

God is a God of Justice who rewards not overabundantly, nor stints his measure of desert.

THE CHARLOTTETOWN GUARDIAN

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Generosity when subjected to mathematical scrutiny becomes the bed rock of democracy.

Covers Prince Edward Island Like the Dew

CHARLOTTETOWN, CANADA, SATURDAY, JANUARY 12, 1929

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DEPUTATION RECEIVED BY BALDWIN

Premier is Annoyed at Attitude of Postmaster-General.

(Special to the Guardian)
LONDON, Jan. 11.—Premier Baldwin has administered another direct rebuke to one of his own ministers. This time the recipient is Sir William Mitchell-Thomson, Postmaster-General. Today a deputation from the Newspapers Proprietors' Association, was received by the Prime Minister, after Sir William had previously refused to see them and they were compelled to appeal to Mr. Baldwin. The deputation is protesting against the British Broadcasting Corporation, producing the Journal "Listener," which will be the official magazine of broadcasting in Britain. In the opinion of the newspaper proprietors, this will offer unfair competition.

Recently the postmaster-general developed the habit of refusing to see deputations, and it is known that Premier Baldwin was annoyed at this attitude. Several times he has rebuked his ministers, the most famous instance of which was when he said that Lord Wolmer, assistant postmaster-general, "had not reached years of discretion."

Sir William Johnson-Hicks, Lord Birkenhead, and Winston Churchill have also been "called down" by their chief.

ANNOUNCEMENTS, COMING EVENTS, MEETINGS, ETC.

*ROBIN HOOD FLOUR is guaranteed to please you better.
*Dr. Cliff, M. D.—Start now home prevention cure. Purdy Station, Westchester Co., N.Y., U.S.A. 12-12-3mo

*Buying live hogs at Kensington forenoon Jan. 15th. Alden Moore. 3068-1-12-21

*Band at Arena this afternoon. 3070

*Loading hogs at Hazelbrook Wednesday, Jan. 16th. (Sgd.) Harry Jenkin. 3067-1-12-31

*Loading hogs at North Whitehorse Thursday forenoon on the 17th. (Sgd.) Harry Jenkin. 3068-1-12-31

*Skating with band this afternoon. 3070

*Notice—The annual meeting of the Pioneer Short-horn Breeders Association will be held in Long Creek Hall Jan. 17th., at 7 o'clock p. m. 3065-1-12-21

*The Annual Meeting of the Emerald Dairying Association will be held in Emerald Hall on Wednesday Jan. 16th. Emerald Dairying Association, P. F. Hughes Sec'y. 3072-1-12-21

*Good ice—Arena this afternoon. 3070

*Buying hogs at Emerald Tuesday forenoon, Jan. 15th. Everett Haslam. 3062-1-12-21

*Cornwall Bank Monday, Wednesday and Saturday 8 to 10. Good ice, music, and plenty of eats, admission 25c. 3070-1-12-61

*F. J. Holman, agent for Corona Company, St. John, announces the arrival of Dorothy Kingston Hanrolls, the latest and best in chocolates. 3078-1-12-21

*Highest quality, moderate price, pound packages of Dorothy Kingston Hanrolls. 3078-1-12-21

*Band—Arena—this afternoon. 3070

*Dorothy Kingston Hanrolls, delicious chocolates, manufactured by Corona Company. 3078-1-12-21

*Just arrived large shipment Dorothy Kingston Hanroll chocolates. 3078-1-12-21

*Escaped from my ranch, Jan. 11th one medium Silver Male Fox. Those Everett Haslam, Springfield. 3072-1-12-31

*The Annual Meeting of Union District Scarlet Chapter meta Thistle L. O. L. 2178 on Monday evening, January 14th at 8.30 P. M. 3078

300,000 Cases of Grippé in Berlin

(Special to The Guardian)
BERLIN, Jan. 11.—The wave of grippé sweeping over Berlin is assuming dangerous proportions. Fifty-fifth Berliner is ill, although most of the cases are light. The chief danger emanates from the overcrowded condition of hospitals and sanatoriums. Owing to the overflowing of hospitals, the authorities are preparing schools, and other buildings to serve in the emergency as a refuge for the sick.
The number of these afflicted is estimated at 300,000. Nearly ten per cent of the department store employees and municipal and transportation companies employees are absent from work. About fifteen per cent of the police force have been stricken. The epidemic is attributed to the cold wave in East Prussia and Silesia, the thermometer dropped below zero and in Berlin it was four degrees above.

Booth Promises Answer on Monday

(Canadian Press)
SOUTHWOLD, Eng., Jan. 11.—An official statement issued in behalf of General Bramwell Booth, late today said that after listening carefully to a deputation from the grand council which had urged his retirement he announced that he would give his answer on Monday.

The statement on the general's decision to give his answer Monday was issued by his chief of staff, Brigadier Smith, who added: "The general received the deputation very calmly and wonderfully like the saint he is. He heard the decision of the high council last night from his wife. He took it with the utmost calm, saying only, 'I wonder who is in this.'"
When the deputation arrived he prayed with them and for their families and he seemed quite undisturbed by what they had to say to him. Four of the members of the deputation left about an hour after seeing the general and the remaining three left soon after. Evangeline Booth followed in a few moments. There were tears in her eyes as she departed.

PARIS, Jan. 11.—The French Chamber of deputies tonight voted confidence in the government of Premier Raymond Poincaré. The court was 317 against 253.

"SHE GOT WHAT SHE WANTED"

MAE EDWARDS COMPANY PLAY TO ENTHUSIASTIC AUDIENCE LAST EVENING.

A good sized house greeted the popular Mae Edwards Players in "She Got What She Wanted," the comedy which they presented at the Prince Edward Theatre last night.
It is the story of how a young girl and her room-mate, an ex-chorus girl start out to get a rich husband for the girl. The opening act shows them in their room in New York, where with the aid of a small legacy and a trunk of borrowed clothes they map out their campaign. The balance of the play showed them at Richfield Springs, a wealthy resort. It is here the girl with her room-mate posing as her mother, starts on her search of the rich husband only to be confronted by a wartime sweetheart who, with his grandfather, runs the hotel where the girls are staying. He has turned inventor and is perfecting a formula for a special paint. Among the guests in the hotel is a man who is trying to get the formula by hook or crook and his daughter, and her fiancé who aid him in his schemes. How the girl overhears them plotting and with the aid of the grandfather of the boy she outwits them all and helps the boy make his fortune by selling the formula is the substance of the play. Miss Edwards was most charming as the girl in the case and had a chance to wear many pretty dresses. It was one of her best roles so far this week. The comedy relief was supplied by Chas. Downes as the husband and sheriff, and Miss Davent as the supposed mother, who later marries the husband. Mr. Patterson was good as the boy and the rest of the company all had good parts which were convincingly played.

The following are the cast of characters (in order of their appearance):
Mrs. Johnson—Miss Peggy Downes
Ronald—Walter Sanville
MARIE TURNER—MAE EDWARDS
Mrs. Turner—Miss Netta Davent
Sam—Carleton Pinckney
Mr. Turner—Charlie Downes
Jimmy Willis—Wesley Patterson
Mr. Johnson—Billy Webb

IMPORTANT HEARING CONCLUDED

Argument in Application For Certiorari in Mann vs Perry Concluded yesterday — Judgment Reserved.

The argument in the application for certiorari in the case of Mann vs. Perry, which involves the important question of the constitutionality of the legislation appointing the Probation Magistrate, Mr. George J. Tweedy, was concluded yesterday in the Supreme Court before the full bench.
Judgment was reserved.
At the morning session Mr. Thano Campbell, for the respondent in re-suming his argument, said that there appeared to be two main limitations in the power of the court in passing on writs of certiorari.

The first is that since a writ of certiorari involves the review of a record of a trial in a lower court, the superior court is bound to review only matters of that record and that record only. For instance, they cannot take depositions into consideration, as these do not form part of the record. Counsel cited two cases in support of this contention.
In this case, the question which the court may deal with is not whether the magistrate had any jurisdiction but simply whether he had jurisdiction in this case—also if he was, in fact, biased, or if there were any irregularities in the proceedings. All these things are matters of the record. He submitted that the question whether the magistrate was properly appointed, or whether, in general, he had jurisdiction, were outside of the record, and hence not within the purview of the court.

The second point was that the proceedings must be voidable, and not already void as counsel for applicant claimed they were.
Counsel quoted cases to show that a writ of certiorari held only where proceedings were conducted improperly before an authorized tribunal, and that such a writ did not lie where the tribunal was improperly constituted. In such cases the proceedings were not voidable—they were void ab initio, and certiorari was held not to be applicable.
In cases where spurious tribunals were held by persons without authority, Superior Courts had held that writs both of prohibition and certiorari were inapplicable as there was no court to start with, and no record for the superior court to review. If the contention of opposing counsel is true, that the Magistrate, Mr. Tweedy was improperly appointed, then there is no record and the proceedings cannot be reviewed by this court under a writ of certiorari.

Mr. Campbell then reverted to his previous line of argument in regard to the reasons for the reservations of the appointment of superior and county court judges to the Federal power as defined in section 96 of the B. N. A. Act, saying that it seemed to him that, if the reason for this had been the power and importance of the functions of such judges, the Federal authorities would have delegated such large powers to justices of the peace—these latter officials being provincial appointees. He was of the opinion that the arrangements made in Sec. 96 were made merely from financial considerations obtaining at the time of Confederation. In fact, there were merely arrangements of convenience.

This was borne out by the fact that the control of such courts was left solely in the hands of the provincial authorities, and it was they who gave the various courts their jurisdictions in regard to civil laws and provincial statutes.
Let us suppose, he said, that a change in jurisdiction of these courts appears desirable in fifty years time. Then, according to the principle laid down by opposing counsel, and to a certain extent supported by the MacLean gold mines case, the provincial authorities would be powerless to make the change without Federal consent. He did not believe that this was contemplated by section 96.

Mr. Campbell read a citation from defining the intentions of the British North America Act, which he held, showed that it was intended only to give the Federal Government only such powers as would ensure the welfare of the Dominion as a whole, and preserve harmonious relations of the province. But as regards purely provincial matters, it was the intention that the Federal Government should not interfere in them.
Mr. Campbell cited cases in the past, where the point at issue was the power of Provincial Governments to appoint inferior justices of the peace, and secondly, stipendiary magistrates. The decisions held that the Provincial Governments had power to do this. Specifically, in one of the cases it was held that the Nova Scotia Government had power, not only to pass the Nova Scotia Temperance Act, but to constitute courts in which cases arising under it might be dealt with.

King Amanullah Yields to Rebels

(Special to The Guardian)
NEW DELHI, India, Jan. 11.—Publication of a proclamation in an Afghan newspaper today revealed that King Amanullah of Afghanistan has yielded to the rebels in withdrawing nearly the whole program of his western reforms. Afghan girls sent to Turkey to be educated are to be recalled. The Purdah or seclusion of women system is to be restored, conscription is to be withdrawn, women's associations are to be closed, European dress is discarded and soldiers are per-followers of holy men or "Pirs" mitted in the future to become

Canadian Boys Will be Helped By Department

(Canadian Press)
WINNIPEG, Jan. 11.—Canadian boys will be given the same opportunity to settle on land of their own as lads from Great Britain. It was stated by Hon. Robert Forke, Minister of Immigration, here today.
"We want Canadians to know that we are just as ready to help Canadian boys settle on the land, as we are to help boys from Great Britain," he declared.

When the provincial government expresses its willingness to put up a loan of \$1250, to Canadian boys to settle in Manitoba, he they farm or city lads and have shown the requisite initiative and acquired the necessary experience, the dominion government, Mr. Forke declared, would be ready to make the same loan to the Canadian boys as it does at present to the British.
"No difficulty plan has been worked out," the minister stated, because there has been practically no desire shown by Canadian boys for a scheme similar to that for British boys.

Reduced Rates for Night Letters

(Special to The Guardian)
TORONTO, Ont., Jan. 11.—The Canadian Marconi Co. announced, effective Jan. 14, the establishment of reduced rates for nightletters between the eastern zone of Canada, Ontario, Quebec and the Maritimes, and all places in Great Britain and northern Ireland. The rate will be \$2 for 50 words, and four cents for each additional word. These messages will be telegraphed to any destination in Great Britain and northern Ireland. The establishment of this service does not supersede any of the existing Marconi service. Officials of the company declared the reduction to be due to keen competition for cable business.

He also cited other cases to show that masters of the courts and other such officers have had conferred on them by provincial legislatures powers which, at the time of Confederation were exercised solely by judges of the courts. And these jurisdictions, though, perhaps, limited were concurrent with the jurisdictions of the Superior and County Courts.
In the present case, he did not think it necessary to go as far as that. The jurisdiction which, in his view, is conferred on the prohibition magistrates, conferred by the county courts, was conferred in the first place on these courts by the Provincial Legislature. It seems absurd to suppose that the legislature, once having given such powers, cannot alter or modify them.

Here there is no attempt to transfer jurisdiction given such courts by Part 15 of the criminal code. Such a proceeding if attempted, would be ultra vires; but such is not the case here. Any powers and jurisdictions of the county court given these magistrates are solely for the purpose of trying prohibition cases; the right of hearing appeals is not given.

In moving the discharge of the rule, Mr. Campbell summed up his contentions, stating that the right of Provincial Governments to make laws to control or prohibit the sale of alcoholic liquors was recognized by the Doherty Act, and that they had the right also to constitute courts to try cases arising under such acts.
Mr. Johnston on behalf of the applicant first dealt with the theories and reasons given by Mr. Campbell with regard to the administration of justice between the Dominion and the Provinces under the British North America Act. He disagreed with the counsel for the prosecution that the appointment of superior and county court judges by the Dominion was made as a matter of convenience, and for financial reasons.

WASHINGTON, Jan. 11.—An appropriation of \$25,000,000 in the fund for prohibition enforcement, was approved today by the Senate appropriations committee.

KING HAD RESTFUL DAY

There Is No Change to Report In His Majesty's Condition.

(Special to the Guardian)
LONDON, Jan. 11.—An unusually long consultation among the doctors attending the King took place this morning. It lasted three hours and was attended by Lord Dawson of Penn, Sir Stanley Hewett, and Sir Hugh Rigby. But tonight the first two of this trio issued a bulletin in which they said: "The King had a restful day. There is no change to report in His Majesty's condition."
Sir Edward Elgar, master of the King's music, spoke at a public luncheon today and counselled his hearers to ignore adverse rumors relating to the King. He said: "We have the satisfaction of knowing that the King is slowly recovering and in a few months, unless there is an accident we shall have him among us again."

GALEDONIAN CLUB LECTURE

Judge Stewart Delivers Excellent Paper on "Undercurrents Influencing the Island's Decision as to Union with Canada."

The first of the Galedonian Club's series of lectures was given last night in the club rooms by His Honor, Judge Stewart.
The speaker of the evening was introduced by Mr. John Anderson, who occupied the chair. The title of the most interesting lecture, which exhibited much painstaking research was "Undercurrents Influencing the Island's Decision as to Union with Canada."

Prince Edward Island, he said, had always been the most conservative of the provinces. This was shown by the way in which it withstood, not only Confederation, but the building of the Railway. The latter resulted in the complete defeat of the government which sponsored it. Doubtless this conservatism was largely due to the fact that the population was as it is now, largely agricultural. Judge Stewart paid a glowing tribute to the late Hon. J. C. Pope, the Prime Minister of the Island, through whose energy, foresight and determination, the railway was built. The wisdom of his course is shown, among other things, by the present insistent demand for more branch lines.

The three men, Coles, Whelan and Pope, disinterested and patriotic, having served so well their day and generation, richly deserve the gratitude of the country. They hold an unchallenged pre-eminence on the honour roll of our province. The speaker emphatically declared that the least we could do in honour of their memory was to erect a monument to their memory on the public square, facing the provincial building which had seen the result of their labors. The government should take some action, and the speaker was himself prepared to subscribe a large sum of money to aid in the erection.

Judge Stewart then touched on the absentee landlordism which resulted from the disposal of deserving ex-policemen, officers and others in England of the lands of the Island by lot. But these people revolted against this system and the tenant league came into being and the authorities were so alarmed that troops were sent against them. Finally in 1851, self-government came to the

(Continued on page 3)

Railway Veterans Hold Meeting

The regular monthly meeting of the Island Railway Veterans Club was held in the club room Thursday the 10th inst.—President John F. Macdonald occupied the chair.—The following officers were elected for the year 1929.

President—R. McDonald.
Vice-President—D. Fraser.
Secy.—Treasurer—G. A. Hughes.
Marshal—R. Meikle.
An Executive Committee composed of six members and a ways and means committee of six members were appointed.—The object of these clubs is for the purpose of keeping the members in touch with each other, to meet as frequently as possible for mutual improvement and social entertainment and to show their loyalty to the Island Railway by doing all they can to forward its interests.

Report Confirms Mukden Shooting

(Special to the Guardian)
TOKYO, Jan. 11.—The general staff today received an official report confirming that Yang Yuting had been shot to death in Mukden. Anxiety was felt in Tokyo, as it was realized that the situation held dangerous possibilities. Latest unofficial advices from Mukden said that General Chang Hsueh-Liang, Governor of Manchuria, had invited Yang Yuting and Chang Yin-Hual to his headquarters at 7 o'clock last night. When they arrived they were surrounded by armed soldiers and confined to the room. Then Gen. Chang charged both with certain crimes and later they were led out and summarily shot.

Hoover Returns to Washington

(Special to The Guardian)
WASHINGTON, Jan. 11.—Hoover as here. Overshadowing all other happenings at the National Capital is the return to Washington of President elect Herbert Hoover. For the time being the centre of attractions has shifted from the White House and even from the Capitol to a suite of rooms in the Mayflower Hotel.
It is about two months since Hoover left Washington toward the close of the presidential campaign, to vote in his home state of California. Since then has come his smashing victory at the polls, and his spectacular tour of South America. Probably no man has ever more continuously commanded the "front page." Even now, not only is his every move chronicled, but much is being written upon his silence, and there is lots of that. The wise old owl that sat on the oak was loquacious in comparison with the sphinx that is now letting everyone else do the talking.

There is something remarkable about the situation. Perhaps it is that Hoover is an enigma. He certainly has everyone guessing now. Perhaps it is expectancy. Hoover does things. What will he do next? Heretofore his actions have been characteristically prompt, decisive, timely, for Herbert Hoover is an efficiency expert.

Take the present situation. Straight from a prolonged sea voyage he comes to Washington. Within twenty-four hours everything is running smoothly at his home and at the extensive suite of ten rooms occupied as business headquarters in the Hotel Mayflower, Washington's finest hostelry. There, a competent corps of secretaries, stenographers, attaches are quietly, functioning and handling with discriminating courtesy the procession of callers who seek to see the "big chief."

Bearcats Beaten By Wolverines

(Canadian Press)
HALIFAX, Jan. 11.—Halifax Wolverines defeated the Truro Bearcats in an Eastern League hockey match here tonight by a six to two score.
KENTVILLE, N. S., Jan. 11.—Kentville Wildcats scored their fourth consecutive Eastern League hockey victory here tonight defeating the Halifax Socials by 9 to 4.



TORONTO, Jan. 11.—Maritime fair at first, followed by strong southwest winds, with snow or rain.

Toronto, snow 38-22
Montreal, clear 36-4
Quebec, clear 18-0
Charlottetown, clear 39-15
Halifax, fair 43-22
St. John, fair 43-22
Boston, clear 53-26
New York, cloudy 50-30
High tide this afternoon at 12:38 and tonight at 11:34.
Sun sets this afternoon at 4:38 and rises tomorrow morning at 7:39.
First quarter moon Friday, Jan. 18th, 10:51 a. m.
Summerside tide eighteen minutes later than Charlottetown.

EQUALITY OF STATUS IS SUBJECT

Address Delivered By Sir E. J. Harding Before London Institute.

(Canadian Press)
LONDON, Jan. 11.—Equality of status between Great Britain and the Dominions, was the subject of an address by Sir E. J. Harding before the Institute of Public Administration tonight.

The speaker confined his remarks to the practical application of the pronouncement of the imperial conference, 1926, to everyday problems in the government of the self-governing dominions. He emphasized the positive side of the declaration of the principle of equality of status, namely, the present co-operation between the home and the dominion governments and further co-operation which he said, was still possible.

He said that the value of the new conception of the British Empire depended largely on the fact that the principle of the equality of status was founded on the basis of a desire for co-operation in actual fact. "This co-operation, he went on, could be achieved by four means, namely, personal consultation, periodic conferences, standing joint bodies and recurrent correspondence.

Reception at Govt. House

(Special to The Guardian)
TORONTO, Jan. 11.—The quiet streets about government house took on an appearance of unusual activity yesterday afternoon when nearly fourteen hundred Toronto women called on Mrs. William Ross on the occasion of the first reception of the new year. The lineup in front of a downtown theatre on the occasion of a popular play falls far short of the stream of women which went to Government House yesterday afternoon to pay its respects to the wife of the Lieut.-Governor. Mounted traffic policemen watched the streets about Government House, directing the traffic in two slowly moving lines, into Chorley Park.

Annual Meeting P. E. I. Fire Underwriters

The Annual Meeting of the Prince Edward Island Board of Fire Underwriters took place on January 9th, 1929, at 3 p. m. with the President, Mr. Noel H. DeBlais, in the Chair.
In the course of the Secretary's Report it was shown that the Fire Underwriters' Board was composed of fifty-five strong Insurance Companies represented by the following Agents—Hyndman & Company, Ltd., E. R. Brown, W. K. Rogers Company, Ltd., D. B. Stewart, Higgs & Company, Ltd., H. M. Davison, Ltd., DeBlais Bros. Ltd., J. A. Webster, T. Edgar MacNutt, A. R. McInnis, W. G. Hogg, T. W. Bentley, Moore Bros.
During the course of the year the Companies represented by these Agents paid out in Fire Losses in the Province of Prince Edward Island nearly \$75,000.00.
In the election of officers for 1929 the results were as follows:
President—T. Edgar MacNutt; Vice-President—Arthur R. McInnis; Secretary—Charles A. Beer.
Cardiff, Wales, plans to give in public schools, instruction on street dangers.
The Shannon hydroelectric project in Ireland will be completed in 1929.

Condensed Specials
RATE—6c per word net
each insertion in this column.

BOARDERS WANTED—APPLY AT this office. 3034-1-10-31

LOST—FANCY NECKLACE (Pearls) contents were in an envelope. Owner please leave at 238 Queen St. 3049-1-12-21

WANTED—MAID FOR HOUSE work. Apply 103 Richmond St. 3068-1-12-31

PHONE 936-J FOR FRESH AND salt meats. Home cured bacon. Saunders Meat Market, Euston St. 3064-1-12-11-M

FOR SALE—ONE GOOD WAGON horse about 12 cwt. at home A. Jackson, Brackley. 3069-1-12-21