

THE CHARLOTTETOWN GUARDIAN

J. A. A. Barlett, President. J. R. Burnett, Editor and Publisher. D. K. Currie, Associate Editor.

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MIGRATORY BIRDS DECISION.

In view of the question which has arisen in the provincial legislature over the Migratory Birds Treaty between the United States and Britain it is interesting to note that the question came up recently in the Supreme Court of the United States. In giving the opinion of the court, Mr. Justice Holmes said in part that this was a bill in equity brought by the State of Missouri to prevent a game warden of the United States from attempting to enforce the Migratory Birds Act of July 8, 1918 and the regulations made by the Secretary of Agriculture in pursuance of the same. The ground of the bill was that the statute was an unconstitutional interference with the rights reserved to the state and that the act of the defendant done and threatened under that authority invaded the sovereign right of the state and contravened its will manifested in statutes. The state also alleged a pecuniary interest, as owner of the wild birds within its borders and otherwise. A motion to dismiss was sustained by the District Court on the ground that the act of Congress was constitutional. The State appealed.

The judge explained the history of and the reasons for the treaty between the United States and Great Britain, proclaimed by the president on December 8, 1916. The treaty stated that many species of birds in their annual migrations traversed many parts of the United States and of Canada that were of great value as a source of food and in destroying insects injurious to vegetation but were in danger of extermination through lack of adequate protection and agreed that the two powers would take, or propose to their law-making bodies, the necessary measures for carrying out the treaty. The above mentioned Act was accordingly passed on July 8, 1918 to give effect to the treaty. This Act prohibited the killing, capturing or selling of any of the migratory birds included in the terms of the treaty except as permitted by regulations compatible with those terms. The question before the court was whether the treaty and statute were void as an interference with the rights reserved to the states. The concluding paragraph of the discussion sums the whole case up as follows:

"Here a national interest of very nearly the first magnitude is involved. It can be protected only by national action in concert with that of another power. The subject matter is only transitorily within the State and has no permanent habitat therein. But for the treaty and statute there soon might be no birds for any powers to deal with. We see nothing in the Constitution that compels the Government to sit by while a food supply is cut off and the protectors of our forests and our crops are destroyed. It is not sufficient to rely upon the States. The reliance is vain, and were it otherwise, the question is whether the United States is forbidden to act. We are of opinion that the treaty and statute must be upheld."

MORE THAN SYMPATHY NEEDED.

If the taxation measure now slowly passing through the legislature has no other effect—after it has got through with the taxpayers—than developing the sympathies of the militant legislators it will not have been inflicted in vain. The sympathy expressed by the Liberal members for the poor taxpayers whom they are obliged to thus afflict is really pathetic, often sufficient to bring tears from the eyes even of a politician. They would, they declare, make the tax lighter, if they could; they would take off one of the three different poll taxes, if they could for they know how heavily these various burdens will fall upon the poor, but etc., etc.

If, instead of this maudlin sympathy, some member on the government side of the House would explain to the "poor taxpayers" why it was necessary to plunge so heavily at the first jump, why it was necessary to make the tax burden so extremely heavy, it would be more highly appreciated by the taxpayers. This has not, so far, been explained. No estimate has been given of the revenue required, no account has been given of the financing, the contracts entered into, or the jobs let by the government during their four months in office. No idea has been given of the new offices to be created that will necessitate a tax of such proportions as is proposed.

They have given only one estimated guess, the extra expenditure on schools and that has been shown to be something like \$70,000 too big and they have not contradicted it. Some explanation on these points would go a long way further than the wordy sympathy, the "dentists consolations" that "it won't hurt."

PREPARING THE FARMERS FOR TAXATION

"Preparing the farmers for taxation". This was the favorite headline in the Patriot previous to the last election. Every move of the Arsenault Government was translated by the Liberal organ as a "preparation" for additional taxes. Had the organ prepared the farmers for what its party has since imposed, instead of imposing it without preparation, as they have done, the Liberal party would today be enjoying the comfortable shades of opposition instead of the blistering "seats of the mighty," which they have made red hot for themselves.

CURRENT COMMENT

The Honourable Jester of the Bell Government has been making a scientific survey of public opinion. Farmers are crowding into his office daily with the most profuse compliments and unreserved approval of their popular schemes of taxation. People on the street, on the routes of travel and wherever met are enraptured with the measure and only awaiting an opportunity to show their TANGIBLE gratitude at the polls. The tax bill is such a benefaction that when the people speak in the language of the ballot, the Government and its supporters will be triumphantly "returned without decimation." Thus speaketh the Court Jester.

But somehow or another those pleasant voices fail to reach our ears. What we do hear has a closer resemblance to the ruminations, not of a distant but a nearby and most threatening thunder of discontent. The big difficulty, as one remarks, is that they have inveigled us into the trap and have us by the throat. Another asks what will the people do? Will they go in in mass and pitch them out by bodily force? Fortunately we are not living in the Cromwellian period and our advanced civilization and respect for law and lawful methods of action will neutralize the danger of a demonstration of this nature. There is the constitutional method and the people should be given full opportunity to exercise the rights of a free governing community. They have the right to determine their own great public questions and no parcel of adventurers can with impunity set aside their decisions. In unmistakable language and by sweeping majorities they voted not for a band of political twisters, but for the clearly defined policy that was laid before them. And that policy was diametrically opposed to the TAXATION mess now being dished out to them.

The proper constitutional method is for the Government to appeal to the people. You could not find a legislative body in the civilized world today who would think of pursuing any other course. But those bodies are controlled by statesmen and that kind of material is foreign to our Bell combination. You couldn't find a semblance of statesmanship in any part of the aggregation. Of course, it would result in disaster to the circle, and they are not disposed to adopt this method of suicide. Better await the official execution at the prescribed time. No matter by what method they got there, they are in possession and do not propose to relinquish until they are compelled to.

A law abiding people, no matter how severely their rights are trampled on, must act in the constitutional way. The fact that they have been most shamefully deceived will not excuse inpropriety on their part, and no matter how great the indignation, let them exhibit the best quality of manly citizenship, even when their rulers fail. Meetings have been suggested, to be called in the various constituencies, where the public could command their representatives to act upon the mandate given to them or in default to resign and seek a mandate to accord with their present course. There is a strong chance that most of them would defy the demands of their constituents in this respect. Politicians who

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OUT FISHIN'

(By E. A. Guest.)

"A teller isn't thinkin' mean, Out fishin'; His thoughts are mostly good an' clean, Out fishin'. He doesn't knock his fellow men, Or harbor any grudges there; A fellow's at his finest when Out fishin'."

The rich are comrades to the poor, All brothers of a common lure, Out fishin'. The urchin with the pin an' string Can chum with millionaire an' king; Vain pride is a forgotten thing, Out fishin'."

A teller has no time fer hate, Out fishin'. He isn't eager to be great, Out fishin'. He isn't thinkin' thoughts of pelf, Or goods stacked high upon a shelf, But he is always just himself, Out fishin'."

A teller's glad to be a friend, Out fishin'. A helpin' hand he'll always lend, Out fishin'. The brotherhood of rod an' line An' sky and stream is always fine; Men come real close to God's design, Out fishin'."

Trying To Revive The Arabian Empire

Although the complete details of the terms the Allies will impose upon Turkey will not be revealed for a few days, Mustapha Kemal Pasha has not waited to denounce Great Britain, whom he holds responsible for about every disaster that has befallen the Near East, including the massacres of the Armenians and the plague. He remains one of the most irreconcilable of Britain's enemies and is recognized as the head of the Turkish Nationalistic movement. This is a more ambitious movement than the name implies, since what it aims at is nothing less than the uniting of all Turks and Arabs on the common platform of Moslem anti-European solidarity. His craft must not be underestimated; his hatred of all Europeans, and especially the British, who have brought crashing down the Turkish Empire,

are so insensitive to decency and honor as to violate their most sacred pledges and promises to the people will not hesitate to commit the further atrocity of open defiance, and answer the voters whom they duped and duped. "What we have we'll hold." Perchance there may be a limited few who would prefer to pursue the course of honor at the request of their constituents. Such might even meet a transient reverse, but their action would build for them a monument of imperishable fame.

"The 'Taxation Act,' apart from any question of its being needed at all, has many features which are cradled in iniquity. The commercial traveller not resident in the province can call as frequently as he chooses selling goods freely without taxation. A tax was imposed on these by the late Peter's Government, which was taken to the courts and the case went against the government both on trial and appeal. It was in essence so unpopular that it was repealed. Now the outside traveller is to be left severely alone. But the Commercial Traveller who is one of our citizens, who lives and spends his money amongst us and who in his person and property takes part in and contributes to the building up and upkeep of our country, must be taxed to the tune of \$150. Could human genius conceive a ranker injustice to those men who are of such value to our community? Why put this almost prohibitory imposition upon them to drive them out of the province?"

Of course it is not politic for the Government to let out the whole truth about the tax on Farm Lands, any more than to let out the facts as to the country's finances. It is a butchers rule not to let the stock too much just before the slaughter. It sometimes spoils the meat. Under cover of the old war tax, (not now in force), they try to claim their half per cent rate does not amount to double the present tax. That is not so. The actual and only tax now collectable on a \$6,000 farm is \$12. Not a farthing more. Under the new TAXATION ACT the rate is \$30. Not a farthing less. A positive indisputable increase of \$18.

But this does not cover the actual increase. Farms hitherto have been taxed at very low valuations. They must now be assessed at "their ACTUAL CASH VALUE." The Assessor shall not "adopt as a criterion of value the price for which the said property would sell by auction, or at a forced sale." That would not be big enough perhaps for taxation purposes. It must be what the Assessor considers the actual cash value. Then the farmer must make a return as to its actual value, and if he willfully undervalues his property to the extent of a ten dollar bill he becomes liable to a penalty of "not less than twenty dollars and not exceeding one hundred dollars," and in addition "one hundred per cent." added to his tax bill, with imprisonment for non-payment. The Government claim is that this increase will only amount to about \$50,000 on farm lands. But let any common sense school boy figure it out. Our Island is called the "Million acre farm." Lands have been selling at from \$400 an acre downwards. Average one million acres at \$50 an acre and you have \$50,000,000. This at one half of one per cent, a tax of \$250,000. Every farmer in the province has a fair idea of land values. If our figures, either of quantity or value are too high, then cut both down to the lowest point and see where the tax bill lands. Instead of double the present taxes it can easily mount up to five times what the farmer pays today.

nobody is in danger of under-estimating. There are no other factors of importance in shaping affairs in Palestine, Mesopotamia and Syria that exist independently of Mustapha Kemal, but which he is endeavoring to shape to his own grandiose ends. One may mention King Hussein, Grand Sherief of Mecca, a direct descendant of Mahomet; Emir Feisal, his son, who has been proclaimed King of Syria, and the movement to revive the old Arabian Empire.

Arabs and Nationalism

What promises to bring Mustapha Kemal's plans to nought is the fact that the Arab is without a sense of nationalism. He lacks it as completely as a Quaker lacks ferocity. The Arab is as ready to die for his religion as any man; but he has a hazy idea about his own nation. His brother is his fellow-believer. His enemy is his brother who becomes a Christian. This would seem to indicate that the Arabs might work harmoniously with the Turks who are of the same faith, but the fact is that the Arabs have long hated the Turks as their oppressors. They never acknowledge Turkish sovereignty in Arabia and indeed it never was established as regards some parts and the chief shrines. The hinterland remained in the hands of the wandering Arabs who paid no taxes and admitted no law save that of their chieftains and their religious superiors. It was because the Arabs are at heart wanderers that the great Arab empire founded by Mahomet began to disintegrate almost from the time of its birth. Then, as now, religion and not nationality was about the only interest the Arab shared with all other Arabs.

Praise for Allenby

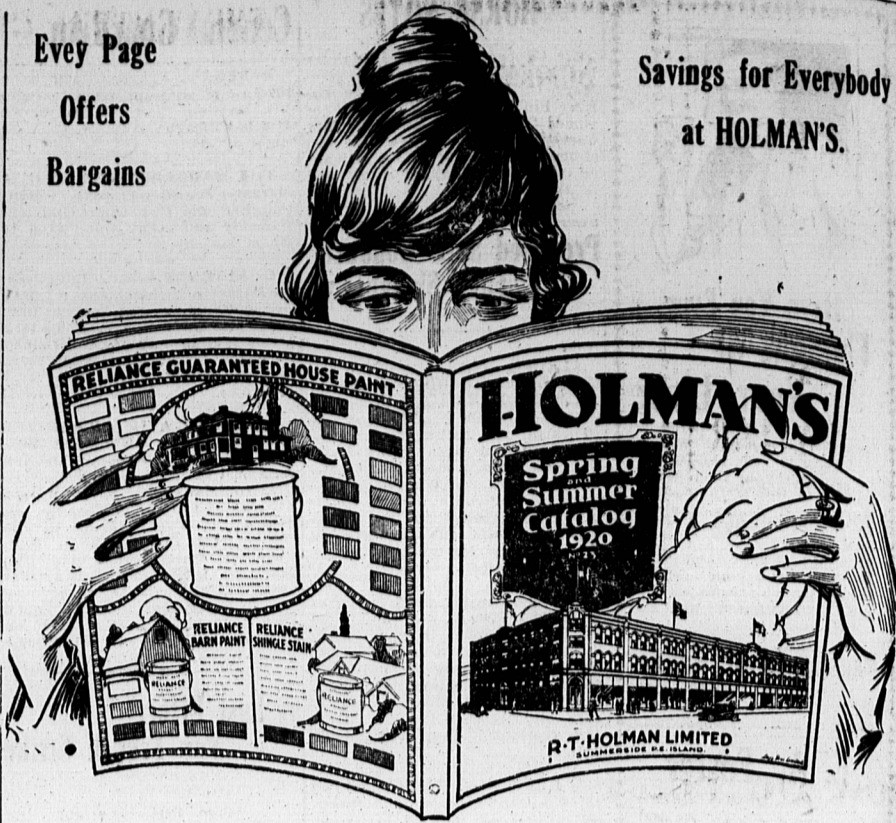
An authority upon such matters is Philip Marshall Brown, professor of international law in Princeton University. He has spent several years in the Near East, part of the time at the American embassy at Constantinople and the rest with Lord Allenby in Palestine. In his opinion one of the finest strokes of diplomacy in the war was that of the British when they raised the Arabs against the Turks; the most brilliant feat of arms of the war was Allenby's campaign, and Lord Allenby he regards as the greatest general developed in the war. What he doubts is whether the spirit of Arabian nationalism which the British were able to raise in order to turn the Arabs against their long oppressors, the Turks, may be now sentiment that has got beyond the control of those who evoked it. Prof. Brown believes that with the Arab, as with European nations, it will be necessary for centuries to pass before a real national consciousness, according to our standards, can be developed. Nevertheless it was developed in the war on the basis of hatred to Turkey; it was strong enough to bring about the downfall of the Turkish Empire under British direction. May it not survive long enough to affect the affairs of Asia Minor for some years to come?

Conflicting Claims

Before an answer in the negative can be given it will be necessary that certain conflicting claims between France and Arabia shall be settled. No fewer than four documents or treaties were concluded between Great Britain and Arabia and Great Britain and France from 1915 to 1918. Great Britain, of course, would be willing to accept any compromise arrived at by the other two parties to the agreements; but supposing that Arabia demands that Great Britain shall fulfil one promise, which France may insist runs contrary to a promise Britain made to France? In the final document one notes the words, "spheres of influence" instead of "zones," which appeared in the former. The recent proclamation of Syria as an independent nation, with Emir Feisal as king, complicates matters, for Syria was allotted to France. The Syrians, apparently, are not satisfied with any status short of independence. But Britain and France agreed that Syria should be French, and in the earliest agreement between Britain and Arabia there is the reservation "except when Britain was not free

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to act without detriment to the interests of France." The British course throughout has been honorable, but this in itself does not prevent the arising of misunderstandings, jealousies and bitter recriminations. The Crafty Syrian The Syrian situation is not promising. As a result of the activities of Jesuit priests, France has had a long-standing sentimental interest in Syria. The Syrians reciprocate to some extent this feeling which had its origin in the crusades; but the Christian Syrians are a much further advanced race politically than the neighboring Arabs. They are not nomads; they understand the sentiment of nationality, and while if they are to have any European mentor they would prefer France, they have an idea that they might thrive best independently. So they are using the Mahometan Arabs as pawns in the game. They appointed the Arabian Feisal as their king, and left the development of their strategy to the Arabs and the Turkish plotters. They calculate like the Turk, upon differences between Britain and France to further their ends, and are stirring up the Arabs to demand that every promise, explicit or implied, made by Britain, shall be carried out to the letter without regard to French interests. The San Remo conference, however, shows that Britain and France are not to be divided, and it seems likely that the whole conspiracy in Asia Minor will fail.

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