

Trophy Awarded To Sea Cadet

The trophy for the most seamanship ability was awarded to Leading Cadet Carl Riggs at H. M. C. S. "Queen Charlotte" last evening.

IN MEMORIAM

MRS. BENJ. FARQUHARSON

The many friends of Mrs. Farquharson were shocked and grieved to hear of her death on September 28th in her sixty-seventh year.

She was tenderly cared for by her daughter-in-law, Mrs. Russell Farquharson in the home, assisted by the capable skill of Mrs. N. W. MacKinnon, but God called her and she quietly fell asleep in His arms.

Mrs. Farquharson was of a retiring, unassuming disposition, a kind neighbor, a true friend, interested and devoted to the spiritual uplift of the community and her church.

She leaves to mourn one son Russell and wife, their two children, Lowell and Gladys, her husband having predeceased her several years ago.

Surviving are two sisters, Mrs. Roy Jones, Hazelbrook, and Mrs. W. E. Jones of Cambridge, Mass., also brothers Henry Jenkins of Southport and Russell Jenkins, Mt. Herbert, survive.

The funeral, largely attended, was held on September 30th with a short service at the home followed by service in the Hazelbrook Baptist Church, conducted by Rev. J. D. Davison, pastor of Charlottetown Baptist Church, assisted by Rev. A. S. Weir of Pownal United Church.

The hymns sung were favorites of the deceased, "Safe in the Arms of Jesus" was sung at the home with Mrs. W. N. Jenkins as accompanist. At the church, hymns "The Lord's My Shepherd," "Abide With Me." The choir feelingly rendered "The Beautiful Land" with solo by Mrs. Harold Carver.

Mrs. Stanley Sanford was in charge of the music. Pall bearers were Mr. W. Wood, Ernest MacCabe, Louis Young, Russell Driscoll, Gay MacEachern, Frank Lund, interment in the church cemetery.

The floral tributes were beautiful and are as follows:

Pillow The Family.

Sprays Emma, Roy and Family, Emily, Billy and Family, Mrs. W. N. Jenkins, The Hazelbrook Church and M.M.A.S., Ella, Vern and Family, Howard, Maude and Family, The MacKinnon Family, Mt. Herbert Ladies Aid, Mt. Herbert Young Married Couples.

Wreaths Henry, Florrie and Family, Russell, Jessie and Family.

BIRTHS, MARRIAGES DEATHS

50c per insertion

BIRTHS

FLOOD—At the City Hospital, Dec. 1st to Mr. and Mrs. Charlie Flood (nee Mary Monaghan, Kelly's Cross) a daughter, Mary Dorinda Irene, weighing 8 lbs 10 oz.

STEVENSON—At the Prince Edward Island Hospital on Thursday, November 30, 1930, to Mr. and Mrs. Nelson Stevenson, Windsor, a daughter, Elizabeth Anne, weighing 8 lbs, 8 oz.

DEATHS

MORRISON—At the Provincial Sanatorium on Friday, Dec. 1, Theodore (Ted) Morrison in his 41st year. His remains will rest at the A. A. Hennessey Funeral Home. Funeral arrangements will be announced later.

LEBLANC—Suddenly at his home 35 Dorchester Street, Nov. 30, 1930, Lawrence Alexander (Lal) LeBlanc in his 39th year; son of the late Simon and Mrs. LeBlanc. Funeral Monday morning at 8.45 at St. Dunstan's Basilica, interment in Church Cemetery.

RANSAY—Suddenly at Augustine Cove, Nov. 30, 1930, Gordon Ramsay in his 66th year. The remains are resting at his late residence, North River, from where the funeral will take place Sunday afternoon, the service starting at 2 o'clock. Interment in the People's Cemetery. Please omit flowers.

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CENTRAL GUARDIAN

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

CRASWELL for Xmas Photos

JIMMY'S TAXI - Phone 525.

COOK'S for Christmas Photographs.

HEAR R. R. BELL, Leader of the Progressive Conservative Party over CFCY tonight 7:15 p.m.

ISLAND VIEWS for Christmas. At Craswell Studio.

KENWOOD OVERCOATS. Styled and tailored by Warren K. Cook. \$55.00 at Jack Cameron's.

THE VOGUE—Clearance Sale winter coats 33 1-3 off. An assortment of dresses less 1-3 discount.

KENWOOD OVERCOATS. Styled and tailored by Warren K. Cook. \$55.00 at Jack Cameron's.

ENJOY a loaf of Stewart's Island Maid Bread, oven fresh for extra energy, at your grocers or phone 211.

HEAR R. R. BELL, Leader of the Progressive Conservative Party over CFCY tonight 7:15 p.m.

WHEN YOU think of good baked goods think of Stewart Bakeries. You'll find the best in delicious fresh rolls, bread and pastry here.

COME in and sample our special Christmas fruit cake. Orders taken now for later delivery. Hornsby's Bakery, 9 Upper Queen. Phone 2279-L.

THE WINDMILL LODGE, Dunstaffnage, will serve a Chicken Dinner, Sunday, December 3rd, from 12 to 2.30 and 5.30 to 8 P.M., at \$1.25. For reservations call 1594-21.

SPRINGFIELD—LONG CREEK—CRAPAUD. — Services, Springfield eleven. Long Creek three and Crapaud seven-thirty P.M. Springfield, 7th December, Holy Communion at eleven and Evensong at seven-thirty P. M.

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INJURED IN FALL—As a result of a fall in her home yesterday morning Mrs. Hazen Howard received a broken arm and wrist. The arm was set in the P. E. Island Hospital and later Mrs. Howard returned to her home.

CITY POLICE COURT—At the Stipendiary Magistrate's Court yesterday, a man remanded until December 3 on a drunk and incapable charge was the only case on the docket.

COME IN and sample our special Christmas fruit cake. Orders taken now for later delivery. Hornsby's Bakery, 9 Upper Queen. Phone 2279-L.

NOVEMBER RECORD — The month of November set a 41 year record for mild weather according to Mr. Warren E. Burns, Meteorologist at the Dominion Experimental Station here. The mean temperature for the 30 days period was 42.6. The previous record was set in 1831 when the mean temperature for the same month was 42.

COPIES PRESENTED—Presentations of leather bound copies of the current issue of "Saturday Night" featuring an article on Prince Edward Island were made to Lieutenant Governor T. W. L. Frowse, Premier J. Walter Jones, Mayor B. Earle MacDonald in the Confederation Chamber yesterday. The presentations were made by James Smallwood, of the Curtis Publishing Company.

PHALANX CLUB MEETING. The regular monthly business meeting of the Phalanx Club was held at the Y. M. C. A. yesterday evening with supper being served at 6.15. Mr. Charles Downe presided. A rousing sing song with Mr. Harry Norton at the piano, was held. Committee reports were submitted and the meeting appointed a committee to supervise the collection and delivery of Christmas parcels. This committee will be headed by Mr. Harry Thomson.

CUSTOMERS PLEASSED — Old customers and new are congratulating Shama's Self-Service Groceries on their fine remodelled premises. Brisk business is reported on a great remodeling sale which lasted until Monday. The store, founded some 25 years ago by Mr. Joseph Shama, has seen many changes in the district it serves and its renovation is in keeping with the progress of the times. Bright, cheery and attractive in layout the store lends itself to convenient shopping.

LEAVING FOR OTTAWA — Hon. J. Wilfrid Arsenault, Provincial Secretary, will be acting Premier and Hon. C. C. Baker, Minister of Agriculture, will be acting Minister of Public Works during the absence of Premier Jones, who leaves this morning to attend the conference on constitutional affairs which reconvenes at Ottawa next week. Mr. Baker is at present in Ottawa attending the agricultural conference, but is expected home on Sunday. Accompanying the Premier to Ottawa today will be Hon. W. E. Darby, Attorney General, and Hon. A. W. Matheson, Minister of Health and Welfare.

CHOIR ANNUAL MEETING—The annual meeting of St. Paul's Church Choir was held last night when officers were appointed for the coming year. President, Mr. James Haslam; Vice President, Mrs. Barry MacLaren; Secretary, Treasurer, Miss Marion J. Langille; Librarian, Miss Anne Worthing. In the annual report great praise was given the organist and choir master, Mr. Royston F. Rufford for his capable direction. It was a great asset to have in the library two anthems of his composition and arrangement. In the report it was mentioned that the Senior and Layman's Choir had the unique privilege of assisting at a sacred concert with the P.E.I. 17th, Reece Band. Services were also attended at Beach Grove, Sanatorium and Sunset Lodge.

IMPORTS TOTAL food because it has less than 500,000 acres under crops.

HOMEMAKERS BUSY — During the past few weeks there has been a great demand for Red Cross Homemakers in Charlottetown and Summerside. Six homemakers have been on duty in Charlottetown and five in Summerside looking after the needs of families where the mother was ill either at home or in hospital and emergency assistance of this kind was necessary. All through the summer months there was very little call for homemakers, but recently all those available were on duty. Families who have taken advantage of this Red Cross Service are loud in their praise of the efficient and kindly way in which these homemakers have taken over their duties in the homes to which they were sent.

APPEALED TO COMMISSION — The applicant then came to this Commission and made a sworn complaint in the matter. The Commission then by order of the 22nd of November last decided to investigate the matter, and notified the Company to show cause why an order to supply service should not be made. A copy of the notice was served on the Company and by courtesy of Mr. Jordan.

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Annual Meeting Of Liberal Ass'n

Mr. P. R. McCormac, Charlottetown, was unanimously elected President of the Queen's County Liberal Association at the annual meeting held yesterday afternoon in the Empire Theatre, Charlottetown.

Almost 400 delegates from throughout the County attended the meeting which was presided over by Vice President Donald MacDonald, Glenferris. At the meeting opened Mr. MacDonald expressed his regret at the absence of President W. R. Jenkins who was confined to his home because of sickness.

Mr. Sutherland MacKay, Breadalbane, was elected Vice President. Other members of the elected executive are: 1st District, James Moore, Crapaud; 2nd District, Laughlin MacKinnon, Canoe Cove, Stewart Parkman, Rustico; 3rd District, Smith MacFarlane, Harrington; 4th District, W. W. Murphy, Vernon, S. E. MacLeod, Ugg; 5th District, Lt. Col. R. C. Chandler, Charlottetown, and J. J. Mustard, Charlottetown.

Four resolutions were brought in by the committee consisting of D. A. MacDonald, J. P. Nicholson and Percy Boyle, the last of which recommended to the Federal Government that the dual constituency of Queen's be divided into two single constituencies. It was stated that this was one of two dual constituencies in the Dominion, the other being in Halifax.

After much discussion an amendment to this resolution was passed to the effect that in the proposed division, Charlottetown be made one district, the rural areas to comprise the other. This resolution was tabled for one year and will be brought up again at the next annual meeting. Only three of the delegates present voted against this division.

Other resolutions included expressions of loyalty to His Majesty and his representatives; votes of confidence in Prime Minister St. Laurent and Premier J. Walter Jones, messages of sympathy to families of well known members of the Party who had passed on during the year.

Speaking on the forming of a Provincial Liberal Association, Mr. McCormac stated that during discussions in Ottawa in June it was pointed out that Prince Edward Island was one of the two Provinces not having provincial organizations. He voiced the hope that by the Spring it would be formed, in spite of the fact Prince County did not seem to be in favor of such an organization.

Using the slogan "Education is Everybody's Business," Provincial Committees were set up to devise plans which will be submitted to the Federation at the January meeting. Miss Estelle Bonness, Summerside, was elected chairman of the Provincial Education Committees, which include representatives from the Canadian Legion, Farmers' Federation, Fisheries Federation, Women's Institute, Chamber of Commerce, I. O. D. E., and Canadian Adult Education.

Two special committees which were set up in connection with Education Week which will be held from March 4-10, were the Publicity and Contest Committees.

RESTORATION Continued from page 1

was absent from the City, the supply of electric energy was cut off and the means of supply removed without any notice to him. Subsequently, Mr. Jordan proceeded to have the other parts of the premises electrically wired in accordance with his plans of making apartments, and he also proposed to wire the applicant's premises in a manner suited to his proposal to make apartments out of it, but entirely unsuited to the applicant's purpose of enjoying the existing tenancy of the premises.

"When the applicant refused to permit the wiring to be done in the proposed manner, Mr. Jordan declined to wire the premises and left the applicant to supply his household with light by means of oil lamps and deprived his wife of the benefit of electrical household appliances.

"After some difficulty the applicant finally procured the service of an electrician and proceeded to install the wiring on his own and without the approval of Mr. Jordan. When the job was completed and the Electrical Inspector's certificate of approval granted, the applicant requested the Company to restore the service to the premises but was informed that Mr. Jordan had threatened it with an action in damages if they should trespass upon his premises to install a meter and connect the service.

"The applicant then came to this Commission and made a sworn complaint in the matter. The Commission then by order of the 22nd of November last decided to investigate the matter, and notified the Company to show cause why an order to supply service should not be made. A copy of the notice was served on the Company and by courtesy of Mr. Jordan.

"At the hearing the applicant and

representatives of the Company appeared before this Commission. Mr. Jordan did not appear but was represented by counsel, who took the preliminary objections: (1) The Commission had no jurisdiction to make any effective order on the Company under existing legislation, and (2) the Commission is without jurisdiction to compel an owner of premises to provide the service of electric energy in his premises.

"As to the second objection, the Commission agrees with Counsel that it has no jurisdiction over the owner of the premises so as to compel him to place electric wiring in his property, but since, in this case, the facilities are already there, we are not called upon to make any order on the owner. The first objection, however, requires an examination of the Statutes relating to the control of public utilities.

Statute Cited "The Public Utilities Commission Act, being Chapter 32 of 1948 Prince Edward Island Statutes, deals with the power of the Commission in Sections 8, 9, 12, and 13, which are as follows:

"(8) The Commission shall have and exercise such powers, authorities, and jurisdiction as may be conferred on or conferred on it by this Act or by any other statute of this Province, or by the Lieutenant-Governor-in-Council under the provisions of this Act or any other statute of this Province.

"(9) The Commission shall have general supervision of all public utilities and shall make all necessary examinations and enquiries and keep itself informed as to the compliance by public utilities with the provisions of this Act and shall have the right to obtain from any public utility all information necessary to enable the Commission to fulfill its duties.

"(12) The provisions of this Act and of every other statute conferring jurisdiction and powers on the Commission shall be interpreted and considered liberally in order to accomplish the purpose thereof, and where any specific power or authority is given to the Commission by the provisions of this Act, the interpretation thereof shall not be held to exclude or impair any power or authority otherwise in this Act conferred on the Commission.

"(13) (1) The Commission created by this Act shall have, in addition to the powers in this Act or any other specific Act mentioned and indicated, all additional, implied and incidental powers which may be necessary to carry out, effect, perform, and execute all the powers in this Act or any other Act, specified, mentioned and indicated. A substantial compliance with the requirements of this Act or any other Act conferring jurisdiction, power or authority on the Commission shall be sufficient to give effect to all the rules, orders, Acts and regulations of the Commission, and no rule, regulation, order, decision, or Act of the Commission shall be declared inoperative, illegal or void for any commission of a technical nature in respect thereto.

"And Section 3 (1) of The Electric Power and Telephone Act, being Chapter 14 of the said Prince Edward Island Statutes for 1948 is as follows:

"(3) (1) Every public utility shall furnish, at all times, such reasonable safe and adequate service and facilities for services as the changing conditions may require."

Binding On Company "There is no doubt that the Company is a public utility within the

provisions of the Statute above mentioned, and there is no doubt that the applicant was entitled to service and was in receipt of service from the Company before the wiring was condemned, and there is nothing to even suggest that, had the facilities for service not been removed by an outside power, the applicant would not still be in receipt of service from the Company. And now that the facilities for rendering service are on the applicant's premises, we think the duty and obligation imposed by the above mentioned Section 3 (1) of The Electric Power and Telephone Act has been revived and is now binding on the Company.

"The purpose of public utility legislation is to insure efficient and adequate service to those entitled to receive it and at fair and reasonable rates; and if express power is not vested in the Commission then we think it definitely has the implied power by Section 13 of The Public Utility Commission Act to order the Company to restore service in a proper case.

"The only objection on the part of the Company to the re-establishing of the service is the threat of action in trespass by Mr. Jordan. While we seriously doubt that any Court would sustain an action for damages in the circumstances disclosed by the evidence, we do not presume to determine the question. All these matters may be disposed of by a Court of competent jurisdiction. However, we do believe that in this twentieth century when the need of electricity has become so essential in the performance of household duties, when a service has been suspended by an outside power, that service ought to be restored when the reason for the suspension has been remedied and that public policy demands that the service should not be withheld while a threatened action in damages awaits its uncertain commencement and if at all commenced its process through the Trial Court, the Court of Appeal, and perhaps the Supreme Court of Canada.

"We believe that, in such case, the service should be immediately restored provided the public utility is guaranteed against any loss to its shareholders by reason of a judgment of a Court of competent jurisdiction assessing damages against it for any act necessarily done by such public utility in re-establishing the service.

Argument Of Counsel "As previously mentioned, counsel for Mr. Jordan claims that this Commission is without jurisdiction to determine the rights of the parties between Mr. Jordan and the applicant. We think that argument is helpful to the applicant herein because we find that the facilities to establish service are there in the applicant's premises and to decline the application would in effect determine the rights of the parties and we think, bar any effective remedy. The only remedy left to the applicant would be an application to the Supreme Court for a mandamus against the Company, in which Mr. Jordan would not be a party and therefore the rights of Mr. Jordan and the applicant would not be decided. Even a successful action in damages by the applicant against Mr. Jordan would give no effective relief in the circumstances. On the other hand, if we leave out any question of personal satisfaction, a successful action in damages by Mr. Jordan against the applicant would render complete relief for any wrong done to him.

"We believe that the applicant is entitled to an order to the Company requiring it to re-establish the service forthwith. But as this is the first occasion in which the question has arisen before the Commission, we feel that it is in the public interest that the Company should be freed from intimidation by a guarantee against loss to its shareholders by the right and privilege of re-coument out of revenues for any moneys which it might be compelled to pay in relation to any necessary act done by it in restoring service to the applicant. Order will go accordingly."

Chairman of the Public Utilities Commission is Judge C. St. Clair Tremor. In the above case, the applicant was represented by Mr. W. E. Bentley, K. C. and Mr. Jordan by Mr. M. Alban Farmer.

Change In Handling Of Reefer Car Shipments

Chief Secretary Of Salvation Army Expected



Col. Harewood

Colonel Robert S. Harewood, newly-appointed Chief Secretary of the Salvation Army in Canada and Bermuda, and Mrs. Harewood will arrive in Charlottetown next week for a public meeting on Thursday evening.

Colonel Harewood is the son of two Yorkshire Methodists who emigrated to West Australia, and he entered the work of the Salvation Army in Albany when ten years of age. He was for many years a member of the Territorial Staff Band in Melbourne, and later as leader.

Mrs. Harewood is the daughter of Brigadier and Mrs. Holdaway, and previous to her marriage was private secretary to the chief secretary.

Make Plans For Education Week

Plans to celebrate "Education Week" on a larger scale than ever before were formulated at a special meeting of the P. E. I. Teachers' Federation held in Charlottetown last evening.

Using the slogan "Education is Everybody's Business," Provincial Committees were set up to devise plans which will be submitted to the Federation at the January meeting. Miss Estelle Bonness, Summerside, was elected chairman of the Provincial Education Committees, which include representatives from the Canadian Legion, Farmers' Federation, Fisheries Federation, Women's Institute, Chamber of Commerce, I. O. D. E., and Canadian Adult Education.

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Prince Edward Island potato shippers are being notified of a change in shipments between this Province and points in the United States. A Maine firm which handled most of the refrigeration heating on shipments through Vancorbore has gone out of business.

The Eastman Car Company of Portland is no longer in business. Their business has been taken over by the Maine Potato Shippers Heater Service, Inc. This company now looks after perishable freight (which includes Island potatoes) requiring heater protection to points in the United States routed through the Vancorbore or Van Buren gateways.

Shippers must get heater tags for all shipments. These can be obtained by applying to