

LORD'S DAY BILL.

Subject of a Lively Discussion in Supreme Court of Canada.

ON THE QUESTION OF RIGHT OF LOCAL HOUSES TO LEGISLATE.

Judge Sedgewick Thinks Federal Government Reference Impertinent.

The Supreme court of Canada has practically decided that the draft bill which was submitted by the federal government, along with the questions to ascertain the right of the provinces to pass Sunday observance legislation, was ultra vires. John A. Paterson, K. C., continued his argument on behalf of the Province of Ontario, and it was during the presentation of his case that the statement having that effect was made by the court.

Mr. Paterson, speaking of the power of Provincial legislatures to legislate so as to forbid work on Sunday, when Judge Wallace Nesbitt remarked that he could not conceive of any set of circumstances under which legislators would be solemnly asked to deal with this subject, excepting in some particular case. What practical politicians would sit down to deal with this question?

Mr. Justice Sedgewick—Why insist on going to the local legislature? Why not go to the Dominion? They are just as capable of protecting public morals as the provincial legislatures, especially in reference to a matter of universal importance like Sabbath observance.

Judge Davies—And upon which the Privy Council have passed, in our opinion.

Mr. Paterson—When the Lord's Day Alliance went to the provincial legislature, they were met with this proposal of reference.

Judge Sedgewick—Probably they wanted to escape responsibility as all politicians do.

Mr. Paterson—I want to know the law clearly.

Judge Davies—It is pretty hard for us to define more clearly and definitely than the Privy Council did, and if there is a failure on their part to make this perfectly clear they are the best men to explain it. Mr. Paterson—I submit with every deference, to them, they did not make this perfectly clear.

Judge Sedgewick—We cannot surmise what they meant; you had better go to them. If we hold here that the draft bill, which is part of this case, is ultra vires of the provincial legislatures, do you want us to answer these questions attached?

Mr. Paterson pointed out that question 5 of the reference was part of the draft bill. This question is as to whether the provinces have power to restrict the operations of companies of its own creation to six days in each week.

Mr. Justice Sedgewick—The Governor-in-Council has no right to ask me how you can recover a promissory note. That is practically what you are doing.

Mr. Justice Nesbitt—What right has the Governor-in-Council to ask what charters a provincial government shall grant?

Mr. Paterson—I cannot answer that because I am not the Governor-in-Council.

Judge Sedgewick—Are Shakespeare's plays immoral? The Governor-in-Council asked us what can a Provincial Government put in a Provincial Act? It is a piece of impertinence, if I might be bold enough to say so on the part of the Governor-in-Council to ask what power a Provincial Legislature may exercise.

Mr. Paterson—I could not speak for that.

Judge Sedgewick—Perhaps I should have said irrelevant, not impertinent.

Upon a later feature of the reference framed to ascertain the right of the Provinces to restrict the hours of labor in certain industries, Mr. Justice Sedgewick asked: "What greater right has the Ontario Legislature to declare it a crime for a barber to shave me more than for me to shave myself? Do you contend that the Ontario Legislature, for instance can send me to Central Prison for life for shaving myself?"

Mr. Paterson—The difference to my mind is very manifest. The Legislature recognized that in the one case it means the keeping open of a barber shop, and the employment of barbers.

DINED PROF. JACK.

U.N.B. Engineering Class and Their Leader at the Festive Board.

At a general meeting held this morning Fred C. Squires of the U. N. B. junior class, was elected field captain for the spring sports.

Last evening at Lindsay's restaurant members of the senior class in engineering tendered Prof. Jack a dinner on the eve of his departure for Virginia.

At about ten o'clock the members

of the class seated themselves and then proceeded to relieve the table. After all had been satisfied in this line the toast making began, E. S. Dibblee acting as toast master.

The first toast proposed was "To the King" and was responded to in the usual way. "Our Guest" was then proposed. Prof. Jack replied in a very feeling way. He felt sorry that circumstances would not permit him to remain and finish the year, but he felt that a suitable substitute could be procured to take his place. He said that the last four years had been most pleasant ones to him. He felt that when he came here it was not only coming back to his alma mater, but he was also coming back to the scene of his boyhood days. The stay here had been most pleasant, not only to himself, but to Mrs. Jack.

"Our Alma Mater" was replied to by Mr. H. W. McLeod, and the "Class of 1905" by J. E. J. Patterson. "Our Graduates" brought K. R. Chestnut, B. E., to his feet. A. K. Grimmer and C. McN. Steeves replied to the toast to the ladies.

This brought the toast list to a close. After three cheers for Prof. and Mrs. Jack, the gathering broke up.

A meeting of the Engineering society was held this morning. Only routine business was dealt with. At the close of the meeting Prof. Jack was presented with an address and a meerschaum pipe by the engineering students.

The Y. M. C. A. will be addressed tomorrow by W. C. R. Anderson. His subject will be "Some spiritual Statesmen."

ROBBED A BOX CAR.

Kent County Man Committed for Trial on Charge of Theft.

Moncton, Feb. 25.—A few days ago an L. C. R. box car was broken into at a siding near Morrisville, and goods stolen.

On Wednesday T. C. R. Policeman Nobles of Campbellton, arrested a man named Gallant and his fifteen year old son, charged with the theft. Owing to the tender age of the son he was allowed to go, but the father was taken to Harcourt and committed for trial at Richibucto.

Some of the stolen goods, it is said were found on the Gallant premises.

HEALTH FOR MEN.

We control a scientific combined medical and mechanical cure for the so-called weakness of men. It has been perfected by years of practice—ours being an old and widely known company. This combined treatment cures quickly, thoroughly and forever all effects of early evil habits, later excesses, overwork, worry, etc. It creates health, strength, vitality, and sustaining powers.

Any man writing in earnest will receive description and references in a plain sealed envelope. Professional confidence. No C. O. D. deception nor imposition of any nature. A national reputation backs our statements. Address

Erie Medical CO., Dept. 13, Buffalo, N. Y.

CASTORIA

For Infants and Children.

The Kind You Have Always Bought

Bears the

Signature of *Dr. J. C. Fitch*

JAMES T. SHARKEY, LL.B.,

American Consular Agent.

Offices: Queen st., opposite Officers' Quarters.

Hours: 10 a. m., to 1 p. m.; 2 to 4 p. m.

Saturdays—10 a. m. to 1 p. m.

W. HARRY STEEVES

Doctor of Dental Surgery.

Specialist in Crown and Bridge Work

223 Queen street, opp. Post Office.

All kinds of Dental Work performed promptly and efficiently with all the advance and improved methods. Office hours 9 a. m. to 1 p. m.; 2 p. m. to 6 p. m.; 7 p. m. to 9 p. m. Telephone No. 174

O. S. Crockett, B. A.

Wm. P. Taylor

Crocket & Taylor,

Barristers-at-Law,

Solicitors, Notaries, etc.

Offices opp. Post Office, Fredericton

Dec 8—d.w.3 mos.

A. T. McMURRAY, D. M. D.

Office Hours: 9 to 5

Dentistry in all its modern branches. Special attention given to the care of children's teeth.

Patients living outside the city can make appointments by mail, and thus do away with an unnecessary delay.

By the use of our Improved Electric Light appointments can be made for any evening. Lady in attendance. Phone 93

AT IT AGAIN.

Big Battle Raging Between Russians and Japs.

COMBAT WAGED ALONG THE WHOLE LINE.

Mikado's Forces in Touch With Enemy's Fortified Positions.

(Special to Daily Herald.)

Mukden, Feb. 25.—A big battle opened this morning at 8.30 and firing of field guns was continued throughout the day.

St. Petersburg, Feb. 25.—A despatch from Sachentum, says that the Japanese in superior numbers forced the Russian detachment at Tsinkhetchin to abandon their base at Bersneff Hill.

The battle has been desperate on both sides. The result is not yet known.

Tsinkhetchin, via Mukden, Feb. 25.—There was fighting along the whole line in this district yesterday.

The Japanese continuing their persistent and systematic advance drove in the Russian vanguard posts, and came in touch with the Russian fortified positions.

A stubborn combat is expected today, the Japanese apparently intending to drive out the Russians and capture their redoubts.

The Japanese are moving eastward.

New Chwang, Feb. 25, 10 a. m. via Tien Tsin.—It is announced that a cavalry detachment of 300 Russians were routed at Luchiwopu, fourteen miles southwest of Hainmington.

The Russians scattered in the direction of Hainmington.

New Chwang is full of rumors of an impending battle on the Hun river.

Unusually warm weather prevails which may increase military operations.

About 300 Russians are again reported as at a small village north of Nou Chiatun on the night of Feb. 23, crossing the Liao river.

This morning the foreigners residing here were warned not to venture west of the bank of the Liao river on account of the activity of scouting parties on that side.

Russian agents costumed as Chinese are very numerous.

Warsaw, Feb. 25.—Contrary to expectation the Vienna railway strike is not ended.

The engineers, firemen and mechanics employed in the machine shops at Warsaw are dissatisfied with the terms offered and refuse to accept them.

The strikers today prevented the resumption of the train service which had been arranged to commence at noon.

Dover, Eng., Feb. 25.—The third Russian Pacific Squadron, commanded by Rear Admiral Nebogoff, has passed here heading westward.

Tokio, Feb. 25.—The German steamer Sevaus for Vladivostok with a cargo of Cardiff coal was seized yesterday.

Bad Coughs

Hacking, night or chronic coughs are promptly relieved by our WHITE PINE Cough Syrup, 25c.

C. Fred. Chestnut

Watches Repaired Here

Receive the careful attention they deserve. No matter how delicate or expensive a movement you may have, you can leave it to be repaired or cleaned with full assurance that the work will be done in a skillful manner. We repair Clocks and Jewelry also.

F. E. BLACKMER

It's About Time

TO THINK OF YOUR

WHEEL

Let us make it like new. We know how. Shall we call?

Keys—all kinds

Phone 332

WM. C. BURTT,

LOCKSMITH

Fredericton, N. B.

Geo. W. Adams, FUNERAL DIRECTOR.

UP TOWN, OFF. PEOPLE'S BANK

Orders promptly and carefully attended to day or night. Telephone connection at undertaking rooms or at residence, Carleton street extension.

A Gasoline Engine

Is a mighty good thing. Come in and see our samples and get our catalogue.

PART I

MUD GUARDS

On a Bicycle are a practical necessity. We put them on.

PART II

BARRETTS' CYCLE SHOP

'Phone 109.

Agency Columbia Graphophones

F. ST. JOHN BLISS,

Barrister, Notary, etc.

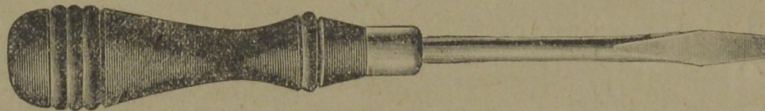
Wedding Invitations.

And stock printed in the latest style at

Offices—Corner Carleton and Queen sts

Entrance Carleton street—Telephone 28

Herald Office



Even When Purchasing

SUCH A SMALL TOOL AS

A Screw Driver

It pays to buy a good one. We have them with the metal in one solid piece, extending from point right through the wood to base of handle. Splendid value.

R. Chestnut & Sons, The Hardware People.