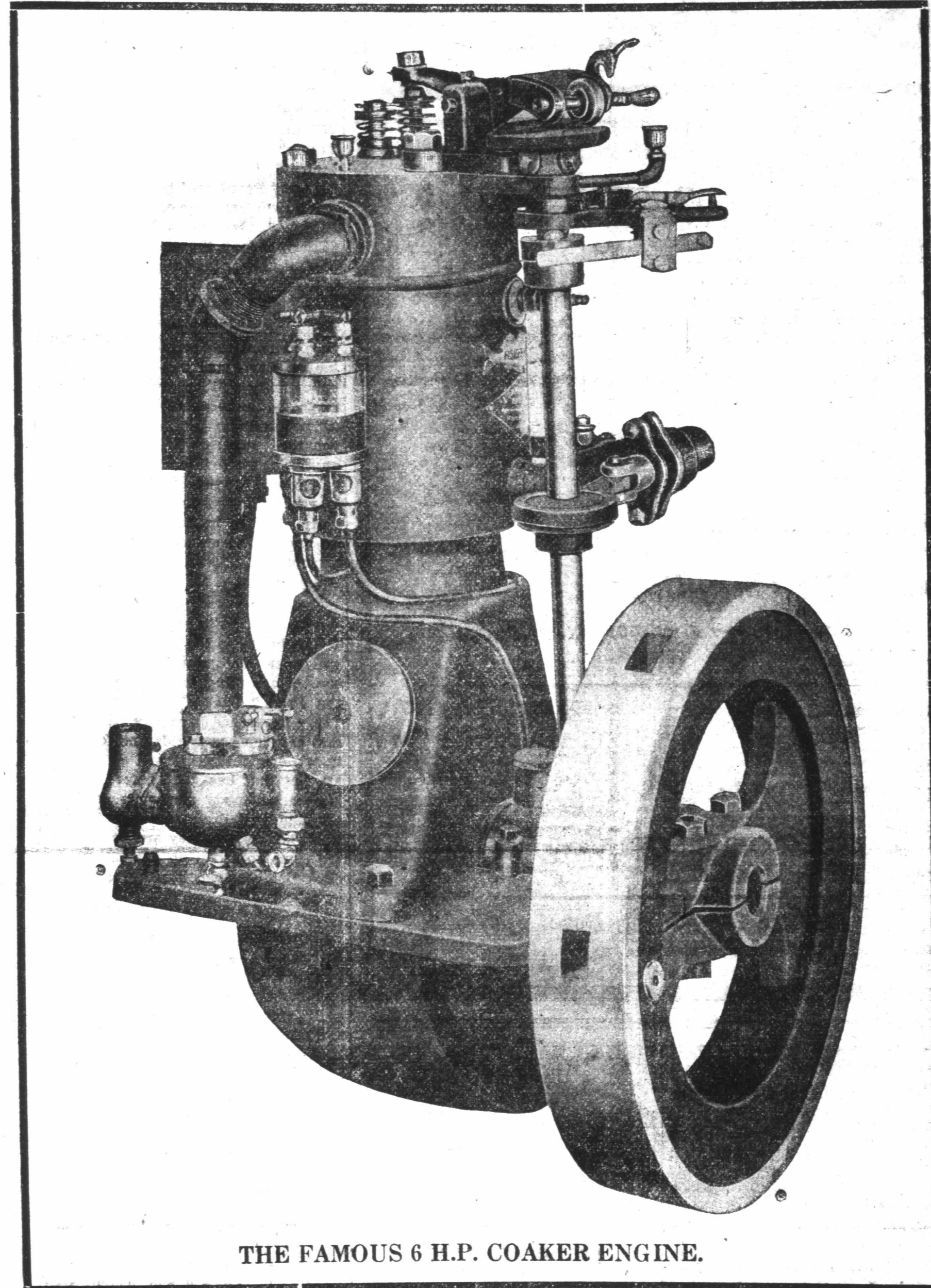


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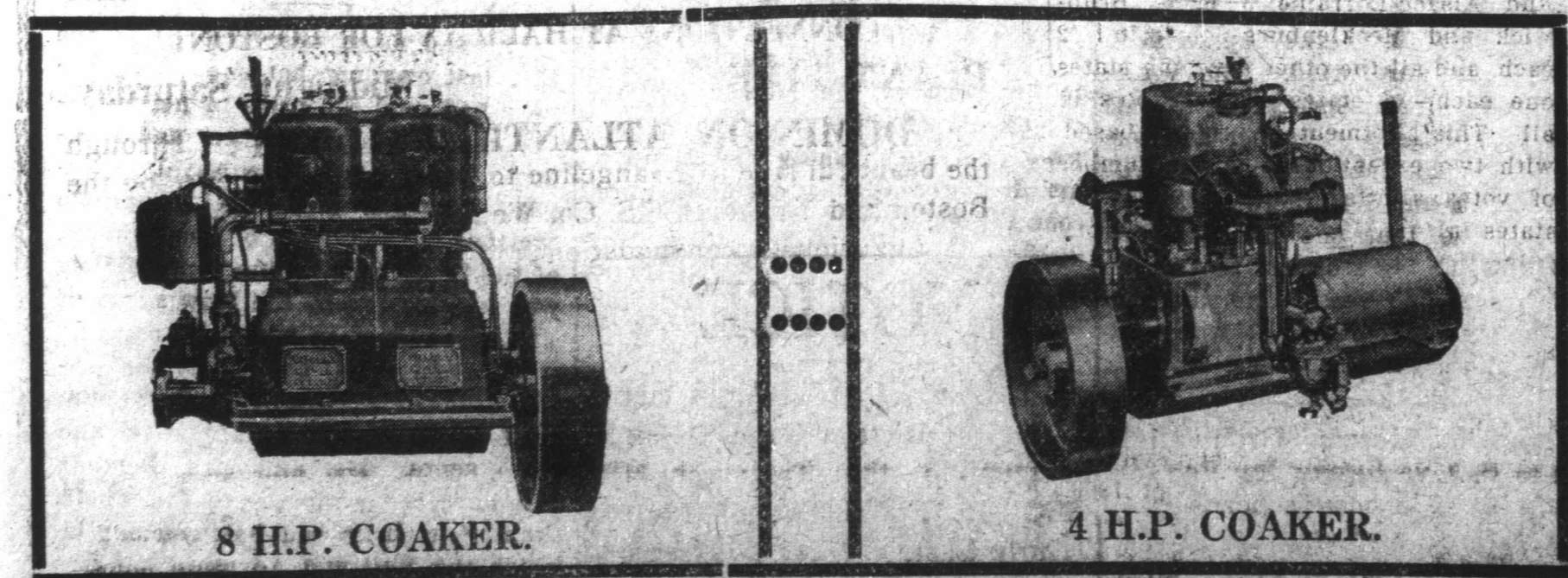
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HOW GERMANY IS GOVERNED

Continued from page 6. The original four votes all the votes which the absorbed states had had. In this way, she obtained the seventeen votes in the Bundesrat which the Imperial Constitution afterwards confirmed to her. This advantage in number of votes as compared with the other states can be justified on the ground of Prussia's population and extent of territory as compared with those of the other States. Both in area and in population Prussia includes, roughly, two-thirds of the whole Empire. In the Bundesrat, however, she controls less than one-third of the votes. The other states seem to have felt an injustice in this disparity between Prussia's strength in the Empire and her strength in the Bundesrat. They, therefore, made her various concessions.

III. How majorities are obtained, how bills are passed or defeated in the Bundesrat, is, strictly speaking, a matter of conjecture. Only the results of the meetings of this assembly are published, not the proceedings; the public hears of the proceedings only by the chance loquacity of some member. But we can estimate the influence of the states in the Bundesrat with dependable results.

Germans often dismiss very briefly the assertion that Prussia controls the Bundesrat. They dismiss it on the ground that Prussia has only seventeen votes, that seventeen is still a long way from a majority, and, since the states are independent, Prussia cannot control their votes. On the other hand, Prussia has seventeen votes, and seventeen states have one vote each. Prussia's power alone, therefore, equals the combined power of all the seventeen states. Further, as Prussia has so many more votes than her nearest rivals—Bavaria six, Saxony and Wurttemberg four each, Baden three (and Hesse three)—Prussia alone is equal to a combination of those four states whose number of votes most closely approximates her own.

But, as has been said, seventeen does not constitute a majority of the votes in the Bundesrat. And how can majorities be obtained? In answer to this question, the votes in the Bundesrat may be counted as fifty-eight, as the three votes of Alsace-Lorraine cannot be counted, according to the Imperial Constitution, if they give Prussia a majority of any bill under discussion; and we are concerned here first with the means by which Prussia can effect a majority that counts. For this thirty votes are necessary on nearly all measures. In assembling a majority, Prussia starts out with her original seventeen and with the one vote of the principality of Waldeck, which she has controlled, by private agreement, since 1868. If, in addition to these eighteen, Prussia can obtain the six votes of Bavaria, the four of Saxony or Wurttemberg, and the two of Brunswick or of Mecklenburg-Schwerin—that is, the support of only three other states—she has her majority. These are, of course, the most favorable conditions numerically for a majority for Prussia, as they involve the support of those states which, next to Prussia, cast the largest number of votes. The least favorable conditions for a Prussian majority are those in which Prussia has to procure the support of twelve states with one vote each. That Prussia can, and does, almost always obtain somewhere the support necessary to a majority is easy to understand. For she can exert tremendous pressure. For example, Prussia can urge the needs of her two-thirds of the area and population of the Empire as compared with those of the one-third composing all the remainder of Germany. Prussia can also employ the moral weight of many important considerations—among others, her own surpassing record of achievements in German history, the omnipresent German sense of obligation to Prussia for the establishment of the Empire, and the economic and industrial prosperity due primarily to Prussian initiative and Prussian efficiency.

IV. With such instruments as these, she can rarely have serious difficulty in obtaining the support, at worst of twelve of the tiny principalities situated in central and northern Germany. If Prussia is opposed to a bill, not fewer than twelve states—Bavaria with 6 votes, Saxony and Wurttemberg with 4 each, Baden, Hesse, and Alsace-Lorraine with 3 each, Brunswick and Mecklenburg-Schwerin with 2 each, and four states with one vote each—must unite in order to procure a majority against her. That is, twelve states must unite even when they include those states which, next to Prussia, have the largest number of votes in the Bundesrat. In the least favorable case—when the combination includes those states with the smallest number of votes—twenty-one of the twenty-six states must unite against Prussia in order to defeat her. Prussia has been wary of defeat in

the Bundesrat. She has refrained from introducing bills liable to serious opposition, as a defeat on a fundamental question of policy would surely bring on a crisis imperilling the loyalty of other states to Prussian leadership; and thus the very structure of the Empire. At the same time it is exceedingly difficult to form a combination of even twelve states against Prussia, because the fear of Prussian domination is at least equal to the jealousy among the smaller states. An effective combination has on occasions been formed, and Prussia has been defeated in the Bundesrat. She was defeated in 1876 and 1879 on two railway bills, and in 1878 the Bundesrat voted to place the Imperial Court of Appeals in Leipzig instead of in Berlin, as Prussia wished. But since 1879 the defeat of Prussia in the Bundesrat has certainly happened very rarely. Indeed, it is generally understood in Germany that other states propose legislation to Prussia first, informally, and if she favors the proposal, they leave it to her to push the bill through.

It has been stated in a preceding paragraph that the other states made concessions to Prussia in order to atone for the disparity between her minority of votes in the Bundesrat and her majority of population and area in the Empire. The concessions thus made convey rights of prime importance. In the first place, Prussia alone can preserve the Constitution intact, as only fourteen votes in the negative are sufficient to prevent any change. Secondly, no change can be made in the regulations concerning the army, the navy, customs duties, or excises if Prussia objects. Then Prussia casts the deciding vote in case of a tie in the Bundesrat, and Prussia appoints the chairman of all the standing committees on affairs within the Empire. In this way Prussia has virtually the powers of a dictator in German Imperial affairs, and these powers and rights are inalienable. They are Prussia's by the Constitution of the Empire, and nothing short of a revolution and the overthrow of the Constitution can wrest them from her. Spokesmen of Prussia, defending and applauding her exercise of all her constitutional rights, have often declared, as Bethman-Hollweg in January, 1914, declared, that Prussia will never relinquish any power vested in her by the present Constitution.

The theoretical power vested in the Reichstag as an agent of the people, and in the Bundesrat as a composite organ of the rulers of all the German states breaks down, as we have seen, in practice. Theory and practice in the government of the German Empire are one in the power vested in, and exercised by, Prussia. And who, in this case, is Prussia? The King. For, in accordance with the constitutional provision regarding the composition of the Bundesrat, the King of Prussia appoints and instructs all the seventeen men who compose the Prussian delegation, and he makes sure that they vote as they have been instructed. The King of Prussia controls the Prussian delegation; this delegation, though theoretically held in check by the delegations from other states, does in practice control the Bundesrat; the Bundesrat, though theoretically held in check by the Reichstag, does in practice make the laws and control the policy of the German Empire. The King of Prussia, therefore, in effect and practice dominates and controls the whole body of the German people. He is the ultimate seat of power in Germany. This is the pre-eminent fact concerning German government.

Chancellor, but as Emperor he has no initiative in legislation. He therefore turns now into the King of Prussia, and as King he introduces the bill into the Bundesrat through the man who is at once Imperial Chancellor, Prime Minister of Prussia, and the presiding officer of the Bundesrat. Also as King William he instructs his delegates to the Bundesrat how to vote. When the bill has been passed by the Bundesrat, it is laid before the Reichstag in the name of the Emperor. On its return from the Reichstag, the King of Prussia directs what amendments are to be accepted by the Prussian delegation in the Bundesrat. When the bill has finally become law, the Emperor promulgates it. In such a case as this William has changed his rôle four times, but the part he has played as Emperor has been of little moment. He has converted his bill into law as King of Prussia.

The two offices of German Emperor and King of Prussia are inseparable. The Imperial dignity follows ipso jure the Prussian crown, so that apart from the Prussian crown the function of Emperor does not exist. There is no law of imperial succession part from the Prussian law which regulates the tenure of the Prussian throne. Only he who wears the crown of Prussia can acquire or lay down or perform the function of the Imperial dignity. In legal terms the Imperial dignity is an accessory of the Prussian crown. If a regency were appointed in Prussia, the regent would be ipso facto German Emperor.

One more question may arise in the mind of the reader. Since so much power attaches to the office of King of Prussia, whence does a man who occupies that office derive his right to it? He derives his right solely through heredity. The crown of Prussia descends in the house of Hohenzollern by the succession of the first-born male. This is the one and only law which determines who shall be King of Prussia. The Prussian people had nothing to do with the origin of this law, any more than they had to do with the Prussian Constitution, which was not acquired by the people of Prussia, but was a grant conferred by an hereditary King from the house of Hohenzollern. The Prussian people have never had, and they have not now, any voice in determining who shall be their ruler.

The conclusion is inevitable. In theory the German system of government concedes the idea of democratic representative government in regard both to suffrage and to the power vested in the Reichstag. In practice the German system preserves the monarchial concentration of power in the hands of one man. Germany is to-day, in effect, an absolute monarchy.

WORLD'S PRESS

Hungary's Share

Harper's Weekly:—Many of the countries at war will come out far worse off than they went in. Many of them, on the question of who wins, can echo the question we quoted some time ago, "Who won the San Francisco earthquake?" But is there any country that stands in a more absurd position than Hungary? If Germany wins, the domination of the Teuton elements in the dual monarchy will be greater than ever. If the Allies win Hungary gets a severe surgical operation. Meantime she has lost hundreds of thousands of able bodied men, and she is an agricultural country. So short is she of men that even before the war Russian peasants used to come over to help harvest the crops. And yet it was the combination in which Hungary is a partner that set the conflagration raging.

Childless Poland

Philadelphia Press:—There are no children left in Poland under eight years of age. All the rest are dead! This is what Mr. Paderewski's friends fresh from Poland tell him. Even if it is not literally true, the fact that there is a basis for saying it pictures vividly the desolation of Poland. Two successive crops have been destroyed by the moving armies. Three hundred towns and 20,000 villages are no more. Poland is a desert. Its people are for the most part homeless wanderers, hungry for food. The weakest perish first and the young children, the most helpless part of the population, are the earliest victims of this condition of national horror, destruction and desolation.

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