

THE GUARDIAN

Authorized as Second Class Mail Post Office Department, Ottawa. The Island Guardian Publishing Co. President and Associate Editor, Ian A. Burnett, Associate Editor, Frank Walker. CIRCULATION "Covers Prince Edward Island like the dew" "The strongest memory is weaker than the weakest ink". CHARLOTTETOWN, FRIDAY, FEB. 6, 1952

Suits Against The Crown

Following the lead of four of the provinces, the Federal Government has prepared legislation making the Crown fully liable for all torts (wrongdoing leading to a civil action) by its servants. It is proper, comments the Ottawa Journal, that the Government should dispossess itself of any special privileges under the law. A system under which the individual does not have the same rights of action against government agencies as he does against the ordinary subject clearly is not in accord with the democratic principle that justice should be impartially administered. Moreover, the enormous expansion of government activities has made essential the removal of any procedural obstacles to the quick settlement of claims against the Crown.

Three years ago, the statutes of 17 government agencies, such as the National Research Council and the Canadian Wheat Board, were amended to allow citizens to bring suits against them without first getting permission from the Crown in the form of a fiat. A year later, amendments to the Petition of Right Act eliminated the fiat provision altogether. But these amendments did not increase the Crown's liability; the third step, widening the government's liability to include all civil wrongs, as well as cases of negligence or breach of contract, is being taken only now.

Our Ottawa contemporary notes that the governments of Nova Scotia, Manitoba, Saskatchewan and Ontario, like that of Britain, have already eliminated entirely the anachronistic fiat system. "It is to be hoped," it adds, "that the other provincial governments soon will take the same step. Possession by government agencies of special protection from civil actions, springing as it does from the divine right of kings doctrine, surely has no place on provincial statute books in this century."

Mr. Gardiner At Victoria

Speaking to the Canadian Federation of Agriculture convention at Victoria, B. C., a few days ago, Agriculture Minister Gardiner submitted a comparison between the position of farmers for the six years before the war and the six years after the war, in order to show that the current policy was working out well for farmers. "In making that comparison," said Mr. Gardiner, "I am only going to deal with the five products upon which agriculture generally depends for its prosperity: wheat, hogs, cattle, milk and eggs. During the six years since the war we have produced on an average 114,000,000 bushels of wheat more per annum than in the six years before the war, which is approximately one-third more. During the six years since the war we have produced on an average 360,000,000 pounds more pork per annum than in the six years before the war, which is approximately one-half more. During the six years since the war we have produced 1,000,000 pounds more milk per annum than in the six years before the war which is one-fifteenth more. During the six years since the war we have produced 110 million dozen more eggs per annum than in the six years before the war which is 50 per cent more. Prices on those five products will average at least 65 per cent higher. The difference is best represented in the gross farm income in the last six year period compared with the preceding period. The average annual total for the last six years is \$2,300,000,000 and for the previous period \$600,000,000 or about four times as much."

Delegates took exception to this comparison based on gross income. They said the proper comparison would be based on net income or what the farmer had left after paying higher freight charges, rising labor costs, and meeting the problems of an inflationary period. On the basis of net income the position of the farmer, they argued, is not as rosy as Mr. Gardiner had painted it.

Another point made by Mr. Gardiner was with regard to parity prices. He submitted a series of figures comparing the support price, if any, the average market price, and the parity price on a 1943-45 base for selected commodities for the years 1949-50-51. "An examination of this table," he said, "shows that in every case the price realized throughout the years has been higher than the support and on only butter, eggs and apples has the price been below parity. There is quite a spread on B.C. apples, only a slight spread on butter and

sufficient spread on eggs to warrant consideration of a higher floor."

At a later session, Dr. E. C. Hope, economist for the Federation, drew a somewhat different conclusion from these figures. He said that Mr. Gardiner's presentation might one day be accounted "an historic day in the history of Canadian agriculture" because it marked the first time, so far as he knew, that Mr. Gardiner had ever publicly committed himself to a parity figure on representative farm items, even when Mr. Gardiner was in fact making a general case against parity. He indicated that the publication of these official parity figures would help Canadian agriculture as it worked out plans for its long-range programme.

The Federal Minister placed strong emphasis in his address on the price competition which Canada must be prepared to meet in the British market. On each of the commodities cited in this connection—beef carcass, bacon, butter, cheese and eggs—the Canadian price, without exception, is higher than the price which Britain would have to pay for the same commodity if bought elsewhere. Secondly, in each case Great Britain would be able to buy at lower prices while using sterling if she did not buy from Canada. To buy from Canada, Great Britain would have to pay a higher price and do so in dollars, of which she has a shortage. These are some of the problems, none of them created by Canada, which face this country as it tries to regain its markets in the United Kingdom.

EDITORIAL NOTES

Accession of Queen Elizabeth II, 1952.

It is a year today since the death of His Majesty King George VI.

There is an increasingly loud clamour by the Canadian sugar refiners, joined by the sugar beet growers of Ontario and Quebec, to have the importation of Cuban sugar, banned by act of Parliament. The effect of the ban would be to strengthen the market for Canadian sugar beets, and disastrous to the Cuban market for Canadian seed potatoes. P. E. I. farmers will pay more for their sugar and get less for their potatoes.

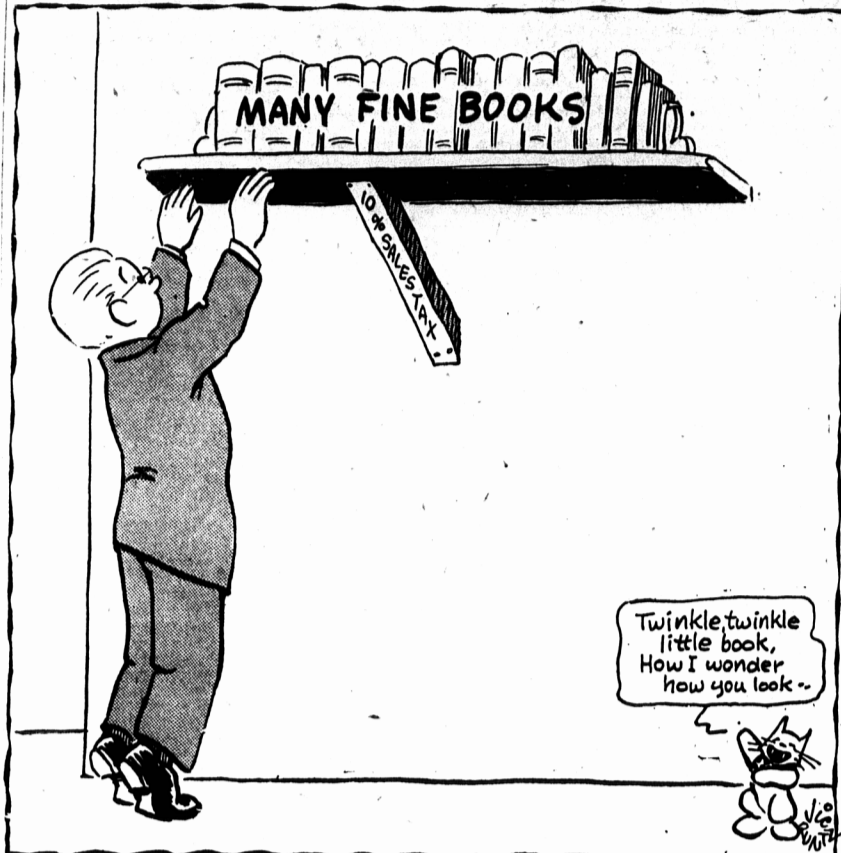
There does not appear to be much hope of cheap power for Prince Edward Island at least until such time as the atom is properly harnessed, but the experiment now going on at Abidjan, French Ivory Coast of Africa is worth some attention. They have a scheme for drawing power from the sea which has passed the theoretical stage and has now entered upon the experimental. If the tests are successful the Ministry of Finance will advance a further fund of three milliard francs to set up two turbine alternators of 3,500 horsepower each.

Sir Henry Irving, English actor, was born John Henry Brodribb, this date 1838. He was fascinated by the stage and devoted his leisure to elocution, fencing, dancing, reading plays and frequenting the theatres. At the age of eighteen, he threw up a job as clerk and joined a stock company. In 1874 he played Hamlet for 200 nights and the controversy around his rendering made him famous. Serious handicaps, a weak physique and trouble with his speech, failed to keep him from being the greatest figure in the theatrical world of his day.

Prince Edward Island bananas have not yet become famous. As a matter of fact we can't at the moment recall if a banana ever was grown in this Province. However if the Government of Canada can be persuaded to ban the importation of this fruit, there is no doubt that we could soon supply the market and build up an industry that would make the potato industry really small potatoes. Of course the Canadian consumer would have to pay a bit more for his bananas, but what Canadian worth his salt would object to paying a bit more if it meant the establishment of another Canadian industry.

In a free economy prices for the same or similar articles may vary from country to country, province to province, city to city, store to store, or even in the same stores from time to time. This is highly desirable in that the initiative is left entirely with the consumer. If price alone is the deciding factor, the consumer will shop around until a store is located offering this minimum price. There are other considerations, such as prestige, reliability, convenience, and systems of credit or payment, service, goodwill and personnel, all of which have an influence for good in favour of the consumer. On the other hand if every store sold at the same price it would indicate that there were effective measures of control. These measures would definitely not be in the interest of the consumer and not necessarily in the interest of the producer.

Just Out Of Reach



The Poet's Corner

UP-HILL Does the road windup-hill all the way? Yes, to the very end. Will the day's journey take the whole long day? From morn to night, my friend. But is there for the night a resting-place? A roof for when the slow dark hours begin. May not the darkness hide it from my face? You cannot miss that inn. Shall I meet other wayfarers at night? Those who have gone before. Then must I knock, or call when just in sight? They will not keep you standing at the door. Shall I find comfort, travel-sore and weak? Of labour you shall find the sum. Will there be beds for me and all who seek? Yes, beds for all who come. —Christina Rossetti.

Old Charlottetown (And P. E. I.) BAY VERTE CANAL

From the Monthly Review, Toronto, April, 1841.

"The Assembly of Prince Edward Island passed a resolution to appropriate the sum of £200, if it should be required, towards the expenses of obtaining a survey, exploration, and estimate of the proposed line of canal between the Bay of Fundy and the Gulf of St. Lawrence, if Nova Scotia, New Brunswick and Canada make proportionable advances for the same object.

"As this matter must come before the Canadian Legislature, we copy the following statement respecting it. Titus Smith, a resident of Nova Scotia since 1783, says the country is low and flat, no part above 25 feet above the level of high tide in the Bay of Fundy, and well adapted either for a canal or railroad. R. Brown, Esq., mining engineer, gives similar testimony, adding that the mouth of the canal in the Bay of Fundy would require protection of a breakwater. Wm. Mackay, land surveyor, surveyed the country between the Bay of Fundy and the Gulf of St. Lawrence; it has no high hills; is swampy all the way through; two or three locks besides the tide locks would be sufficient. The top of the surface is sand for two feet; there is clay underneath, which is favorable to the object. The distance is about 15 miles; the Tintish river on the Bay Verte side would be available for three miles. The water in this Bay is shallow at low water for two miles, except the channel, which is about four feet water at the mouth of the river and bar. The fall of the tide is about 7 1/2 feet. Good shelter entering the river. Vessels of 250 or 300 tons would be able to pass the canal without difficulty. No obstacle to such a canal being formed. The object of it is to connect the trade of Halifax and New Brunswick with the St. Lawrence, and also Prince Edward Island with them.

"A more favorable location for a canal or railroad could not have been selected; and when the Shubenacadie canal, connecting Halifax with the Bay of Fundy, shall be completed (and from \$80,000 to \$100,000 have been already expended on it, by which all the heavy work, including locks and cuttings, is far advanced), there will then, supposing the Bay Verte canal finished, be a safe and commodious navigation from Halifax through the Bay of Fundy to the St. Lawrence, always important, and in time of war of incalculable benefit."

Road Building In Canada

By C. W. Gilchrist, O.B.E. Managing Director, Canadian Good Roads Association

The story of ancient roads is an interesting one. The Chinese, the Incas of Peru, the Carthaginians and the Romans built good roads centuries ago. Some of them still stand, especially the Roman roads, which are even today considered a model of the builder's craft. But it is not possible in the space at our disposal to spend any time on the subject. We must jump across the centuries to the North America of the early explorers.

The exploration of the continent more particularly what we now know as Canada — was conducted along the waterways. The St. Lawrence and Ottawa Rivers, the Great Lakes, the Red and Assiniboine Rivers and the numerous other bodies of water of the country provided the means of penetrating the great new continent. The subsequent pattern of colonization and development was shaped by the rivers and lakes that reached into every corner of the continent. Even in very recent years in the new areas of the Northwest and Northeast the river boat and the hydroplane have been prime means of transportation.

Early dependence upon the waterways is easy to discern today in the location of major centres of population on the inland waters. The railways modified this design somewhat but the pattern had already been substantially set by the time the steel rails reached the interior. Settlements were established along the rivers and lakes and rough trails were made to connect these water-edge settlements. Horse trails were hacked out of the bush.

The event that started road building for vehicular traffic was the importation into New France of the calèche, a crude two-wheeled vehicle whose successor is still a familiar sight in Montreal. Except for a one-mile road constructed by Champlain at Port Royal, Nova Scotia, (now Annapolis) built in the latter half of the 17th century from the city of Quebec, capital of the colony, to adjacent settlements. During the same period the seigneurs, French gentlemen considered worthy of special favor by Louis XIV, built their own roads. The fertile land along the St. Lawrence as far west as the Ottawa River was parcelled out to the seigneurs. Labor was provided by the habitants under the corvée system, the equivalent of statute labor, whereby work was done in lieu of taxes.

This arrangement, incidentally, was widely used in the older provinces until relatively recent years. These seigniorial roads carried only a limited local traffic and it was not until 1721 that a beginning was made to build main roads. In that year a young lawyer from Paris, Eustache Laoullée, obtained a monopoly to carry passengers and mail between Quebec and Montreal and with it, authority to build a road between the two settlements. The road de Boisclerc built is now the main road along the north shore of the St. Lawrence between the two cities.

This gentleman prospered and he seems to have had the ears of people in the right places, because he was appointed to the post of "grand voyer" and became a very important person in New France. The office was created in 1689. The grand voyer, with the assistance of deputies, looked after the roads in the colony. There were three classes of roads: post or front roads, that belonged to the Crown; back roads, that belonged to the seigneurs; and cross roads connecting the front and back roads.

The responsibility for building and maintaining these roads was the owners' and occupants' of the land they traversed, and the grand voyer in his semi-annual tour of inspection directed the work of both seigneurs and habitants. The grand voyer's organization was retained by the British until 1822 when it was abandoned. In 1841 the municipalities assumed responsibility for roads. In the Maritime Provinces there was less incentive for the settlers to build roads. In Newfoundland the sea was the main medium of transportation and the first road was not built there until 1825. In Nova Scotia the smallness of the population and the nearness of the sea delayed the development of inland transportation. By 1815, however, there were two "great roads" in the province. One extended from Halifax to Windsor and beyond. The other was the Old Colquhoun Road from Halifax to Pictou. Both these roads were in a spectacular condition of disrepair but the former was considered good enough to begin a stage coach service in 1815. The roads in the province were built up until 1865 there was some sort of coach service to every part of the province. But with Confederation the railroad became the principal means of transportation and roads fell in favor.

In New Brunswick until relatively recent years water was the main means of transportation. The major centres of population are still located on the banks of the river. The first survey by the province in 1802 showed that "ten miles of road fit for any kind of wheel carriage is nowhere to be found in the province, with the exception of the left bank of the Saint John River where nature has chiefly performed the task of road building."

Notes By The Way

The case of Mr. Yefin Gridasov and his cow is fodder for some political rumination. Mr. Gridasov is in bad trouble with Moscow because when the Food Procurement Ministry transferred him 3,000 miles from Barnaul to Saratov he insisted on taking Elsa, his cow, along with him — and in order to get Elsa a private car on the railway, he entered her on the official documents as his sister. This set the Russian Government back 25,000 rubles. Not having an Abbottine surplus to dispose of, the government is not happy. — Hamilton Spectator.

One level crossing crash in every two or three is the result of a car being driven into a train, says Howard B. Chase, member of the Board of Transport Commission. It is almost incredible that motorists could be so utterly stupid. In the middle of the 19th century, especially in York County, the first toll road legislation was passed in 1833 and during the next few years a number of turnpike trusts came into existence. In 1845 the government went into the toll road business and made it possible for municipalities to buy up these turnpike trusts. In 1911 there were still 100 miles of toll roads in Ontario but the toll road principle was never so widely adopted in Quebec.

In the prairie provinces and British Columbia the history of roads is much more recent. In the latter province the famous Cariboo trail was built in 1860 to give access to the newly-found gold of the territory. In the prairies Indian trails served the migratory movement of Red River carts and prairie schooners. When the Province of Manitoba was formed in 1870 all roads were placed under the jurisdiction of the Department of Public Works. In 1880 they were turned over to the municipalities to whom financial aid was given by the province. Development in the other western provinces followed a similar pattern and construction was not systematically undertaken until the early years of the present century.

By the middle of the 19th century there was a fairly extensive network of stage coaches operating throughout Eastern Canada and the road system was growing steadily if not spectacularly. But the expansion was nipped in the bud by an event that had profound implications for transportation history: the steam engine appeared in Canada. In the middle of the century road building began to culminate in the supreme achievement of spanning the continent in 1885. The steam engine became the chosen instrument of colonial expansion and the stage coach and road receded to a status of purely local importance.

The railways could carry greater volumes of traffic more quickly and more economically and the stage coach virtually faded into oblivion. As traffic disappeared, provincial governments lost their interest in roads and left them to the enterprise of local governments extending small financial support. They lay in that state for many years until man's inventiveness brought forth another mechanical marvel, the automotive vehicle. Needless to say, thus abandoned to local support roads improved neither in quality nor quantity.

The British North America Act of 1867 assigned almost complete responsibility for building of roads to the provinces, and there it has remained since, with the provinces and the municipalities sharing the burden for their construction and maintenance. The federal government has built and maintained military roads, notably the Northwest Highway System, and a limited mileage of national park roads.

(To be Concluded)

The Age-Old Story

O the depth of the riches both of the wisdom and knowledge of God! how unsearchable are his judgments, and his ways past finding out! for who hath known the mind of the Lord? or who hath seen his counsel?

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