MAXIMS OF A MERE MAN

Differences of opinion ought never to alter friendship.

THE CHARLOTTETOWN GUARDIAN

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It is a crucial moment when one is confronted with a great truth.

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CLIPPER UNREPORTED OVER SOUTH PACIFIC

ITALO-U.S. TRADE NEGOTIATIONS SUSPENDED

Argues Social Credit Unconstitutional

(C. P. by Guardian's Special Wire)

OTTAWA, Jan. 11—Social Credit as planned in Alberta is a banking scheme outside the legal jurisdiction of the provincial legislature, the Supreme Court was told today by Aime Geoffrion.

The Dominion counsel in the reference to determine constitutionality of three Alberta bills to which Lieutenant-Governor John Bowen reserved assent in September, said the essence of Social Credit was to create a banking system or to appropriate one.

The British North America Act, Mr. Geoffrion argued, gave to the Dominion Parliament exclusive and full control of banking and any attempt by Alberta to establish a Social Credit financial system within its borders would be a breach of the constitution.

The reference to test the constitutionality of the Alberta bills opened this morning with most of the day taken by Mr. Geoffrion in an explanation of the bills and a detailed examination of the Social Credit theories of Major C. H. Douglas.

COMING EVENTS

**Announcement are inserted in this colum at 2 cents per word strictly payable in advance.

**Skating Cornwall Rink tonight. L-759

**Opening skate at Highfield Rink tonight. L-770.

**Salvation Army rummage sale Friday, January 21st. L-774-1-12-21.

**Kinkora Hall—Bingo and Dance this Wednesday night. L-749-1-12-11.

**Dance, St. Avards School, Friday, January 14th. Chappell's Orchestra. L-744-1-12-11.

**Card Party and Dance Kelly's Cross Hall, Wednesday, January 12th. L-707-1-11-21.

**Hockey meeting Cross Roads School Wednesday January 12. All interested please attend. L-773.

**Hockey at Stanley rink tonight Monarchs vs. Dairy Kings. If not fine Thursday. L-771.

**Bingo and Dance in Iona Hall every Wednesday until February 23rd. L-705-1-11-21.

**Dance, Pleasant Grove Hall, Monday, January 17th. If stormy, Tuesday. L-746-1-12-11.

**Huskies vs Rovers, Milton Rink tonight. Game starts 8 o'clock. Skate after. L-762

**Buying dressed chicken and fowl daily until March. Correct grading. Geo. Leightizer Co. L-198-12-21-tf.

**Pantry Sale in aid of Basilica Altar Society Saturday afternoon. S. A. MacDonald's Store. L-741-1-12-41.

**Hockey in Sea View Rink, French River vs. Sea View, Wednesday, January 12. Skate after. L-766

**Come to the Fiddlers Contest and step dance in Belfast Hall, Friday, January 14th. Dance after contest. Prizes given. L-754-1-12-21.

**Buying dressed chicken and fowl daily, correct grading, top prices. Island Cold Storage Company. L-475-12-30-tf.

**Escaped from my ranch, a silver male fox. Finder notify Harold Lawton, Hazelbrook. L-767-1-12-21

**All interested please attend meeting to organize hockey league at Wiltshire Rink Wednesday night January 12th. L-761

**Come to Bean Supper at Frank Cutcliffe's, Fredericton, on Wednesday evening, January 12th. L-715-1-11-21.

**The regular monthly meeting Ladies' Aid P. E. I. Hospital, Cundall Home, Wednesday, 3.30 P. M. L-702-1-11-21.

**The Annual Meeting of the New Perth Dairying Company will be held on Tuesday, January 18th, 1938. L-708-1-11-21.

**On Saturday afternoon, January 15, at 4 o'clock there will be an organ recital in St. James Church in aid of P. E. I. Hospital by Mrs. K. S. Rogers assisted by Mr. and Mrs. Raoul Reymond and Mrs. H. S. Henderson—Silver collection. L-775.

GRAND JURY APPROVES JAIL LABOR PLAN

Several Cases Disposed Of At Opening Of January Term Supreme Court.

"The system of labor (for Queen's County Jail prisoners) seems to be working well and we recommend this plan be extended whenever possible," the Grand Jury declared yesterday in its report at the opening of the January term of the Supreme Court for Queen's County. At present there are 26 male and two female prisoners in the institution. At Falconwood Hospital jurymen reported they found 118 female and 140 male inmates; while in the Provincial Infirmary there were 152 patients, 87 male and 65 female, ranging in age from two years to 90 years.

Text of the Grand Jury's report appears elsewhere in this article.

Mr. Justice A. E. Arsenault, acting Chief Justice, presided at the opening of the sittings, with associate judge Mr. Justice A.C. Saunders. Justice Arsenault addressed the Grand Jury. The court adjourned last evening to meet this morning at 10.30. Sessions are being held in the Legislative Chamber.

No bill was found in the case the King vs. James White, indecent assault.

The case, the King vs. Ivan McInnis, robbery, was further adjourned until the June term of the Court, at the request of the Crown. Attorney General Thane A. Campbell explained, in asking for adjournment, that the case had already been adjourned on two occasions owing to the impossibility of securing attendance of the material witness.

At the afternoon session Judge Arsenault dismissed the appeal with costs in the case, the King, respondent, vs. Veronica Quinn, appellant. It was an appeal from a conviction under the Prohibition Act. The Attorney General acted for the Crown and Mr. J. A. McDonald, K.C. was defense counsel. Witnesses examined, all for the prosecution, included Daniel MacDonald, Constable C. F. Deakin, and Constable Alvin Shaw of the Mounted Police.

Next case called was the King,

(Continued on page 3, Col 2)

Five Year Term For Stealing Auto

(C. P. by Guardian's Special Wire)

FREDERICTON, N. B., Jan. 11—Russel Barbour of Moncton, N. B., convicted on a charge of stealing a car the property of the Province of New Brunswick, was sentenced to five years in Dorchester Penitentiary after speedy trial before Judge A. A. Slipp here today.

Prosecution charged Barbour took the car operated by Minister of Agriculture A. C. Taylor from its parking place in front of the Department of Agriculture building here last September.

SENATOR BURIED

WINNIPEG, Jan. 11—(CP)—Final tribute was paid today to the late Senator Aime Benard whose interment took place at St. Mary's cemetery. The 64-year-old Senator died at his home here Saturday.

Wide Area Of Japan Is Rocked By Earthquake

(A. P. by Guardian's Special Wire)

TOKYO, Jan. 12—(Wednesday)—A severe earthquake shook an unusually wide area of Japan today, sending thousands of frightened Japanese rushing from their homes.

Considerable damage was believed to have been done by the temblors which lasted 20 minutes. The quake extended over the large islands of Kyushu and Shikoku as well as most of the southern part of the principal Japanese island, Honshu.

A forest fire was started in Wakayama prefecture when a charcoal burner's hut collapsed.

Clocks stopped in Tokyo and household articles tumbled to the floor.

WILL LIST TRADE ITEMS

U. S. Tariff Concessions For Canada Prepared.

WASHINGTON, Jan. 11—The list of commodities on which the United States is prepared to talk tariff concessions with Canada will likely be announced this weekend or early next week, State Department officials said today. The list is now in course of preparation.

Hope was expressed that the negotiations for the new Canada-United States Pact could be conducted simultaneous with those for the United Kingdom-United States agreement, so that the Canadian pact would be ready for final review by President Roosevelt and the Canadian government late in April.

The list in the London-Washington negotiations was made public last Friday and at the same time the dates for filing briefs and public hearings for interested parties in the United States were announced. It is expected the same procedure will be followed in the Canadian list.

Still Deadlocked On Spanish Issue

LONDON, Jan. 11—A meeting of the Spanish non-intervention sub-committee broke up today without agreement on recognition of belligerent rights for the warring factions in Spain when Germany and Italy refused to discuss the question.

The committee already has agreed on a British plan for withdrawal of foreign volunteers in equal numbers from the government and Insurgent forces, but action is held up by disagreement as to when belligerent rights should be granted.

New Record Depth Reached By Diver

LA SPEZIA, Italy, Jan. 11—An Italian naval officer today descended 820 feet into the waters of the Mediterranean in a newly-invented diving suit weighing 900 pounds.

(Previously the greatest depth a human being had ever reached was the dive by Max E. Nohl of Milwaukee, Wis., who touched the bottom of a valley in Lake Michigan 420 feet below the surface Dec. 1.)

Lieut. Notari was sealed inside the diving suit which a crane swung over the side of a barge.

WINTER EGG SHIPMENT TO GREAT BRITAIN

Trial Canadian Shipment Through Saint John To English Market.

(By The Canadian Press)

MONTREAL, Jan. 11—One hundred and eighty-thousand samples of eggs Englishmen may obtain within 10 days of the time they leave Canadian nests, left Montreal tonight for Saint John where they will be loaded on the freighter Beaverbrae.

The carload of fresh eggs, gathered from 15 cooperative organizations in eastern Ontario and Quebec, is being sent as an experiment, the first big shipment of winter-produced eggs ever to be sent overseas.

Freshly Laid

Laid no earlier than last week, the eggs were packed and rushed to Montreal as part of a campaign by producers and shippers, cooperating with the Canadian Department of Agriculture, to gain a place for winter-produced eggs in the English market.

"No fresher product of their kind will get to England from any continental country," according to W. A. Brown, chief of poultry service in the Dominion Department of Agriculture, who attended the loading here. "There is great room in the English market for Canadian winter-produced eggs and progress already has increased to a point to justify the action we are taking. With this carlot we hope to inaugurate regular weekly shipments of winter-produced eggs. The next shipment will come from western Ontario."

Aid To Farmer

Arrival in London of this shipment, said Mr. Brown, would mean Canada's eggs would be placed on a par with fresh eggs from Denmark "and will be moved above those from Australia." It will mean better prices for the Canadian chicken farmer "whose business can be made into one of the most remunerative forms of farming activities."

Plan To Honor Soldier-Author

BOULOGNE-SUR-MER, France, Jan. 11—Plans to commemorate the 20th anniversary of the death of Lieut.-Colonel John MacCrae of the Canadian Army Medical Corps, author of the famous poem "In Flanders Fields", were announced here today.

Lieut.-Colonel MacCrae, a native of Guelph, Ont., died in a military hospital at Wimereux, near here, on Jan. 28, 1918. Representatives of Veterans Associations of Canada, Great Britain and France will gather at the military cemetery Jan. 30 to do honor to the soldier-poet.

Civilian and military officials of the district will be hosts to the Canadian Minister, Philippe Roy, and Sir Eric Phipps, British Ambassador. The ceremony will be broadcast to Canada and the United States.

Crew Members To Stand Trial

SAINT JOHN, N. B., Jan. 11—Five crew members of the schooner Admiral Beatty were committed for trial on charges of assisting in smuggling, by Magistrate G. Arle Logan here tonight. The five were released on bail totalling $7,500.

Magistrate Logan announced Captain James Bellman would be formally committed for trial tomorrow night. Comitment had been withheld in order to allow defence counsel J. Paul Barry to obtain an order from the County Court to the magistrate to accept bail.

Franco Threatens Basque Culture

LONDON, Jan. 11—(CP-Havas)—Insurgent General Franco has forbidden Basques under Spanish Insurgent control to speak their ancient native language or wear their colorful native dress, Jose Ignacio De Lizaso, the Basque agent here, charged tonight.

Dutch Freighter Torpedoed In Mediterranean

(A. P. by Guardian's Special Wire)

BARCELONA, Jan. 11—The Dutch freighter Hannah was torpedoed and sunk today by an unidentified submarine seven miles off Cape San Antonio, reports from Alicante stated.

All members of the crew were said to have been rescued uninjured by vessels in the vicinity on Spain's eastern Mediterranean coast.

The reports said the submarine fired several torpedoes at the 3,730-ton Dutch ship. The freighter sank slowly making rescue of the crew possible.

The Hannah was en route to Valencia, Government seaport, with a cargo of beans and wheat.

MURDER TRIAL OPENS TODAY

Robicheau Pleads Not Guilty To Charge.

(By The Canadian Press)

SAINT JOHN, N. B., Jan. 11—William Robicheau, 24, will go on trial before the petit jury of the Saint John circuit court tomorrow, charged with the murder of Aaron N. Cohen, Saint John merchant the night of Dec. 17.

As the court opened its January sittings under Mr. Justice J. H. Fairweather today, a grand jury heard eight witnesses and then returned a true bill against Robicheau after being in session two hours and 20 minutes. Thirty-eight witnesses have been called to give testimony before the petit jury.

Robicheau entered a plea of not guilty immediately after the true bill had been brought in against him. On request of junior defence counsel, E. N. Hoyt, empanelling of a petit jury was left over until tomorrow because of the illness of senior counsel for the defence, G. Earle Logan.

Heavy Fire Loss In Valley Town

MIDDLETON, N. S., Jan. 11—(CP)—Three blackened brick chimneys were standing tonight over the site of the combined evaporator and warehouses owned by M. W. Graves and Company, destroyed by fire at Lawrencetown today.

A part of the finished product of boxed evaporated apples was saved as firemen fought the flames. An adjacent warehouse owned by the Annapolis Valley Fruit and Produce Company was saved.

The second disastrous fire suffered by the apple industry in five weeks, the blaze caused $25,000 damage, it was estimated. Early in December, fire threatened the entire town, causing $20,000 damage.

Potato Warehouse Swept By Fire

(C. P. by Guardian's Special Wire)

AROOSTOOK JUNCTION, N. B., Jan. 11—Fire which swept through the potato storage house of Porters, Limited here tonight, brought serious loss to farmers throughout Victoria County.

Between 6,000 and 7,000 barrels of potatoes were destroyed, with a loss to farmers of the district of at least $3,300. In addition, Edward Walker, Aroostook, lost 350 barrels of unit potatoes, valued at $1.50 per barrel.

Origin of the blaze in the long wooden building was unknown. Although loss of the building was covered by insurance few of the potatoes stored there were owned by the company. Many farmers in the district lost their entire stock.

Bank of Commerce Elects Directors

TORONTO, Jan. 11—John C. Newman of Montreal and Gordon Farrell of Vancouver were elected directors of the Canadian Bank of Commerce at the annual meeting of shareholders here today.

Mr. Newman is president of General Steel Wares, Ltd., and of Baldwins (Montreal) Ltd., and is a director of several other business enterprises. He began his career with the McClary Manufacturing Company, Ltd., in 1893.

DUCE WANTS RECOGNITION OF CONQUEST

U. S. Refuses To Recognize Italian King As Emperor Of Ethiopia.

(A. P. by Guardian's Special Wire)

WASHINGTON, Jan. 11—The United States' refusal to recognize King Victor Emmanuel of Italy as Emperor of Ethiopia has resulted in suspension of the Italo-American negotiations for a commercial treaty.

Informed sources said Mussolini required the new treaty to be made in the name of Victor Emmanuel as King of Italy and Emperor of Ethiopia and that State Secretary Hull refused.

Negotiations, they said, would now lapse for some months, during which the situation may be clarified.

Sudden Stalemate

The stalemate occurred suddenly when negotiations were proceeding excellently. Practically all obstacles had been removed and the two countries had already agreed to an ad interim understanding, announced last month, whereby Italy retreated from her closed economy position to the traditional most-favored-nation treatment.

Officials here are at a loss to understand Mussolini's insistence, in view of the fact that commercial treaties were made by Italy with other countries in 1936 and 1937 without bringing in Victor Emmanuel's rank as Emperor of Ethiopia.

Mussolini now demands that the preamble to the treaty specifically state that foreign minister Count Galeazzo Ciano is making it in the name of his Imperial Majesty, Victor Emmanuel, King of Italy and Emperor of Ethiopia. It would also be signed by Ciano as the representative of the King and Emperor.

The United States, it is learned, tried through Ambassador Phillips in Rome to insert in the treaty a paragraph to the effect that the United States' signature of the pact was not to be construed as a recognition, de facto or de jure, of the Italian Ethiopian Empire. Mussolini refused.

It was hoped here that some formula might be found to get around the stalemate.

Sydney Mayor Loses In Close Contest

(C. P. by Guardian's Special Wire)

SYDNEY, N. S., Jan. 11—Mayor S. E. Muggah of Sydney was defeated by George B. Slaven, druggist, by 166 votes today in one of the closest mayoralty contests in the history of this city.

Mayor Muggah has been the chief magistrate of Sydney since he took office to finish the unexpired term of the late Mayor William Fitzgerald in 1932. The winning candidate was defeated in four of the six wards but scored overwhelming wins in the other two.

ART AUTHORITY DIES

(A.P. By Guardian's Special Wire)

CHICAGO, Jan. 11—Robert B. Harsche, 58, internationally known art authority and director of the Chicago Art Institute, died suddenly today.

Belief Expressed Ship Forced Down By Oil Leakage

May Have Landed To Lee Of One Of Many Islands On Return To Base.

SAN FRANCISCO, Jan. 11—(AP)—The Samoan Clipper, huge Pan American flying boat with seven crew members aboard, disappeared on a South Pacific flight today after reporting she was turning back to Pago Pago, American Samoa, because of minor engine trouble.

Search for the 19-ton, four-motored craft was started by United States naval authorities at Tutuila, Samoa, who sent a seaplane into the hunt along the Clipper's 1,806-mile route between Samoa and Auckland, N.Z.

The Clipper, commanded by the veteran Transpacific flier, Captain Edwin C. Musick, was making its second round trip on the recently inaugurated air line linking the United States with Australia via Hawaii, Kingman Reef, Samoa and Auckland.

Weather conditions in the Samoan area were reported to be good and airways officials pointed out the Clipper was capable of weathering considerable rough weather.

A spokesman expressed belief the big ship may have landed in the lee of one of the many islands in the Samoan group, and that she had come down within 200 miles of Pago Pago.

Crew members besides Captain Musick, the airways headquarters here said, are C. G. Sellers, first officer; P. S. Brunk, junior flight officer; F. J. McLean, navigator; J. W. Stikrod, engineering officer; J. A. Brooks, assistant engineering officer; and J. F. Findley, radio officer.

Report Oil Leak

The plane which left Pago Pago at 5:30 a.m. Samoan time (1:30 p.m. AST) reported at 7:50 a.m. (3.50 p.m. AST) she was returning because of an oil leak, airways officials here reported.

The last report from the plane came at 8.27 a.m. (4.27 p.m. AST) when it was on the directional radio beam, headed for Pago Pago.

Cruising speeds of the Clipper, depending upon weather and wind, are between 120 and 150 miles per hour, which would have put her from 280 to 350 miles from Pago Pago when she turned back.

First Mishap

No plane of the airways system ever before has been reported forced down on a Transpacific flight, although several times planes on the California-Manila route have turned back to starting points because of adverse weather or motor trouble.

Airways officials here said if the Clipper had landed in the lee of an island, the land might interfere with sending messages from the ship, thus explaining the silence.

Capt. Musick, formerly on Pan American's Caribbean routes, was transferred to the Pacific Coast when the airways began pioneering its California-Manila route.

Stage Robbery In Tower Of London

(By The Canadian Press)

LONDON, Jan. 11—Two men today staged a robbery in the Tower of London where the Crown jewels are kept—but got only a radio set.

The men called at the quarters of the keeper of the Crown jewels, Major General Sir George Younghusband, told a servant they came to repair the radio set—and walked out with it.

The jewels are kept nearby.

SECRET TRADE NEGOTIATIONS DENOUNCED

(By The Canadian Press)

KELOWNA, B. C., Jan. 11—Delegates of the 49th annual convention of the British Columbia Fruit Growers' Association today heard their president protest against the "secrecy" surrounding trade negotiations. He called upon them to go on record against any revision of Imperial preferences or dump duties.

In his address at the opening convention session, President A.K. Loyd referred to possible changes in Imperial preferences now enjoyed by Canadian fruit growers and possible revision of duties which protect them against importations of United States fruit.

"Bearing in mind what has been said by the Association already, it would appear almost necessary that you should protest emphatically against the secrecy which shrouds present trade negotiations—when it engenders distrust and undermines confidence.

TORONTO, Jan. 11 — Minimum and maximum temperatures:

Dawson	44b	42b
Victoria	40	44
Edmonton	4	18
Regina	6	22
Winnipeg	12	18
Toronto	15	22
Ottawa	18b	4
Montreal	4b	4
Quebec	8b	6
Saint John	zero	16
Halifax	8	22
Charlottetown	zero	10

Forecasts:

Maritime East: Fresh northwesterly winds; partly cloudy and cold; probably snowflurries near Cape Breton.

High tide this morning at 7.06 and tonight at 6.18.

Sun sets this afternoon at 4.40 and rises tomorrow morning at 7.36.

Full moon Sunday, Jany. 16, 12.53 a.m.

Summerside tide eighteen minutes later than Charlottetown.

THE CAR FERRY

Leaves Borden 9.45 a. m., 1 p. m.
Leaves Tormentine 11 a. m., 2.55 p. m.

Bodies Are Removed From Wreckage Of U. S. Airliner

BOZEMAN, Mont., Jan. 11—The bodies of 10 persons killed in the crash of a Northwest airliner in the Bridger Mountains were recovered late today as investigators searched the strewn wreckage for a clue to the cause of the tragedy.

A radio message from the Forest Service said Coroner Howard Nelson believed he had sufficient information to identify all the bodies. One of the crash victims was Douglas MacKay of Winnipeg.

The party working at the wreckage placed the bodies on a bobsled for removal to the Alfred Nikels ranch, four miles away. There a truck waited to take them to Bozeman.

The body of Nick Mamer, Seattle, the pilot, the first to be taken from the wreckage, was identified by chevrons on the partially burned sleeve of his uniform.

The body of Lloyd Levin, Detroit, was identified by his two brothers, Kenneth and Russel of Butte.

Identification of other victims awaited further examination at a Bozeman mortuary.

Searchers were forced to use improvised shovels and crowbars to extricate the bodies.

A quantity of mail, charred, was recovered by Postmaster Harry H. Howard of Bozeman and postal inspectors.

Details Of Japan's Policy Toward China Kept Secret

TOKYO, Jan. 11—(AP)—The first conference before the Throne since 1914 today established Japan's policy toward China and discussed her relations with other world powers.

Details of decisions in the meeting, over which Emperor Hirohito presided, were kept secret, but Domei (Japanese News Agency) said a statement would be issued in two or three days.

The conference, attended by the highest government and military officials, was preceded by speculation it would consider a formal declaration of war against China.

Admiral Nobumasa Suyetsugu, home minister and retired commander of the combined fleets, was known to favor a war declaration to facilitate an effective blockade of China.

A Government official declared also such a declaration would simplify the technique of concluding peace in the conflict which has raged for more than six months.

(The Havas News Agency said reports were current that the government still was hopeful Chiang Kai-Shek would accept the mediation proposals of the German ambassador at Hankow, which have Japanese approval.)

The War Office, meanwhile, with cabinet approval, prepared to introduce a bill in the Diet extending the present compulsory service with the colors for 18 months to 24.