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### What Culture Means.

BY RUTH CAMERON.



The beauty in your possession, but just as soon as you grow to years of discretion, you can forge one.

The well developed, really cultured person has eyes and ears and mind wide open to receive all the pleasure he can. That's what culture means—all-sided development. Instead of neglecting the less sensitive of his senses, he gives special effort to develop that one. If he does not naturally appreciate good music, he listens to it until he makes himself capable of receiving pleasure through that source. If he does not have a natural appreciation of good art, he makes determined efforts to develop that side of his nature.

I once knew a young girl who had a good literary and artistic sense, but absolutely no ear for music. And what do you think this girl bought with the first money she earned? Not books or pictures, but a piano. "I want to learn to play," she said. "I want to have music in my home and see if I can't cultivate that part of me."

If you do not appreciate music, listen to it all the more.

If you do not care for beautiful pictures, study them all the more thoroughly.

If you do not care to read great books, read them.

No kingdom of pleasure is locked away from us if we will be wise and strong enough to forge the keys, instead of being foolishly content with the kingdoms whose keys are already ours.

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### The Laundry

BY H. L. RANN.



The laundry is a carnivorous institution, whose mission is to breathe new life and hope into the soiled shirt. It is a place where people send things which nobody else can wash without using an emery wheel. The laundryman is a gloomy person who lives on bar soap and deferred dividends and becomes very expert in the reading of negligee shirt monograms. On Monday the laundry does a large business, which tapers off during the week until Saturday night there is nothing to have an orgy with except the pay roll. In our early history as a people there was no laundry work done except to drill a little XXX starch into father's Sunday shirt. After this article was worn once, it was laid away where the prolific moth could not coast upon its bosom, and sometimes it would go through a long cold winter without being dragged out to divine worship. As men became more particular, however, and demanded a change of shirt once a week, the laundry sprang up and entered upon its career of crime. It is a very poor day in a laundry when it cannot steal a few buttons off a new shirtwaist or sprinkle the American home with rip-saw wing collars. Many a man with a No. 13 neck has looked into his laundry bag on Sunday morning, only to be greeted by a collection of collars evidently intended for somebody with a buoyant goitre. When one thinks of the hemstitched tablecloths that have come home from the laundry bright with the duo-tone bluing and bearing the burnt-wood imprint of the electric ironer, he may well cry out, "O death, where is thy sting?" The most murderous piece of furniture in the modern laundry is the near-sighted operator who fits teeth into shirt-bands, so that a man can't turn his head either way without endangering his jugular vein. This practice is driving a great many of our leading citizens to the society of the decollete fannel shirt, one of the most humane articles of dress ever introduced to the male trousseau.

### Privy Council Appeal.

Judgment of the Lords of the Judicial Committee of the Privy Council on the Appeal of The Reid-Newfoundland Company v. The Anglo-American Telegraph Company, Limited, from the Supreme Court of Newfoundland; Delivered the 23rd April, 1912.

Present at the hearing: Lord Macnaghten, Lord Shaw, Lord Mersey, Lord Robson. (Delivered by Lord Robson.)

This Appeal is from a Judgment of the Supreme Court of Newfoundland in an action brought on the 2nd November, 1905, by the Anglo-American Telegraph Company against the Reid-Newfoundland Company, wherein the Defendants had pleaded the Statutes of Limitations (21 Jac. I. chapter 16, and local statutes) as to so much of the Plaintiffs' claim as accrued prior to the 2nd November, 1899. The Plaintiffs had replied that the plea disclosed no defence because the action was taken on a specialty contract under which the period of limitation was 20 years. The issue thus raised was heard on the 1st February, 1911, before the Full Court, which decided by a majority of two out of three Judges (Mr. Justice Emerson dissenting), that the plaintiffs' replication was good.

The Respondents are a Telegraph and Cable Company, which, at the times material to the case, possessed certain privileges in relation to the construction and working of telegraph lines under the Newfoundland Statute, 17 Vict., cap. 2. The Appellants are the lessees of the Newfoundland Railways which they operate and manage by virtue of Statutory powers.

By an Agreement under seal made on the 11th August, 1888, between the Newfoundland Railway Company (the former owners of a portion of the Appellants' Railway system) of the first part, F. H. Evans, the Receiver and Manager of the said Newfoundland Railway Company, of the second part, and the Respondents of the third part, it was agreed, among other things, that the Respondents should erect and maintain along the lands forming the roadway of the Southern Division of the Railway Company's railway between St. John's and Harbour Grace, and between Harbour Grace and Carbonear, a "special wire" for the Railway Company, their successors and assigns, for use in and about the operation of the said Railway as therein defined, and the Newfoundland Railway Company agreed not to pass or transmit any commercial messages over the said special wire, except for the benefit and account of the Telegraph Company.

The Newfoundland Railway Company made default in completing the construction of the line, and on the 23rd July, 1897, that Company and its Receiver and Manager sold and conveyed the Railway to the Newfoundland Government, and the conveyance was expressed to be "subject to the subsisting contract with the Anglo-American Telegraph Company as regards the telegraph line along the said Railway."

The Government then undertook the completion of the Railway, as before defined, and further proceeded greatly to extend it to other parts of the island.

On the 3rd March, 1898, a contract was made between one R. G. Reid and the Government, which was afterwards duly confirmed by statute whereby the Government agreed to lease to the said Reid all the railways of the Colony for a term of 50 years, from the 1st April, 1898, and in the year 1901 a further Act was passed by the Colonial Legislature for the purpose of incorporating the Appellant Company and transferring to it all the rights and liabilities of Mr. Reid under the contract of the 3rd March, 1898.

Since the 1st April 1898 R. G. Reid and the Appellant have used the "special wire" in and about the operation of railways other than the railway between St. John's and Harbour Grace, and between Harbour Grace and Carbonear. In fact, they have used it for all the purposes of their business, including the new or extended lines of railway and their shipping business, and other commercial undertakings.

The Respondents accordingly brought this action against the Appellants for (1) an account of all telegraphic messages sent by R. G. Reid and the Appellant Company over the special wire since the 1st April 1898, other than messages connected with the operation of the railway as defined in the contract of the 11th August, 1888, (2) payment of the amount found to be due, and (3) damages. The Supreme Court gave judgment for the Telegraph Company on the general question of liability, and their judgment was affirmed by this Board but the question as to what, if any, period of limitation applied to the Plaintiffs' claims was, by arrangement between the parties themselves, left over for subsequent argument, and now comes up for final determination.

The Supreme Court have held, by a Majority, that as the Agreement of the 11th August 1888, was under seal the Appellants were liable as on a specialty. In their Lordships' opinion it is not necessary to determine this question of which the learned Judges disagreed. The claim of the Respondents rests on surer ground. The Appellants took over the railway

### THE SECRET OF LONG LIFE.

Do not sap the springs of life by neglect of the human mechanism, by allowing the accumulation of poisons in the system. An imitation of Nature's method of restoring waste of tissue and impoverishment of the blood and nervous strength is to take an alterative glyceric extract (without alcohol) of Golden Seal and Oregon grape root, Bloodroot, Stone and Mandrake root with Cherrybark. Over 40 years ago Dr. Pierce gave to the public this remedy, which he called Dr. Pierce's Golden Medical Discovery. He found it would help the blood in taking up the proper elements from food, help the liver into activity, thereby throwing out the poisons from the blood and vitalizing the whole system as well as allaying and soothing a cough. No one ever takes cold unless constipated, or exhausted, and having what we call mal-nutrition, which is attended with impoverished blood and exhaustion of nerve force. The "Discovery" is an all-round tonic which restores tone to the blood, nerves and heart by imitating Nature's methods of restoring waste of tissue, and feeding the nerves, heart and lungs on rich red blood.



Mrs. Don.

"I suffered from pain under my right shoulder blade also a very severe cough," writes Mrs. W. Don, of New Brookland, S. C., to Dr. R. V. Pierce, Buffalo, N. Y. "I had four different doctors and none did me any good. Some said I had consumption, others said I would have to have an operation. I was bedridden, unable to sit up for six months—and was nothing but a live skeleton. You advised me to take Dr. Pierce's Golden Medical Discovery and Dr. Pierce's Pleasant Pellets. When I had taken one bottle of the 'Discovery' I could sit up for an hour at a time, and when I had taken three bottles I could do my own cooking and tend to the children. I took fourteen bottles in all and was then in good health. My weight is now 167 pounds."

### Household Notes.

Sprinkle sugar on the sticky fly-paper and watch the flies gather. Copper trays, when dirty or spotted, should be cleaned with vinegar. This is the time of year to begin to clean the refrigerator more often—three times a week, at least. If you are out of meat skewers, use as a temporary substitute your grandmother's silver nutcrackers. If the vessel in which milk is to be heated is wet first with cold water, the milk will not scorch the surface. Dimly bedspreads, once so scarce, are now being shown in generous numbers at prices slightly less than formerly. The stores show a new wire cage for fly-paper that leaves it open to curious flies, and yet it prevents it from blowing about. Bedrooms that are little used need airing often; they must not be kept closed and darkened awaiting the occasional guest. The children's bedroom should have a tall screen in it; even in warm weather draughts are just as frequent and just as risky. An indispensable is a slender, stiff brush on the edge of a long, flexible wire handle for poking down the refrigerator drain. If each week's clean bed linen and towels are put underneath their respective piles, the whole supply will be used gradually and evenly. With the approach of fly-time, the food safe of screening should be brought for keeping such food as does not belong to the refrigerator. To bake potatoes quickly, clean and pour boiling water over them; let stand on the stove five or ten minutes.

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before putting in the oven to bake. Youngsters who play outdoors now will take great delight in a shovel and pail and, in default of a sandpile, permission to dig up the back yard. Lovers of griddle cakes and waffles may now have them made on aluminum, which cook them better and need absolutely no grease. Mothers who want something high and narrow to heat the baby's bottles in should buy a tin milk-shaker, such as are used at soda fountains. Afternoon tea on the veranda is now on the tapis, and all ready for this function are the artistic tea sets in the orient shops, with their wicker trays. When washday is rainy, suspend over the range a broomstick by two strips, trapeze fashion, to hang things on for drying them conveniently and out of the way. To lift all the cream, and nothing but the cream, from the top of a bottle of milk, use a 25-cent cream dipper, such as nurses and doctors are familiar with. Now that porch-furnishing time is here, banish the warm-looking pillows of thick material and invest in some with linen or wash silk covers for summer use. Among the delightful things for the house in summer are the gay and quaint colonial rag rugs, which cost little, comparatively, and may be washed as often as necessary. To remove sticky fly paper from clothing, saturate the spot well with turpentine, roll up and let remain overnight. In the morning wash the material with warm water and soap. If the soles of walking shoes are dipped in melted wax once every two or three weeks, they will last twice as long and will be waterproof. This has been thoroughly tested. Wax enough for a dozen pair will cost 5 cents. The shops are showing lovely new motifs of heavy lace in all sorts of shapes, which a woman may buy separately and sew on net for door panels. They cost from 15 cents upwards.

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together with the "special wire" comprised in the Agreement of the 11th August 1888, with notice of the limitations and conditions attached to the use of that wire. It seems to their Lordships that when and as often as the Appellants used the special wire for the transmission of unprivileged messages, an obligation in the nature of a trust arose on their part, and it became their duty to keep an account of the profits accruing from such use of the wire, and to set those profits aside as moneys belonging to the Respondents. To such a duty, so created, the Statute of Limitations can have no application, unless by express statutory provision. The Appellants are accountable as trustees, and in giving to trustees the protection of the Limitation Acts, the Trustee Act, 1898 (Newfoundland), 61 Vict., cap. 38, to which reference was made in the course of the argument, withholds such protection from a trustee when the proceedings are taken to recover property, or the proceeds thereof, still retained by the trustee, and converted to his own use.

The principle is laid down in Burdick v. Garrick (L.R., 5 Ch. A. 233). In that case an agent was entrusted with property which he was authorized to sell and he was directed to invest the proceeds in the name of his principal. Under this authority he received certain moneys and paid them into his own account at his bank. Afterwards, in an action for an account, the agent pleaded the Statute of Limitations, but Lord Hatherley, L.C., said:—

"How a person who is entrusted with funds under such circumstances differs from one in an ordinary fiduciary position I am unable to see."

And the Court held that the Statute of Limitations had no application, the Lord Justice dissenting followed in the same sense, and stated the principle broadly in these terms: (afterwards cited with approval, by Lord Macnaghten in Lyell v. Kennedy (14 A.C. 493).—"I do not hesitate to say that where the duty of persons is to receive property and to hold it for another and to keep it until it is called for, they cannot discharge themselves from that trust by appealing to the lapse of time. They can only discharge themselves by handing over that property to somebody entitled to it."

In Lyell v. Kennedy, Lord Selborne, in deciding that the facts were sufficient to establish a fiduciary character against a manager of property who had received rents on behalf of a principal, said:—

"For the constitution of such a trust no express words are necessary; anything which may satisfy a Court of Equity that the money was received in a fiduciary character is enough."

Their Lordships will humbly advise His Majesty that this Appeal be dismissed with costs and that the accounts referred to the Registrar be made up from the 1st April 1898, when the special wire began to be used for unprivileged messages, until the discontinuance by the Appellants of the use of such wire.

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