

## NO ALLIANCE AGAINST U.S.

### Great Britain Will Do Nothing Detrimental to Uncle Sam.

London, June 18.—Austen Chamberlain, government leader in the House of Commons, declared in the house yesterday afternoon with regard to the renewal of the Anglo-Japanese treaty:

"Although I do not in any way wish to pre-judge the action of the Imperial Conference, it is right to say at once that we shall be no party to any alliance directed against America, or under which we can be called upon to act against America."

Mr. Chamberlain made this statement during debate on the agenda for the forthcoming Imperial Conference.

"I think it will be found possible," he continued, "to reconcile our desire for a perfect understanding and close co-operation with the people of the United States and the continuance of our close and intimate friendship with an ally who acted so loyally on the occasion when the alliance became operative and rendered such valuable support to the Empire during the war."

"That, after all, must be object of any British cabinet, any British minister or any government of any of the Dominions or India. Surely, it must be their object to secure such confidence, such an understanding and such co-operation among the great Pacific powers as may prevent that new competition in armaments of which mention has been made, and to secure the peace of that great ocean and the lands abutting upon it."

## THE NURSE'S EVIDENCE IN STILLMAN CASE

### Testifies About Telegram Sent to Beauvais When Baby Was Born.

Poughkeepsie, N.Y., June 18.—Testimony saying that Mrs. Anne U. Stillman, on the day that Guy Stillman was born, directed her nurse to telegraph Fred Beauvais in Montreal a message reading:

"Little brown bear has arrived," was reported to have been introduced to-day in the divorce suit brought by James A. Stillman, New York banker.

This testimony was given by Mary Olive Gilligan, who was the nurse at Guy's birth on November 7th, 1918, and she added that Mr. Stillman did not appear that day at the hospital where the infant was born.

## MEET WISH OF CANADA

### Sir Samuel Hoare Favors Sep- arate Diplomatic Repre- sentative to U.S.

London, June 18.—Referring to the question of separate Canadian representation in Washington, Sir Samuel Hoare said in the House of Commons yesterday:

"If Canada wishes separate diplomatic representation in Washington or Australia or in Tokyo, it being an independent commonwealth, should be perfectly free to have it."

This declaration was greeted with cheers. Sir Samuel said it was solely a question of convenience, and he did not bother himself with the hypothetical question of what was to happen if the Canadian ambassador in Washington and the British ambassador there disagreed, or with other hypothetical questions not in, the least likely to arise.

## THINKS THE WORLD BETTER SINCE WAR

### Former Adviser to Chinese President Talks at Belle- ville on World Topics.

Belleville, June 18.—Dr. John Ferguson, a native of this city, and formerly adviser to the President of China, was the guest at a luncheon of the Chamber of Commerce, the Rotary Club and the Lions' Club. It is said that Dr. Ferguson's influence at Peking was such that China came into the great war. The visitor was in the city for only a few hours before he returned to China, and is on his way back. Dr. Ferguson spoke on Anglo-Japanese and Anglo-United States relations.

"I believe the world is becoming better," he said. "The rising generation has less of the bitterness of life, less of the narrow outlook than ever before. All countries now have a national rather than a provincial outlook. That is an achievement of note. I cannot discover, since the war, any lessening of that loyalty to localities the internationalists hoped for. It does not seem any breaking down of national boundaries; the war has not been at the expense of patriotism or loyalty to home."

"We must recognize in all world problems that other peoples must live and must be treated accordingly. The greatest thing to come out of the war," he said, "was the increase in friendly relations between the great English-speaking nations, Canada is a nation, and Australia is a nation. I never was an advocate of the League of Nations, and I fall to see its usefulness. The biggest thing in world interest is greater friendship between Britain and the United States. There is the basis of the peace of the world—out of which the new world is developing. The English race as a race is the most united, and we must give the credit for this state of affairs to the Englishman, above all others. We have to take our hats off to the Englishman, who will not be ruled except by the law in the making of which he had a part."

## RED FORCES AT ERZERUM

### Sent By Moscow Soviet Gov- ernment to Aid Turkish Nationalists.

Paris, June 18.—Russian Bolshevik forces, sent to the assistance of the Turkish Nationalists by the Moscow Soviet government, are at present sixty miles west of Erzerum; the former capital of Armenia, says a Reval despatch to the Excelsior. These forces consist of two divisions of infantry, one division and one brigade of cavalry, eight batteries of field guns, one battery of heavy cannon, several planes and necessary technical units.

Italian Battleships at Adalia. Constantinople, June 18.—Two Italian battleships have been sent to Adalia to protect Italy's interests there. Italian troops along the Menderes river, south of Smyrna, are being withdrawn so that the Greeks may not invade the demarcation line between the Greek and Italian zones as they did last year.

## CAN'T FIND MIZTEC TO BLOW UP WRECK

### Morrell's Captain Thinks It Went to Pieces and is Sand-covered.

Sault Ste. Marie, Ont., June 18.—The barge Miztec, sent to the bottom of Lake Superior, near the "graveyard of the lakes," at Whitefish Point on May 13th, has vanished from the spot where it sank to the bottom.

Capt. H. G. Fisher of the United States revenue cutter Morrell returned after an exhaustive search for two days for the wreck. Capt. Fisher's theory is that the Miztec broke up as it lay on the sandy bottom with its heavy cargo of salt, and that the debris has since been covered with sand.

The Morrell had been detailed to go to the scene of the wreck and blow it up.

No traces have been found of the bodies of the six missing members of the crew.

## TO REAR A TABLET

### To the Memory of Edgar Allan Poe on His Grave.

Paris, June 18.—Count de Byen Kahn, young Polish artist, poet and archeologist, will place a bronze tablet executed by himself to the memory of Edgar Allan Poe on the American poet's grave June 25th. The tablet is the gift of more than 2,000 literary men and women of France, members of the French Literary Society and the Alliance Francaise and bears the inscription "To the Memory of Edgar Allan Poe, eternally dear to the hearts of his French friends, this small tribute to his genius is dedicated."

The Count, who is an enthusiastic sportsman has been requested by several athletic clubs to present Georges Carpentier with a French flag in the event of his defeating Jack Dempsey in the heavy-weight championship bout.

## THE MAGUIRE APPEAL CASE

### The Court of Appeal Finds Verdict of Jury Was Reasonable.

The following is the judgement of the First Divisional Court of Appeal, Toronto, on the Maguire case, heard on 14th of June:

Peter White, K.C., for the defendant, appellant; A. B. Cunningham, for the plaintiff, respondent.

Ferguson, J.A.: Appeal by the defendant from a judgment of Roe, J., entered on the verdict of a jury, whereby he directed that the plaintiff recover against the defendant \$15,000 damages, on a claim for alienation and criminal conversation.

The jury awarded the plaintiff \$15,000 damages, dividing it \$5,000 for alienation, and \$10,000 for adultery.

The grounds of appeal are:

(1) The verdict is against the weight of evidence.

(2) Improper admission of evidence.

(3) The damages are excessive.

I have carefully read the evidence, and am of the opinion that there was evidence on which the jury could reasonably arrive at the conclusion that the defendant had alienated the affections of the plaintiff's wife, and had been guilty of criminal conversation. I am also of the opinion that the objection as to the improper admission of evidence cannot be sustained. It is based on the proposition that the plaintiff improperly gave evidence of the defendant's financial position, without alleging or endeavoring to prove that the defendant had used his fortune as a means to the accomplishment of the debauchery of the plaintiff's wife. This, on the authority of *Butterworth v. Butterworth* (1920) 1 P.D. 126, it is argued, was improper.

The evidence objected to is found at pages 96 and 97 of the transcript of the proceedings.

Questions Properly Asked. This evidence was not submitted or admitted for the purpose of disclosing to the jury the financial circumstance of the defendant, but for the purpose of explaining prior litigation referred to by the defendant's counsel in his cross-examination of the plaintiff at pages 50 to 52, and when the defendant's counsel pointed out that the effect of the plaintiff's counsel pursuing this line of questions would be to improperly disclose the defendant's financial position and object to the plaintiff's counsel deposing, I am of the opinion that the questions were properly asked, for the purpose of explaining the plaintiff's motive in the prior litigation between the parties, and that if the manner of questioning and the nature of the answers had the effect or tended to have the effect now stated by the defendant's counsel, it was the duty of the defendant's counsel to have objected earlier, and that it is now too late to complain.

This brings us to the third objection, i.e., the verdict is excessive. Paragraph 15 of the Statement of Claim reads:

"After the arrival of the plaintiff's wife at Kingston in February, 1919, the defendant set himself to work to alienate from the plaintiff the affections of the plaintiff's wife and succeeded in the said attempt, and during the years 1919 and 1920 not only continued the said alienation, but during the said period held criminal conversations with the plaintiff's wife and committed adultery with her on several occasions, whereupon the plaintiff's home was finally broken up and destroyed, and whereby the enjoyment of the society, affection, comfort and services of his said wife were forever lost to the plaintiff."

Appellant's Claim. Mr. White, for the appellant, contends that while there might be two wrongs done to the plaintiff, (1) by alienation, (2) by adultery, the loss resulting from both wrongs was the same, i.e., loss of consortium, that the amount of damages awarded for such loss might be increased or decreased, according to the circumstances; increased by evidence of the means used and resorted to by the defendant to bring about the loss of consortium; decreased by showing the character and conduct of the plaintiff, and of his wife, and by other circumstances tending to show that the consortium, the loss of which is complained of, was of little or no value to the plaintiff, but that there could not be two sets of damages, and that the trial judge by jury misconceived the basis on which damages should be assessed; that there would be a reduction of damages, or a new trial.

In *Bannister v. Thompson*, 33 O.L.R. 34, this court held that the gist of the claim for (1) inducing and harboring, (2) alienating, were identical, i.e., loss of consortium, and that there could be only one assessment.—Mr. White contends that the *Butterworth* case, and the authorities therein considered and reviewed, support his proposition that the gist of the action in the three claims, is—

## INLAND WATER MATTERS

### Are To Have Much Fuller Con- sideration by U. S. Congress

Washington, June 18.—Increased attention is going to be given by congress to inland water transportation from this time forth. This is the word that comes from prominent members of both houses who have been giving thought to the general transportation problem of the United States. The sentiment for intelligent consideration of the inland water transportation is especially marked among some members of the house and senate inter-state commerce committees, the committees that have jurisdiction of railroad matters and which have therefore been obliged to give study to the shortcomings of the existing rail system.

For some years in congress it has been the fashion to criticize the river and harbor bill as a "pork barrel" measure. This criticism in the case of some appropriations has been well founded but at the same time it has operated to prevent waterway improvements that have deserved to be carried ahead. Likewise the criticism has been exactly what the railroads wanted, in view of the hostility of the roads to waterway development.

But the high rail rates, the seeming inability of the railroads to give the service the public demands, and the very evident fact that with the development of the country there will be traffic for both the rails and the waterways, in plenty, are serving to bring about a different attitude in congress toward river and harbor appropriations. Many indications are given that congress and the administration are going to try to develop water transportation and correlate it with the railroad transportation.

Such projects as the development of the great lakes and St. Lawrence water route, the development of the Mississippi to the gulf and a number of others that might be mentioned, according to the reports of the committee, all signs are going to be given serious consideration by this Congress and efforts made to get them under way and to the stage where they are not merely subjects for stump speeches and after dinner oratory. The development of the Erie canal, though this is a New York state waterway, is going ahead, according to information here, and efforts are to be made to make effective use of it as a channel for a large volume of traffic, including coal and grain.

The whole country about the great lakes and throughout the Mississippi valley is interested in seeing a large amount of boat traffic go over the lakes and get to the eastern coast by the Erie or St. Lawrence routes. The pressure for this from chambers of commerce and business organizations is growing. This pressure is felt in congress. Representative Sweet, a prominent member of the House Interstate commerce committee, said recently it was imperative that congress give close and intelligent attention to inland waterway transportation from now on. He holds that meritorious water route projects must be encouraged by congress and not condemned without consideration simply because of the criticism of some things the rivers and harbor bill has been loaded down with in the past.



WILLIAM MOFFAT  
General manager of the Imperial Bank, and well-known throughout Canada, who died at Pembroke, Ont., aged sixty-seven.

## THE BURIAL OF AN EDITOR

### Robert T. Lowery, Nelson, B. C., Was Born in Eastern Ontario.

Nelson, B.C., June 18.—Laid to rest in the city he selected for the honor by the hands of those who like himself were pioneers of the Kootenay, the body of Robert T. Lowery, late proprietor and editor of the *Greenwood Ledger*, famed throughout the continental continent, and humorous editorial comment, now lies on the hill above Nelson. A beautiful rite, employed by the Kootenay Pioneers' Association for the first time was exemplified at this funeral when twenty-five old associates of the early days each dropped into the open grave his tribute on British Columbia fir, with the parting injunction "Rest in Peace." This was founded on the custom of an Indian tribe in the Kootenay-Columbia valley many years ago of never passing a certain spot in the narrow trail at the head of the Columbia lake, where once the men of the tribe died to a man in making a stand against an invasion, without depositing a fir bough, the pile of boughs being always green by this perpetual renewal.

"Colonel" Lowery's newspaper enterprises in British Columbia must have been a dozen in number. In the 1903-04 volume of his "Float," which he periodically collected in book form, he stated that he had up to that time "been the father of eight Kootenay papers," adding whimsically that his reward was "still coming up the pike." Since then he has probably had more.

Born in eastern Ontario, young Lowery moved to the Sarnia district with his family at an early age, and his first business venture was a partnership with his elder brother, John at Petrolia, in a stationery and newspaper business. On May 26th, 1891, thirty years later, he arrived in this district. When the townsite of New Denver was auctioned by the government in 1892 he attended the sale, bought some lots and founded a newspaper. Almost immediately he moved to Kaslo, which then had a population of thousands, and started publication of *The Claim*, staying until the high water of 1894 coincided with the decline of the boom. One of the last issues was printed in blue ink to indicate the bleakness of the prospect and gave great offence to the people of that community.

Old-timers recall many incidents, amusing and otherwise, of the editor's life, some of which were due to his trenchant comments on current affairs. He had numerous differences with the churches and once or twice with the bench. He was everywhere with the heyday of mining in the Kootenay-Boundary territory and left lasting word pictures of those early times. Of late years the "colonel's" column of "Float" was the principal avenue through which he was known to the general public.

## Names a Delegation To Negotiate Peace With Irish Factions

### London, June 18.—In the house of commons lobby last night it was generally understood that Premier Lloyd George will name a delegation to negotiate peace with joint delegations from the north and south of Ireland.

Jan Smuts, premier of the Union of the South Africa, Lord Grey, Lord Delby and Major Barnes are named as the selections of the British premier for the task. It is said that the premier is now preparing a firm offer as a basis for the new negotiations.

## THE REVOLT AGAINST DEWART IS REVIVED

### Section of Liberal Party Is Again Working For New Leadership.

Toronto, June 18.—The Mail and Empire says: Ontario Liberals through their provincial convention some time this fall, but the fact that the opening of the convention will probably start a free-for-all over the leadership, is placing a damper on what would otherwise be a fair measure of enthusiasm—for Ontario Liberals. The failure of the Toimle-Curry revolt about a year ago against the leadership of H. H. Dewart—a revolt that ended in the disappearance of Mr. Curry from the ranks and the capitulation of the Windsor member—put an end for a time to the move to get rid of Mr. Dewart, but rebellion is bubbling again.

A report was sent abroad yesterday that the reorganization of the party machinery which was started a year or more ago, and was entrusted to a special committee of leading Liberals, was carrying on its work without consulting Mr. Dewart at all, and that by degrees the Liberal leader was being thrust into the cold, dark outdoors from which, in due time, he would see the light and send in his resignation.

## AN EXAMINATION FIASCO OCCURS

### Sudbury Students Get Copy of French Paper From North Bay.

Sudbury, June 18.—As the result yesterday of the departmental matriculation examination paper on French authors not having reached Sudbury in time for the scheduled time of writing, the whole class may be held up for some time.

It was not noticed in time that the department at Toronto had not sent these papers. North Bay, however, got them, and wrote, and some of the local students, hearing this, went to North Bay and got copies of the papers. From this it is obvious that the same paper will not do for the locals on a deferred examination. There is some talk of another paper being set, or putting the whole class off until the supplementary examinations in September.

## FAMOUS U-BOAT SUNK AT TARGET PRACTICE

Cherbourg, France, June 18.—The former German submarine Deutschland, which in 1916 slipped into Baltimore harbor from Germany after daringly running the gauntlet of British and French cruisers standing guard off the Virginia capes, was sunk by gun fire yesterday during target practice.

## Belleville Cheese Board Favors Factory Inspection

Belleville, June 18.—The Belleville cheese board has placed on record their opposition to an act authorizing the inspection of all cheese at Montreal, claiming that inspection at the factory was more satisfactory, which has been proven in this locality.

The board is of the opinion that cheese makers would guarantee the quality of cheese after it had left the factory, and that it would be difficult to get cheese makers. The delay and confusion of waiting for payments of cheese until the report of quality had been sent back would be a source of annoyance and loss. The board decided to send a deputation from every factory to Ottawa to interview the minister of agriculture in person.

## LENIENCY FOR SIMS

Congress Flooded With Letters Favoring His Speech.

Washington, June 18.—A new factor has entered the lists on behalf of Admiral Sims and as a result belief grows here that he will either not be punished for his famous "jackass" speech, when he returns, or merely be given a formal reprimand, which will be lenient.

Great numbers of letters are pouring into Congress from different states; the greater number of which are reported by Congressmen to be favorable to Sims. Some letters from the Middle West are even declaring for Sims for President in 1924. This flood of letters will make it difficult, it is believed here, for Secretary Denby to take any severe action.

Fire did \$100,000 damage when the Tomlin Block, at Sombra, Ont., was destroyed on Friday.

## NEWS OFF THE WIRES IN CONDENSED FORM

### Tidings From Places Far and Near Are Briefly Recorded.

King George is resolved to pay a visit to Ulster.

Crisis is impending in Dutch cabinet over new army bill.

Anti-Bolshevik troops are reported to have captured Omaha.

The United States house insists in a cut in the size of the army.

Allied experts are discussing means for converting German bonds.

President Harding favors reciprocal provisions in the U.S. tariff bill.

Dear chased by a dog into Halifax runs into fence and breaks its neck.

Mrs. W. P. Loupe, St. Thomas, dies of sleeping sickness, after two weeks illness.

German farmers are to deliver 2,500,000 tons of grain to the government.

A debate took place in the British house on the Imperial conference agenda.

Eugene La Plante, restaurant keeper at Niagara Falls, missing since Sunday morning.

Sarnia merchants were victimized with supposed government cheques to the extent of thousands of dollars.

Statements obviously inspired by Lord Northcliffe, are printed in London newspapers that he is retaining control of the Times.

The village of Bancroft was visited by a very serious fire. Streadwick's and Dalgies's flour mill and D. M. Fuller's woolen mill were consumed with loss of all their contents.

The war debts of the allies to the United States will be paid by Germany through the medium of "reconstruction bonds." The bonds will be based on Germany's indemnity payments.

Voting to stand by their parishioners for better or worse in what they believed will be a period of after-the-war reaction, Anglican clergy of the diocese of Rupert's Land, assembled in synod at Winnipeg, refused to grant themselves an increase in stipend.

## DIPLOMATIC DANGERS IN JAP PRINCE'S VISIT

### Dutch Newspapers Consider That Holland Is in Diffi- cult Position.

The Hague, June 18.—Although hitherto reticent regarding the aspects of the Japanese Crown Prince's visit, the Dutch press is now unanimous in calling attention to the great political and economical importance attached to his stay in Holland. Nothing definite is stated as to possible agreements or understandings, but it is naturally concluded that the Dutch East Indies will be the subject of an discussion that may arise from it. It is even rumored that Japan wants to use the Dutch airmobiles in the East Indies in return for certain guarantees to those colonies.

An effort will be made to smooth over the unfriendly relations existing between the two countries for some years, made acute during the war, owing to constant fear for the colonies.

Prince Hirohito thanked Queen Wilhelmina warmly for the visit of the Dutch warships to Japan in 1919.

The Nieuwe Rotterdamse Courant remarks that, owing to the geographical position of her colonies, Holland must remain friendly with Great Britain and the United States, as well as with Japan, but it says that the fact that Holland is the only neutral country visited by the Japanese Prince indicates that she is an important factor in the Far East. It regards European visits as a break in the isolation of Japan and as the opening of a history and a strengthening of the natural bonds of sympathy.

The first visit of royalty since the war has aroused tremendous interest and enthusiasm here. The Socialist papers *Het Volk* and the *Vrijzinnige Democrat*, however, remark that the elaborate reception to Prince Hirohito, coming after the recent ignoring of America's request for oil concessions, creates a singular anti-American impression. These papers refer to the British-American fight for the control of the world's oil production, linking up "the approaching prolongation of the British-Japanese alliance," with the international oil question.

## RED FORCES AT ERZERUM

Paris, June 18.—Russian Bolshevik forces, sent to the assistance of the Turkish Nationalists by the Moscow Soviet government, are at present sixty miles west of Erzerum; the former capital of Armenia, says a Reval despatch to the Excelsior. These forces consist of two divisions of infantry, one division and one brigade of cavalry, eight batteries of field guns, one battery of heavy cannon, several planes and necessary technical units.

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## APPELLANT'S CLAIM

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## QUESTIONS PROPERLY ASKED

This evidence was not submitted or admitted for the purpose of disclosing to the jury the financial circumstance of the defendant, but for the purpose of explaining prior litigation referred to by the defendant's counsel in his cross-examination of the plaintiff at pages 50 to 52, and when the defendant's counsel pointed out that the effect of the plaintiff's counsel pursuing this line of questions would be to improperly disclose the defendant's financial position and object to the plaintiff's counsel deposing, I am of the opinion that the questions were properly asked, for the purpose of explaining the plaintiff's motive in the prior litigation between the parties, and that if the manner of questioning and the nature of the answers had the effect or tended to have the effect now stated by the defendant's counsel, it was the duty of the defendant's counsel to have objected earlier, and that it is now too late to complain.

## QUESTIONS PROPERLY ASKED

This brings us to the third objection, i.e., the verdict is excessive. Paragraph 15 of the Statement of Claim reads:

"After the arrival of the plaintiff's wife at Kingston in February, 1919, the defendant set himself to work to alienate from the plaintiff the affections of the plaintiff's wife and succeeded in the said attempt, and during the years 1919 and 1920 not only continued the said alienation, but during the said period held criminal conversations with the plaintiff's wife and committed adultery with her on several occasions, whereupon the plaintiff's home was finally broken up and destroyed, and whereby the enjoyment of the society, affection, comfort and services of his said wife were forever lost to the plaintiff."

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(Continued On Page 7)