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An Important Deliverance. A decision has recently been delivered by the Imperial Privy Council having reference to the interpretation of the Temperance Act of Canada in 1864, otherwise known as the Dunkin Act, the Dominion Government having, at the instance of the Temperance people, provided for the expense of an appeal to the Privy Council in order to secure a judgment of final authority. The decision obtained reverses the judgment of Justice Lemieux of the Superior Court of Quebec and upholds the contention of the Temperance people as to the proper interpretation of the law. The case arose in connection with one J. L. Mathieu, of Windsor Mills, in the county of Richmond, against whom twenty-eight convictions had been secured before Judge Mulvena, the district magistrate, for infringement of the Act. By order of Judge Lemieux these convictions, by writs of certiorari, were appealed to the Superior Court where the convictions were quashed, and this in spite of the fact that for more than twenty years such convictions had stood all the legal tests which the enemies of the law had been able to apply to them. The Dunkin Act imposes for each offense a fine of from twenty to fifty dollars. It was the custom of the prosecutors who represented the temperance people of the county, as the Montreal Witness explains, "to obtain against a persistent offender a formidable list of cases, and, having obtained judgment, to collect only fines enough to pay expenses, holding the rest in terrorem over the offender as a hostage for his good behavior. If he ceased selling he was never called upon to pay these fines: if he went on selling, fines were collected as judged desirable." No lawyer, it seems, up to the time of the Mathieu case in June 1898, had thought of making the claim on behalf of an offender that the imposition of one fine satisfied the law in respect to all other breaches of it committed by the same person up to the time of the prosecution which resulted in the imposition of that fine. This contention was, however, put forward in the case, and was promptly allowed by Judge Lemieux. Such an interpretation, it will be easily seen, went far to destroy the law as effective instrument for the suppression of the liquor traffic. This interpretation, taken in connection with what had preceded as well as the decision of the Privy Council, is sufficiently remarkable, but other action of Judge Lemieux in reference to the case is still more so. The facts in this connection, according to the Montreal Witness, are as follows:

"The law provides that if any prosecution under the act is dismissed through failure of sufficient evidence or otherwise, if the justice is of opinion that there was probable cause for the complaint he shall not award to the defendant costs against the prosecutor. The accused in this case had come before the Superior Court with twenty-nine convictions by the district magistrate against him, yet, sitting in the court from which in this case there was no appeal, and exculpating the accused actually on the ground that he had been convicted and fined, the judge in five cases in which convictions had been obtained, quashed them and awarded the law-breaker costs against the prosecutor, or, in other words, mulcted those who represented law enforcement, and who had never before been held to have brought an action without probable cause. This was not all. When the persons thus put in the wrong were moving to secure from the Government the means to appeal the case to the Privy Council, the remaining twenty-three cases were called, and the court gave them all against the prosecution with costs in favor of the defendant. Had the judge, as requested, postponed this action until this decision of the test case by the Privy Council, he would have been in the line of precedent and his judgment would not have placed the prosecution in the unhappy position of being saddled with the costs in twenty-eight cases in which, according to the Privy Council, they have been wrongly condemned."

It would seem to be unfortunate for the interests of the liquor business of the Province of Quebec that it does not lie with a justice of the Superior Court

to pronounce the final word in the interpretation of the law. But all who uphold the cause of philanthropy and justice will have cause to rejoice at the fact. It is said that it would have been practically impossible for the Temperance people to have secured a vindication of the law in this case but for the intervention of Government in bringing in directly to the court of final appeal.

Winnipeg Catholics and the Public Schools. Roman Catholic ecclesiastics have made much of the contention that their people in the Province of Manitoba are subject to a double school-tax, inasmuch as they have to contribute their proportion to the general public school fund and also to support their own schools by private subscription. It seems clear, however, that the Catholics of Winnipeg do not consider that there is any necessity in the case, for a few days ago there was held in that city a largely attended meeting of members of St. Mary's church and the church of the Immaculate Conception, the object of which meeting was to discuss a proposal to request the Winnipeg Public School Board to take over the management of the separate schools, now maintained by Catholics by private subscription. A resolution was unanimously adopted favoring the idea. The motion contained a clause requesting the School Board "to take over the five schools now maintained by the congregations of St. Mary's and the Immaculate Conception, at which over 700 children attend. That the Public School Board rent the present buildings, maintain and keep them in repair. That the schools be inspected by the Public School Inspector, and that the present teachers be retained and be subject to the same rules and regulations as are the teachers in the other schools." The Catholic School Board was appointed a deputation to wait upon the Public School Board and present the above proposals for their consideration at the next meeting.

Dawson City. The population of Dawson city is much smaller this winter than it was a year ago. The decrease is in part owing to the fact that many have been attracted to Nome, the new gold district, concerning the richness of which wonderful things have been reported, but little seems to be positively known. The exodus has been going on through the winter, from one to half a dozen of Nome-seekers leaving Dawson nearly every day during February. The trip involves a journey by dog team of two months and involves hardships which many of those who have undertaken it—among whom are women as well as men—will probably not be well able to endure. The men who remain at Dawson are reported to be generally at work, the number of idlers being small as compared with last winter. Business is on a sounder basis. Real estate has fallen 50 per cent, and the cost of living is considerably less than formerly. The town is now lighted by electricity and is said to look remarkably pretty beneath the points of light that seem to shine with peculiar brilliancy in the keen, still atmosphere. It does not appear that great fortunes are being rapidly accumulated by the miners of Dawson at the present time, but probably a majority are securing moderate returns for the labor expended. Some are doing better than that. An instance is related of a nice young English couple who came to Dawson in 1898. Last year brought them many disappointments in profitless labor, but last September they bought a claim for \$800 and in four weeks had taken out \$400. When the ice breaks they are going out with \$12,000. Another instance is that of a man and his wife who were working hard on a profitless claim. They transferred their work to one owned by the wife and are just beginning to rock out gold that will keep the scales busy.

Mr. Fielding's Budget Speech. The occasion of the delivery of the budget speech is generally one of exceptional interest to

Parliament, and the Hon. Mr. Fielding was greeted with a full House and well filled galleries when, on Friday afternoon, he arose to review the financial situation for the year. So far Providence has been kind to the present Government. The crops have been good, industries have prospered, trade has been increasingly active, revenues have been correspondingly large, and the current year indicates more prosperous conditions than any of its predecessors. The Finance Minister must therefore have gone about the preparation and delivery of his budget speech with a very light heart. Naturally the Opposition will differ with the party in power as to the amount of credit to be given to the governmental policy for the present good times, but probably no one is disposed to deny that the country is prosperous. And the Government is therefore fairly entitled to claim at least that Liberal rule and prosperity are not incompatible. Of course the Finance Minister is not satisfied with quite so modest a claim as that. Mr. Fielding showed that the revenue for the year ending June 30, 1899, amounted to \$46,741,249, exceeding that of the preceding year by \$6,186,011. The increase in the customs is well distributed, there is a large increase from excise, a considerable increase in the returns from Government railways and from the Yukon. The only decrease is in the Post Office department, resulting from the introduction of penny postage, and as the lowering of postage is resulting in a large increase of business, it is anticipated that within a few months the revenue in that department of the service will equal the expenditure. The surplus of revenue over expenditure for the year was \$4,837,741. The expenditures on capital account for the year amounted to \$9,137,562, the principal items being Government railways, \$1,108,929; canals, \$3,899,877; Railway subsidies (including \$2,322,500 to Crow's Nest Pass railway), \$3,201,220. These expenditures not only balanced the surplus, but made necessary an addition of \$2,317,047 to the public debt. For the present year Mr. Fielding expects the revenue to reach the fifty million mark. The expenditure to the first of March has been \$25,018,290, and the estimated expenditure for the entire year is \$43,175,000. The revenue, Mr. Fielding believes, will exceed that sum sufficiently to leave a surplus of \$7,500,000. The cost of the Yukon service has swelled the expenditure largely, but the receipts have more than covered it. The Yukon figures for three years are: Expenditure \$2,373,310 Revenue \$2,572,646. The Finance Minister submitted figures showing the remarkable increase in the volume of the trade of Canada during the past two years, and as evidence of the general prosperity of the country, he referred to the large increase in the circulation of Dominion bank notes, the bank clearings in the six leading cities, the increased railway business, the increase of immigration and the development of the iron and steel business, in connection with which he said the historic old town of Sydney seemed likely to become the Pittsburg of Canada. Very little change in the tariff is projected for the coming year. The preference on British goods, however, is to be extended on the first of July from 25 per cent to 33 per cent. The Finance Minister upheld the preferential policy, and claimed that it fostered trade with Great Britain and secured for the Canadian consumer a substantial reduction in taxation. Hon. Geo. E. Foster was expected to follow the Finance Minister, but, being unwell, asked for a postponement of the debate, the discussion is to be resumed on Tuesday, and Mr. Foster's review of the budget speech will doubtless be both able and interesting.