

INVESTMENT

H. H. WILLIAMS & CO. 26 VICTORIA ST. Senate Reading Room, 85 May 26-864

TWENTY-SEVENTH

New Section Two Permits Provinces To Repeal, Alter or Modify Sunday Law

Amendment, If It Means Anything, Will Have This Curious Effect—Other Changes Add to Difficulty of Legislating on This Subject.

Ottawa, June 29.—(Special).—It is evident that the government is being gradually forced by the embarrassments surrounding the Sunday bill into adopting the suggestion of W. F. Maclean (South York) respecting an amendment to the B. N. A. Act, 1867.

This amendment would definitely relegate to the various provinces complete control over Sunday legislation. This morning, apparently thru collusion with the Minister of Justice, Mr. Piche (Montreal) secured the reconsideration of section 2, which as adopted reads as follows:

"It shall not be lawful for any person on the Lord's Day, except as provided herein, or in any general provincial act heretofore passed, to sell or offer for sale, or to carry on any business, or to transact any business of his ordinary calling, or in connection with such calling, or for gain, or to employ any other person to do on that day any work, business or labor."

He then offered an amendment making inoperative the law as it stands in that it may be hereafter passed by any province "respecting matters exclusively under the jurisdiction of provincial legislatures."

Of No Avail. Mr. Monk (Jacques Cartier) pointed out that this amendment would not accomplish anything. It goes without saying that no act passed by this parliament could affect any matter under the "exclusive jurisdiction" of some other authority.

Mr. Macdonell (South Toronto) also doubted if this amendment had any meaning at all, but an amendment was permitted by which the province can do as well as take from it? The practical result would be utter confusion.

Mr. Piche said the principle of this amendment had been accepted by everybody. The doubt was as to what the amendment expressed and he therefore modified by eliminating the phrase "to be lawful any traffic or work and labor permitted by any present or future provincial legislation" regarding matters enumerated in section 2, B.N.A. Act, 1867.

Power to Evade. Mr. Aylesworth made another attempt to state his position. He declared in effect that the provincial legislatures might override the Sunday bill by amending the B.N.A. Act. For example, he saw no reason why Quebec might not legalize labor in the fields on Sunday. If this amendment was to be placed in each provincial legislature the power to legalize buying, selling, laboring and causing others to labor for gain on Sunday.

Armand Lavergne: Can this parliament delegate to a provincial legislature jurisdiction over criminal matters? Mr. Monk: I am not prepared to say that it can.

Made Clear. Mr. Aylesworth then attempted to define his position as to the present provisions of provincial legislatures respecting Sunday legislation. Under the B.N.A. Act, he said, "is of course beyond question. They have power to legislate exclusively in regard to criminal matters within the province, and the only difficulty in determining exactly what the limits or scope of their various jurisdictions may be rests in the difficulty of determining in a particular case whether or not the subject matter of the legislation is, for instance, within the general scope of property and civil rights, or whether it encroaches upon some matter that is exclusively within the power of the federal government."

Respect, however, much has been done by various judicial pronouncements that during the last thirty odd years have been made both in this country and in the judicial committee in England to set at rest the doubts which previously had arisen and which otherwise would exist with reference to the exact meaning of the words used in that statute, and the result, I think I am safe in saying, is to declare that the phrase I have referred to, the provincial legislatures have as plenary a power as this parliament to legislate upon a matter of this character. In that view I am, speaking for myself, not only not displeased, but very pleased to have the measure in question, which I have referred to, passed by the committee.

It is a recognition of what I think very probably may be and ought to be upon a phrase of this statute a recognition of the co-ordinate rights within the provincial legislatures to legislate upon this subject.

More Elastic. Mr. Grivas (Montreal) and Mr. Chisholm (East Huron) urged the necessity of a more elastic statute. It was well enough to have a general statute, but it should not be rigid. There should be some discretion in the various provinces.

Mr. Lavergne (Montgomery) pointed out the difficulty of the proposed amendment. "I would accomplish nothing. A crime once defined by this parliament was a crime throughout Canada, and no province could make it innocent."

Mr. Stockton (St. John, N.B.) asked whether this parliament could delegate its power over criminal matters to a provincial legislature. Mr. Aylesworth: Certainly not. Mr. Macdonald (Picton, N.S.) endeavored to argue that where acts of parliament and provincial laws clashed the latter should govern.

Mr. Monk enquired whether the

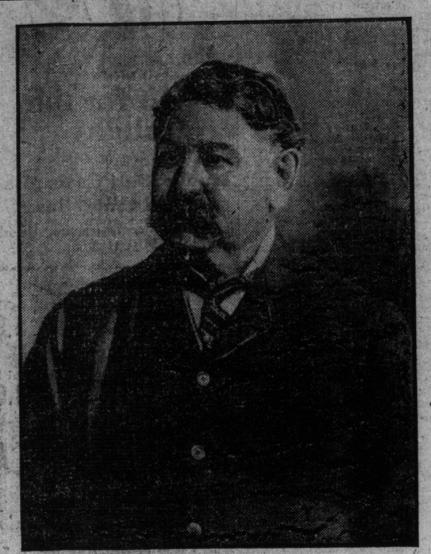
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The Toronto World

SIXTEEN PAGES—SATURDAY MORNING JUNE 30 1906—SIXTEEN PAGES

C.A. RISK DENTIST Yonge and Richmond Sts. HOURS—4 to 9 ONE CENT

York County's New Sheriff.



F. T. DAVILLE OF AURORA

Name Cooper and Grothers As Text Book Commission

Editor of Canadian Magazine and the St. Thomas Barrister Will Find Out Whether Present Charges Are Exorbitant.

St. Petersburg, June 30.—Emperor Nicholas summoned the Preobrazhensky Regiment before the imperial palace at Peterhof yesterday, and in a sarcastic address expressed his regret at the evidence of their disloyalty in declaring sympathy with the Radical program of parliament.

Mr. Cooper is one of the best-known literary men in the city. Editor for many years of The Canadian Magazine, he has gained a recognized standing. His knowledge of the technical details of publishing is counted upon by the government as an invaluable aid.

The appointment arises out of one of the provisions of the new Education Act, wherein it is set forth that inquiry be made into what is admitted to be a very vexed question. The commissioners are invested with wide powers, and their report, while primarily designed to make clear whether the prices now charged represent only a fair or an exorbitant margin of profit to the publishers, will also, it is expected, offer suggestions as to textbook matter itself.

Premier Whitney declared most emphatically in the house, in dealing with the matter, that the commission would be chosen so as to be absolutely disinterested and free from those influences which, he alleged, were responsible for the failure of the textbook commission of the late government to give an unbiased verdict.

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BETTER FEELING DEVELOPS TOWN MAY NOT SURRENDER

Citizens Talk of Calling Public Meeting in Galt to Strengthen Back of Council.

Galt, June 29.—(Special).—A strong feeling against the granting of the five-year lighting contract to Spiers & McCulloch has developed here. It is due in no small measure to the article in this morning's World, showing the true significance of a surrender to a private electrical concern at this moment, when union means everything to the power plan of the government.

A prominent citizen, speaking to The World to-day, said: "A better feeling has developed in a day. The members of the city council now appreciate their responsibility to stand by the other municipalities in Group III. of the hydro-electric power commission's calculations."

In some circles it is said that if it is found necessary to strengthen the back of the public ownership element of the town, a public meeting will be called for Saturday or Monday night. The really solid portion of the population feel that for Galt to sign a five-year contract now, a serious blow would be dealt to the cause of the Western Union of Municipalities, and the hands of the clock of progress would be put back.

YACHTSMEN IN DIFFICULTIES

String of 20 Boats Off for Hamilton, Forced to Return.

The big regatta arranged for at Hamilton to-day, under the auspices of the Royal Hamilton Yacht Club, will either be postponed or be robbed of its best features.

A tow of 20 boats from Toronto, representing the various classes, and from the different local clubs, left last night, but a series of mishaps necessitated the return of the party early this morning.

The towline broke several times, and the boats began to separate, and off Long Branch, one upset. It was decided not to make the trip.

CHEAP POSTAGE.

Does More for Unity of Empire Than Any Other Reform.

(Canadian Associated Press Cable.) London, June 29.—Geoffrey Drage, in an article in The Fortnightly Review for soft drinks, light beers or gin. The manufacturer putting in a bit of prominence in the market is the best thing to take.

To the dissatisfied apostle of light labor there is something to ponder over in watching the navy and the asphalt worker on the down town streets or taking a glance at the man who is making for the safe on King-street yesterday, and they perspired almost enough to float the safe. The foundrymen must also have put in a most enjoyable time. Many people whose duties allowed them to do so, stayed from work yesterday afternoon.

The sick people are those who suffer most. It's warmer in some houses than most.

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Yes, it Was Hot!



Hot, hot, hot. As hot as the place below. With never a sign of a shady spot. Where suffering souls may go. With the mercury up in Q. With the sun rays glowering down. It's the chance of a quick skidoo. Out of the dried-up town.

Cheer up—It's time to take 'em off. The warm spell is not a bluff. It was only 92 in Toronto yesterday, even if it did feel more so. Some of the thunderstorms booked did not arrive. They were probably delayed by the heat, somewhere, but they are promised for to-day; but the weather is to continue very warm.

From the report of the weatherman it seems that Ontario was the hottest section in Canada yesterday by nearly ten degrees. The 80 mark is pretty general in other places from Manitoba to Maritime Provinces, but in this province temperatures exceeding 90 were quite common. So far there are no indications of a let up.

No serious cases of heat prostration were reported in Toronto. The atmosphere was very humid, and this, with a temperature over 90, as rather sudden change, makes things sticky and oppressive, and seems to coax the bottom of the undershirt to become ambitious to be your necktie.

If man could only go around in a peek-a-boo waist with a bit of pink ribbon bashfully seeking a bit of prominence in the market is the best thing to take.

To the dissatisfied apostle of light labor there is something to ponder over in watching the navy and the asphalt worker on the down town streets or taking a glance at the man who is making for the safe on King-street yesterday, and they perspired almost enough to float the safe. The foundrymen must also have put in a most enjoyable time. Many people whose duties allowed them to do so, stayed from work yesterday afternoon.

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Continued on Page 12.

Vertical text on the left margin: likes your hats to \$12.95 95 Vests, fancy regulation 1.50 Duck regulation 1.00 Flannel 2.50 English cloth 3.00 Tweed, black with light shoulder 3.00 Grey and white 1.35 shirts 69 2.00