

The Fishery Award.

(From the Examiner.) As to the Fishery Award case the Premier says that it will be disposed of by the Privy Council and a Court of Arbitration; and, if so, it will not matter which party is in power in this Province.

In order that there may be no room for doubt about the matter we shall quote that excellent romancer, the Patriot, the speech of the Lieutenant Governor at the last session of the legislature, and other indisputable authorities.

It will be remembered that Premier Peters, being then "pretty hard up," began to "work" this claim in 1902. In April of that year, the Patriot reported the Premier as stating that "he expected to receive from Ottawa, in payment toward the claim for Fishery Award, a sum sufficient to carry in the government without any taxation."

"We are glad to see that Premier Peters has been pressing the claims of the Province to our share of the Fishery Award upon the Dominion Government, and we are pleased to hear from him that the matter is coming to a conclusion. Much correspondence has passed between the Premier and the department, and he finally claimed from the Dominion the right—although the other Provinces did not proceed alone in this matter. And, so far as the Fishery Award is concerned, if the Federal Government would not amicably settle the claim the Premier asked to be permitted to state a case for the decision of the Supreme Court at Ottawa as to our rights to a share of this Award."

At the opening of the session of 1904, the government put these words into the mouth of the Lieutenant Governor:

"It has been arranged that a case shall be stated for the opinion of the Supreme Court of Canada, as to the rights of the Province interested, to their share of the Award. This will finally dispose of this vexed question, and will, after payment of the fishery bounties, as heretofore, yield a large sum of money for the use of the Province."

In the course of his budget speech Premier Peters said: "One of these claims will, I think be recognized before very long, that is our claim for our share of the Fishery Award. That case is now before the Supreme Court of Canada."

And again,— "But if the Dominion of Canada received it as our money, in right, in justice and equity and in every other principle that is known to law or justice, they are bound to pay that money over to us, and if they are bound to pay it over to us, then sir, they are bound to give us the income of that money. If they held that money since 1899, the year the award was made in Halifax, and kept that money for themselves, placing it, I presume, on interest or any other consolidated fund, they must account to us for the use of money by paying interest. Therefore I claim if the decision of the Supreme Court be in our favor—it will be decided next month—we are not only entitled to our share of the Award, the capital paid over, but to the interest for all the time the Dominion Government have held our money. I do not think any lawyer or other person who has studied the question at all will deny that fact. I believe the Supreme Court will decide in our favor next month, and if we get that, it requires but pencil and paper to calculate on what that would be."

The speech in which these strong and decided statements were made was delivered on the 20th of April 1904. After the close of the session Premier Peters and others went to Ottawa. There they got new light. For the Patriot of the 21st of May 1904 reported the leader of the government as stating that,—

All Stuffed Up

That's the condition of many sufferers from catarrh, especially in the morning. Great difficulty is experienced in clearing the head and throat.

No wonder catarrh causes headache, impairs the taste, smell and hearing, pollutes the breath, deranges the stomach and affects the appetite.

To cure catarrh, treatment must be constitutional—alterative and tonic.

"I was ill for four months with catarrh in the head and throat. Had a bad cough and raised blood. I had become discouraged when my husband bought a bottle of Hood's Sarsaparilla and persuaded me to try it. I advise all to take it. It has cured and built me up." Mrs. Helen Robinson, West Lincoln, N. S.

Hood's Sarsaparilla

Cures catarrh—it soothes and strengthens the mucous membrane and builds up the whole system.

"The matter was fully discussed before Sir Wilfrid Laurier and the members of the Cabinet, and it was found that the Minister of Justice did not feel inclined to put questions to the Supreme Court as desired, and as we felt they ought to be put. The objection he raised was, perhaps, not without foundation. One of the questions we desired to put was, whether the Dominion Government was equitably bound to pay over the amount of the Fishery Award with interest from the time it was paid to the Dominion Government, to the provinces.

The Minister of Justice objected to the word "equitable" saying that, in the first place, he did not think that the statute which authorized these questions to be put to the Supreme Court to be answered by them, empowered him to put anything but questions of a strictly legal nature and that he had no power to ask the Court whether there was any equitable liability on the part of the Dominion Government to pay over the money. Mr. Pugsley and myself refused to consent to the question of the mere legal liability, being put, as if it came down to a strict question of law, there was no legal liability existing between the Dominion Government and the Provincial Government to pay over this money,—our only claim being that the money was paid by Great Britain to the Dominion Government previous to the decision of the Privy Council, and was really paid to the Dominion Government under a mistake of fact, believing as they did at that time, before the decision of the Privy Council, that all these Fishery rights and privileges belonged to the Dominion Government,—whereas the decision of the Privy Council reversed that belief, holding that the property in all these fishery privileges and rights belonged, not to the Dominion Government, but to the Provinces and therefore as a matter of law there would be no legal liability from the Dominion Government to pay over this money, the claim being, as before, if anything, an equitable one. Finding, therefore, that we could not agree upon a case to the Supreme Court

it was suggested by Mr. Pugsley and myself that the matter should be referred to arbitration with power for the arbitrators to consider as well the legal as the equitable liability. After some discussion Sir Wilfrid intimated that he saw no objection to the matter being referred to arbitration, and the Minister of Marine and Fisheries, on being appealed to, concurred in Sir Wilfrid's decision. As far as the Fishery Award is concerned this will go before arbitration."

On the second of June, the Patriot announced another jaunt to Ottawa on which the Premier was to be accompanied by those great legal luminaries and authorities upon constitutional law, the "Hon. Benjamin Rogers and the Hon. George W. Simpson." All were to attend a conference to be held on the 8th, "relative to the final arrangements concerning the arbitration that is to deal with the Fishery Award and other matters of importance to this Province."

Well, they all went. But when the Patriot, on the 14th of June, announced the return of the luminaries, it had also to announce that: "So far as the Halifax Fishery

award is concerned, it was decided on the suggestion of the Minister of Justice to refer the matter first to the Privy Council of England to determine whether the Dominion Government—in equity or good conscience should pay the provinces the share of the Award. Should the question be decided by the Privy Council in favor of the Province receiving the Award, the question of the amount payable to each province by the Dominion will be decided by an independent arbitration, to be selected by the provinces and the Dominion. The above course was decided upon, owing to the fact that Nova Scotia could not be persuaded to join with the other provinces in holding an arbitration as at first intended. The matter is being referred to the Privy Council under the statute which authorized the Dominion Government to ask the opinion of the King in Council as to any constitutional or other matter by which the Dominion Government will be bound. This question will, if possible, be submitted immediately to the Privy Council."

And there the matter stands. It is evident that Premier Peters and his colleagues cannot do anything further about it until after the Privy Council shall have given its decision, and we submit that the result in any way—unless perhaps it may secure more successful counsel than those who managed our Representation case.

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OUR CAPITAL ACCOUNT.

THE RECORDS COMPARED.

The Liberals are making a great ado about the \$200,000 withdrawn from Capital. But the following statement of our capital account shows how much better we stood at Ottawa when the Conservatives went out of power than when they assumed the reins of power:

Table with columns for 'CAPITAL DURING CONSERVATIVE PERIOD' and 'CAPITAL DURING LIBERAL PERIOD'. Rows include 'On the 31st day of December, A. D. 1878, the balance on Debt Account held by Canada to the credit of this Province' and 'Net amount to credit 31st December, 1890'.

QUALIFICATION OF VOTERS

FOR COUNCILLOR.

Every male person, being a British subject of the age of twenty-one years or upwards, who owns real estate of a freehold or leasehold tenure of a value of three hundred and twenty-five dollars and who has owned and been in the possession of the same for a period of at least six months previous to the date of the writ of election (9th November, 1904), shall be entitled to a vote for a member to serve in the Legislative Assembly of this Province as a Councillor.

FOR ASSEMBLYMAN.

Every person is qualified to vote for an Assemblyman, who is a male British subject and 21 years of age on the day of the election and who is the owner, occupant or tenant of land or buildings worth at least \$100.00 or of clear yearly value of \$6.00 as the case may be, provided such property has been owned, possessed or held for six months before the date of the writ of election (9th November, 1904). The land or buildings may be different premises owned or occupied in immediate succession (within the Electoral District) for six months before the date of the writ.

Joint Tenants, Tenants in Common, Co-Parceners and Co-Partners in Trade may each vote where the individual interest in the land or building is of the yearly value of \$6.00.

Road Tax Voter.—If being liable to pay \$1.00 Road Tax he has paid the same for the year preceding the date of the writ (9th November), (or is specially exempt from the payment of the tax) provided he has resided in the Electoral District in which he claims to vote, 12 months next before the date of the writ (9th November, 1904). Only clergy and overseers are exempt from payment of Road Tax.

If a person becomes 21 years of age between 1st of December 1903, and the day of election, he is entitled to vote in any Electoral District if he pays the \$1.00 Road Tax for 1904, provided he has resided in the Electoral District, in which he claims to vote, 12 months, next before the date of the writ.

Road Tax Voter over 60.—Any male person over 60 years of age who has voluntarily paid his Road Tax for 1903, and is not in arrears, is duly qualified to vote.

Occasional Absence of the Road Tax or Civil Poll Tax Voter from the Electoral District for any period or periods not exceeding in all three months in the year, next before the date of the writ will not disqualify the voter.

Time spent by Student, Mariner or Fisherman (in pursuit of calling), shall be deemed spent within the Electoral District.

Every elector must vote in the Poll where he resides, but a non-resident elector must vote in the Poll in which his property is situated, unless he votes by special vote.

Suffered For A Number of Years From Dyspepsia.

That is what Mrs. Mary Parks, Cooper, Ont., says, and there are thousands of others who can say the same thing.

BURDOCK BLOOD BITTERS

cured her, and will cure anyone and everyone troubled with Dyspepsia. Mrs. Parks writes as follows:— "I suffered for a number of years from Dyspepsia, and tried many remedies, but without any relief until, on the 15th of June, I started to use Burdock Blood Bitters. After using one bottle I was pleased to find that I was relieved of the dreadful pains I suffered. I give all praise to B.B.B. for the benefit I have received, and I hope all sufferers from Dyspepsia will try this wonderful remedy. If they do I am sure that they will have the same experience that I have had."

THE T. MILBURN CO., LIMITED, Toronto, Ont.

MISCELLANEOUS

Fond Mother.—I wonder what the baby is thinking of?

Fond Father.—He is not thinking; he is listening to hear if his first tooth is coming.

Chilblains.

Mrs. J. B. Rask, Ruskriv, Ont., says: "I have used Haggard's Yellow Oil for chilblains, and found it most effectual. It relieved the irritation almost immediately and a few applications made a complete cure."

Keep Minards Liniment in the House.

Nervous youth (to charming girl who has been trying to set him at his ease).—He, he I always—ha—feel rather shy with pretty girls, y'know, but I'm quite at home with you!

Take a Luxa Liver Pill before retiring, and it will work while you sleep without a grip or gripe cutting Biliousness, Constipation and Dyspepsia and makes you feel better in the morning. Price 25.

Mother (policeman's wife) — Willie, I've been shouting for you this half-hour. How is it you are never here when you are wanted?

Son.—Well, mother, I suppose I take after father.

Rheumatism in Shoulders.

"I had the Rheumatism in my shoulders so bad that I could not rest at night. I took Milburn's Rheumatic Pills and have not had a trace of it since." John Kirtton, Glanboro, Mass.

Young Hopeful.—Father, what is a traitor in politics? This paper says Mr. Jawwney is one.

Veteran Politician.—A traitor is a man who leaves our party and goes over to the other one.

Young Hopeful.—Well, then, what is a man who leaves the other party and comes over to ours?

Veteran Politician.—A patriot, my son.

Minards Liniment cures Distemper.

"There are some songs that will never die," said the musical enthusiast.

"I guess that's right," answered Mr. Cumrox. "M. daughter sits down at the piano and tries to kill a few of 'em every evening. But it's no use."

Keep Minard's Liniment in the House.

MILBURN'S Heart and Nerve Pills.

Are a specific for all heart and nerve troubles. Here are some of the symptoms. Any one of them should be a warning for you to attend to it immediately. Don't delay. Serious breakdowns of the system may follow, if you do: Nervousness, Sleeplessness, Dizziness, Palpitation of the Heart, Shortness of Breath, Rush of Blood to the Head, Smothering and Sinking Spells, Faint and Weak Spells, Spasm or Pain through the Heart; Cold, Clammy Hands and Feet. There may be many minor symptoms of heart and nerve trouble, but these are the chief ones.

Milburn's Heart and Nerve Pills will dispel all these symptoms from the system.

Price 50 cents per box, or \$ for \$1.25.

WEAK SPELLS CURED.

Mrs. J. Dorey, Hemford, N.S., writes us as follows:—"I was troubled with dizziness, weak spells and fluttering of the heart. I procured a box of Milburn's Heart and Nerve Pills, and they did me so much good that I got two more boxes, and after finishing them I was completely cured. I must say that I cannot recommend them too highly."



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