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Canning Racks, Tin Foilers, Fruit Jar Rings, Perfect Seal Bottles in 1.2 Pint, 1 Pint, 1 Quart sizes.

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## NOVA SCOTIA'S CASE PRESENTED TO MARITIME COMMISSION; COL. PHINNEY'S ARGUMENTS

Halifax, July 21—In the course of his statement at the Maritime investigation Colonel Phinney said this afternoon:

"Tariffs, freight rates, land grants for the provincial subsidies, and all the apparatus of federal government must normally be applied on a uniform basis, according to certain accepted legal rules. But the application may be stern and rigid, or may fail to provide adequate redress where it works a hardship. In such case equitable remedies should be devised. It should not prove beyond the resources of statesmanship so to distribute the benefits of Canadian confederation that all the partners may have a share. To express it in economic terms the problem of Canadian prosperity is one of distribution, not production. Here is enough to go around if certain adjustments and compromises are made."

Halifax, July 21—Nova Scotia had its innings today before the Royal Commission set up by the late Mackenzie King government for the purpose of conducting "an examination from a national standpoint of all the factors which peculiarly affect the economic position of the inhabitants of the Maritime Provinces."

The commission composed of Sir Andrew Rae Duncan, chairman; Judge W. B. Wallace and Professor Cyrus Macmillan, with F. MacLure Sclanders as secretary, heard Col. E. C. Phinney on behalf of the province of Nova Scotia review the historical events leading up to and developing from the signing of the British North America Act, which in 1867 was employed to unite in a political entity the widely scattered British Colonies lying north of the United States boundary.

Adjourns Until Monday.

At the conclusion of Col. Phinney's historical summary, an adjournment was taken until next Monday at the request of the province.

The afternoon's session was devoted to an examination of the events growing out of confederation, the belief which swept the people of Nova Scotia that they had been dragged in; the repeated demand for repeal and when these had been finally denied, the insistent endeavors made to obtain "better terms"; the granting of these with the proviso that "they shall be in full settlement of all demands on Canada by Nova Scotia"; and the further revision of 1907 with the declaration of Sir Wilfrid Laurier that parliament alone was supreme and could revise the financial terms of confederation from time to time as it saw fit.

Summing up, Col. Phinney said:

"There has been no technical violation of the Confederation pact. And yet its spirit, somehow, has ceased to quicken the Dominion as a whole."

"The 'mutual benefit and prosperity of all the provinces,' which Cartier set forth as its essential motive, has failed of mutuality. While the Canadian statesmen spoke in all sincerity when they envisaged a wider sphere of commercial activity for the Maritime Provinces, modern industrial development, the large-scale agriculture of the west, and the hard facts of geographical position have combined to render their promises illusory. In international relations, agreements are usually made 'rebus sic stantibus.' When essential conditions, for which and on account of which, the compact was originally contemplated, have been completely modified the agreement is usually considered open to revision. No contracting party is understood by implication to assume obligations detrimental to its national existence."

Expectation Fails.

"In much the same way, it may be argued with confederation. The Maritime Provinces entered it relying upon the realization of certain conditions which at the time would reasonably be expected to arise. Sixty years ago it was thought that the fish, coal and lumber of the east, would in the natural course of trade, flow to the west. But the trend of commerce has been otherwise, and this condition has not been realized. It was not stipulated nor was it understood, that all partners to the federation pact must, willy nilly, endure its hardships without its compensations! It is just here that equity should step in to correct the balance which the strict letter of the confederation pact has gravely disturbed."

Basis of Presentation.

In the course of an introductory statement this morning, Col. Phinney declared that the government would present its case on the basis that "adequate adjustments can be found within the four corners of Confederation," and that "any finding which this com-

mission may be pleased to make (no matter how favorable it may be to the Maritimes), will not necessarily exhaust the provisions which the Parliament of Canada should take to rectify the inequities and inequalities of a half century and to prevent their recurrence."

Proceeding, he compared the situation in the two Canadas with that in the Maritimes Provinces prior to Confederation, and contended that while the provinces of the interior had need of the Maritimes, the Maritimes self contained, prosperous and politically happy, had no need of Upper and Lower Canada.

Points Outlined.

In the course of his introductory statement this morning Colonel Phinney stated that Nova Scotia's case would be presented under the following heads:

- (1) Historical survey prior and subsequent to Confederation with an analogous comparison.
- (2) Provincial subsidies.
- (3) Canadian public domain.
- (4) Transportation and freight rates.
- (5) Coal and steel industries.
- (6) Port development, export trade and transcontinental railway.
- (7) Fisheries.
- (8) Colonization and settlement.
- (9) Maritime representation in the Dominion House of Commons.

To Call Cornell.

Before taking up the historical survey, Col. Phinney announced that F. C. Cornell, a freight rates expert would be called to the stand for the purpose of elucidating the freight rates portion of the case and agreed to endeavor to furnish any other expert witnesses the commission might desire. Proceeding, he gave a historical outline of the confederation movement contending that for some years previous to the consummation of the pact the successful application of the federal principle in the United States had excited the admiration of British North America and had caused the inhabitants of the widely scattered and independent colonies to look to a similar application under the British Crown as the solution of their difficulties. Comparing the political and economic problems of the Federated provinces of Upper Canada with those of the Maritimes during the period 1850-1864 to the great disadvantage of the former, he argued that Confederation of all the British North American colonies was absolutely essential to the welfare of the two Canadas whereas there was no immediate need for the Maritimes entering a larger union. The upper provinces were then passing through a period of economic depression owing to the withdrawal of the British Colonial preference.

Cut Off From Sea.

They were cut off from the sea by tariff barriers for six months of the year. It was true they enjoyed bonding privileges with the United States, enabling them to make use of the port of Portland during the winter months, but these were in danger of being abrogated at any time, as indeed their

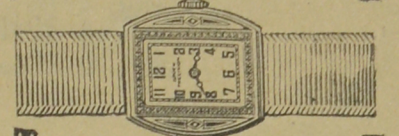
abrogation was suggested on one occasion in the United States congress. Politically, the two Canadas had reached a stalemate. The legislature was made up of an equal number of representatives from upper and lower Canada, without reference to the respective populations. Stable government was out of the question. The entry of the Maritime Provinces could alone supply the balance required.

Again, in addition to having access to the sea throughout the year, a railway connecting the seaboard colonies with those of the interior for defensive purposes was regarded as essential. At the time the Intercolonial Railway was built, the line was lengthened by 250 miles in order to furnish the safeguards regarded as necessary from a military standpoint. Colonel Phinney intimated he would have more to say regarding this phrase of the matter when the freight rates portion of the case was presented.

Motoring Parties.

Among the parties of motor tourists at the Barker House are E. G. Gignel and wife of Quebec, A. K. MacAulay of Cobalt, Ont., R. E. Durkee and wife and party of Boston and Mr. and Mrs. Charles G. Bennett of Utica, N. Y.

Gruen Cartouche, White gold reinforced case, Precision movement, \$45

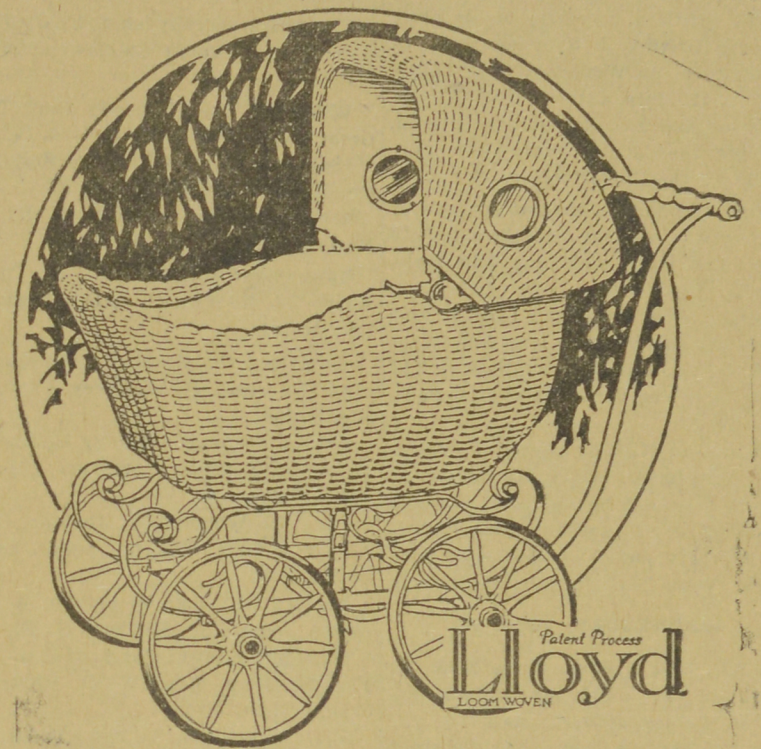


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With Six Starters—JOHN R. BRADEN, HAL MALONE, AUTO PACE, EL VERSO, BESSIE McKLYO and PETER KENNEDY! It will be a Horse Race indeed! And the Junior Free-for-All, with nine starters; the 2.13 Mixed, with fourteen starters, the 2.15 Trot; 2.16 Mixed; 2.20 Trot and 2.20 Pace.

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