

KING SACRIFICES SEAT TO PRESERVE PROMISE

Premier Explains Search For Place Before House Opens Would Involve Important Appointment Which Government Is Determined to Avoid—Until Approval Given.

Canadian Press Despatch. Ottawa, Nov. 17.—"To bring on a by-election under any conditions or circumstances in order to secure my presence in the house of commons on the opening days of the session would be to render my colleagues and myself liable to the charge of deliberately adopting a course of procedure which would not permit of the assembling of parliament in such circumstances would immediately become contingent upon a factor for which I myself or the government would be solely responsible," states Premier W. L. Mackenzie King in a statement issued late tonight explaining the reasons which have kept him from seeking a seat in the house before parliament assembles.

Indicating the probability of parliament meeting in the month of December, the premier stated that "it is obviously desirable and in the public interest that I should be present in the house in this matter should speedily be removed."

"Once the question of party majority is settled an adjournment of parliament can be made to enable which ever party may be entrusted with the duty of carrying on the government within which to conduct the necessary by-elections and have in readiness the further work of the session. Fortunately, this can be arranged before the present year is out in a manner wholly accords with the customs and practices of parliament."

Premier's Statement.

Premier King, in his statement, declares: "The following statement with respect to the reasons which have caused me not to seek a seat in the house of commons before parliament assembles will, I trust, be sufficient to answer some of the inquiries which have recently been made, and to prevent any possible misunderstanding on the course it has seemed to me proper to pursue."

"My advice to his excellency the governor-general, tendered just as soon as the returns of the general election held on Oct. 29 had been generally known, and which his excellency has been pleased to accept, was 'to summon parliament for the earliest practicable date in order to ascertain the attitude of the parliamentary representatives towards the very important question raised by the numerical position of the respective political parties.'"

"The government were informed by the chief electoral officer that in his opinion, having regard to the time necessary for the return of the writs, Dec. 10 was the earliest practicable date on which parliament could assemble. It was on this opinion that the cabinet acted in deciding to have parliament meet on Dec. 10, unless in the interval it should appear that it was possible to have the writs return earlier than the date of the session."

Delay Appointments. "With the announcement of the decision to have parliament assemble at the earliest practicable date, there was the further information that it was the intention of the cabinet, in the interval, to refrain from making appointments beyond such as were essential for the proper carrying on of public business."

"In thus seeking to ascertain at the earliest moment the will of the majority of the house of commons, the cabinet was acting in accordance with the long established custom of the government, and in refraining, in the interval from any step to which exception could reasonably be taken, the cabinet was acting in accordance with the long established custom of the government, and in refraining, in the interval from any step to which exception could reasonably be taken, the cabinet was acting in accordance with the long established custom of the government."

"It is thought by some that as prime minister I should be present in the commons when parliament meets."

THREE CRIMINAL CASES BEFORE COUNTY COURT

Will Be Tried by Judge Talbot Macbeth on December 4.

There will be three, and possibly four, criminal cases to come before Judge Macbeth and county court at the December sittings of the court opening on Dec. 4.

First and foremost will be the cases of Alex. Goldstein and Lewis Brinder charged with receiving stolen goods. These are the men arrested by a county police constable, who, while on duty, had later informed the police they had purchased them from Ed. Hariton. The latter was being kept under observation by County Traffic Officer Waddell, who was shot and killed by Hariton when he attempted to prevent him from leaving his father's premises on Egerton street later in the day.

Goldstein, under pressure, told the officers where Hariton kept the chickens in a hen house in Westminster township.

The third non-jury case to be tried before Judge Macbeth at the December sittings of the court will be set down for trial today at the court house.

The Goodyear Tire and Rubber Company is suing Samuel and Meyer Harris, carrying on business under the name of the Middlesex Tire and Auto Supply Company, for \$571.71, for goods sold and delivered on business as J. Harris & Sons, are also named in the defence.

The defendants claim that the company agreed to take back \$550 worth of goods.

W. G. R. Bartram is acting for plaintiff and Ivey, Elliott & Gillanders for defence.

Both Goldstein and Brinder are out on bail at the present time. They will be prosecuted by Crown Attorney Albert M. Judd and defended by Mr. E. J. Henderson.

William P. McDonald, charged with conspiracy to defraud the Bank of Montreal out of some \$10,000, will also appear before the court. H. G. Brewer, brought back from Kingston pen-

This would necessitate in the interval the holding of a by-election expressly for the purpose of providing me with a seat.

The appointment of a duly-elected member to office under the crown is the only method by which, up to the present, it would have been possible for the government of its own act to create the necessary vacancy to make possible a by-election. To have made such an appointment in order to permit of my re-entry into parliament before the question of majority support had been determined by the commons would have been to lay myself open to the charge of having violated the undertaking not to make, in the interval, other than necessary appointments, and to have adopted a course of procedure which, were it subsequently to be shown that the government did not possess the support of the majority in the house of commons, might be regarded as having been unconstitutional, to say nothing of its impropriety on other grounds.

Not Reported by Precedence. "To bring on a by-election under any conditions or circumstances in order to secure my presence in the house of commons on the opening days of the session would be to render my colleagues and myself liable to the charge of deliberately adopting a course of procedure which would not permit of the assembling of parliament in such circumstances would immediately become contingent upon a factor for which I myself or the government would be solely responsible."

However, unfair such a construction of our action might be, I am unwilling to permit of its being made. Moreover there is the best of precedents for parliament being called together to decide upon important matters of state, where it has been known that the prime minister would necessarily be absent through not having a seat in parliament.

"The Rt. Honourable the leader of the Opposition has challenged the right of the government to continue in office. To test and decide the contention that the government cannot continue in office until a by-election is held is a matter which is of the greatest importance to the country. It is obviously desirable and in the public interest that I should be present in the house in this matter should speedily be removed."

Follows Old Practice. "In former years, when parliament was summoned in the fall or early winter months, and adjournment over Christmas and the new year was the invariable practice. In recent years the practice has been to call parliament together till on towards the end of January or of February. The interests of the country, and the convenience of the commons, as parliament meets, the question of majority support is decided, and an adjournment is then made to permit of the necessary arrangements for the continuation at the proper time of the work of the session."

"On the other hand, a course of procedure which might prolong into the new year the settlement of this question, upon which all subsequent governmental action is contingent, could scarcely prove to be other than vexatious and prejudicial to the interests of the country, both at home and abroad."

ORATORY WILL FLOW FROM "Y" SOAP BOXES

The "Y's" Men's club of the local Y. M. C. A. will hold its regular weekly meeting at the association buildings tonight.

The feature of the evening will be a soap-box oratory contest, open to all members of the club. Each entrant will be obliged to deliver his oration from the same improvised platform, on a subject to be chosen extemporaneously.

ADVERTISING CONCERN NOT ENDORSED BY CHAMBER

At a directors' meeting of the chamber of commerce yesterday afternoon attention was drawn to the fact that representatives of an advertising concern were calling on businessmen in the city, claiming that their proposition had been endorsed by the chamber of commerce. It was pointed out, however, that the chamber of commerce does not endorse propositions of the kind.

FIFTEEN SCHOOL BOYS BEFORE JUVENILE COURT

Fifteen delinquent children appeared before Judge Warner in the juvenile court this morning. Most of the cases concerned habitual truancy, and several more serious charges were also heard. In a couple of instances the parents of the child concerned had asked the court to take some disciplinary action.

TO ENTERTAIN GROUPS. On Friday evenings of this week the senior section of the local Y. M. C. A. will entertain the Opinions and the Count-On-Me groups of the Y. W. C. A. A social evening will be given under the sponsorship of Sherwin and Miss Sophia Port-

centary, will be one of the star witnesses for the crown in this case. St. Clair Leitch, St. Thomas, is acting for the defence.

There is a possibility that the case of George Plumb, charged with placing an obstruction on the C. N. R. tracks, near Egerton, will also appear before the court. H. G. Brewer, brought back from Kingston pen-

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NO CURE FOR DIPHTHERIA OVER TOXOID PLAN

Written Consent Necessary to Injection of Anti-Diphtheria Dose.

"MORAL" AID ASKED

Board of Education Not Requested To Issue Any General Order.

Inoculation of public school pupils with diphtheria toxoid under the auspices of the board of health, is by no means likely to develop into a controversy.

Chairman S. F. Lawrance, according to the consensus of opinion expressed this morning by those interested, is unduly alarmed since the toxoid is to be administered only after the written consent of the parents has been secured, and because the board of education is being asked by the board of health only for its "moral support" in the matter.

The facts of the case are simple enough, in that the board of health, in its power to minimize the danger from diphtheria throughout the city, wrote the board of education giving some information as to the ravages of the disease here during the past five years, 62 deaths and 666 cases, and outlining a new, but proven, method of protecting children permanently against diphtheria, and asking "the board to co-operate by forwarding the information to all parents of public school pupils."

Use Is Approved. Pointing out that the use of diphtheria toxoid in the protection of children against the disease has been approved by the medical committee of the board of health, and also decided whether the injection is to be given by their own family physician or at the institute of public health, a plan being worked out by the board of health.

"The request from the board of health is quite harmless," declared Dr. E. R. Johnson, M. B., chairman of the medical committee of the board, to whom the communication has been referred for consideration. "Because it asks the board for its moral support, not its active participation in the carrying out of the plan."

"Since the board has been asked to give its approval of a procedure that is medical in its nature, it is the duty of the committee to inquire into the question, and secure the opinion of the medical profession as a whole."

Naturally Opposed. "Mr. Lawrance is naturally opposed because of his principles as a Christian Scientist," observed Mr. Mess, "and he has a perfect right to those principles. I see it in the board of education is being asked only to do what it can to create a favorable impression of the proposal to administer the diphtheria toxoid to school children."

"If the toxoid were to be administered without the parents' consent," declared Dr. B. A. Campbell, "it would be objectionable. If the parents' consent is given in writing, then I am not at all opposed to the idea. And I think that the board of education, the children belong to the parents and not to the board of education. Mr. Lawrance is a Christian Scientist, and he would be opposed to everything like what is proposed, but I think there is no harm in a good, pure vaccine."

"We expected opposition, and it is natural that Mr. Lawrance should be opposed to the scheme," remarked Dr. W. H. Downham, medical officer of health. "Windward has tried this plan in several of the United States cities, and they have found it to be successful. We believe that the plan is sane and reasonable, and the administration of the toxoid is simpler than it used to be and the after-effects are negligible."

Excerpted from the circular sent to the board of education by the board of health in connection with the diphtheria toxoid are both interesting and self-explanatory, as follows:

The Actual Circular. "Inclosed is a copy of a circular which the board of education is asked to consider with a view to forwarding, in co-operation with the board of health, to the parents of all the public school pupils."

"Diphtheria is to be feared more than any of the other communicable diseases," children by injecting the diphtheria toxoid, nine persons out of ten who receive these injections will, as a result, proceed to produce antibodies of their own and contract diphtheria. These injections have been given to thousands of children of all ages in Canada, United States and Europe with good results. The immunity lasts for many years and probably for life."

"The material is injected with a fine needle under the skin in two doses, several days apart, the amount given at each time being about seven or eight drops. The injections seldom cause anything more than a little sore spot, where the injection is made. It is seldom that any effects at all are noted, while in children under five years of age any effects are usually unobserved. This is fortunate because children of this age are more susceptible than older children."

"A case of diphtheria means sickness, expense, quarantine, injections of antitoxin and the patient may die unless the antitoxin is given early in the disease."

"The use of diphtheria toxin-antitoxin and diphtheria toxoid in the protection of children against diphtheria has been approved by the executive of the Western Ontario academy of medicine."

"It would be given protective injections without the written consent of parent or guardian, and thus the scheme is purely voluntary."

"If you wish the protective injections given your child or children by your own physician?"

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MRS. LEONARD RHINELAND. whose young, wealthy husband is seeking to annul their marriage because he claims his wife is the daughter of a negro taxi driver. Mrs. Rhineland's love letters were read in court. As his wife sobbed, Rhineland admitted he had promised to keep the letters sacred, but that his attorney forced him to break his word.

Husband Breaks Promise; Mrs. Rhineland Weeps

Scion of Wealthy Family Declares Love Letters From Girl With Negro Blood Were Read Against His Will; Had Promised To Keep Them Sacred.

Special To The Advertiser. New York, Nov. 18.—Leonard Rhineland, young son of a wealthy and aristocratic family, declared emphatically yesterday before Supreme Court Justice Morschauer and a jury in White Plains in the trial of his suit for annulment that he had objected to his attorneys revealing to the jury and a curious world the confidential love letters his wife, an educated daughter of a Negro taxi driver, wrote him before their marriage.

Then slowly, almost shamefacedly, he admitted under the relentless cross-examination of Lee Parsons Davis, his wife's attorney, that he had broken his promise to her to keep her letters sacred because his counsel had assured him it would be to his benefit and because "he was powerless to prevent it as a whole."

As Mrs. Rhineland heard him confess his desire to keep his promise and his surrender to his attorneys, her slender body shook with long, shuddering sobs. It was her first unrestrained show of emotion since the beginning of the trial.

Like the fifty or more letters which, crude, half-literate expressions of every emotion that had stirred within the heart and the body of the girl, were read in court.

"I can't answer that," was his final, low voiced response. Rhineland's cross-examination went on to the reading of a day given over to the reading of thirty additional love letters written to him by his wife before their marriage.

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MARITIMES SEEK CANADIAN FREIGHT

Representatives Urge More Business Be Diverted to Their Ports.

HIT SECESSION TALK

Canadian Press Despatch. Winnipeg, Nov. 17.—The Maritime delegation had not ventured forth to recite their picaresque troubles or inflict local difficulties upon the conference, declared J. D. McKenna, member of the St. John, N.B., board of trade, in presenting the problems of the Maritime provinces to the associated boards of trade of Canada here today. "We are here to state frankly and honestly those matters which we consider the people of Canada should know and accord sympathetic assistance in solving," he declared.

At the time of Confederation promises were made by the leading men of Upper and Lower Canada of good things to come for the Maritimes when federated. "That rosy future has not materialized," the speaker maintained. "We have been told by certain persons in other parts of the dominion that the Maritimes were mere appendages to the rest of the country, that our people were one of beggars, seeking charity. It is not true; we in the Maritimes have seen our factories closing up. We have contended gamely to the tax burdens of the country and in carrying the huge deficit on the Canadian National system. This was our sacrifice to Confederation."

"There is no possibility of secession," Mr. McKenna emphasized, "but if some day the confederation ever were shattered, you fellows would pay us about 50 million dollars."

Wants Help For Ports. Mr. McKenna made a strong plea for the diversion of Canadian freight from United States to Canadian ports. "We say that it is not right that 250,000 tons of Canadian wheat should be shipped through Buffalo, while millions of tons of other produce is sent through New York. Such an institution as the Canadian National Railways, in which more than two billions of the people's money has been invested, should have a management sufficiently capable of solving the problem of getting Canadian trade through Canadian channels. It is not essential that the Maritimes be the beneficiaries. If we can't do it any other way, divert the traffic through Vancouver, but keep it in Canada and let us not continue to build up the status of the south at the expense of legitimate business in Canada."

He said that \$200,000,000 worth of freight from the Canadian National Railways passed through Portland, Me., last year.

Was it for this, the speaker wanted to know, that the Canadian National Railways paid for the use of the National Railways?

"It is natural that we feel indignant," Mr. McKenna continued, "that the public money of Sir Henry Thornton that the National Railways wish to use the ports of Halifax and St. John as much as possible, but even the little election money in the recent campaign not a cent has been spent in their development. The railways say, 'Give us business and we'll provide the facilities.' That sounds like public ownership. A good businessman would reply, 'Give us the facilities and we'll give you the business.'"

DANGLING ROPE IS REFUGE IN FLAMES

Continued From Page One

flames. Captain Steele then cruised about the ship of flame to make certain none had been overlooked.

Many Women and Children. There were many women and children among the passengers and some of them left the blazing vessel in the dark hours before dawn, scantily clad. Some wore only their night clothing. All were life preservers until they were landed.

Hotel accommodations here were inadequate to care for survivors, and the Presbyterian church was thrown open for the comfort of the men, women and children, many of whom were suffering from cold, fatigue and were aroused and soon hot coffee, sandwiches and other food was rushed to the assembly hall by the church and every body made as comfortable as possible.

The fire started while the ship was off Atlantic City. The night was cold and the sea was rough. The blaze started in the aft hold and was instantly fought by members of the crew. About 11 p.m. some of the passengers noticed smoke and their anxious inquiries brought assurances from Captain Devereaux and his staff that there was no danger. However, the flames continued to spread and the smoke became more noticeable. Many of the passengers left their cabins.

At 11:45, according to some of the passengers, the vessel's whistle was blown and all hands were advised to come on deck. All were reassured there was no serious danger.

Comes to Anchor. Previously, at 11:15 p.m., Captain Devereaux sent a message to the shore and he found that the nearest ship to him was 20 miles away and the next 40 miles. The ship was then shown by a searchlight and the smoke pouring from her after hold, came to anchor about two miles off the Delaware shore. The mouth of the bay here is only a few miles wide. Shortly before 2 o'clock the pilot boat Philadelphia began taking off the passengers.

After the rules of the sea had been complied with in taking care of men, women and children, other vessels turned their attention to the burning ship.

Fighting the fire had been virtually abandoned for the more important duty in taking care of the passengers, and this resulted in the flames having a free way. About 4 o'clock flames broke through the upper decks and soon the Lenape was a mass of fire and smoke to stern.

Nowadays, a grocer said this morning, "No, who wants to buy that stuff these days?" a hotelkeeper ventured.

"We had almost forgotten about 4.4 beer," stated a restaurant owner. "So the beer is gone, replaced by hot chocolate and hot bouillon. Its sale during the summer months was not an entirely profitable one, but the supreme test of popularity will come with another summer's life. Already 4.4 gives every indication of being relegated to the rear rows of restaurant shelves alongside its older, but weaker brother of two and a half per cent."

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