

HON. J. A. STEWART STATEMENT ON R. R. DIRECTORS

Deals With Charges Alleged to Have Been Made by Mackenzie King.

C. N. DIRECTORS MEN OF ABILITY

Awarding of Contracts and Administration of Road Not Unduly Influenced.

(Continued from page 1) represented on the Canadian National directors, Mr. Stewart declares, "It will be seen," he continues, "that the Canadian Locomotive Company, which was represented, received loans business that the Montreal Locomotive Company, which was not represented, and the Eastern Car Company received business to the extent of only \$14,000,000, whereas the Canadian Car and Foundry Company, not represented on the directorate, received business to the extent of \$61,900,000."

Business Conducts Properly

The statement emphasizes that the business of the Canadian National lines is conducted in the same manner as that of any modern business. The minutes of all directors meetings are inspected by the minister of railways, the operation of every department is subject to the same audit; the annual report by auditors; the minister of railways places these reports before the House of Commons, and the directors are known in the political field, it says.

Married

DUFFY-VAUGHAN—On Wednesday, November 10, Charles E. Blakes, daughter of Mr. and Mrs. C. M. Vaughan, of Wolfville, N. S., to Mr. Robb Roy Duffy, of Hillsboro, New Brunswick.

Died

EMERSON—In this city on Saturday, Nov. 12, 1921, Robert B. Emerson, leaving his wife, three sons and one daughter to mourn.

BURTON—At his residence, 262 Main street, on Nov. 3, 1921, William Burton, aged seventy-two years, leaving a loving wife, four sons and four daughters to mourn.

HARRINGTON—In this city, on November 10, 1921, Ellen, beloved wife of Michael J. Harrington, leaving one son and two daughters to mourn.

Funeral Friday afternoon from his late residence, service at three o'clock.

Brenan's Funeral Service. Est. 1872. Senior Active Protestant Undertakers. ST. JOHN. Graduate Embalmers. MOTOR FUNERALS. Office, 715 Main Street. Day or Night. Residence, 153 Canterbury Street. Telephone Connection.

MARK N. POWERS Undertaker and Embalmer. Service Day or Night.

HUGHES SENDS PEKIN NOTE ON ITS DEFAULT

Shows China's Failure to Meet Loan Seriously Impairs Her Credit.

FINDS ACT NOT FOR WAR CONDITIONS

Infringed Upon the Rights and Privileges of Provincial Legislatures.

London, Nov. 11.—(By Canadian Press Cable)—The Privy Council gave judgment today on the Canadian Board of Commerce Act and Fair Prices Act as ultra vires. Six judges of the Supreme Court of Canada were equally divided as to the validity of these acts and did not render judgment thereon, but by consent referred them to the Privy Council.

Urged to Reopen Matter

The suggestion has been made that negotiations be reopened so the default should be technical and not actual. The members of the Chinese delegates in Washington fully realize that the default has injured their standing in the arms conference and are pleading their Government accordingly. The Government of the United States learned only on October 21 that a default was contemplated and immediately made representations as to its harmful character.

The explanation offered is that the Chinese Minister of Finance had resigned. Another minister has been named in his place but it is not known whether the Peking Government has taken steps to reopen negotiations so the default will not be continuing.

The default of the Chinese loan calls attention to the fact that two other outstanding loans in which Americans are interested are due at this time. They are the Hukuang loan, financed originally by Germany, France and Great Britain, amounting to six million pounds sterling, and the Pacific Development loan, advanced by the Peking Government, amounting to \$5,500,000.

The Hukuang loan was for railway development and the first instalment of the principal was to be paid in full by 1921, is due this year. The Pacific Development loan was made in 1919 and due 1921.

Germany Escape Loss

The Chinese Government had paid the interest coupons on the Hukuang loan up to the time it declared war on Germany. It then decided it would make no further payments on the German coupons, awaiting an after the war settlement. It develops, however, that the bonds were made payable to bearer and the Germans promptly transferred their bonds to holders in Holland who in turn sold them again. Most of the German owned bonds are believed to be held now in New York. This refusal to pay the interest on the Hukuang bonds until the German bonds are identified has represented the value of the entire loan.

When Thomas W. Lamont, as the agent of the consortium, was in China he advised payment of this loan on the ground that failure to do so would injure China's credit and make further sale of Chinese bonds difficult if not impossible. The Peking Government refused to accept this advice and has only recently refused an offer of the consortium to reduce the Chicago bank loan, the Hukuang loan and the Pacific Development loan.

In addition to China's attitude on the German owned bonds of the Hukuang loan there has been a continued objection to accepting the relationship of the consortium. This general objection has been based on the theory that the supervision desired by the consortium was an opening wedge for further international control of Chinese affairs.

The situation in China can easily be stated. The Peking Government is "broke" because the military government of the provinces refuse to turn over the taxes collected by them. It is as if the Washington Government found itself limited to the collection of taxes in the District of Columbia and the Federal taxes collected in the States were kept by their respective Governments.

It also develops that Japan has advanced a large sum of money to the Peking Government, complicating the independent functioning of that organization as an entity. These loans are variously estimated at from \$150,000,000 to \$200,000,000.

The Chinese spokesmen say this situation has awakened doubts in the minds of the Chinese as to the purpose of any foreign loan, a fact which renders it difficult for the Peking Government to accept the overtures of the consortium even if it so desired.

They point out that this doubt does not extend to the United States because of the political attitude which the Peking Government has assumed toward China in the past. It is a clear warning, however, and one which cannot be ignored by the Peking Cabinet. If the Powers are to deal with the Peking Government it must be on a basis of established national credit.

PRIVY COUNCIL DECISION ON COMBINE ACT

Holds Canadian Board of Commerce and Fair Prices Act as Ultra Vires.

FINDS ACT NOT FOR WAR CONDITIONS

Infringed Upon the Rights and Privileges of Provincial Legislatures.

London, Nov. 11.—(By Canadian Press Cable)—The Privy Council gave judgment today on the Canadian Board of Commerce Act and Fair Prices Act, finding that they were ultra vires of the Dominion Parliament. Six judges of the Supreme Court of Canada were equally divided as to the validity of these acts and did not render judgment thereon, but by consent referred them to the Privy Council.

The judgment given here today, which was read by Lord Haldane, observes that the law is not one composed of fixed special war time conditions, but was passed in 1919, after peace had been declared, and was not confined to any temporary purpose but was to continue without any time limit and was to apply to the whole of Canada. It may well be that the subjects of undue combination and hoarding are matters wherein the Dominion has great practical interest, but the judgment states that such a law in special circumstances might conceivably become paramount, overriding other interests in importance even in times of peace, but it is quite another matter to say, under normal circumstances, that a general Canadian policy can justify interference on such a scale as the statutes in controversy, which involve the property and civil rights of the inhabitants of the provinces. It is to the provincial legislatures that the regulation and restriction of their civil rights have, in general, been exclusively confined, and as to these provincial legislatures possess quasi-sovereign authority.

It can, therefore, be only under highly exceptional necessity, such as cannot be assumed to exist in the present case, the judgment of the Privy Council sustains the liberty of the inhabitants of the provinces may be restricted by the Canadian Parliament, and that the Dominion can intervene in the interests of Canada as a whole in questions such as the present one.

In the case before the Privy Council, however, important as it may seem, to the Canadian Parliament that some such policy as that adopted in the two acts in question should be made general, their Lordships do not find any evidence that the standard of necessity referred to had been reached, or that attainment of the end sought is practicable, in view of the distribution of legislative powers conferred by the constitution, without the co-operation of the provincial legislatures.

"It may be that it is within the power of the Dominion to collect such information for statistical and other purposes which may be valuable for guidance in questions affecting Canada as a whole, but such information may be required before any power to regulate trade and commerce can be properly exercised, even where such power is confined to a fashion much narrower than that in which it was sought to interpret it in the argument before the Canadian Attorney General."

"No costs are allowed, either here or in the Canadian Supreme Court."

"Their Lordships therefore are of the opinion, that the first question which the parliament can validly enact such a law must be answered in the negative. The second question, consequently does not arise."

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THIS MONTH AND CATARRH

Many people find that during this month, catarrh is so aggravated by sudden changes of weather, indigestions in the matter of clothing, and other things, that it becomes constantly troublesome.

There is abundant proof that catarrh is a constitutional disease. It is related to scrofula and consumption, being one of the wasting diseases. Hood's Sarsaparilla has shown that what is capable of eradicating scrofula, also relieves catarrh and aids in the prevention of consumption.

It is not easy to see how any sufferer can put off taking this medicine, in view of the widely published record of its remarkable success. It is called by its proprietors America's Greatest Medicine for America's Greatest Disease—Catarrh.

In some cases there is occasionally need for a thorough cathartic or gentle laxative, and in these cases Hood's Pills are taken with very satisfactory results.

Supreme Court In Session At Woodstock

Special to The Standard. Woodstock, N. B., Nov. 11.—The Supreme Court, Judge Chandler presiding, opened yesterday and finished one case this afternoon.

McInane vs. C. P. R.—This was an action for damages for loss of goods. Defendant claimed loss was caused by plaintiff's negligence. The jury returned the questions unanswered, which threw the case out of court.

George Lee and Emma Lee vs. John A. Lindsay. This is an action for \$2,100 damages caused by a fall of snow from the roof of his building. The case is being tried tonight. Mr. and Mrs. Lee and Dr. T. W. Griffin are giving evidence tonight. R. L. Simms files record and A. B. Connell, K. C., is defending the case.

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The first shock began at 1:55 p. m. and was continuing when the second began at 2:54 o'clock. Both thereafter were intermingled but the disturbance ended at 4 o'clock.

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OVERCOATS \$30 to \$45 All that quality can offer in fabrics and style and tailoring. All that economy can give in lower prices and longer wear and guaranteed satisfaction. Tailored for us by 20th Century and other good makers. Gilmour's, 68 King St.

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King And Crerar Dodge The Question Would Take No Stand on Race Track Gambling Prohibition

Toronto, Nov. 11.—The Social Service Council of the Dominion of Canada has issued a circular containing a letter addressed to the leaders of the three parties now contesting the general election as to their stand on the question of prohibition of race track gambling. The circular contains the reply of two leaders.

Premier Meighan points out that the restrictions imposed on race tracks in October, 1920, did not affect the tracks until 1921, and their effects, therefore, cannot yet be gauged.

Mr. King, in his reply, states that as the matter has not been brought before his party, he is not in a position to define its attitude.

Mr. Crerar states that he is personally opposed to race track gambling, but is not in a position to make a definite pronouncement, as the matter is not considered in the progressive platform.

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