

# THE DAILY NEWS

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DAILY EDITION



Monday, April 13, 1914

It is difficult to understand the point of view of men who oppose all forms of military service. It is all very well to look forward to the time when the lion and the lamb shall lie down together, but under present conditions that is hardly likely to happen unless the lamb is inside the lion. All around us we see great preparations for war and unless we are prepared to accept the position of slaves we should be prepared to take care of ourselves. Canada is too rich a plum to escape the covetous glances of powerful eyes. Were the British Isles in a life and death struggle with one of the great powers, there is little to prevent an invasion by the Japanese. Without a soldier or a gun to protect our shores how helpless we would be, and yet this is the very thing we hear preached about by a certain class in the community.

On two memorable occasions the militia of Canada saved the liberty of this country. In the war of 1812 they defeated the Americans and drove them across the line. At the time of the Riel rebellion the snatched the great Northwest from the grip of the halfbreeds. Surely a service of that kind should justify their existence. To them we owe our country and to them we owe our liberty, and if any man has neither love of country nor pride of liberty he is hopeless and quite unworthy of the source from which he sprang.

This, of course, is not denying that the militia may be used for service for which they were never intended. It

is unquestionably a mistake to use the militia in quelling local riots or in any way interfering in labor disputes. The volunteers are very often drawn from the laboring classes and it is very unfair to insist on such a man shooting down his fellows. An innocent man who happens to be a soldier in times of trouble is thereby estranged from all his comrades. He is branded as a traitor to his class and is compelled to go through life with this stigma hanging over him.

The function of the militia should be restricted to defence; a sort of national police. There can be no odium attached to the man who fights for his country. It may be that he will be compelled to shoot down innocent victims, but the fault does not lie with him, and if all the workingmen of every country would restrict their services to defence, there would soon be no call for that.

Of course it will always be necessary to put down riots, but this should be done by the regular soldiers or police; by men who make a profession of arms or who make a living by that means. It should never be done by one civilian shooting down his next door neighbor. If such a system were put into effect it is hardly likely that there would be the same opposition to a militia as there is now, and if those who now oppose them would aim at reform rather than at an unreasonable extinction they would receive a great deal more support than they do now.



## THE GOBBINS

This is an interesting spot at the mouth of Belfast lough on the Antifim coast. In the event of disturbances between the two forces this would prove to be a place of great activity. It already has great historic renown, having figured largely at the time of the rebellion, many lives being lost by falling over the steep precipice into the sea during a heavy fog.

## COURT WOULD NOT HELP LAND STAKER

Mr. Justice Macdonald Says That Staking Under Powers of Attorney Is Fraud on Act

The practice of parties desirous of obtaining large tracts of government land who evade the clause which limits one section to one purchaser, by the expedient of putting the applications through under powers of attorney from persons willing to allow their names to be used, has been condemned by Mr. Justice Macdonald of the supreme court in an action at Victoria recently. His lordship stigmatized the method as a fraud upon the Land act and refused to assist Mr. Robert W. Clark to recover from George M. Swan a sum of money paid for staking land, where the applications had been made in the names of outsiders. Clark had alleged that lands in the Naas valley which Swan had

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staked for him, and which Clark subsequently sold to Hugh Cronyn of London, Ont., were misrepresented by Swan.

Mr. J. R. Green appeared for the plaintiff and Mr. A. D. Macfarlane for the defendant. Mr. Macfarlane raised as a defence that the powers of attorney used were illegal.

In his judgment Mr. Justice Macdonald says: "Defendant seeks to escape liability on the ground that the whole transaction in which the parties were engaged was contrary to public policy as being an evasion of the Land act, and thus illegal. It is quite apparent that the persons whose names were used by the defendant in staking the land were not really intending purchasers from the government; they were simply utilized for the purpose of enabling the plaintiff to secure a number of sections of land contrary to the provisions of the act, which provides that only one section can be purchased at one time. This practice of using names for staking has been too prevalent in this province and was recently considered by the Supreme Court of Canada in Brownlee vs. McIntosh. The facts are similar to those disclosed in this action, and Duff, J., in referring to them, says:

"It is perfectly obvious that the scheme entered upon and successfully carried out by McIntosh and Burnham through the agency of the plaintiff was a fraud upon the Land act."

Further on Mr. Justice Macdonald quotes from Mr. Justice Duff's decision as follows:

"Any agreement entered into for the purpose of carrying out of this fraud upon the Land act would be an agreement which it would be the duty of the courts to refuse to enforce as soon as the character of it should become apparent."

In concluding his lordship holds that no right of action can spring out of an illegal contract.

## G. T. P. PROOF CANADA'S MAGNIFICENT FAITH

London Times Comments on the Driving of the Last Spike

London, April 11.—The Times, referring to the driving of the last spike in the Grand Trunk Pacific, editorially says the undertaking was a battleground of the political parties and that political influences have affected its prosperity. Nevertheless, no doubt Canadians regard the new system as an asset, though they may be justified in thinking it should have been secured cheaper. The G. T. P. is a result of the magnificent faith of Canadians in their country's future, and is a triumph of human domination over formidable obstacles.

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The woman who is said to have visited Curragh camp and gossip in London is to the effect that she influenced the officers of the regiments there to resign rather than march against Ulster. Her husband is a former Lord-Lieutenant of Ireland. The Marchioness was married in 1875. She was Lady Theresa Chetwynd-Talbot, daughter of the nineteenth Earl of Shrewsbury.

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