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Maritime Transport. Commission Counsel Answers Ontario

C. J. Burchell Attacks Sedgwick Argument— Rand Matheson Gives Evidence.

MONCTON, Nov. 16.—If Mr. Sedgwick is right, then it follows that legislation of 1925 extending the provisions of the Crow's Nest Pass agreement must be ultra vires; so also the special rates given in grain to Vancouver must be ultra vires. Mr. Sedgwick will have some fight on his hands if he proposes to attack legislation which gives special railway rates to any section of Canada, and apparently he intends to do so.

So declared C. J. Burchell, K.C., yesterday in reply to remarks by Joseph Sedgwick, K.C., before the Board of Railway Commissioners here yesterday.

Mr. Sedgwick expressed doubt as to the legality of Mr. Burchell's construction of section 8 of the Maritime Freight Rates Act.

When the hearing resumed this morning Mr. Burchell addressed the board concerning Mr. Sedgwick's remarks of yesterday.

"When Mr. Sedgwick addressed the board yesterday, as a Maritimer I was so shocked and astounded at the attitude which he took allegedly on behalf of the Province of Ontario that I could not trust myself to speak. When he claims that the province of Ontario will object to reductions made by the Parliament of Canada in respect of rates over our own Maritime railways in order to enable our merchants, traders and manufacturers to market in other parts of Canada, I cannot believe that he is speaking for the heart of Ontario. This was the very purpose for which the Intercolonial Railway was built, and was the sole inducing reason urged by Ontario and Quebec to bring the Maritimes into Confederation.

"Provision for its construction was specifically directed in section 145 of the British North America Act. The other reason was to give to Canadian merchandise, or to Canada herself in time of national and imperial need an outlet and inlet to the Atlantic Ocean, available all the year round—and good use was made of the Atlantic port, during the Great War.

"These facts, after many years of struggle and strife, were embodied in the Duncan Report and in the preamble to the Maritime Freight Rates Act. In the Duncan report and in the preamble to the Act are also embodied the fact that strategic considerations determined the actual course of the Intercolonial railway. It was found to be 250 miles longer than was necessary if the only consideration had been to connect the cities of the Maritime Provinces with those of the St. Lawrence. It was further found in the Duncan report and embodied in the Maritime Freight Rates Act that 'To the extent that commercial considerations were subordinated to national, imperial and strategic considerations the cost should be borne by the Dominion and not by the traffic that might pass over the line.'

"Mr. Sedgwick now comes down from Ontario, not to dispute these facts, but to tell us in cold blood that in spite of the admitted facts the Parliament of Canada has not the right to rectify a wrong to the Maritimes by reducing the rates over the Intercolonial Railway to enable us to market our goods in the central provinces. Up to the year 1917 the tariffs on rates on the Intercolonial Railway were fixed under the direct authority of the Parliament of Canada.

"It was not until 1917 that the Board of Railway Commissioners was given control over the rates and they were then raised to equal those in other parts of Canada. The Parliament

Reich Forbids Jews Right to Marry Gentiles

BERLIN, Germany, Nov. 16.—Jewish people in Germany were stripped of all political rights by the German government yesterday and were forbidden to marry Gentiles.

Official decrees put into effect the sweeping citizenship and racial laws approved by the Reichstag at its Nuremberg meeting in September, during the Nazi party convention.

Thus Jewish people are deprived of the right to vote, to hold public office or even to be employed by the government.

Only a special dispensation from Reichsfuehrer Hitler himself can exempt them and part Jews from these restrictions. The decree also forbids the employment of female Aryan servants under the age of 35 in Jewish households.

FELIX DOMINY, U. S. SPORT, DIES IN N. B.

75 - Year - Old Hunter Passes of Heart At- tack Near Chipman

SAINT JOHN, Nov. 16.—An ardent sportsman who had visited New Brunswick every fall for more than 30 years in search of big game, Felix Dominy, 75, general merchant of East Hampton, Long Island, N. Y., was found dead in his bed at the Gasperau Sportsmen's Club near Chipman where since Nov. 1 he had been hunting moose in company with Bernard L. Spence, Brooklyn, with John Bidcombe, Chipman, as guide. A heart attack was the cause of death, it was stated.

Mr. Dominy was one of the first United States sportsmen to come to this province at the turn of the century and helped pave the way for hundreds to follow him into the province's woodlands, now a mecca for hunters.

of Canada controlled rates over the Intercolonial Railway from 1867 to 1917 and during that period as is found in the Duncan Report the rates were always about 20 per cent lower than those in the rest of Canada. That was in accordance with the agreement made at the time of Confederation.

"All the Maritime Freight Rates Act did was to restore the condition to what it was before 1917 and to direct that there should be a discrimination of 20 per cent between the rates in the Maritimes and those in the rest of Canada.

"Section 121 of the B.N.A. Act upon which Mr. Sedgwick relies is as follows: 'All articles of the growth, produce or manufacture of any of the provinces shall from and after the union be admitted free into each of the other provinces.'

"I fail to see how under any possible construction of this section that it touches upon the power of the Parliament of Canada to implement the promises made at Confederation to build the Intercolonial Railway, and to carry out traffic over that railway at rates lower than those in force in other parts of Canada. The section is rather in our favor in that it recognizes the right of one prov-

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Treaty Makes History

History was made yesterday at Washington when for the first time in three-quarters of a century Canada and the United States were placed on a mutual basis insofar as intertrade relations are concerned. The Canada-United States Treaty was signed in the midst of not unalloyed approval and protest in the presence of almost the entire Cabinet. The Treaty is a decisive step towards harmonized prosperity all over the Continent.

Besides the benefit accrued to all phases of business both directly and indirectly, there will be given to a tumultuous world a great lesson in neighborly relations that will probably radiate to other nations who want peace. It is of romantic interest to many to note that the Liberal party and the people of Canada are today reaping the rewards of the work of the great Liberal chieftain Sir Wilfrid Laurier, who went down to defeat in the attempt. The lesson is that perseverance in a well aimed motive is generally conducive to success sooner or later.

Although the details of the Treaty have not yet been disclosed, its advantages are already being felt by the farmers. Summing it all, America will no longer be a house divided against itself.

CANADA AND UNITED STATES TREATY SIGNED YESTERDAY

WASHINGTON, Nov. 16.—In the presence of almost the entire Cabinet, Prime Minister Mackenzie King and Secretary of State Hull signed the reciprocal treaty yesterday in Washington at 3:45 p.m. The ceremony was in the circular executive office of Mr. Roosevelt in the administration wing of the White House.

For Release Monday
Details of the treaty must remain an official secret until Sunday afternoon at two o'clock when complete summaries and copies of the text will be made public simultaneously in Ottawa and Washington—to be released in Monday's morning newspapers.

Signing of the treaty brings to a conclusion negotiations opened last January and mooted much earlier. The negotiations were suspended during the course of the Canadian general election but actively resumed two weeks ago and rushed to a conclusion by the visit of Mr. King to Washington last week.

While closely guarding contents of the treaty officials have expressed the hope that it will greatly stimulate trade in a wide variety of commodities which will now be exchanged across the international border on a lowered tariff schedule.

First Since 1866
Recalling that the treaty "places the trade relations between the two countries on a basis of mutual agreement for the first time since 1866," President Roosevelt said it was an historic occasion. "I am happy," he said, "to have a part in removing this anomaly in the relations between two countries which are united by so many bonds of friendship and common heritage."

Mr. King said the treaty would not only benefit North America but, "all the world will gain from greater trade on this continent. The agreement will I am confident, confer substantial benefits alike on the producers and consumers of both countries while safeguarding every essential interest."

Secretary Hull, after reviewing briefly the rise and fall of trade between Canada and the United States said:

"While many other parts of the world are slipping in the direction of economic suicide, the trade agreement between our two countries marks an outstanding step in the direction of economic sanity."

Prime Minister King, who arrived from Ottawa at noon, went to the White House executive wing at 3:30 o'clock, accompanied by Hume Wrong, charge d'affaires at the Canadian Legation, Dr. O. D. Skelton, undersec-

Yes, Yes, Milady Must Have Her Furs!

Milady must have her furs—and she will have them depression or no depression!

Evidence of this statement is borne out by the remark today by a New Brunswick fur dealer, that the fur markets at Montreal and London have cleaned out on all of last year's furs and are awaiting this year's sales with an optimistic attitude. Furs sell where everything else falls off. Milady uses them for neck pieces, collars, muffs, all manner of decorative purposes.

From the standpoint of business the provincial fur interests are looking forward to a good season. The first Montreal sale takes place on December 10, and the London sale opens on December 16. There is already considerable activity. Fur buyers from Montreal are in the province at present and representatives of the different companies are paying visits to the ranches here.

The Fredericton Fox Breeders' Association will hold a sale show at the Dominion Experimental Station here on December 12. It was learned today, suitable prizes are to be given in five classes. The purpose is to engender interest in the fox industry.

ROTHESAY MAN PASSES LONDON EXAMS

Herbert Thomas Johns Legassick, master at Rothesay Collegiate School, Rothesay, is the only student in Canada who passed the Intermediate examinations for the Arts course at the University of London for overseas applicants. It was announced this morning by Dr. A. S. McFarlane, chief superintendent of education, who had been notified by the University of London Board of Examiners. The examinations supervised by the chief superintendent, were written in Fredericton last July.

WOODS GUIDE BLED TO DEATH. SHOT BY MISTAKE

HOULTON, Maine, Nov. 16.—A hunting guide, John Myers, 50, bled to death in the woods Wednesday of a bullet wound accidentally inflicted by his employer, W. C. March, 21, while the latter pushed through unfamiliar forest for aid.

County Attorney George P. Barnes quoted March as saying the guide was wounded in stepping in range of March's rifle as he fired at a deer. March was not held.

Italy Concentrates On Capture Harar, Campaign's Key City

North and South China May Soon Be Separated

Things are happening in China to show that political changes are soon to take place in that country.

North China under Japanese troops may soon be completely separate from the National Government at Nanking.

Japanese troops are concentrated in the vicinity of the Great Wall while Chinese troops, under General Shang Chen, governor of Hopei Province, are moving southward toward the frontier between Hopei and Shantung provinces.

Japan's Choice?
Many observers believed General Sung Cheh-Yuan, military overlord of Hopei and Charan provinces, would be Japan's choice to head an autonomous North China.

Its Capture Would Mean Control of All Eastern Ethiopia—Jijiga Also Within Italy's Grasp.

Jijiga and Harar, in Southern Ethiopia are almost within the grasp of the Italians.

The fall of Harar, second city of Ethiopia, was imminent. Its capture would give Italy virtually all of eastern Ethiopia and enable it to link its colonies of Eritrea and Somaliland.

Ras Nasibu, in command of the southern Ethiopian forces, hurried to Jijiga yesterday to take personal command of its defence. The fall of Dagah Bur, less than 100 miles south of Jijiga, appeared imminent.

Near Objective
Col. Maletti and his native troops were reported to be only 25 miles from their "immediate objective."

They were marching up the Fafen River valley.

Dagah Bur was bombed yesterday by Italian planes with one priest killed and a church bombed.

In the Makale region, Italian bombers destroyed an Ethiopian encampment near Antalo. They said they believed it was the headquarters of Ras Seyoum.

Costly Skirmish
Italian troops occupied Azbi after a skirmish with Ethiopians which left four officers and 20 Askaris slain. The Ethiopians, who ambushed their opponents counted 55 dead, Italian reports said.

Emperor Haile Selassie ordered Ras Kassa to take the offensive on the northern front. The Italians believed Ras Kassa headed the force which attacked their men near Azbi but this was not confirmed.

In Rome Il Duce handed out orders to the prefects of Italy's 96 provinces for a bitter fight on League sanctions which go into effect Monday. New taxes were decreed on imported coal, copper, tin and nickel.

APPOINTMENT OF NEW LIBRARIAN EXPECTED SOON

It is understood that Miss Doreen Harper, Saint John, is in line for the appointment as librarian of the Legislative Library in place of Miss Margaret Evans. This report has not been officially confirmed.

Miss Harper is a graduate from the library department of McGill University and holds the degree of Bachelor of Libraries from that University as well as a B. A. degree from Dalhousie University. Up to a few weeks ago she was acting as assistant at the library at the University of New Brunswick and is said to be well qualified for the position.

Miss R. M. Wynn, well-known Fredericton lady, is in charge of the library temporarily until an official appointment is made.

Miss Harper, who is a daughter of D. W. Harper, Saint John, manager of the Provincial Bank, is also a niece of the late Mr. Justice J. P. Byrne, former attorney general in the Foster-Veniot government.

at 8:30 tomorrow morning by motor hearse and burial will take place there tomorrow afternoon.

SIR ANTHONY EDEN MAY GO TO WAR OFFICE

LONDON, England, Nov. 15.—Political circles last night expressed the belief that Prime Minister Baldwin, whose government was returned to power in the general election Thursday, will try to find a seat in Parliament for Ramsay MacDonald.

The lord president of the council, formerly prime minister, was defeated in Seaham while his son, Malcolm, colonial secretary, lost out in the neighboring constituency of Bassetlaw.

In political quarters it was held to be unlikely, however, that a seat would be found also for Malcolm MacDonald.

The defeat of these two cabinet ministers, along with the retirement of Sir Philip Cunliffe-Lister, secre-

tary for air, and the coming retirement of Sir Bolton Eyre-Monsell, first lord of the admiralty, will mean an early reshuffling of the Cabinet.

It is assumed that Sir Philip will receive a peerage and that Lord Halifax will resign from the War Office. Anthony Eden, at present minister for League of Nations affairs, is regarded as the likeliest successor to Lord Halifax.

Rumors have been current that Winston Churchill will become a member of the cabinet. Political circles, however, said this would raise many other questions besides purely political ones. They said there was no evidence that Mr. Baldwin even intends to include him in his cabinet.