

# Some Important Bills Were Dealt With by House Yesterday

## Discussion on Bill Relating to the Estates of Intestates—Protection for Deserted Wives and Children—Petitions Presented for Fredericton Bills—Marysville Bill Was Passed in Committee.

Having disposed of the address the Legislature got settled down to business yesterday and dealt with a number of Govt. and private bills. Petitions were presented by Hon. Mr. Richards from the City Council of the City of Fredericton praying for the passage of bills to amend the building law, to provide for the issue of debentures and provide for the construction of permanent streets.

Government bills respecting the distribution of the estates of intestates and respecting the maintenance of deserted wives and children, were taken up in Committee and provoked considerable discussion. The House adjourned at nine o'clock.

### Assembly Chamber,

March 24, 1926.

The House met at three o'clock.

MR. BROOKS presented a message from His Honor, the Lieutenant Governor, as follows: Mr. Speaker and Gentlemen of the Legislative Assembly: I thank you for your Address and beg to assure you that I entertain the fullest confidence that in all your deliberations you will be guided by a most earnest desire to promote the happiness and prosperity of the people of this Province.

(Sgd.) WILLIAM F. TODD,

Lieutenant Governor.

The following bills were read a second time: A bill amending the several Acts incorporating or relating to the town of Moncton; City of Moncton Assessment Act, 1924; a bill to further refund part of a loan made by the Commissioners of the General Public Hospital in Saint John; a bill to determine the valuation for assessment purposes within the city of Saint John of C. H. Peters' Sons, Ltd.

HON. MR. REILLY submitted the report of the Standing Rules Committee.

MR. ATKINSON submitted the first report of the Municipalities Committee.

Notices of Enquiry were given by Hon. Mr. Veniot for Monday next, and by Mr. Bodge, on behalf of Mr. Doucet, for Tuesday next.

### Private Bills.

HON. MR. STEWART introduced a bill authorizing the town of Campbellton to borrow temporarily, which was read a first time.

MR. HECKBERT presented a petition from J. W. Brankley, Donald Fraser and R. W. McLellan, for leave to introduce a bill to incorporate the Southwest River Log Driving Company.

MR. BODAGE presented a petition from the Commissioners of Richibucto Electric Light District for leave to introduce a bill.

HON. MR. STEWART introduced a bill to incorporate certain persons under the name of Marie L'Assomption, which was read a first time.

MR. LEWIS presented a petition of the Wilson Box & Lumber Company to fix valuation for assessment purposes.

HON. MR. TILLEY introduced a bill relating to the Trustees of the Portland Church, the United Church of Canada.

MR. SQUIRES presented a petition for a bill to amend a bill relating to the town of Woodstock.

MR. SQUIRES presented a petition of the town of Woodstock for a bill providing for retiring of debentures falling due 1926.

### Some City Bills.

HON. MR. RICHARDS presented a petition of the city of Fredericton for a bill to amend the building laws of Fredericton.

HON. MR. RICHARDS presented a petition for a bill authorizing the city of Fredericton to issue debentures to complete water unit.

HON. MR. RICHARDS presented a petition for a bill to authorize the City Council of Fredericton to issue debentures for the construction of permanent streets.

HON. MR. RICHARDS presented a bill entitled The Victoria Public Hospital, 1926, which was read a first time.

HON. MR. RICHARDS introduced a bill relating to the taxation of wild lands. He explained that the purpose of the bill was to amend the section of the Act relating to the collection of the wild land tax.

The bill was read a first time. HON. MR. BAXTER moved that bills Nos. 18 and 23 be placed on the order paper for reference to the whole House forthwith.

HON. MR. RICHARDS moved that the Speaker do now leave the Chair, and called upon Mr. Squires, Deputy Speaker, to take the Chair.

### In Committee.

The House resolved itself into a Committee of the whole.

Bill No. 18, respecting the town of Marysville, was taken under consideration.

HON. MR. RICHARDS explained that the bill was to provide a change in the machinery for the election of Mayor and Aldermen in the town of Marysville. It provided that a portion of the Aldermen be elected once every two years but the Mayor would be elected annually. Section four of the Act should be deemed to have come into force on the 31st December 1925 to validate the election held last January.

HON. MR. RICHARDS moved that the bill be reported as amended.

Bill No. 22 relating to the elective commission of Saint John was next considered, and after being read section by section, was reported as amended.

The Committee then arose and the Chairman reported the bills as agreed to.

These bills having had three separate readings, were ordered to be engrossed forthwith.

### Government Bills.

The House again resolved itself into Committee to consider an Act respecting the distribution of estates of intestates, and an Act respecting the maintenance of deserted wives and children.

Regarding the first named Act, Hon. Mr. Baxter said this bill had been suggested by the Commission on uniformity of legislation, and said most of the recommendations of this Commission had been adopted by the province. He referred to the important factors in the bill. Some men, he said for one reason or another failed to make wills, and in some cases a great deal of hardship resulted. When a man died intestate the case was simple, but when a man died leaving no children sometimes there were painful incidents and he cited a case which had come under his personal observation. If a man did not want his widow to get a large share of his property he could provide for that in his will, but in the case of nowill being made, he thought a widow was entitled to more than one-third of the estate during her lifetime. There was a difference of opinion as to how much the widow should receive. The Commission had fixed the amount at \$20,000 in the event of the estate being worth that amount and no will having been left. He took the ground that when a man is married he owes the first duty to his wife rather than to his relatives. If the common sense of this Chamber thought a change should be made along the lines suggested it could be done. He asked Mr. Harrison, the member for St. John, to explain more fully some provisions of the bill.

MR. HARRISON said as the Premier had already stated, these recommendations came from the Commission on uniformity of legislation. They already had several Acts based on the recommendation of this Committee. The Act before the Committee had already been passed in British Columbia. It corrected certain defects in intestate Acts we had at the present time, or one thing it corrected the case where the estate of the child went to the father to the exclusion of the mother. This Act would divide the property equally between father and mother. There had been doubts where certain estates would go under certain circumstances. This bill would make it plain as regards cases of that kind when there were no direct heirs. As the Premier had said, it provides that where an estate does not exceed \$20,000 and the man died without a will, it would go to the widow. Both dower and courtesy are done away with by this Act.

### A Good Measure.

MR. MICHAUD, speaking on behalf of the Opposition, concurred in what had been said with respect to this Act, especially since it was based on the recommendation of the Commission on Uniformity of Legislation. He found little to criticize in it, and he considered it had been given thoughtful consideration. He was in full accord with the principal of the bill.

HON. MR. TILLEY suggested that the total amount of \$20,000 for an estate was rather high, and enquired what the amount was in other provinces.

MR. HARRISON said this provision applied where there were no other heirs. An estate of \$20,000 invested at five percent would produce only \$1,000 a year and he believed the widow should get it all. However, if there were grand children they would come in first. Under present conditions he did not consider \$20,000 an excessive amount.

MR. AGAR said that he approved of the provisions of the bill.

MR. TAYLOR asked what would be done for a mother who was supported by a married son in the event of his death.

MR. HARRISON said that hardships could be cited under any Act. The mother would share in any estate over \$20,000.

MR. TAYLOR said that a very small proportion of the population of New Brunswick had accumulated estates of \$20,000. He thought that some provision should be made for dependent relatives of the husband.

### Should Draw a Will.

MR. MICHAUD said that the best provision the husband could make would be to draw a will. This Act was for the purpose of meeting emergency cases. A man with his mother dependent upon him should make provision for her.

HON. MR. REILLY said a case might arise of parents transferring property to a son in return for support from him, and yet upon his death losing all control of that property.

HON. MR. TILLEY said he remembered a railway conductor entering his office and saying that he would make his will after his next run. The man dropped dead shovelling snow at his residence. He had children living as far away as California. It took a long time and much trouble to look up all his relatives in order to divide the estate. With regard to this bill he believed that \$20,000 might be too much. It might be argued that any man who had saved \$20,000 would not be fool enough to die without a will.

MR. BAXTER—Many are.

HON. MR. TILLEY said that this would be the time to make any change.

HON. MR. BAXTER said the government would not consider it interference to amend the bill. To obtain the opinion of the Committee he would suggest that the Chairman call for votes on the amounts of \$20,000, \$15,000 and \$10,000.

### A Vote Taken.

On a vote being taken the Committee declared for an amount of \$20,000 by a vote of fourteen to eleven.

HON. MR. REILLY objected to the word "interest" in another sub-section.

MR. BROOKS said that if the estate were all invested and did not exceed \$20,000, was the widow not entitled to all the interest.

HON. MR. TILLEY said that accrued interest might increase an estate beyond the amount of \$20,000, thus giving relatives other than the widow a claim.

HON. MR. BAXTER said he could see no reason for adding interest to the amount of \$20,000 to which a widow would be entitled.

HON. MR. REILLY moved, that the words "and interest" be stricken out. The amendment was carried.

MR. HARRISON explained the sub-section relating to the cutting off of collateral relatives. He said this provision would be a great improvement. He also explained another sub-section, which provided that if a child had been advanced a portion of an estate during the life of the parent, that portion must be deducted from his share.

MR. AGAR inquired concerning the sub-section relating to provisions for illegitimate issue.

### The Bastardy Act.

HON. MR. BAXTER in reply said that it had been decided to introduce a new bill which would go back in certain particulars to the Bastardy Act retaining some good features from the illegitimacy Act. When that bill should come before the House this matter could be considered. It was his own opinion that provision should be made for an illegitimate child to share in the estate of the father. He also considered that the House had taken a step in advance in passing legislation which legitimized by marriage of the parents.

The bill was reported as amended.

### Deserted Wives.

The Committee took up consideration of the bill concerning the maintenance of deserted wives and children.

HON. MR. TILLEY said that all were acquainted with cases of desertion. Husbands when prosecuted would promise to pay and then not live up to their promises. This bill contained no provision for getting after real estate which a deserting husband might own.

HON. MR. RICHARDS said there was a section which gave power of arrest and distress. He believed that would cover the matter.

MR. HARRISON said that the bill referred only to Police Magistrates. There might be cases which would not come under the jurisdiction of such Magistrates.

MR. VENIOT said that was correct, and the bill might be allowed to stand for further consideration on that point.

HON. MR. REILLY suggested that provision be made for the service of notice on both parties.

The Committee rose and reported progress.

It being six o'clock Hon. Mr. Speaker left the chair to resume at eight.

### Evening Session.

The House resumed at eight o'clock and resolved itself into a Committee of the whole with Mr. Squires in the chair.

Bill No. 6 to amend the Act providing for the payment of pensions and disability allowances to public school teachers and officials was taken under consideration.

HON. MR. BAXTER explained that the provisions of this Act were to be applicable to all teachers holding valid school licenses recognized by the Board of Education and who were employed as inspectors, Normal School instructors, professors in provincial universities, local superintendents of public schools and secretaries of public schools. It only applied to a man beginning now.

The bill was agreed to.

Bill No. 7, an Act to amend an Act respecting the Executive Council, was next considered, and was agreed to.

Bill No. 8, to amend Chapter 153 of the Consolidated Statutes of 1903 respecting landlord and tenant was considered.

HON. MR. BAXTER explained the principle of the bill, which was agreed to.

Bill No. 9, respecting the signing of voters' lists of Kings county for the year 1926 was next taken up.

HON. MR. BAXTER said the bill was necessary because of the illness of Sheriff McLeod, and it provided for the lists being signed by a deputy appointed by him.

The bill was agreed to.

The Committee rose and reported the bills to the House, and they were ordered engrossed and to be read a third time tomorrow.

The House again resolved itself into a Committee of the whole with Mr. Squires in the Chair.

Bill No. 10 to amend the New Brunswick Elections Act was considered.

HON. MR. BAXTER explained that this bill also arose out of the illness of Sheriff McLeod of Kings County. It provided also that in future the Sheriff may, with the approval of the Lieutenant Governor in Council, ap-

## CHAMBERLAIN IS BERATED ON HIS GENEVA FLASCO

London, March 24—Strangled by his own "garter," the corpse of Sir Austen Chamberlain's political reputation returns to London from a suicide's end at Geneva. No other verdict can be passed when, within a few months after the highest order of chivalry within the King's gift crowned Sir Austen's work at Locarno, a leading English paper declares today that his achievement at Geneva would be more appropriately rewarded with the order of the thistle.

This acid comment sums up the almost unanimous judgment of the British press, that the man who five months ago was hailed as one of the country's greatest foreign ministers has let himself be fooled and has made British diplomacy the laughing stock of Europe. Since David Lloyd George toppled suddenly from power there has been no more drastic reversal of popular judgment on a leading British statesman than that which the Foreign Secretary has drawn down upon himself by his policy at Geneva.

Why he pursued that policy in the face of the wishes of his country as clearly expressed in Parliament and in the press would make an interesting study in psychology, but a matter of more practical importance is how its results are regarded here.

### Government's Wish Clear.

British public opinion is virtually unanimous that the sole business of the meeting of the League of Nations should be the admission of Germany in accordance with the Locarno pact. It was unanimous that an explicit declaration by Sir Austen on behalf of his government that the business at Geneva would be strictly limited to the German entry would have made the league session merely a formal ratification of the Locarno treaties.

It is unanimous that Sir Austen's refusal to take this stand was fundamentally responsible for opening the flood gates of controversy over enlarging the league Council which led to the Geneva flasco with its background of intrigue, has gravely endangered the Locarno pact, dealt a staggering blow to the prestige of the league itself and exposed Europe again to all the perils of a war atmosphere.

The whole value of the Locarno pact from this country's viewpoint was that in return for the voluntary renunciation by Germany of her interest in Alsace-Lorraine it would bring Germany within the League of Nations and mark the ending of war and the beginning of peace in Europe. But the suspension of the operation of the Locarno pact for at least six months is not the worst feature of the situation as it is seen from the British angle. What has startled opinion here is the revelation from the circumstances of the failure to elect Germany, that the much vaunted Locarno spirit amounts to no more than "hot air" and that the pact itself has been reduced to a scrap of paper.

## BERLIN FAT FOLK GROW THIN TO MAKE MONEY

BERLIN FAT meB'G' acaos y'mootj

Berlin, March 24—The "organized famine" of the war-time rationing days is being vividly recalled by a new problem which has been presented to the Berlin police. There is a plague of fasters, who do stunts of going foodless for various forms of money payment and the police are trying to persuade several hundred men and women that "food strikes" for money exceed the bounds of sport or scientific research.

As the result of profitable exhibitions by several professional fasters, the police have had to deal with scores of other applications for permission to give similar shows. Among the applicants was a woman weighing 250 pounds. Her plea was that she ought to reduce anyhow and that she might as well make money while she was doing it.

Long lines of spectators are now watching two professional fasters, displayed in glass cages on one of Berlin's principal streets. Daily bulletins on their physical and mental condition are posted about the city.

point a special deputy to perform duties imposed upon him by sections 23 and 24 of the New Brunswick Elections Act.

The Bill was agreed to as amended.

Bill No. 11, an Act respecting the investigation of industrial disputes within the province was considered.

HON. MR. BAXTER said this was an Act similar to that adopted in Nova Scotia to make the Lemieux Act applicable to this province.

The bill was agreed to.

Bill No. 12, an Act to authorize the disposal of land held for the Provincial Hospital, and particularly a grant to Mrs. Isabelle Lowell, was next taken up.

The Bill was agreed to.

Bill No. 13, an Act to amend the School Act, 1922, was next considered.

HON. MR. BAXTER explained that the first section of the Act took the power that their predecessors had already arranged for.

The bill was agreed to.

Bill No. 17, an Act to amend the Vocational Education Act 1923 was dealt with.

HON. MR. RICHARDS explained that he bill provided for the appointment of a Vocational Board consisting of eight members.

MR. BROOKS took the point that Agricultural education should be under the Vocational Board.

HON. MR. VENIOT explained that the federal grant for agriculture has been very jealously guarded by the department, and hence the reason for expending the grant under an agricultural director.

HON. MR. RICHARDS thought it might be necessary to have a close co-ordination of various educational departments.

The bill was agreed to.

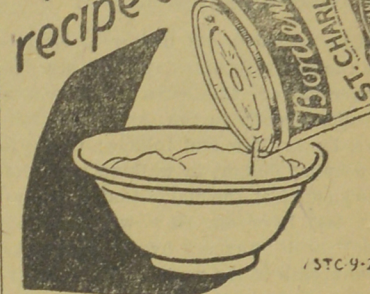
The Committee then rose and reported the bills agreed to.

On the Speaker resuming the Chair the bills were ordered engrossed to be read a third time tomorrow.

Adjourned at nine o'clock.

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## EXERCISE FAILS AS CURE ALL

Philadelphia, March 24—"Exercise as a panacea for all human ills is dangerously overrated," said Dr. Charles M. (Buck) Wharton in charge of health and physical education at the University of Pennsylvania today.

"Reducing and starvation diets are assaults on health," he added. "The worst fad in the name of physical culture is the early morning exercise by radio as it selects the worst time of the day for heavy exercise."

Dr. Wharton who has been a trainer of men for thirty years and was an all-American guard on the Pennsylvania football team in 1895 and 1896 declared that the search for the fountain of youth by exercise and diet had been commercialized to a point of hysteria.

"Some one should cry a halt against this wild scramble for health by unnatural means," said Dr. Wharton. "This indiscriminate adopting of severe physical training destroys the health of more people than it improves."

Dr. Wharton said that he was appalled by the amount of physical defects and weaknesses developed by over-indulgence in athletics by students in preparatory schools.

"In gymnasium work at the University of Pennsylvania," he concluded "we try to place our young men in sports which they will enjoy and thus get a physical stimulation from relaxed play."

If we are to have 13 months in the calendar, as some insist we must, by all means let us have two Mays.

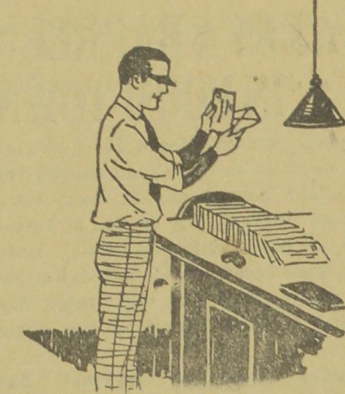
It is the misfortune of many a Dictator that in time he gets a feeling in the head that a couple of aspirin tablets can't cure.

The town in Wales which has decided that dancing is barbaric is Ystergyslais, which looks like a Charleston in print.

A Good Roads lecturer in Texas is named Flavius Josephus Randolphus Davenport, which is practically a trunk line in itself.

Among the veterans who are slowly rounding into shape in the spring camps is Mr. Abd-el-Krim.

## BLUNDERS



### WHY IS THIS WRONG?

One of the many annoyances that the postal service has to contend with is the receipt of bundles of carelessly sealed letters, many of which are stuck together. Since letters can be run through the cancelling machines only one at a time, all those stuck together must first be pulled apart by some postal employee. This may result in mutilation of the addresses or in placing the letters to one side until other mail has been handled.

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