

The Toronto World

A Morning Newspaper Published Every Day in the Year.
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MUNICIPAL RIGHTS AND THE RAILWAY COMMITTEE.

Previous experience has shown that under present auspices and conditions the rights of municipalities to control their streets and public places and to protect the commercial and industrial interests of the citizens meet with neither respect nor sympathy from the federal parliament and government. The treatment accorded by the railway committee of the house of commons to the amendments proposed on behalf of the City of Toronto is the latest and one of the worst examples of this indifference, direct hostility even, to the principle of civil control of public franchises. There seems, indeed, to be no end to the concessions private corporations can obtain for the asking from a federal parliament and government, evidently prepared to encroach at any and all times on provincial jurisdiction and to prevent the municipalities of Canada from controlling and operating their public services for the straight advantage of the people. Professions of respect for provincial and civil rights have been numerous enough, both in the house of commons and the senate, and in the cabinet itself, but when it comes down to a counting of votes, support for the predatory corporation is never wanting.

Particularly disappointing was the attitude of the Hon. Mr. Graham, who simply abdicated his duty as a cabinet minister when he contented himself by expressing a personal opinion what ought to have been a plain statement of government policy. The points raised by the bill promoted by the Niagara, St. Catharines and Toronto Railway Company were neither small nor unimportant. They were not of particular application, for they involved the general question of the nature and extent of the right of a municipality over its streets and franchises, both absolutely and relatively. It may not be unreasonable to argue that a city must not arbitrarily deny admission to a railroad asking permission to enter for the purposes of its business, or impose unnecessarily onerous conditions upon it, but surely it can be protected in another way than by deliberately inverting the positions of the community and the corporation.

Toronto, or for the matter of that any and every municipality similarly situated, is entitled to expect that the government and the legislature will recognize its fundamental right to control its streets and franchises, and as a natural consequence its right to impose upon private adventurers seeking to invade them, whatever conditions it deems essential for the protection of the lives and interests of the citizens. If these conditions are harsh or unfair, by all means let the adventurers have the right to appeal to a competent authority, but the burden must be on them to show that they are unreasonable. This should be the true relationship between a city and a railroad company seeking entrance, and it is the only one that accords with the equities of the case.

But, as the Niagara, St. Catharines and Toronto Railway Company's bill has passed the railway committee, the position as has been said, is deliberately inverted. The company has been given power to cross or use the public streets at its own pleasure, and to carry on a street railway business as and how it will. And the city is thus compelled to go to the railway board in order to obtain as a matter of grace, what should be matter of right, and, indeed, conditions precedent to entry within its bounds. Nothing could show more clearly the corporation bias of the railway committee and its gross disregard of the rights of Canadian municipalities and of the ordinary citizen. The battle must be renewed in the house of commons and the government compelled to make an explicit declaration of policy with regard to the relationship between a city and a private company seeking to use its streets for its own profit. It is to be hoped that Mr. Graham will act up to his public professions in this behalf and require such amendments as are necessary to place the city in its true position. What parliament should do in the public interest is to recognize and enforce to the full the primary right of municipalities to control their streets, public places and franchises, and to require proper protection for their citizens from companies intending to use these for their own advantage.

J. S. TREATY MAKING POWERS.

If the proposed treaty regarding the fisheries in which Canada and the United States are jointly interested becomes an accomplished fact, it will remove them from the state jurisdictions that have hitherto been the chief obstacle to a satisfactory arrangement. This effect of the treaty making powers of the United States Government and Senate is not generally known and some months ago Secretary Root was criticized for maintaining that a treaty is not invalid because repugnant to the federal constitution. But he was absolutely right in his contention, since by article six of the constitution it is

provided that "all treaties made or which shall be made under the authority of the United States shall be the supreme law of the land and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding."

As a treaty made by the president and concurred in by two-thirds of the senate is a treaty "made under the authority of the United States" no question regarding its competency can arise. In this respect therefore the United States Constitution is as little democratic as is the exercise of the treaty making power which British constitutional practice vests in the sovereign acting under advice of his responsible ministers. The United States House of Representatives is thus as helpless as is the British House of Commons in respect to the making of treaties, but the latter has what the former has not—the power to dismiss a government whose action it disapproves or to compel an appeal to the country. On the other hand, the senate is probably more amenable to sectional influences than is the British Cabinet, and, as has happened before, it is not impossible that the strong Irish-American protest again raised may prevent the conclusion of the new arbitration treaty now forming the subject of negotiations between the Imperial and United States executives.

THE CITY DAIRY COMPANY.

There continues to be throated the civilized world an agitation for pure milk. Toronto is to be congratulated that, largely due to the influence and standard of the City Dairy Company, Limited, she is first amongst the cities of Canada in meeting the existing requirements in this important element of diet. The present indications point to the establishment in Toronto, through legislation, of an abnormally high standard of butter fat and total solid content, which, if realized, will mean that the milk sold in this city must be standardized at the dairies before being delivered to consumers. The City Dairy Company, Limited, is equipped to satisfy the highest requirements legislation may demand. The company some time ago took an important step towards securing an improved source of supply for their milk, by obtaining a controlling interest in a large dairy farm, situated in the north of the city, comprising upwards of 700 acres. The herd will be increased from time to time, and the City Dairy Company hopes to produce the highest quality of milk obtainable on the continent—a standard, as a matter of fact, already maintained by the concern. The year was the most prosperous in the history of the company. The current year promises for the company a considerable increase in milk sales, and a large increase in their ice cream business. Indeed, this is not at all a matter of surprise, for no other company in Canada dealing in dairy products has supplied so pure and wholesome milk, or done so much for the health of the community as the City Dairy Company has done for Toronto.

IN THE CENTRE OF THE STAGE.

Toronto Globe: This is the man of the moment. He, and he alone, by the exercise of a wise moderation, can save Toronto from the unwelcome duty—but one that, nevertheless, will be faced if necessary—of constructing a duplicate electric lighting plant and starting a competitive contest with the Electric Light Company, Ltd., which has been the subject of a bill introduced in the house of commons.

Mr. Mackenzie in his own sphere is a great man, a financial strategist, a sort of Von Moltke in the battle for money power. His activities are world-embracing. Street railways in cities like Toronto, Montreal, Winnipeg, Janeiro and Sao Paulo, great power plants in Mexico and Brazil, a Canadian transcontinental railway, vast iron properties, are among Mr. Mackenzie's interests. Three hundred years ago he would have sailed with Raleigh or Drake and taken toll of the Spanish Main in the same spirit in which those other splendid adventurers did, not the gold of the world but won so much as for the joy of winning it by the strong hand.

Mr. Mackenzie does not love money, for its own sake, but because it represents power. Some day, when he becomes very rich, and old, and tired of it all, he will want to be remembered in kindly fashion by his fellow citizens of Toronto. The usual rich man's road is the endowment of a library or the building of an hospital. The Globe wishes to point out a more excellent way into the public esteem. Toronto desires to own and operate its electric lighting service. The city is willing to pay a fair price for the lighting company's plant. That plant cannot be sold apart from a company with the Electrical Development Company for the supply of power from Niagara. The city has no objection at all to buying the same power now supplied and taking it over the same wire if Mr. Mackenzie will sell it at a fair price to the city through the agency of the hydro-electric commission. His material interests will be in no way injured. To sell power to the commission instead of to the city directly may seem to him a species of absurdity, and, frankly, it seems so to The Globe, but that is the price the board of control has marked out for itself. Mr. Mackenzie is not accustomed to following in other people's paths, but some day he may discover that even that is good discipline occasionally. Mr. Mackenzie yesterday waved aside an interviewer who tried to discuss the question with the remark that he had not yet absolute control of the Electrical Development Company, and, therefore, could not make any statement. That is either mock modesty, a quality we had not hitherto observed in the Master of Benvenuto, or it is evasion. It is not clear Mr. Mackenzie's style. He knows, we all know, that "where MacGregor sits, that is the head of the table." Mr. Mackenzie should SPEAK NOW.

Low Colonist Rates.

are now in effect and will continue until April 29. One-way second-class colonist tickets will be issued by the Grand Trunk Railway System to the following points at \$24.00: Vancouver, B.C., Seattle, Wash., Portland, Ore. The fare to Los Angeles and San Francisco, Cal., will be \$48.00. Mexico City \$53.50. Full information and tickets may be obtained at city offices, northwest corner King and Yonge streets.

NEW SHAPES

ENGLISH COLLARS AND CUFFS
Young and Rochester's Make.
COLLARS, all shapes, worth 2.00 a doz.
SPECIAL 1.50 a doz.—2 for 2.95.
CUFFS, round and square points, reg. 25c
a pair, 3 pairs for 80c.

Jaeger
DEPT. 85 KING WEST
WREYFORD & Co. PROP.

ACCORDING TO HOYLE GOVT. HAS DONE WELL

Lincoln Conservatives Hear and Cheer Hon. Adam Beck and Hydro-Electric Power Policy.

ST. CATHARINES, March 12.—(Special.)—Lincoln Conservatives met in convention to-day when the following officers were elected: President, David Allen, Grimsby; vice-president, James A. Keyes, St. Catharines; secretary, W. O'Loughlin; treasurer, M. Y. Keatinge. Keen disappointment was felt at the non-appearance of Provincial Secretary Hanna, detained at home by the illness of his daughter, but Mr. Hoyle, M.L.A., delivered a practical address upon the good decision of the liquor license act, dealing with pool room and other evils, and prompt administration of justice as a few of the many examples of the good work of the present legislature.

Hon. Adam Beck after a brief reference to reduction in the cost of school books branched out into an explanation of the power decision of the liquor license act, dealing with pool room and other evils, and prompt administration of justice as a few of the many examples of the good work of the present legislature. Hon. Adam Beck after a brief reference to reduction in the cost of school books branched out into an explanation of the power decision of the liquor license act, dealing with pool room and other evils, and prompt administration of justice as a few of the many examples of the good work of the present legislature.

ACCOUNTANT FALCONER COST COUNTRY \$42,000

Seventy-Five Dollars a Day While Traveling on Train—Public Accounts Committee.

OTTAWA, March 11.—To get the marine department's system remodelled by Kenneth Falconer cost the country of Canada \$42,000. Of this \$36,000 has been paid.

It developed in the public accounts committee that Mr. Falconer was not a chartered accountant, but he had had considerable experience in bookkeeping systems for various industries. Mr. Falconer read Falconer's accounts for November, 1906, containing charges of \$75 and \$40 per day, besides travelling expenses. Questioned as to this, witness said Deputy Minister Gifford had suggested a per diem allowance instead of expenses in detail.

Mr. Falconer said he charged half-time for the time he was travelling to and from the place in question. Thus, half a day was charged for every man on every trip, both ways, between Ottawa and New York. Among the New Yorkers for whom such charges were made were Richardson at \$75 per day; Dunn at \$75, and saucier at \$50. The majority of those employed by him in his examination of the marine department's books were from Boston and New York.

TELEGRAPHIC BRIEFS.

Gen. D'Amada, the commander of the French forces in Morocco, has received letters from Mulai Hafid asking for peace.

The cigarmakers' strike at Havana, begun in January, has been settled.

Fifteen registered mail packets disappeared from the packets in the steamer Celtic.

Emperor Francis Joseph has given sanction to a great jubilee procession by Vienna on October 15.

Some time ago on account of his poor health.

LADIES
Get what you want by writing for our Catalogue. Rubber Goods of every description. Toilet and Sick Room Supplies. Drugs and Patent Remedies. We sell fifty per cent cheaper than any other house.
The F. E. KARN CO., Limited
Canada's Largest Drug House
Cor. Queen & Victoria Sts., Toronto

SOME SIDELIGHTS ON BRITISH POLITICIANS

Rev. Dr. Hossack Entertains the Empire Club—The Duty Towards India.

A few of the characteristics of the British politicians and a few lessons drawn from their lives was what Rev. Dr. Hossack of Deer Park Presbyterian Church presented to the Empire Club yesterday, in an address which, for pointed comment and dry and laughter-provoking humor, is not often equaled. Dr. Hossack touched but slightly on the politicians mentioned, but managed to give a vivid sketch with a few outlines.

Premier Campbell-Bannerman had been expected never to excel a second-rate position or to display any sense of humor. He had, however, developed a very keen sense of humor, as had all the British leaders. He had succeeded in the task which Gladstone had been unequal to, of holding together many diverse sections in the Liberal party. Rosebery had given up the task in a high spirit of disinterestedness without seeking merely to manipulate a majority. Our Canadian politicians should not try to hold on to office too long, thought Dr. Hossack. The balance of party power was unstable, and in England the average duration of governments was four years.

The governments in this country seem to bleed to death, until pale and corpse-like they are thrown out. They are buried, and it takes a generation to produce new blood. The new government, coming in strong and vigorous runs riot, and the opposition is too weak for criticism, were Dr. Hossack's remarks on this point.

Asquith, 56 years of age, still in his prime, would succeed Campbell-Bannerman. The wonderful character—Henry Labouchere—like Horace Greely, backed his opinions with his money. It was always known what client lawyer appeared for, but it was not always possible to know who was behind a newspaper, or to know in whose interest the editors were written. There could be no mistake about truth, however.

John Morley was an agnostic, but he was elected to parliament. In England when they elected a man to office it was his fitness for the position and not his religious views that were considered. Morley had evil fortune at the beginning. It was 20 years ago that he was elected after his first attempt.

If Hon. S. H. Blake was heard in a kindly mood, the listener could almost persuade himself that he was listening to John E. Redmond.

Dillon, with great self-sacrifice, gave up to Redmond the leadership of the party. Dillon was one of the four or five men in the house with whom the people of the States to make their paper, as Canada, alone, has the raw material.

AT OSGOODE HALL

ANNOUNCEMENTS FOR TO-DAY.

Master's Chambers.

Courtroom, master, at 11 a.m.

The Hon. Chief Justice Meredith, at 11 a.m.

Divisional Court.

Peremptory list for 11 a.m.:

1. Hummel v. Stinson.

2. Bromley v. Dinmore.

3. Dixon v. Garbutt.

4. Stone v. Stone.

Toronto Non-Jury Sitings.

Peremptory list for 10.30 a.m.:

1. Green v. Oslaw.

2. Hall v. Crawford.

Invalid Ladies

This Is For You.

There are thousands of females who suffer untold miseries common to their sex.

This is largely due to the peculiar habits of life and fashion, and the improper training of girlhood. Then, too, the physical changes that mark the three eras of womanhood (the maiden, the wife, and the mother) have much to do with her sufferings, most of which are endured in silence, unknown by even the family physician and most intimate friends.

To all such whose hollow cheeks, pale faces, sunken eyes, feeble footsteps, indicate nervousness, palpitation of the heart, weak, faint and dizzy spells, we would earnestly recommend a course of Milburn's Heart and Nerve Pills.

Mrs. Jos. Sharp, Brighton, Ont., writes: "I was troubled with palpitation of the heart, weak spells and nervous trouble, and could no relief until advised to try Milburn's Heart and Nerve Pills. I got one box and that helped me so much I sent and got five more. I am now cured completely."

Milburn's Heart and Nerve Pills are 50c per box or three boxes for \$1.25, at all dealers or mailed direct on receipt of price by The T. Milburn Co., Limited, Toronto, Ont.

THE T. EATON CO. LIMITED

Saturday and Here For Clothing

We could fill this page—and not half try—with good reasons why you should choose your new spring outfit here. But we're just going to make a suggestion or two.

Men's wear from hat to boots.
Women's wear from head to foot.
Children's garments—clothes for everybody.

We offer you positively the largest selection, newest styles and the very best of quality and value.

New Patterns in Spring Suits

See the striped brown English worsted—a stylish, handsome fabric. New two-button single-breasted sack coat.

Or this medium grey mixture in honest worsteds. Three-button single-breasted coat with fairly straight front, and cuffs. Dressy!

Both suits extra well lined and trimmed; faultlessly tailored. Sizes 36 to 44. Either 13.50

The new coffee brown with small patterns. English worsted. Best lining and trimmings. Coat has almost straight front, long lapels, and hand-padded collar to fit snugly. Sizes 36 to 44. While the new shade will give you reason for buying, we emphasize, too, the excellent quality of material, and tailor-work that insures a perfect fit. Invaluable value at 15.00

ALSO
Blue Suits at \$11.00, \$12.50, \$15.00 and \$16.50.
Black Suits, \$11.00, \$12.50, \$15.00 and \$20.00.

You Need a Spring Overcoat or Raincoat

from now to June. In handling our fabrics we're most careful that every yard is thoroughly shrunk—that they can't shrink in the wear.

Knee-length Light Overcoat—single-breasted Chesterfield, cut full; lapels and down front silk faced. Material is the nice, soft vicuna cloth, black; strong body lining. Sizes 34 to 44. Price 12.50

Another—lined all through with black silk. The cloth is black vicuna—English fabric. Style correct to a detail. Sizes 34 to 44. This garment will give excellent wear and prove a good fall coat, too. Price 15.00

Other Spring Overcoats at \$7.50, \$8.50, and \$10.00.
Our \$10.00 Raincoat is of imported cravenette—Oxford grey. Mohair sleeve lining—Italian shoulder lining. Correct new style. Sizes 34 to 44. Price 10.00

An 8 o'clock Suit Chance For Men

Spring Suits, in neat brown and olive mixed effects—all-wool mill and worsted-finished tweeds. Newest single-breasted coat with good Italian lining. Sizes 36 to 44. A genuine price opportunity—great big saving on each. Early price 6.95

THE T. EATON CO. LIMITED

190 YONGE STREET, TORONTO

TWO DOCTORS ARRESTED ON A SERIOUS CHARGE

D. W. Shier and E. M. Cook Concerned in Illegal Operation on Young Woman.

Charged with procuring an illegal operation upon an 18-year-old girl, Dr. D. Webster Shier, 617 Markham-street, and Dr. Edgar M. Cook, 90 College-street, were arraigned before Magistrate Kingsford yesterday morning. Both pleaded not guilty and elected to be tried by jury.

Mrs. Maude Johns, at whose maternity home at 105 Grange-avenue, the operation is alleged to have been performed by Dr. Cook, said that a girl, present in court, had been sent to her home by Dr. Shier three weeks ago. She had called in Dr. Cook, as directed by Dr. Shier.

Dr. Shier had given her \$25 and she had later been paid \$25 more on the girl's behalf. She had given \$25 to Dr. Cook. He had acted as nurse during the doctor's operation.

The girl swore to having been attended by Dr. Cook. The magistrate, in adjourning the enquiry until March 18, ordered Dr. Cook to be taken into custody, but allowed Dr. Shier's bail of \$2000 to stand.

J. C. Cook, brother of the accused, who is defending him, argued strongly against this, urging that the doctor had lived in the city for 15 years. At five o'clock, application having been made to Justice Britton, who ordered his release upon \$4000 bail, to be approved by Crown Attorney Corley, Dr. Cook was granted his liberty.

Dr. Shier had been arrested by Detectives Kennedy and Archibald at 10.30 Wednesday night, and Dr. Cook was taken into custody at 3 o'clock in the morning.

Both were admitted to bail at 8 a.m. The steamer Lakeside is being overhauled at Port Dalhousie.

The New York State Senate have declined to pass a bill doubling the governor's salary to \$20,000.

Nebraska delegates will go to Chicago instructed for Taft.

THE TRADERS BANK OF CANADA

DIVIDEND NO. 43.

Notice is hereby given that a dividend of one and three-quarters per cent. upon the paid-up capital stock of the Bank has been declared for the current quarter, being at the rate of seven per cent. per annum, and that the same will be payable at the Bank and its Branches on and after the first day of April next. The Transfer Books will be closed from the 17th to the 31st of March, both days inclusive.

By Order of the Board.
STUART STRATHY,
General Manager.

Toronto, Feb. 21, 1908.

Obituary.
At Toronto—W. H. Armitage, grocer, aged 50.
The Corona of the Niagara River Line will begin running across the lake on May 11.

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