



MARJA KOVA AND JEAN LOUIS PELLERIN

Defence Witnesses Called In Resumption Of Reid Suit

The case of John Henry Reid and Elizabeth L. Reid versus the City of Charlottetown, Police Chief Sterns Webster and Police Sgt. Charles Ready resumed in Supreme Court yesterday and was adjourned until this morning at 11 o'clock. Chief Justice Thane A. Campbell presided. Plaintiffs filed suit for \$148,000 damages resulting from a series of events involving the restaurant known as Johnny's Fish and Chips, its closing and the subsequent arrest and detention in jail of the plaintiff John Reid.

The case for the plaintiffs had been completed and there were four defence witnesses called at yesterday's hearing. These included: Donald Champion, director of sanitary engineering for the P.E.I. Department of Health; Leonard Gallant, sanitary inspector for the P.E.I. Department of Health; Leo Skerry, sanitary inspector for the P.E.I. Department of Health and Dr. Wendell MacDonald, the city's medical health officer.

The plaintiff is represented by Allison M. Gillis while defendants are represented by Gerald R. Foster, Q.C. and John P. Nicholson.

In Mr. Foster's opening remarks he pointed out that the police authority came from the law and not from the municipality that employs them. He added it was his intention to prove none of the police acts were liable and secondly even if they were liable the city of Charlottetown is not responsible. Donald Champion was the first witness to be called for the defence. Mr. Champion stated he reads all the reports of the department of health inspectors and makes recommendations to the city health officer who is Dr. Wendell MacDonald.

NO INSPECTIONS
The witness stated he had made recommendations to Dr. MacDonald concerning Johnny's Fish and Chips, but had never made a personal inspection of the restaurant.

Under cross examination by Mr. Gillis the witness admitted that if his inspectors examined dishes right after they were washed they may get a different finding than if they examined the same dishes three hours later as there is bacteria everywhere.

The Chief Justice interrupted Mr. Gillis' cross examination to

point out that he couldn't see where the judgement of these officials had anything to do with subsequent actions by the police and the city of Charlottetown.

Mr. Gillis maintained he felt the line of questioning was relevant to the case but the Chief Justice stated he considered it established that sanitary conditions in the restaurant, according to previous evidence, were variable.

The next witness called by Mr. Foster, stated in his testimony that he made a visual inspection of Johnny's Fish and Chips on Nov. 12, 1964, and found unsatisfactory sanitary conditions. He had recommended the restaurant be closed as there was no apparent effort to improve conditions in the restaurant and there was the possibility of an outbreak of disease with the existing conditions.

CONDITIONS IMPROVED
He made another inspection after the restaurant had been closed and found the conditions greatly improved. The witness had conversation with John Reid at this time and stated he gathered Mr. Reid wasn't pleased with the previous report.

Under cross examination by Mr. Gillis, Mr. Gallant mentioned the shelves were cleaned following the closing of the restaurant, but couldn't enumerate any other health hazards which had been changed since the previous inspection.

When asked by Mr. Gillis if Mr. Reid's displeased attitude on Gallant's second inspection may have been due to his having spent the past weekend in jail the witness said it could have been.

The witness told the court his inspection duties were not confined to restaurants and that on occasions he had inspected tourist homes and institutions.

When asked by Mr. Gillis if he ever inspected the cell block at city hall or the Queens County Jail, Mr. Gallant said he had not.

COUNSEL OBJECTS
When Mr. Nicholson rose to question the witness his line of interrogation was objected to by plaintiffs' counsel on the grounds it constituted cross-examination of a defence witness rather than direct examination. Mr. Gillis said he wished to cite a hypothetical situation of a lawyer having a friend come in at the last minute to cross-examine a witness.

Instantly angered at the charge, Mr. Nicholson demanded an apology be made and said Mr. Gillis' question struck at the root of common courtesy between attorneys.

The presiding judge ruled Mr. Nicholson might both examine the witness and then cross-examine him if the possibility of conflict of interests between defendants was apparent. He expressed the opinion Mr. Nicholson would have received his instruction from the defendants Webster and Ready and not

DEATHS
STEWART — The death occurred at the Souris Hospital on February 2nd, 1966, of Harvey Stewart in his 79th year. Remains will rest at the Dingswell Funeral Home until noon Saturday February 5th, then to Kingsboro Church for service at 2.30. Interment in the Church cemetery.

HERON — At the Charlottetown Hospital Thursday, Feb. 3, 1966, Roland Heron, formerly of 203 King Street, in his 67th year. Resting at the Charlottetown Funeral Home from where the funeral will be held Saturday morning, leaving the funeral home at 8:45 for Requiem High Mass at St. Dunstan's Basilica at 9 o'clock. Interment in the Catholic cemetery.

AT MEETING
Attending the Prince County Welfare Agency Annual meeting that was held at the Royal Canadian Legion Home, Summerside on Sunday from Tignish were: Wilson J. Shea, Mrs. Harold Cormier, Mrs. Emile Gallant, Mrs. Frank Gaudet, Mrs. Roy Gallant and Mrs. Reg Eidershaw.

NO ORCHESTRA

Magic Of 'Carmen' Came Through Despite Drawbacks, Critic States

By CHRISTOPHER GLEDHILL
Of all operas Carmen is the most popular, if one can judge by the number of performances of it that are given all over the world. Yet the text is notoriously corrupt as a result of cuts, additions and alterations that have been made over a long period of years. It has been mangled by generations of travelling companies, and yet it maintains its hold over audiences everywhere. It is truly a durable masterpiece that can survive such treatment.

Last night's performance by the Canadian Opera Company was a valiant effort which nearly succeeded, in spite of several drawbacks. There was no orchestra (we had been tantalized by the possibility that the Halifax Symphony Orchestra might be engaged for the performance), but George Brough played all the orchestral accompaniments on the piano with decision, authority and subtlety. Nevertheless the ravishing effect of Bizet's uncanny gift for instrumentation was largely absent.

ALSO NO CHORUS
Added to this there was no chorus. By an ingenious system of permutations and combinations and cuts we were almost persuaded that a full chorus was unnecessary, but we missed the changing of the guard,

the ragged urchins, the cigarette girls and so on which add so much colour to the production and, together with the orchestra, help to sustain the mood. The sensible thing would be to train a local amateur chorus, using school children for the gamins, but apparently the Union in its "wisdom" has decreed that this would take jobs away from their members — what jobs?

Finally there is the language question. It is sad but true that in this presumably bilingual and bicultural Canada there are so many audiences that do not understand French. It is also sad but true that Carmen suffers more from translation into English than almost any opera — at least I still have to hear an English translation that does not make me shudder.

MAGIC CAME THROUGH
And yet — and yet — the old magic of Carmen came through. Marija Kova, in the title role, has that earthy, instinctive quality that is absolutely vital to the role. Her voice has a slightly metallic ring to it that is just right. Jean Louis Pellerin as Don Jose has a voice of great promise, and I feel that given more experience he will sing and act with more authority. He was at his most effective in the final act.

Jeanette Zarou was a satisfying Micaela vocally, though she

seemed too self-assured for a village girl on her first trip away from home. Roland Richard was miscast as Escamillo and failed to convey the impression of the vain and foppish idol of the public. Vocally, too, he was weak in the lower register, and I would go so far as to question the suitability of this voice for baritone roles. The other supporting roles were well done. In particular one of the girls (I could not place which one) has a voice of remarkable power and sweetness.

YOUTHFUL CAST
This is a young cast, and I have no doubt that we shall be hearing more of some of them in future years. Congratulations are due to those who trained them.

The sets and costumes left a good deal to be desired. The costumes were much too drab in the first two acts, and the military uniforms were ill-fitting. The set for the third act (a mountain pass) was far too cluttered up with bric-a-brac. There was absolutely no outdoor feeling to it, and the scenery stopped abruptly at a certain height. The lighting should have been used in the card scene to illuminate the faces of the cast, with harsh shadows to underline the brooding tragedy of the plot. Surely, the resources of this theatre could have been used with more imagination.

SOLD RIGHT OUT
The large audience (it was a complete sell-out) was delighted and showed its appreciation by frequent applause. We would like the same again one of these days, but with chorus and orchestra. I think that the audience would be willing to pay the extra amount in order to enjoy this masterpiece even more fully.

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SOLDIERS LIKE MAIL
Overseas mail for the Canadian armed forces is about 150,000 pounds a month, twice that in December.

June and allowed the restaurant to remain open as the defects were of a nature that they could be remedied and Mr. Reid promised to improve the conditions, but Dr. MacDonald got a subsequent unfavorable report in November. The Chief Justice added he felt there was room for leniency in a case such as that. Counsel for the plaintiffs was satisfied with this understanding.

Under cross examination Dr. MacDonald said this was the only building he had ordered locks put on in his 17 years service as medical health officer for the city.

NO PADLOCKS
Under cross examination by Mr. Gillis, Dr. MacDonald said he had had occasion to report to city council of bacteria of human feces on an ice cream scoop in a restaurant, other than Johnny's Fish and Chips, but there were no padlocks put on the doors of the restaurant.

Dr. MacDonald denied he had any prejudice against the plaintiffs and under questioning by Mr. Gillis denied any prejudice against people of any particular race. The interchange was interrupted by the Court which said it was not interested in this but on what actions were taken by authorities on recommendations made by the witness.

Fifty Students See 'Carmen'

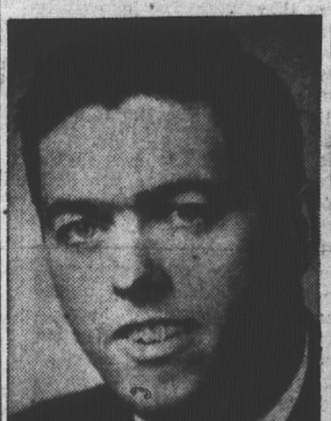
SUMMERSIDE — Fifty Summerside students attended the matinee performance of "Carmen" in the Confederation Centre Thursday.

They were mainly from the high school although a few from Parkside Elementary were taken too. Previously the students had taken their lunches to school and while eating them, had listened to records and an explanation of the plot and background to the opera by Raymond Lock, one of the high school teachers.

A number of parents volunteered their cars to transport the students to Charlottetown: Dr. Cameron, Mr. MacDonald, Mr. Bulley, Mr. Leuty, Mr. Chaisson and Mr. Lock.

After an enjoyable ternoos the students expressed their gratitude to their parent drivers and also Mr. Lidstone, the high school principal, for arranging this trip.

OTTAWA Dateline



David MacDonald, M.P.

CFCY TV TONIGHT 7.10 P.M.

Island News Page

Western and Central Districts

The Guardian, Charlottetown, Fri., Feb. 4, 1966.

Special Device Aids Y's Man

SUMMERSIDE — To be a Y's Man means to be enthusiastic, active and one man in Summerside is the perfect example of this meaning. That man is Jack Scott, the former manager of the hardware department at R.T. Holman and an active member of the local Y's Men's club.

Although physically disabled as a result of an accident during the bottle blitz several years ago, Jack is still mentally alert and continues to serve the Y's Men from his bed at home. He does this by sorting the many hundreds of stamps collected by the club each week. A special mechanical sorting device was designed and manufactured by club members and with this device, he is able to carry on his work.

The regular weekly meeting of the club, held Thursday evening, was under the chairmanship of the president Bob Hogg, and guests at the meeting were Al MacKay, Harry Baglole and Larry Wishart.

Vice president Bob Schurman reminded the members of the morning devotional services being conducted by the H-Y groups each morning at 8 a.m. at the Y Center. He also urged as many members as possible to be present at the final sessions during this Christian youth week.

Mr. Hogg announced that the club would be travelling to Nova Scotia on Feb. 16 for a joint meeting with the Amherst Club. Cars will leave the Y Center at 2 p.m.

It was also announced that Dr. John Robertson had volunteered to act as the club's secretary.

Wright's BALLET SHOES



Black Only \$4.00

The perfectly, fully lined, soft pleated ballet shoe, made of the lightest cowhide available. Featuring hand pleated toe, elk sole and 3/4 inner sole. Sizes 11 to 4 child's and 5 to 10 girls.

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Bible Society Branch Meets

SUMMERSIDE — The annual meeting of the Summerside Branch of the Canadian Bible Society was held in the Church of Christ on Wednesday evening. Rev. D.L. Howlett conducted opening devotions.

June Hackin sang a solo "Wonderful Words of Life" with Mrs. Winslow Morrison as accompanist. Rev. R.P. Matthews was guest speaker.

Heber MacMillan, president of the Summerside Branch reported on the new Bible Store opened late in 1965 in the French district in Montreal.

After other remarks, Mr. MacMillan called on the secretary, Mrs. L.M. Callbeck for the minutes of last year's annual meeting which were approved.

Mrs. Ted Poole presented the financial statement of 1965 with total givings of \$1,905, an increase over 1964. Rev. Dr. Webster brought greetings from the Charlottetown meeting and expressed thanks to the retiring president for work done, also to the executive, collectors and contributors. He announced that the general secretary, Dr. Watson from England would be speaking in Charlottetown March 2.

The nominating committee of Harry Linkletter, Reginald Hokin, Maynard Thompson, recommended the following slate of officers for 1966: Lester Linkletter, president; Kenneth Huestis, first vice president; Alton Millar, second vice president; Mrs.

Workshop Held By H & S Locals

Some 80 persons from 22 homes and school locals attended the Queens County Home and School Workshop at the provincial Vocational Institute last night.

The workshop, sponsored by the Prince Edward Island Federation of Home and School, included remarks by Mrs. Hesta MacDonald, provincial president, and an explanation of the evening's procedure by Rt. Rev. William Simpson.

The program was divided into three group discussions including family life, school life and community life led by their respective provincial chairmen. A discussion on programs of family life was led by Rev. Henry Tye while a discussion on the programs dealing with school life was handled by Lt.-Col. Leo F. Macdonald. M.F. Hagan was chairman for a discussion on programs dealing with the community.

A summary and analysis was given by William A. Ledwell, first vice-president of Queens County.

L.M. Callbeck, secretary, and Mrs. Ted Poole, treasurer. The meeting closed with benediction by Rev. Dr. Webster.

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LIBERAL MEETING

Second District Queens
BROOKFIELD HALL

February 4th, 8 P.M.

This Is The Meeting That Was Postponed

PUBLIC NOTICE CIVIC ELECTION

Voters Lists have been prepared for the Civic Election to be held on Wednesday, February 9th, 1966, and will be posted for inspection of all electors at the City Court, City Building, up to and including Tuesday, February 8, 1966 from 11.00 a.m. to 5.00 p.m. daily.

QUALIFICATIONS OF ELECTORS

All persons, especially wives or husbands, qualified to vote under (b) below and non-taxpayers such as men aged over 60 voting on rental qualifications only, should see that they are registered with the Electoral Officer in order to have their names on the Voters List.

All voters qualified as below must be 21 years of age, residents of the city for one year, (except non-residents occupying business premises), Canadian citizens, and not in arrears of taxes at December 31, last.

QUALIFIED VOTERS, SUBJECT TO ABOVE ARE

- Owners or joint owners (for three months previous to Election Day) of Real Estate in the City to the extent of \$500.00 assessed value.
- Wife or husband of such an owner if the owner be entitled to vote.
- Men renting premises in the City of a yearly rental of at least \$100.00 and having rented such in the City for the three months previous to Election Day.
- Women who have been assessed for City Taxes for the past year and not in arrears as above. This includes those who have paid Educational Tax.
- Men who have paid Educational Tax for the past year.
- Non-residents of the City if otherwise qualified as above and doing business and occupying business premises in the City.

MULTIPLE VOTING

Persons voting on (a) (b) (c) (d) or (f) above may vote in each Ward in which they are so qualified. Persons voting on (e) above may vote in the Ward of which they are a resident. Property or rental qualifications having removed to another ward within three months next preceding date of Election entitles vote in the former ward only.

Dated at Charlottetown, this 3rd day of February, A.D. 1966.

SIGNED

J. D. Squarebriggs Jr.
Electoral Officer,
City of Charlottetown.

WESTERN BRIEFS

IN HOSPITAL
Mrs. Ronald Blanchard, St. Louis, is a patient in the Western Hospital.

UNDER CARE
Mrs. Roch O'Brien, St. Lawrence, is receiving treatment in the Western Hospital.

LEFT FOR TORONTO
Mrs. James Murphy, McNeill's Mills, and her daughter, Mrs. Wendell Weeks of Alberton, left on Thursday to visit members of their family in Toronto.

AT MEETING
Attending the Prince County Welfare Agency Annual meeting that was held at the Royal Canadian Legion Home, Summerside on Sunday from Tignish were: Wilson J. Shea, Mrs. Harold Cormier, Mrs. Emile Gallant, Mrs. Frank Gaudet, Mrs. Roy Gallant and Mrs. Reg Eidershaw.