

## DEWART EXPOSES THE NICKEL TRUST

(Continued From Page 1).

German affiliations. But who, Mr. Dewart asked, were the chosen foreign agents of this company? Did it consort and employ the friends of the king or the friends of the kaiser?

"I propose to show," Mr. Dewart continued, "that not only in 1914 was the International Nickel Co. selling the refined Canadian nickel to the German firms, who later saw to it that it reached the Deutschland, as The Providence Journal has shown, but also in 1915, and down to this very month of November, 1916, this International Nickel Co. is employing as its agents, men who are hostile to the interests of the allies, and who have been proven to have knowingly traded with the enemy during the progress of the war, and therefore to be our enemies."

In March of 1915, a gentleman whose prominence in Canadian mining circles brought him in touch with those who represented important allied interests, was asked by a representative of the Russian Government where he could get quantities of nickel for shipment to Russia. This was March 17, 1915, and the gentleman in question, Neilson, was in New York, from his hotel to the International Nickel Co., whose head offices are in the Wall Street Exchange Building, at 43 Exchange place, New York. The reply to his letter is dated New York, March 19, 1915, and was sent to him at Toronto. It is signed by Mr. "F. S. Jordan," the general manager of sales, upon the letter paper of the International Nickel Co., from "43 Exchange place," New York. The letter is as follows:

The International Nickel Co., General Offices: Wall Street Exchange Building, 43 Exchange Place, New York, March 19, 1915.

F. S. Jordan, Gen. Manager of Sales, Mr. Geo. G. S. Lindsay, K.C., Canada Life Building, Toronto, Ontario, Canada.

Dear Sir:—Your letter of the 18th inst., written to me from "The Val d'Or," New York, is at hand this morning. We note with interest your statement as to large business in metallic nickel with Europe. On account of the conditions abroad at present, we find it necessary to handle all our export business on metallic nickel through our London agents, therefore beg to ask that you communicate with Messrs. Henry R. Merton & Co., Limited, No. 2 Metal Exchange Building, 15 Abchurch Lane, London, E.C. 4, England, whose cable address is "Merton, London," and who are handling all of our export business at the present time. I could not have seen you when in New York that I might explain more in detail the reasons why this is necessary. However, the Wall Street Journal of your city is fully conversant with this whole situation, and I would suggest that if you have the opportunity, you have talk with Judge Nesbitt, who will be very glad, I am sure, to tell you the conditions.

Prices can be obtained from Messrs. Merton on our status in metallic nickel in New York, and if such prices are given, they will be free alongside steamer, New York harbor.

Very truly yours,

F. S. Jordan, General Manager of Sales.

"Now it strikes one as curious," Mr. Dewart continued, "that it was impossible for the general manager of sales of the International Nickel Company to make quotations in New York unless he was so tied to the firm of Henry R. Merton & Co. that he had to deal through them. However, we have never learned from the company the reasons why it was necessary that this London firm should handle all the International Nickel Company's export business."

"But I think you will come to the conclusion that the real reason lies in the alliance between the International Nickel Company and the great German Metal Trust of Frankfurt, Germany. I have been at some trouble to look up the records of the firm of Henry R. Merton, Company, Limited."

Quotes From Times.

"The London Times of Saturday, Sept. 25, 1915, contains some interesting information. It is the report of a trial in the prize court in the high court of justice in London, England, before Sir Samuel Evans, president. I quote the report from The Times. The trial was of the International Nickel Co., K.C., the well-known Unionist member of the British coalition cabinet, the report follows:

"The Times, Saturday, Sept. 25, 1915, page three. High court of justice prize

court. The German supply of zinc concentrates. Before Sir Samuel Evans, president.

"In this case the crown applied for the condemnation of a cargo consisting of zinc and lead concentrates, seized on board the British steamship Manningtry on the ground of its being an enemy property. The vessel was on a voyage from South Australia to Antwerp. On Sept. 20, 1914, she put into Torbay for coal and her cargo was seized on Sept. 23 by the collector of customs. Under the bills of lading the zinc concentrates were deliverable at Antwerp and had been shipped by the order and on account of Hirsch & Sohn of Halberstadt. The cargo consisted of four parcels of zinc concentrates and one parcel of lead concentrates.

"In respect of the zinc the Union Bank of Australia, Limited, and the Zinc Corporation, Limited, claimed three parcels as the goods representing the first three parcels were enemy goods 'in transitu' the claim by the Union Bank of Australia, Limited, as pledgees—the zinc corporation not having put in an appearance—was barred by the decision in the 'Odessa cargo' case. His lordship accordingly pronounced a decree of condemnation of that part of the cargo.

"The lead concentrates were claimed to Messrs. M. R. Merton & Co., Ltd., of London, Messrs. Vivian, Younger & Bond of London, and the Australian Metal Co., of Sydney. There was also a claim as to the zinc on behalf of the 'Compagnie des Minieres de Liege,' and the ship owners put in a claim for freight.

"The Rt. Hon. Sir F. E. Smith, K.C., the solicitor general, said that according to the ship's papers the characters of the vessel were the Metallgesellschaft of Frankfurt, and the three firms who had put in a claim were really the fingers on the hand of the German metal trust. The Australian company had purchased the ores as the agents of the German metal trust. Messrs. H. R. Merton & Co., Ltd., who were the so-called British firm with many German commitments, were asking the court to help them in setting up a partnership, mainly carried on in enemy country in defiance of the crown.

"The position of the claimants, Mr. Morris Hill submitted on behalf of the claimants that this was a case of shipment before the outbreak of the war. There was no question here as to the trading with the enemy. The only question to be considered was whether the cargo was the property of the enemy or not. With regard to H. R. Merton & Co., Ltd., which was formed in 1900, the majority of the shareholders and all the directors except two are British and they held a large number of shares in the Frankfurt metal trust, which was formed in 1882.

"The reference to the status of the other firms is omitted.

"Evidence was given by Mr. M. Wilson, director of the firm of Messrs. Merton, showing the connection which was alleged to exist between the German metal trust and Messrs. Merton.

The Judgment.

"The report of the judgment of Sir Samuel Evans is given in The Times of Thursday, Oct. 7, 1915, and is as follows:

"He commented on the conduct of Messrs. H. R. Merton & Co., who put in a claim for repayment of £5000 freight paid as court found (in order to preserve the goods for the owners whom they knew to be enemies). Dealing with Messrs. Merton's claim, his lordship said that they could not recover the £5000 freight against the cargo they had contracted to do. They did not guarantee that in any event delivery should be given to Messrs. Merton. The fact that the crown arrested the shipowners and gave no right whatever to Messrs. Merton to have the £5000 freight from the shipowners. Failing in this Messrs. Merton asked that the amount should be paid by the crown to them out of the proceeds of the prize. Where freight had been innocently and honestly paid by persons for cargoes afterwards seized, which would have had to bear the burden of the freight if unpaid, it might be equitable that the payment should be recouped by the captors, but broadly speaking in such a case the payment would be made in the usual course of business and in circumstances where there was a request expressed or implied by the captors that the payment should be made or where the captors had done some act showing their acquiescence in or adoption of the payment. A voluntary payment by persons for motives or purposes of their own would not be sufficient ground for a claim for recoupment. Still less would it be sufficient if there were involved in the transaction a desire to defeat the right of a belligerent or to escape a rightful seizure by the crown.

"In the present case for whomsoever the £5000 was paid Messrs. Merton made the payment in order to try and preserve the goods for the owner whom they knew to be enemies and to gain some possible advantage to themselves, or their principals or co-adventurers, the German metal trust. In acting thus they appeared not to have hesitated to engage in commercial intercourse with the enemies of this country. The claim was one which had no foundation. To launch such a claim much assurance was needed, and

to persevere in it showed further a reckless want of application of the possible consequences.

"The judgment of the court was that the cargo seized be condemned as prize, that out of the proceeds £2546 10s to be paid to the ship owners (that being the balance of the sum awarded to them after crediting £5000 already received by them) and that the claim of Messrs. H. R. Merton and Company, both against the ship owners, and against the crown be disallowed.

Cries of "Shame."

One could almost have heard a pin drop while Mr. Dewart read the extracts from The London Times. When he came to the closing sentence of Sir Samuel Evans' judgment there was a ripple of applause. When he reminded his audience that in September, 1914, the Merton firm had been caught trading with the enemy after having helped the Germans to smuggle Australian zinc into Germany and yet continued to act as the agents of the International Nickel Company there were cries of "shame" and "hiss." Even after September, 1915, when the Merton firm had been denounced from the bench and declared by the solicitor-general of England to be a danger on the hands of the German metal trust, it continued to be the chosen agent of the International Nickel Company.

"So that we find," said Mr. Dewart, "in September of 1915 the findings of the prize court in London that H. R. Merton & Co. were endeavoring to preserve these Australian goods for owners that they knew to be enemies, and that they had not hesitated to engage in commercial intercourse with the enemies of Great Britain.

"There was an Australian company interested. Such disclosures as were made in this case settled the character of these Australian firms to such an extent that the Australian Government and her allies the United States of America have had to deal directly with the British Government, producing their own concentrates and giving Great Britain and her allies the benefit of Australian minerals under the contract to which I have referred.

"One might have expected that the International Nickel Company, even without the safeguards of investigation by an accountant from the railway department at Ottawa, might have rid themselves of the services of this Merton company, which, under the names of British directors and shareholders, was an agent of the enemy and of the German metal trust.

"I was curious the other day to find out whether they had done so, and I was told that they had not. I was told that on Nov. 10, 1916, the International Nickel Company, Ltd., had been notified by the railway department at Ottawa, that they probably did not realize how recent they were proving to the empire during this war.

Mr. Dewart said that the Deutschland nickel trust and keeping the nickel in the hands of the enemy, and that there could be no doubt but that both the nickel cur-

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Canadian Vickers, Limited  
Carroll Company, Limited  
L. Chaput, Fils et Cie, Limited  
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City of Montreal, Treasurer's Office  
Conduits Company, Limited  
Darling Bros., Limited  
Dobson Canada, Limited  
Department of Public Works, Ontario Government  
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Dominion Paper Box Company  
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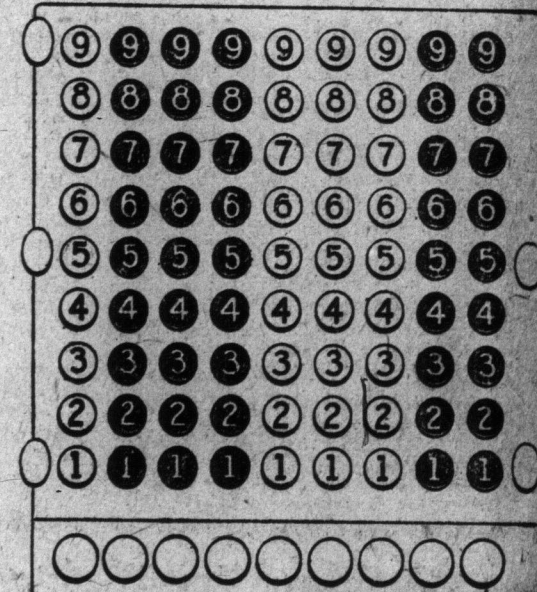
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By a Staff Reporter.

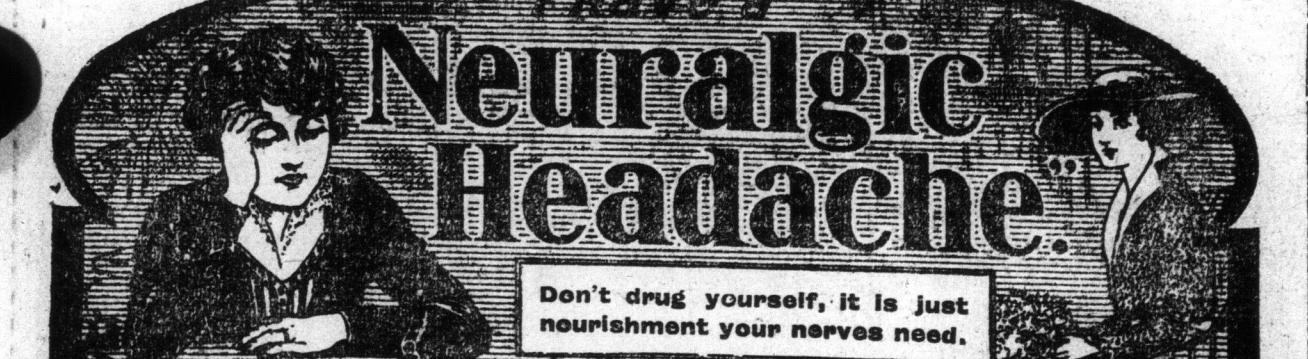
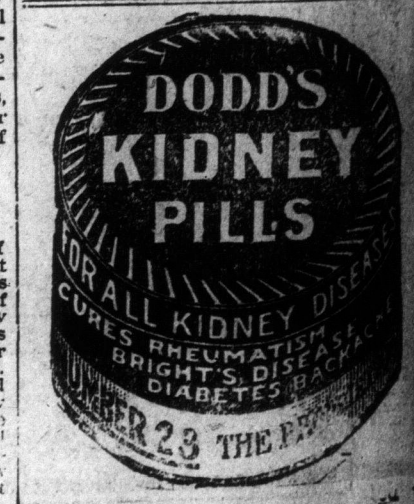
Ottawa, Nov. 19.—A general improvement in the conditions of the Indians and a considerable increase in population, reported by Duncan Campbell Scott in the annual statement of the department of Indian affairs for the year ended March last.

The total Indian population is estimated at 108,557, distributed as follows: Eskimos, 2295; Alberta Indians, 662; British Columbia, 25,737; Manitoba, 11,935; New Brunswick, 1871; Nova Scotia, 2119; Ontario, 26,305; Prince Edward Island, 292; Quebec, 13,445; Saskatchewan, 9662; Northwest Territories, 2741; Yukon, 1538.

A gratifying spirit of loyalty has been evinced by the Indians throughout the Dominion. Their contributions to the war effort have been most liberal and many have enlisted. Nearly one-half of the total strength of the 100th (Hind) Battalion was recruited from Indian reserves. In all about 1200 had enlisted up to March as follows: Ontario, 822; Quebec, 101; Manitoba, 39; Saskatchewan, 87; P.E.I., 24; British Columbia, 17; Nova Scotia, 14; New Brunswick, 12; Alberta, 9; Yukon, 2. Of this number eight are commissioned officers.

## BRANT COUNTY LOSES MEN.

Brantford, Nov. 19.—Out of 2500 men of Brantford and Brant County actually fighting, 135 have given their lives, and 339 have been reported wounded. In the two years the war has been ready more than 50 are either missing or in German prisons. The Somme fighting cost fifty lives, with 125 wounded and six missing.



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