

FRANCE SAYS THAT OTHER NATIONS SHOW GROWING CONFIDENCE IN BRITISH POLICIES

Hon. J. B. McNair Brings Up Question Canada's Jurisdiction

Versailles Treaty Had Made Necessary Certain Changes

Privy Council Questions Canada's Powers

Canada's Position is Now Critical Says Lord MacMillan

LONDON, Nov. 21—Indications were given in a legal argument yesterday that it might be necessary to amend the Canadian constitution to enable the Dominion to participate in international engagements in accordance with modern economic views.

This point developed at the hearing of a Canadian constitutional appeal before the judicial committee of the privy council. The privy council has been asked to determine whether the Weekly Day of Rest in Industrial Undertakings Act, the Minimum Wage Act, and the Limitation of Hours of Work Act are ultra vires the Parliament of Canada. The measures were enacted in 1935 under the Bennett government.

J. B. McNair, attorney-general of New Brunswick, contended that the legislation under review was all outside the power of the Dominion which certainly could not appropriate powers exclusively provincial by gratifying a labor convention. Since it dealt with industrial questions, it invaded the legislative area reserved for the provinces.

Lord MacMillan, member of the privy council, said the situation now reached was critical for Canada. He contended this legislation was made necessary by an international arrangement arising out of the Versailles treaty. Canada's treaty-making power had been questioned. He suggested there was a difference between treaty-making power and her

ESTATE LATE J. W. Y. SMITH IS OVER MILLION DOLLARS

MONCTON, Nov. 20—The will of the late J. W. Y. Smith, Shediac Cape has been admitted to probate in the Westmorland County probate court before J. M. McIntyre, judge of probate, and apart from certain bequests to the household staff and other employees about his home the large estate, including both real and personal property has been left to his wife and daughter. It was understood that the probate value of the estate was about \$1,500,000. The executors named in the will and duly sworn were Mrs. Cornelia Smith, the widow, and Mrs. Marjorie Cowl, daughter, and the Royal Trust Company. Senator C. W. Robinson was proctor.

Insurgents Make No Further Gains --- Loyalists Gain

(Special to The Daily Mail)
LONDON, Nov. 21—Six members of Parliament including three Conservatives, two Laborites and one Liberal have set sail for Spain to intercede with both parties in regard to hostages. The insurgents are not meeting at present with any further successes. They are at a standstill and the government forces are regaining some of the posts they had lost. An explanation of this checking of progress on the part of the rebels is that they have blown up bridges and a snowfall of twenty inches has fallen on Madrid.

Franco Enlarges Neutral Territory, Advises Nations

(Special to The Daily Mail)
MADRID, Nov. 21—The insurgents have enlarged the neutral territory and have notified the different governments that one square mile has been reserved as neutral ground for outside interests. Franco has advised all foreign citizens to occupy this territory over which aerial bombs will not be dropped.
Great Britain has been the only country so far that has made any mention of Franco's blockade although Germany claims that Franco should have belligerent rights in regard to the blockade.

Will Attend Meeting of Adult Education Ass'n in Toronto

W. K. Tibert, Director of Vocational Education, is leaving today for Toronto, where he will attend the annual meeting of the Adult Education Association of Canada, which meets at the University of Toronto on the 23rd and 24th. Mr. Tibert is a member of the Council of the Association. While in Ontario he will visit some of the new Vocational Schools where courses are being organized in Aeronautics and Diesel Engine work. He expects to return on the 28th.

N. B. and The I. C. R.

IN ALL the discussions pro and con which have been going on in regard to the rebuilding of the railway bridge at Fredericton there is one point which it would be well for us down here in New Brunswick to remember. If the Borden Government had not removed the Intercolonial Railway, or rather, had not done away with the Intercolonial Railway in 1912 and taken the control from Moncton to the Upper Provinces, we would probably have had the bridge today. There is no doubt that if the Intercolonial Railway was now being operated by the C.N.R. company the bridge at Fredericton, as part of the Intercolonial Railway service, would have been constructed immediately after it went out. It is the connection of the I.C.R., or that portion of the road which was the I.C.R.—and which should be still considered as such—with the C.N.R. company, that is delaying the reconstruction of the Fredericton bridge. It is the policy of the C.N.R. to prevent development of trade via Fredericton and the port of Saint John, and the sooner the citizens of Fredericton and the residents of the valley wake up and recognize this fact, the better.

In the reports of the recent meeting in this city with Mr. MacNabb, it appears that the Canadian National Railway Company is endeavoring to make the C.P.R. pay more money for the use of a bridge in New Brunswick and as an offset is going to give the C. P. R. concessions in another country. It seems to us that the Fredericton City Council, to say nothing of the Provincial Government, should oppose such a transaction strenuously.

This is quite in line with the general policy of the Canadian National Railway Company to impose higher charges upon the users of the railways in New Brunswick and give the users of a railway in some other country, the benefit of the amount of tribute exacted from the New Brunswick users.

If, however, the Fredericton people are going to allow this to go, we doubt if the Provincial Government would feel justified in stepping into the breach; in other words, we think if there is to be opposition to this suggestion, it should originate with the Fredericton people.

The employees of the Intercolonial Railway are granted Imperial medals for long service because of the Imperial interests in that railway. The employees of the Canadian National Railway Company do not receive and are not entitled to Imperial medals.

This is simply one of the illustrations to prove that the status of the Intercolonial Railway is entirely different from that of the so-called Canadian National Railways. The Intercolonial Railway is still recognized. The sooner we get it back the better.

Fredericton should be a junction point in the main trans-continental trade route operating from the Atlantic to the Pacific continuously, and it is ideally located not only for a junction point but also for the site of certain industries. But everything has been sacrificed to the Upper Provinces. The I.C.R. was built not that it might become a money-maker, but it was one of the promises which induced these lower provinces to go into Confederation, and when the Borden Government in 1912 shifted the I.C.R. headquarters from Moncton, to the Upper Provinces they then tore up the scrap of paper and broke their solemn treaty with the Maritime Provinces. We people down in this part of the world have been too long putting up with this sort of stuff. We have been "the hewers of wood and the drawers of water" for the Central and Western Provinces. Whenever we sing "O Canada" we do not recognize the fact that to all intents and purposes so far as we are concerned the eastern border of Canada is on that portion of the map where New Brunswick joins the Quebec border. There is a line across the head of our Province from the State of Maine to the Bay of Chaleur, with the counties of Madawaska and Restigouche as the upper border of the province. It is at this border where to all practical purposes Canada ends. Everything east of that is just the Maritimes. It is up to this portion of the Dominion to look out for itself and if we cannot get what is ours by the treaty made with us at Confederation, the sooner we start work "on our own hook" the better.

Our proper standing in regard to Canada and our rights were well summed up in a decision of the Imperial Privy Council in the case of "Liquidators of the Maritime Bank against the Receiver General of New Brunswick reported in 1892 Appeal Cases, Lord Watson said:

"Their Lordships do not think it necessary to examine in minute detail the Provisions of the Act of 1867 which nowhere professes to curtail in any respect the rights and privileges of the Crown, or to disturb the relations then subsisting between the Sovereign and the Provinces. The object of the Act was neither to weld the Provinces into one, nor to subordinate Provincial Governments to a central authority, but to create a FEDERAL government in which they should be all represented, entrusted with the exclusive administration of affairs in which they had a COMMON INTEREST, each province RETAINING ITS INDEPENDENCE AND AUTONOMY. That object was accomplished by dis-

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HORSE SHOW OPENING IS BRILLIANT

Boxes Filled to Capacity -- Glamour of Gowns Vies With Loveliness of Flowers.

TORONTO, Nov. 21—It certainly was an "out-size" in Royal Winter Horse Shows last night. It was the biggest, the largest, the most gorgeous show that has ever taken place since its formation.

Every seat was filled. Boxes were stretched to their limit—and an ever-moving crowd seated about in the ring. It was also almost "perfection" in many details—"perfection" in floral display, "perfection" in horsemanship—from all countries; "perfection" in smartly frocked and good-looking women, who sat like gorgeous bonbons in their boxes, with male "perfection" beside them, and across the Coliseum "perfection" in "cattle," whose plaintive "moos" were heard amid crash of music and volleys of cheers.

And there certainly was "perfection" of temper and jollity. Every one was in a good temper.

The Fair was opened with all due pomp by the Hon. James G. Gardiner, Federal Minister of Agriculture.

The arena was a gay spot, deep fountains of yellow in two shades edged with fringe, with deep draperies of blue Horse Show colors hung cleverly across the vast roof. The lights were hung with long yellow shades, and brilliant flags draped from the pillars. The boxes had festoons of gold and blue.

Among those present were: Vis-

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Spanish Government Will Protest to the League of Nations

(Special to The Daily Mail)
LONDON, Nov. 21—Reports have come that the Spanish government will protest to the League of Nations in regard to the attitude of Italy and Germany towards the Burgos government.

20,000 Youngsters Invade Royal Winter Fair Seeking Knowledge

SENATOR TURGEON GOES TO OTTAWA

Gloucester's Grand Old Man the veteran legislator, Senator Turgeon left on Tuesday last week for Ottawa to spend the winter and attend to his duties as a member of the Red Chamber, which is expected to open its sessions early in the New Year. The venerable senator, now in his 88th year, is enjoying splendid health and his remarkable vitality is equalled by his surprising mental strength which enables him to carry on his work as a legislator with unabated vigor. He keeps fully informed of the progress being made in all national affairs and his long experience in public life gives him a grasp and outlook on the country's business that is equalled by few men in any country in the world. The Senator was accompanied by Mrs. Turgeon, and by the grand-niece Miss Claire Doucet.

MEETING THIS AFTERNOON

The city council is expected to meet this afternoon as a committee of the whole in conjunction with the recent accident in which the Fredericton fire department truck was considerably damaged and is now at a local garage.

Britain Will Not Tolerate Piracy on The High Seas

Admiralty Flashes Word to British Ships in Mediterranean

Note From Insurgent Leader Outlined in House

Snow Halts Offensive For Capture of Spanish Capital

EFFORT TO CAPTURE BRITISH MARKET URGED

(Special to The Daily Mail)
TORONTO, Nov. 21—Farmers and breeders of Canada were last week urged to put forth every effort in establishing a place for Canadian products on the markets of Great Britain, when Hon. James G. Gardiner, Federal Minister of Agriculture, addressed a group of 400 agricultural and live stock men from all parts of the Dominion during the opening dinner at the Royal Winter Fair.

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Egypt to Apply For Entry to League of Nations

(Special to The Daily Mail)
PORT SAID, Nov. 21—Great Britain will support Egypt's application for entry into the League of Nations. Press notices remark on the progress that Egypt is making at present also on the Anglo-Egyptian treaty as well as the treaty of friendship with Turkey. Egypt will re-strengthen her defences in the Soudan and will re-organize the police force, her army, and her educational system. Only one or two taxes will be imposed.

(Special to The Daily Mail)
LONDON, Nov. 21—Newspapers of different countries in Europe today in commenting and replying to Anthony Eden's speech in the House of Commons in regard to Britain's foreign policy seem much in favor of her policy as to the use of armaments.

France says that there is a mark growing in the confidence of other nations in Britain's policies. Germany would be willing to assist Great Britain is stated if she were attacked and the aggression was not provoked.

LONDON, Nov. 21—Great Britain has decided to challenge a Spanish nationalist threat to blockade Barcelona and will resist any attempts to search or seize its ships on the high seas; it was said authoritatively today.

Foreign Secretary Anthony Eden disclosed to a startled, anxious House of Commons a nationalist note to Great Britain threatening to destroy the port of Barcelona if necessary and warning foreign ships and foreign citizens to leave.

British policy was outlined as follows:

- 1—Britain will refuse to recognize the nationalists' right to enforce a blockade.
- 2—Britain will resist any attempt to search or seize its ships on the high seas so long as the nationalists have not been accorded the status of belligerents. Neither they nor the

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TOMORROW IS TELEGRAPHIC ANNIVERSARY

(Special to The Daily Mail)
CHARLOTTETOWN, P. E. I., Nov. 21—Tomorrow is an anniversary date in the development of the art of telegraphic communications for on that date eighty four years ago, the first submarine cable in North America was laid across the Strait of Northumberland between Cape Traverse (now Borden), P.E.I., and Cape Tormentine in New Brunswick. Three years ago a bronze plaque was affixed to the facade of the historic Province House in Charlottetown by the Historic Sites and Monuments Board of Canada commemorating the event.

This first submarine cable consisted of a single strand of copper wire encased in rubber with an armored covering, the whole being approximately one half inch in diameter. The original cable, after giving years of satisfactory service, was replaced by one of more modern construction which forms part of the telegraphic system of the Canadian National Telegraphs and, in addition, there is a four conductor cable connecting Prince Edward Island with the mainland.

PALESTINE ROYAL COMMISSION INSPECTION TOUR

(Special to The Daily Mail)
PALESTINE, Nov. 21—The royal commission which has recently arrived in Palestine to look into conditions and to inquire into recent troubles there are now on an inspection tour in the northern part of the country. They are interested particularly in immigration and health affairs. Lord Peel, chairman of the commission, is asking for advice and help from the Arab High Commissioner.



HON. J. B. MCNAIR
Before Privy Council in London

capacity for performance of treaties by means of legislation. Treaty-making power might need to be extended to meet new times and a new status. Lord Atkin, another privy councillor, observed that Canada had the authority of the Crown behind her for making treaties and that a treaty could be made on the advice of His Majesty's ministers in Canada. But whether she could perform a treaty where legislation was needed was a question.

Lord MacMillan said the bulk of Canada's international engagements would not require legislation but times were changing and some engagements would need legislation. A new conception of economics led gov-

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