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FREDERICTON, N. B., TUESDAY, JANUARY 11, 1938

Weather: Fair and cold

FEDERAL VETO POWER BEING CONSIDERED BY SUPREME COURT OF CANADA

Relationships Dominion and Province Argued

Aime Geoffrion, K. C., Federal Counsel, Cites B. N. A. Act

SIX JUSTICES SIT

Reservation and Disallowance Statutory Powers, Never Abolished

OTTAWA, Jan. 11—Speaking before the Supreme Court of Canada yesterday in regard to the disallowance by the Dominion Government of certain provincial legislation and the power of lieutenant-governors to reserve assent for signification of the Governor-General's pleasure, it was argued that the constitutional growth of Canada into an autonomous state with unlimited powers of self-government did not change statutory relationships between the Dominion and the provinces.

Aime Geoffrion, K.C., counsel for the Dominion, advanced the contention during a court reference to determine whether the Dominion still has the power to disallow or reserve for signification of the Governor-General's pleasure provincial enactments. The reference resulted from Alberta's contention that the powers no longer exist.

On the bench with Chief Justice Sir Lyman Duff were Justices H. H. Davis, Lawrence A. Cannon, Oswald S. Crockett, Patrick Kerwin and Albert Hudson. Mr. Justice Thibaudeau Rinfret was absent, recovering from an illness.

Powers Statutory

Mr. Geoffrion claimed that both reservation and disallowance were statutory powers and could be abolished only by statute. The constitutional growth of Canada which culminated in the 1926 Imperial Conference resolution made no difference to Dominion-provincial relationships.

Power Often Exercised

Ottawa's power of disallowance had been used 100 times since 1867, and

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J. A. REID HEADS HOSPITAL BOARD

Annual Meeting Held Last Night; Reports Presented

J. A. Reid was re-elected president of the Board of Trustees of the Victoria Public Hospital at the annual meeting which was held in the City Hall last evening. The Superintendent's report was given at the meeting which preceded the annual meeting, and is as follows: Patients at beginning of month, 76; admitted, 110; discharged, 131; at end of the month, 55. The number of cases were as follows: Medical, 16; surgical, 47; obstetrical, 17; births, 19; deaths, 8; major operations, 37; minor operations, 21; X-rays, 71; and X-ray treatments, 8.

The report stated that 104 dinners were served on Christmas Day and that the Ladies' Hospital Aid was very generous in contributing to the festive occasion.

Luke S. Morrison was elected vice-president of the Board, and Fred I. Haviland re-elected secretary. Dr. Oscar Moorhouse is the new representative of physicians and surgeons practising in Fredericton and York County, and Councillor B. O. Waugh the new representative of the county.

Mrs. Richards, wife of Mr. Justice C. D. Richards, was elected representative

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Voters Have Decided

AFTER a silence of a quarter of a century the electors of the City of Fredericton went to the polls yesterday and expressed their opinion in regard to civic affairs. The citizens decided to endorse the present Police Commission and also to endorse the expenditure of approximately three hundred thousand dollars to be spent in connection with the Victoria Public Hospital if the City Council should so decide. In endorsing the hospital expenditure and the Police Commission they defeated the Citizens' ticket led by His Worship Mayor G. Willard Kitchen. About two-thirds of the electors voted. The chief reason for the defeat of the Citizens' ticket, it is felt by many, was that its supporters did not conduct as vigorous a campaign as their successful opponents. The friends of the defeated ticket tried to impress upon its candidates for some days that if they were defeated it would be due to over-confidence and to not making as big an effort as their opponents to get out their votes, and many believe today that this was what happened. Another reason attributed to the defeat of the out-going Aldermen is the fact that they had several strong combinations to work against and these business combinations joined together and worked hard for the defeat of the Kitchen ticket. However the people had the settling of the affairs in their own hands and they probably settled it to suit themselves. When a man or woman is given a vote he or she should be intelligent enough to know how to exercise his franchise and the citizens alone are responsible for the results. No independent citizen should in any election be influenced by any combination or clique with an axe to grind and if they allow such influence to prevail upon them and the results are not what they would have wished they have nobody to blame but themselves.

In certain circles last evening the election of Mr. Forbes over Mayor Kitchen was looked upon as the Conservative victory and was so proclaimed by some of Mr. Forbes' political friends, who connected this civic victory up with Mr. Forbes' future political career in connection with the Conservative party. This is a mistake. No man should take into the council his political affiliations whether he be a Liberal or Conservative and no man should be elected to the City Council because he is a Liberal or because he is a Conservative. Each ticket in yesterday's election contained men who were on both sides of politics. Conservatives worked in the Committee Rooms in support of the Kitchen ticket whilst leading Liberals including the Federal M. P. for York stood at the polls and worked for Mr. Forbes and his ticket and against Mr. Kitchen who is a Liberal. We do not believe that Mr. Forbes will bring politics to City Hall, but that he will work for the best interests of all.

The gentlemen who were defeated in yesterday's election retire from the City Council leaving behind them an exceptionally good record of administration. At a recent meeting of the Mayors of Canadian cities held at Ottawa, Fredericton was congratulated by the representatives from all over Canada as being the leading city in the Dominion so far as its financial standing was concerned, and a large amount of credit for this is due to some of the gentlemen who are retiring from the Board following their defeat yesterday. We hope that the newly-elected Aldermen will give us as good an administration.

The Daily Mail extends to Mayor-elect Forbes and the newly elected Aldermen its best wishes for the success of their work in connection with the city during the months that lie before them. The gentlemen elected yesterday are all good citizens who we feel will do their best in the interests of the city which they have been elected to serve. The newly elected Aldermen will hold office for the next two years and Mayor Forbes will be in office for at least another year and possibly longer. The new Mayor has had previous experience at the Council Board and this should serve him in good stead in filling the office in which the majority of the voters have decided to place him.

The Daily Mail will give the Mayor and the City Fathers support in all that we believe to be in the best interests of the city and not otherwise.

Premier Duplessis Issues Warning Hands Off Quebec

MONTREAL, Jan. 11—A "hands off Quebec!" warning was issued in a banquet address tonight by Premier Maurice Duplessis to "those who appear to be wanting to centralize authority" in Canada. The Union Nationale premier, restating his doctrine that provincial autonomy must remain untouched in the Dominion, declared Quebec and Ontario had "got together" to "stop a raid against Confederation."

CONDITION FAVORABLE R. E. Finn, M.P., Halifax, is making rapid progress toward complete recovery from a bad attack of anemia at the Victoria Public Hospital, it was learned from his physician, Dr.

Canadian Author Is 78 Years Old



SIR CHARLES G. D. ROBERTS who was 78 years old yesterday

A. L. Gerow. He has been confined to the hospital here for several days.

Protection Held Mutual Concern Of Canada, U. S.

While No Approach Yet Made by Washington, Opinion in Ottawa Is Believed Favorable

CONCENTRATE ON PACIFIC COAST

U. S. Regards The Canadian Coasts As Undefined

ON TRIAL FOR THEFT OF CAR HON. A. C. TAYLOR

King vs. Russel Barbour In the County Court This Morning

The first case on the docket of the York County Court—that of The King versus Russell Barbour, charged with the theft of the car belonging to the Dept. of Agriculture from in front of the departmental buildings where it had been parked by Hon. A. C. Taylor, Minister of Agriculture, in September, got underway this morning. Four witnesses were on the stand this morning for the prosecution in the case, which is being tried before Hon. Judge A. R. Slipp without jury.

Barbour is being defended by Horace A. Hanson, appointed by the court, while Fred H. Peters, clerk of the court, is prosecuting the case.

Hon. A. C. Taylor was the first witness to testify, being called on to identify a coat as his, which had been in the car when taken and which was given to a merchant, John MacLean, of The Range, Queens county, as security for a quantity of gasoline. He also identified a club-bag which the accused had when taken into custody as having been in the auto when taken.

John MacLean could not positively identify the accused as the man who

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OTTAWA, Jan. 11—Canada's armament expenditures are likely to increase year by year for a good many years to come, and in this matter the Dominion Government might be willing to co-operate with the United States on the matter of coastal defenses if approaches were made by Washington, it was intimated here tonight from sources close to the Federal Administration. Washington, however, has made no approach to the Canadian Government for a joint scheme of coastal protection, it was stated.

In any event, the Dominion, with its population of eleven millions, could not contribute to an armament scheme on such a large scale as the United States, with its 130,000,000 people.

Concentrated on Pacific

Canada has already launched an armament program which concentrates upon the Pacific Coast and this program will not likely be completed until 1940, at which time the Government will turn more attention to the Atlantic Seaboard.

Ninety per cent. of the defense estimates to be presented to Parliament this year, aside from the twenty odd millions which are spent annually on maintenance, will be spent on the Pacific.

Reports that the United States Government intends to enlarge its defense program at Canadian border points were entirely lacking in official confirmation here tonight. If such a plan is contemplated at Washington, it has not been discussed with the Canadian Government, and Ottawa knows nothing about it.

Opinion here, however, is that such



MR. JUSTICE RINFRET who is unable to sit at the Sup. Court hearings in Ottawa due to illness

G. W. I. Creighton Heads Can. Section, Maritime Soc. Forest Engineers

Officers of the Maritime Section of the Canadian Society of Forest Engineers for 1938, elected by letter ballot following the recent meeting here of the Section, were announced this morning by K. B. Brown, secretary-treasurer. They are: Chairman—G. W. I. Creighton, Chief Forester, Department of Lands and Forests, Halifax, N. S. Vice-Chairman—L. S. Webb, Forest Engineering Department, Canadian International Paper Company, Eastern Division, Campbellton, N. B. Councillors—B. R. Alexander, Liverpool, N.S.; Professor J. M. Gibson, Dean of Forestry, U.N.B., Fredericton, N.B.; E. L. Howie, Forest Engineering Dept., Fraser Companies Ltd., Edmundston, N.B.; G. L. Miller, Chief Forester, N. B. Forest Service, Fredericton, N.B.; J. C. Veness, Supt., Acadian Division, Dominion Forest Service, Fredericton, N. B.

Many Mourn Passing Mrs. H. A. McClary

The mourners at the funeral of the late Mrs. H. A. McClary, whose funeral took place from the home, Springhill, yesterday afternoon, were as follows: H. A. McClary, Jerald Crowley, Kenneth Jewett, Arthur Jewett, George Love, Geo. Howie, Wm. Love, Clowes Sloat, Claud Haynes, Fred Barr, Allan Grant, James Boreland, Benj. Boreland, Frank Noble, Ellis Kelley, Glasier Currie, Gareth Currie, Harry Alliston, James Alliston, Lee Hanson, Harold Powys, Harry Ludford, Charles Pitcher, Dugal Johnston, Merlin Wiggins, John Camber, Fred Camber, Wm. Boreland, Cecil Burt, Sandy Burt, Jas. Burt, Wallace Bridges, D. J. Shea, Hugh O'Neill, Charles O'Neill, Walter McGinn, Arthur Shatford, Arthur Tappin, John Toner, Frank Toner, Wm. Turvey, Joseph Higgins, Walter Quartermain, Clement Toner.

pall-bearers were: John Powys, John Doherty, Henry McMurtrie, Walter Shatford, Fred Gallop, John Edgar.

a project is not improbable. There is no doubt held in official Ottawa that the United States regards the Canadian coasts as undefended frontiers.

Because of its vital importance to both nations, and because of the

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QUEBEC LIBERALS FACE HEAVY UPHILL BATTLE

But, Though Party is Disorganized, Duplessis Will Have Rough Time Next Session, Is Belief

MONTREAL, Jan. 11—The Quebec Liberal Party, which was routed when the Taschereau Government collapsed more than 18 months ago after disclosures before the Public Accounts Committee, is still completely disorganized.

Unlike Ontario, where Conservative leaders are quick to challenge every act of the Premier, there is little opposition in the Province of Quebec on major acts of the Duplessis Government. Or if there is, it is the small voice of the Civil Liberties Union or other scattered groups which are in disagreement with the powerful Union Nationale Administration. Consequently Premier Duplessis holds the whip hand.

Have "Old Gang" Too

As with the Conservative Party in Ontario the Quebec Liberals are trying to shake off the "old gang" which held power in the French province for an uninterrupted period of thirty-nine years. The Liberals are making a determined bid to rally younger men to their cause, but with an election far distant it is no easy task.

The nominal head of the Liberal Party is Hon. Adelard Godbout, a former member of the Taschereau government, who succeeded to the premiership when Louis Alexandre Taschereau resigned office. Godbout held

office for only six or seven weeks and could do nothing to stem the tide of anti-Government votes which swamped his party in August, 1936.

There is no doubt that the next few years will reveal whatever fate is in store for the Liberal Party. If it is to keep its identity and regain some of the strength it once held, it will have to make a long uphill fight. The alternative is a merger with one or more of the extremist groups. In that event, there would be neither a Conservative nor a Liberal Party in the French province, for the Conservatives are merged with the Action Liberal Nationale Party which forms the Duplessis Union National Government.

The Premier faces a barrage of criticism for his padlock law and for his more recent minimum wage law; but above all, suspicion centres on his alliance with Premier Mitchell Hepburn. The Opposition has given notice it will ask a detailed explanation of his relationships with the Ontario Premier.

From the floor of the House they will recall that in his election he campaigned against the "power trust" and will contend that now, with the aid of Premier Hepburn, he is helping the "power trust" to make millions through the export of power.

Nova Scotia Fishermens Strike Shows Signs of Settlement

Legal Writ to be Taken Before Premier By Union Advisor

LUNenburg, Jan. 11—The fishermen's strike showed signs of a near settlement last night as three leading fish-buying firms, the Lunenburg Sea Products, Limited, Maritime National Fish Company and the Lockport Cold Storage, Limited, officially recognized the Fishermen's Federation which ordered the tie-up 13 days ago. Refusal of the buyers to grant increased prices, union officers said caused the tie-up.

Fleet captains said tonight after the meeting at which the recognition was accorded, that complete agreement involving the price increase was so near their schooners might leave port anytime after a meeting scheduled for tomorrow morning.

At a meeting of the Halifax Fish Handlers and Cutters Union tonight members of the crew of the National Fish Company's trawler Viernoie said they would tie-up the vessel until the arrival of another company trawler, Rayon D'Or, when they would attempt to unionize members of that trawler's crew.

Should they be successful, they said they would attempt to tie up all

GLASGOW TO EXHIBIT PEACE GARDEN MODEL

New York May Also Build Replica Of International Park Near Winnipeg, Dedicated To Amity

PORT CREDIT, Jan. 11—A model of the famous "Peace Garden" established on the international boundary between Manitoba and Minnesota, will be constructed for the British Empire Exposition in Glasgow, Scotland, this summer, Henry J. Moore,

designer of the garden, told a Toronto newspaper today. "I have received a cable from Lady Aberdeen recently," said Mr. Moore, who is a landscape architect, "requesting plans of the garden so that it could be reproduced for the exposition in Glasgow this summer. Much interest has been shown in Great Britain in the garden and it is partly because of this Lady Aberdeen asked for the plans. In addition, I have been approached by officials of the 1939 World's Fair in New York, who want to build one there."

The Peace Garden, which has become internationally known, was established on the boundary approximately fifty miles south of Winnipeg in the interests of a better understanding between two great nations with common ideals. It was planned and laid out by Mr. Moore, who resides in Islington. Gradually, said Mr.

three of the company's trawlers in sympathy with the Fish Handlers and Cutters Union strike for union recognition. Time of the Rayon D'Or's arrival was unknown. Meanwhile, legal steps have been taken by the union. Julius Rosenblum the union's legal adviser, has had writs issued under the Nova Scotia Trades Union Act. In the writs complaints had been sworn out by Dane Parker, president of the Fish Handler's and Cutters Union, which name about 10 men as having been intimidated or discriminated against contrary to the Act the union's attorney said.

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