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(Limited)

LONDON, ONTARIO

London, Friday, Feb. 21.

The Supreme Court of Canada.

The appointment of the Hon. David Mills to the position of puisne judge of the Supreme Court of Canada, surrounds that body with renewed interest, especially to those of Western Ontario who have taken a personal interest in the new appointee ever since his entry into public life. The first session of the Supreme Court, for the current year, began on Tuesday in the Supreme Court buildings, which are located to the west of the Parliament Buildings. At eleven o'clock in the forenoon the ceremonies began, when the judges, in their long scarlet robes and deep ermine trimmings, entered and took their seats upon the bench. The registrar, Mr. E. R. Cameron, read the King's commission appointing the Hon. David Mills member of the court, after which the Hon. Charles Fitzpatrick spoke in eulogistic terms of Mr. Justice Mills' predecessor, the late Mr. Justice Gwynne. In referring to his demise, the Minister of Justice said that we are forced to realize that,

"Whether the cup with sweet or bitter run,
The wine of life keeps oozing drop
By drop,
The leaves of life keep falling one by one."

The late Justice Gwynne had occupied his position for the long period of 30 years. Referring to Mr. Justice Mills, the Minister of Justice spoke as follows: "He brings to the performance of his new duties a reputation won in the highest court of this country—the great court of Parliament. For over a quarter of a century he has been admitted without a superior in his knowledge of the law and usages of Parliament. He has played an important part in the shaping of the legislation which your lordships are called upon to interpret, and his great experience of men and affairs will be of invaluable assistance to your lordships. His appointment will meet with general approval. We of the bar feel that while the dignity and the honor of the law are safe in his hands, the privileges of the bar will never be impaired by him. We wish him a long and useful career."

The Supreme Court of Canada is composed of a chief justice and five puisne judges, or judges inferior in rank, two of whom, at least, must be appointed from the bench or bar of the Province of Quebec. This provision was made in order to give the court the assistance of men schooled in French-Canadian law. The judges of the Supreme Court Bench must reside in Ottawa, or not more than five miles from the capital. The members of this court at present are: Sir Henry Strong, Chief Justice, and Puisne Judges Hon. H. E. Taschereau, Hon. David Mills, Hon. Robert Sedgewick, Hon. D. Girouard and Sir Louis Davies. In the absence of the Governor-General, his place is usually taken by the Chief Justice of the Supreme Court. The emolument of the Supreme Court is \$5,000 for the chief justice and \$7,000 each for the puisne judges.

There are three sessions each year. The first session begins on the third Tuesday in February, the second on the first Tuesday in May and the third session on the first Tuesday in October.

In the year 1875 it was thought advisable to pass an act providing for the establishment of a Supreme Court of Canada, to which appeals from the inferior courts of the Provinces might be taken. This court is, however, only a court of appeal for Canada in a limited sense, as the Provinces still retain the right to appeal to the Privy Council. Nor can this court be said to be the final court of appeal for Canada, since "Appeals are made"—we quote from Bourinot—"from the supreme and inferior courts of the Dominion to the Judicial Committee of the Privy Council under such conditions as have been laid down by that body under the law. The appellants or parties who are not satisfied with the decision of the Canadian courts, petition the King in council for leave to appeal. If the appeal be allowed, the whole case, as it appears on the record, is submitted to the Judicial Committee, composed of eminent judges—generally four, though there are a quorum—who hear arguments and finally report their decision to the King in council. This decision is authoritative and settles the case."

Criminal cases cannot be appealed from Canada to the Judicial Committee of the King's Privy Council. In such cases the Supreme Court of Canada is the final court of appeal. Appeals in both civil and criminal cases can be taken to this court from the highest courts of final resort in the Provinces. The Supreme Court may also review the decisions of the superior courts of the Provinces in cases of controversial elections; constitutional controversies between the Provinces, or between any Province and the Dominion, may be referred to this court. In this regard, it will be seen that the Supreme Court fulfills a very important function in the Dominion by preventing undue friction in its federal machinery. It is intended, as far as practicable, to be

a court for settling controversies that may arise from time to time in the working of the constitutional system of Canada, and the Judicial Committee of the Privy Council will entertain appeals from the Supreme Court only in cases of extreme moment, which involve question of public interest or of some important point of law.

Up to the year 1887, the Supreme Court included also the Exchequer Court of Canada. In that year the two courts were separated, and Lord Stanley, the Governor-General of Canada at the time, with the advice of his council, appointed a special judge to preside over the latter. The Court of the Exchequer has its origin in early English times. As the King's revenues increased, disputes in regard to their collection and management also increased, so that it was found necessary to divide the duties between two departments—administrative and judicial. The Chancellor of the Exchequer of England is the Finance Minister. In Canada the Exchequer Court has authority to hear and decide those cases in which revenues or property, or similar interests of the crown, are involved.

The Death of Postmaster Browne.

The announcement of the death of Thomas A. Browne, postmaster of London, came with startling suddenness. He had been with us all his life, a typical London old boy. As a boy it might truthfully have been said of him:

"There's something in a noble boy,
A brave, free-hearted, careless one,
With his unchecked, unbidden joy,
His dread of books and love of fun,
And with a calm and ready smile,
Unshaded by a thought of guile."

In his case the boy was father to the man. The honest, candid, open, frank boy with more than average ability, grew into the man we knew. His form was tall, erect and manly, and his mind in keeping with it. He had a disposition uniformly cheerful, and had in him, well blended, a love of fun and manly sports, coupled with steady and solidly of character.

He lived all his life in this city, except a short time spent in Winnipeg during the boom. He left Mr. Wilson's class in the Union school in 1889, and learned the trade of a boilermaker with his father, the late Ald. Browne; but he did not long follow that occupation. He became a member of the firm of Wm. Moore & Co., real estate agents, and during the boom represented that firm at Winnipeg. He returned to London and was for many years secretary of the Reform Association and also of the Western Fair. As a business man he was very accurate and reliable, and on that account, and his high personal character, he was appointed an auditor for the Huron and Erie Loan and Savings Company and the Canadian Savings and Loan Company, which positions he filled till appointed postmaster of London on the retirement of Postmaster Dawson. The same qualifications which marked him out for the positions referred to made him an excellent postmaster. He had been secretary of the Reform Association, but his appointment as postmaster was received with much pleasure by Reformers and Conservatives alike. It was an appointment approved of by all parties. He had never been a bitter partisan, and had no enemies on either side.

When the Tecumseh Baseball Club were at their best, about twenty-five years ago, Tom Browne was first baseman and took part in many a well-fought game with their old rivals, the Maple Leafs of Guelph; and when the Caledonian games drew their thousands of spectators, when the late Robert Reid was president of St. Andrew's Society, and John Fairgrieve was manager of the games, Tom Browne was secretary, and many a happy committee meeting he attended, contributing in no small degree to the pleasure of the occasion and the success of the games. Robert Reid's death was the first break in the ranks of the committee, and Mr. Browne's death creates the second.

London can ill afford to lose a man like Mr. Browne. It is pleasant to reflect that amid all the fierceness of the political contests in which he took part he never swerved from the right. He leaves his family the legacy of an honest life. He had been a son, a brother, a husband and a father, and in each the family tie could be no purer or stronger. His death brings home to us "what shadows we are and what shadows we pursue." Surely

"A shadow in a weary land,
Where men as wanderers roam;
A shadow where a rock doth stand—
The shadow of a home."

His widow and little boys, his aged mother, his sisters and brother, will have in their irreparable affliction the sincerest sympathy of all.

The Referendum in Manitoba.

The prohibition question in Manitoba seems to have become somewhat mixed, and the result will be fierce controversy and political complications. The referendum is rejected with scorn by the temperance party there, and they advise all their friends to ignore it. Of course we can understand people objecting to the referendum process on its merits. As to its use in Ontario at present, no strong objections ought to be raised, and two advantages are to be recognized, that it takes the actual decision on a great social question out of the sphere of party politics, and gives an opportunity for a direct expression of opinion on a concrete measure. In the west it is different, and it is instructive to note the difference. Whether the temperance people of Manitoba are

wise or unwise in treating the referendum with such contemptuous scorn, we need not now discuss. We must, however, admit that their position is clear and logical. What they say is, at the last election the Conservative party took up prohibition, and by means of it secured the victory. They then passed their measure, which would have become law in the same way as any other measure if an appeal had not been taken to the Privy Council; and therefore, when the Privy Council sustained their bill, it ought at once to have been put in force, as it represented the will of the people, deliberately expressed at the last election. Therefore, they say, we will have no referendum, but if the government will not carry out the policy it was elected to pursue, we will fight out the matter at the next election. It is not for us to say whether this is the best course for temperance people to follow, as we are not acquainted with the local circumstances, but it is difficult to see what reply can be made by the present Government of Manitoba. The whole situation shows that this is not a fit subject for party politics.

Like All the Other Objections to the Ontario Government.

The Free Press says, under the heading "Direct Taxation":

"No less a sum than \$1,500,000 has been collected by the Ontario Government under what is known as the Succession Act, since it was placed upon the Statute Book."

"Why should this tax be imposed upon the estates of deceased people, if the officers of the Province have been and are overflying with millions of a surplus over and above the annual requirements of the public service?"

"The country has during the past twenty years had 'Ontario surplus' dinned into its ears, ad nauseam. The boast has been that from \$5,000,000 down to \$2,500,000 were saved down by Ontario ministers for a rainy day, yet in the face of these boasts direct taxes have been imposed in various ways, one of which is that of pouncing on the estate which a man may have worked a life-time to earn."

The above is like all the other objections to the Ontario Government. A few minutes consideration will cause the objection to vanish and praise to take its place. The Succession Duties Act is one of the best acts ever passed by the Ontario Government. It does not impose any burden or duty on the poor, for all estates under ten thousand dollars are exempt, and that exempts the great majority of people. Very few leave estates liable to pay duty, and to what payment ought less exception to be made than a succession duty?

It is beyond dispute that the men of moderate means pay a greater proportion of their income in taxes than do the rich. The fortunes accumulated have been so accumulated under the protection of the law, and if, when a man dies, he wishes to dispose of a fortune exceeding one hundred thousand dollars, those who receive it have not toiled for it, and may reasonably be asked to contribute towards the country's charities. If divided among his children it is exempt up to one hundred thousand dollars.

But the Free Press seems angry that the Government has not reached direct taxation. The Opposition saw nothing else ahead, and lustily shouted their warning to the people at every election. These Opposition apprentices, had they been in power, would no doubt have imposed direct taxation. The Government knew a better way, one that was just and fair, and one that has enabled the Government to maintain its policy of advancement all along the line and not to forget the unfortunate and suffering, not to fail to lift as much of the burden from the people's backs as possible.

The cry of the Opposition has always been one of gloom and despair, one of servility to those who would have wrested from Ontario, by wholesale, its rights. The people know that that Government, full of hope and strength, that secured the great country to the north of us, that has withstood the introduction of direct taxation, managed to spend millions upon millions for the country's good and still permitted the Free Press to wall truthfully "that from \$5,000,000 to \$2,500,000 were saved down by Ontario Ministers for a rainy day." Is the Government they want. The people seek no change, and least of all a change to those who would have given away the territory to the north and its possessions and caused the Province to knuckle down to "direct taxation."

A Sad End.

Lord Dufferin, when in Canada in the full bloom of his manhood and the rich strength of his career, never dreamed that he would be used "to point a moral and adorn a tale." And if this is done just now by many journalists, it is in no harsh spirit, but from a sense of public duty. Lord Dufferin was a man of great abilities and wide experience; he served his country well, and perhaps he ought to have received more material recognition. That is the statement that is made by some, that if he had received a large pension so as to be able to provide for his children he would not have been tempted to connect his honorable name with questionable speculation. We do not believe that the noble lord would have made such an excuse, though it may be well for us to make it; he would, we are sure, have stated frankly that he had made a great mistake in allowing himself to be connected with a man of the type of the leading spirit of the Globe Corporation. One of the saddest things in the whole inquiry concerning that gigantic failure was the last letter of Lord Dufferin. He offered, if he got well, to present himself before the registrar for examination, and said

with regard to the speculations: "I should have considered myself highly criminal if I had knowingly consented to the shareholders' money being gambled away in such a manner." The aristocratic members of the board who did attend confessed that they had practically left everything to the managing director, and the said director, when asked if the directors knew of the speculations to the extent of one million and a quarter, answered "They did not know of the extent because they did not take the trouble to foot the contract notes; they left it to me."

There was an old tradition that lords and ladies should not soil their hands with trade, and we would say certainly, not with that kind of trade. Nowhere is the sorrow more sincere over Lord Dufferin's sad end than in Canada, where his memory is respected for the work he did in days that are past.

Glimpses From Ottawa Gallery.

[Special Correspondence.]
Press Gallery, Ottawa,
Feb. 20, 1902.

One hears a good deal occasionally in favor of putting up the tariff bars against the outer world, and particularly against the United States. The feeling is not entirely unnatural. Our neighbors across the lines have pursued a decidedly one-sided policy. A large proportion of their agricultural population live by the market of Great Britain, to which they have free access, while they ruthlessly bar out by extremely high tariffs everything that can be excluded in the shape of British manufactures. Nor can anyone be surprised that Canadians, annoyed at the unwillingness of our neighbors to enter into fair reciprocity of trade, should sometimes speak of reciprocities of hostile tariffs.

But there are several things to be considered. What is to be desired, for the general good of the world, is a range of moderate tariffs, not a series of fighting impositions. Anyone can see this would be a world-benefit; but would it not equally confer advantages upon each individual nation? The legitimate manufacturer can do very well with a moderate tariff; no one should begrudge him an atom of whatever advantage accrues from the generous revenue tariffs, pretty generally needed to meet the growing needs of modern government.

If the consumer gets some incidental advantage from moderation of tariff—well, he is not a bad sort of a fellow, after all; he is something other than a necessary evil. He is occasionally spoken of as "Our home market," and regarded by some as indeed a goose; but at the worst he is the goose from whom the golden eggs are derived.

National feeling, spurred on by war, feels like returning blow for blow, tariff for tariff. But here, also, a little reflection is useful. The tendency in the United States is not now in favor of raising higher tariff walls. The tendency is in the other direction.

When the Bowels Are Constipated

Health Cannot Be Good—Digestion Not Properly Performed—Dr. Chase's Kidney-Liver Pills.

The character of food, sedentary habits and neglecting the calls of nature may be seen down as the usual causes of constipation. The accompanying derangements are indigestion, dyspepsia, stomach troubles, liver and kidney diseases and an epidemic of pain and suffering. Poisonous impurities, when left in the blood, are bound to find lodgment in some weak spot of the system, and the result is disease of the most deadly nature.

It is a serious matter to neglect constipation. You may do so for a time, only to find that your health has been undermined by bodily derangements of the most fatal kind. You should have a movement of the bowels every day. To accomplish this, avoid concentrated foods, use fresh fruits and vegetables, and take one of Dr. Chase's Kidney-Liver Pills before retiring, two or three times a week, or oftener if required.

Dr. Chase's Kidney-Liver Pills are not an ordinary cathartic. They have a specific and combined action on the bowels, liver and kidneys, and consequently cure constipation, and the accompanying derangements, thoroughly and well, by removing the causes. For the infirmities of those who are not yet familiar with the peculiar merits of Dr. Chase's Kidney-Liver Pills, we might add that they are purely vegetable in composition, pleasant and natural in action and remarkably prompt and far-reaching in effect, even in the most serious and chronic cases of constipation, kidney and liver diseases.

Persons with weak kidneys are peculiarly susceptible to sudden change of temperature, and for this reason tend to be on sharp lookout during the fall and winter seasons, lest the cold settles on these filtering organs and brings on Bright's disease of the kidneys, or fevers, and the most painful and fatal of diseases. Scores and hundreds of people make a practice of keeping Dr. Chase's Kidney-Liver Pills in the house, and take one whenever the symptoms of constipation and kidney derangement make themselves known. Scenty, high-colored urine, painful urination and pain in the back and limbs are the danger signals of kidney disease.

Whatever else you may neglect, do not overlook the importance of keeping the bowels, the kidneys and liver in healthy, vigorous action. There is no surer way of avoiding serious disease and prolonging life, and the cure of the people of this country seems to prove conclusively that by far the most effective treatment in bringing about these results is the use of Dr. Chase's Kidney-Liver Pills, one pill a dose; 25 cents a box, at all dealers, or Edmondson, Bates & Co., Toronto.

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 <p>Ladies' White Gowns, fine English cotton, nicely trimmed with tucks and insertion, special sale price... 75c</p> <p>Ladies' White Gowns, fine English cambric, nicely trimmed with laces, Hamburgs, special sale price... \$2 50</p> <p>Ladies' White Gowns, Empire style, fine Cambric, trimmed with embroidery, special sale price... \$1 50</p> <p>Ladies' White Gowns, fine English cambric, trimmed with hemstitch tucks and embroidery, special sale price... \$3 00</p>	 <p>Ladies' White Skirts, fine cotton, liberal width, trimmed with hemstitched tucks and embroidery, special sale price... \$1 00</p> <p>Ladies' White Skirts, fine cambric, liberal width, with frills of tucks and torchon lace, special sale price... \$1 75</p> <p>Ladies' White Skirts, in fine lonsdale cambric, extra width, wide flounces, trimmed with embroidery, special sale price... \$2 25</p> <p>Ladies' White Skirts of extra fine lonsdale, trimmed with flounce, hemstitched tucks and edged with embroidery, special sale price... \$3 00</p>
 <p>Ladies' Marguerite Corset Covers, in fine white cotton, trimmed with fine torchon lace, special sale price... 50c</p> <p>Ladies' Marguerite Corset Covers, in fine cambric, trimmed with Valenciennes lace and insertion, special sale price... \$1 00</p> <p>Ladies' Marguerite Corset Covers, in fine English lonsdale, nicely trimmed with embroidery and insertion, special sale price... \$2 50</p> <p>Ladies' Corset Covers, of all-over embroidery, nicely trimmed with fine torchon lace, special sale price... \$1 40</p>	 <p>Ladies' White Drawers, in fine cotton, trimmed with tucks and embroidery, special sale price... 90c</p> <p>Ladies' White Drawers, good width, fine cambric, trimmed with rows of torchon insertion and lace, special sale price... \$1 00</p> <p>Ladies' White Drawers, in fine cambric, trimmed with clusters of tucks and embroidery, special sale price... \$1 25</p> <p>Ladies' White Drawers, in fine cambric, trimmed with Valenciennes insertion and laces, special sale price... \$1 00</p>

 <p>See our Half-bleached Table Damask, 70 inches; regular 50c, for... 40c</p> <p>See our Half-bleached Table Damask, 72 inches; regular 45c, for... 35c</p> <p>See our Unbleached Table Damask, 68 inches; regular 50c, for... 40c</p> <p>See our Bleached Table Damask, 68 inches; regular 60c, for... 50c</p> <p>See our Bleached Table Damask, 72 inches; regular 80c, for... 65c</p> <p>See our Bleached Table Damask, 72 inches; regular 90c, for... 75c</p>	<p>Special line Fine All- linen ½ Napkins; regular price \$1 50, special sale price... \$1 25</p> <p>Special line Fine All- linen ¾ Napkins; regular \$1 75, special sale price... \$1 50</p> <p>Special line Fine All- linen ¾ Napkins; regular price \$2 25, special sale price... \$1 75</p> <p>Special line Fine All- linen ¾ Napkins; regular price \$3, special sale price... \$2 50</p>
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<p>White Japanese Taffeta Silks for waists and dresses:</p> <p>Special line 28-inch Silk for... 25c</p> <p>Special line 28-inch Silk for... 40c</p> <p>Special line 27-inch Silk for... 50c</p> <p>Special line 27-inch Silk for... 75c</p> <p>(Warranted not to cut.)</p>	<p>Boots & Shoes Half-Price Until March 3.</p>	<p>KID GLOVE SALE. 350 pairs Ladies' Kid Gloves, regular \$1 and \$1.50, best makes, At Half-Price.</p>
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President McKinley's address at the Pan-American Exposition was a noticeable manifesto looking distinctly towards trade reciprocity in various directions founded on gradually reducing tariffs. It is the interest of Canada to foster, not impede, this disposition on the part of our neighbors as indicated by President McKinley.

There is an imperial side to this question. During the Spanish-American war Great Britain rendered priceless aid to the United States in preventing the interference of European powers in favor of Spain. Were all known, we are inclined to think it would appear the United States reciprocated, in the way of discouraging tendencies towards interference against Great Britain in the South African war by European powers. Goodwill between the great English-speaking nations is in the interest as much of the United States as of the United Kingdom, and may therefore be termed a matter of imperial policy. That high policy is not to be promoted by avoidable tariff wars or tariff entanglements. The principle of moderation in tariff tendencies and legislation, seems to be most in keeping with the ultimate interests of Canada, and of the Empire at large.

J. C.



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Two essentials of good baking...
Those who are wise insist on these two qualities in all baking ingredients.
PURITY; for healthfulness depends on it.
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Ask your grocer for
EMPIRE SODA
Best for Baking
and you are certain of absolute purity and unvarying excellent quality. 5c. a packet.

Looking Backward.
[Toronto Globe.]

Grave frauds are charged in the London mayoralty election. An investigation is proceeding, and we suppose the criminals will be punished as they ought to be. But it is far-fetched and silly to lay the blame at the door of the Ross Government. The Ross Government has no interest in municipal elections in London. If it is said that the lesson of fraud was learned in political elections, it may be necessary to remind The Mail that the constitution of London was stolen from the Liberals in the Dominion bye-election in 1892.

WIFE GIVES HUSBAND AWAY TO HER RIVAL
A Confessed New York Bigamist Released Through Sacrifice of His First Wife.

New York, Feb. 21.—George Marcier, a confessed bigamist, was before Justice Sabbath in the Maxwell street police court, but was allowed his freedom through the self-sacrifice of his first wife, who refused to prosecute him, and gave her consent to the prisoner being allowed to return to wife No. 2.

Justice Sabbath, after listening to a statement by the father of the first wife, declared that she was a true heroine, as her idea in sacrificing herself was to prevent blighting the future happiness of the second wife.

Although she was not in court, the woman specified that Marcier should make a vow to be true to his second wife and promise to immediately secure a divorce from his legal wife.

She also specified that after the divorce has been secured Marcier must remarry the woman he has chosen in preference to herself.

"Your daughter is a noble woman," said Justice Sabbath. "She should be commended for her sacrifice. She thought not for herself, but for the future happiness of the other woman. In my opinion Marcier does not deserve to go from this court free and unpunished, but it may be for the best."

Marcier married his first wife, Miss A. Casanova, on June 27, 1900. He lived with her about four months, and then it is said, abandoned her. She loved him still, she said. Most of the time since then she has been an invalid, and frequently helpless, and is in that condition now.

In Germany the early number of divorces exceeds 10,000.

If You Could Look into the future and see the condition to which your cough, if neglected, will bring you, you would seek relief at once—and that naturally would be through

Shiloh's Consumption Cure

SHILOH cures Consumption, Bronchitis, Asthma, and all Lung Troubles. Cures Coughs and Colds in a day. 25 cents. Guaranteed.

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CLEAN COAL.

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GIRLS CATCH BURGLAR IN TRAP.

Wilkesbarre, Pa., Feb. 20.—Two daring girls, Cora Beaver and Elizabeth Davis, of New Silverbrook, gave a burglar a severe trouncing. They were alone in the house when after midnight they heard someone trying to raise the window. They sprang from bed and a man's head appeared. The girls put the window down and held the burglar's head, belaboring him until he was bleeding from a number of wounds and cried for mercy. When they released him he ran as fast as he could go.