
sequences.

A heavy rain and hailstorm that  
sprang up about 6 o'clock flooded the  
fields in short order, and flowed into  
the cutting, thence to the roadbed,  
so violent was the deluge of water  
that the ballast was fairly swept  
away from under the tracks, for a  
stretch of about fifty yards, causing  
a complete washout of the most dan-  
gerous kind.

It was in such quick order that no  
advice of what had happened was re-  
ceived at Agincourt, the nearest sta-  
tion along the road, in time to ap-  
prise the onrushing train from Mont-  
real.

It was not until the train, running  
at 40 miles an hour, was close to the  
washout that the state of things was  
noted by the engineer, but by quick-  
ly reversing the lever the engine was  
slowed down, as it was the spot  
where the washout began, was almost  
reached.

Then followed a delay for two and  
one-half hours, while a gang of sec-  
tion men repaired the damage. After  
immigrant train was also held up for  
some time.

The Montreal train, due here at 7:30  
p.m., didn't arrive until 11 p.m., and  
the passengers, the belated, debar-  
ked congratulating themselves on  
having a lucky escape.

**Worst in Twenty Years.**  
Down along the lake shore in Scar-  
borough Township, east to Highland  
Creek, the hailstorm was reported as  
the worst in 20 years. Miniature  
streams became torrents, time being  
raging torrents, carrying away bridges,  
sluiceways and culverts, and on many  
of the side roads and concessions  
completely obstructing travel. The  
thunder was terrific, lasting for two  
hours.

The storm appeared to come from  
the northeast, and struck the south-  
ern portion of the Township of Scar-  
borough about 5 o'clock, lasting for two  
hours.

The mail from Dunbar to High-  
land Creek was unable to come thru  
owing to bridges being carried away.  
Low lying fields are covered with wa-  
ter. Further east the storm was less  
severe.

**Struck by Lightning.**  
North and west of the city little  
damage is thought to have been caused,  
the rainfall being only ordinarily  
heavy with little or no hail. At New-  
market the four mills of the Mesars.  
Bentley were struck by lightning, and  
an employe named Bell slightly stun-  
ned by the shock, but little or no  
damage was caused to the building.

At Agincourt the rain was heavy  
rather than that of Wednesday, but no  
serious damage is thought to have  
been caused.

**Big Hailstones.**  
At Markham the hail ranged in size  
to that of a walnut. The rain was  
very heavy for twenty minutes.

At Donlands, hail stones were meas-  
ured and recorded as being in some  
cases 6 inches in circumference, being  
2 inches in diameter. The authority is  
unimpeachable.

**East Toronto Suffers.**  
At East Toronto a storm about noon  
yesterday even, excelled in violence  
and duration that of Wednesday, while  
the electrical display was especially  
wild. At McMillan and Conlan's  
planning mill on Main-street, south  
of the G.T.R. tracks, the current en-  
tered the office over the telephone  
line at two minutes before 12 o'clock  
just as the employes were preparing  
to close down the works. It tore the  
telephone from the wall and parts of  
it struck the bookkeeper, Miss Fitz-  
gerald, on the head, knocking her  
from her chair and giving her a severe  
shock. The bolt went thru to the  
cellar, after which it apparently made  
a circuit of the building, emerging  
from the side of the factory near the  
top, leaving a hole about two feet  
square in the wall. It set fire to the  
woodwork, but the blaze was extin-  
guished by employes. Constable Tid-  
berry rang in an alarm, and the fire  
brigade responded, but their services  
were not required. Dr. Britton was  
called to attend Miss Fitzgerald.

At many places throughout the town  
the glass in the windows was smash-  
ed, while the heavy fall of hail will  
cause much damage to growing grain  
and to fruit trees.

By actual measurement some pieces  
of hail measured, it is said, 2 1/2 by  
1 1/2 inches in circumference. The  
heavy rainfall continued for about two  
hours, flooding all the low lying  
land.

**Other Incidents.**  
At Todmorden several windows in  
dwellings and greenhouse sashes glass  
were broken by the hailstones during  
the thunderstorm on Wednesday af-  
ternoon. Many of the stones were as  
large as walnuts.

At 8:07 a motor boat that seats 16,  
safe and speedy, Nicholls Bros., Lim-  
ited, foot York Street Bridge.

Continued on Page 4.

## GOOD POLICY, SAYS OLIVER, TO ENCOURAGE SPECULATORS

Spirited Discussion on the Wis-  
dom of Making Year's Timber  
Leases Good for Ever.

Ottawa, May 17.—(Special.)—Hon. Mr.  
Broudeur to-day gave notice of this res-  
olution:

"That it is expedient to authorize the  
governor-in-council to advance a sum  
not exceeding \$150,000 to the Quebec  
harbor commissioners to complete the  
new deep water frontage of the Louise  
embankment."

Sir Wilfrid Laurier gave notice that  
he would move to-morrow for a commit-  
tee to investigate the charges respect-  
ing the purchase of supplies for the  
steamers Montreal and Arctic.

Mr. Bristol (Centre Toronto) address-  
ed the house in opposition to the sen-  
ate bill to amend the Supreme and Ex-  
chequer Courts Act. He claimed that  
the proposed act was ultra vires. The  
B.N.A. Act only permitted parliament  
to establish the supreme court as a  
"general court of appeal for all Canada."

The pending bill and the sections of  
the Supreme Court Act amended by it  
confer political powers on the court.  
They authorize the court to decide ab-  
stract or hypothetical questions. At  
first, these powers, so far as they affect  
provincial questions, were limited,  
and could not be exercised without the  
consent of the province.

The pending legislation, said Mr. Bris-  
tol, sought to widen and enlarge these  
political powers and make them bind-  
ing, at the instance of the Dominion  
government upon the provinces, with-  
out their consent. He contended that  
opinions of the supreme court, except  
in deciding cases that come to it on  
appeal, have no binding force. Such  
opinions may be persuasive, but no one  
was obliged to regard them.

The supreme court itself, in the Lord's  
Day case, declared that it would not  
exercise its power to decide more hy-  
pothetical cases. This bill sought to over-  
ride this ruling and compel the court to  
answer such questions.

Such procedure had been obsolete for  
centuries in England, and regarded as  
a great hardship when it did exist. In  
Australia, and in the United States,  
the courts will not decide legal ques-  
tions except incidentally in rendering  
judgment in concrete and contested  
cases.

The imperial privy council have de-  
clared that they will entertain any  
appeal from the supreme court of Can-  
ada, where only abstract questions are  
decided.

**Gives Wider Powers.**  
Mr. Fitzpatrick insisted that the  
pending bill introduced no new prin-  
ciple in Canada. The legislation had  
been on the statute book since 1878.  
Hereafter, however, the supreme judges  
would advise the governor-general on  
constitutional points, not as a matter  
of condescension, but as a matter of  
duty. The pending bill sought to make  
the supreme court a court of original  
jurisdiction as well as a court of appeal.

Dr. Sprague contended that if  
the privy council would not entertain  
appeals from the supreme court on  
hypothetical cases.

Hon. Mr. Laurier replied that any  
citizen could bring a concrete case.  
W. F. Maclean asked if the powers of  
the court are widened by this act, or  
merely defined more precisely. He  
admitted that the powers were widened.  
Replying to another question by Mr.  
Maclean, he also admitted that there  
would be virtual appeals from the  
supreme court on hypothetical cases,  
if the privy council adhered to its rul-  
ing in recent cases.

**Recent Reserves.**  
Mr. Oliver's forest reserve bill oc-  
cupied the house for the rest of the af-  
ternoon. The present conservative mem-  
bers of the government, he contended,  
had done some unpardonable things to  
the government.

While not opposing the principle of  
the bill, Mr. Oliver expressed his in-  
formation and procured some important  
admissions from the minister of the in-  
terior. In this proposed reserve area  
square miles of timber lands, but these  
lands are so framed, under the recent  
regulations, as to be, in effect, per-  
petual.

There is no limit placed to the hold-  
ings of any one company, no cutting  
or saw-milling is required, there are no  
conditions except an annual rental of  
\$5 per mile and timber dues of 50 cents  
a thousand.

In reply to remonstrances against al-  
lowing the western lands and timber to  
be held for speculation, Hon. Mr. Oliver  
said that the government should en-  
courage private enterprise.

**Echo Answers, Where?**  
W. F. Maclean (South York) replied  
that the present government, like the  
provincial one, was expending its fortune  
in riotous living. Where were the vast  
domains bequeathed by the Conserva-  
tive government? Huge blocks were  
owned by a few great corporations.

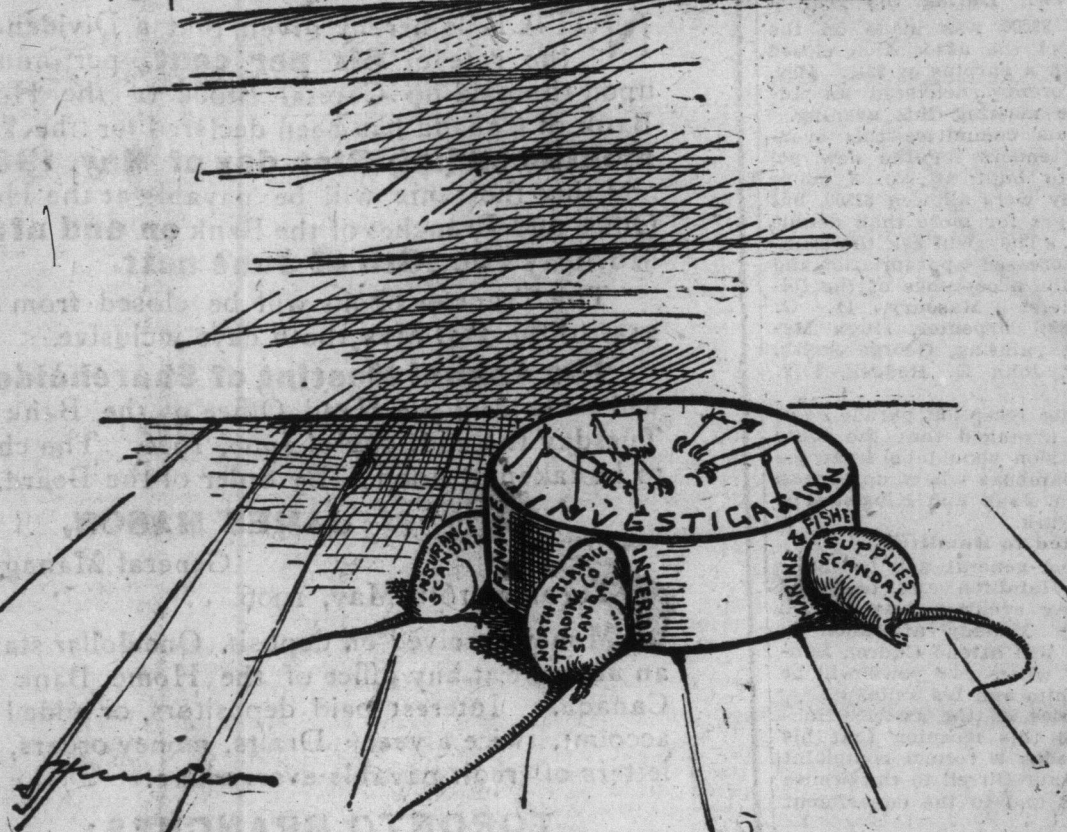
He insisted that not only should this  
policy no longer continue, but that the  
country should take steps to recover  
these vast tracts of land locked up from  
settlement by the railways and the  
Hudson Bay Company. These corpora-  
tions were waiting for the measured in-  
crement from the labor of the people.  
This domain should be thrown open to  
the settler.

Mr. Oiler (West Toronto) pointed out  
that under the Conservative govern-  
ment the timber licenses were so condi-  
tioned that they were small in extent  
and revocable at the will of the min-  
ister. The present regulations encour-  
age large holdings. They do not com-  
pulsorily require the licensee to cut  
timber, but they permit speculators  
to hold the forests until the in-  
crease of population make the timber  
enormously valuable. The licensee has  
to pay 50 cents a thousand for timber,  
while the Ontario government gets \$7.25  
Leases for timber are made by this  
government, so that the lessees have a  
perpetual right in the land. Out of the  
5000 square miles in this reserve only a  
portion is wooded, and of this wooded  
portion 500 square miles are held under  
these timber leases.

**Easy Money.**  
All the lessees are required to do is  
to sit still and grow rich. The govern-  
ment can never exact more than 50  
cents a thousand. Meanwhile the gov-

Continued on Page 4.

## GREAT EXPECTATIONS



MR. BORDEN: The House is over-run with 'em—but there's three I'm pretty sure of.

## No Hurry, Much Danger In Re-Forming of Senate

**Sir Richard Cartwright Sees  
Constitutional Obstacles and  
Points Out Where Loss Might  
Be Felt—A View of the Parties.**

Ottawa, May 17.—(Special.)—In the  
senate this afternoon, Sir Richard  
Cartwright continued the debate on  
senate reform, which was begun yester-  
day by Senator David. He thought  
it well to meet this agitation while  
opinion was still in a fluid state and  
before it had hardened into final shape  
against the upper house of parlia-  
ment.

The charges against the senate var-  
ied, he said, but the chief complaints  
were that the senate was an expensive  
and not altogether necessary body.

A careful examination, Sir Richard  
thought, might show that there were  
other parts of the constitutional ma-  
chinery that stood as much in need  
of oiling and repairing as did the  
senate.

As one of the younger members of  
the senate, Sir Richard apologized for  
taking part in the debate so early a  
stage. His excuse was, if his Irish  
friends would permit him to say so,  
that he had known the senate before  
it had been born. He was prepared  
to affirm that whatever the senate's  
capacity for good was, there was no  
doubt as to its capacity for mischief.

Having had experience in a govern-  
ment with a hostile senate majority  
against him, he could testify as to  
this.

The question of senate reform was  
largely academic. That was the way  
in which he proposed to discuss it.  
He wanted it understood that he was  
speaking, not for the government, but  
for himself, and he reserved the right  
to change or to modify the opinions  
that he was about to utter.

**No Hurry.**  
It was a question that should be  
discussed frankly. One thing cer-  
tain was that whatever might be the  
eventual fate of the senate there was  
no hurry about bringing it about.  
There were many parties to be con-  
sulted before the senate could be re-  
formed. The senate had been author-  
ized by the British North America Act,  
which was the written constitution  
of Canada. The United States had  
shown that written constitutions are  
not to be changed hastily.

As the prime minister has said, the  
senate was the protection of the small  
or provinces against the majorities of  
the larger provinces in the house.  
The consent of the smaller provinces  
would have to be obtained to any  
change in the constitution of the sen-  
ate before the British parliament  
would grant an amendment to the  
act of union.

If Sir Richard read the signs of  
the times aright, the preponderance  
of opinion was that it would be dan-  
gerous to leave legislation to a single  
chamber. He was inclined to agree  
with this opinion. A single chamber  
was more likely than was a double  
pass hasty and extreme legislation.  
Under the system of government in  
Canada, it was easy for the support-

## BAPTISTS AND DISCIPLES.

**Merger of Two Bodies is Likely to  
Be Accomplished.**

The committee of the Baptist conven-  
tion of Ontario and Quebec and the Dis-  
ciples' convention committee met yester-  
day for the purpose of considering the  
possibilities of a basis of union of the  
two bodies. Both believe in immer-  
sion.

After much discussion it was found  
that they held a great many views in  
common, and both committees saw  
splendid reasons for reporting favor-  
ably to their conventions.

The Disciples' convention meets in  
June and the Baptists' in October.  
It is probable that the conventions  
will appoint committees to consider the  
matter more fully.

Such a merger would make a very  
strong union, particularly in the Pro-  
vince of Ontario.

## A SUDDEN DEATH.

**Fall Brings Heart Trouble to an  
Acute Stage.**

London, May 17.—(Special.)—William  
Joffe, an employe of Labatt's Brew-  
ery, dropped dead to-night about 5  
o'clock, while talking to an employe in  
the office.

He was troubled, with a pain in his  
heart last spring, but never stopped  
work. He slipped on the floor and fell  
against a truck, injuring his side, last  
Friday, and was off for a few days, but  
started work again this afternoon.

The doctor says that the fall affected  
his heart and caused his sudden death.

## WON'T SWAP HORSES YET.

**Government is Caught in a Sudden  
Flood of Troubles.**

Ottawa, May 17.—(Special.)—It  
is stated to-night on authority that can-  
not be questioned, that the difficulties  
of the government are becoming so  
serious that Hon. Mr. Fitzpatrick will  
not leave the cabinet for the bench,  
as intended, on the 26th inst., but that  
he will remain as minister of justice  
until the close of the session, and prob-  
ably longer.

## DEATHS.

**BRIMER**—At Toronto, May 17, 1906, Eliza-  
beth Nicoll, wife of R. B. Brimer.  
Funeral (private) from her son's resi-  
dence, 329 Markham-street, Saturday, at  
4 p.m., to Mount Pleasant Cemetery.

**BEDFORD**—At Detroit, on Thursday, the  
16th May, 1906 (the result of an acci-  
dent), Charles Bedford, bricklayer, in his  
37th year.  
Funeral from the residence of his bro-  
ther, 240 Jones-avenue, on Friday, the  
18th inst., at 3 o'clock. Interment in St.  
James' Cemetery.

**GEORGE**—On Wednesday evening, as the  
result of an accident, Robert George, in  
the 78th year of his age.  
Funeral Friday afternoon at 3 o'clock,  
from his late residence, 102 Bond-street.  
**WOOD**—Friday morning, at 7:30 Bathurst-  
street, Samuel George Wood, LL.B.,  
eldest son of the late Rev. Samuel S.  
Wood, Three Rivers, Quebec, aged 71  
years.  
Funeral notice in Saturday morning's  
papers. Requiescat in pace.

**The F. W. Matthews Co. Undertakers**  
Smoke Taylor's Maple Leaf Cigars

## DOUMA ADOPTS THE REPLY AFTER A 14-HOURS' SESSION

General Tenor is Ominous, But  
Not to the Extent That  
Radicals Hoped for.

St. Petersburg, May 18.—(3:30 a.m.)—  
Sitting until long after 2 o'clock this  
morning, the lower house of the na-  
tional parliament set its seal upon its  
first great work, the adoption of the  
address in reply to Emperor Nicholas's  
speech from the throne.

Despite attacks both from the right,  
and the left, the leaders of the Consti-  
tutional Democratic party held their  
followers together to the last, and the  
address was adopted substantially in  
the form in which it was proposed by  
the commission.

The amendments adopted Wednesday  
and Thursday affect important details,  
but do not change the general tenor of  
the document, which, extreme as it may  
be in the eyes of the autocrat, falls  
far short of the expectations of the  
Radicals. Time after time during the  
long three days of debate, the extrem-  
ists, with their undying hatred of the  
whole ancient order, launched their  
fiery attacks against the "mildness" of  
the various paragraphs only to break  
against the firmness of the restraint of  
the chiefs of the party. When the  
discussion had been finished the depu-  
ties, with the exhortations of the coun-  
try to speedy action ringing in their  
ears, ventured no further delay, and  
they had been already in session  
14 hours, took a recess until 2 o'clock  
this morning for the reading and adop-  
tion of the final draft of the address,  
instead of postponing this formality  
until the opening of Friday's session.

As if running a race to see which  
should be the first to present to Em-  
peror Nicholas a demand for amnesty,  
the council of the empire, as in ses-  
sion well into the early morning  
hours, discussing its address in reply  
to the speech from the throne. This  
document, which is far more liberal  
and more conservative than that of the  
lower house, proposes an amnesty which  
does not include those who coupled with  
political offenses, the commission as to  
the indefiniteness of the expression "full  
political amnesty," substituted amnesty  
for all crimes committed from religious  
or political motives, as well as agrarian  
offences.

The commission also accepted a new  
clause to meet the wish of the discip-  
les to have the army and navy, asking  
the emperor to revise the conditions of  
service on the basis of right and jus-  
tice.

Most of the other amendments pro-  
posed in the closing hours of the debate  
of the wayside only one out of thirty-  
one proposed alterations of the address  
paragraph, for example, being accept-  
ed. The discussion of this plank lasted  
four hours, practically every peasant  
in the house taking the return to the  
demands of their constituents for  
"land and liberty."

**Polks Were Quiet.**  
The paragraph which regard to the  
rights of the various nationalities was  
adopted without change and practically  
without discussion, so it was expected  
that the Poles would demand fuller  
statement for autonomy. The only in-  
cident touching this paragraph was a  
sarcastic fling at the consideration  
shown the nationalities by the emperor  
by an old Russian priest, who proposed  
to satisfy the discontent of the border  
nationalities, even if the integrity and  
unity of the empire should be sacri-  
ficed.

The last feature of the debate was  
an attempt by Prof. Kovalevsky to in-  
duce a declaration in favor of peace  
and universal disarmament, and the  
principle of the empire, but an amend-  
ment ending the Emperor Nicholas for  
his peace manifestos and pledging the  
government to cherish the aspirations  
of the slavonian peoples outside the  
empire was rejected.

**Strictly in It.**  
You'll be strictly  
in it if you're  
in a Dineen  
derby  
Alpine hat—  
black or brown—  
and incidentally  
you'll be in the  
same quality  
sells elsewhere for \$3.50.

New caps and hats for automobiling,  
camping, boating, tennis, cricket,  
now ready for your inspection, 25c  
and up. Dineen's, corner Yonge and  
Temperance-streets.

**FURNITURE STORAGE.**  
Forster Storage & Cartage Company,  
543 Yonge St., Phone North 923.

**DECIDEDLY WARM.**  
Observatory, Toronto, May 17.—(8 p.m.)  
—Rain has fallen to-day in most localities  
from British Columbia to Lake Superior  
and local thunderstorms have occurred in  
Ontario and Quebec. The weather has  
been cool in the Northwest Provinces and  
warm in Ontario.

Minimum and maximum temperatures:  
Victoria, 40-58; Vancouver, 42-57; Cal-  
gary, 36-48; Edmonton, 32-42; Qu'Appelle,  
40-46; Winnipeg, 32-42; Port Arthur,  
42-58; Toronto, 28-78; Ottawa, 50-  
72; Montreal, 49-79; Quebec, 40-58; St.  
John, 42-56; Halifax, 32-50.

**Probabilities.**  
Lower Lakes and Georgian Bay—  
Southwesterly and westerly winds,  
fine and decidedly warm.

**Pember's Turkish Baths, 120 Yonge  
Street, Baths 75 cts.; after 10 p.m., 61.**

**STEAMSHIP ARRIVALS.**  
May 17. At From  
Clydebank.....London.....New York  
Dunblain.....Liverpool.....Montreal  
Fifehead.....Liverpool.....Philadelphia  
La Lorne.....Halifax.....New York  
Arabic.....Queenstown.....Boston  
Victoria.....Cape Magdalen.....Liverpool  
Scribble.....Quebec.....Halifax