Kennedy and McDonald Say They Paid Thos. Nagle \$17,500 For Using His Influence

Fredericton, N. B., April 6-A remarkable document was filed in the office of the Registrar of the Supreme Court yesterday being the defence of the railway contractors, Kennedy and McDonald, to an action for \$2,500 by the Merchants Bank, the amount of a note given by the contractors to Thomas Nagle,

The statements in the defence as filed by the contractors' solicitor, F. B. Carvell, show that they allege that this note for \$2,500 WAS ONLY PART OF \$20,000 WHICH KENNEDY AND McDONALD APPARENTLY DID AGREE TO GIVE THOMAS NAGLE FOR SOME SERVICES IN CON-NECTION WITH THE SECURING A CONTRACT. In the words of the

"The defendants (Kennedy and McDonald) entered into a contract with the Nova Scotia Construction Co. for the construction of ten miles of the railway from Westfield running north, and at the time of entering into the said contract, owing to certain promises made by Nagle, they did, on the fifth day of June, 1916, pay him \$10,000 in cash, and at the same time Nagle representing to them that he would be able to obtain for them a contract for the construction of one-half of the Valley railway from Centreville to Andover, and also agreed to obtain for them certain prices for the work on the ten miles at Westfield as well as upon the Centreville section, but Kennedy and McDonald did not obtain half of the Centreville section and did not obtain the prices for any portion of the work which he had agreed to do and for which they agreed to pay him an additional sum of \$10,000 when he carried out his agreement."

There is another phase of the case set out in the defence which throws much light upon Valley railway contracts and the strife which surrounds them. Kennedy and McDonald sought to sublet their contract to Longley and Innes, but it was necessary to have the consent of the Nova Scotia Construction Company and the defence says this was only obtained through the intervention

OUGHT TO MAKE PEOPLE THINK

The whole document is very interesting and will make every man in New Brunswick who has an interest in the construction and cost of this important work think very seriously. The text of the defence is as follows: In the supreme court, Kings Bench division.

Between the Merchants Bank of Canada. plaintiff, and John Kennedy and Alexander K. McDonald, defendants. Defence.

The defendants say: 1. The defendants did not make the note.

2. That the defendants were induced to make the said promissory note by duress of Thomas Nagle, the payee therein named. That is to say, the Nova Scotia Construction Company in the month of May, 1916, entered into a contract wit hthe St. John & Quebec Railway Company for the construction of a portion of the Valley Railway, so called, from Gagetown, in the county of Queens, to Westlield, in the county of Kings, and, in the month of June, 1916, the defendants entering into a contract with the said Nova Scotia Constr uction Company for the construction of ten miles of the said railway from the owing to certain promises made by the said Nagle, they did on the 5th day LABOR AND AGRICULTURE of June, A. D. 1916, PAY HIM THE SUM OF \$10,000 IN CASH, AT THE SAID NAGLE DEPORTURE TO THE SAID NAGLE DEPORTURE. SAME TIME THE SAID NAGLE REPRESENTING TO THEM THAT HE WOULD BE ABLE TO OBTAIN FOR THEM A CONTRACT FOR THE CONSTRUCTION OF ONE-HALF OF THE SAID VALLEY RAIL-WAY, extending from Centreville, in the county of Carleton, to Andover, in WAY, extending from Centreville, in the county of Carleton, to Andover, in the county of Victoria, and ALSO AGREED TO OBTAIN FOR THEM Welland, Ont., April 4.—A joint meeting of the Welland county board of agriculture, the Welland board of trade, but for patriotic reasons of the broadest but for patriotic reasons of the bro did not obtain the said name of the Centrevine and Paladover section and did not obtain the prices for any portion of the work which he had agreed to do and for which they agreed to pay him an additional sum of \$10,000 when he carried out his said agreement.

That in the month of November last past the said Nova Scotia Construction Company called upon the said defendants, under sections 14 and 15 of their working on the farm. E. K. Hampson, the construction of resources committee discussed the labor problem at length, the town or againzations offering to assist in supplying labor. Retired farmers will be asked to work on the farm, and town men working on the farm. E. K. Hampson, the construction of resources committee discussed the labor problem at length, the town or dependence of the labor problem at length, the labor prob

said contract, to furnish additional workmen, horses, machinery and other plants county agricultural representative, said and materials for the said work, and immediately thereafter, in pursuance of the trades and labor branch, Toronto,

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7th day of November last past; and on the evening of that day the said Thomas grouns of the dying and all between Nagle informed Alexander McDonald, one of the defendants, that the contract or moved and over it all the winter and which he had that day entered into with Longley and Inness was of no value, as he would not be able to obtain the consent of the Nova Scotia Construction Company to the sub-letting as was provided for in said contract unless he paid the sum of \$10,000, in addition to the amount already paid, and after vainly entered in man and tended them, and there deavoring to secure the said consent and in order to prevent the termination of the contract with the Nova Scotia Construction Company THEY WERE COM-PELLED TO PAY, AND DID PAY, UNTO THE SAID THOMAS NAGLE hadn't time to straighten my back to THE SUM OF \$7,500, AND GAVE THE NOTE SET FORTH IN THE THE SUM OF \$7,500, AND GAVE THE NOTE SET FORTH IN THE SUM OF \$2,500, ed the Sea of Galilee, so Bates walked STATEMENT OF CLAIM IN THIS CAUSE FOR THE SUM OF \$2,500, "No Man's Land" in the light of that WHEN THE SAID DEFENDANTS RECEIVED FROM THE SAID THOS. NAGLE, THROUGH THE INTERVENTION OF ONE WILLIAM B. TEN-NANT, the consent of the Nova Scotia Construction Company to the sub-letting to Longley and Innes as aforesaid, of which the plaintiff had due notice before and at the time the said note was endorsed to them.

3. The defendants repeat the statements made in paragraph 2 of this defence, and say that the said promissory note was given for an illegal considera-the sand and covered the corpse, and in every case—not much less than a huntion to the knowledge of the plaintiff,

(Signed) FRANK B. CARVELL,

Delivered this fifth day of April, A. D., 1917.

PROBLEMS IN ONTARIO The world give all that I care for in the world to have the courage of that man. I have served God for forty years with all my heart and mind, and a boy comes out of a Quaker home and shames my faith." I don't know whether Bates got the world to have the courage of the courage of the course of the cou

and materials for the said work, and immediately thereafter, in pursuance of the said notice the defendants entered into a sub-contract with Horace Longley and Robert Inness for the purpose of carrying out the constructions hereinbefore re
and materials for the said work, and immediately thereafter, in pursuance of the trades and labor branch, Toronto, was devoting attention to this by enlisting college girls and high school boys, and other available labor. Some of the farmers expressed the opinion that the high school boys would be of no value, but the majority considered the need so great that the farmers should take advantage of any labor offered and believed that valuable service could be obtained.

tained.

A large meeting of farmers was addressed by Miss Harvey of the trades and labor department, Toronto, dealing particularly with the subject of university and high school girls working on the farms this season. A canvass will be made to ascertain to what extent this labor can be used here this season, under the conditions offered.

Stratford Conference Stratford, Ont., April 4.—A request to the city council to establish at once a bureau for the purpose of ascertaining what labor can be secured which could be utilized on farms, and to request farmers to state their requirements, was the upshot of a conference at the city hall. The meeting was called by the board of trade at the suggestion of the organization of resources committee, and was presided over by Ald. Farquharson, president of the board. The attendance of farmers was disappointingly small.

While scarcity of farm help was admitted, Reeve John McCallum of North
Easthope, declaring that fifty laborers
will be needed in his section alone,
speaker after speaker declared that farmers could not afford to pay for hired help owing to the poor crops of the past two years. Prominent farmers like Hon. Nelson Monteith of Downie, and D. A. Dempsey of Ellice, took this view, and declared that it would require pressure to secure even as large an acreage this year as last, as farmers had made up their minds to worry along without help rather than pay high wages to laborers. A patriotic plea might do some good,

It was suggested by H. W. Struddley, a prominent local manufacturer, that in the liarvest season all factories except workmen go to the farms. Students Appealed to

Windsor, Ont., April 4.—Emphasizing simply but forcibly the contest of en-durance into which the war is developing, and the increasing need for more food products, with additional farm iabor, which must be found, to perform extra duty, Prof. Charles E. Sissons of Toronto, representative of the trades and labor branch of the Ontario government's employment bureau, delivered a stirring address to the students of Windsor Col-

Prof. Sissons, after explaining the ressing need for more men to engage in farm work this summer, told the students that, as most of the men had gone to war, their agricultural duties would devolve upon the younger generation.

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OF MANY OF THE WAR

ONE WONDER STORY

(By an Anzac Officer) I've pretty well given up miracles but this war has raised a lot of ghosts and among them the ghost is a belief that perhaps miracles are among

that happen even in an ar-

When we went into action I was securely placed behind a ruined farmhouse; but some German must have seen the Red Cross flag, for a shell sent the ruins in five thousand different direc-tions, and I found myself dressing wounded in a moving sea of sand; that's all I could call it. Down on the Somme the artillery is like nothing else on earth. Imagine a terrific burst of thumder multiplied by one thousand continued indefinitely, and you will still get not the slightest idea of the noise that makes a human being feel like a dried leaf caught in a gale. All the stretcher boys worked well; they mostly do. There is a certain percentage of cowards in every army, and they nearly all get to the regimental medical officer during an engagement, so I know some-thing on the subject of courage.

We had fought at Pozieres for tweny-four hours, and boys from every part Australia had formed up, marched out, doubled and gone to death like the the cold grey dawn of a new day, and from every crater and hole came the Little Bates had worked with a will

prayed over them. I don't know; wooden crosses, and in the other a flask. Over each wounded or dying man he bent and put the flask to his lipe; on the breasts of the dead he put a cross; and when he could he made a hollow in dred all told—he said a short prayer and committed to its God the soul that was taking its flight.

Through all that hellish artillery fire,

ose screaming shells and bursting hrapnel, he moved a silent Christ. The "I would give all that I care for in



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