

## Final Appeal Judge Gives Ruling on Exemption of Farmers

Mr. Justice Duff (the Final Court of Appeal) Declares it is Essential that there shall be No Diminution in Agricultural Production.

(Published by authority of Director of Public Information, Ottawa.)

Hon. Mr. Justice Duff gave judgment on December 6th, in the first test case brought before him, as Central Appeal Judge (the final court of appeal), for the exemption of a farmer. The appeal was made by W. H. Rowntree in respect of his son, W. J. Rowntree, from the decision of Local Tribunal, Ontario, No. 421, which refused a claim for exemption. The son was stated to be an experienced farm hand, who had been working on the farm continuously for the past seven years, and ever since leaving school. He lives and works with his father, who owns a farm of 150 acres near Weston, Ontario. With the exception of a younger brother, he is the only male help of the father on the farm. The father is a man of advanced years.

In granting the man exemption "until he ceases to be employed in agricultural labor," Mr. Justice Duff said:

"The Military Service Act does not deal with the subject of the exemption of persons engaged in the agricultural industry; and the question which it is my duty to decide is whether the applicant being and having been, as above mentioned, habitually and effectively engaged in agriculture and in labor essential to the carrying on of agricultural production, ought to be exempted under the provisions of the Military Service Act.

"These two propositions are indisputable:

"(1) In order that the military power of the allies may be adequately sustained, it is essential that in this country and under the present conditions, there should be no diminution in agricultural production.

"(2) The supply of competent labor available for the purpose of agricultural production is not abundant, but actually is deficient.

"The proper conclusion appears to be that the applicant, a competent person, who had been habitually and effectively engaged in labor essential to such production, ought not to be withdrawn from it.

"It is perhaps unnecessary to say that such exemptions are not granted as concessions on account of personal hardship, still less as a favor to a class. The sole ground of them is that the national interest is better served by keeping these men at home. The supreme necessity (upon the existence of which, as its preamble shows, this policy of the Military Service Act is founded) that leads the State to take men by compulsion and put them in the fighting line requires that men shall be kept at home who are engaged in work essential to enable the State to maintain the full efficiency of the combatant forces, and whose places cannot be taken by others not within the class called out."

Ottawa, Dec. 8, 1917.

### TO PROSECUTE THE PROFITEERS

Johannesburg, South Africa, Dec. 7.—Hon. Mr. Malan, Minister of Mines, states that if the Commission now sitting reports there is proof of profiteering or cornering of necessities of life, the Government will not hesitate to prosecute.

"Two are company." "Yes, until after they are made one."—Baltimore American.

### FUR IN DEMAND

London, Dec. 1.—Fur is in keen demand just at present and a marked increase in price resulted at the October sale. Chinese, Australian and Russian supplies were very scarce, while American furs were not half sufficient to meet the demand. Prices ranged from 15 per cent. to 100 per cent. advance on previous sales. Nutria, black musquash and black kid skins reflected the advance most.

### KENNEDY'S HOTEL

St. Andrews, N. B.  
A. KENNEDY & SON, PROPRIETORS  
Beautifully Situated on Water Front. Near Trains and Steamboats.  
Closed for the winter. Will reopen in June.  
Rates quoted on application.

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LEADING HOTEL AT  
ST. JOHN, N. B.  
Conducted on European Plan in Most Modern and Approved Manner  
NEW GARDEN RESTAURANT  
200 Rooms - 75 With Bath  
THE RAYMOND & DOHERTY CO., PROP.

TRY "THE OVERLAND"  
PAYNE'S  
THE NEW TEN CENT CIGAR FOR FIVE CENTS

Try a BEACON Adv. For Results

### THE RIVERMAN

BY STEWART EDWARD WHITE

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#### Chapter 14

ON his return home late Monday afternoon Grandma Orde informed the river boss with a shrewd twinkle that she wanted him to wait at home the following evening.

"I've asked three or four of the young people for a candy pull," said she.

"Who, mother?" asked Orde.

"Your crowd—the Smiths, Collings, Jane Hubbard and Her," said Grandma Orde.

The young people straggled in at an early hour after supper. Orde stepped into the hall to help them with their wraps. He was surprised as he approached Carroll Bishop to find her cloak from her shoulders to find that the top of her daintily poised head, with its soft, fine hair, came well below the level of his eyes. Somehow her poised, her slender grace of movement and of attitude, had lent her the impression of a stature she did not possess.

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"It is one of the oldest houses in town," said Orde, "and I suppose it is picturesque. But, you see, I was brought up here, so I'm used to it."

"Wait until you leave it," said she. "Then all these things will come back to you to make your heart ache for them."

After the company had gone Orde stood long by the front gate looking up into the infinite spaces. Somehow, and vaguely, he felt the night to be akin to her elusive spirit. Farther and farther his soul penetrated into its depths, and yet other depths lay beyond, other mysteries, other unguessed realms. And yet its beauty was the simplicity of space and dark and stars.

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"Will you write me occasionally?" he begged.

"As to that—she began—"I'm a very poor correspondent. I do not make it a custom to write to young men."

"Oh!" he cried, believing himself enlightened. "Will you answer if I write you?"

She began gently to laugh, quite to herself, as though enjoying a joke entirely within her own personal privilege.

"What is your address in New York?" demanded Orde.

She sank into a chair near by with a pretty uplifted gesture of despair.

"I surrender!" she cried, and then she laughed until the tears started from her eyes. "Oh, you are delirious!" she said at last. "Well, Heaven, I live at 12 West Ninth street. Can you remember that?" Orde nodded.

Two days later Orde saw the train carry her away.



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The next time he saw her was at the house of the friend she visited. Orde was lucky enough to find the girls home and alone. Jane made an excuse and went out. They talked with a considerable approach toward intimacy. Not until nearly time to go did Orde stumble upon the vital point of the evening. He had said something about a plan for the week following.

"But you forget that by that time I shall be gone," said she.

"Gone?" he echoed blankly. "Where?"

"Gone," said she. "Don't you remember I am to go Sunday morning?"

"I thought you were going to stay a month."

"I was, but I—certain things came up that made it necessary for me to leave sooner."

"Will you write me occasionally?" he begged.

"As to that—she began—"I'm a very poor correspondent. I do not make it a custom to write to young men."

"Oh!" he cried, believing himself enlightened. "Will you answer if I write you?"

She began gently to laugh, quite to herself, as though enjoying a joke entirely within her own personal privilege.

"What is your address in New York?" demanded Orde.

She sank into a chair near by with a pretty uplifted gesture of despair.

"I surrender!" she cried, and then she laughed until the tears started from her eyes. "Oh, you are delirious!" she said at last. "Well, Heaven, I live at 12 West Ninth street. Can you remember that?" Orde nodded.

Two days later Orde saw the train carry her away.

"Oh, it is so quaint and delightful," Carroll exclaimed slowly, "his dear old house with its low ceilings and its old pictures and queer, unexpected things that take your breath away."

"It is one of the oldest houses in town," said Orde, "and I suppose it is picturesque. But, you see, I was brought up here, so I'm used to it."

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### FARM WORKERS WILL BE EXEMPTED FROM MILITARY SERVICE

Mr. Justice Duff's first judgement rendered as Central Appeal Judge for Canada on Dec. 7th makes it quite clear that farm workers are entitled to exemption on the grounds that production must be maintained in order to sustain the Military power of the Allies. This judgement of the Appeal judge is binding as law upon the appeal tribunals and local tribunals throughout the whole country.

Another judgement by Justice Duff shows that exemption is favored for men with all brothers already at the front or in service.

### RIOT AT SHEBROOKE

Shebrooke, Que., Nov. 30.—The most serious disturbance that has yet occurred in the province of Quebec in the present general elections took place here last night at a meeting in His Majesty's Theatre, where Hon. C. J. Doherty, Minister of Justice, and Hon. C. C. Ballantyne, Minister of Marine and Fisheries were giving oratorical assistance to the Unionist candidate here, W. S. Davidson. It was a riotous and murderous-acting crowd of hoodlums that started the trouble as soon as Mr. Davidson started to speak, and which ended only after the front of the theatre had been wrecked and a cyclonic effect had been given to the interior by numerous fights. The rioters were held back only by the well-directed use of a fine hose at the stage door when they attempted to storm the stage where the speakers were.

The riot lasted more than three hours, during which period the mob broke through the doors of the theatre, and were repelled by the citizens who had been occupying seats on the ground floor, and who, each time that the gang broke into the theatre, rose up in their might and drove them back.

At the end of the meeting the chairman called on the 800 peaceable people still in the theatre to remain inside for a time in order that the situation might be gone in with a view to seeing what steps could be taken to get the women away in safety. The men decided to protect their women themselves, and many chairs were broken so that the arms and legs might serve as weapons. Almost en masse the audience left the hall, and were not molested.