

Final Service Of Week Of Prayer

The fifth and final service of the Universal-Week-of-Prayer series in Charlottetown was held last night in Trinity United Church before a congregation which filled every available seat.



Scout News and Notices

Registration Another Group has joined the Assembly of Registered Troops on the Island. We understand that the Third Kirk Group forwarded their Registration Documents to Dominion Headquarters sometime during this week.

The Official Bronze Arrowhead Course being given by St. Sterling Walker and A. S. M. Jimmy Trainor for Advanced Training in Patrol Leadership will begin this Tuesday evening. The first session will be held at Trinity Troop's meeting place.

The Charlottetown Patrol Leaders attending this course with their Group Numbers are as follows: Wendell Barry (7th), Don C. Beck (8th), Paul Cudmore (7th), Maurice DeCoste (1st), Stan Down (9th), Jimmy Farrell (3rd), Wayne Jardine (3rd), Philip Jardine (3rd), Dewar Larter (9th), Ralph MacPherson (8th), Wendell MacKinnon (8th), Roy E. MacKinnon (8th), George Scantlebury (7th), David Wood (7th).

Note: The following news was handed in by Carmon Thompson, who has recently been appointed Troop Leader of Trinity Troop. The first meeting of Trinity Troop in the new year was held on Jan. 10th, when three new Patrol Leaders were appointed, namely Donald Callbeck, Ralph MacPherson and Wendell MacKinnon. The Troop was honored by a visit from Red Pine who led in a hearty song.

A Relay Race among the three Patrols was won by Ralph MacPherson's Bulldog Patrol, but not without considerable effort. A drive is being made to enlist new recruits in order to bring this Troop up to its original strength.

The Third (Kirk) Troop At the regular Monday meeting of the Kirk Troop, George Burnett and Babs Fitzgerald, former members of the Kirk Group, paid a visit and commented on the progress. The Troop has made in various activities.

The Eighth (Trinity) Cub Pack An invitation is extended to all boys of Cub age (7 to 12) who belong to Trinity United Church, to attend an organizational meeting in the Social Hall, Jan. 17th, at 6:30 p.m.

The Joint Meeting of the District Council and the Charlottetown Scouters' Club was held Thursday evening in the office of Mr. Edwin C. Johnston. The following members of the District Council were present: Mr. E. C. Johnston and Mr. R. McCorkrick, and the following members of the Scouters' Club: George Anderson, Bob Chandler, Frank Casella, George Davidson, Roy E. MacKinnon, Philip Jardine, Stan Down, Jim Trainor and Sterling Walker.

Dissenting Judgement

(Continued from Page 1)

The suit of Ada L. Smallwood, complainant, versus Ada L. Smallwood in her capacity of administratrix of the estate of the late Vivian C. Smallwood and her son, the complainant, asked that the estate of the late Vivian C. Smallwood be administered under the direction of the Court of Chancery. She therefore, called upon all creditors of the late Vivian C. Smallwood to claim interest in the estate, to come in by a certain date and file their claims before the Master of the Rolls.

Among the claims entered was one from the People's Cemetery Company on Oct. 18. The judgment was appealed by the Attorney-General, and upon which Mr. Justice McGuigan rendered his judgment on Oct. 18. The judgment was appealed by the Attorney-General and arguments were heard in November by the Attorney-General, Mr. Justice Arsenault, Justice and Mr. Justice Arsenault.

Following is the text of the dissenting judgment delivered by Chief Justice Campbell. It is a dissenting judgment delivered by the Attorney-General, for himself and the Provincial Secretary, from a judgment of the Master of the Rolls, in the case of the People's Cemetery Company, and the appellants in the course of a suit for administration of the estate of the late Vivian C. Smallwood and her son, the complainant, asked that the estate of the late Vivian C. Smallwood be administered under the direction of the Court of Chancery. She therefore, called upon all creditors of the late Vivian C. Smallwood to claim interest in the estate, to come in by a certain date and file their claims before the Master of the Rolls.

The English practice respecting the taking of such accounts requires (O. 55, r. 48) that each party to a suit should, in advance of the time fixed for adjudicating on the claims, the name and address of each claimant, and the sum claimed, and the nature of the claim, although our own rules contain no such specific provision, it is one which has been followed in England, and which should be regularly adhered to by a Court of Appeal, in particular, in a case of this nature.

In the absence of any such proceedings, this court must extract from the materials before it, both the nature of the claim and the nature of the remedy sought. The claim concerning the administration of a number of funds, alleged to be short by \$3,566.75 paid by sundry parties, sundry times to the People's Cemetery Company of Charlottetown, of which the late Mr. Smallwood was secretary and manager, and which was being paid to the Company for the purchase of the capital stock of the Cemetery. It also appears that Mr. Smallwood was latterly the holder of about 60% of the capital stock of the Cemetery Company.

The People's Cemetery Company was apparently not a charitable organization but by an amendment to its Act of Incorporation passed in 1913 (Chapter 83) the Corporation was authorized "to receive from any plot holder, owner or leasee, person interested in the said Cemetery any sum of money as a capital amount to defray in perpetuity out of the interest thereon the cost of any plot in said cemetery and the monuments thereon."

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Validity Of Trust The Statutes which have cited were apparently passed to deal with the very two problems mentioned by North, J. in connection with estates "peopled" of this nature. Both Statutes clearly recognize the validity of such trusts in spite of their perpetuity, and the Statute Act, in effect, relieves the question "Who was the cestui que trust?" by declaring that the funds are held upon Public Trust and not upon the Principal Secretary with powers of enforcement.

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Looking Ahead with Hal Bohaker

"Look" said an acquaintance of mine the other day. "I'm a firm believer in insurance. I think it's a wonderful idea for people who have their future plans out and dried and who know just how they are going to be situated this time next year. But how can I choose the type of insurance that I should carry when my plans are all so indefinite? Why should I saddle myself with a policy that may be entirely unsuited to my needs in a year or so?"

"No reason in the world," I retorted. "But how would you feel about a policy which is really four policies in one, with five years allowed for deciding which one suits you best?"

"You can lead me to it," I said. "I'd like to get in on it while I'm still young and healthy."

The Adjustable Policy IS such a plan. For the first five years the original face amount for the full face amount of the policy. At the end of this period he can choose a Limited Life Policy, an Endowment Policy, or a Whole Life Policy for a considerably increased amount. He can, if he prefers it, continue the policy on the Whole Life basis for the original face amount but at a much reduced premium. Thus, at no additional cost, and without evidence of health, the assured can limit his period for paying premiums, or he can increase the amount of insurance or decrease the amount of his premiums.

Could anything be more adaptable? Why not obtain further details of this plan-of-many-purposes? Call me today. You will incur no obligation, and I will be glad to be of service to you.

H. C. BOHAKER Unit Manager Phone 835 SUN LIFE OF CANADA 146 Richmond Street Charlottetown, P. E. I.

lin (1913) 30 T. L. R. 187. Where there are more trustees than one, a breach of trust requires a joint and several liability, as was held in *Re Gifford, L. J. in Ex p. Norton* (1869) 4 Ch. App. 287.

The principle applies with equal force where some of the trustees hold under an express trust, while others are liable constructively. As was held in *Re Gifford*, *Stoneham* (1893) 88 T. L. R. 18: "It seems to me that this is not a case of primary liability on the part of the trustees and secondary liability on the part of the solicitors, but Messrs. Stoneham and the trustees are all equally liable."

The same was held in *Wilson v. Moore* (1832) 1 Mylne and Ken. page 146, where he says "All parties to a trust are equally liable; there is no distinction between them; there is no primary liability; and the widow, against whom relief was sought in that case, was a party to the breach of trust, that circumstance will not prevent her from being a defendant from the plaintiff's demand." The decision of the Master of the Rolls was affirmed on appeal by Lord Eldon, in *Wilson v. Moore* (1832) 1 Mylne and Ken. page 146, where he says "All parties to a trust are equally liable; there is no distinction between them; there is no primary liability; and the widow, against whom relief was sought in that case, was a party to the breach of trust, that circumstance will not prevent her from being a defendant from the plaintiff's demand."

CENTRAL GUARDIAN This column is reserved for news of local interest, but advertising of a purely nature, such as insurance of five cents a word, strictly payable in advance.

BOOK-REVIEWS broadcast over CFCY, Saturdays at 6:45 P.M. Listen tonight. 1-12-1

BAHAI RADIO BROADCAST Sunday, 3:15. Mrs. Moffett will speak on "The Great Temple of Light." 1-12-1

LISTEN to the book-reviews presented by the Prince Edward Island Lighters over station CFCY, 6:45 Saturday evenings. 1-12-1

SAD NEWS RECEIVED - Mr. and Mrs. J. P. McCloskey, City, received the sad news last night of the death of their son Arthur at the Toronto General Hospital.

ATTEND CONVENTION-Among those attending the annual convention of the Canadian Restaurant Association, held in Toronto from Jan. 7 to 9, were Miss Mabel Milne, Milton Bell, both of Charlottetown.

ARRIVES HOME - Bandman Reginald McGrover, who served overseas for more than five years, arrived at his home, 34 Hillsboro Street, last evening. He was with the Royal Canadian Artillery.

THE PRESBYTERIAN CHURCH Services on Lord's Day as follows: Glasgow Road 11 A.M.; Brookfield 3 P.M.; Hartville, 7:30 P.M.; Donald Nicholson, Student Minister. 1-12-1

BAHAI EDUCATIONAL 8:30-9:30. "The Qualifications of a World Educator," conducted by Mrs. Robert Lee Moffett. All welcome. 1-12-1

W.M.S. MEETING - Mrs. W. J. Drake entertained the members of the Central Branch of the W.M.S. at her home, 191 Grafton Street Thursday afternoon. A pleasant and profitable meeting was much enjoyed with daily refreshments served before farewells were said.

AN EARLY START REALLY PAYS!

With the fall British egg contract prices already set at the same level as last fall, this looks like an extra-good year to start extra-good chicks extra-early. January and February-hatched pullets come into lay just as egg prices begin to go up. They see in full lay right through the highest prices of the year. They reach full production of 4-4 1/2 eggs just when premiums for size are widest. And early cockers should be ready for market when demand and prices are strongest.

FRED W. BRAY, LIMITED

120 JOHN ST. N. HAMILTON, ONT. Chas. Worth, care of Riggs Berrigan, Queen St. Charlottetown. Wm. Christian, Launceston. W. K. Crafer, R.R. 5, Kensington. Winston W. Currie, Alberton. Earl Diamond, Winsloe. Mrs. George Muirhead, St. Eleanor. Winston Dingwell, Morel Station. Raymond Doucet, Hunter River. Mrs. Arthur J. Enman, New Annan. Frances Gardiner, Launceston. J. Harry Green, Central Bedouque. Clarence F. Haslam, Springfield, Emerald.

248 Articles For Red Cross Made At S'side

A total of 248 articles were sent to the headquarters of the Division of the Red Cross Society at Charlottetown. Receipts: Balance at beginning of year 46.51 Donations 746.02 Prisoner of War parcels 40.00 Red Cross Boxes 81.43 Rummage Sales & Pantry 52.00 Sales 278.90 Bankers' Suppers 50.00 Red Cross Cards 74.83 Camp Interest 1.48 Total 1380.00 Expenditures: Materials 38.24 Excessage 12.88 Red Cross Boxes 128.00 Blood Donors Clinic 32.27 Postage & Miscellaneous 23.50 Stationery & Advertising 248.00 P. E. Island Division 865.00 Total 1310.62

Annual School Concerts

(Continued from Page 2) The program was carried out: Opening chorus: The School. Address of Welcome: by Jean Birt. Recitation: "When Pa Is Sick", by Leo MacIntyre. Dialogue: "Pooling The Agent". Recitation: "Writing To Santa". Recitation: "The Christmas Story". Motion Song: by 6 pupils. Recitation: "My First Day At School", by Joey O'Brien. Song: "Dreantide", by Martin Birt. Dialogue: "Eating A La Mode". Christmas Song: "Away In A Manger" by Jean Birt. Two-Step: by Patricia and Shirley O'Brien. Recitation: "The Toys He Doesn't Like", by Raymond Birt. Christmas Carols: "It Came Upon The Midnight Clear", "Hark! The Herald Angels Sing" and "Silent Night" by senior girls. Dialogue: A Christmas Disappointment. Recitation: "Hard To Learn" by Sterling Brown. Instrumental Music by Garth Birt and Charles Aylward. "Sing Song", by 6 pupils. Recitation: "Christmas Sleepy Head", by Shirley O'Brien. Dialogue: "The Premature Proposal". Step-Dancing: Charles O'Brien. Recitation: "Good Enough" by Everett Birt. Recitation: "A Christmas Wish", by Bernice MacDonald and Alvin Wainwright. Dialogue: "Married in Haste". Recitation: "Style" by Rommie MacDonald. Dialogue: "Rastus Rumbles On". Action Song: "The Yellow Rose of Texas". Recitation: "Family Troubles", by Glenda Brown. Recitation: "A Christmas Greeting", by Joyce Bert. Dialogue: "Remembering Mary Jane". Closing address by Margaret MacDonald. Closing chorus. After the closing chorus Santa Claus appeared in his usual jovial manner, and presented many lovely gifts to both teacher and pupils from a nicely decorated and heavily laden tree. The National Anthem brought the program to a close.

GOOD ADVICE

We would advise those who need repairs to electrical units to have them done as soon as possible, otherwise when the spring rush comes patrons might have to wait a long time for service and parts. Have your necessary electrical repairs on carburetors, fuel pumps, etc., done now.

BATT & MACRAE

Grafton Street

NOTICE

Schedule Changes The Island Motor Transport Ltd. wish to announce that effective January 11th the 7:30 A.M. trip, Charlottetown to Summerside, and the 10 P.M. trip, Summerside to Charlottetown, will be cancelled. The 10:10 A.M., 4 P.M. and the 9:45 P.M. trips leaving Charlottetown will remain in effect as long as road condition permits. Bonshaw and Souris schedules will remain the same. Our mainland connections will also be cancelled for the winter months.

N.D. Maclean EMBARKER ENHAIKER North Westmorland Phone 148 Charlottetown and