

The Campbellton Graphic

VOL. XXIV—No. 6

CAMPBELLTON, NEW BRUNSWICK, THURSDAY, AUGUST 18, 1921

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On your House Plans if you intend Building a House. Don't sit back waiting for lower costs next spring. We anticipate building costs will increase if anything for 1922. Quit groping about hard times and the cold hard winter and help keep the ball rolling.

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21074 The Blue Fox Trot—Fox Trot	The Brown King of Chicago
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21076 The Blue Fox Trot—Fox Trot	The Brown King of Chicago
21077 The Blue Fox Trot—Fox Trot	The Brown King of Chicago
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TOWN ELECTION CALLED OFF

Council Meets in Special Session And Rescinds Former Motion.

A special meeting of the Town Council was held at 11 o'clock this morning. The Worshipful Mayor McKay presiding. Present: COUN. PATTERSON, ST. JOHN, WALLACE, CHAMBERLAIN, WYERS, and CHAMBERLAIN. The Council met in a few minutes and took their seats.

Mr. McKay called the meeting to order and explained that the meeting was called to deal with the matter of COUN. WALLACE and CHAMBERLAIN'S disqualification.

The reading of the minutes of the previous meeting was dispensed with. COUN. PATTERSON moved the following resolution:

Whereas upon investigation this Town Council find that COUN. WALLACE and COUN. CHAMBERLAIN representing Ward 1 in this Council, while acting as such councillors have been guilty of the following irregularities:

(Resolution published on page 2.)

And whereas it has further been brought to the attention of this Town Council that A. Ferguson, Chamberlain, has during his term of office, and while acting as such councillor been guilty of the following irregularities:

(As previously published.)

It is resolved that in the opinion of this Council the two said councillors should resign their seats in the Council.

COUN. PATTERSON asked if this was done according to law.

The Town Solicitor answered that the above resolution was only an expression of opinion, did not give any sanction on the resolution passed at the general meeting and was in error.

The motion carried 6-2. Mayor McKay voting nay.

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TOWN ELECTRICIAN BADLY INJURED

Collided With Train at Chapel Crossing on Monday Night.

Town Electrician H. G. V. Farrer, met with a severe accident Monday evening and that he escaped death is considered miraculous.

Mr. Farrer, who drives a Ford roadster, had previously installed a new siren on his engine which he was trying out. He left the Power House and ran up Prince William Street, carrying his speed slow to fast, and listening intently to ascertain whether the new siren was functioning properly.

Approaching the Chapel crossing at a fairly lively clip he did not see the local approaching, he was hit in the back, striking it between the tender and the baggage car. The auto was very badly broken up and Mr. Farrer pinned under the wreck. Willing hands helped him out and he was rushed to the hospital where his wounds were attended to.

Fortunately he suffered no broken bones, but was cut and bruised so badly that he suffered considerable pain, but Hiram says he will be around again in a few days.

The local was a little late Monday evening and Mr. Farrer did not anticipate coming into contact with her.

PRETTY MIXUP IN TOWN AFFAIRS

Hasty Action of Council in Dismissing Councillors Not Legal.

It now appears that the five members of the Town Council who so expeditiously proceeded, at a recent meeting of the Town Council to dismiss COUN. WALLACE and CHAMBERLAIN, without first obtaining the advice of the Town Solicitor, acted so hastily and may have to rescind the motion as passed, or defend a law suit.

The Graphic also understands that the Town Solicitor cannot uphold the action of the Council in thus proceeding so hastily and we confidently anticipate that steps will be taken shortly to remedy matters. It is very probable that the election called so hastily to fill the vacancies will also be called off and further time taken to look into the matter.

COUN. WALLACE and CHAMBERLAIN have engaged George Gilbert Esq., of Bathurst to look after their interests, and a lively legal battle will likely be the outcome.

The following letter has been received by His Worship Mayor McKay and the Town Clerk:

Bathurst, N. B., August 17th, 1921.

To the Mayor of the Town of Campbellton,

Dear Sir:

I am retained by Alderman William H. Wallace, elected for Ward 1 in town of Campbellton, and by Alderman Alexander F. Chamberlain, elected for Ward 2 in town of Campbellton, to give you notice that unless you immediately cancel the proposed election which you have called, to fill vacancies in said Council for said two wards, by reason of the alleged expulsion of the above named Aldermen from the Council, by a portion of the Town Council that proceedings will be taken, not only against the Town, but against the Aldermen responsible for improperly dismissing these Aldermen from the Council. As the facts are stated to me the action of the Council is absolutely ultra vires and any election which may be held cannot elect other Aldermen as the Council is now complete. I might point out that if Aldermen should be elected when a full board exists, and such newly elected Aldermen take part in meetings, the meetings and proceedings thereof would not be valid. In addition to action of a public nature, these Aldermen will claim substantial damages from the members of your board who took part in these proceedings.

Yours very truly,

(Sgd.) GEORGE GILBERT, Solicitor for Aldermen William H. Wallace and Alexander F. Chamberlain.

The action of the Town Council will be awaited with interest by the ratepayers.

(Since the above was written, the Council has acted as reported in another column.)

MEDAL WINNERS ARE ANNOUNCED

Miss G. R. Wyers Carries Honors in Restigouche County.

Winners of the medals for 1921 annually presented by the Lieutenant-Governor to the leaders in the various counties at the High School Entrance Examinations were announced Wednesday morning by the Chief Superintendent of Education.

The leader in the competition throughout the province is Miss Mildred O'Brien, of St. John, Miss Irene Card of Dorchester, being second and Lloyd Grass, of St. George, third.

The complete list of winners, showing eleven of the fourteen winners to be young ladies, with the name of the school written, follows:

Albert—Ernest Godard—Elgin Superior.

Carleton—Isobel Mair, Woodstock Grammar.

Charlotte—Lloyd Grass—St. George Superior.

Gloucester—Barbara Sealy Branch Bathurst Grammar.

Kent—Helen Boyce—Rexton Superior.

Kings—Raymond Proctor—Sussex Grammar.

Madawaska—Regina Theriault—St. Basil Superior.

Northumberland—Norine Harquail—Chatham Grammar.

Queens—Lucille Bridges—Gagetown Grammar.

Restigouche—Geraldine Roxana Wyers—Campbellton Grammar.

St. John—Mildred O'Brien—St. Peter's School, St. John.

Victoria—Arnold James Burgess—Grand Falls Superior.

Westmorland—Irene Alice Card—Dorchester Superior.

York—Kathleen F. Baird—Fredericton Grammar.

The explanation given at the Education Office of there being no winner shown for Sunbury County was that there was no competition in that county.

MAKING PLANS FOR WINTER

Lumbermen Will Cut Some Lumber On Restigouche This Season.

Plans for the erection of a better, more efficient mill to replace the one recently destroyed by fire are being made by the Richards Lumber Company, who expect to proceed with the construction of the new mill as soon as possible.

Although practically no lumber has been shipped from this port by water this year, with the exception of shingles and laths, there are no indications at present of the mills closing down.

It is understood that the crews which will go into the woods this coming winter will be considerably reduced in number in comparison with recent years but plans are being made to carry on some operations, although the curtailment will be great even when compared with last year's small cut.

JUDGMENT RENDERED

Judgment has just been rendered by the Privy Council in the case of the Bathurst Salmon Club against Duchaine, and the judgment of the Supreme Court of Canada has been reversed. The facts are as follows:

In 1891, one Blais was the owner of a piece of land bordering on to the Miramichi river which is a non-navigable stream. Opposite this piece of land, there is a narrow pool, which is one of the best pools on the Miramichi river. Lord Mount Stephen acquired this land in 1891 but made no mention of any part of the bed of the river or of the river bank. Later on, Lord Mount Stephen sold these fishing rights to the Bathurst Salmon Club. Blais sold the land year this pool to one Duchaine. After Duchaine had bought the land he commenced fishing in this pool. The club then sued Duchaine claiming that they owned the fishing rights. Duchaine contested the action claiming that the fishing rights were transferred to him by the river bank bed constituted a right of servitude only and that as the Club did not renew its title after the catastrophe came in force that it had lost its right to the servitude. The Superior Court presided over by Judge Roy declared that fishing rights were not simply a right of servitude but a real right of property and he therefore maintained the action taken by the Club. The Court of Appeal at Quebec upheld the judgment of the Superior Court but changed the reasons of judgment. The chief justice of the Court of Appeal Judge Archambault declared that a transfer of fishing rights purely and simply without any part of the bed of the river or of the river bank was a right of usufruct only. Judge Pelletier of the Court of Appeal was however of the opinion that the fishing rights constituted a right of ownership or of property. The Supreme Court of Canada reversed the judgment of the Court of Appeal by two against three. Justice Bissonnet, Brodeur and Anglin being of the opinion that the transfer of fishing rights purely and simply was to the transferee a right of usufruct only and seeing that all usufructs terminate at the death of the usufructuary that in this case the fishing rights in question at the death of Lord Mount Stephen would revert to the owner of the land that is to say rights of the Club in virtue of the decision of the Supreme Court of Canada which was a very few years ago. The club was not satisfied with the judgment of the Superior Court and carried the case through the Privy Council. The Privy Council has just rendered judgment reversing the decision of the Superior Court and has declared that the Bathurst Salmon Club is the absolute owner of the fishing rights in question and that the rights will still continue to exist even after the death of Lord Mount Stephen.

The club will bring an application in the Province of Quebec at the Bathurst court to have the fishing rights transferred to the club of the river bank on the bed of the river.

The club was represented by the Honorable John Hall Kelly, K. C., and by Mr. Charles Lamont, K. C. and Duchaine was represented by Mr. Charles Anglin, K. C. and Mr. Louis St. Laurent, K. C. of the firm of Gallop, St. Laurent, Matayer and Devlin of Quebec.

FEDERAL APPOINTMENT

Scott Moffat, of Campbellton, has been appointed an officer to superintend the survey and measurement of ships and a surveyor of accommodations for seamen at the port of Campbellton.

WILL BOOST "MADE-IN-CANADA" GOODS

Ottawa, Aug. 16.—Regulations governing the marking of imports with the name of the country of origin which come into effect on October 1, have been drafted by the department of customs and excise practically in the form in which it is expected they will be made effective. In order that he may secure the views of the importers with regard to the suitability of the proposed regulations, which became necessary through amendments to the customs legislation at the last session of parliament the minister of customs, Hon. R. W. Wigmore, has called a round-table conference of exporters from the Maritime and Top-coast boards of trade which will be held on Monday next and at which the present draft of regulations will be laid before the exporters.

It is expected that the bringing into force of the new regulations on October 1, will have a salutary effect on the movement for the use of Canadian products wherever necessary, as every article imported must, under the new law, have the name of the country of origin stamped plainly on the outside wrapper. In this way Canadian purchases will be able to see at a glance whether they are buying "made in Canada" goods.

TWO FROM ST. JOHN

Nine Canadians, who are studying for the priesthood, received the habit of the Redemptorist, Congregation at the College, Ilchester, Maryland, Aug. 16.

Two young men from St. John were among the number, Austin McGuire, son of Thomas McGuire and the late Mrs. McGuire, and James Graman, son of Mrs. Margaret Graman and the late Philip Graman.



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Heavy Tweeds in Seasonable Shades—Just what is required when motoring.

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now \$6.75	were \$13.50
\$9.00	\$18.00
\$12.50	\$25.00

Ferguson & Wallace

OBITUARY

Joseph LeBlanc.

The community was greatly grieved to learn on Sunday of the death of Joseph LeBlanc, which occurred that morning at the Hotel Dieu Hospital.

The deceased who was in his forty-fifth year was a highly respected citizen and up until the time of his illness, which has covered a long period, was employed upon the C. N. R. as a carpenter.

On Saturday morning he was removed from his home on Victoria St., to the Hotel Dieu Hospital to undergo an operation, which operation was performed shortly after his entry, but his condition was such as to cause grave anxiety as to the operation, though it was his only hope for recovery.

Deceased leaves to mourn the loss of a kind and affectionate husband and father a bereaved wife and seven children, Randolph, Arnold, Tréssa, George, Arthur, Ranie and an infant child, to whom the heartfelt sympathy of the entire community is extended in this their hour of sore bereavement.

The funeral services which were held Tuesday morning, Rev. Father Melancon officiating, were largely attended.