

A Home Week for All Islanders

DO NOT FORGET THE DATE OF THE DOMINION

# CONFEDERATION CELEBRATION, CHARLOTTETOWN THE CHARLOTTETOWN GUARDIAN

The Great Event of the Summer

CONFEDERATION CELEBRATION CHARLOTTETOWN

MORNING DAILY FOUNDED 1861 WEEKLY (NOVEMBER DAILY) 1887

"THE LATEST NEWS"

CHARLOTTETOWN, CANADA, WEDNESDAY, MARCH 11, 1914

FIRST OF ALL.

(\$2.50 PER YEAR (DELIVERED) IN ADVANCE \$2.50 PER YEAR BY MAIL IN ADVANCE)

## DOMESTIC SCIENCE AT THE SEED FAIR

In connection with the Central Seed Fair at present taking place in Charlottetown, a special education programme for women in domestic science is being carried out.

The first meeting of this programme was held in the Prince of Wales College hall yesterday afternoon, and with the visitors from the country, was exceptionally largely attended. Mrs. Rogers, of Government House, presided.

MRS. ROGERS' ADDRESS. In opening the meeting Mrs. Rogers said that in her memory she had seen that in just four years since those educational meetings for women were first held in connection with the seed fair, she had had the honour to preside at the first of those meetings, which were held in the Board of Trade rooms and were so crowded and there was such interest manifested that in the following year the meetings were held in the Opera House and proved exceedingly successful and valuable.

A SOURCE OF ENCOURAGEMENT. An interesting address was then given by the President, the Rev. Father McGuigan, who in opening said that at that meeting which commemorated the four years ago the institution and establishment of a seed fair and a domestic science department. It was certainly a great source of encouragement to recognize the great advances that had taken place within the last four years.

TOO LATE FOR CLASSIFICATION. One cent per word each insertion in this column. Cash must accompany order. Minimum charge twenty-five cents.

## LAURIER WANTS SENATE CONTROL

Opposes Increased Senatorial Representation for Manitoba and British Columbia. Liberal Majority Slowly Vanishing and Senatorial Control is Threatened.

(From Our Own Reporter.) OTTAWA, March 10.—Judging by the attitude of Sir Wilfrid Laurier and his followers in the House today, there is not much chance of increased Senatorial representation for British Columbia and Manitoba this year without a hot fight being made over it, though bills giving Alberta and Saskatchewan two new Senators each will pass. If the upper chamber takes the same stand as Sir Wilfrid it is expected it will throw out the Manitoba and British Columbia measures.

THE OTHER SIDE. Mr. Johnston, in his reply, said that the cases quoted by Mr. Stewart were not applicable to the present case, and that the principles he had laid down were not the law. Counsel on the other side had misconceived the application. It was not one to oust Mr. McQuaid from his position. If it was for that purpose it would have had to be brought by quo warranto. It could not be brought by writ of prohibition in this case because Mr. McQuaid was a properly appointed magistrate at this time. On the 10th of February, when that matter came up before him, he was perfectly and properly appointed a Magistrate. What the applicant claimed was that now he was acting as a magistrate, and that he had no jurisdiction to try cases at the present time, he had no jurisdiction to try those particular cases, and that appeared very clearly from the papers. The fact being established that at the time that application was made for the writ of application, Arthur P. McQuaid was a properly appointed and qualified Stipendiary Magistrate, the applicant had no remedy by quo warranto against him. Yet he thought that it would be admitted that there could not be a wrong without some remedy, and while it was true that in most cases the question of the title of a public officer was usually tried quo warranto as being the proper remedy, he submitted that the right of exercise of a supervising jurisdiction of the superior court over the inferior court was not ousted by reason of that fact. He impressed the contention that that was not an application to oust Mr. McQuaid from his office, but a question whether in those particular cases he had jurisdiction now to proceed. He submitted that that was right. The very latest judgments had decided that a writ of prohibition might issue notwithstanding that there might be some other remedy. There was no question, and all the cases—not only in England but the United States—appeared to bear that out, that it was a very broad remedy and not only applied to a judicial proceeding but it was a remedy which enabled a superior court to supervise and prevent the encroachment by or the improper usurpation of power and authority to which it had no claim, required in the case of all extraordinary remedies, in prohibition was resorted to only in this case, Mr. Johnston submitted cases where the usual form of remedy that there was no other remedy. A writ of law was insufficient to obtain redress, and if the party had no other remedy at law, Counsel was sure that the time that application was made,

if the applicant had any remedy at all in this case, it was an entirely different remedy and was a remedy at law. On a question of the title of the Court or Magistrate alone, there must be a refusal to grant a writ of mandamus or a writ of prohibition, since, there was legal remedy by quo warranto. The application against Mr. McQuaid went to the bottom of his position—his appointment as Justice of the Peace. He could do nothing if that appointment was annulled. He was ousted. Quo warranto was the proper remedy for determining the title of the incumbent of a public office and a writ of prohibition would not be given to determine such title de facto or de jure. Mr. Stewart placed before the court an extract of a minute of the Executive Council of the last appointing Mr. McQuaid Stipendiary Magistrate for King's County and an affidavit by Mr. McQuaid that he had been discharged the duties of Stipendiary Magistrate in and for the said county since the 19th July up to the present time and that during that time he had, as such Stipendiary Magistrate, heard and determined a number of cases—at least thirty. Mr. Stewart then submitted that Mr. McQuaid had been appointed by the King and the Governor of Prince Edward Island, and his title could not be called into question except by the same authority as appointed him.

THE ARGUMENTS. Before the merits of the matter were gone into, Mr. Stewart took the point that the applicants had taken their remedy. He said that the allegation of Mr. McQuaid was not a magistrate at all, that though he was acting as a magistrate, he was not a legally appointed Justice of the Peace, and that though he tried the cases he had no jurisdiction to do so. Counsel submitted that those proceedings were entirely wrong. Whatever address the applicant had got against Mr. McQuaid with assistance of Allan being dealt with as covering all the applications could not be taken in that form of application. The law on the subject was very clear and very fully determined. Prohibition had never been known to lay against a Court that was not a Court de jure. It must be a Court; the Magistrate must be a Magistrate to render such proceedings valid. In a mere case of jurisdiction, a writ of prohibition would not be issued. Prohibition was laid down for an absolute want of jurisdiction, that is, where the magistrate attempted to exercise a jurisdiction which he had no jurisdiction to exercise. A writ of prohibition was always issued to a regular court; it was never issued to a person that was not a Court; who was not a magistrate at all. The objection taken to Mr. McQuaid was that he was not a magistrate—the law required that a magistrate should be appointed by a Stipendiary Magistrate, and that at the time he was acting as a Stipendiary Magistrate he had not fulfilled that condition. Mr. Stewart quoted legal authorities in support of his contention that those proceedings should not be by way of writ of prohibition; that prohibition was directed to the Court itself to command it to arrest from a jurisdiction to which it had no claim, required in the case of all extraordinary remedies, in prohibition was resorted to only in this case, Mr. Johnston submitted cases where the usual form of remedy that there was no other remedy. A writ of law was insufficient to obtain redress, and if the party had no other remedy at law, Counsel was sure that the time that application was made,

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## YESTERDAY AT THE SEED FAIR

In the Agricultural Building yesterday afternoon the annual Central Seed Fair was opened by His Honor Governor Rogers. There were numerous exhibits of grain of every variety, and there was also a splendid and well-assorted display of potatoes, poultry, too, were exhibited, the birds all showing unmistakable signs of having been well cared for.

HOUSE OF COMMONS AND LLOYD GEORGE. (Canadian Press.) LONDON, March 10.—The House of Commons tonight by a vote of 304 to 240 refused to pass a vote of censure upon David Lloyd George, Chancellor of the Exchequer. The vote was proposed by Sir John Randles, Unionist member for Manchester, who moved that the House contemplate with regret the continued blunders of the Chancellor of the Exchequer and his gross and unfounded attacks on individuals.

SIXTEEN KILLED BY CYCLONE. (Canadian Press.) PARIS, March 10.—The Minister for the Colonies tonight received a message from the Governor-General of Madagascar saying that a cyclone and tidal wave devastated part of the island on March 3. Sixteen were killed and many vessels sunk at their moorings. Hundreds of buildings were destroyed or damaged.

CONDITIONS IN MEXICO. (Canadian Press.) EL PASO, March 10.—An order for confiscation of the ranch of General Snyman, a British subject, was revoked today by General Villa. The commission appointed by Carranza to investigate the killing of Benton is still in Juarez and has never been away.

WASHINGTON, March 10.—The Alaska Railway Bill, providing for the construction of 1000 miles of railway in Alaska is ready for signature today.

WASHINGTON, March 10.—Comptroller Hagel and John Westlake for complexity in the escape of Krafchenko, opened this afternoon before Mr. Justice Curran.

MRS. PANKHURST AGAIN ARRESTED. GLASGOW, March 10.—Mrs. Pankhurst was arrested again last night, while speaking in St. Andrew's hall, and was taken to London.

SHACKLETON HAS HIS \$250,000 FUR JOURNEY. NEW YORK, March 10.—A London cable to The World says: Sir Ernest Shackleton has now secured \$250,000 which was needed to carry out his exploring trip across the Antarctic continent in the south. He wants 250,000 more to have a margin for the supporting parties. The Government has given \$50,000 while anonymous persons have offered \$100,000 as free gift; another person offered \$175,000 for the cinematograph rights, but the explorer said this remains to be decided.

STIFFANSON SAFE AT COLLINSON. (Canadian Press.) OTTAWA, March 10.—The naval department has a brief telegraphic despatch from Superintendent Moody of the Mounted Police at Fort MacPherson, saying that Steffanson reached Collinson Point on December 14 and found Dr. Anderson safe. He plans to go to Herschel Island this spring, then to Coronation Gulf. He will also visit Banks Land. The party was prepared to spend two winters in the north. Steffanson has no news of the Karjuk but believes she is on a Polar drift and considers her men in no danger. Rewards have been offered to natives for information of her whereabouts.

COMING EVENTS, ANNOUNCEMENTS, MEETINGS ETC. One cent per word each insertion in this column. Cash must accompany order. Minimum charge twenty-five cents.

CONCERT and basket social in Howe's Hall, Brackley Point Hall, Wednesday, March 18th in aid of Cove Head Church. Admission, 10c. 1889.

EASY PAYMENT SYSTEM—for a rebuilt typewriter—does that interest you? Say four, six or eight instalments after free trial. A. Milne Fraser, Halifax, N. S. 1533.

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