

THE HERALD

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Valuable Time Wasted.

Now that the Dominion Government is engaged in the occupation of attempting to drive its reciprocity agreement through parliament by holding out the threat of an immediate dissolution and an appeal to the people it is well to analyse the situation and see which side of the House of Commons is responsible for the present condition of affairs. With the end of the fiscal year the government finds itself with very little supply voted, and the sole reason of this is that no serious attempt has been made by the powers that be to obtain the passage of estimates for the coming twelve months. One day on an average a week since the Christmas recess was devoted to supply, and it was within jurisdiction of Mr. Fielding if he seriously wished to get the money to carry out the undertaking of the various departments to move the House into committee of supply every day in the week. But Fielding saw otherwise. For seven weeks now the reciprocity agreement has blocked the wheels of progress. Precipitated into the arena of party politics without as Mr. Sifton says due consideration or study the agreement has become a veritable octopus which has strangled the life out of the session's march to prorogation and has placed the government in the unenviable position of trying to force on parliament and the people a measure concerning the full meaning of which they are still totally in the dark and for which no mandate exists.

So when the Government complains that the opposition is blocking supply it is shutting its eyes to the obvious fact that it is impossible for the opposition or any other group of men to block something which is not put before it for consideration. Sir Wilfrid Laurier and Mr. Fielding have after the past seven weeks learned the bitter lesson that in attempting to force the agreement down the throat of parliament they were attempting a task too great even for their daring disregard of what is right and proper in the interests of the public of Canada. All the opposition has done is to consider from every viewpoint the meaning of this much wanted "bargain" brought home from Washington by the Laurier missionaries.

The opposition has nothing to fear if Sir Wilfrid Laurier carries out his bluff, and summons up sufficient courage to take the plunge. Not only will the fight be waged on the reciprocity issue but the record of the administration with its long series of scandals will be placed squarely before the people. What will the business men of Canada think of the record of the National Transcontinental railway which was to have originally cost \$50,000,000 according to the expert calculations of the government advisers but has already eaten up \$150,000,000 with more yet to come? What of the Quebec bridge lying a tangled mass of steel at the bottom of the St. Lawrence encumbered by the whitening bones of the 60 workmen employed on the undertaking at the time of the collapse? This is a blot on the page of Laurierism which will take years to erase. There is the Intercolonial with its incubus of patronage, which remains a burden upon the pockets of the Canadian people. If Canada is a dearer country to live in today than the United States it is due to the customs and excise taxation. Inefficiency and worse on the part of the administration stare the people in the face. The grotesque attempts to cover up wrong-doings and burke enquiry would be language were their import not so serious. In the Department of Marine and Fisheries hundreds and thousands of dollars were squandered and few of the offenders brought to adequate justice. At every step Sir Wilfrid Laurier and his followers have fought the demand of the opposition that full and free enquiry should be made into the administration of the great spending departments and the lid has been kept screwed tightly on. Only a few days ago the legitimate request that a royal commission probe into the affairs surrounding the Farmers Bank and the issue by Mr. Fielding of the certificate which gave this institution the right to rob depositors and shareholders was refused and the government also voted down a resolution for an enquiry into the open scandal of the surrender of the St. Peter's Indian reserve where 40,000 acres of land were siphoned from these wards of the people by bribery and fraud, and sold at \$5 an acre to political dealers and friends of the administration—lands among the best in Manitoba worth \$25 an acre.

These are some of the things—and instances could be multiplied—which brand the regime of Laurierism as the most corrupt and venal which has ever had the destinies of Canada in its keeping. Is it any wonder that the opposition is ready to place the issues before the people when the moment comes? The Laurier record is strewn with failure, with wrong-doing and incapacity. The last dying efforts to gain a certain amount of favor in the west by trucking to Uncle Sam has already proved to be a misjudged one. With such a record to carry the Government enters the fray seriously handicapped. Its wrong-doing is known its cynical disregard for the people's rights unblushingly avowed and surely when the opportunity is given them the voters of the Dominion will express their views unmistakably thereon.

The Government's Financial Showing.

Following is the statement of the Province's receipts and expenditure for the year ended Sept. 30, 1910 as shown in the Provincial Auditor's report on the public accounts:

Table with 2 columns: Item, Amount. Includes Dominion Subsidy, Public Lands, Provincial Secretary's Fees, etc.

Receipts for year ended 30th September, 1910.

Table with 2 columns: Item, Amount. Includes Dominion Subsidy, Public Lands, Provincial Secretary's Fees, etc.

Expenditure for the year ended 30th Sept., 1910. Administration of Justice, Boards of Health, Coroners' Inquests, etc.

Sessional Notes.

The House met on Tuesday 21st. at 3.45. After questions and other matters of routine, Mr. Speaker called for "Orders of the Day," but Mr. Wyatt rose and enquired about the vacancy on the Supreme Court Bench. He wanted to know why this vacancy was so long continued. He went on to show the eminence to which Mr. Justice Hodgson had attained both at the bar and on the bench. It was much to be regretted that he had been obliged to resign. But the vacancy having taken place, why was it not filled before now? The two Judges have for a long time been doing the business of the courts; but there were many disadvantages connected with this condition of things. This was particularly unfortunate in the court of appeal, where the decision of a trial judge is under consideration. The trial judge is one of the court of appeal and has with him only one other judge. If the trial judge holds his original decision the matter remains as in the first case. In the Court of Chancery, the same or even greater inconveniences steadily prevail. As a matter of fact, under the present condition of things, we have no court of appeal in equity. There is no court to try a number of cases pending. This is an unfortunate condition of things. He enumerated several cases involving very large amounts of money, which were hung up in this court for want of a quorum on the Bench. The parties to all these cases were sufferers on this account. He recited the dates of the appointments of Judges when vacancies occurred in our Supreme Court since 1876, and showed that, in no case, did a vacancy exist longer than ten days. He showed that the same expedition applied in the appointment of County Court Judges, the vacancies existed only for a few days, or at most a month or so. Why then was such delay allowed to exist in the present case? Mr. Wyatt concluded his speech by moving the following resolution: "Resolved that an humble address be presented to His Excellency the Governor General in Council praying that his Excellency may without further delay make an appointment to fill the vacancy on the bench of the Supreme Court and Court of Chancery caused by the resignation of the Honorable Mr. Justice Hodgson."

Hon. G. E. Hughes undertook to defend to Government's position in the matter. He concluded his brief remarks by moving an amendment to Mr. Wyatt's motion.

The Leader of the Opposition considered that this was a question, sufficiently important to receive the serious attention of the House, and the House had a right to hear from the Premier on the matter. In addition to the cases enumerated by Mr. Wyatt, he cited several others involving thousands and thousands of dollars, that have been hung up in the Court of Chancery to the loss and inconvenience of the parties thereto. There is an adage, he said, that Justice delayed is Justice refused? In the face of all these wrongs and inconveniences the Government organ says the Dominion Government will make the appointment, "when they are good and ready," and the Hon. member for Charlottetown, Mr. Hughes, advises the Federal authorities to make the appointment "with all convenient despatch." There is an opinion current that the delay is in consequence of political reasons, if

the department of Justice involves itself in political tangles it is little less than disgraceful. If the delay is not for political reasons, what is the reason? This appointment should not be made a matter of political convenience. It is a matter of duty, a matter of the greatest importance. The object of the amendment moved by Mr. Hughes is to kill the resolution. He is quite an adept at this kind of work in the House. The influence of the members from this Province, in the House of Commons should be brought to bear on the authorities in this matter, but the voices of three out of four of these are stifled, and we have to suffer in consequence. We are entitled to a full Bench. In any case before the courts we are entitled to have the full staff of all the members of any branch of the legal machinery. Eleven jurymen cannot render a legal verdict where twelve are required. Delay may mean the death of witnesses and many other misfortunes to parties to cases hung up in the Courts. These are some of the many reasons why this vacancy should not continue longer.

The Leader of the Government tried to shield himself and his friends from the onslaught of the opposition, and to slur over the exceedingly improper condition of things allowed to continue in this important matter. He set up the plea that the appointment of Judges pertains to the Federal authorities. He defended the amendment.

Mr. Arsenault asked the Leader of the Government if he would deny that he had for a considerable time, been a candidate for the position of Judge to fill the vacancy in question? Was it not true that the Leader of the Government and another man in political life were jockeying for position in the case? Let the Premier answer these questions. It was disgraceful to this House if it has not yet made any representations in this matter. When we have a grievance, should we not have a mouthpiece, and who should act in this capacity if not the Legislature where in our representatives occupy their positions to act for the people?

Mr. Palmer continued the discussion on behalf of the Government. He, of course, opposed the original resolution, and favored the amendment.

Mr. McLean thought Mr. Palmer could not show that any appointment to the Bench, in this Province had been submitted to the Bar Society, as he would like to indicate was the proper association to take it up. He pointed out that a litigant who had an appeal taken against him always suffered by delay. The longer the delay the worse became his chances. He moved an amendment to the amendment that the word "convenient" be struck out of the amendment.

Mr. Wyatt referring to Mr. Cox's remarks, that the whole object of the opposition in pushing for an appointment of a Judge was to create a vacancy by the appointment of the Premier, so that the Government would be beaten at a General Election, said that, no doubt the member from Morell felt frightened on that point. No doubt, he said, Mr. Cox was right, an appeal to the people would place the Government in a minority. Mr. Cox showed most conclusively that the position was kept vacant in consequence of political expediency.

The discussion was con-

tinued by Hon. L. McDonald, Mr. Dobie, Mr. Palmer, Mr. Wyatt, the Leader of the Government and the Leader of the Opposition.

Mr. Mathieson said that the Premier's statement that this was probably the first intimation the Governor General would have regarding this matter was surely a most extraordinary statement. He felt sure the matter had been brought to the notice of the Governor General. If it had not it should have been. If it had not the Government of this Province had been derelict in their duty. They should have lost no time in bringing this matter before the proper authorities. It certainly was extraordinary to hear that he should not be in such a rush after the vacancy has existed for nearly a year and litigants are severely suffering. It being six o'clock the House adjourned.

On Wednesday afternoon the House met at 3.40. A good deal of time was spent in the asking, answering and explaining of questions.

When the orders of the day were reached, the debate on Mr. Wyatt's resolution relative to the appointment of a Judge of the Supreme Court was resumed by the Leader of the Opposition. He pointed out that the court of appeal in Equity has never sat since 1883 unless with three Judges. As a consequence this court cannot now sit because there are only two Judges. As a result of the foregoing numerous cases appealed to this court are tied up. It was, therefore, all nonsense to say that two Judges were enough, as the Premier stated. He considered that Mr. Cox had, on the previous day inadvertently expressed the mind of the Government; when he blamed the Opposition for being anxious to have the Leader of the Government appointed to the Bench. Then a general election would be necessary and the Government would be beaten. The whole thing was a matter of political expediency; certainly a scandalous position.

The matter was further sharply discussed by the Leader of the Government, Mr. Wyatt and Mr. Arsenault. The vote was then taken on Mr. McLean's amendment to the amendment. The vote stood 14 to 14. The speaker gave his casting vote in favor of the Government against Mr. McLean's motion. The question was then taken on the amendment and passed without division. The main motion as amended then passed without division.

The House next went into committee on the bill to incorporate the Prince County Publishing Company with Mr. McKinnon in the chair. The bill was reported from committee agreed to with a slight amendment.

The House then went into committee on a bill amending the Charlottetown incorporation act. Progress was reported when the speaker took the chair at six o'clock. The House then adjourned at 8 o'clock same evening.

The House resumed the sitting at 8.30 in the evening, and immediately went into committee to further consider the bill amending the vital statistics act. Discussion was participated in by Mr. Mathieson, Mr. Arsenault, the Leader of the Government the Commissioner of Agriculture, Mr. Wyatt, Dr. Warburton and Mr. Dobie. Progress was reported at 10.30. The House then adjourned to Thursday afternoon at 3 o'clock.

House met at 3.45, on Thursday 23rd. A great number of questions were asked by members of opposition many of them repeated from previous days. Some were answered, but in the majority of cases the stereotyped answer was returned that "the information would be prepared."

The House went into further committee on the bill amending the Charlottetown incorporation act. The bill was reported with some slight amendments.

On motion of Mr. McLean, the bill incorporating the Canada Dextrine Company was read a second time and committed to a committee of the whole House, with Mr. McKinnon in the chair. The bill was reported without amendment. Several bills were reported from the private bills

committee. The House then went into Committee on a bill promoted by Mr. Mathieson, to change the Sir name of Frederick Duncan Burke to the name "Berkeley." The bill was reported without amendment.

On a motion of Mr. Cumiskey commissioner of Public Works, for the House to go into committee to make one change in the rules of the House Mr. Mathieson, Leader of the Opposition pointed out that this was irregular and out of order, inasmuch as there was a standing committee on rules and order of which the commissioner was chairman. Any action in this matter could not regularly come before the House except on a report of this Standing Committee. He, therefore, considered the motion out of order and asked Mr. Speaker to so declare it. Mr. Cumiskey thereupon withdrew his motion, and the matter dropped.

On motion of Hon. Mr. Richards, the House went into committee on a resolution to provide for a Farmers' Central Institute and for the expenditure in connection therewith. The resolution was reported agreed to without amendment and a bill in accordance therewith was introduced and read a first time. The House then adjourned to Friday at 3 o'clock.

The House met on Friday at 3.50. After petitions and questions, the Leader of the Opposition called the Premier's attention to the fact that certain questions relative to boring for coal and expenditure in connection therewith had not been fully answered. The Leader of the Government in reply gave explanations purporting to cover all sections of the question.

A bill amending the Charlottetown incorporation act was then read a second time and committed to a committee of the whole House. The bill introduces the ballot for civic elections.

Hon. Mr. Hughes moved an amendment regarding a property qualification only for candidates for Councillors. The Leader of the Government and Hon. L. McDonald expressed their disapproval of the introduction of ballot voting. The Leader of the Government said that he would not interpose his personal objection to the introduction of the ballot, as it had been here asked for by the Mayor and City Councillors.

The Leader of the Opposition pointed out that, contrary to the declaration of the Premier, the ballot was the real issue in the civic elections last year. Mr. Lyons pronounced in favor of it in his election card, then Mr. Rogers, the other majority candidate followed suit. By endeavoring to have ballot voting, the City of Charlottetown was only placing itself on a level with Summerside, Souris and all civilized Communities.

The amendment of Hon. Mr. Hughes, to remove the rental qualifications for Councillor and make the qualification real estate worth \$1,000 gave rise to some discussion. The Leader of the Opposition considered it rather extraordinary for the Hon. member for Charlottetown to require a property qualification for Councillors when candidates for the Legislature or for the House of Commons require no such qualifications. The amendment was put to vote and the chairman declared it carried on a vote of 14 to 12; but Mr. Mathieson pointed out that two members on the Government side were not in their places when the question was put and should not be counted. Thereupon the chairman declared the motion carried on his casting vote. The House then adjourned.

House met on Saturday at 11.15. After the usual routine committee was resumed on the bill amending the Charlottetown incorporation Act Mr. Mathieson again took strong exception to the amendment proposed by Hon. Mr. Hughes, providing for wiping out the rental qualification for Councillors. He was followed by Mr. McLean who severely animadverted upon the injustice involved in this amendment. Both speakers pointed out that many of those conducting the largest business establishments in Charlottetown were not owners of real estate but were carrying on their business in rented premises. They demanded that Mr.

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CANADA, PROVINCE OF PRINCE EDWARD ISLAND.

IN THE SURROGATE COURT, 1st GEORGE ST., A. D. 1911.

In re estate of John Murnaghan, late of Peake's Station, in King's County, in the said Province, deceased, intestate.

By the Honourable Richard Reddin, Surrogate, Judge of Probate, &c., &c., &c. To the Sheriff of the County of King's County, or any Constable or Illerns person within said County.

Whereas upon reading the petition, on file, of Lottie Murnaghan, of Peake's Station, aforesaid, Administratrix of the said estate praying that a Citation may be issued for the purpose hereinafter set forth: You are therefore hereby required to cite all persons interested in the said estate to be and appear before me at a Surrogate Court to be held in the Court House in Charlottetown, in Queen's County, in the said Province, on Monday, the third day of April next coming, at the hour of twelve o'clock noon of the same day, to show cause if any they can why the accounts of the said estate should not be passed and the estate closed as prayed for in said petition, and on motion of James A. McLean, Esq., Proctor for said petitioner. And I do hereby order that a true copy hereof be forthwith published in some newspaper published in Charlottetown, in Queen's County, for at least four consecutive weeks from the date hereof, and that a true copy hereof be forthwith posted in the following public places respectively, namely, in the hall of the Court House in Georgetown, in King's County, and in front of the School-house situated at Peake's Station and Mount Stewart respectively, so that all persons interested in the said estate as aforesaid may have due notice thereof.

Given under my hand and the seal of the said Court this twenty-fifth day of February, A. D. 1911, and in the first year of His Majesty's reign.

(Sgd.) RICHARD REDDIN, Surrogate, Judge of Probate March 1, 1911-41

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Mortgage Sale

To be sold by Public Auction at the Court House in Charlottetown, on Saturday April 22nd, 1911 at 12 o'clock noon. All that tract of land being part of Common Lots Numbers Nineteen and Twenty in Charlottetown Common bounded and described as follows, that is to say—A line commencing on the Western side of the Malpeque Road in the South East angle of the said lot and running thence along the said Road Southerly Seventy-three Links or to the Northwest angle of a plot of land sold by Francis Xavier Links to Owen Connolly; thence along the Northern boundary line thereof, Westerly Three Chains and thirty-two Links; thence North Seventy-three Links or to the South West angle of a piece of land in possession of Andrew McQuade; thence Easterly on the Southern boundary of the said Andrew McQuade's land Three Chains and thirty-two Links to the place of Commencement.

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