

# Come Wednesday Morning for Clearance SUMMER HATS

Worth your while to visit us on Wednesday morning for these very special values

**\$2.50 for \$1.00**

**\$2.50 for \$1.00**  
White hats, felt and straw, with plain or contrasting trim value up to \$2.50. Sale Price \$1.00

**\$3.00 for \$1.49**  
Summer Straws mostly white value up to \$3.00. Sale Price — — \$1.49



## Sportswear—Reduced

Sportswear 1-3 off — Sack suits, play suits, culottes and shorts—all going at 1-3 off regular price.

Now is the time to stock up at a saving for your next year's fun.



Lovely tailored white crepe slips—all sizes perfectly cut and designed to suit all figures.

Silk crepes will be difficult to get, so get your share while we have a full stock. Guaranteed seams—white—sizes 32, 50

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Innox Toilettries  
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Candy Specials  
Moirs, Ganong's  
Hunt's, English  
Toffee.

Complete Line  
Of Tobacco  
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The Smokers

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### AVONLEA WOMEN'S INSTITUTE

The July meeting of Avonlea Women's Institute met at the home of Mrs. T. L. MacNeill on July 16th. President opened meeting with Ode followed by Creed.

Roll call was answered by 16 members.

Sick Committees for August meeting are: Mrs. Milton and Mrs. Ernest McNeill for Cavendish.

Mrs. Lorne Houston and Mrs. Roy Woolner for North Rustico. Program Com.—Mrs. Roy Woolner, Mrs. B. C. Woolner, Mrs. Ira McCoubrey and Mrs. Fenner Stewart. Roll call for next meeting, Sing, Say or Pay.

Mrs. Leigh Warren kindly invited members to her home for August meeting to be held one week earlier and on Aug. 12th. The entertainment Committee then took charge and an enjoyable hour was spent. Lunch served and meeting closed with God Save The King.

Use Minard's for sprains.

## How Are Your Eyes?

If you are having symptoms of strain—headaches, sore eyes or dizziness—consult a specialist.

At your service with years of experience and a thorough refracting service.

Call in and discuss your difficulties.

**G. F. Hutcheson**

F. G. HUTCHESON  
G. F. HUTCHESON

## TOURISTS ATTENTION

Owing to the anticipated influx of tourists for Old Home Week, an auxiliary office has been opened in City Hall in co-operation with the Tourist Bureau.

### CENTRAL GUARDIAN

This column is reserved for news of local interest, but advertising of a newsy nature may be inserted at 5 cents a word, strictly payable in advance.

#### CRASWELL for Photographs. CONFEDERATION LIFE INSURANCE. L-9784

DR. J. P. LANTZ will not be in his office Tuesday, Wednesday or Thursday of this week. L-281-8-12-11.

ON NEW JOB—Mr. Sam Acorin of Allison, P. E. I., arrived in town and is in the employ of the Trenton Steel Plant. While here, he is residing with his parents-in-law, Mr. and Mrs. J. W. MacMillan.—New Glasgow News.

ON MOTOR HOLIDAY—Mrs. Carl M. French of Brookline, Mass., accompanied by Mrs. Catherine Leonard of Brighton, Mass., and Mrs. Wilbert Drummond of Newton Centre, Mass., arrived by motor last week and are visiting friends and relatives on the Island.

VISITORS IN P. E. I.—Mr. and Mrs. Philip Ferguson and the latter's sister, Mrs. T. D. Falconer, the Eureka, were weekend motor visitors in Prince Edward Island. They went by Cariboo and Wood Islands and came back by Cape Tormentine. They had good weather and a very enjoyable trip.—New Glasgow News.

DYSART—MacNEIL—On Tuesday, August 5th at the home of the officiating Clergyman, Rev. Steadman Smith, of Sunny Brae, Miss Anna Lena MacNeill of Cherryfield, daughter of Mr. George MacNeill and the late Mrs. MacNeill, of Milton, P.E.I., became the bride of Earle Smith Dysart, son of Mr. and Mrs. Samuel Dysart, of Cherryfield. The bride was becomingly attired in dusty rose with navy accessories and wore a shoulder corsage of Talisman roses. She was attended by her cousin, Miss Kathleen MacNeill, of Charlottetown, who wore a dress of navy sheer with accessories to correspond and a corsage of dark red roses. The groom was supported by Mr. Horace Colquhoun, of Moncton. After the ceremony the bridal party motored to the home of the bride's aunt, Mrs. R. Clinton Goodall and Mr. Goodall at Cherryfield where they were tendered a delightful reception. About fifty guests were present to offer congratulations and good wishes and after all registered in the bride's "Marriage Book." The living room was attractively decorated for the occasion with a profusion of garden flowers, while in the dining room the color scheme was pink and ivory. The bride's table was unusually attractive, covered by a lace cloth and centered with tall tiered wedding cake in a simple but artistic setting of sweet peas and fern with pale pink tulle and silver ribbon, while at each end of the table tall ivory tapers in silver holders added to the charming arrangement. Girl friends of the bride assisted in serving. Later the bride and groom left for P.E.I. where they will spend a few days and on their return they will reside in Cherryfield.—Moncton Times.

#### Personals

Mr. Neil MacKenzie of this city yesterday received a cablegram from his son, Sgt. Roy MacKenzie, R. C. S., announcing his safe arrival in Great Britain.

Mrs. C. B. Matheson and three children Mary, Malcolm and Ross are spending the school holidays at their cozy cottage at Edgewater.

Mrs. John Sullivan of Lynn Mass., (nee Dorothy Barnes) accompanied by her mother-in-law, Mrs. M. Sullivan her sister-in-law, Mrs. Bertha Van Threaso, motored to the city and spent a very pleasant week with Mrs. Sullivan's sister, Mrs. Lawrence Campbell. It was Mrs. M. Sullivan's first trip to P. E. I., and the many friends she made while here will be delighted to have her come again.

## Drug Used To Create New Plant Varieties

WASHINGTON, Aug. 7.—(CP)—Sulfanilamide, the drug which controls germs inside the body now is being used to create new varieties of plants.

Hamilton P. Traub, Horticulturist of the Department of Agriculture, says the drug and some of its chemical cousins, such as sulfapyridine, the anti-pneumonia drug, can be used in watering, twisting, doubling and redoubling the chromosomes or hereditary determiners, in plants.

At the same time, Halg Dermen also of the Department of Agriculture, reports that a chemical combination of Naphthalene, a cleaning fluid, and vinegar also would double and re-double the chromosome number of plants.

Writing in the Journal of Heredity, they said such plant treatment may give man a new method of control over his source of food and make it possible to create new varieties. Previously he has had to resort to budding and grafting or wait for the infinitely slow processes of nature to produce something new.

#### TORPEDO BOMBERS TO BE FAST

LONDON, Aug. 11.—(CP)—John Storey, executive member of the Australian aircraft production commission, today described the commonwealth's airplane production program and said the new medium torpedo-bombers to be turned out in the next few months are the fastest of their type in the world, the BBC reported.

### SUPREME COURT JUDGMENT IN MOTOR LICENSE CASE GIVEN RECENTLY AT OTTAWA

Following is a continuation of the judgment given recently in the Supreme Court of Canada in the case of the Provincial Secretary of the Province of Prince Edward Island (appellant) and Michael Egan (respondent) and The Attorney General of Prince Edward Island (Intervenant) in connection with the cancellation of a motor vehicle license:

That present situation is somewhat similar to that which obtained in the case of the Grand Council of the Canadian Order of Chosen Friends and The Local Government Board and The Town of Humboldt which was submitted to this Court (1924 S.C.R.P. 654). In that case, the Grand Council contended that an order of The Local Government Board of Saskatchewan was made by the Board in excess of its powers, and sought to have the order reversed and declared inoperative or set aside. The order had been made by the Local Board pursuant to the Local Government Board (Special Powers) Act, 1922, of Saskatchewan. The Grand Council, being dissatisfied with the order, applied to Embury, J., one of the learned judges of the Court of King's Bench, for leave to appeal; and, upon the hearing of the application, it was objected by the respondents, the Local Government Board and the Town of Humboldt, that no appeal lay from any order of the Local Government Board and that, consequently, there was no jurisdiction to grant leave in the case. The objection was overruled and leave to appeal was granted. The Grand Council asserted its appeal in pursuance of the leave so granted; but the Local Government Board and the Town of Humboldt also appealed to the Court of Appeal from the order of Embury, J. Before the hearing of these appeals, the Attorney General gave notice to the Attorney General of Saskatchewan that it would bring in to question the constitutional validity of the sections of the Local Government (Special Powers) Act, 1922, upon which was thought to depend the absence of the right of appeal invoked by the Grand Council of the Order. The two appeals came on for hearing at the same time and the appeal of the Town of Humboldt was allowed upon the ground that the statute gave no right of appeal from the order of the Local Board. The order held, moreover, that the appeal of the Grand Council from the said order should be dismissed. Thus, both appeals were disposed of unfavorably to the Grand Council. The latter then appealed to the Supreme Court of Canada by leave of the Court of Appeal of Saskatchewan. The conclusion of this Court was in agreement with that reached by the Court of Appeal of Saskatchewan; and, seeing that the latter court had no jurisdiction in the premises, the appeal was dismissed with costs.

In the Grand Council case, as will have been noticed, leave to appeal to this Court had been granted by the Court of Appeal of Saskatchewan in the same way as, in the present case, leave to appeal has been granted by the Supreme Court en banc of Prince Edward Island. It would seem that, even if there was not a right of appeal to this Court upon the question of the jurisdiction of the two courts below, the granting of special leave to appeal would, in itself, be sufficient to establish jurisdiction in this Court, as was asserted in Grand Council of the Canadian Order of Chosen Friends v. The Local Government Board and the Town of Humboldt.

The reasons already stated are sufficient to dispose of the appeal; and, following a wise and well defined tradition, this Court should, no doubt, refrain from expressing an opinion upon any other point not necessary for the decision of the case. The Supreme Court en banc, however, thought it advisable to deal with the question of the constitutionality of Section 84 (1) of the Highway Traffic Act 1936, since the Criminal Code has enacted Sec. 285, subs. 7, amended by Sec. 6 of Ch. 30 of the Statutes of Canada, 3 Geo. VI (1939). And that Court declared ultra vires the provision of the Highway Traffic Act "as to cancellation of a license on a conviction for driving a motor car whilst intoxicated."

It is because of the declaration of the General of Prince Edward Island has carried his appeal to this Court and that the Attorney General of Canada and the Attorney General for Ontario have been allowed to intervene. It was represented to us that this declaration has an important and wide consequence and that, while only an obiter dictum, it might affect the jurisprudence not only in Prince Edward Island but also in other provinces. It appears desirable, therefore, that this Court should express its opinion upon the matter.

The Criminal Code Amendment Act, 1939, c. 30, s. 6, contains an amendment whereby Subs. 7 of Sec. 285, as enacted by Sec. 16, c. 44 of the Statutes of Canada of 1938, is repealed and the following substituted therefor: "(7) Where any person is convicted of an offence under the provisions of subsections one, two, four or six of this section the court or justice may in addition to any other punishment provided for such offence, make an order prohibiting such person from driving a motor vehicle or automobile anywhere in Canada during any period not exceeding three years. In the event of such an order being made the court or justice shall forward a copy thereof to the registrar of motor vehicles for the province wherein a permit or license to drive a motor vehicle or automobile was issued to such person. Such copy shall be certified under the seal of such court of justice or, if there be no such seal, under the hand of a judge or presiding magistrate of such court or of such justice." Subsection 4 of Section 285, referred to in subsection 7 above reproduced, contains the enactment of the Criminal Code covering the case of driving while intoxicated. It follows that, under subsection 7 as now amended, a person convicted of driving while intoxicated is liable to such person, driving a motor vehicle or automobile anywhere in Canada during a period not exceeding three years; while, under Section 84 (1) of the Highway Traffic Act of Prince Edward Island, the license of a person so convicted "shall forthwith be automatically suspended for a period of twelve months for the first offence" and "not less than twelve months and not exceeding two years for the second offence; and for the third offence, he shall be prohibited from holding a license." (The Supreme Court en banc stated that the Criminal Code had "invaded the field" and that Section 84 of the Highway Traffic Act had thereby become ultra vires. In this Court, the Attorney General of Canada submitted that the subsection of the Criminal Code in

### Conservative Party Mapping program Of rehabilitation

OTTAWA, Aug. 10.—(CP)—In the belief that national rehabilitation will be necessary on a large scale after the war, the Conservative party already is mapping a rehabilitation program. Dominion headquarters of the party announced in a statement tonight.

John R. MacNicol, Dominion president of the Conservative association and member of Parliament for Toronto-Davenport, will leave this month on a long fact-finding journey through the valleys of the Peace, Athabasca, Slave and Mackenzie rivers.

"Mr. MacNicol proposes surveying the land settlement possibilities of the Peace area and the coal resources of northern British Columbia; the oil, gas, power and mineral resources from Waterways (Alta.) north in the Mackenzie watershed and the necessity for improved transportation facilities in those great areas," the party statement said.

The statement was issued to the press with a copy of the second brochure printed since the present program to rebuild the Conservative party was inaugurated in October, 1940.

"The program has been making solid progress since its inception," the statement said. "In the interim House Leader Hanson and Mr. MacNicol have visited all provinces and at present Gordon Graydon, member of Parliament for Peel and national chairman of the party, is on a tour which will take him across Canada."

question was intra vires, as being an enactment in relation to the Criminal Law. He argued that this subsection provided an additional punishment for the various offences in connection with the driving of vehicles under the preceding subsection of Section 285; that this was not legislation in relation to civil rights, although it may be legislation affecting civil rights, legislation for the punishment of crime being clearly legislation within the competency of the Parliament of Canada.

The Prince Edward Island legislation, it was submitted, was enacted as a punishment measure, rather than to provide for the safety on the highway. Section 84 bans individuals convicted of certain offences from the highways for short periods of time; and it is included in a group of sections under the heading, "Penalties."

Although the provincial provision might otherwise have been valid, since it conflicts with the Criminal Code, the latter must now prevail (See Lord Tomlin in Attorney General for Canada v. Attorney General for British Columbia, 1930 A.C. 1, at p. 8).

(To Be Continued)

BRISTOL.—(CP)—During one of the heaviest blitzes here Paul Beard, of the B.B.C. orchestra, knelt in an underground studio, with bombs crashing around, and played his violin for the Sunday evening epilogue broadcast.

### FOOT MISERY

When feet burn, sting, itch and shoes feel as if they were cutting right into the flesh, get a bottle of Moore's Emerald Oil and rub well on feet and ankles morning and night for a few days.

A new discovery for thousands who have found blessed relief. Moore's Emerald Oil is easy and pleasant to use—it does not stain. Economical—money back if not satisfied. At good drugists everywhere.

### BRINGING UP FATHER



### OUT OUR WAY



### OUR BOARDING HOUSE



## Pack up MACLEANS in your old kit bag—



### and SMILE! SMILE! SMILE!

"Over there" his buddies are loud in praises of Macleans Peroxide Tooth Paste. No wonder: years of painstaking research by the Maclean laboratories of London, England, have resulted in this modern, multiple-action dentifrice.

Macleans contains no harsh abrasives, yet Macleans teeth to a new, sparkling whiteness. It neutralizes mouth acids—disinfects tissues—purifies and sweetens the breath!

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## QUEEN'S CANADIAN FUND DONATIONS FOR AIR RAID VICTIMS

Repeated bombing raids on British port areas and the industrial Midlands has attracted fresh attention to the frightful suffering of the many thousands of civilians in Great Britain who are harried from shelter to shelter and finally driven into the open country by successive raids. Eventually places are found for them all, places of relative security, but their belongings of all kinds are destroyed. The task of emergency feeding alone is difficult. The task of setting them up once more with some quantity of clothing and bedding is much more difficult.

To meet these enormous needs, funds have been started in various parts of the world. Her Majesty Queen Elizabeth has permitted the use of her name in connection with the Dominion campaign, which is officially known as "The Queen's Canadian Fund for Air Raid Victims."

Every dollar contributed to the Queen's Canadian Fund goes with-out deduction to the Lord Mayor of London for distribution to the homeless and needy. Contributions from this Province should be forwarded to the Royal Trust Company, Charlottetown, which reports the following receipts to date: Received yesterday:—East Baltic Women's Institute \$5.00, New Glasgow Garden Party, \$33.75. Previously acknowledged \$2,713.52. TOTAL—\$2,772.27.

#### SAVED BEET CROP

WOLVERHAMPTON, England.—(CP)—Falling to get soldiers or Italian prisoners to replace his farm labor, a Staffordshire farmer appealed for female help and 900 nurses, teachers, housewives and other volunteers hoed acres of beets to save them from ruin.