

PORT ARTHUR AND THE SEQUEL

REVIEWING two books just issued, "The Truth About Port Arthur," by E. K. Nojine, and "The Tragedy of Korea," by F. A. McKenzie, the London Times says:

The flood of books about the Russo-Japanese war has abated somewhat of late, but hitherto we have learned comparatively little except through courts martial about the siege of Port Arthur as witnessed from within. M. Nojine is unusually well qualified to offer testimony on the long beleaguement. As a Russian war correspondent he went through the greater part of the siege and he was in the confidence of those commanders whose names are still honorably associated with the defence of the fortress. He has also had access to official documents and diaries. He writes with vivacity and force, and the translation is competent and spirited. Both on account of its vivid narrative and by reason of the extraordinary revelations it contains, "The Truth About Port Arthur" is perhaps the most remarkable book about the war yet issued. It is scathing in its denunciation of the unreadiness of Port Arthur to resist attack, and unsparring in its condemnation of those officers, both naval and military, who helped to bring about its downfall. No more vigorous and overwhelming arraignment of General Stoessel has been framed, even by the tribunal which tried and sentenced him. That much of the evidence which M. Nojine has collected is beyond dispute cannot be doubted. Yet while we regard his book as of great value and singular interest, we are constrained to think that the whole truth about Port Arthur has still to be written. M. Nojine frankly reveals that he was not an impartial onlooker. He was inflamed against General Stoessel from personal reasons, not less than from his natural indignation at the

general's craven and vainglorious bungling. He was a warm and open ally of General Smirnof, the commandant of the fortress, and of the gallant Kondratenko. He took sides from the outset, and he makes no pretence at approaching his task in a judicial spirit. The ultimate verdict upon the mournful story of Port Arthur will have to be written by some one who can examine the evidence with a mind uncolored by partisanship. That General Stoessel failed miserably, that he showed few traces of soldier-like qualities, is now common knowledge; but it seems incredible that he can have been the miracle of blundering and pompous incompetence depicted by M. Nojine. It is manifestly difficult to test the final value of his testimony against General Stoessel. There is no standard of comparison, because so little is known about what went on within the defences. We have detected one instance, however, which leads us to suspect that in his eagerness to indict General Stoessel the author has not always been careful about his facts. He ends one of innumerable passages ridiculing Stoessel by saying:—

Again there was laughter. The General was in the best of form. Whether he was talking seriously or not I do not know. Presently he thought it was time to return to Arthur, and told me to accompany him; we rode through the arsenal.

"Look what a number of captured guns there are! I took all those in the Chinese war."

All these guns passed into our hands when we peacefully occupied Arthur!

We think that, on that occasion at any rate, M. Nojine was wrong and General Stoessel more or less right. It was always understood in Port Arthur that most of the guns

parked in the squares of the arsenal were captured by the Russians when the Chinese arsenal at Tientsin was seized.

There is no intention on our part, however, to suggest any condonation of General Stoessel, or to question the broad correctness of M. Nojine's record. Even when every allowance is made for prejudice, the record is black enough, not only against Stoessel, but against other officers who had for years shared the responsibility of placing the Liaotung peninsula in a position to resist attack. It will scarcely be believed that when hostilities began on eight guns were mounted by the whole of the land front of the fortress; yet M. Nojine's statement is confirmed by the official report. Long after the first attack from the sea, the export of large quantities of fresh and preserved provisions to the army in the north was actually permitted. Even as late as the beginning of May, Stoessel was still so oblivious of his real position that he was entraining troops for Liao-yang. He utterly neglected the defence of the Kinchou isthmus, and yet he sent reports suggesting that he had directed the battle at that vital spot, although he never left Port Arthur. His culminating offence, of concealing the official message deposing him from the command in June and directing him to hand over his charge to Smirnof, was only exceeded by the shame of his final surrender. But Stoessel was not the only culprit. Divided control, conflicting counsels, and service jealousies helped largely to bring about the downfall of Russia in Manchuria. M. Nojine complains that "money was scarce for the vital defences of Port Arthur, while millions were being poured out on the palaces and wharves of Dalny." He does not mention the reason, which was that the departments of war and finance were

at deadly feud, as was shown when General Kuropatkin made his memorable tour of inspection.

It is due to M. Nojine to say that he does not hesitate to criticize even his hero, General Smirnof. As commandant of the fortress, Smirnof ought to have assumed command when the siege began. Stoessel was the officer commanding the district in which the fortress lay, and by an imperial order Smirnof was his subordinate. M. Nojine says of Smirnof that, "notwithstanding his great strength of will and firmness, he was a true Slav," he dared not run counter to an imperial order. The Tsar's unlucky telegram appointing Stoessel as his aide-de-camp gave him further strength at a most inopportune time. The question whether Smirnof, who never knew that he had been given charge six months earlier, ought to have summoned a council and arrested Stoessel when he found he was negotiating a surrender, has been often debated. M. Nojine thinks the step would then have been futile. The garrison knew that a parlementaire had been despatched, and they would never have fought on afterwards. The arrest of Stoessel would only have meant a mutiny among the exhausted troops, who would not have obeyed Smirnof. The matter is one about which there will, no doubt, always be a difference of opinion, but most experienced soldiers will probably hold that at such a moment Smirnof should have followed the regulations.

Mr. McKenzie's book about Korea was written to explain a situation which has arisen as a direct sequel of the war in which the fall of Port Arthur was so tremendous an event. The author knows Korea intimately. He traces its history with concise clearness from the period when American filibusters

tried to obtain access to its closed territories in the middle of last century. His main purpose, however, is to criticize and condemn Japanese policy and methods of control since the war. He made a tour, at some personal risk, in the districts where Japanese troops were fighting the Korean rebels last autumn, and tells a deplorable tale of the ruined towns and villages which he found in the track of the troops. He attacks the administration of Prince Ito, and insists that one of the objects of the Japanese in Korea is the ultimate exclusion of British trade. We are bound to say that Mr. McKenzie sets forth the cause he has espoused with conspicuous moderation and restraint, and with commendable sympathy for the unfortunate Koreans. Certain aspects of more recent Japanese policy in Korea are regarded with misgiving in this country, and the whole story of Japanese association with the Hermit Kingdom is notoriously marred by grave blemishes. Mr. McKenzie's book will, we fear, deepen the apprehensions that have been aroused, especially in view of his studious avoidance of any semblance of exaggeration. His readers will naturally ask, as American senators asked Professor Hulbert, "What do you expect us to do?" After all, even Mr. McKenzie admits that the indigenous rule in Korea was weak and corrupt, and often oppressive, and that the old Court party has constantly and obstinately intrigued against the Japanese. He thinks, however, that Japan might be warned that needless slaughter and the filching of the private property rights of the defenceless peasantry must diminish the respect in which she is held by her ally; and he is not without hope that milder and more conciliatory counsels may in the end prevail at Tokio. That hope can at least be warmly echoed.



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The Compulsory Arbitration Law in New South Wales

THE Australian correspondent of the London Times, writing from Sydney under date of March 17, says:

Seven years ago, after a careful examination of the working of the New Zealand Act, the New South Wales Parliament introduced compulsory arbitration, and gave it a seven years' trial. Today another Parliament is occupied in discussing the merits of the Act, which is to confirm the principle and alter the details of the law of 1901, and in the streets men talk of the wharf-laborers' strike and the timber-yards strike, and the Newcastle coal-miners' strike—so narrowly averted, and not yet made improbable—and through all the ranks of labor there is murmuring unrest, and among the employers the sort of blustering talk that conceals a fear of evil days to come.

So the Act that was to bring industrial peace expires amid rumors of widespread industrial wars. At first sight it seems to justify all the prophets who foretold failure. But you note, as you consider the situation with more deliberation, that those prophets are keeping very quiet; and you note further that the Premier, leading a strongly "anti-Socialistic" party, accepts without demur, and even emphasizes, in his new Bill the vital principle of the old one. After seven years' trial of compulsion, even Mr. Wade is in favor of it. He has laid down three "fundamental propositions":—

1. Neither side, employers or employees, shall be allowed to dislocate industrial life by a lock-out or strike.
2. No employer shall be allowed to carry on business in New South Wales if he will not pay his employees a fair wage.
3. Every dispute shall find a tribunal ready to settle it at once, without formalities and without appeal; and that tribunal shall have power to force both sides together, and power to force them to observe the award.

If you are looking for a reason why the 1901 Act, in spite of its failure to prevent strikes, is being practically renewed and strengthened by the very party which originally fought it tooth and nail, that third proposition will give a hint of one.

Before we elaborate the reasons, it may note another peculiarity in the old Act's history. In its earlier years it was the refuge of the employee; many employers evaded it when they could, and those who disobeyed it were always sure of sympathy even from the more scrupulous employers who obeyed. At the end of its life it has suddenly become the employer's harbor of refuge, and the men are only persuaded to accept arbitration by all sorts of promises and blandishments. The change in the men's attitude is simply explained—they have not found the Court what they hoped it would be, and are inclined to fall back on their old weapon, the strike. The employers have changed front because they have discovered a usefulness in the Court which they used to ignore. They were asked to accept it originally because it would stop strikes; strikes not being imminent in 1901, they neglected or pooh-poohed that argument, and dwelt only on the grievance that their businesses were being interfered with, and they proceeded to belittle the Court and minimize the effect of its decisions in every possible way. In the last twelve months they have found the tables turned. The men have learned to belittle the Court too, and the strikes that have followed

the men's abandonment of it are a measure of the strikes it did avert in the six earlier years when the men still trusted it.

For the strike of today is a campaign, not a battle merely. The attacks made upon "labor" as such have done the work they might have been expected, but were not intended, to do. They have destroyed whatever community of interest there once was between employer and employee, they have consolidated all classes of working men into a single association for mutual help in any fight waged by any class. Within the last week Sydney has seen the mass of its oversea laborers refuse to work on the oversea and inter-State companies' boats, merely in order to force those companies into putting pressure on three small shipping companies which trade along the New South Wales coast. The men have no grievance against the big companies, and say so openly; but the three small ones use cheap non-unionist labor, so that a strike directly against them is impossible. The men are back at work now; but that is because they have found another weapon. The carters who take goods to and from the three small companies' wharves have agreed to refuse further service; the seamen in their boats have given 24 hours' notice of ceasing work. It is not their quarrel; but fellow-laborers have called upon them, and they came out willingly at the word. If they had not, the bigger strike would have gone on, and would have involved every port in the Commonwealth.

It seems unutterably stupid to hold up the whole sea traffic of Australia because you have a grievance against three small local shipping companies. But it would have been done. It may be done yet. One of the most ominous features of the whole business is the open acknowledgement, even by such papers as the Sydney Morning Herald, of the immense

power of labor and the need to propitiate it, at whatever cost. The carters work for master carters under an Arbitration Court award. In boycotting the goods of the master carters they are breaking the award. Whereupon the Herald, usually a sedate champion of strict legality, says (leading article, March 16):—

"Seeing that the labor unions have, for the time being, decided not to give the quarrel a general-bearing, for the master carters to come to the aid of the coastal companies—as they threaten to do—would be unparadonable."

Consider what that implies!

But we must go back to the main problem. An Act was passed on the distinct undertaking that it would prevent strikes. It is still in force, and strikes and rumors of strikes abound. Yet the Bill that is to supplant it adopts and confirms its main principle, amid the applause of everybody, including those who sneered most at the original Act. Why? The answer is inevitable. The failure of the 1901 Act, where there has been failure, has been due to maladministration and deliberate attempts on the part of an unsympathetic Government to make it fail. If provided, as mechanism for making awards and settling disputes, a Court of three members, one a Judge. Almost from the first that single Court was overworked and fell hopelessly behind in its task. More than eighty trades referred complaints to it, and it managed to give awards for 11 of them. In and after the second year members of the Court began to fall ill, which led to new elections and temporary appointments and rehearings and other causes of delay. The obvious remedy, since the country had approved and its Parliament had legalized the practice of compulsory arbitration, was to amend the Act in the direction of multiplying Courts, and, perhaps, simplifying

procedure. But the new Government—that led by Mr. Carruthers—would do nothing. They simply said, "You've got your Court—go and make the best of it."

For five years the employees were patient. But there is an end to any man's patience. Employees soon found themselves in this position, that they must refer a grievance to the Court, must not strike "during the pendency of any proceedings," and must, of course, obey the award when made. If there had been tribunals enough to act quickly, all would have been well. But the refusal of extra tribunals meant that a grievance existing and referred to the Court in 1905 must be endured without redress, possibly till 1908. When at last the employees understood that thoroughly, they lost patience and went back to old methods. Strikes began again.

Last year the Newcastle coal miners broke the law, and struck. Immediately the employers appealed to the law, and demanded the arbitration which for five years they had been defying. The miners declined to be kept waiting for another two or three years; but, when the Premier offered to constitute a special Court immediately, they went back to work. They had been asking for that special Court since 1903; but they had to strike before they got it. Then the men employed at the timber-wharves in Sydney harbor struck. A promise was hurriedly made that their grievances should be considered, out of order, within a few weeks; and they went back to work. Now the Premier is promising to secure the wharf laborers a speedy hearing; but they had to strike to get that promise. If the Act had had a fair trial—if extra Courts had been constituted as the need for them became evident—not one of these strikes need have happened. That they did happen, in the circumstances, is no more an argument against

compulsory arbitration than failure to give Sydney proper illumination from a plant built for a theatre would be an argument against electric lighting.

I do not say that there are no arguments against compulsory arbitration. The objections are many and serious. But we are not concerned with them just now, since the people of New South Wales, with whom we are dealing, have made up their minds unmistakably that whatever defects there may be in compulsion—it is "better than the old system of strikes."

It is not maladministration only that the 1901 Act has suffered from. Its worst enemies have been the lawyers and the higher Courts. The Parliament that passed it did its best to make the Arbitration Court's decision in any matter final (clause 32); to allow peaceable agreements between employers and employed to be made binding, if the Court thought fit on the whole body of employers and employees similarly situated (clauses 15 and 37); and to allow unions on both sides to bring matters before the Court for decision without making a quarrel about them first. But somehow the English language was found incapable of conveying Parliament's intention clearly—for no one disputes the intention; and the Supreme Court of New South Wales and the High Court of Australia, between them, have evolved this series of decisions—that the Arbitration Court cannot turn a peaceable agreement into a "common rule," which can be made only out of an "award" following on a "dispute"; that the Court has no jurisdiction at all unless there is a real dispute, a quarrel between some particular employer and one or more of his employees, who must remain his employees, because the dispute ends, and the case with it, directly they leave his service; and that the Court has no power to vary or amend its own awards. If either side wants an award amended, it must begin again from the beginning—and probably wait three years to get a hearing.

It was this last decision that brought about the wharf laborers' strike. Early awards had, for some now forgotten reason, allotted them higher wages for work in connection with oversea boats than for the Australian trade, the work in each case being exactly the same. The inter-State companies saw the injustice of this, and of their own accord paid oversea wages; the three local companies held to the lower rate. The Court not being allowed to amend its earlier award; the men aggrieved had a choice between waiting several years to start the "dispute" de novo, and breaking the law; to get a decision at once.

The higher Courts, probably, cannot be blamed. They have their rules of interpretation. But it is the Australian custom, when an Act is found not to say what it was indisputably meant to say, to amend its wording in accordance with the meaning. The Government of New South Wales refused to touch the Act at all. The Court was forced to work on, hampered with accumulating arrears, and with all its mechanism for peacemaking clogged and strained by the technicalities of its superior Courts. Of course it broke down. But the collapse, intended by its enemies to be fatal, has left so dangerous a gap in the structure of State compulsion, and shown such ruin impending, that those very enemies are today rushing to fill and buttress the gap with a measure more drastically compulsory than ever.

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The Skakespeare Festival at Stratford-on-Avon

NOTHING is more prominent this year at Stratford-upon-Avon than the street decorations. The proper "pageant-spirit," if we may call it so, has possessed the inhabitants; and months of hard and entirely voluntary work, under the direction of a small committee headed by Mr. A. Whitcombe, a man of experience and taste in these matters, have been devoted to the designing and making in Stratford itself of the splendid medieval show which will appear in its full glory to-day—St. George's Day and Shakespeare's Day, says the London Times. It is needless to say that great delight and encouragement were caused by the King's offer to present a six-yard Union Jack and the Prince of Wales's present of a large flag to a quarter to 10 this morning the Union Jack will be hoisted on a great crowned flagstaff in the centre of the open space at the top of Bridge-street; and at the same moment the flags of Scotland, Ireland, Wales, the Colonies, and other parts of the King's Dominions, and the nations of the world, all presented by their official representatives in England, will be flown around the Union Jack and down the whole length of Bridge-street, while the school children holding banners and the town band will break into the National Anthem. Beside the flags, there is for every nation its coat of arms, elaborately painted in oils on wooden shields by the clever fingers of certain ladies and gentlemen of the town, and a mass of other bunting, which at night will be lit up by concealed electric globes, should make an impressive show. Each street has been similarly planned to give its own effect and celebrate a particular subject. The High-street illustrates the old trade guilds, Henley-street the Records of the town, the lords of the manor, and the characters of Shakespeare's plays, and so forth, while Church-street has its maypole. Throughout the town, the colors of the festoons which form the groundwork of the scheme are those of St. George's red and white, and of Shakespeare, black and gold.

The programme of entertainments during the three weeks is also exceptionally lavish. Today there

will be the usual floral procession to the church, with a sermon by Dr. Arbuthnot, vicar of Stratford, and Archdeacon of Coventry, a reception at the town hall by the Shakespeare Club, and a performance of A Midsummer Night's Dream by Mr. and Mrs. P. R. Benson and their company; and among other fixtures are a loan exhibition of old glass, prints, and other objects, chamber concerts, hockey and cricket matches between the Benoniens and local teams, old English games in the Bancroft, and the ever-popular Shakespeare costume ball in the town-hall, which will take place this day week.

At the theatre Mr. Benson produces nothing new on his own account. Unlucky circumstance prevented the proposed production of Cymbeline, and his Faust has had to be postponed. Several prominent London players are to appear, but the most novel item in the programme is the production of Measure for Measure by Miss Forman's company from Manchester, in connexion with Mr. William Poel. The mention of the last name means, of course, that the play is produced following the Elizabethan method. Students of stage-history will recognize the plan of the stage, when it is stated that the foundation for it is obviously the drawing of the Swan Theatre on the Bankside, a little affected, perhaps, by the reconstruction at Harvard on which Mr. Forbes-Robertson played Hamlet some years ago. There are practically four parts to this stage—the open front, the main scene, cut off at times by a "traverse" or curtain running between two pillars and covered by the "heaven" or roof; behind that again a small chamber revealed by withdrawing another traverse; and above it the balcony of courtiers, and the "heaven" or roof, and there is only one interval. The reconstruction is front of the stage, not on three sides of it; the stage was much higher than the real thing was, and much smaller. The dresses are Elizabethan English and boys; and at the close, instead of a "droll" or had the prayers for the King, which belonged pro-

perly only to performances at Court, and not to those in public or private playhouses.

The pros and cons of productions on these lines have been so much debated that we need not embark upon them here. Nor need we touch the question whether Measure for Measure deserves the hard things said of it by "North Oxford" on the occasion of its production two years ago by the O.U.D.S., and repeated this year at Stratford. Suffice it that a large audience, thoroughly enjoyed the play on Friday night. Measure for Measure is fitted for "Elizabethan" staging by its date, its simplicity of plot, and the fact that the scenery contains no elements of the supernatural and is not of much importance to the story. And the old difficulty—that presented a modern audience you are bound to expunge a great deal of the warm coloring of that glowing, passionate life of cold villany of Angelo and the saintliness of Isabella—confronts you equally whether your methods are modern or antiquarian. Mr. Poel gave us more as the Friar. We believe in this Friar-Duke; it must be admitted that he suggested a good deal in the chance of seeming before; but he was forced by considerations of decency to let a great deal go. And it must be admitted that he suggested a good deal in the chance of seeming before; but he was forced by considerations of decency to let a great deal go. And it must be admitted that he suggested a good deal in the chance of seeming before; but he was forced by considerations of decency to let a great deal go.

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