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A welcome pause on the trail to rest and adjust packs and equipment. Shown above left to right, are: Pte. Bill Yurkosky, Peniticon, B. C.; Pte. Gilbert Avery of Vancouver; Pte. Les Rosko, Vancouver; Pte. Ray Tallin, Nelson, B.C. and Opl. Paul Lynch of Langley Prairie, B. C.—(Canadian Army Photo).

FERTILIZERS

| Spring | 1948 |
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| 4-8-10 | at \$38.70 per ton |
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QUICKIES By Ken Reynolds



"Your Guardian Want Ad said you fixed refrigerators promptly—well, you better hurry or my beer will get warm!"

Renews Protest Against Jones Government Action

Resuming the debate when the Legislature met yesterday afternoon, Mr. D. L. Mathieson, K.C., Fifth District of Queen's, reviewed his main arguments against the Government in taking over the strike-bound plant of Canada Packers, Ltd., last fall, with out legislative authority. He dwelt particularly on the illegality of this course, citing constitutional authorities. He recalled an incident two hundred years ago in England when Government action had been taken in an emergency. The action was subsequently endorsed by Parliament but the period became known as "The Forty Days' Tyranny." "We have had 150 days' tyranny in this Province, from Sept. 27 last until the present day, during which this Government has been in control of this plant illegally," Mr. Mathieson said.

Referring to Hon. Mr. Hughes' argument with regard to the action taken at the time of King Edward VIII's abdication, Mr. Mathieson pointed out that this was done in constitutional manner in England, by means of a message to Parliament asking that a bill be passed to alter the succession to the throne, which was accordingly done. In the Dominion's parliamentary action was also taken where required under the Statute of Westminster. In Canada, under this statute, only the consent of the Government was needed.

Among other things Mr. Mathieson cited the views of the Privy Council on the duty of Governments to obey the law of the land, and on the fact that Parliament cannot abdicate its functions. These authorities, he maintained, proved conclusively that the Government had acted illegally in this case, reducing the Legislature to the status of a debating society. "If the executive can make laws which are binding on everyone, naturally there is no function left to the Legislature," he said.

The same doctrine has been preached by Mussolini and Hitler. It is the doctrine of Communism and of all despotic regimes, which consider themselves above the law. Benevolent despotism always results in the abuse of individual rights, and for some reason it invariably corrupts the party which adopts it.

Mr. Mathieson said it might be a good idea to have constitutional law made "prescribed reading" for members of the Government. He also suggested the reading of Lord Ewart's, "The New Despotism" published a few years ago in England.

"The leader of the Government considers he is creating a precedent in this matter," Mr. Mathieson continued. "We in His Majesty's loyal Opposition, in protesting against the course he has taken, entertain no such opinion. We claim that we are not creating any precedent. We are bringing up nothing new in our constitutional history. I might refer to the actions of such men as Pym and Hampton when they protested against the illegal actions of Charles I and his advisers which led to the revolution in England. I might also refer to Edmund Burke when he protested against the arbitrary actions of the Crown and Government against the American colonists.

"It is always some petty thing that causes the argument," he said, "but let that affect the vital issue. 300 years ago it was ship money. In the case of the American colonies it was tea. In this case it was a pork factory. It does not make any difference what it is. It is always some arbitrary action against some individual or body of individuals."

C. P. Summary of The Legislature

(By the Canadian Press)

Defied Own Law

"I not only say that the Government has defied the law, but it has defied its own so-called order-in-council; because this order—which was published only in the newspapers and not in the Royal Gazette—sanctions only a temporary seizure of the plant, during a period of emergency. "If it is reasonable to suppose a thing is an emergency to do a thing in an extreme emergency, then his authority terminates with the termination of the emergency," he said. "Assuming there was legality in the origin of the action, we find the controller (Hon. Mr. Wright) carrying on without any authority whatever after his term was exhausted."

Mr. Mathieson also scored the government's failure to keep the public informed as to what was happening at the plant. "The inevitable result of secrecy in a matter of this kind has been a crop of rumors," he said. "Some people think that the controller has no any control at all; that the only thing he controls is the exclusion of certain men from employment at the plant. That is he is the only outward manifestation of government control. Ever since last October, when the strike had been settled, who actually buys and pays for animals for the plant? Who issues the cheques? I suggest the Company does. Who keeps the books? Who carries on the actual management? I suggest the Company. Who pays the controller? I don't know. Is it the Government, or is it the Company? How much does he get, and is he on Union wages? Did he draw the additional fifteen cents per hour as a result of the strike? I submit that the public should have knowledge of these and other relevant facts.

"There is no question on this point, that the one who keeps certain men out of work is the controller appointed by the Government, and that under their own so-called order by Royal authority he is acting beyond the power given to him."

Mr. Mathieson said that as a result of the Government's arbitrary action there are still at least two men—both of them war veterans—who are out of work, and that the action taken against them was "pure, unreasoning discrimination."

Benevolent Despotism

The Government's action he described as "benevolent despotism." The excuse given is that it was done for the good of the com-

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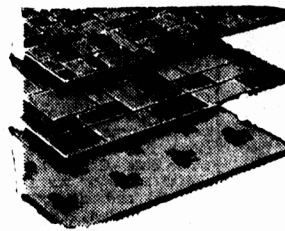
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liament ratify the action 40 days later. That instance was known as the "40 days' tyranny," Mr. Mathieson said, "but we have a 150 days' tyranny."

Mr. R. R. Bell

R. Reginald Bell (PC-2nd Queens) in reply to the Throne Speech, said he thought the government's operation of the plant and the Premier knew better than wanted to oppress the voters. If Premier Jones had called a Legislative session, the Progressive Conservatives would have supported the authorization bill and the Liberals "couldn't have made any impression."

He referred to a section of the Throne Speech forecasting abolition of the land and road tax as well as establishment of a "new plan of assessment." This, he said, would not give any relief at all and "should have been mentioned in Liberal campaign speeches that dealt with removal of the original assessment."

Premier Jones said the plan had been formed two years ago and approved. It was to provide revenue for schools. Mr. Bell advocated more funds

be allotted to the Department of Agriculture to be used for hiring additional staff workers, paying particular attention to livestock experts. He said he felt a plebiscite on prohibition and amendments to the liquor law, as forecasted in the Throne Speech, were "rather needless these days." Islanders could already get as much liquor as they needed but not more than was good for them.

Mr. Bell advocated more funds

DOMICILIARY INFLUENCE

Old age pensions in Denmark are influenced by the domicile of the recipient. If he lives in the city he gets more than a country man.

ABOUT THE SAME

The area of Canada is 3,894,894 square miles, compared to 3,776,700 square miles for the total of Europe.



Her house ransacked, money stolen, Mrs. Aubrey Ferguson, left, Brantford, Ont., was found tied in cellar. She was in a dazed condition, caused by a blow on the head. It was reported to police that \$150 in cash, a diamond ring and a bank book were missing from the room. A neighbor Mrs. E. Oavin, shown with Billy Ferguson, right, rushed to the house after being summoned by telephone operator. Police believe Billy took receiver off hook. The operator heard the woman's moans and the child's crying and called police.

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