

THE CHARLOTTETOWN GUARDIAN

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THURSDAY, MARCH 22, 1923

IMPORTANT JUDGMENTS

Two important judgments given by the Supreme Court are given in yesterday's Guardian. One deals with our Prohibition Act, the other with the Taxation Act. The two are a revelation to the powers of the provincial legislature which are by many regarded as unlimited.

Much as we might otherwise wish, it appears that the legislature in enacting that it is unlawful to have in possession intoxicating liquors procured elsewhere than from the Vendor, such enactment was beyond the powers of the legislature and section 52, of the Act is null and void, notwithstanding subsequent amendments.

The other was the case of the Provincial Treasurer versus the James C. Tuplin Company, an action to recover a taxation account of \$200. The mixed up condition of the Taxation Act is indicated in the following extract from the Court's judgment:

"The tax imposed for the year 1921 is declared by sections 92 and 93 to be due on the 2nd day of January of that same year before any of the numerous steps above set forth had been taken to ascertain the person or the property liable to taxation for the amount of the tax. It does not help the case in the least to say that the basis of the tax of 1921 is the property which the person proposed to be taxed had in the year 1920."

The trouble appears to be that the framers of the Taxation Act copied certain sections of the British Columbia Act omitting certain sections which provided the machinery for collecting the taxes and decision was given against the Provincial Treasurer.

The powers of the legislature are wide; they may prohibit much and may tax much, but there is a point beyond which they cannot go and there are rights which they must not ignore. Much trouble and much expense might be avoided if our law makers knew what their powers really are. Much of the time of the present parliament has been spent in correcting errors they had made in previous sessions and it would appear they still have corrections to make or to bequeath to their successors.

CRITICISM

It is the inalienable right of all free born citizens in a free country to express their approval or disapproval of the public acts of the men whom they or the majority of them, elected to do their public business whether in federal, provincial or municipal councils.

It is not always a pleasant task to disapprove, not always an agreeable duty to criticize; nor is it agreeable to be criticized. Yet criticism is legitimate and necessary. The public interest demands that the acts of public men be openly and publicly discussed, approving where deserved; disapproving where necessary in the public interest.

The criticism that hurts most, but which incidentally does the most good, is that which strikes at the most obvious weakness or the most glaring misdeeds of the party criticized betrays its weakness and its misdeeds wherever it equals the loudest. There are those who, when they cannot meet legitimate criticism, take refuge

in abusing the critic and appealing to the public for sympathy. This kind of thing will not go down with our people. Legitimate criticism of the government's acts must be met by legitimate argument. Where the criticism is wrong, if it be wrong, it is an easy matter to point out the error. The public will readily understand this, but the interpretation the public will give to a whine or to calling the critic ugly names, is simply that the criticism was merited and that it struck home.

During the present session the public will be anxious to know "the truth, the whole truth and nothing but the truth" and this they have a right to. Naturally the government will try to make the best of its case. This it has a right to do but not at the expense of the truth or by misleading figures or bewildering transpositions of figures. The opposition, which differs widely on many points from the government, will undertake to show where and why it differs. This cannot be regarded as "abuse" as it is so often called. The people will understand it and no criticism of the government that is not merited, will injure the Liberal party. The government's weak points are generally indicated by the volume of its squeal when hit in a weak spot.

We look for a fair presentation of facts at this session both from the government and from the opposition and from their respective newspapers. This is what the people want and they have a right to it.

Even with all Britain's need for economy and in face of the heavy tax burden on her people, the First Lord of the Admiralty's apology for not further reducing the naval expenditure seems excessive.

BRITAIN'S NAVAL REDUCTIONS

Britain, from her two power standard, has already so far cut down her navy that it is now barely at a one power standard. Without waiting for the Washington Treaty to be ratified by the other signatories, she carried out its provisions. The other signatories have not yet done so. She has scrapped 14 of her finest capital ships, leaving herself greatly inferior in first and second class ships to both the United States and Japan. She has reduced the personnel of the fleet by 22,000 and that of the dockyards by 10,000.

With greater need of naval protection than any other power, Britain can go no further. Any plea from the Government for endorsement of its refusal to further risk the security of the Empire seems unnecessary.

BUT NOT TO CANADA

Official figures of British emigration indicate that the rush to the United States continues, and that long before July 1—the end of the fiscal year—Britain will have supplied her quota of 77,342 under the law which limits net immigration in any one year to persons of various national origin to three per cent. of the number of immigrants of the same race already resident in the United States. The number of British emigrants to the United States from July 1, 1922 till the end of February, 1923, was almost fifty thousand, so that if 28,000 seek admission during March, April, May and June, the chief immigration months, it will be necessary to put up the bars against the late comers and refuse entry at the ports of landing.

Notes by the Way

The Speech from the Throne at the opening of the Legislature indicates but a Lenten bill of fare for the coming session. Some may inquire whether it is worth while to ring the dinner bell when there is so little on the table. But this seems to be a case in which the principal feature of the menu card is the toast list prepared to supply subjects for post-prandial oratory. It now becomes evident that the example set in three previous sessions is intended to be followed in this fourth session. Twenty-three texts are supplied in as many paragraphs as themes for "the feast of reason and the flow of soul."

The festive board is therefore spread, the guests are seated thereat, the orchestra in tune as in past years, all ready once again to render the political oratorio of self laudation and mutual admiration. The music will be chiefly vocal, a series of solos led by the mover of the address in reply. To him will follow a second and a third or perchance to the number of twenty or twenty-five with an accompaniment of cheers and clapping of desk lids. Music with its voluptuous swell will thrill and vibrate in the upper air while rills of oily eloquence will trickle downward from the table, and thence meandering lubricate the course they take along the floor.

In such high festival where each of the select company of auditors is himself presently to be a performer, none can fail to applaud. To be silent would be to invite a like silence when he himself should rise to sing. The cheers and plaudits are thus guaranteed in advance, however dull or commonplace the music of the moment and whether the voice which sends forth its strident or mellifluous, its voice after voice will take up the song until its tender passion, as on a historic occasion, shall rise, an anthem rich and strong in praise of the Bell Government and of themselves supporting it.

In each previous session under the Bell regime, the grand chorus of exultation and mutual laudation was twice rendered, first in the debate on the address, and later when the budget was brought down. There have been doubts, even in the party ranks as to whether some more varied performance should not be substituted for it on the present occasion. That it is rather too stale and shopworn for repetition if anything better could be found to be put on was generally admitted, but nothing new or attractive being available, it has apparently been decided to repeat the old chorus of adulatory rhapsodies once more. Should the cheering be in sufficient volume there may be even a second rendering along with this year's budget later on.

This course of action is now compulsory. The party was floated into power on wind. On bladders of gaseous profession and deceptive promises they afloat. These have been punctured and the wind let out, but have been repaired from time to time by patching and the leaky containers in part refilled by pumping. Still the leakage is so great that just now all hands are being called to the pumps to keep the machine afloat. To this end every member of the party chorus is now to exert his diaphragm and intercostal muscles in one supreme effort to raise more wind. It is a herculean task, but with an election in near prospect, what else can be done?

Among the collapsed bladders and windbags referred to is one that was labelled "The Best of all Governments." It has not been seen or heard from for a long time now. Another is Permanent Roads. It couldn't stay up with that leaden label upon it. And still another was Roads Without Debt. The growing weight of interest charges and mortgaged revenues brought it down kemplunk! The Western Land Claims bladder was nearly leaked to collapse during the four years past and a hurry call has gone forth to re-inflate it. The Economy bladder is "busted" beyond all hope of restoration. Still the pumps realize that they must stand or fall together. They must pump or sink!

The Public Forum

This column is open for the discussion by correspondents of questions of interest. The Charlottetown Guardian does not necessarily endorse the opinion expressed by its correspondents.

An Explanation

Sir,—In a recent issue it was reported that the assistant superintendent, seamstress and laundress walked out of the Protestant Orphanage on strike for higher wages. This is incorrect; the reason these employees left their positions was of an altogether different nature, and the trustees know this to be so. No monetary consideration caused us to leave our positions.

The Cross-Bar Leigh

Sir,—I have read with interest several items in the Guardian re this convenient and cheap method of improving winter locomotion. When I came to Harcourt, N. B., in '89 I found the need and great benefit of the cross-bar, especially on roads in which double teams were driven. Far out in the heart of N. B. forest, a double team of camps this rig was quite the thing. It is so simple, cheap and easily removed, that if needed—the horse can be in central track or on the right, hard well trodden runners course.

While driving with Mrs. McLeod from Upper Musquodoboit to Sheet Harbor, Halifax County, in 1911, we struck a double team track in heavy snow on an eighteenth mile forest road. When we arrived at a house in the woods, I secured an axe, cut down a small birch tree, and with only hay wire to match soon had an outstanding evidence of the benefit of the double cross-bar. If the stalwart steed I at an earlier date purchased in Crapaud, on this occasion could speak, he would exclaim: "What a boon to the patient, intelligent, oft-overworked horse is the double cross-bar!"

I am, Sir, etc., WILLIAM McLEOD, Stone Haven, N.B.

Impressions of a Traveller

Sir,—Leaving Souris, that wide-awake and progressive little town which may be termed the capital of the eastern section of the island, we passed through a place called Rollo Bay, a good farming district gently sloping to the south with the blue waters of the gulf shimmering in the distance. Passing Rollo Bay, we came to Dingwell's Mills, a fine water power site. Leaving Dingwell's Mills we passed through a low lying wooded section of country, and arrived at a place called Albion Cross; thence turning south we passed through a well-settled and well-cultivated section, part of Dundas; thence westward past a cemetery with its headstones of the Grays' Elegy comes to mind: "Oh! Why Should the Spirit of Mortality Be Proud?" Thence westward through Dundas Centre or Cross Roads. At this place stands the Baptist Church, which, for architectural beauty and artistic design is well worthy of favorable comment. On high ground to the north stands the Presbyterian Church and cemetery, which contains a beautiful and impressive monument in memory of those from the surrounding district killed in the World War. This place boasts of two stores and a court house. Further west we came to Bridgetown, a pretty little village on the head waters of the Grand River. Here also is a general store, a grocery and a starch factory. Leaving Bridgetown we pass the picturesque and attractive residence of Mr. C. B. Clay, nestling cozily on a burnside. Thence north through another low-lying section passing through Upton. There lies to the east a large sheet of fresh water known as Morson's Pond, famous for its trout. Thence north a panorama of hill and dale opens to the view. Burns' poem comes to mind: "Ye Banks and Braes o' Bonnie Doon, How Can Ye Bloom So Fresh and Fair?" Groves and cultivated fields robed in green, dotted here and there with comfortable and substantial homesteads, a few farms, a few houses, a few learned something at Forest Hill, we learned something of its past history. About a century ago this section was settled by Scotsmen from Scotland and other parts of the Island. God-fearing, hardy men and women possessed of those Scottish characteristics of industry, perseverance and endurance. They here for themselves homes out of the forest as the name of the place indicates. The first settlers were the McDonalds, Mathewsons, McPhes, McKinnons, etc. Alas, all the first settlers are passed away and the place is now occupied by their sturdy descendants. This portion of the province, with Stratcona to the south and Mt. Hope to the east, are steadily forging ahead as progress agricultural sections of the island. As an evidence of the public spirit and progressive-ness of the young people of Forest Hill a large and commodious hall has lately been erected wherein Divine worship is occasionally held. Leaving Forest Hill we passed through a short, low-lying section until St. Peter's Bay appeared in the distance. This is a good-sized village with stores and private residences on both sides of the bay. On the south side there is a church and a starch factory, while on an eminence to the north stands the Roman Catholic Chapel, a large and imposing brick structure overlooking the surrounding country, surmounted by its symbol of sacrifice. We, as true Canadians, when we gaze upon its symbol naturally feel our hearts thrill with reverent emotion as we call to remembrance

the little crosses row by row in Flanders fields marking the last resting place of Canada's valiant and glorious dead. I am, Sir, etc., TRAVELLER.

A Second Car Ferry

Sir,—With the exception of your editorial comment I regret there has been no reply in your columns to Captain Read's onslaught on the second Car Ferry project; the Transportation Committee or council of the Board of Trade should have immediately joined issue with the gallant Captain and showed as they easily could have done, the fallacies in his apology for the C. N. R. Out of his own mouth we have these statements: "Last winter we never missed a trip and everyone had about made up their minds that the Car Ferry left nothing to be desired except that a duplicate boat be built, but this winter has proven that she is not at all suitable to keep up the service on a really hard winter, and for one am not satisfied with her, for she has neither shape nor the power to give satisfaction, and I am sure that had she been shaped like the 'Earl Grey' with the exception of her bow and with more power, the result would have been a different story to tell."

"I was about three years ago that the 'Grey' and in all that time I never saw her so that she could not back up and fight, due to her rounded side whereas this boat was stuck at almost every day since the first of January so that we could not budge her, some days for hours at a time. "This round side would also allow her to allow her to follow the leads while this boat with her long straight side cannot do this. "To get a better modelled boat at this time is out of the question as it would mean the scrapping of the present costly fender system but in twelve or fifteen years they will be getting pretty ripe and then is when we should demand a larger and better boat with more beam, capable of having on three tracks to carry twenty cars instead of twelve and with double the power of this boat, and I think we should get it by showing the powers that be the saving that could be made during the Fall and Winter by the powerful boat carrying twenty cars of freight and the economy of running the present boat during the summer when the traffic is not heavy."

Here are all the requirements necessary for a second Car Ferry: why not then when the need is so great here and now? The Captain's only excuse is expense. Why should expense stand in the way of our absolute necessity? The Railway is not considering expense in dealing with other Provincial spending millions, sometimes wantonly on other Provincial white here where there are absolute obligations to fulfill we have a servant of the railway entering the list in defence of the Government. Reading carefully the Captain's letter it appears to me that the Captain's prime objection to the Second Car Ferry is that he himself could not command two Car Ferry at one and the same time. But surely there is a duplicate of Captain Read somewhere about and if not it is one was in training for we have no more guarantee of Captain Read's continued existence as an individual than we have of the Car Ferry itself. It is necessary in the winter, and in my mind in the summer months it could be usefully and profitably employed between Charlottetown and Pictou developing the business between here and Nova Scotia the Sydney and Newfoundland etc.

Let us hear more on this subject and not take the Captain's intended knockout blow lying down. I am, Sir, etc., AN OLD SEA DOG

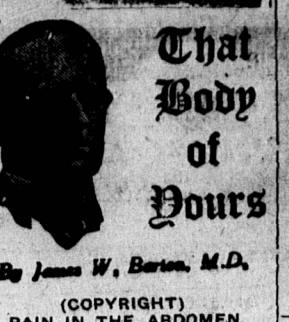
Educational Conference and Representation

Sir,—In your issue of March 16th I read with much interest and pleasure your editorial on the Educational Conference. I want to say that you just touched upon my pet hobby and that is the need of teaching good morals in our schools, and the forming of good citizenship for the future. There is something infinitely more necessary than the teaching of geography or history or arithmetic for the parents can learn these things; we want in our schools; the good sound moral principles which will go to make the good honest, law abiding citizen of the future. The boy and girl of today will be the man and woman of tomorrow and early impressions are lasting ones. The mind of the child is as a mould into which we can pour that plastic stuff which will take form in the mould and retain that form for the rest of the child's life. What I would term just mere "book-learning" is but secondary in comparison with the forming of the mind toward good Christian morals, and this is very often overlooked in the matter of education of our children.

There is one part of your editorial to which I must object, however, and that is where you say that it is "beginning to dawn" upon these days that the greatest need of the age, the most effective road to reconstruction, is men and women of character, etc. Let me say that it is not "beginning to dawn" upon us at all. It dawned upon us many years ago, and many of us are so wedded to the old system of the teaching of "book-learning" that they do not accept anything which

would seem to them an innovation. I can say without fear of any possible contradiction that the necessity of teaching good, Christian morals in schools is an old-time honored subject, although it may possibly be just dawning upon the minds of some. I remember it was the very first principles which were instilled into my mind when I began my education in this city, when I was a mere child, and as I am no spring chicken now, there is no "dawning" upon it now at all. Luckily we have in our midst some schools which always think of the moral side of the training, and I was fortunate enough to have received my education in one of these. Therefore, I am in a position to know exactly and appreciate the value of such training in schools, as I can speak from actual experience. In the first place the teachers were all mature in age, and were not young girls of fourteen or fifteen as we often see today, teachers who are little more than children themselves, and who cannot have at heart the full significance of giving the child a good moral training, as well as teaching him the A. B. C.'s. Our teachers in the school which I attended had every attribute which would make them capable of being the guardians of the minds and morals of the coming generation. They were persons of culture, and refinement, whose characters were beyond reproach, and the atmosphere of whose very presence gave an air of confidence to the child, causing his little heart to become attached to the nobler and better things of life. They were persons who placed God and Christian morals above all earthly dross, and who strove to inculcate into the mind of the child all those beautiful principles of good citizenship which would mean so much to him when he would take his place in life later on. Yes, my recollections are very pleasant ones of those "early days" which I spent in a school where the moral training of the child took precedence over the materialistic studies which had to do simply with worldly profit and gain. Yet I do not wish to give the impression that the time spent on moral training in any way lessened the development of those studies which are so necessary to have in order to earn one's livelihood. Our teachers were all of the very highest grade, and some of them had been teaching for years, and were not "birds of passage," as Mr. Crockett characterized our teachers of today, in addressing a recent meeting of the Rotary Club of this city. In fact, aside from our moral training, all the other training which we received was in many cases far superior to that which was received in other schools where the whole time was taken up just teaching the subjects necessary for the pursuance of one's livelihood. In speaking of moral training do not let it be confounded with the teaching of religion in schools. Where scholars are of different creeds or denominations it would be most unjust and unfair to impose upon the child a belief or doctrine contrary to that which the child already possesses. That would do if every scholar in the school were of the same persuasion but in the case where there is a mixed attendance, it must at all times be remembered that through out the British Empire, in glorious Canada, sturdy Newfoundland, and magnificent Australia, everywhere where the British flag flies that British rule guarantees freedom of religion and of religious training to all creeds alike. I have heard it said that religion should be taught in schools, but as one child has just as much right to his religious belief as any other child in the school the individual rights of each child must be respected.

However, the teaching of good sound, Christian morals is common to all, regardless of class or creed, and it should be more generally adopted than it is today. There seems to be some totally incomprehensible prejudice against it. Perhaps people think the time employed in it detracts from the study of "book-learning," which is so necessary for the earning of one's livelihood, but be that as it may, we know there are some today would close schools where Christian morals receive an equal share of consideration with "book-learning." It is to be hoped that those people will, as the result of



By James W. Barton, M.D.

(COPYRIGHT) PAIN IN THE ABDOMEN

There are so many things that may cause that pain that I'm not going to try and tell you what is causing your particular pain. For instance a pain down near the right lower part of the abdomen is often called inflammation of appendix one just under your heart an ulcer of the stomach, one over to the right side opposite heart, inflammation of the bile duct of liver, and so forth. Now while this may be all true as a matter of fact most of the pains in the abdomen are due to the formation of gas. The pressure of gas in the intestine is very painful and you can hardly be blamed for imagining that all sorts of conditions are existing within you. Now how can you straighten this matter out? Just do a little quiet reflecting, and observe yourself closely. While it is not considered wise to counsel people to examine themselves, yet why should you be afraid to consider that body of yours for a moment. If that pain shoots from side to side, now in one place and now in another and you have no fever, nor vomiting, if the pain comes on any old time instead of say an hour or four hours after eating, that is no definite time, if the belching of gas or passing of gas relieves the pain then you have no unusual condition in your abdomen except perhaps constipation. Not that constipation is not serious because it is. But that is a condition which your good sense can correct. Proper diet with vegetables and fruits predominating, and bending and twisting exercises will stimulate intestinal action. Don't use pills or drugs. Simple oils, and olive oil are useful.

The Educational Conference realize that it is upon the forming of good morals in the mind of the child that the good citizenship of our coming generation entirely depends.

In your editorial of the 16th inst., you state that you trust that Prince Edward Island will be represented at the Educational Conference in Toronto from April 2nd to 4th. You say that we need some inspiration, some transference of blood from other systems, and that we need to know what others are doing and thinking. Seeing that we have a Prince Edward Island Educational Association in our midst, which came into existence on May 31st of last year at the Educational Conference, held in this city, it would indeed be very strange if it did not send a representative to the Toronto Conference, which is national and takes in the whole Dominion, and you even say that leading educationalists are coming over from Great Britain to take part. If we do not do so, it would look as though we were situated in the back woods. We might at least show them that we are on the map.

The purpose of the Prince Edward Island Educational Association has been defined as being to form a medium for that large body of influence and sentiment which favors the improvement of our schools, etc.; it would, therefore, seem a duty of the Association to send a representative to the Toronto Conference to represent our island, and show our interest in the matter. There should be no trouble at all in choosing one on such short notice, as the Conference takes place from April 2nd to 4th according to your account. The Prince Edward Island Educational Association has as its Secretary two men, who are in every way fitted to be entrusted with that mission. They are both eminent speakers, and have both been in the public eye for a great many years. The both have a perfect knowledge of everything pertaining to educational matters, failure is a rocky hill; Climb it! Climb it with a will! Failure is a broken bone; Set it! Grin, and do not groan! Failure is a tangled string; Fuzzle out the knotted thing! Failure is a river swift; Swim it! Swim it, and do not drift! Failure is a black morass; Cross it! There are tufts of grass! Failure is a treacherous pit; Scramble! Clamber out of it! Failure is an ink night; Sing! Expect the morning light! Failure is an ugly coal; Fuse it to a diamond soil!

I am, Sir, etc., M. M. M.

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FAILURE. Failure is a rocky hill; Climb it! Climb it with a will! Failure is a broken bone; Set it! Grin, and do not groan! Failure is a tangled string; Fuzzle out the knotted thing! Failure is a river swift; Swim it! Swim it, and do not drift! Failure is a black morass; Cross it! There are tufts of grass! Failure is a treacherous pit; Scramble! Clamber out of it! Failure is an ink night; Sing! Expect the morning light! Failure is an ugly coal; Fuse it to a diamond soil!

Australia Urges Early Calling Of Imperial Conference. MELBOURNE, March, 20.—Premier Bruce commenting on cables received from London to the effect that the proposed Imperial Conference will probably not be held until 1924 says that he is unable to believe such reports. He says he considers the issues to be discussed at the conference too urgent to admit of such delay. The whole question of Australia's Naval Defence and future naval policy is being held up, Premier Bruce says, pending the proposed Imperial discussions.

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