

Accuse Former N.S. Lt.-Gov. Of Trying To Make 'Killing'

By KEN KELLY
Canadian Press Staff Writer
OTTAWA (CP) — Federal government lawyers Thursday accused a former lieutenant-governor of Nova Scotia of trying to make a killing on property expropriated to build the Canso Causeway.

The accusation against Alistair Fraser, Nova Scotia's lieutenant-governor from 1952 until 1953, came as a four-year-old case in which Mr. Fraser seeks more than \$1,000,000 compensation concluded in Exchequer Court of Canada.

Mr. Fraser's counsel replied to the accusation by charging the federal lawyers with misrepresenting his client's position.

The federal government took legal action against Mr. Fraser after he refused an offer of \$5,500 compensation for expropriation of Porcupine Mountain, owned for many years by the Fraser family.

Originally 110 acres were expropriated and millions of tons of granite quarried from the mountain were dumped into Canso Strait to link the Nova Scotia mainland with Cape Breton Island. In offering the \$5,500 com-

penation, the Crown also returned all the land except 12.8 acres.

RESERVES JUDGMENT

Mr. Justice J. C. A. Cameron reserved judgment, expressing pleasure that the end had been reached in a legal battle that started in August, 1954, a year before the causeway was opened. During the hearings, the court has met here and in Montreal to take evidence and also has visited the Porcupine Mountain property.

F. D. Smith of Halifax, counsel with Keith Eaton of Ottawa for the federal government, said in concluding argument that "never was there a case where it was so patent that the plaintiff was endeavoring to make a killing on property that the Crown was under a pressing need to expropriate."

This referred to the contention that Porcupine Mountain was the only source of granite suitable for causeway building obtainable within economic distance of the construction site.

In rebuttal, David Chipman of Halifax, acting with P. MacKeen, also of Halifax, for Mr.

Fraser, said Mr. Smith's statement was a complete misrepresentation of Mr. Fraser's position.

He said Mr. Fraser had never asked the court to establish a basis of "pressing need" but merely asked that the value be established on the basis of amounts a willing purchaser would pay to a willing vendor.

CITE MANY CASES

Both sides cited numerous legal cases described as similar situations. Mr. Chipman claimed Mr. Smith and Mr. Eaton had used only the older cases in an attempt to cloud the issues.

Mr. Smith said the claim by Mr. Fraser that he was holding the property as an investment "must be taken with a grain of salt." It had been in the Fraser family since 1889 and until expropriation in 1952 never yielded revenue or became the object of negotiations for sale.

He described as "fantastic" evidence on Mr. Fraser's behalf seeking to establish a value for the rock which Mr. Fraser argues should be worth about seven cents a ton. About 9,000,000 tons was used.

Murray River Man Is Named Montague Legion President

MONTAGUE — Norman MacLean of Murray River, was elected president of the Montague Branch, Canadian Legion, at the annual meeting held last night at the legion hall.

Other officers elected were: Montague, First vice-president, Mac MacKenzie, Montague, second vice-president, M. V. Fitzpatrick, Murray River; Secretary-treasurer, Athol Robertson; Assistant, George McCarvell, Montague.

Following the election of officers, the retiring president, John Clary, turned the chair over to the new president.

Prior to the election of officers reports from standing committees were presented, and in the financial report presented by the retiring treasurer R. M. Martin, it was stated that the branch was in a sound financial position, with income from rentals, poppy campaign, etc., showing a net profit over expenditures, as in the previous year.

In his remarks, Mr. Martin brought to the attention of more than 50 members present, that the branch now had 121 paid-up members, which makes it one of the larger branches in the province.

Ottawa Youths Will Face Murder Charge

By JOHN E. BIRD
OTTAWA (CP) — Five Ottawa youths will be formally committed Jan. 5 to stand trial on murder charges arising from the Nov. 23 knifing of 20-year-old

Magistrate Glenn E. Strike made the announcement Thursday at the conclusion of a two-day preliminary hearing. He said "the whole question is something which should be decided by a jury."
The five youths facing murder charges as a result of the fatal gang fight on west-central Somerset Street are James (Red) McDermott, 17, John Drain, 19, William Post, 19, his brother James, 16, and Henr. Dupuis, 19.
Magistrate Strike said he is satisfied from the evidence that all the accused knew that McDermott had a steak knife at the time of the fight. McDermott and his companions gathered reinforcements for the battle and "armed themselves with weapons."



PUPILS HOST SCHOOLBOARD

The grade nine pupils of the Birchwood School Home Economic Class were hosts to the members of the City School Board last evening at a dinner given in their honor in the home economic classroom. Seated at the head table were left to right Mrs. L. F. MacDonald, Dr.

R. G. Lea, Col. L. F. MacDonald, principal of the school, and Mrs. R. G. Lea. Others attending the dinner were Mrs. J. H. Maloney, Mrs. K. M. Johnstone, Dr. J. H. Maloney, Mrs. G. B. Whiteside, Mr. Arthur Wright, Mrs. St. Clair Trainor, Lt.-Col. K. M. Johnstone, Mrs.

John Sutherland, Judge St. Clair Trainor, Fremont Archer, Mrs. Cleus Murphy, K. A. Parker, Mrs. A. G. MacMillan, Cleus Murphy, Mrs. K. A. Parker, Mrs. Fremont Archer, A. G. MacMillan, and Mrs. Arthur Wright.

Officers Elected At Annual Meeting Of Welfare League

MONTAGUE — At the annual meeting of the Community Welfare League held Wednesday evening in the council rooms the following officers were elected: Honorary president, L.M. MacIntyre, president, Charles Macure, vice-president, W. Richard MacLean, secretary treasurer, C. Shaw, executive members, A. Sullivan and G. Arnold Wightman.

A report from the rink committee consisting of Charles Macure, Gilbert Clements, and Richard MacLean, said that teners had been received for the operation of the skating rink and its committee was left in the hands of the committee.

The secretary reported that the rink of the league were nearly emptied due to the heavy coat the skating rink, which for the first number of years has been suffering from lack of cold weather and natural ice making, thus using a decrease in revenue.

Mr. MacLean, a member of the rink committee, gave a comprehensive report on the rink's operations, pointing out the reasons for difficulty to operate the rink or have it operated by teners, he also said he felt the citizens and organizations in the

town would have to take more of a financial interest in this matter and pointed out that the town should definitely take an interesting part.

R.W. Beck, chairman of the community cemetery committee, presented a financial report on this branch of the Welfare League which was accepted by the members.

After all reports were presented and accepted the meeting adjourned until the latter part of January to enable the executive council to be enlarged and for further study of the by-laws and the charter.

Mail Theft Hearing Is Adjourned

The preliminary hearing of a Charlottetown man charged with theft from the mails was opened in Charlottetown Police Court Thursday morning.

The accused, Maurice Hughes of Churchill Avenue, charged with the theft on Dec. 17th of a letter addressed to Meyer's Studios, Richmond Street, elected trial by judge and jury when he appeared before Magistrate K. M. Martin.

The letter in question was dated O'Leary Station. It contained a note, several negatives and 45 cents.

According to information laid by George W. Boudreau of Montague, a postal investigator, Hughes is a temporary employee at the Charlottetown Post Office, was observed slipping a letter into his rear pocket by wrapping it in a hankiechief. He was kept under observation for 10 to 15 more minutes before he was approached.

The witness said the accused was called to the office and in the presence of P. J. Landrigan, was asked if he had any letters on him. He replied in the negative.

When asked, however, to turn his pockets out, the letter was found in the right hip pocket.

The case was adjourned until this morning, R. R. Bell, Q. C., is defence counsel, J. P. Vicho is acting for the crown. A Dorchester Street taxi driver was fined \$20 and costs or 10 days when convicted of operating a motor vehicle with defective equipment. The accused pleaded not guilty to the charge.

Lester O'Donnell appeared for the defence.

School Chorus To Broadcast

The 56-member chorus of students of Queen Charlotte High School, will be heard this morning over a nation-wide broadcast of the CBC in a program of Christmas carols.

Radio Station CFCY will carry the broadcast at 10 o'clock. The chorus is directed by Royston F. Muggford, organist and director of choirs at Trinity United Church in Charlottetown.

NOTICE TO PATRIOT SUBSCRIBERS

Patriot subscription accounts may be paid at the Montague, Souris or Summerside offices of The Guardian and The Patriot.

The Guardian -- The Patriot

Ch'town B.Y.P.U. Holds Meeting At Orphanage

The regular meeting of the Charlottetown B.Y.P.U. was held on Dec. 18. The group left the church at 7:30 p.m. to conduct a Christmas service at Mt. Herbert Orphanage.

The service opened with some Christmas carols. A solo "Once in Royal David's City" was sung by Ronnie Milton. Paul Oakes then presented a gift to the children on behalf of the young people. Eddy Waller read the scripture and led the group in prayer. Mr. and Mrs. Milton and Ronnie sang "It Took a Miracle".

The Christmas Story was presented by Tilda MacMillan, after which the group sang several choruses. Two little orphanage children sang "Away in a Manger". The older girls of the orphanage rendered two beautiful Christmas carols.

The meeting closed with benediction by Mr. Milton. The young people then returned to the church for lunch. The meeting closed with fellowship circle and prayer by Mr. Milton.

Former City Man Injured

E.P. "Ted" Watson, a former navigator on the ice patrol over the Gulf of St. Lawrence, is recovering in a Montague hospital following a highway accident near New Brunswick city.

Mr. Watson, who is flight superintendent for Maritime Central Airways, was reported suffering broken ribs, a punctured lung and head lacerations.

The accident occurred Wednesday evening when the car which the injured man was driving, collided with a parked truck.

Mr. Watson was pinned beneath the steering wheel of the car and it is believed it was some time before his plight was discovered and he was freed by MCA mechanics.

Mr. Watson was stationed in Charlottetown for a number of years before being transferred to Montague about three years ago.

Blitz Termed Big Success

Some 300 students of Birchwood and Queen Charlotte High Schools staged a "toy blitz" in Charlottetown Wednesday that proved to be a huge success.

The city-wide canvass was termed "outstanding" by Wilfred Driscoll, President of the Catholic Welfare Bureau.

The toys, destined for the needy families of the city for Christmas, were rounded up and delivered to the distributing centres three hours after the campaign started.

Distribution of the toys will be handled by the Catholic Welfare Bureau, Protestant Family Service Bureau and the Salvation Army.

Collections were directed by Jack Ready at Queen Charlotte High School and Bill Ledwell at Birchwood.

Dr. Driscoll said advance publicity given the campaign by the press and radio did much to assure its success.

Twelve Island Delegates To Attend Moncton Meetings

Twelve Island members of the executive council of the Maritime Provinces Board of Trade and the Maritimes regional committee of the Canadian Chamber of Commerce will hold quarterly meetings in Moncton, N.B., Monday, January 12, 1959.

They are Mr. Alban Farmer, William Hayward, R. Earle Taylor, E. D. Reid, Capt. Claud Hunter, W. R. Brennan, B. Graham Rogers, all of Charlottetown; John S. Wright, Roy Boates of Summerside; Cyril R. Leard, Alberton, G. M. Thompson, Victoria and Paul Gallant Souris.

The Canadian chamber group,

which acts in an advisory capacity to the chamber directors, will meet under the chairmanship of Victor deB. Oland of Halifax, in the morning to discuss matters pertaining to the activities of the national federation by the Atlantic Provinces, particularly in the field of membership and conducting of leadership seminars.

The M.P.B.T. directors will gather in the afternoon under president L. G. DesBrisay of Moncton. Plans for the 1959 Annual Meeting of the M.P.B.T. to be held in Saint John, June 14-16 will be laid and activities of the organization for the year ahead will be considered.

Four Islanders Successful In Accountancy Examinations

Four Islanders were successful in the final and intermediate examinations of the Institute of Chartered Accountants and one Islander was granted supplements, Mr. Condon is now eligible to become a member of the institute.

Passing the intermediate examination were Douglas A. Cameron, Charlottetown; Douglas M. Jewkes, Digby, N.S. and Charlottetown, and Kenneth J. Dorsey, Summerside.

Rev. K. Holeson Guest Speaker

SUMMERSIDE — Rev. Keith Holeson was guest speaker at the regular meeting of the Summerside Y's Men's Club last evening at the Y Centre.

His seasonal message on the real meaning of Christmas was thought provoking and the thanks of the club were expressed by Jack Hopkirk.

Guests present at this largely attended meeting were Rev. Eric O'Grady, Rev. Williamson, Lucas Allen and Dr. Richie MacMurdo.

Arthur Johnston was welcomed as a new member. Allison MacLean led the carol singing with John Leuty at the piano. Keith Lapp was chairman with Ralph MacFarlane as finesmaster.

THOMPSON'S POST
La Biche Lake in northern Alberta had a post established by David Thompson in 1798.

Drop your Christmas lights in to us for free repairs excluding parts. Don't chance a fire, let us put your lights in good working condition.
Montague Electric Co.

NOTICE

Parking is prohibited on town streets between the hours of one A. M. and six A.M. during the winter months. This is necessary to facilitate operation of snow plows on town streets.
Signed: Town Council, Town of Montague.

YEO Theatre MONTAGUE

"The Last Stagecoach West"

A big, big movie about the wild West and how the mail was carried and the people who carried it. A suspense story of the highest calibre. Don't miss it, it's a big one.
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George Montgomery
Karin Booth
—also—
"Amazon Trader"
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John Sutton

COMING MON. - TUES.
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"THE FANTASTIC DISAPPEARING MAN"

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Youth and beauty are captured in this 17 jewel watch with matching expansion bracelet. Lifetime unbreakable mainspring.

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