

The Charlottetown Guardian

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Tax Collections

It would be a herculean task to keep track of all the misstatements made by our political shadow-boxers in their three weeks' performance in the Legislature this year.

Take for example the claim made by Premier CAMPBELL that previous governments had been "negligent" in collecting tax arrears, and that the larger tax receipts of 1936 was due to the introduction, for the first time, of efficient collection methods.

If the Premier had said that tax collections in 1935 by the incoming Liberal Government had purposely been neglected in order to make a worse showing for their predecessors and a better showing for the succeeding first full Liberal year, he would have been nearer the truth.

Premier MACMILLAN, in his last Budget speech on March 25, 1935, gave a convincing account of Conservative stewardship in the matter of tax collections, and showed that notwithstanding the world depression and consequent falling off in farm and other revenues, these collections had been well maintained.

It is by the imposition of more taxes that our "budget balancers" are running the country, not by any more efficient or equitable methods of collection. For such procedure they not only have no mandate from the electors, but they made in their campaign promises a binding contract to the contrary.

"Bait" For Nova Scotia

Minister of Fisheries MICHAUD, when piloting through supply the item of \$500,000 for the general aid of Atlantic fisheries, drew from a British Columbia government supporter the question, "Why this very large sum?" There were "needs" on the Pacific coast.

Then as he explained, the minister cited that no less than two Commissions had recommended helping the Atlantic fishermen by providing more bait and better bait. This, said he, the sum in question had rendered possible, as well as aid in other respects. The better "organized" Pacific fishermen were not suffering as those facing the Atlantic.

Previously, notes an Ottawa correspondent, Mr. POTTIER (Shelburne-Yarmouth) had advocated a Fisheries Rehabilitation Act. He, like Mr. KINLEY, was under the urge, of the millions being allocated by the government for western rehabilitation purposes, and the prairie provinces' guarantees especially. That the Atlantic fishery industry "hadn't the capital," as Mr. KINLEY put it, mirrored expectancy, not the certainty that the grant of \$500,000 now indicates.

For Mr. MICHAUD's statement that "the regulations and terms" are to be set out in orders-in-council when governing the split-up of the \$500,000, afforded evidence of a somewhat hurried decision to grant the aid finally, as set out in the Estimates. Nor was the Minister able to say how much of the lump sum would be spent in each one of the three Maritimes. He was, however, clear on at least one bait freezer, to be established on the north shore of New Brunswick.

One opposition critic of these indefinite methods, taking his cue from the certainty at least of the "bait supply", remarked: "Inasmuch as the necessity for bait at the moment is much more apparent in Nova Scotia—a broad hint at prospective provincial elections—than in the other provinces, I suppose Prince Edward Island and New Brunswick will have to look to the transportation side of it, while the bait is made available for Nova Scotia?" (The hazy plan of transportation was rather hurriedly set out by a promise of "assistance" for those facilities "on portions of the coast where they are inadequate.")

All of the foregoing gives a fixed color of fact to a statement sent out from Ottawa and published to the effect that, "The Maritime members (over a score of them) have been peculiarly silent in the House. But they have had plenty to say in government caucuses, and their silence has only been bought through holding out a hope that something would be done for them. . . For a time they were a rather disappointed lot when they learned nothing was to be done this session."

And then along came MESSRS. DUNNING and MICHAUD—and Mr. MACDONALD, the Nova Scotia Premier—not forgetting the Commission-recommended "bait."

Senator DUFF, who knows all about fishing, event to the detail of trained seals, has won approval of the Nova Scotia press in saying the exigencies of Atlantic fishing development "call for five millions. . . It (\$500,000) isn't a drop in the bucket when you look at the real needs of the industry." The Senator has dropped another fly in the ointment by his comment on the

decision to put the Fisheries Research Board under the control of the Minister of Fisheries. "If," said he, "we are ever going to get anywhere with the fisheries of this country, it will not be by engaging scientists from the universities. During the last forty-five years I have heard a good deal said about when the mackerel would be on the Atlantic coast, when the herring would come, and when the lobsters were going to crawl, but I have never yet known a scientist who could foretell those things as well as the old fisherman who was out in his boat in the rain and storm from dawn to dark. Perhaps it is not worth mentioning, but all these professors do is to visit, and have a good time. As far as anything of practical value is concerned it would be much better to take the men at the Halifax, St. Andrews and Prince Rupert stations and have them work with the practical men who know something about the industry."

It is a safe assumption that Premier ANGUS MACDONALD of Nova Scotia is not favorably impressed by any criticism of the half million dollars grant with its specific inclusion of sums for bait purposes, as announced by Mr. MICHAUD.

Editorial Notes

This is Hitler's birthday—born 1889.

The last of the Coronation delegates leave this week.

Now we are to have another City bond issue of \$140,000.

The first quarterly collection of Civic taxes under the new system did not prove the success anticipated, but the citizens have not been sufficiently aroused to its advantages. More publicity is needed.

Washington has just voted \$500 million naval appropriation, including provision for work on two \$60 million battleships. It means plenty work for a time, but after that what?

The Mayor and City Council of Saint John, N.B., are not satisfied with their financial statements, and have employed the firm of Milne, Steele & Co., chartered accountants, Ottawa, to conduct a thorough survey of the City's financial set up. Charlottetown could do worse than follow Saint John's example.

Sir Charles B. Gordon, President of the Bank of Montreal, en route for the Coronation told the Press representatives that there would be no boom in Canada only a period of good business. "What is needed most in Canada now," he held, "is a good crop in the Prairie Provinces."

They believe in careful preparation for public celebrations in the Empire's capital—hence the Coronation rehearsals. It is easy to be wise after the event, but prudence dictates preliminary supervision of all details so that there may be no hitch when the millions flood London for the historic events themselves.

Rubin Ketchum wanted to help the Sevier County, Tenn., taxpayers who were putting up 75 cents a day for his keep while he served a six-months larceny sentence. So he wrote Judge W. P. Monroe, suggesting the county treasury would be saved \$67.50 if his term were cut to three months. Judge Monroe found merit in the economy plea and reduced the sentence. How like the Campbell Government.

What next? The King Government has given the order for decorating our public buildings for the Coronation to a Saint John firm. Are our business men, Board of Trade, Liberal Executive asleep at the switch in allowing Ottawa to put it all over us the way they are doing? Soon, at this rate, the Liberal 30 will be finding themselves superseded by an aggregation at Halifax or Fredericton.

En route for the Coronation, the Director-General of the New Zealand Postal Telegraph Service, Mr. G. McNamara, told a Saint John Telegraph Journal reporter that during the last 18 months his country had experienced a prosperity boom that was unprecedented in his history. "Our main industry is of course agricultural products and the exports of butter and lamb and wool have never enjoyed a better market. We are not troubled with any major labor troubles, such as I find here, and in the United States," he said, referring to the strike at Osawa in particular.

Are we in for a run of youthful proteges? Lorne Munroe, 12-year-old Winnipeg cellist, is so highly regarded by Mr. Arthur Benjamin, adjudicator at the Manitoba musical festival, that the London critic has offered to give him the "best musical education the world can provide." Mr. Benjamin was so impressed with the boy's playing that he hopes to take Lorne back to England with him. The critic offered the child board and lodging at his home if a Winnipeg service club would undertake \$1,000 annual maintenance expenses.

Five of the amateur firewalkers referred to the other day singed their feet in the interests of science, while the Indian "professional" came through the ordeal unscathed. Ahmed Hussain, twenty-three-year-old Moslem, whose father and grandfather were firewalkers before him, succeeded where the amateurs failed in the experiment conducted by the University of London Council of Physical Investigation. He walked in a pit twelve feet long, glowing with embers heated to 932 degrees Fahrenheit without a trace of a burn on his bare feet. Nurses washed Hussain's feet before each test, and Dr. C. A. Pannett pronounced them "quite normal." Hussain prayed before each of his trips, which lasted one and a half seconds. After the experiment, Dr. Pannett reported Hussain's feet showed no trace of burns. The council plans further experiments before drawing any conclusions.

Notes By The Way

"It," says Premier Mussolini, "by democracy you mean government for and in the interests of the people, then our system and ours alone is truly democratic." Your definition, dear Benito, is like the sark you wore in the movies the other day—cut much too short. The most essential characteristic of a democracy is that it is a government by the people—we even want to make our own mistakes.—Portland Oregonian.

The sea has always been the traditional occupation of residents of Cape Cod, and they have achieved wonders in the fields of fishing and commerce. Now it appears that the Cape residents are fine farmers, too. A survey of cows there shows that they produced 8,321 pounds of milk in an average year. The average for the whole country is about 5,000 pounds. Like the well known Cape Coder, even the cows are efficient.—Boston Post.

Stanley Jones says: "The soul of America is hungry if you can get to it. The greatest hour of evangelism is now upon us. The Church must get back its nerve and courage and faith, and move forward with its message into the soul of America."

British motorists and other road users paid state levies of over one hundred and sixty million dollars last year. The average cost of licenses was \$10 for motorcycles and \$45 for cars and \$250 for taxicabs. The residents of the United Kingdom are a heavily taxed bunch in any direction and although they still use the national privilege of grubbing, they also pay up in good style. The Empire must be looked after.—Brantford Exposition.

If the race for armaments among the nations continues there will be no money for anything but guns and dug-outs and gas masks. That is the way that confronts Europe. But there is one thing which could and may be done which may help to stay the catastrophe, and that is the establishment of close and friendly relations between the two peoples on either side of the Irish Sea. That two nations so long at variance with each other should come together to compromise their differences in the interests of Europe. But there is one thing which could and may be done which may help to stay the catastrophe, and that is the establishment of close and friendly relations between the two peoples on either side of the Irish Sea. That two nations so long at variance with each other should come together to compromise their differences in the interests of Europe. But there is one thing which could and may be done which may help to stay the catastrophe, and that is the establishment of close and friendly relations between the two peoples on either side of the Irish Sea.

I chanced the other day to be one of a company just returned from the church. One enthusiastic churchgoer had heard the same sermon in different churches twice; the subject was "Fear." Returning from the evening worship, she remarked, "It was awfully good for the first quarter of an hour. But he went on talking about fear so long, that the only fear I had was that I should be too late for supper."—United Churchman.

While the civil war in Spain may be ruining a country and a nation, it certainly is proving one thing—and that is that all the stories we have heard about the "annihilating" war are wide of the mark. The modern apparatus of war is, in other words, the machinery of war today would appear to be very much what it was during the Great War—deadly enough and destructive enough, but certainly not "completely annihilating" by any means.—Halifax Herald.

Subsidies, it would seem, need not always be so hard to get rid of as some of us had feared. It was pointed out here recently that the natural course of prices has driven some of the most important subsidies to support British wheat-growers to an almost negligible level. And now both the speakers in the recent Parliamentary debate and the report of the Tramp Shipping Administrative Committee assure us that yet another subsidy may disappear before 1937 is over. The tramp shipping subsidy, the renewal of which the House of Commons had to discuss, was calculated to maintain the earnings for freight carried in British cargo boats at the 1929 levels—so far as this was possible within the limits of an annual appropriation of £2,000,000. Now freight levels are near enough those of the standard year to make it possible that, although Parliament is asked to authorize the same grant as in past years, the actual sum which it will be necessary to pay over will not be large. The subsidy looks like extinguishing itself with the return of better times.—Glasgow Herald.

It may be taken as certain that Socialist propaganda is working back through the ranks into Italy. Conditions under dictatorship in the home country are admitted by Fascist authorities to be desperately poor after years of sacrifice to the absolute will of the Socialist renegade. The Italian people may well be asking themselves where they are going under Mussolini's imperialism. There is a limit to the patience even of the Italian peasant. In the meanwhile, there are signs that the limit of Fascist bluff against other countries is being reached. It is about to be called.—Ottawa Journal.

We are to-day living in a world of an intense scientific development which renders competition stronger and stronger. In vain a country possesses great natural resources, arable soil, mines, forests, water power and fisheries; it will not succeed in getting all the return in wealth which they contain and in overcoming its competitors if it has not the necessary intellectual resources as well. That is why it is to-day of the utmost necessity that a country not only pay particular attention to the technical instruction of its youth in general but take steps to use their best talents, to create the leaders that it needs in every field of national life.—LeDroit, Ottawa.

PUBLIC FORUM

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

INIQUITOUS LEGISLATION

Sir,—In the conflict being waged between authoritarianism and democracy towards which contest Canada and its Provinces are rapidly approaching, any act which tends to destroy confidence in the justice and fairness of democratic or representative institutions is a blow struck at democracy itself. More especially is this the case where the representative institution is in a position of holding supreme power. The objection to Fascism is that its unlimited power is exercised for its own continuance and the rights of individuals are ruthlessly disregarded and overridden. If democracy, through its representative institutions, is guilty of the like practices, it prepares the way for its own downfall. In quietness or peace and confidence in itself lies Democracy's strength. When, therefore, the Campbell Government, in the unprecedented position of power which it occupies through its following in the legislature, saw fit to introduce and to have enacted the legislation about to be mentioned, it struck a blow at its own prestige and at any confidence which might have existed in its integrity and impartiality. It weakened likewise the desire to maintain our present Democratic form of government. Why preserve the power even of a Democratic institution if that power is to be exercised as an instrument of wrong and oppression?

Under the provisions of the Road Act, the Minister of Highways and Public Works gives general control and supervision over the highways and bridges of the Province, including their laying out, alteration, building, improvement, maintenance and repair. Power is given to expropriate additional lands if such are needed for the widening or construction of roads, the owner, of course, to be compensated for the land so taken. The Act does not give the Minister the powers given to the Minister of Highways, that is, the Minister shall be exercised carefully and without negligence or misconduct on the part of the Minister or of those working under him. Such an express declaration is quite unnecessary. Carefulness and a due regard for the rights of others are assumed. This is part of the common law applicable to all His Majesty's subjects not excluding even a Minister of Highways. This is often heard "The King can do no wrong." This, applied in the circumstances, means, the King, through His Ministers, even through the Minister of Highways, can do no wrong; for if these Ministers or their servants are acting wrongfully, then they are not acting as the King's Ministers or agents, but as private citizens in their private capacity. They are in such case personally liable.

It is a principle of law well known to lawyers that, although a statute may expressly enable a thing to be done even for a public purpose and in the public interest, it must be done without negligence and without interfering with the rights which are vested in the public. The construction of a bridge, for instance, over a stream flowing across a highway, must be authorized by statute. It must not be built, however, so as to dam up the water and thereby interfere with the rights of persons living near the highway through whose land the stream flows. The same principle applies to the construction of the work being referred to, are doing the work in a negligent and improper manner. They are committing a wrong, a tort, and for such tortious and injurious operation, those actively engaged and all who direct the performance, are liable in damages to the person injured. The Government, or His Majesty, are responsible inasmuch as the negligent or tortious operation was at least in theory, never authorized.

Mr. Shaw McMillan of Alberry Plains is a miller, well known to many. He has been a miller throughout his life; his father was also a miller. The mill adjoins the highway, the main road between Charlottetown and Georgetown. Forty years ago, when the highway was being repaired, and the bridge being rebuilt, those in charge of the work of rebuilding began to place logs or beams in the bed of the stream where it crosses the road, with a view to supporting the sides or walls of the bridge they were about to rebuild. The placing of those beams in the stream and above the surface of the former stream-bed, naturally, more strictly speaking, unnaturally—interfered with the flow of the water, dammed it up, and prevented the free escape of water from the base of the mill-wheels or water turbines. This interference would necessarily lessen the power of the mill and its production. The then owner, the late Mr. George McMillan, forbade the rebuilding of the bridge in such a negligent and injurious manner. The beams were accordingly removed, the nuisance abated, and the bridge built properly without any interference with the rights of the mill-owner.

Last autumn a similar interference took place, the bridge being again rebuilt. Before the work was started and in order to reduce the flow of water across the stream-bed, Mr. McMillan was asked to stop mill operations for four days and to hold up the flow of water during that time. This he did. For his loss of earnings in the mill during those four days he was allowed and paid ten dollars a day, forty dollars in all. When the old bridge was torn away and foundations for the new bridge about to be laid, the workmen, under the direction of the engineer in charge, started to place beams in

the stream-bed. Mr. McMillan forbade this. He informed the parties of his father's experience forty years before and stated they must not raise the water. The workmen, however, proceeded with the work and placed some seventeen beams across the stream and above the stream-bed. This altered the natural flow of the stream, raised the surface of the water and detracted from the escape of the water from below the mill wheels. The productive capacity of the mill was thus very materially lessened. This continued for the middle of January a period of nearly four months. Solely as a result of this lack of power, considerable lumber-cutting had to remain unperformed, work had to be and was turned away and a very substantial loss was sustained, amounting to several hundreds of dollars. Finally, on 15th January, after a number of interviews and after continued remonstrances, the offending cross-beams were removed under the orders of the engineer.

Mr. McMillan then took up with the officials concerned, the Minister and his engineer, the allowance of some reasonable compensation for the loss he had sustained. Details were given. Proofs were offered. Every opportunity was given for an amicable settlement, but with negative results. Finally, after giving fair and ample warning of his intentions, Mr. McMillan commenced an action in the Supreme Court against both the Minister and his engineer, personally. The Government, or the Crown, could not be sued.

Mr. McMillan, however, reckoned without the power of the Government and the legislature. A bill was introduced, sponsored by the Minister, one of the defendants in the action, completely wiping out Mr. McMillan's claim for justice. Under the law as it existed before this bill was introduced Mr. McMillan had a perfectly valid claim. At least, he could have brought it before a Court of Justice and had the Court decide upon its merits. If he had succeeded, he would have recovered his damages from Mr. McMillan and his engineer, Mr. Beardon. The Government could then, if it wished, have reimbursed these gentlemen. It was never the wish of the people of this Province that an individual, engaged in earning an honest livelihood, should be wronged by officials of the Government and then be left without a remedy. A subservient legislature, however, through an abuse of the power given it by the people, has perpetrated this injury and has legislated Mr. McMillan out of Court. Even the "negligence" and "misconduct" of all parties concerned in this deliberate outrage and invasion of private rights have been unequivocally and expressly whitewashed. Retrospective legislation, or legislation applied to past transactions, is particularly objectionable and is almost always to be reprehended. In this case, the Act is declared specifically to be retroactive, and to apply "to all actions heretofore or hereafter to be commenced in respect of any act or performance thereunder."

The combined members supporting the present Government have thus succeeded in destroying Mr. McMillan's right of action, have justified the invasion of his property rights, and have deprived him, without any compensation whatsoever, of a substantial part of his means of livelihood throughout a four months' period. More pernicious legislation never disgraced a legislature.

It is surprising, then, to find a declaration from a distinguished member of the judiciary to the effect that admissions, particularly by the mandate "Thou shalt not steal," may be binding upon others, but not upon members of the legislature. Making black appear white by a whitewashing statute, destroying, without compensation, the property rights of an individual, is a privilege which members of the legislature through their undoubted power of legislation, can indulge in with impunity, with immunity, but perhaps not with impunity. Punishment for such an inhuman and certain, even if delayed.

It does not serve to mitigate the conduct of the Government and of its servile followers to recall that Mr. McMillan was an opponent who in the past has more than once sought the suffrages of the people on the opposite side of politics. Apparently he is being well paid out for his past temerity.

I am, Sir, etc., W. E. BENTLEY.

THE PATRIOT'S SOOTHING STRUP

Sir,—To ease the pain of my charge that the Campbell government took \$137,000 more taxes from the people in 1936, than the MacMillan government did in 1935, the Patriot says this was by "methods" collection, and not increase of rates.

In matter of fact it was by both, and as in "amusement" and "suction" taxes increases to a very material extent. But that is not the point of the issue. Monies extracted from the pockets of the people by method of the suction machine used. And like using cocaine in drawing a tooth, in Liberal manipulation may call it "method," but without qualification it is taxes taken from the taxpayers.

The real issue, which the Patriot avoids, was my application of this \$137,000 to their—Balance the budget bluff which fooled so many voters in 1935 (which) has melted away as snow in a fiery furnace.

Their election pledges were emphatically to balance the budget by "economy" and not by sweeping drafts upon the pockets of the overburdened taxpayer. Instead of reducing they have increased expenditure, with nothing to show for it. And to conjure up an imaginary reduced deficit, they lift an additional \$137,000 from the poor of the country, they issue cheques in 1936, upon relief funds of 1937, and we have no record of the unpresented

Advertisement for Sweet Caporal Cigarettes. Includes illustration of a man smoking and the text: "Got any tips today? I don't go in for tips—I smoke Sweet Caps!" "The purest form in which tobacco can be smoked."—Lancet

Advertisement for North American Life. Text: "A MUTUAL COMPANY NORTH AMERICAN LIFE Solid as the Continent" "ALL PROFITS FOR POLICYHOLDERS"

Advertisement for Brahmin Orange Pekoe Tea. Text: "For Vitality always use BRAHMIN ORANGE PEKOE TEA"

and unpaid bills of 1936 which are carried over to 1937. Now if we add this \$137,000, to their admitted deficit, plus unknown and concealed amounts, we have an absolutely indisputable deficit of \$161,854, and how much more is in those pigeon holes of silence. But this is not all. They hulla-ballo about spending less on public works than the MacMillan government. That is true, and in some of its aspects most painfully true. They profited by expenditure of their predecessors for works which they escaped paying for. For instance the MacMillan government had to make Government House habitable at a cost of \$2,300. They had to expend \$6,645, on the Simms building, \$53,000, maintenance of bridges (as against \$21,000) in 1935, packets wharves and bushing ice an extra \$4,000, maintenance of roads \$58,000, as against \$187,000 of MacIntyre neglect. Maintenance of public buildings \$156,000, as against \$142,000 in 1936. They escaped maintenance of over 50 miles of paved highway left them by the MacMillan government and they escaped all the above public roads and works left to them in a high state of substantial repair. By neglect of the reduced mileage of ordinary roads left to them, spending little or nothing upon them, we have them in their present impassable condition, and the repair money is applied to the "buff method" of balancing the budget.

If they had kept the roads, bridges and public works as they should have done, in that perfect condition in which the MacMillan government left them, instead of a deficit of \$24,000, they would have shown an adverse balance much more than that of 1935, a balance which would appal and startle the people.

I am, Sir, etc., READER. BUDGETS AND DEFICITS Sir,—If it were not fiction? If in reality the 1936 deficit was \$24,654, what do they declare? What are the stern facts that a child could understand? Premier Campbell now budgets for a \$63,000 deficit for 1937. What progress is this towards balancing the budget? Is it "the longest way around as the nearest route to the fire?" But in 1937 he proposes to collect from our pockets \$128,000 more in taxes. Add this to the declared deficit of \$63,000, and without the increased taxation the actual deficit for 1937 would be \$191,654. There would be no escape from this. What then the certain sequence in 1928? Confronted with another ordinary expansion of \$30,000, (as in 1937), without a further advance of new tax acts, the 1938 deficit bids far to exceed \$200,000. What rapid strides these financial wizards are making towards a balanced budget? And "not a 5c piece" of help from Ottawa? I am, Sir, etc., READER.

Advertisement for The Poet's Corner. Text: "The Poet's Corner"

UPHILL Does the road wind up-hill all the way? Yes, to the very end. Will the day's journey take the whole long day? From morn to night, my friend. But is there for the night a resting place? A roof for when the slow dark hours begin. May not the darkness hide it from you? You cannot miss that inn. Shall I meet other wayfarers as night? Those who have gone before. Then, must I know, or call when just in sight? They will not keep you standing at that door.

Shall I find comfort, travel-sown and weak? Of labour you shall find the sum. Will there be beds for me and all who seek? Yes, beds for all who come. —Christina Rossetti.

Advertisement for Dodds Kidney Pills. Text: "DODDS KIDNEY PILLS" "TREATMENT FOR BACKACHE, RHEUMATISM, BLADDER TROUBLES, AND ALL THE PROBLEMS WHICH ARE CAUSED BY THE KIDNEYS"