

St. Paul's A.Y.P.A. Weekly Meeting

Compared to the confused confusion of spoils, witches, and "ladies" with suspiciously masculine voices, who peopled St. Paul's A.Y.P.A. party last week, the regular meeting in the Parish Hall, Wednesday, Nov. 5th, seemed very quiet indeed.

Cardinal McGuigan To Leave For Home

ROME, Nov. 6—(AP)—James Cardinal McGuigan, Archbishop of Toronto, said today he plans to leave Sunday to return to Canada and asked that assurance be conveyed to Canadians anxious about his condition that he is in good health.

CATHOLICS PRESS

Under the Ecclesiastical Titles Act of 1871, Catholics are permitted to present an address only if they comply with the regulations of the Home Office.

BIRTHS, MARRIAGES, DEATHS

MUNN—At the P. E. Island Hospital, Nov. 1, to Mr. and Mrs. Keith Munn, a son (Neil Richard) 8 lbs., 6 oz.

Official Presentation Of Radio Equipment To City Schools

The official presentation of radio equipment, recently installed in the four city schools by the Kinmen Club, took place at a dinner meeting held at the Charlottetown Hotel last night.

ST. LAURENT

\$27,150,000. To this deficit of \$6,590,000 would be added a transitional grant of \$3,500,000 and approximately \$3,000,000 for the service of the Newfoundland debt.

Island Nurse Decorated

Friends and relatives of Miss Bessie MacKenzie, R.N., will be delighted to hear of the recent decorations conferred upon her, when she received the Order of the Royal Red Cross at an investiture held recently at Convocation Hall in Toronto.

Terms Made Little Stir In Nfld.

ST. JOHN'S, Nfld., Nov. 6—(CP)—The terms under which Newfoundland would be welcomed into the Canadian confederation were read today to the national convention which is considering the island's political future but evoked nothing more than a note of motion that they be received and discussed at tomorrow's session.

Central Guardian

This column is reserved for news of local interest, but containing a newsy nature may be inserted at five cents a word strictly payable in advance.

JIMMIE'S TAXI

HOWARD McNEILL, Fitted Footwear at 178 Queen Street.

COOKS for Christmas Photographs

CONFEDERATION LIFE INSURANCE.

WORK PROGRESSING WELL

It was reported last night by the Maritime Electric Co. Ltd., that work is progressing well at the local power plant.

FIRE CALL—City firemen were called out about 4:20 yesterday afternoon to extinguish a small roof fire at the Hall and Staver's Foundry on Elm Avenue.

CITY POLICE COURT

At the Stipendiary Magistrate's Court yesterday a man charged with speeding was fined \$10 and costs or 20 days, while a drunk and incapable was fined \$5 and costs or 10 days.

LIBERAL ASSOCIATION MEETING

Mr. Picton R. McCormack, Charlottetown, was elected president of the Queen's County Liberal Association at the annual meeting of the organization last night.

Case History Reviewed

"The complainant's grandfather, and predecessor in title, James Patterson, was seized in fee of about 113 acres of land on Townships 22 and 23 in Queens County.

Judging Gets Underway At Amherst Fair

(By The Canadian Press) AMHERST, N.S., Nov. 6—(CP)—The judging of the Amherst Fair and Junior Livestock competition featured the opening of the Maritime Winter Fair here today.

The Wood Deed

"Prior to September 8, 1920, except for the proper construction of the deed from Patterson to Wood dated the 8th day of September, 1920, made between the complainant and the defendant herein, the defendant had no title in the land in question."

Question Of Use Of Island Horse Right Of Way Involved In Chancery Lawsuit At Winter Fair

In the Court of Chancery yesterday before Mr. Justice G.E. Tweedy, acting Master of the Rolls, written judgment refusing an injunction was given in an interesting case involving a disputed right of way. The parties to the suit were James Wellington Patterson, complainant, and Reach Bagnall, defendant.

"In this action the complainant seeks relief and prays: '1. That it may be declared and decreed that the complainant is entitled to a right of way from the land owned and occupied by him (containing about 60 acres, over the way across the milldam and over the mill-dam, extending from the said mill-dam to the mill-dam, and back over the said way to the complainant's said land, for the use of his servants and his own carriage, motor vehicles and other conveyances at all times and for all purposes in connection with the complainant's use of his said land for farming and residential purposes.'"

"The complainant's grandfather, and predecessor in title, James Patterson, was seized in fee of about 113 acres of land on Townships 22 and 23 in Queens County. Also included were certain rights to pen 't' and raise the water of Hunter River for propelling machinery and for mill purposes."

"By various transfers and conveyances the defendant herein became seized and possessed of the said mill property described in the deed to Letitia Wood, and has been operating as a driveway."

"The law applicable to such cases is reviewed at length in the judgment, it being found that the reservation of the right of way in this particular case is in general terms with no limitations or restrictions."

"The judgment reviews the meaning of the term 'right of way' as used in the Wood deed, and further cases are cited, and it is found that a right of way never entitles the grantee or those lawfully using the way under the grant to the exclusive use of the land over which the way exists, nor is it every obstruction of the way which amounts to an unlawful interference."

"The defendant, in the Wood deed, is a miller. He bought the premises and operated the same for mill purposes; so it is a reasonable inference that he would have knowledge of the necessity of the use of the right of way."

"No restriction as to time, width or usage was placed on the subservient tenement. The words used in the exception and reservation in the Wood deed are in the most general terms possible."

"The defendant too was a miller, and his father before him was a miller, so he too must have known what use would be made of the right of way in question. I have no hesitation in holding that it is clearly intended that a user for the purposes of the mill was at least in contemplation of the parties."

"Numerous cases are cited to show that the user of the way 'must be reasonable, and that is a question for the Court as a judge of fact.' Also that in order to create an 'obstruction' of a private right of way there must be something which substantially interferes with the enjoyment of the right."

Makes Favorable Comment On P.E.I.

In a very interesting article entitled "Three Eastern Conventions, which appears in the November issue of The Legionary, written by Mr. T.D. Anderson, Assistant General Secretary, Dominion Command, Canadian Legion, who attended the Prince Edward Island Command Convention held in Summerside early in September, this favourable comment is made about P.E.I.

MR. GARDINER

(Continued from Page 1) require to buy grain unreasonably for the next four, five or six months. That is if your own grain is properly distributed in this Province. In other words, the dealer in grain can compel the farmers of Prince Edward Island to pay unreasonable prices, at least for the present. And if you are forced to grow more wheat and barley because of unreasonable prices, then you would have more wheat and barley next season, which would have a tendency to put the price down instead of up."

Cash Income Higher

"In discussing the feed grain question let me remind you that the gross cash income of the farmers of Canada averaged all the more double in the last four years what it averaged in the preceding four years. Mr. Gardiner said, 'The last four years have seen the highest income the farmers of Canada have ever received. Their cash income now is \$1,700,000,000, the last four years has been \$1,600,000,000.'"

Freight Rates Assistance

Discussing export rates for grain, he said that before the war the export rate established was so low in relation to the Maritime Provinces 'that when you paid your freight rates you were paying more for your grain delivered in the Maritimes than they were paying, say, in Denmark, which was competing with you for the British market. The rate could not be adjusted during the war, but the Freight Assistance Act was passed in order to equalize the rates on any commodities outside of Canada that were being shipped to the Maritimes. This assistance is being continued until the end of July 1948."

Fair Balance

On the whole, Mr. Gardiner maintained, the Government had held a fair balance in assistance given to eastern and western farmers. In the West they had \$25,000,000 under the D.F.R.A. and \$72,000,000 under Prairie farm assistance. Eastern farmers had been aided to the extent of \$80,000,000 in freight assistance, and had received \$26,000,000 in drawbacks on wheat. 'If you take the two totals you will find that they are almost identical. And if you check the records of our activities in relation to the assistance that is being made under contract to Great Britain, the contracts made with Britain...

Export Control

"Another control is export control. No one can ship oats or barley out of this country unless they have a permit, and when they buy oats or barley for export to the United States they are required to pay the difference between the price in Canada and the price in the United States. Now that price control by the Board has been taken off, we do not give permits to anyone to ship barley or oats to the United States. The reason is that you require all our oats and barley in Canada."

NOTICE

Will be held by Victoria Branch Canadian Legion, B. E. S. L., on Tuesday, Nov. 11, at 11 a.m. All ex-service men as well as Legion members be sure to attend. Service will be held in the Hall following the parade of veterans to the memorial tablet. Special speakers will be in attendance.

Legion Dance Will Help Provide "Care" Parcels For Britain

The Canadian Legion B. E. S. L. wedding gift to H. R. H. the Princess Elizabeth will be of a two-fold character. It has been announced by Major-General C. B. Command, Dominion President. A personal gift in the form of a gold maple leaf brooch with the Legion crest superimposed will be presented Her Royal Highness, and a gift of food for British ex-servicemen and their families will be forwarded.

"The brooch, it is said, has been beautifully made by Canadian craftsmen and will be presented to Her Royal Highness by Prime Minister King. 'Concerning the second portion of the gift, I feel confident that our decision to launch a 'Legion Food Parcels Campaign' will meet with the wholehearted approval and support of all our members. We have the Dominion President, 'Negotiations have been carried on with the British Legion to receive and distribute Canadian Legion food parcels among British ex-servicemen and their families, as well as war widows and orphans. At the same time, arrangements have been made for the packing and transportation of the parcels, in bulk through the Canadian Care Organization which is already familiar to many of our members. Very careful consideration has been given to the contents of the parcels and the detail involved in the administration of a project of this kind, and it has been decided that this non-profit organization provides the greatest value and gives a guarantee of delivery. The Care parcel costs \$10.00, weighs 2 1/2 lbs. net.'"

EARLY EDUCATION

Marlin Luther received his first training at a Franciscan monastery in Magdeburg in Saxony.

MIXING AGENT

Oil and water ordinarily do not mix, but will do so if soap is added.

Empress Catherine received a Russian peasant woman in 1757 who had 57 children, all living.

That the balance is about the same all along the line."

Mr. Gardiner discussed at some length the political situation in Saskatchewan, claiming that the socialist government now in power had failed to introduce any reforms which the Liberals had not initiated. He dealt particularly with family allowances and old age pensions.

The Minister expressed his appreciation of the hospitality always extended to him on his visits to Prince Edward Island.

"Even Premier Jones," he said, "does not need any advice from other parties as to choosing a leader. We think we have chosen the best leader Canada ever had. By next April he will have pulled the record of Saskatchewan, and the socialist government now in power had failed to introduce any reforms which the Liberals had not initiated. He dealt particularly with family allowances and old age pensions."

In conclusion he paid a warm tribute to the spirit shown by the people of Great Britain, and predicted that within a few years they will regain their position as a great trading nation.

In moving a vote of thanks, Hon. W.F.A. Stewa, Provincial Minister of Agriculture, said the Island had a wonderful grain crop this season and it will not be necessary, for some months at least to consider the high prices of feed. The motion was seconded by Mr. Picton R. McCormack, newly elected president of the Queen's County Liberal Association.

Proceeding to last night's meeting Mr. Gardiner briefly addressed a dinner meeting in his honour at the Charlottetown, to which reference is made elsewhere.

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