

THE GUARDIAN

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"The Strongest Memory is Weaker Than
the Weakest Ink"

CHARLOTTETOWN, MONDAY, SEPT. 19, 1949

Privy Council Appeals

While there appears to be general approval
of Prime Minister St. Laurent's proposal to call
a conference to discuss questions of constitutional
autonomy between the Dominion and the
Provinces, there is another matter dealing with
constitutional rights, embodied in the Speech
from the Throne, about which there is anything
but unanimity of opinion.

For one thing, points out the Montreal
Gazette, the Supreme Court of Canada is the
creation of the Federal Government, and subject to
federal legislation. It was formed by the Supreme
Court Act, and this act may be amended at any
time and in any manner by a party majority
at Ottawa. The difference here with the Supreme
Court of the United States is important; for the
supreme court of the United States is created
and defined, not by the laws of the Federal
Congress, but by the Constitution itself.

Until now the Privy Council in England has
not made adequate arrangements to perform for
itself. As the court of last resort, the Privy
Council has been able to pass judgment upon
cases involving both the Federal Government and
the Provinces, without in any way being dependent
upon either. The need has been to constitute
in Canada a court capable of performing a
similarly independent function.

The situation is made all the more serious
by the way in which the Federal Government
proposes to make the existing Supreme Court the
final authority, without in any manner indicating
whether it would be bound by the decisions
delivered down through the years by the Privy
Council.

In properly asserting legal sovereignty in
Canada, it is vitally important that autonomous
steps be taken to avoid legal confusion or anxiety.
For the security and effective regulation of its
legal system Canada at present lacks two
important things. The first is an agreed method
of amending the British North America Act, which
is virtually Canada's constitution. The second is
an agreed formation of a court fitted to pass final
judgment in disputes that may arise out of
that constitution.

It is important to note that the Canadian
Bar Association, considering this issue upon a
nation-wide and non-partisan basis, last year
recommended consultation with the Provincial
Councils of the Bar "on the conditions on which
the abolition of appeals to the Privy Council will
be approved by the Provinces." At this year's
annual conference, which met at Banff only a few
days ago, the Canadian Bar Association urged
that one bill to make the Supreme Court of
Canada the court of last resort should contain
provisions for the reorganization of the court;
for the clarification of the standing of past decisions
of the Privy Council; and for the provision of
ample time "to permit the public to give
consideration . . . to the effect which the abolition
may have upon Provincial and minority rights."

Mr. St. Laurent was present at the convention
of the Canadian Bar Association at which
this resolution was passed. It seems probable that
he will carefully consider these serious
recommendations of his legal colleagues, and the
serious national concern for the security and
prestige of the law upon which their recommendations
are based.

The Journal's Advice

Premier Smallwood is reported to have said
in a recent address that his highway policy in
Newfoundland will be to have provincial highways
built by using the now almost primitive tools of
pickaxe and shovel, wheelbarrow and horse-cart.
Modern road-building machinery will be barred
because its use requires relatively few men and
because it gets jobs done too quickly. Road
construction by methods in vogue in grandfather's
day would keep a much larger labor force
employed for a much longer time, Mr. Smallwood
reasons. The Newfoundland Premier from his
inspections of the United States military bases in
the province, is fully aware of the capacity of
modern construction machinery and the speed
with which it moves mountains and fills in valleys.

By no means is Mr. Smallwood alone in his
antipathy to the use of modern, labor-saving,
"job-stealing" machinery, comments the Ottawa
Journal. The worker's hatred of and battle against
mechanization has been going on for upwards
of a century, since mobs smashed machines in
England's mills during the Industrial Revolution.
British miners continue to look on the great new
coal-cutters developed in the United States with a
jaundiced eye and so do the miners in Cape
Breton. Not even the assurance of Labor Minister
Mitchell on the floor of the House that he knew
of no instance in Canada where machines led to
unemployment altogether reassured the Nova
Scotians.

Rejection of the use of power machinery in
the mines, on the farms and on the roads is the
highway to lowered production, fewer skills, a
losing battle in competition with those who do use
it, and in the long run to lower standards of
living. "Mr. Smallwood," concludes the Journal, "is
coming to Ottawa within the next few days. He
would do well to talk this matter over with Mr.
Mitchell and with Reconstruction Minister Robert
Winters, boss of the federal side of the
Trans-Canada highway. Or better still, he could
discuss highway policy with his near neighbor,
Premier Walter Jones of Prince Edward Island
where fine new highways are streaking out across
the red soil through the agency of some of the
newest and largest road-construction machinery
yet devised."

EDITORIAL NOTES

The proposed new auto meters are receiving
general approval from store keepers. The real
test will come later from the auto customers and
visitors.

The advocates of a united Christendom seems
to have small chance of achieving their goal but
at least their efforts tend to bring about a clearer
knowledge of other communions.

Chain letters are a nuisance that spring up
everywhere periodically. A Japanese police
inspector seems to have found a remedy. He arrested
a sender for intimidation, to wit, "you will
suffer misfortune unless you send out 12 letters
within 24 hours."

The United States is altogether too self
sufficient for trade. What the sterling area
countries, and Canada also, need to do is start a
fad for things foreign. It could clear up the world's
currency difficulties almost overnight.

The British Ministry of Health reveals that
there are 102,000 more people registered for
the health scheme in Middlesex than the population
of Middlesex. Could it be that the modern
Englishman is going back to the ancient fiction that
almost any place on earth is in the county of
Middlesex?

The strictly limited proposal to give Parliament
authority to amend the constitution on a
national level without taking power to infringe on
Provincial rights would merely put Ottawa on a
level with Provincial legislatures which have
always had the power to amend their own provincial
constitution.

Now we'll soon see for ourselves if we have
any brains. A machine which projects a picture
of the brain onto a screen for study has been
developed at the Burden Neurological Institute
Bristol. Electrodes are fitted to the head of a
person suffering from a brain disorder and the
screened picture can be studied by doctors.

The City of Saint John is producing asphalt
at a price "less than half" that formerly paid
to private contractors, the Common Council was
advised by W. R. Godfrey, director of works. Mr.
Godfrey submitted a report to the council advising
that some 20,000 tons of asphalt will be
produced by the Chesley Street plant by the
end of the season.

A C. P. London bulletin says a Canadian
who identified himself only as "J. Bland, Brighton,"
wrote to the London News Chronicle that
gambling has "eaten away England's moral
fibre." "To the gambling craze I attribute strikes,
go slow" scandals, the five-day week and poor
output," Bland wrote. "A nation of gamblers does
not deserve one dollar from the U.S.A. or Jack
Canuck, and your best friends are those who tell
you so quite frankly."

Arthur Rackham, British author and
illustrator born this date 1867. He illustrated such
famous works as Rip Van Winkle, Peter Pan,
Undine, Mother Goose, English Fairy Tales, Cinderella,
etc. His drawings were purchased for
national and municipal collections at Barcelona,
Vienna, Melbourne, Luxembourg, Paris, Tate Gallery
London, etc.; and was an Associate of the Societe
Nationale Beaux Arts, Paris.

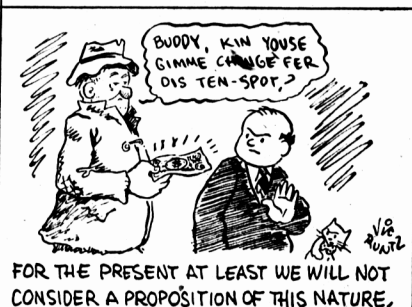
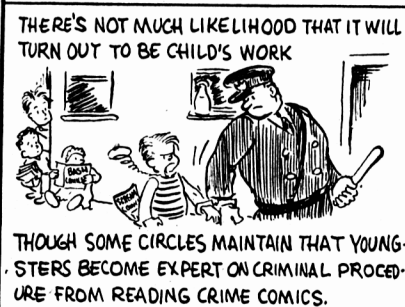
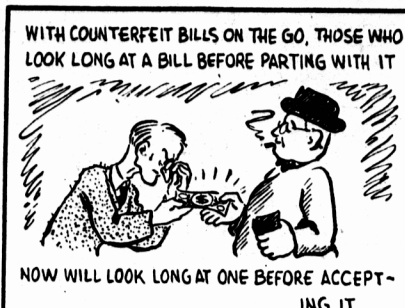
The multitude who have long asked just
what good there is in a mosquito have at last
been answered. The Canadian Army has discovered,
for what it is worth, that in the Arctic summer
mosquitoes actually cause men to work more
efficiently. Time lost in slapping the pests, it
the onslaught is not too severe, is more than
made up for by annoyance and resulting tension
which results in speeding up "the activity in
progress."

Apparently the majority of the City Councilors
are of the opinion of the spell-binder who
exclaimed in reference to the cost of a socialization
scheme for the benefit of succeeding generations
—"Posterity! What has posterity done for us?"
The city councilors are seemingly convinced in
their own minds and pockets that it will be time
enough to discover whether their civic pension
plan is sound or otherwise when, and if, later a
deficit occurs which will have to be made good
by future taxpayers.

Mr. R. A. Bell who has resigned as National
Director of the Conservative Association was well
and favourably known here where he visited on
different occasions. His position was not an
enviable one. He was made the goat for all the
mistakes and misfortunes of the organization as a
whole, notwithstanding the fact that ways and
means were followed which he himself disapproved.
He was strongly in favour, for instance, of
educating and developing Conservatism by newspaper
propaganda which could be absorbed by
readers with their daily news. Instead the powers
that be chose to flood the mail on the eve of
the election with heavy, indigestible campaign
literature, the bulk of which never was read and
speedily found its way to the furnace.

The Rt. Hon. Harold Wilson, President of
Britain's Board of Trade, equivalent to Canada's
Minister of Trade and Commerce; announced:
Britain's trade gap — the excess of imports over
exports — was approximately £58,600,000 (\$234,
400,000) in August, Harold Wilson, Board of
Trade president, announced last night. This
compares with a July gap of £44,700,000. Exports
totalled £137,200,000 in August, Wilson said, and
re-exports of goods bought abroad reached
£4,200,000. Exports to the United States were
£3,300,000 off £500,000 from July. To Canada,
the other main dollar-producing market, Britain
sold goods in August worth £5,700,000. This
£3,300,000 off £500,000 from July. Despite intensification
of Britain's drive for exports, total sales
abroad in August were £137,200,000—three per
cent less than in July. August imports were
£13,600,000 above the figure for July.

Phoney Money



PUBLIC FORUM

This column is open to the
discussion by correspondents
of questions of interest. The
Guardian does not necessarily
endorse the opinion of
correspondents.

PUBLICITY AND
DECENTRALIZATION

Sir — This reader appreciated
that cartoon in The Guardian
hand (Sept. 10) showing President
MacMillan (Dairy Farmers of
Canada) fixing up a recipe for a
customer. . . . The aim
of this "type" of decentralization
would be to render atomic bomb
attacks less profitable. This is all
very well, from the point of view
of speculation. But if we are going
to speculate about the future why
not a future free of atomic bombs?
— Saskatoon Star-Phoenix.

Old Charlottetown

Writing in the Prince Edward
Island Register of Oct. 2, 1824, a
correspondent signing himself "Retailer"
complains of being inundated
with "shoals of base tokens
style 'Coppers', which have
of late been poured in upon us
in such quantities as to be a
handicap to the honest and
industrious Province of Nova Scotia."

EFFECT OF NICOTINE

Sir — Please allow me to refer
to Rev. Wm. T. Mercer's letter of
Sept. 6th in which he gives both
liquor and tobacco a bad name. It
would come out like Mr. Mercer
and show their colours.
Dr. E.C. Principle in a recent
article in the Christian Advocate
under the title "Smoking and Babies"
sets forth some startling and
little known facts. The writer
refers to experiments with animals
in recent years which have proved
that nicotine, consistently poisons
nursing pups and calves and that
it poisons the offspring while being
carried by the mother animals.
Dr. Principle then goes on to cite
a case after case where observation
of human mothers and babies
points clearly to the same
conclusions. Doctors in the Jewish
hospital in Philadelphia found
nicotine in the milk of nursing
mothers. Many young women, Dr.
Principle comments, are ignorant of
these facts because there are average
physicians who are not aware
of them themselves.

OF PAGAN ORIGIN

May Day celebrations stem
directly from the ancient Roman
Feralia, and Druidic feasts in honor
of the god Bel.

The Poet's Corner

GOING FOR WATER

The well was dry beside the door.
And so we went with pail and can
Across the fields behind the house
To seek the brook if it still ran;

Not loth to have excuse to go,
(Though chills) the autumn eve was fair
Because the autumn fields were ours
And by the brook our woods were there.

We ran as if to meet the moon
That slowly dawned behind the trees—
The barren boughs without the
Without the birds, without the breeze.

But once within the wood, we
paused
Like gnomes that hid us from the moon.
Ready to run to hiding now
With laughter when she found us soon.

Each laid on other a staying hand
And in the hush we joined to make
We heard, we knew we heard the
brook.

A note as from a single place.
A slender tinkling fall that made
Now drops that floated over the pool
Like pearls, and now a silver blade.

—Robert Frost

Food For The World

Back in 1898, just as the economist
Malthus had done a century
earlier, a prominent British scientist
thrust into the spectre of mass starvation
before the world.

At the annual meeting of that
august scientific body, the British
Association, its president Sir William
Crookes recalled Malthus'
prediction that the world was facing
starvation because its population
was multiplying at a much
faster rate than its capacity to
produce food.

Malthus' fears had been upset by
the opening of great new food-
producing areas in the 19th
century. But, said Sir William,
this process of expansion was over.
There were no new worlds left for
the production of food and by the
1930's the world would go hungry
unless crop yields were raised.

Sir William had an answer to the
problem — vastly increased use of
fertilizer. It was a good answer
and it provided the foundation of
the great nitrogen fertilizer industry.
But it was the plant geneticist,
not the chemist, who ultimately
solved the problem.

By cross-breeding and developing
new varieties to meet specific
conditions, the plant geneticists brought
whole new empires of land into
wheat production. Early-maturing
varieties of wheat, wheat that was
drought-resistant, all these helped
to thrust the frontiers of wheat
production back into areas never
foreseen by Sir William.

In Sir William's day the wheat
acreage of Canada, Australia and
the Argentine stood at 16 million.
To him that represented just about
the maximum. Yet when his
predicted period of disaster arrived —
the 1930's — the wheat acreage in
these three countries had risen to
63 million and the world, far from
starving for wheat, had such a
surplus of it that the price fell to
bankruptcy levels in western Canada.

Today, warnings are being issued
once again about the danger of
mass starvation. They are based
on two well-known factors — first,
that every year the world has an
additional 20 million mouths to
feed and second, that every minute
hundreds of acres of soil are
being lost through erosion.

These points were forcibly
presented at Lake Success recently by
scientists attending the United
Nations Scientific Conference. They
greatly interested me again a few
days ago by Sir John Russell, one
of the world's great agricultural
scientists, in his presidential
address at the meeting of the British
Association in Newcastle.

But where Sir John and most of
the men at Lake Success differed
from his predecessor of 1898 and
from Malthus was that, after
presenting the grim picture of what
could occur, they were optimistic
in their belief that it would not
occur.

Sir John was confident that the
men of science, through conservation
methods and constant research
in matters of production, could
eventually feed the world's population
of almost 2,000,000,000.

Science has already achieved
results in food production that would
make Malthus and even Sir William
Crookes blink with wonderment.
The soil chemists and soil
physicists have combined with the
plant geneticists to bring more and
more land once considered marginal
into production.

The engineers, through such
great enterprises as the Tennessee
Valley Authority in the United
States and the St. Mary-Milk river
project in Alberta, are checking
soil erosion and bringing about
vastly increased farm production.
Even the farm dugouts that have
dotted the prairie west in the last
20 years are making their
contribution to greater food production.

There are huge food
development projects underway in the
Sudan, West, Central and East Africa
— all destined to do their part in
feeding hungry people.

As for the expansion of
acreage, science has greatly
increased, and is still increasing, the
crop yield per acre. In western
Canada alone, the development of
sawly resistant wheat is credited
see before many moons elapse."

The Age-Old Story

They shall come and sing in the
height of Zion, and shall flow
together in the goodness of the
Lord; for wheat, and for wine,
and for oil, and for the young of
the flock, and of the herd. And
their soul shall be as the watered
garden, and they shall not sorrow
any more at all.

Notes By The Way

Why is it that so many people
who live in crowded cities take
their holidays by going to places
where their common sense would
tell them they will have a hard
time to get meals or sleeping
accommodation, where traffic will
be slowed down to a crawl with
everyone in bad humor and blaming
everyone else for the muddle they
are all in? — Moose Jaw
Times-Herald.

Worse even than the insect pests
at the beaches and playgrounds
are the so-called humans who
leave bottles, broken or otherwise,
lying around or, worse still, break
them and throw the fragments into
the water. Thus some child will
have his or her feet gashed and be
out of the water for the summer.
Pity the kind of swatter has not
been devised to catch and stop
such persons. — Niagara Falls Review.

Have you ever, after a fearfully
narrow escape on the public highway,
watched the disappearance
over the horizon of the red devil
who had been responsible for your
fright and wished you could tell
him in precise and pertinent terms
just how you felt about him? If
you have, you may admire the
low who inserted the following
ad in a British newspaper: "He
probably dead now, but if not, I
cut in between my car and the
coach near Pohl on Sunday. I
know that his survival was nothing
to my good wishes." — Wall
Street Journal.

If we are to get more of the coal
market in the Central Provinces
than what we have at present for
millions of tons of coal are brought
into Canada from over the border
every year. We cannot claim a
larger share of this market unless
we are able to produce the coal
itself needed and without the
federal government continuing the
subvention policy on Sunday. We
ger scale. In other words, our
mines in Nova Scotia should be
in constant operation on order
from those in the Central Provinces
if we are to develop our
industrial economy on the largest
lines possible. — Amherst News.

Texas courts hold that a motorist
who is blinded by the headlights
of an approaching car while
driving at night, and who hits
something while so blinded, is
guilty of negligence. The case
which produced this ruling arose
after a motorist, travelling at 40
miles an hour, crashed into a
parked truck which he was unable
to see because approaching headlights
had blinded him. He was
killed, his heirs sued the truck
owner, and the defendant replied
that the dead driver had failed to
exercise proper care. This contention
the court upheld, and its ruling
is worth noting. A driver, if
held, must anticipate the presence
of objects in his path. If a
headlight blinds him, it is up to him
to slow down or stop until he
regains his vision. If he doesn't do
so, and hits something, it is his
fault. — Chatham News.

The small town, with its weak
newspaper, is the backbone of
every country, and a godly
portion of a country's great men
and women were reared in the small
town. People take time to think
in the small town. They keep
formed, and from many a one have
come our most outstanding
presidents and legislators, as well
as those who have contributed to
the life of the nation and to the
world. There was always a
friendliness that was spread all
over the town. There was
community spirit. Co-operation and
a democracy of spirit were always
alive. People travelled and came
back with ideas that were
distributed to those who had
helped and the many churches
were filled with people eager to
gain spiritual sustenance. — Brantford
Sun.

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