SENATE SPLIT ON COURT BILL

Upper House Divides Into Three Equal Groups

REPRESENTATIVES DELAY

Washington, Feb. 16 (UP).-Senator Walter F. George (D., Ga.), previously noncommittal on President Roosevelt's court reorganization plan, enlisted with the opposition tonight on the ground that the program would "impair the indepen-

lence" of the Supreme Court. Congressional policy of delaying action on the program to permit full expression of sentiment seemed to be drawing Senators gradually into definite positions for or against it. Tonight the 96-member Senate was divided into three approximately equal groups, the third group being still non-committal.

House leaders gave the Senate a

plans for speedy Senate passage of left unsettled in the peace agreement the House-approved Sumners bill, that ended the strikes in its autoto retire at 70 on full pay—\$20,000 a joint conference for settlement a year—struck opposition in Sena-today. tor Walter E. Borah (R., Ida.). Representatives of the corporation Borah objected to the bill as draft- and of the United Automobile Worked, but did not indicate whether he ers of America met in morning and would seek to block it. Discussion afternoon sessions in the General over the program promised to develop a series of nightly debates.

Motors Building here to lay the groundwork for negotiation of the George, in lining up with the opposition, said:

"I have not hesitated to say to persons who have written me about the proposals that the President's motion for the first time in w "I have not hesitated to say to plan in regard to the Supreme and additional thousands of idl Court is unwise and would impair ployees resumed their jobs, the independence of the judiciary. erstwhile strike "Capital," the independence of the judiciary.
A subservient judiciary is worse than no judiciary at all."

The non-committal Senate group Guard battalions departing for is composed almost wholly of Demo-crats usually favorable to the Administration, and presumably would be open to Administration pressure. The House was debating the Treasury-Postoffice appropriation bill today, but a mention of the Supreme Court issue instantly drew members on both sides into a dis-

cussion of that issue.

Representative George A. Dondero (R., Mich.) charged that the President's plan would "brand Judges over 70 as senile." Representative J. William Ditter (R., Pa.)

"I believe the courts are the only institution in this country which have been able to withstand the demagoguery of men who would tear down democracy."

Empire Settlement Bill Sent to House of Lords

London, Feb. 16 (CP Cable). -House of Commons tonight gave 65 cents for women, with all wo third reading without a vote to the ers to receive increases of from 5 to Empire Settlement Bill and sent it 71/2 cents an hour based on average to the House of Lords. Debated at length on second reading, the bill vided for evacuation of sit down provides that the share the Governstrikers from the Plymouth Road ment may assume of any migration scheme would be in- Secretary, said the increa creased from 50 per cent. at present minimum rates averaged fro

World Spends One Billion For Aircraft, Expert Claims

New York, Feb. 16 (AP). - The world will spend nearly \$1,000,000,-000 for aircraft this year, a research expert of the aeronautics industry said today-and four of every five of the 28,500 units to be produced will be fighting planes. Howard S. Welch, Vice-President and General Manager of the Bendix Aviation Export Corporation, estimated all nations would spend a total of \$911,000,000 for new planes, equipment, and spare parts in 1937.

AUTO PARLEYS ON AT DETROIT

General Motors Production Lines Start While Joint Conference Opens

ISSUES TO BE SETTLED

Detroit, Feb. 16 (AP).—Questions broad hint to act first on the Presi-dent's proposal. At the same time tions for General Motors employees, permitting Supreme Court Justices motive plants last week, came before Representatives of the corporation

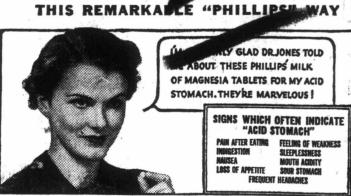
> points still at issue between them. While their discussions progre Mich., returned nearer its n life, with soldiers of three Na homes.

Kelvinator Strike Ended. Another strike, which tied u troit plants of the Nash-Kelvi Corporation for two weeks, with the signing of an agree for wage increases and negot of other demands of the st union, the Mechanics' Educ Society of America.

William S. Knudsen, Ex Vice-President of General 1 emerging from the first day ferences, said that for four the conferees had discussed ' ty rights and discrimination Homer Martin, United Auto Workers' President, said the tiators considered establishn tribunals to hear "past, presen future grievances" of union pers in General Motors plants. conferences will be resumed to

row morning. The Kelvinator agreement creased minimum hourly rate plant. Matthew Smith. M

To Alkalize Acid Indigestion Away Fast ARE ADOPTING PEOPLE EVERYW



On all sides, people are learning that the way to gain almost incredibly quick relief, from stomach conditions arising from overacidity, is to alkalize the stomach with Phillips' Milk of Magnesia. You take either two teaspoons of the liquid Phillips' after meals; or two Phillips' Milk of Magnesia Tablets. Almost instantly "acid indigestion" goes, gas from hyperacidity, "acid-headaches"—from over-indulgence in food or smoking - and nausea are relieved. You feel made over; forget you

Try this Phillips' way if you have any acid stomach upsets.

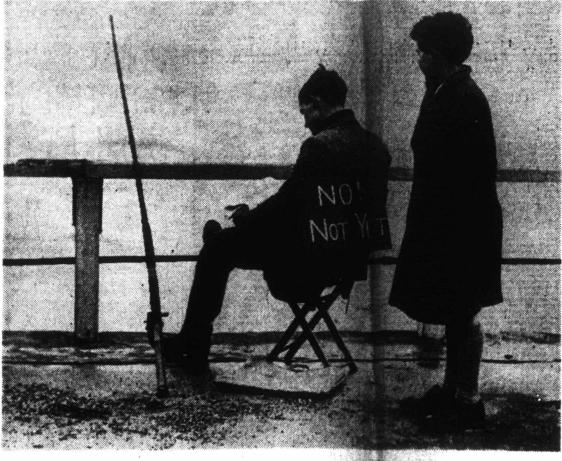
And try it particularly, for qui relief, if you are using a les natural or less effective alkalizer Get either the liquid "Phillips or the remarkable, new Phillip Milk of Magnesia Tablets. Each tablet equals a teaspoon of th liquid form. Only 25¢ for a bi



PHILLIPS' MILK OF MAGNESIA



"Saving His Patience"



Owing to the exasperating questions of youngsters asking if he had caught anything yet, this angler on the South Coast of England overcame the problem by writing this card, which he hung on his back. He found that its main wording left him so much peace he could read his paper while waiting for

Girl "Fire Inspector" Advance Agent For Burglars

(Continued From Page 1, Co

who

Held in Trust.

ernment.

advanced.

municipalities.

Explained by Beck.

ing language:

ing as a trustee, the same as any

mortgage, to secure the debt to the

Government, and the other function

s, as an agent for the municipali-

"In one of his last great speeches on Hydro, made in the year 1923,

ference of the Public Ownership

League of America, at Toronto, the

late Sir Adam Beck explained the

financial structure and ownership

of the Hydro system in the follow-

inaugurators of the Hydro under-

taking believed sound, were laid

as a basis upon which to adminis-

underlying principles briefly ex-

"'First: The generation and transmission of power on a whole-

sale scale is dealt with by a Com-

pressed are as follows:

'Certain principles which the

Public Ownership Con-

Indebtedness Comes First.

interest in any property, because

under the Power Commission Act,

and under the agreements with the

adjusting the proportion of owner

ship by each municipality.

Edmonton, Feb. 16 (CP).-Police tonight sought a girl reportedly masquerading as a "fire inspector" and whom they believe to be an advance agent for burglars.

municipalities, it holds everything by the Government of the Provi as a trustee. The long, detailed, elaborate form of special contract tempted to enter several houses. elaborate form of special contract tempted to enter several houses.

mentioned before is specific on that of trustee and agent for the partpoint, and makes provision for the nership of municipalities.

"Second: The local distribution adjustment, on an equitable basis, of electrical energy within the bor-ders of a municipality is, in gen-eral, under the administration of a of the ownership of Hydro's \$300,-000,000 investment; apportionment on an equitable basis of the proppointed under the provisions of the Public Utilities Act. erty in all Hydro assets, to be ultimately owned by the municipalities have entered into contracts

with the Hydro, and the agreement further provides for the method of Capital Loaned. "Third: Capital required for the plant for the generation and transmission of power is provided by the Government upon receipt of formal requisition from the Commission. "The Hydro-Electric Power Comtario Legislature and Government.
It has not issued any bonds or securities of any kind. But the municipalities undertake the munici It has not issued any bonds or securities of any kind. But the money it has and uses has been and is advanced to the Commission from time to time as required by the Ontario Government, and in brief the

legal as well as the equitable situ- made in the rates charged to the legal as well as the equitable situation is that the legal title to the ultimate consumers for reven Hydro property is in the Hydro with which to retire these Commission in trust. First, to pay also, usually in twenty years.

pack the moneys invested and adback the moneys invested and advanced by the Government of On-tario, and, second, to hold the same, to the municipalities, charsubject to that first charge, in trust each municipality the actual To do this, an interim charge for the municipalities.

"It does not differ at all from the made monthly, based upon the position of a trust mortgage; the logal title is in the trustee. It is in each year, credit on debt adjusted trust to pay the mortgage, and in ment is made of the amo trust after that for the stockholders charged in order to make up the of the company, in this case the municipalities: and ultimately, the less. The cost of power including

municipalities; and, ultimately, the less. complete ownership of all the prop- all the usual costs of operation and erty will be in the various mu- maintenance of the general nicipalities, apportioned on an equi- transforming or transmission table basis, as provided in the Power Commission Act, and the contracts made with each individual moneys borrowed for the initial contracts. municipality, under which the mu- of installation, also provision nicipalities are legally bound to pay renewal (depreciation) and sinki to the Hydro Commission the full fund reserves, as well as a spec cost of the property, as defined by reserve fund for contingencies. the Power Commission Act. The How Rates Fixed. Hydro Commission passes that

"'Sixth: Each municipality sells electrical energy to its own local consumers at rates and under consumers at rates at rates and under consumers at rates at rat money on, as trustee, to the Govditions approved by the Co "The Commission holds that propsion. The rates charged to its own erty in trust for the municipalities, subject to a prior trust for the amount of the indebtedness to the the municipality, and of the esti-mated cost of power to be paid Government of Ontario for moneys to the Commission by the municipality. The cost of distribution "It does not differ in any essential particular from the situation arising under a trust mortgage,

is ascertained in a manner identical where the legal title is vested in with that used by the Commission in arriving at its wholesale costs the trustee to hold the property in trust to pay the mortgage indebted-"Sir Adam continued: 'If a municipality desires to obtain a ness and, subject to that, to hold it supply of power from the Com-mission, a vote is taken at the "The Hydro is a mere trusteeagent for the municipalities. The polls, and if the result be favorable best comparison, perhaps, of the polls, and if the result be favorable an enabling by-law is passed wherepest comparison, perhaps, of the pothe municipality is empowered sition of the Hydro Commission and to make a contract with the Com the municipalities is that of the mission for the amount of power required. The Commission's enordinary trust mortgage to a trust company, with this feature added, gineers are at the service of the municipality to enable a reasonable estimate of the requirements to that the special legislation authorizes the trust company to operate the system and plant for all the be made. The contract having been duly executed, a money by-law must then be passed, authorizing "The Hydro Power Commission performs the double function of act-

the Municipal Council to issue the debentures necessary to cover the cost of constructing a local distributing system within the limits of the municipality; the Commission then proceeds with the work of building the necessary transmission lines, sub-stations, etc. The municipalities repay the cost of he project out of earnings, spread over a period of thirty years, all such items as maintenance, depre-diation and sinking fund being fully

Partnership Principle.

"'At the end of thirty years' time, the entire plant and equipment will belong to the municipalities, and thus the people will eventually be the owners of a fully-paid undership of municipalities formed to detain power at cost, each municipality paying its proportion of the cost for the service received. The cost for the service received. The commission, acting as agent and commission, acting as agent and

stee for the municipalities, exerfunctions, and by applicaof the principles just menas evolved a well-defined essfully working policy for lopment, transmission and n of hydro-electric power te owners of the whole Hydro



Wolsey Bri erchandise li an goodness of ad making w an give you to-goodnes at proves wisely spen

omen's and n's underullovers. le in England DESEY LIMITED, LE



Osgoode Hall

WEEKLY COURT. Peremptory list for Weekly Court, for Wednesday, Feb. 17, 1937, at 11 a.m.—Dempsey v. Coughlan; Rowe and Orrell; Veale v. Veale. JUDGES' CHAMBERS. Before McFarland, J.

Benjamin Silverman et al. v. Ansche Minsk Congregation—Motion by way of ppeal from order of the Master setting side default judgment. F. Erichson Brown, K.C., for plaintiffs; I. Levinter, C.C., for defendant. Dismissed, costs David Black-Motion for discharge of prisoner on return of habeas corpus and to set aside warrant of com-mitment. B. J. S. Pitt for application; G. A. Urquhart, K.C., for respondent.

Dismissed.
Charlotte Goodfellow and P. W. Milligan—Motion under V. & P. Act; P. E.
F. Smiley, K.C., for purchaser; C. E.
Putman for vendor. By consent, mojon adjourned to Friday.

Re Abitibl Power and Paper Co. Ltd.

-Motion for leave to commence action.

W. G. Thompson for application; I.

Johnston for respondent. Adjourned

Louise Lumsden v. Edith B. Armtrong et al.—Motion by way of appeal from order of Local Master, at Hamilton, Cecil W. Robinson for application; J. A. Sweet for respondent. Insulated, costs in the cause and time for delivery of particulars extended tendance.

Re Estate of Joseph L. Reaume—Mo-Re Estate of Joseph L. Reaume—Motion to approve lease to one Rose Reaume: F. C. Forster for application; P. D. Wilson, K.C., Official Guardian. Order to go and costs fixed.

Re Estate of John MacDonald MacKenzie—Motion for payment out of court. W. R. Willard for application; P. D. Wilson, K.C., Official Guardian. Granted as asked and costs fixed.

Re Grace Hinves—Motion to confirm report of Assistant Master. H. N. E. Curry for application; Leslie B. Bond for respondent. Granted and costs fixed.

Re Estate of John E. White—Motion Re Estate of John E. White-Motion for payment out of court to applicant for maintenance. D. G. Guest for application; P. D. Wilson, K.C., Official Guardian. Order to go for payment to infant of fixed amount. No order as to payment to applicant. Costs fixed. Re Estate of Catherine Smith-Motion for payment out of court. W. J. tion for payment out of court. W. J.
Lauson for application; P. D. Wilson,
K.C., for Official Guardian. Order to
go for payment in annual instalments.
Costs fixed to be out of fund.
Langley, Harris & Co. Ltd. v. Mc-

system, subject to a trust mortgage to secure the debt to the Government for advances made by the Government to the Hydro Commission, and that ownership is represented by scores of millions of dollars as shown by the annual re-

Trustee for Municipalities

"The municipalities own the be der- the farm, although there is a morttaking. The basic principle of the gage on it. The agreements previously referred to declare that the power Commission holds it as trustes for the various municipalities, and there are provisions for fixing the amount of the share of each individual municipality therein.

"The authority for all that has now been stated is the Power Commission Act, which creates and appoints the Trustee Commission, and the contracts entered into by each of the several hundred municipalities in Ontario under which they agree to pay the total cost as set out in Section 55 of the Power Commission Act, which is, among other items, interest, sinking fund to pay off the indebtedness, cost of operation, see and they are points the Trustee Commission those unwritten contracts to pay every dollar of the cost.

"The annual report of the Hydro for the year 1935, issued in 1936, further confirms all that has stated herein by declaring that, 'the partner municipalities are co-ordinated for securing common action with respect to power supplies, through the medium of the Hydro Electric Power Commission, which under the Power Commission Act

are Interests Protected? "But are the interests of the municipalities protected by the re-cent Hepburn-Roebuck legislation, which exempts from seizure to satisfy court judgments, the proper ty and assets of the Commission, when the Commission does not own any such property or assets, held by itself?

it as trustee, and does not own any "The Hydro-Electric Power Commission of Ontario, as an agenttrustee for the municipalities, en-tered into all these power contracts with the various power companies, some of which are litigating matters now in court, and have obtainthe ed judgments against the Hydro for millions of dollars; and these contracts were so entered into within the scope of its authority, as an agent-trustee for the municipalities and in accordance with the general and well-known principles of law the principal is always liable for the act and obligations incurred by his or its agent within the scope of his or its authority, and, therefore, in this instance, the municipalities, being the principals, would come liable for the acts and oblivations of their trustee-agent, the Hydro-Electric Power Commission of Ontario and consequently, their interests in the great Hydro system could be seized to satisfy these judgments.

Interests Not Exempted.

"There is not a single word or line in the recent legislation exempting the equitable interests of the municipalities, now running into scores of millions of dollars, from seizure to satisfy these judgments, or protecting them in any way from losing their equitable interests, represented in accordance with the amounts they have already paid, and their vested rights of ownership of and in the whole lydro system.

"It would seem that the trusteeagent, that is the Commission, has en protected, but that the owners. the municipalities, have no protection. It is a very serious omission for the municipalities, and a glaring illustration of what is known to the law relating to the construction and interpretation of statutes as a casus omissus, which will not be supplied or read into the statute plemented by the courts when questions concerning such an omission arise for consideration and

"This is a most important issue for the municipalities, and the whole question should be thoroughly debated and discussed and explained on the floor of the Legislature in order to ascertain why the municipalities have not been properly protected in this matter by the legislation referred to."

Cormick & Co. (Canada) Ltd.—Motion by way of appeal from an order of the Master, dated Jan. 28, whereby he set aside service of the writ of summons upon Charles A. Richardson, Sales Manager of McCormick & Co. (Canada) Ltd. George T. Walsh, K.C., for plaintiff; C. S. McKee for defendant and Chas. A. Richardson. Appeal allowed and order of Master set aside. Costs in cause.

MASTER'S CHAMBERS

MASTEE'S CHAMBERS.

Before F. H. Barlow, K.C., Master.
Sarah Snider v. Brown—C. M. Halperin, for plaintiff, obtained enlargement on consent until Feb. 24.
Independent Order of Foresters v. Patterson—Charles Hamm, for plaintiff, obtained order for leave to amend writ of summons.
Independent Order of Foresters v. Schaffer et al.—Charles Hamm, for plaintiff, obtained an order for leave to serve defendant Rena Schaffer by leaving with Bernard Schaffer.
Annie E. S. McNutt v. Hughey—G. G. Bradshaw for plaintiff. Motion for an order for leave to amend the proceedings by adding Eliza Hewetson and Annie McClure as party defendants and for an order amending statement of claim. Order to go as asked. No costs to either party.
Robert Patterson v. Britton—J. D. Cromarty, for plaintiff, obtained order on consent dismissing action without costs.

John E. T. Musgrove et al. v. White-

Cromarty, for plaintiff, obtained order on consent dismissing action without costs.

John E. T. Musgrove et al. v. Whitehead.—J. A. Cattanach, for plaintiff, obtained order for leave to strike out the name of Matthew Whitehead as a party defendant.

Mary Lankides v. Rubinoff.—J. W. Payne, K.C., for plaintiff, obtained final order of foreclosure.

John M. Evans v. McLachlan et al.—W. E. West, for applicant, obtained an order on consent of plaintiff discharging and vacating ils pendens.

Frank Guidotti v. McColl-Frontenac.—C. B. Kirk, for defendant, obtained an order on consent dismissing action without costs.

Capital Trust Corporation v. Hall—E. Dent, for plaintiff, obtained an order for service on defendants Krehn and Lewis by advertising.

J. Morgenstern v. Grace et al.—J. W. Hamilton, for defendant, obtained an order on consent dismissing action and vacating and discharging lis pendens.

IN BANKRUPTCY. Before F. G. Cook, Registrar. Harry Kimlin—H. S. Mandell for petition creditor; J. C. Risk for debtor. Petition for receiving order. Order made with G. F. Glath as custodian. Bond \$1,000. Costs of petition creditor be taxed and those of debtor for preparing authorized assignment to be paid out of estate after taxation by registrar.

MAYOR RESIGNS. Frampton, Que., Feb. 16 (CP).— This little Dorchester County town is without a Mayor today following the resignation of Mayor-elect Herodias Drouin. Drouin gave up the post when he found he lacked necessary qualifications. He was elected by acclamation.



U.S. Senate Investigators Told Sleuths Eye Sleuths

Washington, Feb. 16 (AP). -United States Senate investigators heard today that one detective agency had investigated another to find out whether General Motors production secrets were "leading" to a competitor. Edward S. Clark, Cleveland manager for Pinkerton, told the La Follette Civil Liberties Committee that General Motors asked him in December, 1935, to check up on the Corporations Auxiliary Company, a rival detective firm. He said he understood that company was doing "a good deal of work for this General Motors competitor-Chrysler."

Three Destroyers Reach Malta After Collision

Malta, Feb. 16 (CP Cable) .- The destroyers Active, Worcester and Antelope reached here today after a collision off Hurd Bank. The Worcester listed heavily, and her bows were severely damaged. The Admiralty announced the collision resulted from the Active's steering gear jamming. Damage to the Active and the Antelope was minor. All three bolong to the third destroyer flotilla of the fleet now engaged in Mediterranean

Are You Worried By a Constant Cough?

When the chest is sore and your cough hangs on, you naturally be-come worried. Miss Simone Ber-geron of Ste. Croix was troubled over her condition.
"I always felt uncomfortable,"

writes Miss Bergeron. "My back pained. I coughed a lot. I was wor-ried, and wondered what was wrong ried, and wondered what was wrong with me. One of my friends advised me to use Nerviline. I am on my second bottle, and so is my mother. Nerviline is doing mother as much good as it is doing me. I have recommended Nerviline to five friends: they are receiving entire satisfaction, also."

Nerviline is penetrating and pew-erful. Rub it over your chest and throat; its effect is good. Sold in 35c bottles by all dealers.



Gained 9 pounds and became positively pretty"

f Toronto; an edical research, ung woman who into his office lly rundown condi-vas pale, anaemic and was only 91½ pounds.

-* tested her blood, and
below normal. He then inher to take Dr. Williams' Pink her we Mr. B found struct Pills 30 days and come back for anination. Those 30 days worked for this girl. She gained 9 pounds flesh, had lots more "pep"; looked id felt well. A second blood test that her blood was enriched up to and in the expert's own report (can on request) of her case, he said, "Her d rounded out and she was positively ". Her complexion had the lovely given by rich, red, healthy blood. would like the happy experience of firm flesh fill out scrawny hollows and ing a clearer, fresher complexion, then the plan that worked so well for the lady above. Take Dr. Williams' Pink the remedy famous for its iron—for the More Iron Helps a Woman s the special way in which iron is ded with other medicines in Dr. ms' Pink Pills that brought such good in the case mentioned and with scores ers who took this remedy. The com-

n and every organ in a woman's body iron. And when a woman doesn't get h iron, she becomes listless, nervous, red and often underweight. She will own, may have anaemia and her lexion is likely to suffer. g girls — young boys and adults of all should take Dr. Williams' Pink Pills

ever these symptoms appear. A physi-who understood the needs of the body, nated this remedy which enriches the with iron and promotes the formation re red blood cells.

Villiams' Pink Pills are the logical treatment Il who want to increase their weight to nor-feel better and look better. So much of our iness depends upon good health that ailing as should start the Dr. Williams' Pink Pills ent, right away! Price 50c.

E'S PROOF: Over 150 men and women of various ages recently took a regular treatment of Dr. Williams' Pink Pills under the rvision of experts who scientifically tested their blood before, during and after readment. All persons showed a striking improvement in blood condition and seing general health, vigor and well-being. If Dr. Williams' Pink Pills, after a trial do not do the same for your party meets and well-being. l, do not do the same for you, your money will be refunded.