The Daily Journal

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ST. JOHN, N. B., MONDAY, OCTOBER 2, 1922.

IS THERE NOTHING TO ARBITRATE?

"There is nothing to Arbitrate" says the Telegraph and Times. Before anyone can use a word intelligently he must first know the meaning of that word. The dictionary meaning of the word—Arbitration—is "The hearing and determination of a cause between parties by a person or persons chosen by the parties" and, to arbitrate, is "To hear and decide for the purpose of settling a dispute." There is nothing to arbitrate if there is no dispute. If there is a dispute then there must be something to arbitrate. Do the Telegraph and Times mean to imply that there is nothing in dispute between the City and the New Brunswick Power Company? If so, why have they used the word controversy in some of their editorials? There cannot be a controversy unless there is something in dispute.

Of course there is something in dispute. There is the question of price for the property of the New Brunswick Power Company. The company has tendered two offers, both of which the City has seen fit to turn down. The City and the power company cannot agree on a price. The obvious logical course is to submit the question to an independent third party, in other words, to a board of arbitrators. This is the course adopted in the settling of all questions where a satisfactory arrangement cannot be arrived at by the parties themselves. Our courts of civil law are nothing more than boards of arbitration, where parties, unable to agree between themselves, bring their disputes to have them settled by an independent tribunal, composed of either a judge or judges or a judge and jury. They are properly called courts of justice, whose duty it is to see that the questions which come before them are settled in a just and equitable manner. The functions of a board of arbitration are similar to those of our courts.

If justice is to be done in the present instance, the only feasible method which suggests itself, is arbitration. There is one of two courses open to the City of St. John. Either the City must determine to crush the New Brunswick Power Company, or it must submit to arbitration. There is no middle course. If the City chooses to adopt the former line of action, there is no doubt that it has the necessary means to drive the power company out of existence, because it has the taxing power. In order to meet competition it can steadily increase the rates of taxation on the citizens to make up the deficiency which would be created by the low rates necessitated in a long fight with the company. Now, which course is St. John going to adopt? The latter course means a peaceful settlement while the former course means war. A parallel example can be drawn from the present crisis in the Near East. If Great Britain wishes, she could concentrate her whole fleet in the Dardanelles and bombard the Turks off the map. But because she has that power is that any reason why she should exercise it? Similarly in the Irish situation, a very simple method which England could have chosen to settle the Irish question, would have been to wipe the Irish off the map. But because she had the ships, the armament and the man power to wreak such destruction in order to settle a difference, would that have been as just and equitable a way to settle the Irish question as to give Ireland that to which she was undoubtedly entitled?

The New Brunswick Power Company is entitled to something for the money invested, its plant and equipment. Is the City going to ignore that right and attempt to destroy it? Will even the Telegraph and Times come out boldly and state that the proper course for the City to pursue is to destroy the power company? If the hydro power is distributed by the City, proper business methods adopted to distribute it without making a profit and the taxing power of the City used to meet competition, there is no doubt that eventually the power company must be driven out of business. This would be the doctrine of "survival of the fittest" or "might is right" the settling of an issue by destruction of millions of dollars worth of capital invested in property created for the convenience of the public, and the destruction of investors' confidence. Is this the doctrine which the Telegraph and Times would advocate the City to adopt? If not, what would they have the City do? There has been enough squibbling and squabbling, of hiding behind indefinite statements, of misrepresenting facts, of playing to the gallery which delights in seeing somebody "do" a large corporation. It is time for a definite statement of policy. Which course is St. John going to adopt, arbitration or destruction? The former is humane, the latter is Hunnish. If there is a middle course let the Telegraph and Times state it.

MARKETING OF OUR EXPORTS.

Canada must get rid of her slovenly, inefficient methods of marketing her exports, if she wishes to gain her proper place in the world's markets, declares Hon. Manning Doherty, Minister of Agriculture for the Province of Ontario. In an address delivered before the Kingston Industrial Fair a few days ago Mr. Doherty advocated proper supervision in the marketing of exports, so that when the products of the farms and orchards reached foreign markets, they would be up to standard.

The minister referred to "the poisoned cheese" scare which would undoubtedly work harm to the Canadian dairyman in the British market although without justification as Canadian cheese was of a very high order. If, however, there had been a proper supervision of export such a thing as "poisoned" Canadian cheese would never have disturbed the appetites of the British consumers.

He spoke of the fact that the consumption of Canadian cheese in the British market had decreased about eleven million pounds in ten years, while Britain was eating about fifty-eight million pounds more than it did ten years ago. While Canada had been losing in the British cheese market, New Zealand had been gaining by leaps and bounds because it was thoroughly supervising its exports and everything arrived in Britain properly graded and with the government's stamp upon it. Canada if she was to gain her proper place in the world's markets, especially the British market, must get rid of her slovenly, inefficient methods of marketing her exports.

The minister referred to the fine spirit manifested by the farmers, despite the tremendous drop in prices, and said that if the same spirit permeated all society, Canada would get back much more quickly to normal conditions.

CANADIAN FUEL INDEPENDENCE.

A suggestion of the Ottawa Citizen, to go thoroughly into the question of Canada's own fuel resources to allow the Canadian people to become independent of the supplies from abroad, is worthy of consideration. After making the suggestion the Citizen has the following to say:

"It would pay this Dominion to secure the services of a qualified man to go thoroughly into the whole question of utilizing Canada's own fuel resources, to allow the people of Canada to become independent of doubtful supplies from abroad. It is quite possible there is such a man in the department of mines. One could readily be found, so soon as the authorities decided to act.

"The final report of the fuel controller, Mr. C. A. Magrath, in 1919, brought out the advisability of action in this direction. It would be beneficial to the whole country to be relieved of the necessity of importing coal. The obvious advantages of doing for ourselves, at less cost, that which the coal monopoly interests in another country are so highly paid for doing, should need no stressing. It would open up employment opportunities in Canada. It would save money to the Canadian consumers. It would help to make better use of Canadian transportation facilities. It might help to lighten the burden of Canadian debt abroad.

Apart altogether from the uncertainty of supply at present, due to industrial disputes, and possibly stock market operations in another country, Canada's own desire for national economic independence should prompt the Dominion authorities to take up the question in earnest. Anthacite coal supplies in the United States are far from inexhaustible, at the present increasing rate of consumption. As the coal seams become less easy of access, Canada's supply from Pennsylvania is likely to become still less assured.

"There is the immediate need of finding fuel substitutes for imported anthracite, particularly for household purposes. There is also the necessity of showing foresight, to protect the people of Canada from the recurring failure of coal monopoly interests abroad to deliver the goods. Research would probably open up several new avenues of fuel independence for Canada. The first need is to bring some known Canadian resources, under established methods such as the coke-producing process into operation. Someone with the authority of a Dominion cabinet minister is required to set the wheels in motion."

WORD OF LABOR MUST BE ITS BOND.

The workingman, claiming the right of free labor, the right to organize and to bargain collectively for his services, cannot neglect the other principle, the sacredness of contract, declared Secretary of Labor, Davis, of the United States in a recent address, the substance of which was as follows:

> Meticulous observance to the letter of every agreement made in good faith must characterize the course of the organized workman. Labor must learn that it is better to lose the pound of flesh than to default on its bond. No other line of conduct will place American labor on the high plane to which it belongs. No paltering or quibbling on this issue can be endured. Either labors' word is good or it is not. Either the organized workman can be depended upon to adhere to his agreements or he can not. We cannot preach the dignity of labor and the rights of labor, if we ignore labor's responsibilities. We cannot place the workingman in his rightful place in the world until the certainty that his word will be honored is beyond question. In repudiated contracts, broken agreements, lies the real menace to the future of the organized workmen. Our whole hope for the future will go down amid the ruins of disregarded pacts to which the workingman has set his hand and seal. This must not be. The word of organized labor, once given, must be as final and as unalterable as the everlasting hills. That principle, once established, will light the way to the salvation of labor.
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> We have just passed through three of the greatest industrial conflicts our nation has ever known. Their effects are before us and around us. We are gathering the evil fruits of strife which kept more than a million of our workers in idleness for many months. It is time we learned the lesson of the futility of these conflicts. We must and will find the means of settling these industrial disputes without the vast losses to everyone concerned involved in an appeal to force.

TAKING IN EACH OTHER'S WASHING.

There is as much reason for a tariff between England and Scotland, as between Canada and the United States, says Truth in a recent issue. The Canadian frontier resembles the equator in being one of those lines that can be left out of the map without very much happenning. The tariff protects Canadian banches of American firms from American branches of Canadian firms and vice versa. Factories on both sides are owned as a rule by Americans and managed as a rule by Canadians. Ford makes flivvers in both countries. So do the quakers cook their wild oats. So does Woolworth celebrate his ten-centenary stores. It simply means that everyone is losing money instead of making money at everyone else's expense.

The young men and women who recently entered the University of New Brunswick have been invited to wear a color emblematic of their status as freshmen and freshwomen. Green is the significant color and they are asked to give it prominence, and while they may wonder and be somewhat full of resentment at this evidence of their welcome as verdant inhabitants of the country, they can just bide their time and take satisfaction out of the next arrivals.

New Zealand has a meat board, something like the wheat board asked for by Canadian farmers. The success of the board has apparently inspired the New Zealand dairy producers to urge government-control similarly of the marketing of dairy products. The New Zealanders seem to be less troubled than Canada with legal technicalities.

New Zealand supplies the United Kingdom with 43 per cent. of its total frozen mutton imports. Much of it loses its identity when converted into "Irish" stews.

The anthracite coal reported to have been discovered near Sudbury is not far from the nickel mines. Clinkers might be eliminated by having the coal nickel-plated.

POLITICS AND OTHER THINGS

The life of the late Sir William J. Ritchie was such an interesting one that the brief sketch which I gave in this column on Saturday is by no means sufficient to show what an influence he had in the life of this province during his day. Continuing from where I left off on Saturday, in the "Judges of New Brunswick" the entertaining account of his energetic life and the politics of his time continues as follows:—

Outside the party of the day, Mr. Ritchie was an active and useful member of the House. He took an especial interest in all measures designed to promote the various industries of the country—in the improvement of its agriculture, its manufactures, and its commerce, as well as in the construction of railways and other things calculated to develop the resources of a comparatively young and unsettled province.

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In the session of 1851, Mr. Ritchie moved a series of resolutions strongly criticizing the Government of the day, and advocating certain principles of reform. These resolutions, after having been debated for about a week, were rejected by a vote of 19 to 21, and the Government was thought to be tottering to its fall. An incident now occurred which showed that Mr. Ritchie and his colleagues, Messrs. Tilley and Simonds, were men of rugged independence of character, and certainly not opportunists. Early in August in this year, it was announced that John H. Gray and R. D. Wilmot, two of the members for the County of St. John, had abandoned their party and had become members of the Government. Messrs. Tilley, Simonds, Ritchie and Needham united in an address to their constituents, condemning the course of Messrs. Wilmot and Gray, and calling on the constituency to disapprove of it. However, Mr. Wilmot, who had been appointed Surveyor-General, and in consequence had to return to his constituency for re-election, was returned to the Assembly by a majority of 273. Upon this Messrs. Simonds, Ritchie and Tilley at once resigned their seats. Mr. Needham (3) declined to follow their example, alleging in his naive way that he had had considerable trouble to get into the House and might not get there again. The sequel proved that the three resigning members were right, for they won much more in public respect by their conduct than they lost by their temporary exclusion from the House. Even those who did not share the views of Mr. Ritchie and his friends could not but admit that they had acted from a high sense of honor.

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Mr. Ritchie, upon his retirement from the Legislature, gave himself up to the work of his profession. His practice increased, and he was a most diligent student. He was a man of strong physique and boundless energy, and his capacity for work amazing. He was always a student, and had a very tenacious memory, which made him a ready authority on any point of law. His clients always felt assured that the closest attention and most profound study of a clear and well-trained intellect would be diligently applied in support of any cause he was retained to advocate. It was noted of him, too, that upon the trial of a cause, he so thoroughly identified himself with it, that it was almost impossible to conceive that he had any doubt whatever in his mind that his client had right and law upon his side, and was clearly entitled to a verdict. This quality in the advocate naturally produced a deep impression upon the jurors, and contributed not a little to his success as a pleader in the courts.

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Sir Wm. J. Ritchie was already a rising lawyer when in early life he married Miss Martha Strang, a beautiful young woman, whose father was a leading merchant in St. Andrews at a time when that port carried on an extensive trade with Great Britain and the West Indies. She was a sister of the wife of Robert Rankin, and of the wife of John Pollock, Jr., partners in the influential firm of Rankin & Co. Mrs. Ritchie died in 1847, four years after her marriage, leaving two children. In 1854 Mr. Ritchie married Miss Grace Vernon Nicholson, a daughter of the late Thomas L. Nicholson, of St. John, and a step-daughter of the late Admiral Wm. Fitz-William Owen, of Campobello (4).

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During the period of his retirement from the Legislature, the honor of Queen's Counsel was offered to Mr. Ritchie. This he declined to accept, unless on condition that it should leave him entirely untrammelled as regards his political views. Sir Edmund Head had some correspondence with the Colonial Secretary before the appointment came. The Governor said in one of his despatches:

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"Mr. Ritchie is politically opposed to the existing council. Your Grace will therefore understand that this gentleman's appointment, if made by Her Most Gracious Majesty, is to be considered as offered and accepted without reference to party or political consideration of any kind. His professional claims are amply sufficient to justify my recommendation."

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The appointment came two months afterwards, and few Canadian barristers have more worthily deserved the honor.

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In July, 1854, a general election was held, in which S. L. Tilley and James A. Harding were returned for the City of St. John. For the City and County the return seemed to show that this constituency was yet in an unsettled political mood, for three Government supporters, Messrs. Partelow, Gray and Wilmot, and their most implacable opponent, Wm. J. Ritchie, were all returned at the same time.

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On the 20th of October a special session of the Legislature was called for the purpose of ratifying the Reciprocity Treaty with the United States. The election of Mr. Hanington as speaker, by a vote of 23 to 13, gave the opposition an opportunity to measure their strength with the Government. It was in vain that the Government endeavored to limit the proceedings of the session to a discussion of the treaty. Mr. Fisher, the leader of the opposition, declared that there were other things that must now be settled, including the very important question of who was to govern the country for the next four years. An amendment to the address was moved by Mr. Fisher to the following effect:

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"It is with feelings of loyalty and attachment to Her Majesty's person and government that we recognize in that provision of the treaty which requires the concurrence of this Legislature, a distant avowal by the Imperial Government, of their determination to preserve inviolate the principles of self-government and to regard the constitution of the province as sacred as that of the present state. We regret that the conduct of the administration, during the last four years, has not been in accordance with these principles, and we feel constrained thus early to state to your Excellency that your constitutional advisers have not conducted the government of the province in the true spirit of our Colonial constitution."

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The debate that ensued was a memorable one, as it resulted in the downfall of the Government of the day and the substitution for the old regime of the modern system of party government, a system the merits and demerits of which, as contrasted with the former arrangement, it is not necessary here to discuss. The Government was ably defended by Attorney-General Street, Hon. R. D. Wilmot and Hon. John H. Gray. The opposition leaders in the debate were Messrs. Wm. J. Ritchie, S. L. Tilley, J. M. Johnson, Albert J. Smith and James A. Harding. The debate extended over six days, and it was soon evident that the Government was doomed. Members, regarding whom there had been some uncertainty, became converts to the policy of the opposition. On the night of the 27th of October, the eve before the final division was to take place, the exact position of every member was understood. The whole province was in a state of excitement and the telegraph wires in continual operation. On the 28th Mr. Fisher's amendment was adopted by the following vote:

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Yeas—Charles Fisher, William J. Ritchie, Albert J. Smith, Jas. A. Harding, John M. Johnson, A. R. McClelan, James Steadman, P. McNaughton, William End, Chas. McPherson, Geo. L. Hatheway, Chas. Connell, S. L. Tilley, A. H. Gilmor, John McAdam, James Brown, Francis McPhelim, R. B. Cutler, R. Sutton, C. Botsford, John Ferris, R. English, J. Tibbits, A. Landry, G. Ryan, E. Lunt and E. Stevens—27.

Nays — Hon. John Ambrose Street, Hon. John R. Partelow, Hon. John Montgomery, Hon. R. D. Wilmot, Hon. John H. Gray, Hon. Geo. Hayward, James Boyd, Francis Rice, J. Taylor, H. W. Purdy, M. McLeod and S. H. Gilbert—12.

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One very curious thing in connection with the vote was that the mover of the original motion, James Brown, of Charlotte County, and the seconder, Enoch Lunt, of Sunbury, both voted to defeat the Government. The storm centre of the debate was the question of the right of the Province of New Brunswick to make its own appointments to judicial and other offices without the interference of the Colonial office in England.

W. Salterthwaite

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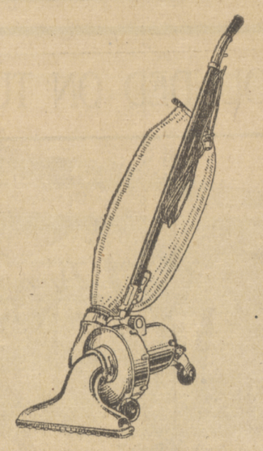
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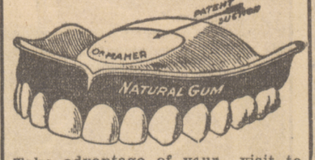
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