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Palpitate and Flutter

Miss Ambrose Orsen, Elizaburg, Ont., writes: "I suffered for some time with a bad heart which seemed to be controlled by my nerves. The least excitement would cause it to flutter palpitate, and at times I would have almost had spells. I suffered in this way for some time when, one day, I advertised, so decided to try them. I had only taken a few boxes when I noticed that I felt better, so I continued taking them and in a short time my heart felt entirely different. I purchased a large stock of paper with which to do the work required, (some of said paper is on my hands) and was in every way prepared to do all work that it was the custom for the King's Printer to perform."

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GEO. W. GARDINER vs. GOVERNMENT OF P. E. ISLAND.

The following correspondence has passed between Mr. Geo. W. Gardiner and Premier Saunders:

Charlottetown, P. E. I. Feb. 11th, 1928.

Hon. A. C. Saunders,
 President Executive Council, etc., etc., City.

Dear Sir:—

The decision of the Chief Justice to whom was referred my case against the Bell Government having been given in my favor I beg leave to present my claim for loss and damage incurred by reason of the action of the said Government and its officials.

1. I was appointed King's Printer and publisher of the Royal Gazette on the 5th of December, 1919, for the years 1920, 1921, 1922 and 1923, and entered upon the duties of said office on January 1st, 1920.

2. That immediately on my appointment I fitted up a building for a printing office, putting in new windows, new floors and sheathed walls and ceiling and provided suitable doors for said building. Erected my printing machinery and placed my plant in said building. Caused an electric motor to be installed, with shafting, pulleys and other necessary outfit to run same. Had the building wired and electric lights put in, and made all preparations to do all work required by my position as King's Printer and which I had performed when I occupied the position before—from 1907 to 1912 inclusive. That I purchased a large stock of paper with which to do the work required, (some of said paper is on my hands) and was in every way prepared to do all work that it was the custom for the King's Printer to perform.

3. I published the Royal Gazette during the year 1920, and made application for the printing of the Laws of the Province, (which are required by statute to be printed by the King's Printer), at different times but did not receive any order for same. I also applied for the printing of the departmental reports and for other printing which has heretofore been done at all King's Printers offices, but did not receive the same.

4. During the year 1920 I done but a small amount of work for the Government compared with the years when I had been King's Printer before, when my accounts ran into thousands of dollars.

5. I continued printing the Royal Gazette in 1921, and applied at various times for the usual work given all King's Printers, but did not obtain sufficient to make up for the losses in carrying out my contract to publish the Royal Gazette.

6. Early in 1921 Premier Bell informed me that Mr. Benjamin Rogers, a clerk in Tax Office, had drawn his attention to an item in the contingent accounts of the Legislature for publishing notice relating to private bills in the Royal Gazette. On applying for payment of said account it was refused. This amount was included in the Chief Justice's judgment. Another account for \$6.00 for issuing an extra of the Royal Gazette was refused payment but was allowed in the judgment.

7. After the meeting of the Legislature in 1921 I applied for the printing of the Laws of the Province, but did not obtain said printing, although as King's Printer I was entitled to the said work. I was informed by Mr. Benj. Rogers that no order-in-council as required had been passed by the Executive Council.

8. In June and July, 1921, I printed an order given me by Mr. Newbery, Asst.-Secy. Treasurer, for receipts for taxes. I performed the said work satisfactorily and on application for payment Premier Bell told me that he would bring it before Council. Payment was held up quite a while and then Premier Bell gave me an order to get \$200 on account. This was changed in Provincial Secretary's office and an underhand attempt made by Mr. Benj. Rogers to have me accept a cheque for \$235.75 in full for my account which was for \$355.95. On the trial the Chief Justice allowed the balance due, \$120.20 with interest from August 28th, 1921.

9. Mr. Newbery being absent on sick leave a great part of 1921, Mr. Rogers had to do with the ordering of printing and binding. I received no other orders for printing from the Government.

10. In consequence of this treatment and the losses sustained by publishing the Royal Gazette and the refusal to pay moneys then justly due me from the Government, (which have since by the judgment of the Chief Justice been paid), I was compelled to resign the office of King's Printer and publisher of the Royal Gazette at the end of 1921, and close up my printing business.

11. Had I received the printing of the Laws of the Province and the other printing which it was customary for the King's Printer to get I would have been enabled to publish the Royal Gazette during the balance of the term appointed.

I have here made a true statement of the facts and would ask the consideration of the Executive Council of the whole case, and would thank you for a reply at your very earliest convenience.

And I claim two thousand dollars for out of pocket expenses losses, and damage incurred by reason of the non-fulfillment of the conditions which the Government were bound to fulfill by virtue of my appointment as King's Printer, and for other work which I was entitled to receive.

Yours respectfully,
GEO. W. GARDINER.

Premier's Office,
 Charlottetown, Feb. 14th, 1928.

Mr. George W. Gardiner,
 Charlottetown, P. E. Island.

Dear Sir:—In reply to your letter of the 11th instant, regarding your alleged claim for \$2,000 for damages incurred by reason of the non-fulfillment of certain terms and conditions of the late Government and for which you ask the consideration of our Executive Council.

Let me say, that as the Attorney-General of the Province, I take it is a claim for my consideration and not one for the consideration of our Executive Council and I must say, that I am amazed and surprised, at your trying to bring a claim of this nature against the Government, at this late date.

If you had any claim, why did you not make one case of it in your former suit and dispose of the entire matter at one and the same time? I really regard your claim as so ridiculous and absurd, that I positively decline to give any consideration to it.

Yours truly,
ALBERT C. SAUNDERS,
 Attorney-General.

Charlottetown, P. E. Island,
 March 6th, 1928.

Hon. A. C. Saunders,
 President Executive Council, etc., etc., City.

Dear Sir:—

On my return to the Province a few days ago I got your letter of Feb. 14th, in answer to mine of 11th of same month.

I might draw your attention to the fact that my claim is not against the late Government, but against its predecessors, the Bell Government.

Your position as Attorney General no doubt gives you full power to take on any business arising during the life of your Government, but I submit that matters that were a legacy from a former administration were better considered by the Executive Council of which you are the President, and to whom I addressed my letter. As you seem to decline to lay it before them I have no alternative but to send each member an identical letter.

Let me also draw to your attention the consideration for the carrying out of my contract as Publisher of The Royal Gazette from

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January, 1920 to December, 1923, inclusive, which is contained in section 12 of said contract.

I might remind you of the old Law maxim, "there is no wrong without a remedy."

A re-reading of my letter of 11th of February and a perusal of the Statutes relative to the matter should convince any person that my claim is a good and valid one.

All that I ask is fair play and a square deal.

I await your reply before taking any further action.

Yours, etc., etc.,
GEO. W. GARDINER.

Premier's Office,
 Charlottetown, P. E. Island, March 8, 1928.

Mr. George W. Gardiner,
 Charlottetown, P. E. Island.

Dear Sir:—In reply to yours of the 6th instant I may say for your information that, while your matter did not come formally before the Members of the Executive, I did, however, speak to two of them and they were of the same opinion as myself.

You are at liberty to do as you see fit in writing the various Members of the Executive, but I am satisfied they will come to the same conclusion as myself.

Yours truly,
ALBERT C. SAUNDERS,
 Premier.

Charlottetown, March 9th, 1928.

Hon. A. C. Saunders,
 President Executive Council, etc., etc., City.

Dear Sir:—

I have yours of 8th inst. and note contents.

So that the Executive Council may be in a position to judge the case and for greater accuracy I have mailed them a copy of my letter to you, and enclose one of the same.

I regret that you should imitate the pettifoggery tactics of the late Liberal Premier Bell, who tolled the passing of the local administration under his leadership.

The day of Caesarism is past, and if you and some members of your Council will not make any attempt to settle my claim, you surely can have no objection to issue a Fiat, in order that I may prove my case before a competent tribunal.

Yours truly,
GEO. W. GARDINER.

Premier's Office,
 Charlottetown, P. E. Island, March 14, 1928.

Mr. George W. Gardiner,

Dear Sir:—In reply to yours of the 9th instant I can only say that you had an opportunity of presenting your claim, and under no circumstances do I intend giving this matter any further thought or consideration.

I absolutely decline to give it any thought, as I regard the claim so unclean and absurd that I feel that we would simply be making ourselves ridiculous by granting a fiat.

Please regard this matter now, so far as this Government is concerned, as final and as a closed book.

Yours truly,
ALBERT C. SAUNDERS, Premier.

Charlottetown, P. E. Island, March 17th, 1928.

Hon. A. C. Saunders,
 President Executive Council, etc., City.

Dear Sir:—I duly received yours of 14th inst., and note contents. It seems necessary to place some more facts before you in order to convince you that my claim is a just one, and should be passed upon by your Executive Council and its nine members.

I might say that if there is anything ancient about this matter it is this Fiat business, which has become so ancient that it is now decrepit. This case will not be settled until it is settled right.

You take particular care not to mention the merits of the claim, nor the Statute which was part of the contract.

The Bell Government claimed that they could set aside the Statutes at their own sweet will, and did so. You were the defending Attorney at the trial of my case against the Government for money owed and for work performed for the Legislature and passed by them in the Appropriation Act. You heard the Chief Justice's oral decision on that point, but even that does not seem to convince you.

I was appointed King's Printer for the years 1920-23 inclusive. Under the Statute the King's Printer shall print the Laws of the Province, unless an Order-in-Council is passed naming some other person to do the work. Two active ex-members of the Bell Government informed me that there was no such order made by Council. The present clerk of the Executive Council told me that he had looked through the Minutes of Council but could find no such order. Rogers, clerk of the Executive Council of the Bell Government, in sworn testimony in a Court of Law in this Province, gave evidence that there was no order in council passed by them. This I submit is uncontrovertible evidence of the soundness of my claim.

It took me six years to obtain moneys properly due me from the Government, and when I did so my present claim was fully established. The judgment of the Chief Justice was dated December 31st, 1927, and I received cheque in January of this year.

It may be that you have made a hasty decision on this case. There is yet time for a settlement.

I am informed that this is the only Province in Canada where a citizen cannot obtain redress for the arbitrary acts of its officials.

If I cannot get fair play in this Province, I propose to send copies of the correspondence to the Department of Justice, Ottawa. Their contention has been frequently expressed that laws relating to debts, insolvents and like matters should be uniform in all the Provinces. At their suggestion you might repeal your infamous Fiat law, and give the people some chance of getting justice. You know they are not all in office and cannot grab everything they want.

Falling success in this direction I shall have copies of the correspondence placed in the hands of each member of the Senate and Commons of Canada, and shall send copies of same to the Editor of every newspaper in Canada, asking for assistance and for comments on this condition of affairs. This is not intended as a threat, but being an Englishman I am determined to get fair play, no matter what it costs.

I again ask you to present my claim to the Executive Council, together with the correspondence relative thereto, and I again ask that a Fiat be granted me in this matter.

I shall be obliged for a reply within eight days.

Yours respectfully,
GEO. W. GARDINER.

Charlottetown, P. E. Island, March 27th, 1928.

Hon. A. C. Saunders,
 Premier and Attorney General, City.

Dear Sir:—I wrote you last on 17th inst., but have as yet had no reply.

I may say that it is almost fifty years since I began to do work for the Province. During the period of the Sullivan Administration I had a contract, and officials of the Government made a breach of same. Premier Sullivan immediately it was drawn to his attention paid the amount claimed for loss. Under Premier Arsenault there was also a claim paid for breach of contract, without any great amount of haggling and discussion.

Premier Sullivan became Chief Justice of the Province and Premier Arsenault is now on the Supreme Court bench.

I have presented to you a clear prima facie case, and your refusal smacks of the tyranny of the dark ages. The first words of a Fiat are: **LET JUSTICE BE DONE;** you evidently do not believe in practicing this British trait.

It may be that the presenting of this matter to the Press and public of Canada may create a feeling that will prevent a recurrence of such a disgrace to the Province, and result in a change in the procedure.

Yours, etc., etc.,
GEO. W. GARDINER.

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"7th HEAVEN" 7th WONDER OF MOVIE WORLD
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TIM MCCOY

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 —AND—
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and \$10.00 was voted from this "booby" prize was won by Mrs. Fred Stitt. The social hour consisted of Stretch. Dainty refreshments were a "Kitchen Query Contest," and as served by the hostess, and the meet a great many were successful in seeing closed with singing. Mrs. John curing correct answers the prize was J. MacLean invited the members to left to a draw, Miss Grace MacNeill her home for the next meeting, roll obtaining the lucky number. The call to be responded to with "Jokes."

FORMER ISLANDER DIED.
 There passed away at the home of his sister, Mrs. James Rushton, Hyde Park, Mass., Albert Farrow, formerly of Bonshaw, P. E. I. The late Mr. Farrow was sixty years of age and emigrated to the United States some forty-five years ago. He was a prominent carpenter and builder of Boston, Mass.

WOMEN'S INSTITUTE MEETING.
 LAUNCHING.—Eighteen members met at the home of Mrs. Hugh MacPhee for the March meeting. Roll call was answered by "your favorite recipe." Reports were given by the sick and school committee and new committees were appointed. The general business of the Institute was talked over. Arrangements were made for sending an Easter treat of fruit to invalids which has since been done. Mrs. D. G. McCormack asked the members to her home for the April meeting. A very enjoyable social hour was spent after which the hostess served a dainty tea. The meeting closed by the singing of the National Anthem.—P. MacIntyre, Secretary.

LONG CREEK WOMEN'S INSTITUTE.
 The April meeting of the Long Creek Women's Institute was held at the home of Mrs. Norman McLean on Wednesday evening, April 4th. The meeting was opened in the usual manner followed by the reading and approval of the minutes of the previous meeting. Fifteen members responded to roll call with the "Name of My First School Teacher." Some experience in connection with their first day at school. Three visitors were present, and one new member was welcomed to the membership roll. A letter was read from the Department dealing with the necessity of erecting a sanatorium on the Island.

Card Of Thanks

Mrs. James Bullman and family, wish to thank those who so kindly assisted them during illness and death of husband and father.
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