CHARLOTTETOWN, P. E ISLAND.

Subscription Money

Supreme Court Decides.

On Friday last the Supreme ations in Canada, as it might the Federal Government's action cancelled by virtue of the ordersin cancelling exemptions granted, in-council referred to. As to enlisted soldiers, by the Military Tribunals. The necessity made in different parts of Canfor bringing this matter before ada on behalf of a disaffected the highest judicial tribunal in Canada was created by the decision of a majority of the judges excuse for petti-fogging law of the Supreme Court of Alberta vers to embrace the opportunity

In order to have a fair under- of making a few dollars, by pr standing of the case it will be senting and working up Habes necessary to present a brief his-Corpus cases before judges tory of the whole matter. In various courts. Another dis the first place we must go back agreeable feature which began t to the special session of parlia- manifest itself quite naturally after the outbreak of the war.

passed entitled "The War Measures Act." This statute, unanimously passed by both houses of thus interested themselves in deernment to bring into force, by tary Service Act and the Governorder-in-council, any measure ments preceedings thereunder, deemed necessary for the success- must have been desirous of ful carrying on of the war, so far abstructing our military success as Canada is concerned. It was demoralizing our army, and affordspecifically laid down in the War ing encouragement and success Measures Act that whatever the to the enemy. Government deemed necessary for Canada's successful prosecution of the war would have the Court of Alberta a special force of law, by order-in-council without reference to the Federal

Parliament. In virtue of this power, in-deputy Minister of Justice apday of April last passed ordersin-council cancelling all exemptions granted to enlisted soldiers in Canada between the ages of 20 and 23. The Government, in thus cancelling the exemptions granted to this class by the Military Tribunals, were actuated by the extreme necessity for men, consequent upon the very serious turn which the war had taken. The Government could have enforced the provisions of the orders-in-council without submitting the matter as Par the Government brought down copies of the orders-in-council and placed them on the table of the house. They then introduced a resolution asking Parliament to ratify the action they had taken in these orders-incouncil. This resolution was passed by both houses of parliament, the House of Commons and the Senate, and was thus. given the force of law.

large numbers were cancelled, and Canada and put into khaki. No ing the matter until about a The written judgment was pre-striking back have been futile. Calgary, in the province of Alberta, application was made to case had been made by the Deputy a judge of the Supreme Court Minister of Justice, in Chambers in that province, for Habeas In the course of the judgment it

'e by im- language in which it was exany term up to pressed. The fact that, in the the Army Act; conse-present instance, a resolution was my his offence was a crimin- adopted by both houses of par act. Now, as we have just liament, approving of the orders said, it was sought to release him in-council while it does not add anything to its legal force as an means of Habeas Corpus. enactment makes it abundantly clear that no attempt was made of Calgary. The matter was re- in this instance to take advan ferred to the Appeal Court of the tage of the powers conferred by province and the application for section 6 of the War Measure his release, in the manner stated, Act, to pass legislation without Please Send in Your was sustained by a majority of the concent and concurrence of Rheims must be given up if the the judges, 4 to 1, the Chief Parliamet. The result of the Germans sever this main artery. Justice dissenting. The effect of judgment is that the motion for Late reports show that the Amthis decision, should it be up- Habeas Corpus must be refused, ericans are no longer taking a neld, would be a very great de- But the court, considering the great part in the fighting. Havmoralization of military oper- fact that this was made a test case and being of a crimnal have been made to apply to some character, made no order for old line, except where the river fifteen or twenty thousand sol- costs. Thus has fallen to the bends to conform to the French to it regarding the validity of diers, whose exemptions were ground the apparent vicious and with the view to injure the was, several applications were Government and to demoralize roceedings under the Military soldier here and there. On the face of it, it was a very plausible

Canada was summoned, and

Success of the Allies

turn most favorable to the Al ies has taken place at the scene cording to the appearances of was a clash between the civil and things at that time, it would no military authorities. Surely all be too much to hope for a favorreasonable people, desirous of the able turn at the scene of action in the near future, and what has our anticipations at that time were not too sanguine. The intelligence from the seat of war for the last distance, his plans have been upset, the disposition and arrangenent of his troops have been demoralized, many thousands of the ion of the Supreme Court of munitions of war have been cap case was brought before it. The tured by the Allies. It is quite evident, as was to be expected. peared on behalf of the Governthat General Foch had admirably nent and the Justice Department prepared for this onslaught, and The issue before the court was had matured his plans with a renot the rejection of the judgmarkable degree of exactitude and ment of the Alberta court by the the last three months the evident ing the Government's action in intent of the enemy from his man passing the orders-in-council and ner of inaugurating flerce drives from time to time, and the admir n virtue of the War Measures able aviation service had given Act. It will be seen that the him, we must presume, a remark able knowledge of the size and disposition of the Kaiser's armies would have the effect of quash-The Germans evidently had come ing the judgment of the Alberta to the conclusion that by a series of fierce drives, from time to on behalf of the decision of the time, they would eventually break gagements. The enemy holds the inferior court by very able through and push back the Allies ounsel, while the Deputy Minis- until Paris and the channel ports ter of Justice presented the were reached. Hitherto the Allies had fallen back in these tre-Govt's case. The case was conmendous drives, from day to day sidered from every point of view. until the fiercest part of the on-The argument took place on slaught had exhausted itself. The Thursday of last week and the Germans evidently were filled decision of the Court was given with the idea that this was the the enemy into the Ardre Valley on Friday. The declaration of the only tactics intended to be per- Numerous enemy dead before our Chief Justice, in pronouncing judgment, stated that the ordershad taken a final stand, had in-council, dated on the 20th. day of April, 1918, are valid and ves and consolidated his forces in binding, and that the applicant preparation for the next attempt of the Germans to break through The result has been in accordance and is not entitled to his diswith what we have said above, a charge. The judgment of the great surprise for the Germans, Chief justice of the Supreme who loose a tremendous number Court was concurred in by Sir of soldiers, large batches of Louis Davis, Justice Anglin prisoners and suffer almost comthe young men thus affected and Justice Duff; Justices Bro. plete demoralization of forces. were called in from all parts of deur and Indington dissenting; They have been on the retreat now, day after day, since the inso that the judges stood 4 to 2 in legal question was raised regard favor of the Governments action, all attempts at forming up and

Progress of the War

ignificant feature in today's batle consists of the renewal of the German attack towards Epernay At the deepest point the Germans ladvanced another three miles eastward, and are now just half way to their objective. Epernay forms the danger point in the French line. The Rheims posi tions are fed by a single line of ommunication from Epernay and ing regained their original positions along the south bank of the Marne they are now holding the positions on the right. The Aminsane proceedings, inaugurated erican sector is reported to lie from Surmelin river along the bank of the Marne, then northnore than one American division few American troops, it is stated, are brigaded with the French a little further east of the main American sector. On the right of the American sector the French he war news in today's Herald esterday delivered a very suc ssful counter-attack at midday which lasted until four p. m., and of conflict. A few weeks ago we they took back about half the ventured the prediction that, ac- ground which the enemy had captured south of the Marne.

Paris Luly 17-The French positions remain intact along the western front according to the been going on for the past few war office statement tonight days fully establishes the fact that Heavy fighting continued through out the day, and at some points the Germans were able to make gains, but they met with powerful resistance everywhere. The 4 or 5 days shows that the en- text of the statement reads: "The emy has suffered most severely. battle continued today with stub He has been driven back a long bornness along the whole front.

ing proceeded on the wooded Chapelle Monthodon, Very spiritskirts of Bouquigny and Chataignieres. East of Ocuilly, the Germans succeeded in regaining n footing in Mont Voisin. "Between the Marne and Rheims the battle continued north of Reuil and in the Bois Du Roi, which the Germans penetrated and which our troops defended foot by foot The Forest of Courton likewise was the theatre of violent enline west of Nanteuil-La-Fosse.

" Pourcy, the objective of powerful attacks, several times renewed, could not be reached by the Germans. A brilliant counter-attack by the Italian troops west of this village drove back sued by General Foch. But the lines testify to the heavy losses Generalissimo, it is quite plain, suffered by our adversaries. The situation is without change in the brought up large forces of reser-sector of Vrigny and southwest still making progress, although mont-Sur-Vesles and Sillery. Our Allies are pressing the Germans whole Champagne front "Eastern theatre-The usual artillery activity was displayed along the whole front, In Albania, our troops made new progress north of the river. We occupied the village of Mevan, capturing about thirty prisoners."

With the French Armies July tonight that United States arpared by Mr. Justice Anglin, be- The Allied forces have kept the 18—The German line was com- mored cruiser San Diego, formerly fore whom application in the enemy on the move and have pletely surprised today. The al- the California, was sunk ten broken down completely every lied troops took the advantage of miles off Fire Island, N. Y. at front the French forces have ad-Marne. The French and Amerattempt made to strike back and a storm to leave their positions 11.30 o'clock this morning. gain lost ground. The turn that and followed their barrages with There was no loss of life, so far war matters have taken is cer- a speed seldom equalled in any as now known. Fire Island, berive the French also made Thierry during the past four days. Corpus, in favor of Private George was pointed out that, while it tainly most agreeable and encourallied advance of parallel magni-Edwin Grey, who had been might be open to doubt whether aging, and while we cannot yet tude. There was little opposition sunk, is about ten miles off the come to the conclusion that the from the German line troops and south shore of Long Island and enacting the War Measurns Act enemy is finally vanquished, it within an hour a number of pri- about fifty east of the entrance of that legislative enactment such as does not seem unreasonable for soners were behind the allied New York harbor. A lighthouse counter-offensive of General Foch the one under view should be beginning of the end has come beginning the round up and on the Island provides a mark which is under the direct combes beginning of the end has come bedieneral beginning for trans-Atlantic shipping in mand of General Mangin has tence of Court Marshal for disobedience, as a soldier, to lawful
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that stage where the conclusion in the broader. Such disobedience, it appears, is be determined however by the of the war must eventuate. Both French and American avia-morning, according to seemingly hold the entire south bank of the undergoing repairs.

tors in large numbers are assist- reliable reports received in Bay Marne, says the official report. ing in the battle. They report Shore. An hour later heavy More than 20,000 prisoners and the balance going steadily for- firing was heard. London, July 17-The most ward, although faster in some places than in others. The Germans for the first time this year are facing the same medicine they had been feeding the allied de fenders. Today's counter-offensive marks the point where the enemy can no longer force his vill on Foch's armies by virtue numbers of effectives.

Paris. July 18-More than wenty villages have been re captured by the French and Am rican troops in the offensive be gun this morning, according t the war office announcement to night, which reports also the oc cupation of the plateau dominat ing the city of the Soissons on the southwest. The statemen says: "After having broken the German offensive on the Champagne and Rheims mountain fronts on the 15th, 16th and 17th westward to north of Vaux. Not the French troops in conjunction with the American forces, attackis said to have been engaged in ed the German positions on the the hottest of the fighting. A 18th between the Aisne and the Marne on a front of forty-five kilometres, (approximately twenty eight miles). The front comprises Ambleny, Longpont, Troesnes and Bouresches, "We have made the important advance into the enmy lines and have reached the plateau dominating Soissons on the southwest and the region of Chaudun, "Between Villers-Helon and Noroy-Sur-Ourcg, violent engagements have been in progress, South of the Ource our troops have gone beyond the general line of Marizy, Saint Genev-

and prisoners and important war fragmentary but it is evident that material." With the American army in west of Rheims. Despite his ef- France, July 13—(By the Assoforts the enemy was not able to ciated Press) - The American make further advances. Our troops have carried away all betroops by their heroic resistance fore them by late this afternoon and incessant counter - attacks and proceeded so fast that cavenemy soldiers have been taken checked with alternative advance alry was thrown into the actionto round up the retreating enemy. prisoners, hundreds of guns and and recoil the thrust of the en- All the American headquarters staffs tonight were well inside the territory which the Germans held "South of the Marne the fight- this morning. As the whole German left flank is menaced, the slopes north of St. Agnan and La enemy must draw in his troops from the Marne front or risk ed actions north of Comblizy and their being caught where they of Germans who were operating had been made upon a great scale the means to be employed, and Festigny enabled us to hold are. This means that the finish- a machine gun in the village The German troops at the com- therefore there was less commitperfection. He had found out in the enemy on the southern out- ing blow possibly has been ad- square. All along the front, lor- mand of the Crown Prince were ment to policy than many supministered to his dying offensive ries, field kitchens and supply employed in the battle, yet five posed. If a similar meeting, re-

> hard fighting. ng continues fiercely on the Marne where the France-American divisions have dealt the Crown Prince's army a heavy erably less than thirty miles. the south bank. These were atblow. Latest reports indicate The depth of the German pen- tacked near Chateau Thierry by resolutions, no legislation of any exceed 16,000 and captured guns to Meisle on the north side of the and were driven to the river the action of the British people will number around 350. Hay- Marne is about 23 miles. In this bank. Farther east they attempt- in future relations with Germany. ary surprise the Crown Prince is 26 divisions of German troops or east and were held by the French mitted by the Germans, the vionow rushing all his available fe-not less than 600,000 men. It is after desperate fighting, during serves against the allied troops, too much to hope that the greater which the Germans pressed east ity, the infamies which have the Ouroin and the Marne. The initial momentum continues and them the Crown Prince will be strip of territory to which sup- a situation in which nobody will the French and Americans are forced to throw into the battle plies of munitions could be conof Bheims. "East of Rheims, we the pace is slower as the opposi- German general reserve. Des- Marne only by means of a few that can be produced at home or positions remain intact along the back south of the Marne, having terday spoke of the battle becomre-captured Montvoisin, while between the river and Rheims the Germans have made slight gains. having taken Prunay a second

> > New York, July 19-On top

London, July 20.--The miracle of the Marne has been repeated. In full confidence that the allies powers of resistance were almost broken the Crown Prince set out drive toward Paris for which all merely preparatory.

His program was mapped out moralizing effect. with precision. Rheims was to be captured within a few hours Chalons, Epernay and Sezanne were to be taken before Wednes day night, on Thursday the Ger nan army was to swing into line on a front or sixty miles for the great promenade to Paris, while the fragments of Foch's battalion and dispirited towards the crossings of the Seine.

That was the dream of the German high command. How differthe official French reports. The German advance is stopped everywhere and by a splendidly successful counter-attack, Soisson has been brought under command of French guns; 17,000 German prisoners have been counted and more are coming in: 360 canons have been taken including a battery of eight inch siege guns, and enormous quantities of supplies have been gathered upon the field of battle after their abandonment by the fleeing enemy, the elite of their country's fighting men Rheims is out of danger; Paris is ieve, Hautevesnes and Belleau. "More than twenty villages have farther away than it was from dash of the Franco - American sive began. The official despatchtroops, as well as several thous-les are still laconic and somewhat General Foch's carefully prepared counter stroke on Thursday caught the enemy entirely unprepared For seven or eight hours the French and Americans went forward almost without check. So ompletely were the German defensive positions mastered that

The town of Torcy and Givry wagons were secured by French days after they had swept across presenting the Allies, were called and the Givry Wood were taken troops. The field guns taken the Marne, with their faces to- today, it is pretty certain that by the Americans in their ad- numbered over fifty in a narrow ward Paris and victory, the sur- the resolutions of the Conference vance. The final objectives in strip of front and to the Amer- vivors recrossed the river broken would have to be revised. Prethe Givry and Torcy sectors were leans a large proportion of the and beaten men, seeking shelter sident Wilson's declared views as reached in about two hours of catch is credited. From Soissons in the wooded areas on the north to after-the-war trade relations many fresh divisions from the veyed from the north bank of the

> troops on the Soissons front have per cent. of the men who crossed. nomic weapon which the Allies extended their advance from Conditions were bad before Foch's possess. Where all this is so Monte De Pary, southwest of the counter-attack. After it the al- clear, so certain, there is no need city to Belelau, a town southeast ternatives were retreat or surren- at this time for binding agreeof Soissons. The number of German prisoners taken in the Franco-American offensive now has

London, July 21-The great

more than 400 guns have been

London, July 21.-The British have been busily engaged along their front harassing the enemy and preventing him sending help to the Marne. The British captured Rossionolstood between He-

ent is the reality as presented in it is reported from Vienna that economic battle that she will the Austrian Minister has decided have to face. to resign. This is taken as the consequence of the dissatisfaction with the failure of the Piave cam- favor. No argument is needed

> London, July 21.-Allied avia tors destroyed bridges crossing the Marne enabling the capture of two regiments. The French troops have entered Chateau Thierry and continue to advance, the enemy retreating in front of it may not be the wisest course

London, July 21.—The total eanture of the British at Mater The Americans have taken Hill 193, south of Vaux. Berlin admits British gains on the western

southeasterly to Rheims, by way bank of the Marne from ham- with Germany are not in har of the valley of the Vesle, is mering of the allied artillery and mony with the spirit of the Paris thirty-two miles. The French the bombing of the French and resolution as interpreted by advance easterly from Soissons British aviators. Over a hundred many. ard westerly from Rheims re-thousand German troops had duces the width of the territory crossed the river and occupied a by hastily coming to conclusions occupied by the enemy to consid- narrow strip of hilly land along now respecting situations that are etration from the Vesle southerly the Americans early in the week kind, will be needed to govern area there must be more than ed to advance both south and The thousand atrocities compart of them will be cut off but erly to a point six miles from marked Germany as the "wild they are in peril and to extricate Epernay, Enclosed in a narrow beast" of the world, have created patches from the front early yes- pontoon bridges under constant can be purchased elsewhere will bombardment from the air and be brought from Germany. The

But the retreat had not been vanced for a distance of 1,000 lean troops who had been attackvards. Between Touain and Auling between Soissons and Chateau had progressed as far to the east these had better be left to be since the beginning of June, The in the light of the situation that enemy drew back to the east and may then be disclosed. The north yielding ground slowly under pressure of the Allied attack.

taken by the French since July sel comes to the Governments 18. The work of the British air- Imperial and Colonial, to proplanes has been invaluable in the claim now a boycott of Germany counter-attack, as the enemy sup- at the close of the war and for ply service has been at some long years afterward. The depoints completely stopped by sirability of having the British Franco-British aviators. No few- Empire made self contained, supfive days ago upon that decisive er than 26 German airplanes have plying within itself all the things been brought down. The success needed, is dwelt upon. The of an overwhelming superiority in the other battles of the present of the counter-offensive has taken achievements of the Mother Councampaigning season had been the Germans by surprise, and it is try and the Dominions in furgenerally admitted the effective- nishing, under the pressure of ness or the attack has had a de- war conditions, many things which in former times had to be imported, are pointed out with much satisfaction. The depend. ance of Germany on other nations for the raw materials required in her industries is shown by convincing statistics. Let it be known, then, say these adadvisers, that these materials will butern and Bucquoy. They also no longer be supplied. Let corps were falling back shattered captured many prisoners and man Germany be notified that, as the penalty for her crimes, she wall be boycotted after the war, that London, July 21.—The Italians after being crushed on the battle. have captured Montestvel and fields she will be crushed again. Reveupy Corno Di Cavento, and for long years to come, in the

> The advice is, in some respects natural and it finds widespread to convince one that Germany must be punished in every possible way for her immeasurable wrongdoing. And it may do Germany good to let her see now how large a power of punishment the British Empire and our Allies have in the economic field. But to form conclusions and binding commitments just now, even where the desire to punish is so

anger. It is better to take time for reflection. It is better in coming to a conclusion on grave question, to have the benefit of the latest light that is avail. Toronto, July 22.—" No Ger- able, than to be obliged to carry mans remain south of the Marne out some policy on which pledges except prisoners and dead." In were given in the dimmer light these words Reuter's correspond- of an earlier period. There is French cavalry was sent forward ent at the French front announ- much room for the opinion that ced the collapse of the German at the Economic Conference held advance toward Paris and the in Paris several years ago the second retreat from the Marne of Allies prematurely, unnecessarily In one case a German battery an army led by the Crown Prince. came to conclusions that could was overtaken and captured and For this supreme effort to bring not be reached by a similar in another a squadron of cavalry Paris under German guns and gathering today. Fortunately captured a village occupied by force a conquered France to make those conclusions dealt with the the enemy riding down a group a humiliating peace, preparations objects to be sought rather than

ing fiercer because of the utiliz- by heavy Allied artillery, the individual citizen will require no ation by the enemy of their re- Germans suffered heavily. They official action to induce him to had no heavy guns on the south boycott German goods. Gerwith which to reply. Some units many will, in this way, be made London, July 21, - French sustained losses amounting to sixty to feel the strength of the ecoments to shut out. German trade The people of the Allied nations -certainly those of the British

Empire-can be trusted to do this for themselves as far as it is found wise and proper. As for ings that may be proposed now ing of peace comes, may have something to do with such things. lights that will then come to all