

lawful or for an unlawful purpose, and not within the scope of the city's authority, these circumstances are matters of defence to be shown by the corporation, and not matters to be presumed or inferred from the contract itself, according to the decision of the Supreme Court of Indiana in the case of *The City of Anderson vs. O'Connor*, decided October 28.

PATENT CASES—APPEAL.—The Supreme Court of the United States has just decided in the case of *Butterworth, commissioner, vs. United States ex rel. Hoe et al.*, that an appeal does not lie in patent cases from the decision of the Commissioner of Patents to the Secretary of the Interior, but that the Commissioner of Patents has the exclusive right to decide for himself whether or not a patent ought to issue, and that the Secretary of the Interior has no authority to review such decision. If the Commissioner errs, according to the court the party aggrieved has a statutory remedy, but that remedy is not an appeal to the Secretary of the Interior.

CONSTITUTIONAL LAW—REGULATION OF COMMERCE.—The case of *Cooper vs. The City of New Orleans*, decided by the Supreme Court of the United States on the 3rd inst., involves the question whether a license tax imposed by the city in accordance with a state law upon steam propellers plying between New Orleans and points on the Gulf coast was a "regulation of commerce among the states," and therefore forbidden by article I section 8 of the Federal Constitution. The Supreme Court of Louisiana decided that it was not. The decision, however, has been reversed by the Supreme Court of the United States, which holds that such a tax on coastwise steamers is a regulation of commerce among the states, and is therefore unconstitutional and void.

Tariff Controversy.

The *Hamilton Times* and the *Canadian Manufacturer* have been engaged lately in a tariff controversy. The following from the *Times* the *Manufacturer* has labored hard to reason away, but utterly fails in so doing

"A Pennsylvania company recently sold 10,000 tons of steel rails to the Canadian Pacific Railway at \$28.50 per ton, delivered along the line of the road. At the time that contract was made the home quotation was \$28.50 to \$29. The price of the rails sold to the C.P.R. was therefore cut by the cost of transportation from Pennsylvania to Canada, in order to meet the competition of English rail makers. It is now announced that the Leigh Valley Railway Company have placed an order for 10,000 tons at \$27. This would look as if the sale to the Canadian Pacific was not an exceptional transaction, designed to clear off stock and raise money for an emergency, but that the United States makers can clear themselves and earn something on their capital selling rails at \$27 at the mill. Until recently the United States import duty on rails was \$28 a ton, and it is still virtually prohibitive. In this period of great depression when railway building is almost at a standstill, the few rails sold in the United States are obtained by the buyers at almost or quite as low as English rails would cost duty free. But as

soon as demand revives, the United States makers will again add the duty to the price, and thus take from consumers a large tax which does not go into the national revenue. The United States rail makers have demonstrated their ability to get along with a much lower duty than that which is maintained in their favor, and it would be but common justice to put them upon their mettle and let them meet foreign competition in the home, as well as in the Canadian, market.

White Bread.

A somewhat hackneyed subject this is to be sure, but many brains are so constructed that the only way to get the truth into them is by hammering it in with repeated blows. So there are still a number of well-meaning people who are firmly persuaded that white bread, though pleasant to the eyes, is not so nutritious as the loaf of darker hue, which contains a percentage of bran.

The arguments of the "whole-wheat flour" maniacs are too well known to require repetition, as indeed are the contra-arguments of those who hold that the universal preference for white bread is justified by scientific facts.

All we want to here mention is a fact which seems to have escaped most of the disputants on both sides of the question. Not only does white bread contain more available, i.e. digestible, nutriment per pound than does its "colored brudder," but the use of the latter actually lessens the nutritive value of the other food taken at the same time.

Think that is rather fishy, do you? Well, it is a fact nevertheless, and this is the explanation of it. Bran is well known to have a marked effect in quickening the peristaltic action—in other words, it lessens the time of the food's passage through the body. The food is therefore removed from the action of the gastric juices before digestion is completed, and thereby its nutritive value decreased.

The more a sensible man investigates the subject, the more firmly does he become convinced that bran has no business in flour, and that the beautiful white loaf made from roller flour is by far the best in every respect. — *Roller Mill*.

Bell's Radiophone.

A correspondent writing from the Philadelphia Electrical Exhibition says that included in the Bell telephone exhibits is Professor Bell's radiophone, a most interesting piece of apparatus. Its function is to transmit speech by means of a ray of light, and without wire. It consists of a flat mirror, properly suspended, by means of which a ray of light is reflected through a cell containing alum water, which absorbs the heat rays, to a vibrating diaphragm about four feet distant. The diaphragm is itself a mirror, and reflects the ray back through a lens to a parabolic reflector, in the focus of which is a selenium cell, the terminals of which are connected with a magneto receiver. Now, connected with the back of the mirror diaphragm referred to is a flexible tube, fitted with a mouth piece. On talking into this tube, the mirror diaphragm vibrates, the rays which it reflects through the lens into the parabolic reflector are

thereby disturbed and undergo modifications of intensity, these rays are focussed upon the selenium cell, and their changes affect the current in the cell in the same way that a vibrating armature affects the induced current around the poles of a permanent magnet. This current from the selenium cell is carried through the back of the reflector to a hand receiver, and, holding this to the ear, the speech is heard. It is said that Professor Bell has conveyed speech 500 feet in this way by means of a strong ray of light. — *Chicago Journal of Commerce*.

Winnipeg Labor Market.

Now as we are entering upon winter the labor market becomes a question of importance, as we have no desire for another such season as we had last year, when scores of unemployed men were in straitened circumstances and some in actual want. The prospect, however, is certainly brighter than it was a year ago. A year ago all work on the C.P.R. west was suspended and dozens of men who had gone out to the end of the track expecting at least one year's work in mountain cutting work, were forced to pay their fares back to Winnipeg where they arrived, as a general rule, entirely out of funds. All other railway work was also at a standstill, and the payment for work done on Souris and Rocky Mountain grading not having been made, lots of laboring men found themselves without the money they had worked hard for during the summer. When we add to these drawbacks the fact that our frozen crop of wheat made times tight in the older settled parts of the province, we need not wonder that we had some destitution in Winnipeg last winter.

This winter promises to be much better. In machinery lines mechanical workers are still kept busy and are likely to be so for several weeks. Lumbermen, while they are not preparing for a heavy cut this winter, are all taking out men to their logging camps, and the work of constructing the C.P.R. through the Rockies will be kept up all winter if possible. The city will therefore be relieved of a great many idle men who had to take up their quarters here last winter. There is a prospect of mechanical skill being in fair demand during most of the winter, and the finishing of the numerous new buildings constructed during the summer will supply considerable work for carpenters, painters and such like until the close of the year. There will, no doubt, be quite a number of men of the laboring class kept for a few months in idleness, but the number will not be out of proportion with what is common in other cities with an extreme climate like our own. The number of book-keepers, clerks and such like who were hanging around a year ago seems to have greatly decreased, and their absence is certainly a great relief. Taking the prospect altogether, there will no doubt be some idleness and probably a little of a straitened feeling among the working classes during the winter, but there is no prospect of any actual destitution such as was brought forcibly under our notice during the first months of this year.