

DURHAM CHRONICLE

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Whoever is afraid of submitting any question, civil or religious, to the test of free discussion, is more in love with his own opinion than with the truth.—WATSON.

Thursday, February 17, 1927

DECEMBER ELECTIONS

Orangeville is the latest town we have noticed to take advantage of the legislation whereby municipalities have the power to change the date of their elections from the first Monday in January to the first Monday in December, with the nominations a week earlier.

Last year The Chronicle expressed the hope that the Durham Council would pass a similar bylaw, but nothing was done. It is hoped that they will consider the matter this year and take advantage of the privilege, which has many points in its favor and none that we know of against.

By holding the elections in the first week in December, there is a reasonable assurance that the weather conditions will be much more favorable than in January and that a much better expression of opinion on municipal affairs will be obtained from the electors, many of whom, through age or illness, are unable to turn out in the cold days of January.

On the other hand, the holding of the elections at this time will get them away from the holiday period, and we are of the opinion that were the electors themselves consulted they would be overwhelmingly in favor of having the election a month earlier.

That the advancing of the date must work out satisfactorily is evidenced by the fact that not one of the municipalities that have gone over to the new system have returned to the old, and we have never yet heard an objection to the change on the part of any of the electors. On the other hand, we have heard many of them express themselves as highly pleased with the change.

We hope that the Durham Council will this year take the matter up. All that is necessary, we understand, is to pass a bylaw to this effect. In the first year, it may mean that the payment of taxes will have to be advanced by one month, but after this everything will move along much the same as now.

The advancing of the date of the elections by one month is not a bad thing, rather it is a move in the right direction, and one that will make for the convenience and comfort of those who have to turn out and vote. We would like to hear some opinions of our readers on the question and will be pleased to publish short letters regarding the matter. To us, it is a question that should receive more attention from the Council than it got last year, when the matter was not even discussed at the Council Board.

RAZZING THE JUDICIARY

The Flesheron Advance has had quite a good time during the past three or four months over a recent decision of Judge Sutherland at Division Court held in that village, when he refused to allow a farmer damages for a pig he had killed by a car. In another column of this issue we give publicity to an article that appeared in that paper two weeks ago. The Kincardine Review-Reporter has also taken the matter up and in the recent article inquires: "Who owns the highways of our province—the farmer or the urban dweller?"

We saw the account of the trial as it appeared in The Advance but, seeing that there must be something wrong, we did not copy it, nor have we up to this time said anything about it. A recent conversation we had with His Honor Judge Sutherland, confirmed our suspicion and now we are gladder than ever that we did not pick up the cudgels in defense of the farmer, whom, the Advance, and now the Kincardine paper, insinuate was discriminated against.

Judge Sutherland was not at all loth to discuss the subject. He gave the decision against the man with the pig and in favor of the motorist but says he would do the same thing over again if he were called upon to decide.

According to Judge Sutherland the evidence showed that the farmer in question was leading the pig along the highway when the accident happened. According to the farmer's own evidence, the car was not being driven at an excessive rate of speed. He admitted that he had

the animal fast by a rope on one leg and that when the car drew near he moved over on to the grass. The motorist in his evidence said that he saw the man but failed to notice the pig until it was too late to stop.

The evidence went further to show that when the man moved over to the grass on the side of the road he pulled on the rope and the pig, quite naturally turned broadside on the highway and when struck was if anything, on the wrong side of the road. As the pig was a big one of about 300 pounds the man on the rope had little, if any, control.

In talking to us of the matter, Judge Sutherland said that in dealing with cases of this kind it was not a question as to who owns the roadway. The man with the pig had as much right on the road as the man with the car—but no more. This was a point often lost sight of. In case of accident it is not the duty of the law to do more than find out who is responsible for the accident. If a farmer with a pig on the highway is the cause of an accident, then he must bear the responsibility just as much as a motor car driver or anyone else.

In the case in question it had been clearly proven that the man with the automobile had used every caution. He was not driving at an excessive speed (the farmer's own evidence said about 20 miles an hour), he was on his proper side of the road. The farmer, on the other hand, was off in the grass on the side of the highway, while the pig, a rope attached to its leg, was standing broadside near the centre of the road and apparently trying to cross over to the opposite side to that on which its owner stood.

Judge Sutherland said that the day was gone when every accident on the highway in which an automobile figured could be attributed to the motor car without further evidence. The motor car was here to stay, it had its place in the country, and was as much entitled to the highway as any other vehicle.

Personally, The Chronicle regrets the stand taken by both The Advance and The Review-Reporter. Their articles would insinuate that the farmer in the case, because he was a farmer, had been unjustly treated by the judiciary of the country that is sworn and expected to dispense justice. There has been altogether too much of this kind of talk throughout the country in the past few years, the most of it, regrettably, without any foundation.

We have an idea had The Advance man been present at the trial, heard the evidence, and stayed for the decision his report of the proceedings would have taken on an altogether different tone. Such things as this are to be especially regretted at any time, but when it strikes at the judiciary of the country, it is even more so, as it is a lot easier to start a rumor of this kind than to catch up and rectify it once it has been circulated. The decision in this case was just, as it would undoubtedly have been anything but justice to have found against the motorist and mulcted him for an accident for which he was not, in any manner responsible.

A further point which The Advance and the Kincardine paper seem to have overlooked it that, in the case of an action of this kind, it is up to the plaintiff to prove negligence on the part of the defendant. This the farmer with the pig failed to do; in fact his evidence went to show that the car was being driven at a reasonable speed, the lights were in good condition, the brakes were working satisfactorily, and on the strength of his own evidence there was nothing for the presiding judge to do but dismiss the case. On the other hand, it was proven that the farmer did not have the animal he was leading under control. Had he continued along the highway as he was doing, there is every reason to believe no accident would have happened, but the fact that he jumped on to the grass and the pig turned broadside on the road placed the onus on the farmer and as a consequence the motorist was allowed five dollars damages for a broken fender.

FALL FAIR ATTRACTIONS

Nearly every year we hear complaints that one of the reasons for the failure of the South Grey Agricultural Society's fall fair, so far as finances are concerned, is there are not enough attractions to draw the people. "The people simply will not come out unless there are sufficient attractions to bring them," is the common verdict.

Is this assertion true? While we know that to a certain extent, the old-time healthy interest in the Fall Fair is not what it used to be in "the good old days," it is a debatable question if the matter of attractions has as much to do with it as a lot of people think. A fall fair board on a small organization such as is usually functioning in communities the size of Durham, would have a herculean task in our opinion, to select attractions that would appeal to the modern youth and the most of the older patrons. With the advent of the motor car, and the ease with which these kind of attractions can be seen

in various parts of the country, we think that almost anything that could be procured would be "stale" to the modern fair goers long before it got to the average fall fair.

One would think that if attractions would prove a drawing card at any fair it would be at the one held in a large town, but now along comes Orillia with a tale that knocks this hypothesis higher than the proverbial Gilroy's kite. Orillia is a town of eight to ten thousand in population and last year at its fall fair the Board spent \$1,500 on special attractions and failed to get back a full return. Now it is quite in order for us to ask just how much a town the size of Durham should expend in order to get the big crowds that some people talk about?

Frankly, The Chronicle is of the opinion that the average fall fair is doomed unless the residents of a district take an interest in it for what it represents agriculturally rather than for the amount of amusement that can be got out of it. To the farming community the fall fair should appeal as a business enterprise, as one of those things in connection with the business of farming that apparently does not pay, but which is really of inestimable interest and value to the industry it represents. The present-day policy of judging everything from a dollars and cents or amusement standpoint is wrong, and when a community enters into the fall fair business in a community spirit, then the fall fairs will prosper as never before.

THE TALE OF A DOG

Under what circumstances or conditions is a person justified in killing another man's dog? This is a question we have heard discussed many times, and we do not know that we ever heard it settled to the satisfaction of the ones engaged in the argument. Over in Bruce a few weeks ago, a man named Cairncross owned a dog that ran out a horse ridden by one McLeod, bit the animal severely, and McLeod was thrown to the ground. McLeod caught the dog, dragged it about a mile and hanged it to a tree. Cairncross sued McLeod for \$50, the price of the dog.

The case was tried before His Honor Judge Owens, who reserved judgment at the time. Last week he found against the plaintiff and dismissed the case, not allowing costs of witness fees, and dismissed a counter claim by the defendant. The Judge closed his verdict with a condemnation of the manner in which McLeod had killed the dog, which he claimed was exceedingly brutal and said that the treatment of the animal might well be investigated by the Humane society.

From this we would say that a man is entitled to kill another man's dog when it attacks either himself or his property, though we have grave doubts that the verdict given by Judge Owens would be upheld by the judiciary of the country generally.

There are a lot of dogs in the country today which delight at running after motor cars and horse driven vehicles, and it might be interesting to know who would be held responsible in case any accident should result.

NOTES AND COMMENTS

They have decided to cut the word "obey" from the Episcopal marriage service. What difference does it make? They won't obey the "obey" anyway.

Toronto Mail and Empire said a lot when it penned: "By the simple expedient of passing an Act of Congress Canadian milk can be kept out of the United States. Wonder why it has never been tried in the matter of Canadian whiskey?"

"The man with rips in his coat and buttons torn off his coat should either get married or divorced," warbled the Kincardine Review-Reporter in its last issue. Brer, Hunter will have to be mighty careful how his clothes look after this outbreak.

A racing automobile in England went at the rate of 174 miles an hour last week, and the feat is attributed to Castrol, a new blend of castor oil lubricant. A mere nothing. Unblended castor oil in Canada has made a good many think that they have made at least 173 miles in a good deal less than 60 minutes.

The transferable vote so much talked about of late would work havoc in the standing of the Canadian professional hockey league. Stratford is leading, but there have been more goals scored against them than any other team in the league. The transferable vote idea would in all probability place them at the bottom of the league.

The Listowel Banner says, in referring to the hockey match in that town last week: "Although hopelessly beaten the Durham lads played hockey until the final bell, never letting up their continuous assault on the Listowel citadel. It was in their defensive work that they fell down, handicapped as they were by McDonald's injury."

changes says, "Fifty Per Cent of Cars Bought in Canada Purchased on Time." Does that not explain some of the hard times talk we hear? A man can't prosper and build up a bank account when he has to rake and scrape to meet the payments on his car.

And listen to this from the Listowel Banner: Last Friday afternoon Mr. Frank Irwin, editor of the Durham Chronicle, called on the editor of the Banner. Mr. Irwin was in Listowel with the hockey team from that town. He was in pretty good humor and the editor enjoyed his visit. No, we didn't see him after the game.

Farming doesn't pay? Robert Child's came to Canada from England 16 years ago "without a shoe on his foot," as he says himself. He worked for farmers near Bolton for a few years, then rented farms and five years ago bought his 120-acre holding on the 11th of King. This farm is now paid for and he has a clear title. This we learn from the Bolton Enterprise.

The local banks have large cards displaying that they are prepared to accept subscriptions for the "George Young Fund". There has been no rush to the paying wicket to date in Durham. George got \$25,000 for swimming the channel, he gets another \$1,000 a night in a theatrical engagement, and doubtless the average three-dollar-a-day workmen feel that George has at least an even break with himself towards getting three squares a day and a place to lay his head at night.

The failure of Captain Wright in his suit against Lord Gladstone last week, will be eminently satisfactory to all fair-minded people. Captain Wright brought suit against Lord Gladstone who, in defense of the honor of his late father, W. E. Gladstone, called Wright "a liar, a coward, a fool and a foul fellow." The decision of the court evidently corroborates Lord Gladstone's statement. The decision will be a popular one in view of the fact that there are altogether too many people like Captain Wright, who spend their time defaming our great men.

LETTERS TO THE EDITOR

To the Editor of The Chronicle: Dear Sir,—Please allow me a few lines in your valuable paper. In regard to the slander thrown at me in your issue of February 3, I wish to impress upon the mind of the writer, and also the ones who make the balls for her to throw, that I paid my own fine, if a person is to believe his own eyes, at least I got \$10.00 change back. I do not wish to criticize the writer, and to refrain from publicity of conditions that exist between us; but when the writer says her father is keeping my children, he or they are well paid for it in advance for what I did each year from 1918 to 1924 without receiving one cent, not speaking of what I had to spend while there. When I refused to do it any longer they got the writer to play the underhand scheme by using the law to deprive me of seeing my children and, in order to get my money, using the children as an alibi. I cannot remember when the children or the writer were ever in need while with me, and there is certainly no need of my children being in want today. It is my duty to do what is right toward them and I am always willing to do it with the greatest of pleasure. But the writer or any of the click do not handle the money I will give any more. I want to see that they get it personally.

Thanking you, Mr. Editor, I am yours sincerely, —William T. Kelly. Editor's Note—This is the second round in this controversy, and as Mr. and Mrs. Kelly have each had an opportunity to air their views, any further discussion of their marital troubles will have to be done on an advertising basis. While it is to be regretted that such conditions as they describe exist, we feel that The Chronicle is serving no good purpose in continuing the discussion, as it leads nowhere and apart from the curiosity, we do not believe the public is particularly interested.

It Will Pay You to Advertise in The Chronicle.

Don't Miss These BARGAINS

- White Caps, 3 for 25c.
Luster Egg Caps, all colors, 3 for 20c.
Stamped 5 piece Luncheon Sets, for 98c.
Blue Lined Envelopes, 100 for 19c.
Clover Leaf Caps and Saucers for 15c.
Ladies' Cotton Hose, sand, grey and black shades, per pair 25c.
Bi Tex Hose, all shades, for Ladies, reg. \$2.50, pair \$1.98

The Variety Store R. L. SAUNDERS, Prop.

KNOX LADIES OBSERVED ST. VALENTINE'S DAY

(Continued from page 1) tiny darts at the hearts, the one getting the most in a given space being the winner. A comedy skit was pulled off by Dr. Charles Lang and Nurse Jean Hepburn, who operated an X-ray machine and tested the hearts of all those who desired this very important organ of the body gone over.

For the regular program, Miss Margaret Hunter occupied the chair. It commenced with community singing, and contained instrumental music by the Ritchie orchestra as well as an orchestra composed of Mr. and Mrs. D. C. Town, Archie Clements and Bryson Morlock.

Miss Jean Hepburn gave a reading suitable to the evening, and solos were sung by Mrs. William Lawrence and Dr. A. M. Bell. Duets were given by Mrs. Porter and Miss B. Stonehouse, and Misses W. Blyth and J. Bell. A good exhibition of folk dancing was given by Misses Maud Kelsey, E. Kellar, Carrie Mitchell and Lizzie Hind.

On Wednesday night of last week the Men's Club of the church enjoyed a weiner roast out at the Darkies' Corners, quite a large number being present.

OPERATIONS AT HOSPITAL

Gordon Irwin of Flesheron, was a patient at the Durham Hospital on Monday, and Earl Mead of Egremont, on Saturday, when they had their tonsils removed. Drs. Jamieson and Turnbull were the surgeons in the former, and Drs. Jamieson and Bell, in the latter operations, both of which were quite successful.

Earned His Tip

The wife of the new first lord of the admiralty, Viscountess Chelmsford, tells an amusing story of the time when her husband was viceroy of India.

A party of English ladies, friends of hers, were being conducted by a native attendant over that wonderful mausoleum, the Taj Mahal.

When they had seen everything and were about to take their departure, the leader of the party hesitated a moment, and then turned to the guide and said:

"I see that by the rules tips are forbidden." "Most honorable mem-sahib" replied the native salaaming low, "what you say is true. Tips are forbidden, but so, also, they tell me, were the apples in the Garden of Eden."

It Will Pay You to Advertise in The Chronicle.

MR. BOVAY EXTENDS HIS THANKS

"FRUIT-A-TIVES" ENTIRELY STOPPED DYSPEPSIA AND LIVER TROUBLE



MR. R. A. BOVAY.

After much suffering, Mr. Roy A. Bovay of Trenton, Ontario, turned to "Fruit-a-tives" for relief from digestive and liver troubles which were making his life a burden.

"I wish I could tell every sufferer in the world what 'Fruit-a-tives' have done for me"—he writes—"For years I was much troubled by bad headaches, nervous dyspepsia and liver trouble. Then I commenced taking 'Fruit-a-tives'. Thanks to these wonderful tablets, I am once more entirely well."

If your nerves are upset, digestion poor, system generally out of kilter, you need the corrective help which "Fruit-a-tives" unflinchingly gives. There is no other medicine like "Fruit-a-tives" which is made from the intensified juices of fresh fruits combined with tonics. "Fruit-a-tives" brings health and happiness to people every day—why not to you? 25c and 50c a box, everywhere. Buy one, to-day.

DURHAM MARKET

Corrected February 17, 1927

Table with market prices for Live Hogs, Wheat, Oats, Barley, Buckwheat, Peas, Mixed Grain, Hay, Potatoes, Butter, Eggs, Chickens.

McKECHNIE MILLS For Best Quality FLOUR and FEEDS

Table with Feed Prices and Flour Prices for various types of flour and feeds.

Poultry Feeds, Calf Meal, Oil Cake, Ground Flax, Rolled Oats, Wheatlets, Whole Wheat Flour, Salt, Bone Phosphate, Beef Scrap

Chopping and Oat Crimping Every Day

We pay Highest Market Price for all kinds of Grains. Get our prices before you sell.

TOWN DELIVERY J. W. Ewen & Son Phone 114 Durham, Ontario

Special February Sale of Coal Hods

- Japaned open, reg. \$1.00, to clear 78c.
Japaned closed, reg. \$1.25, to clear 99c.
Galvanized open, reg. \$1.25 to clear 1.00
Galvanized closed reg. \$1.50 to clear 1.25

Do Not Miss This Opportunity.

Heavy Jute Horse Blankets, large size reg. \$4.25, to clear at \$3.50, while they last.

Snow Shoes, Hand Sleighs and Hockey Sticks at greatly reduced prices.

Cross & Sutherland Hardware Co., Limited

The Slo Crisp Humor Co Culled from Exch

It is easier to quarrel than to pin Business is like you made yesterday game today.

The smaller the it takes to make Women are happy get more enjoyment misfortune than

The road to love with women is bands along. It is worthy a statues are erected no women to bore

Exposure gives the dear creature ularly weak-kneed Uncle Ab says, guesses about his generally spends guessing how he debts.

A woman is happy thinking of clothing expert. Then she mind.

The verdict in a case proves that a judge has disappeared The verdict in a case proves that a judge has disappeared

You will know just around the find a seed catalog box.

Yes, one of the get out of an auto the windshield.

Keep active to doctor. Especially the street.

The ship of state few vessels whose hesitate to move it

It might be eye swords into golf s Before marriage a woman and a earns for her.

Nothing is easier ordinary girl like, talks about his mentions matrimony

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Nobody knows "The Thinker" is but he may be, where he left it

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Patriotism help taxes, but payin always make a ma It is not only bring home to u never seen before laundries.

If you want to to Moscow when start to hob a The early civil impress as so not recorded their ps

Page 4 "Down where Texan," we groo that when we cu one half of it a "Why, smiled" cago, "It's not ago two full-grow found asleep an a