sday, Jan. 21. Cases

ack, well-made and 14 to 18, regular o 75c, Wednes-..... 390

ite Twilled Cotton yoked back, extra 2 to 14, regular Vednesday ... 390

ng

of a remarkable and tweed suits low cost.

t Frieze and Beaver ey, with high collar, elvet corduroy, with ined Bedford cord larly \$4.00, \$4.50 ay, to clear \$2.98

nglish and Domestic double-breasted sack grey and black, and 44, \$8.00, \$8.50, nd \$11.00, on sale ..... \$6.45

ed

up to \$3.50. ..... \$2.00 Persian Lamb Fur h, even and glossy finished, satin lined. 13.50, Wednes-..... \$9.00 KXXXXXXX

### TE DISEASES

Impotency, Sterility, Nervous Debility, etc. (the result of folly or excesses), Gleet and Stricture treated by Galvanism (the only sure cure, and no bad after-effects.)

SKIN DISEASES whether result of Syphilis or not. No mercury used in treatment of Syphilis. DISEASES of WOMEN Painful or Profuse Menstruation and all displacements of the Womb. The above are the

. H. GRAHAM, e Square, Cor. Spadina

Chas. Paisley Dies. N.B., Jan. 20.—Rev. Chas. M.A., dean of the divinity fount Allison University, idenly this morning. He of Fredericton, and enter-rry in 1866, and twelve years binted a professor at Sack-ter made dean.

on Workers' Annual. rkers of the Polson Iron heir annual meeting in the and elected officers for the as follows: President, W. rice-president, John Milne; B. Berwick; treasurer, D. sician, Dr. W. P. Thomps

dist clergymen of the city ssed a resolution favoring

Vait for sale of offered gins at nesday Walker padina

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28TH YEAR

TEN PAGES-WEDNESDAY MORNING JANUARY 22 1908-TEN PAGES

# OF POWER TO PROTECT

Dominion Incorporation of Provincial Railways Renders Municipalities Helpless to Enforce Agree-

RAILWAYS ARE ENABLED TO CHARGE 3 CENTS A MILE

Chairman Leitch of the Ontario Railway and Municipal Board has addressed a letter to Premier Whitney, and the Premier gave it to the press yesterday evening, as a statement of the situation where the jurisdiction of the Dominion and the province over railway companies is in col-

The point is brought out that the Dominion has no means of enforcing orders affecting agreements between municipalities and

Railway Act is to be amended so as fore order was restored many men were to make it clear that no railway oper- wounded. ated by electricity shall have the right The demonstrants, when they encoun-

to make it clear that no railway operated by electricity shall have the right to run on the highways in Ontario without the consent of the municipality.

This is all right as far as it goes, but if it rests here the provision will be fore a new theatre building, and be prohibition against building an electric railway on a highway without the consent of the municipality will necessarily lead to an agreement with the municipality, wherein the rights of the railway and of the municipality, will necessarily lead to an agreement with the municipality, wherein the rights of the railway and of the municipality. At the height of the encounter there and this is where the proposed amendant mill turn out to be a failure. THERE IS NO PROVISION IN THE DOMINION RAILWAY ACT FOR DOMINION RAILWAY ACT FOR THE ENFORCEMENT OF AN 2000 mently wing men and hows in the committee are.

DOMINION RAILWAY ACT FOR THE ENFORCEMENT OF AN AGREEMENT BETWEEN A RAILWAY AND A MUNICIPALITY.

THERE CANNOT BE, BECAUSE THE ENFORCEMENT OF AGREEMENT OF AGREEMEN ISDICTION OF THE PROVINCE. The Ontario Railway and Municipal Board Act, 1906, has the provision, which the Dominion Railway Act has not and cannot have, giving the board ower and jurisdiction to construe agreements between railways and municipalities and enforce them to the extent of taking possession of and

running the railway. With the proposed amendment to the Dominion Railway Act, a municipality will find it is in a position of having an agreement with the railway company which it cannot enforce and which the company may break with impunity. In fact as soon as such an agreement is made the municipality will be powerless.

motion to go into supply, admitting the right of representatives of the people to demand the production of original documents.

Mr. Borden said it was the practice in England for parliament to refuse supply until the fullest information asked for was given. He quoted authorities on parliamentary procedure. Municipality , Cannot Enforce.

will be powerless.

The only remedy for this is for the to show that the government could not Dominion Legislature to provide that agreements between the railways and with a few exceptions, such as secret the municipalities should be subject to the jurisdiction of the Ontario Railway and Municipal Board. It may be said, why not leave the enforcement of these agreements to the high courts? The answer to this is that ency of granting the motion. If Mr. the courts have no machinery to en- Ames had given his reasons the reforce these agreements. They might give damages, but giving damages is not an effective remedy. The fact is that no electric railway should be declared for the general advantage of Canada and taken away from local doubts, to have the privilege of seeing the courts have no machinery to end of the reaction in reasons the responsible for the resulting the courts have the seeing the courts have the seeing the courts have the seeing the courts and given his reasons the responsible for the responsible for the resulting the courts and given his reasons the responsible for the resulting the courts and given his reasons the responsible for the resulting the courts and given his reasons the responsible for the resulting the courts and given his reasons the responsible for the resulting the courts and given his reasons the responsible for the resulting the courts and given his reasons the responsible for the resulting the resulting that the r

DOMINION OFFICIAL SOME TIME consideration whether we will have the original document or not."

NOT INTENDED TO APPLY TO

why, perhaps, all steam railways should be under the jurisdiction of the Dominion board is obvious. The cars of steam roads run from the Atplantic to the Pacific, and being under Dominion jurisdiction, uniformity of regulations and appliance is secured. However, this is a point which would require to be well considered.

I am enclosing you a list of the rail- He was found by Detective N. Guthways which have been incorporated rie on a doorstep at Princess and by the legislature of Ontario, and which Front-streets in a dying condition. He have been declared for the general advantage of Canada. In this list I have marked the electric railways which have either been incorporated or have been declared by the Domin-ion parliament for the general advan-

Continued on Page 6.

Commissioner Resigns

Senate Reading Room-20feb08-16516

GRIPPE GERM 'LL GET

YOU IF YOU DON'T

WATCH OUT.

Something in the nature of an

Something in the nature of an epidemic of la grippe has Toronto in its clutches.

Medical men whose practice carries them about the city and nursing institutions report that there is a prevalence of colds quite beyond the usual order of things even in January, the month of varied moods.

So if you have hot and cold flushes and other symptoms of hay fever in midwinter, don't worry, but at the same time don't neglect precautions.

BERLIN POLICE CHARGE

hind Piles of Tiles and Threw

SIR WILFRID AGREES.

Papers When Reasons Are Given.

OTTAWA, Jan. 21.-(Special.)-Sir

John Zeagman Ends Life With Car-

bolic acid at 9.30 o'clock last night.

Front-streets in a dying condition. He was taken to St. Michael's Hospital

in the police ambulance, but died be-

store at the market. He lived with his sister at 4 Ontario-place. He had been

fore reaching the hospital.

wrinking for several days.

and Judge and Controllers Seem Willing to Quit Probing.

It is probable, now that Park Com-May 1, that the civic investigation into the parks department will speedily

Corporation Counsel Fullerton says his personal view is that the enquiry need not be continued after the specific harges against Caretaker Kimmings of Island Park have been sifted, and cerain aldermen and others, whose names have been brought into the proceedings, have been given opportunity to clear

themselves.
Judge Winchester, when asked whether the latest aevelopment would affect the course or enquiry, replied: "Well it will to a certain extent, but I don't know how far. It will be for the board of comurol and council to say, but at any rate the kimmings charges will be taken up on Friay if W. D. McPhe.son, counsel for Mr. Kimmings, is able to appear." Men Entrenched Themselves Be-

railway corporations, and that the provincial control should therefore be preserved intact.

The following is the text of a letter addressed by James Leitch, chairman of the Ontario Railway Board, to Premier Whitney:

I enclose a cutting from The Mail and Empire of the 15th inst., from which it appears that the Dominion which it appears that the Dominion fore order was restored many men were the proposition of the board of control appears to be in favor of allowing the issue to be decided by the judge. Vice-Chairman Haurison said last inight he would prefer to have the judge use in the own discretion, and if he thought there were matters unat should be proposed he should continue in the work. "I understand the matter is in the judge's hands," said Conuroller Hocken. As it appears from his honor's remarks that he desires a mandate before proceedings further, the inference is that the investigation will not be pushed.

ment to his health, thru continual strain of the proceedings, and the fin-ancial loss and embarrassment to him. His physician had advised him to re-Opposition Has Right to Inspect

tire.
While admitting that his administration had not been "free from error," the commissioner asserted that he had always "labored to produce the best Wilfrid Laurier to-night accepted an amendment of R. L. Borden's to the possible results for the money pended," and that, considering motion to go into supply, admitting handicap of insufficient assistance, he had organized a creditable park system; the improvement of practically the whole of the city's park land having been undertaken by him. The general efficiency of management was est shown by their condition and the cost of maintenance. The executive work had been placed on a sound basis by additional office assistance.

In order that reorganization might not be hampered, he asked that his resignation be accepted on May 1, pointing out that there was much im-portant work to be done, including the estimates, on which he would lend his advice as soon as his health would

when the investigation was about to be resumed yesterday morning, T. C. Robinette, K.C., announced Mr. Cnam-

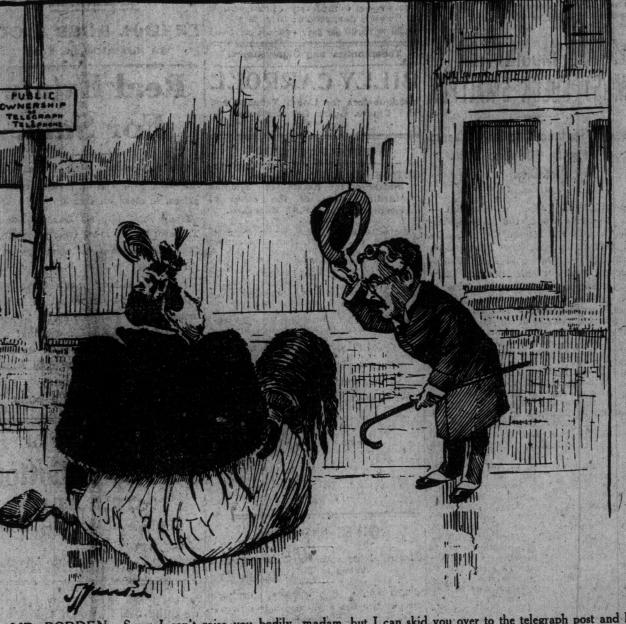
WILL BE FIREWORKS.

MR. Ames, not naving access to the originals, sould not say the copies differed from them. Tou would give him access to the originals. You would the proposition of the Severet mass and the students, merchants and the plane of the Severet mass and the students, merchants and the plane of the Severet mass and the students, merchants and the plane of the Severet mass and deedled to Canadas. The proposition of the Severet mass and the students, merchants and the plane of the Severet mass and the students, merchants and the proposition of the Severet mass and the students, merchants and the students, merchants and the plane of the Severet mass included) to Canadas but students, merchants and the st

John Zeagman, 45 years, committed suicide by taking two ounces of car-

Zeagman was employed in the poul-try department of M. P. Mallon's meat

A Shove in the Right Direction



MR. BORDEN: Sorry I can't raise you bodily, madam, but I can skid you over to the telegraph post and let

## CONTRACT LABORERS ARE EXCLUDED

Students, Merchants and Tourists but Opinion is That Regulations are Quite Adequate for us.

ALIEN LABOR ACT APPLIES

AGAINST HAWAIIAN LORDES LEMIEUX'S REPORT IN BRIEF.

Canada has Japan's verbal promise and the written expression of the foreign minister that the emi-gration of laborers and artisans

Japan's local governors and consuls in Canada have been notified. Only students, merchants and tourists from Japan will be permit-

ted to land. Hawaii, being a United States possession, can send no more Japanese coolies, the situation being controlled by the Alien Labor Act.

It is expected that the recent order-in-council, which stipulates that immigrants must come direct from their home countries, will shut off the Hindus. If not, the situation

will be met by an amendment to the Alien Labor Act.
Immigration companies are practically suppressed by new demands of the administration.

OTTAWA, Jan. 21.—(Special.)—Hon. Rodolphie Lemieux, postmaster-general and minister of labor, announced in the house this morning the result of his bers' resignation, and asked for ad-journment till Friday. The judge Japanese government with regard to the immigration of laborers from that country to Canada. He read a letter from Baron Hayashi, Japanese foreign TIME consideration whether we will let you have the original document or not."

AND THE AND THE WAS fered from them. "You won't give him access to the originals, could not say the copies differed from them. "You won't give him access to the originals, to the originals of the originals of the originals of the originals."

Not Be Made Scapegoat.

Not Be Made Scapegoat.

MONTREAL, Jan. 21.—(Special.)—

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The originals of the original occurrence of the originals of the originals of the original occurrence of the originals of the original of the ori

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Will Still Be Allowed to Enter, I Is Canada to Benefit By Jap Fear of U. S.?

> OTTAWA, Jan. 21.—(Special.)—As one gathers from Hon. Mr. Lemieux's statement in the commons to day, Canada has, at least, got assurances from the government of Japan that emigration of Japanese from that country to Canada will be restricted to the least possible limit-practically to merchants, students and tourists-so as to meet the wishes of Canada to avoid an Oriental invasion of labor into British Columbia. The Canadian minister was able, also, to tell the house that the new regulations of the Canadian immigration department will prevent the influx of Japanese from Hawaii; in other words, that Japanese can only come to Canada when they come direct from their native country, and then they must come under the new regulations of the Japanese Government.

> That is the Canadian side of it, but a more serious one is involved, namely, what is the situation in regard to the United States? As far as can be gathered, the United States at this date have received no assurances, inasmuch as they asked for complete prohibition. If this is so. Canada and the United States are in different positions, and the people of that country will be more than annoyed when they hear of Canada having a preferred position.

> It is believed here that the United States, thru its representatives in Japan, wished to join with Canada in common negotiations with the Japanese Government, but that the Canadian representative could not see his way to accept such a suggestion. It is believed that whatever may be said otherwise, the Japanese Government is at this moment more than anxious to retain the good opinion of her ally, Great Britain, especially when the American fleet is on its way to the Pacific, and therefore is most anxious to give the Canadian Government her best promises to meet its views in regard to the influx of Japanese laborers to compete with the white labor of British Columbia.

> The situation, as far as the United States and Japan are concerned, may therefore be more critical than it was thought a few days ago. But all this is a matter of short moment. Sooner or later, Canadians and Americans will be together in resisting an Oriental invasion of

Japan will, as before, continue to en- any features that could give rise to should be asked to draw p an applica-

apprehension of any future trouble, in tion to be sent to the legislature, which regard to oriental immigration."

Stops Hawaiian Emigration.

"The emigration companies that are responsible for the influx into British Columbia," continued Mr. Lemicux, had been practically suppressed by the time. The committee agreed to Henry Arnold, butcher, 249 Lippin-cott-street, asked \$200 compensation for Columbia," continued Mr. Lemicux, had been practically suppressed by the time. The committee voted \$50, new regulation requiring an increased from Honolulu to Canada. Our Alien Labor Act provides against the impertation of contract labor from the United States; Hawaii is an American posses-

But There May Be Objections to Nova Scotia Co.'s Proposal to Buy.

A special meeting of shareholders of the Peterson Lake Silver Cobalt Mining Co. will be held to-morrow in the King Edward at 3 o'clock, to pass on the action of the directors in selling 30 acres of the company's property to the Nova Scotia Company for 150,000 fully-paid shares in that organization, and on a proposal to lease out certain portions of land on a royalty basis.

A good deal of surprise is expressed among local shareholders at this news. Peterson Lake is a property 187 acres in extent. Nova Scotia property adjoins the lake, but is a much smaller tract. The same capitalists are behind these two propositions and the Kerr Lake Co. The Nova Scotia property has been worked and a number of ship-ments of rich ore have been made. Peterson Lake shows as good prospects as Nova Scotia, but no work on the veins has been done by the company, tho the lake level has been lowered by

the the lake level has been lowered by the digging of a drainage canal.

The proposal before the shareholders is apparently to give the Nova Scotia. Co. the pieces of property into which their rich vein runs. Whether this is fair to the minority shareholders will probably bear explanation. If the Nova Scotia Co. is to be worked as a holding common to the benefit of its shares. ing company for the benefit of its share-holders, irrespective of the Peterson Lake minority interests, there will be

some sharp protests.

On the face of it 150,000 shares in the
Nova Scotla does not appear to be a
fair equivalent for 30 acres of Peterson
Lake with a developed vein shipping
silver running thru it.

SIR F. BORDEN'S STATEMENT Financial News Speculates on His Repudiation.

The Financial News refers to Sir Frederick Borden's repudiation, published in The Globe, that he had any connection with the Canada Consolidated Coalt Company, as follows: "Mr. Borden's account certainly deepens the mystery which surrounds this extraordinary affair. As the facts now stand, it appears Sir Bevan Edwards and Sir Frederick Frankland, who recently resigned positions on the London committee, because they were unable to ontain information regarding the company from Canada, were informed the Canada Consolidated Cobalt board consisted among other gentlemen of Sir F. Borden. They saw Sir Frederick, and, as they say, conferred with him on business. At the interview, however, according to Mr. Borden, they never asked if it was true he was a director, or used any language which might have led him to infer they supposed he was officially connected with the company. Their object was to discover the nature and standing of the company, yet if Mr. Borden's recollection is correct, they never asked the very questions which we should imagine would have been the essential indispensable preliminaries to any discussion on the subject. At all events it would be interesting to hear what account Sir Bevan Edwards and Sir Frederick Frankland have to give of the interview, and to what extent they confirm or are at variance with Sir Frederick Borden." ordinary affair. As the facts now stand,

MILK STANDARD WANTED.

Local Board of Health Decide to Re-

A decision to ask the legislature to introduce a measure to provide for the establishing of a milk standard, whereby it will be determined exactly what proportion of butter fat should be con-

tained, was reached by the local board of health yesterday afternoon.

Ald. Foster brought the matter up by proposing that the civic authorities of Montreal, Hamilton and Ottawa should be communicated with regarding the regulations in force, but Dr. Saeard deemed such action unnecessary. He said that the bylaw at present merely empowered him to seize milk when it was found to contain injurious matter, was found to contain injurious matter, so that there was no penalty prescribed for diluting with water. Analysis of more than 1000 samples showed that milk supplied in Toronto only averaged about 3 per cent. of butter fat, while about 40 per cent. fell below the mark. He thought that 3.7 per cent. should be

NO CALL FOR ARTIZANS.