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THE PRIVY COUNCIL DECISION.

Municipal ownership and operation of public utilities and services will find to-day more supporters in Toronto than ever before. Those who seek to advise the people that the true remedy for the wrongs they sustain at the hands of franchise-holding corporations is to be found in public control and private operation are sufficiently refuted by the remarkable decision of the judicial committee of the privy council, issued yesterday, in the combined suits between the city and the Street Railway Company. Toronto was led to understand that the agreement conferring the street franchise on this corporation was legally irrevocable, and that the conditions imposed for the protection of the citizens were thoroughly adequate for their protection. But just as it is easy for expert lawyers to drive a coach and four thru an act of parliament, so it is equally easy to reverse the plain English of a signed, sealed and delivered contract. This is not the first lesson the City of Toronto has received regarding the good faith of public service corporations. The provision requiring the Electric Light and Incandescent Light companies to remain separate and independent was cleverly evaded, and the city found legal remedy. In that case the judges favored the spirit for the letter of the contract—in the street railway actions the judicial committee has ignored both the spirit and the letter. So much for the niceties and technicalities of legal interpretations.

How the privy council reached their somewhat astonishing conclusion must remain a mystery until the full report of the judgment is received. Meanwhile, and during the continuance of the franchise grant, the city is placed, as regards routes, stops and extensions, at the mercy of those who ought to be its servants, but have become its masters. Wide and definite powers of control have proved futile, and for all that it appears might as well have been nonexistent. It is not plain enough that control by agreement is useless for any practical purpose, and that the sole effective remedy for all the public-service ills that afflict the municipalities of this continent is straight public ownership and operation? This conclusion has been thoroughly learned in Great Britain. It need not be imagined that British cities and towns took up municipal ownership and operation gratuitously and temerously. They, too, suffered in precisely the same way and manner under their franchise bases. Endless worry and litigation, defective service, the impossibility of getting the franchise-holders to open up new districts all these and many more grievances were their lot. Under private operation there is a constant conflict between private interest and the public good. Hence their resumption of their municipal services and their determination to have no more private operation of their franchises.

But this extraordinary interpretation placed upon the street railway agreement by the judicial committee of the privy council raises wider issues. Why, the ordinary citizen will to-day ask, should the construction of a con-

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has won the approval of the great masters of music from abroad and at home—the choice in homes of culture the wide Dominion over.

PIANO SALON

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Toronto - - Canada

tract between a Canadian city and a Canadian company be subjected to the judgment of an English court. The local bench is best conversant with Canadian law and with local conditions, and is perfectly competent to deliver a satisfactory decision. In particular instance the judicial committee of the privy council has taken upon itself to reverse on two of the main points the interpretation of all the Canadian courts, and on the third has reversed the high court and court of appeal and sustained the supreme court. That it should have done this former creates a serious situation, and one imperatively calling for redress. The propriety of continuing the system of appeals to the privy council has long been questioned and will now be regarded as indefensible.

Looking to the experience of other British states and its own before confederation, the Commonwealth of Australia was well advised when it insisted that its own high court should be the ultimate court of appeal. No appeal is even permitted to the King in council from a decision of the high court upon any question as to the limits of the constitutional powers of the commonwealth and those of any state or states, or as to the limits of any two or more of the states unless the high court certifies that the question is one which ought to be so determined. This matter of privy council appeals was the subject of sharp debate between the Australian representatives, who demanded complete judicial control, and Mr. Chamberlain, secretary of state for the colonies in 1900, who stood out for a general right of appeal. The final arrangement was a compromise. Canada should not be in any inferior position as regards the interpretation of its own statutes and contracts, and a constitutional amendment for that purpose should be an early duty of the Dominion government and parliament.

THE IRISH QUESTION.

If all called reports are true, Sir Henry Campbell-Bannerman is finding his own troubles over his Irish administration bill. The more conservative elements of his cabinet are said to have prevailed over the pronounced home rulers, who were quite prepared to sanction proposals more in accordance with the professed aims of the Irish Nationalist party. Whatever may be the truth regarding this, the British cabinet have chosen the politic path in preferring a less revolutionary measure in advance. The Irishmen will be equally prudent if they now adopt the old maxim that a half loaf is better than no bread.

Lord Rosebery invited hostile criticism when he declared that home rule was impossible until the predominant partner had been converted. It was given him in abundance, but his dictum was sound enough. What the Irish party has to recognize is that reforms are given by degrees. There is no finality in politics. Every step in advance is a basis for a further movement and now that many Irishmen who fought strongly against Mr. Gladstone's proposals are prepared to support a less revolutionary measure ev-

ery consideration of political prudence recommends acceptance of all that a sympathetic government can concede. How far Irish Unionist opinion has traveled is shown by Lord Dunraven's book on "The Outlook in Ireland." He regards the present moment as affording the most favorable outlook in the history of Ireland, whether political, industrial or social, for a strenuous effort after her regeneration. Altho' a landlord, a Protestant and a Unionist, he acknowledges that Ireland cannot be converted into so many shires of England, but must be allowed to develop her own independent life. Only thus, he thinks, can the imperial sentiment in Ireland be created and nurtured into healthy life. If a devolutionary measure is granted, Lord Dunraven holds that Ireland will work out her own salvation, and only thus, he considers, can the true solution of the Irish difficulty be found.

NORWAY'S LIQUOR SYSTEM.

Some time ago The World called attention to a long and exhaustive report issued by a commission of the Swedish temperance legislation board, appointed to enquire into the liquor licensing laws of Norway. Its chief point of interest is the description given of the system of "disinterested trading" in spirits under local control, which has now been in operation in the towns since 1871, and has been accompanied by local option since 1894. The results have been remarkable and entirely in aid of temperance sentiment, while, while present in all sections of the community, is stated to be the most powerful in its earnestness and intensity among the working classes.

The Samlag system gives power to the municipalities to grant all the retail spirit licenses which it deems necessary to a company binding itself to carry on the traffic in the interests of the community, with a fixed annual return of not more than 5 per cent. on its paid-up capital. The aims and principles of the Samlag are thus summarized in the report:

The elimination of private profit and securing the monopoly value for the public.
Ensuring highest quality of liquor sold.
The reduction of the number of licenses.
The easy enforcement of the law.
The destruction of the power of the spirit trade.
The furtherance of all progressive measures of reform.

In the application of the profits, the Norwegians profited by the experience of Sweden, where they were first applied in aid of rates, thus giving the towns a substantial interest in maintaining the traffic. In Norway they are used for non-rate-aided objects exclusively, and "the purity of Norwegian municipal life safe-guarded against one of the most insidious and deadly lines of attack." At present the allotment gives 65 per cent. of the profits to the state, and 35 per cent. to the municipalities, made up in the proportion of 15 per cent. in lieu of larger license fees; 10 per cent. in lieu of smaller license fees; and 20 per cent. for objects of public utility not chargeable on the rates, and operating as counter attractions to the public-house in towns and the surrounding districts—one-half to each. In 1904 the combined capital of the Norwegian Samlags came to \$170,000, and has never exceeded \$190,000, yet since their establishment the profits have contributed \$7,000,000 for "objects of public interest."

On the very important point of the effect of the Samlag system on the consumption of drink, the commission reported that the question was complicated by wine and beer drinking, but on the whole there has been a steady decrease in the consumption of spirits, while that of beer and wine has fluctuated with trade conditions. The statistics and diagrams accompanying the report reveal "what is perhaps the most remarkable fact in the history of Norwegian sobriety, that while the population increased about 60 per cent. during the period 1861-1905, and the imports per inhabitant by about 300 per cent., and the exports by 200 per cent., the consumption of alcohol per inhabitant decreased by about 45 per cent."

The decrease is most marked during the Samlag period, 1871-1905, when the population "increased by about 30.45 per cent.; imports per inhabitant by 130 per cent.; exports by 100 per cent.; and the consumption of alcohol decreased by about 40 per cent."

Comparing the towns of Norway and those of the United Kingdom, from personal knowledge, the commissioners say "the former are models of sobriety; the latter are the very reverse." In conclusion, and summing up the result of their enquiry, they report that no demoralization was caused in the shape of exciting the cupidity of the community, that the traffic was not made "respectable" thereby and that the Samlag actually added temperance reforms. The significance and value of this verdict is supported by the fact that at the request of the Norwegian temperance party the Samlag system is to be applied to beer as well as spirits.

AS TO NONCONFORMISTS POSITION IS EXPLAINED

Rev. Thomas Law of London, Addresses Local Clergymen on the Present "Crisis."

An address upon the "Educational and Religious Crisis in England," by Rev. Thomas Law of London, drew a large audience of ministers to the Y.M.C.A. yesterday afternoon. Denominational axes were all left at home, and all Christian evangelical denominations held common camp.

Rev. Mr. Law is the secretary-general of the Federation of Evangelical Free Churches of England, and a witty and pleasing speaker.

He described the origin, growth, object and scope of the federation in England, especially in its relation to the education question.

"Its policy," he said, "is arranged by a council of representatives, drawn from all parts of the country, and on important matters a grand council of 2000 meets to discuss policy."

The federation in England aspires to be the political mouthpiece of English non-conformity, and working thru ministerial associations can produce very strong public pressure and political influence upon occasion.

Mr. Law, in reply to an indirect question, hardly concealed the fact that the federation is a left wing of the Liberal party.

"Our political leanings are divided, but not fairly divided," was his quaint way of expressing the situation, "and," he added, "after the laughter had subsided, 'we cannot help it if a man insists upon voting Liberal.'"

The Church of England, he said, does not work with them. "Her traditions, life and thought are so entirely separated from that of the free churches as to make that impossible," he explained. "Efforts were made with that object in view, but without success. However, we have a chance in our constitution which will admit them to our federation as soon as she is disestablished." It was his hopeful way of looking at it. It was felt that while conditions in England are so strong as in England, Mr. Law's address was highly entertaining and suggestive.

At the close of the questioning, which followed the address, Rev. Dr. Wallace Welch seconded, Rev. Dr. Francis H. Perry pronounced the benediction.

GOOD MANAGEMENT.

The Railwayman: The T. & N.O. Railway rolling stock and road bed are deserving of some praise. We had a man in our office who had traveled over the crack English and American roads and he says that the track is equal to any that he has traveled over. We hear kicks about freight delays, in fact, we are now waiting for material, but we understand that the yards at North Bay are full of cars which it is impossible to move owing to the congestion of freight. The railways are in a bad plight, so it seems as waste of breath to call down our railway which is so dependent on others for connection. We put our railway officials on the back and are thankful that the management is as good as it is.

Nothing but Salt—and such Salt! You will find no other so delicate in flavour, so pure as WINDSOR TABLE SALT.

MANAGERS WILL ASSIST PREVENTING NASTY PLAYS

U.S. Cities to Be First Asked to Give Information as to Censorship.

The proposal that an attempt be made to elevate the stage in Toronto failed to draw a quorum of the civic legislation and reception committee yesterday, but brought forth some interesting views. What was particularly noticeable was the willingness declared by the representatives of local theatres to co-operate in the work of purification where necessary. Besides Chairman Ald. J. J. Graham, there were present Ald. Church and Bough.

Rev. Dr. Chown thought it was generally conceded to be a necessity that the stage needed the elimination of certain features. The present law, if properly enforced, was adequate. Efforts might be made to have the license of a theatre cancelled if several complaints were made. The reading of a play in advance would be all right. Staff Inspector Archibald believed the most objectionable plays were those depicting crime. In laying a criminal charge the procedure would give the accused the right of appeal to a jury, making conviction difficult.

Managers Approve.
O. B. Sheppard, manager of the Princess Theatre, said that the production of plays of demoralizing nature was looked upon with disfavor. The appointment of a censor would be a good thing. Sometimes theatrical managers were not aware of the character of productions in their own theatres, and under the system of looking ahead they were compelled to live up to their agreement, and to produce the plays, as they came long. Some of the plays of the "French school" should be stopped, but any censor appointed should be a man of broad views and not opposed to theatres on principle.

James Cowan, manager of the Grand Opera House, representing the Canadian Theatrical Managers' Association, said that successful efforts had been made to co-operate with Mr. Archibald. He didn't see why the arrangement shouldn't continue. There was a desire to eliminate the vulgar and objectionable.

Theatrical matters will be sent to the United States municipal authorities requesting information as to censorship. Entertaining Visitors.
The Great Bottle Blowers' Union requested that the city entertain the 230 delegates to the international convention in Toronto in July to a moonlight excursion.

Chairman Ald. Graham and the city engineer will decide what form the city's entertainment of the delegates of the American waterworks convention in June shall take.

Ald. Church wanted a civic address passed by Eddie Durnan, manager of the Longbow reception was complained of by Ald. Church, and it was agreed that in future the chief of police and the property commissioner should confer as to arrangements before holding any public demonstration.

MUSTN'T FORGET

Continued From Page 1.

tions of mankind, as in their several ways they struggle constantly toward a higher civilization, a high humanity, and they have advanced in unity only in a generous rivalry to see which can best do its allotted work in the world.

"I believe that there is a rising tide of human thought which tends to a righteous international peace; a tide which believes in the 'gospel' thru the nations, and in the end will bring all of us here present on well-earned to take to heart St. Paul's counsel: 'If it be possible, as such as with you, live peaceably with all men.'"

The president then went into a lengthy review of the nation's progress, the intentions of its founders and the necessity for concerted action of citizens in the interest of good government and patriotic endeavor.

Continuing, he said:

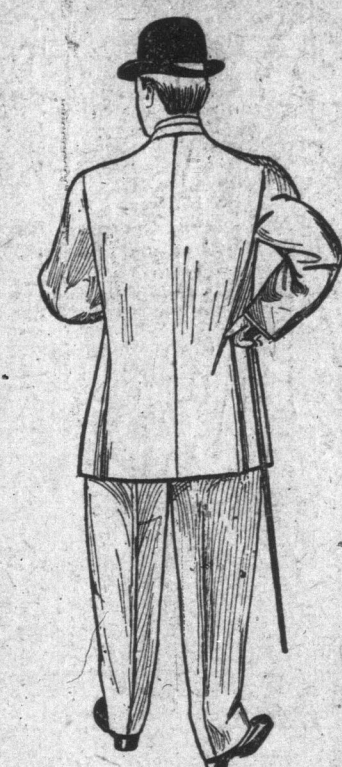
"Evils of Prosperity.
"In industrial matters our enormous prosperity has brought with it certain grave evils. It is our duty to try to cut out these evils without at the same time destroying our wealth by itself. This is an era of combination alike in the world of capital and in the world of labor. Each kind of combination can do good, and yet each, however powerful, must be opposed when it does ill. At the moment the greatest problem before us is how to exercise such control over the business use of vast wealth, individual, but especially corporate, as will insure its being used again for the interest of the public, while yet permitting such ample legitimate profits as will encourage individual initiative. It is our business to put a stop to abuses and to prevent their recurrence, without showing a spirit of more vindictiveness for what has been done in the past."

"In John Morley's brilliant sketch of Burke he lays especial stress upon the fact that Burke more than almost any other thinker or politician of his time realized the profound lesson that in politics we are concerned, not with barren rights, but with duties; not with abstract truth, but with practical morality. He especially enlightens our way in which in his efforts for economic reform, Burke combined unshakable resolution in pressing the reform with a profound temperance of spirit which made him, while bent on the extirpation of the evil system, refuse to cherish an unreasonable vindictive ill-will toward the men who had benefited by it. 'Said Burke, 'I cannot reform what is evil, I will not reform at all. There is a state to preserve as well as a state to reform.'"

No Better Than Thug.
"This is the exact spirit in which this country should move to the reform of abuses of corporate wealth. The wrongdoer, the man who swindles and cheats, whether on a big scale or a little one, shall receive at our hands mercy as scant as if he committed crimes of violence or brutality. We are unreasonably determined to prevent wrongdoing in the future; we have no intention of trying to wreak such an indiscriminate vengeance for wrongs done in the past as would found the innocent with the guilty."

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Your Business Suit 9.00



After giving much thought to the high importance of faultless business attire this price suggested itself as being value unparalleled.

They measure up to a very high quality, style and tailoring standard.

All wool—

New spring grays and browns, striped—

The new semi-form-fitting coat with creased side seams.

Dressy. Correct. Quality-rich. The material a very fine domestic tweed.

Now who wants a suit?

Both the garment and the price will appeal to you.....9.00

—MAIN FLOOR—QUEEN STREET—

THE T. EATON CO. LIMITED

AT OSGOOD HALL

ANNOUNCEMENT FOR MONDAY.

Chambers.

Cartwright, master, 11 a.m.

Divisional Court.

Peremptory list for 11 a.m.:

G.T.R. Co. v. Toronto.

McAllister v. McAllister.

Slater v. Royce.

Troy v. Hamilton.

Moffatt v. Carmichael.

Court of Appeal.

Peremptory list for Monday at 11 a.m.:

1. McKay v. Wabash Railroad Co.

2. Attorney-general v. Lagrave.

3. Moir v. C.P.R. Co.

Toronto Non-Jury Sittings.

Peremptory list for Monday at 11 a.m.:

1. Toronto C. & B. Co. v. Crown Bank.

2. Alexander v. Cook.

3. Carriere v. Hyatt.

4. Parry Sound v. Flanner.

5. Ferguson v. Blisky.

6. Brand v. Manning.

Judgment Granted.

The Toronto General Trusts Corporation as administrator of the estate of Edward James McCormick moved before Master in Chambers Cartwright for judgment against Peter Ryan on certain promissory notes. An admission of the indebtedness being produced judgment was granted.

Action Settled.

The action brought by Sarah E. Ovens and the heirs of James Branton against Alfred James Branton, administrator of Branton's estate, has now on consent been dismissed without costs. The trouble arose over the construction of the will.

Petition Fails.

Judge Riddell has given judgment in the application of one Armour to set aside the local option bylaw of the Township of Onondaga. His lordship decides that the petition fails on all grounds, and must be dismissed with costs.

The Stock or Damages.

Smiley and Stanley of Toronto have begun an action against D. G. Lorch & Co. claiming damages for non delivery of certain shares of stock.

Promissory Notes.

The Gold Medal Furniture Co. have issued a writ against W. F. Slack claiming \$484.91 on certain promissory notes.

To Foil the Railway Company.

Isabella McKay obtained a judgment against the Toronto Street Railway for \$2500 for the death of William McKay, her husband, at the King street crossing of the G.T.R. tracks in November, 1904. McKay was the motorman of the car that was run into by the G.T.R. train. The case was taken to the court of appeal and a final order. An appeal from that court to the supreme court has been quashed. The railway company are now wanting to go to the privy council.

A certain farmer is noted for his constant complaining. A friend met him one morning and remarked:

"Fine weather, James."

"For them as ain't got to work."

"Your farm looks in fine condition."

"To them as ain't got to dig in it."

"Well, James, I'm glad your wife's better."

"Them as don't have to live with her may be."

Doctors prescribe very little, if any, alcohol these days. They prefer strong tonics and alteratives. This is all in keeping with modern medical science. It explains why Ayer's Sarsaparilla is now made entirely free from alcohol. Ask your doctor. We have no secret. We publish it. G. C. Ayer & Co., Lowell, Mass.

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JOHN

Woolen

All the fashions are to be purchased at every different price, and at a very low price. Vests, coats, trousers, and other garments.

Special

Black and blue checks, \$10 and \$12. Clerical suits, \$10 and \$12. Our Metal \$2 per yard. Black velvet \$3 per yard. \$3 a yard.