

The Canada Law Journal.

VOL. XXVIII.

APRIL 1, 1892.

No. 6.

THERE has been some heartburning within the usually peaceful and happy family walls of Osgoode Hall, caused by the action of the Benchers in reference to the secretary of the Law Society, whose salary has recently been reduced and his perquisites taken away. We regret this action. In the first place, the gentleman in question has been there for over twenty years. He has been faithful in the discharge of his duties. He has often been overworked, though there has been no hesitation to provide, from time to time, assistance as the work grew. The friends of the secretary do not pretend to say that he is without his faults, but they do say he is what he was when first appointed; and that if this be so, and there be no specific charge against him (and we understand there is none), there is no reason why his salary should be reduced, except on the supposition that the Society is compelled for some reason to reduce its salaries; which, it is said, is not the case. It may also be suggested that the Law Society is not a mercantile concern, or a number of shareholders whose pecuniary interests must be considered, but is more in the nature of a club or body of gentlemen, who would, we are inclined to think, if consulted, regret the action that has been taken. It seems to us that there has been a defective system, and that this has been unhappily visited on one not responsible for the defects. Whilst this is to be deplored, we are sure that no one desired to do that which was unjust, or even harsh. Perhaps a further consideration of this view of the matter may result in making some change in the present arrangement which would be acceptable to all concerned.

A WAR is now in progress in the city of New York between the Metropolitan Telephone & Telegraph Co. and those who rent its telephones. The latter have organized, and, it is stated, are about to apply to the State Legislature for a reduction of the company's charges. The subscribers complain that the system as now worked is unsatisfactory—and any one who has had experience of New York telephone communication will more than bear this out—and they also contend that the system is intentionally inefficient, and is so maintained for the private pecuniary gain of the owners. They, moreover, allege that the State has the right to regulate the charges for the use of the telephone in all cases where the service is a monopoly, where public streets and highways are used, and where the service is of such a character that its use has become a matter of necessity on the part of the community; for then the plant is affected by a public use, and the public is *ipso facto* taken into co-partnership, and in either of these cases the public right to regulate charges is as clear as though the owners of the plant