

Chairman Rules in Favor of Street Railway Men

WAGE ARBITRATION BOARD STARTS WITH A DISPUTE

While the board of conciliation appointed by the Department of Labor to adjudicate the dispute between the O.E.R. and its employees held its preliminary session in the city hall, Friday morning, there was not much accomplished, as a dispute arose at the outset, which has been referred back to the labor department.

For the employees, Mr. C. J. Tulley held that the scope of the board would have to be confined to the application made by the men, which asked for reduced working hours and increased wages to meet this modification of the hours, and Chairman Alex. Smith made a ruling to this effect.

Mr. George D. Kelley, the company's representative, stated, and he was supported by Major F. D. Burpee, managing director for the company, that the O.E.R. should not be put upon the defensive as this ruling would imply, as the company had instructed its employees that a reduction of wages would take place, at least three weeks before the employees had notified the company of an intended new agreement.

Mr. Tulley, for the employees, expressed his willingness to accept any evidence which might be submitted for the company as to reduction of wages, but Mr. W. P. Jennings, for the men, remarked that this would only be acceptable on condition that the question of the standard of wages should not be based upon the company's ability or inability to pay. He was averse to any alteration even by the Department of Labor, to the scope of the board's activities without such contemplated changes being submitted to the executive of the Street Railwaymen's Union for approval.

Major Burpee also indicated that if the Board intended to proceed under the chairman's ruling, he would also have to ask that the proceedings be suspended pending a decision from his directors.

Finally it was agreed that the members of the board wait upon the minister of labor with a view to having the scope of the board enlarged so that it can deal with the questions of wages, working conditions and hours, both as regards increases and decreases.

At the outset of the proceedings Mr. Kelley, for the company, pointed out that if the board was confined to the actual phrasing of the application of the employees, which asked for reduced hours and increased wages, the company would be prohibited from having its side to the question, viz. a reduction of wages, considered in the finding of the board.

Major Burpee intimated that if the board proceeded according to the ruling of the chairman he thought it probable that the company would later have to apply for the formation of another board to consider the company's stand with regard to a reduction of wages.

In addition to the members of the board, Messrs. W. P. Jennings, I. O'Connor, W. McRea and W. Paize were present for the men and Major Burpee, Mr. G. I. Snelling, Mr. E. M. Ahearn, Supt. Tobin and other officials for the company.

WILL TAKE VOTE ON AMALGAMATION

Hamilton, Ont.—A referendum will be submitted to the membership of the Independent Labor party in Ontario to decide whether the party should join forces with the Ontario branch of the Canadian Labor party.

Debate on this matter featured the closing session of the Ontario I.L.P. convention and after several motions and amendments had been discussed an agreement was reached to let the majority decide the issue.

A. C. Stewart, of Port Dover, formerly of Fort William, was elected president, and Ben Pury, Hamilton, was chosen secretary treasurer. The following vice-presidents were appointed: Controller John Cameron, Ottawa district; A. Manse, Toronto; E. C. Smith, Fort William; Miss Mary McNabb, Hamilton; Dr. J. E. Hett, Kitchener; James McCreana, North Bay, Arthur Mond, London.

M.L.A. Failed to Appear.

Carl Homuth, South Waterloo; A. C. Swartz, Niagara Falls, and Thos. Tooms, Peterboro, who were wired Friday night to attend yesterday when they were to be on the carpet for minor offences, did not put in an appearance and there was no discussion on the matter. Mr. Tooms spoke in the interests of a Liberal candidate at the last Dominion election and the other gentlemen voted for a private bill to increase the cost of gas.

James Simpson, Toronto, opened the discussion on the merging of the two Labor interests. President Burkley immediately entered into the unionism must not dominate the I. L. P.

Joseph Marks opposed Mr. Simpson's proposal, and Hon. Walter Rolfe was another who did not favor amalgamation. Through dual organization one would suffer, and there was no good to be derived, said Hon. Mr. Rolfe.

Resolution to Premier Drury.

The convention endorsed a resolution from Dundas branch to the effect that where a man was injured at his work, the Workmen's Compensation Act be so amended to provide that work for which he was retained be supplied him when he regained his health, and that the same rate of pay given as if the accident had not occurred.

Brantford was chosen as the next place of meeting.



Waterloo! What memories it brings to Canadian veterans! But this is the new station, dedicated to the memory of the employees of the London and Southwestern Railway who fell in the war.

DENIES STATEMENTS.

Montreal.—The British Empire Steel Corporation issued the following statement this morning:

"Statements in a Canadian Press despatch from Sydney last night, made by J. B. MacLachlan, district leader of the United Mine Workers, at a public meeting at Glace Bay on the 16th, giving particulars on the cost of mining coal at the collieries of the Dominion Coal Company, being figures alleged to have been obtained from private cost sheets of the company in an unorthodox manner from its files, are denied by the Dominion Coal Company. The figures given in the despatch are incorrect in every particular and dates, figures and alleged origin of the 'information' given out by Mr. MacLachlan are without foundation in fact."

MINERS WILL NOT ACCEPT

Springhill, N.S.—The tentative agreement between the Dominion Coal Company and local miners' committee which was rejected by the miners last week, was re-considered at a lengthy mass meeting here, and the final decision was to accept the main features of the agreement, provided discussion were resumed on certain working conditions and facilities intended to promote easy production. It was also stipulated that in event of a new arbitration award affecting the miners in Nova Scotia being made, the whole agreement would be superseded.

Central may fail at times to get the right number, but she has the world to beat in the matter of getting goats.

TRADES AND LABOR COUNCIL ELECTS

Cornwall.—The Trades and Labor Council held their annual organizing meeting in the Carpenters' Hall recently with delegates present from nearly all of the local unions. Mr. J. J. McCutcheon, the president, occupied the chair and urged upon the delegates the necessity of "putting their shoulders to the wheel," and bringing each and every local up to its full strength. "During the good times," said the speaker, "you must lay a fund in reserve for the bad times. Let your employers see that you want but justice and you are going to get it."

The following officers were then elected for the ensuing year: President, Bro. J. J. McCutcheon; vice-president, Bro. Louis Merpaw; financial secretary, Bro. Dan Theriault; recording secretary, Bro. Dan Cummins; treasurer, Bro. Napoleon Caron; trustees, Bros. Ed. Secours, N. Bonhomme and Ronald McDonald.

Brother Hickman, the organizer of the papermakers, then installed the officers and in a few well chosen remarks pointed out the duties of the delegates from the different unions and urged on them the necessity of assisting the officers of the central body, to transact all business. He pointed out that the central body was a great asset to labor organization as the small unions had an equal voice with the larger at all the meetings, through their delegates. He had often times found that employees were indifferent to their own interests. "If the worker is not with us, he must be against us," said the speaker, "and thus he is in his own way and at the same time assisting the employers to keep down wages." He also urged the necessity of full attendance at meetings, for it was very discouraging for officers to talk to half empty benches. "Organized labor is here to stay. Organized labor will never die," said the speaker. "The trade labor movement is built on a solid foundation and even capital has been unable to shake it." He advocated short snappy meetings and urged that they be well attended. He stated that unionism was for all classes, creeds and nationalities and as all had been brothers in war and peace, so now he urged them to remain brothers in trade unionism.

The president claimed that the war had been won on the lines of the (Continued on Page 4.)

MILLERS MAKE AN APPEAL TO THE PRIVY COUNCIL

Millers claiming that they were being unfairly discriminated against by the present differential freight rates on ex-lake wheat milled into flour in Ontario and Quebec as against flour milled at Fort William or west thereof or flour milled from wheat after export, the Dominion Millers' Association have made an appeal to the privy council against the railway board's judgment of March 6, 1922.

The judgment appealed against found that the charge of 6.83c per 100 lbs. differential against flour over the export wheat from eastern lake port elevators is not unfair treatment to flour as against one cent per 100 lbs. differential to the same seaboard port on flour from Fort William and west thereof.

Claim Mills Handicapped.

The millers' representatives before the privy council contended that this discrimination against the milling in Ontario and Quebec to the extent of 5.83 cents per 100 lbs. means handicapping the mills of Ontario and Quebec so as practically to put them out of the export flour trade on ex-lake ports.

The C.P.R. rate, it was stated, from Fort William to West St. John on wheat for export was 35 1/2 cents per 100 lbs. and flour from Fort William to West St. John paid a rate of 36 1/2 per hundred. Wheat from Goderich and Port McNicoll to West St. John

paid a rate of 15.17 cents per 100 lbs. while flour milled from the same grain, was charged 23 cents per 100. Mills in Ontario and Quebec grinding ex-lake wheat into flour were charged a differential 600 per cent. greater than mills at Fort William or west thereof, according to the millers' claims. This, they submitted was unjust discrimination.

Ask Judgment be Rescinded.

The millers asked that the judgment of the Board of Railway Commissioners be rescinded and that an order be made that flour be carried for export at a rate not exceeding one cent per 100 lbs. more than the export rate on wheat, "as the way the finding of the board now stands there is nothing to prevent the railways in future from charging 6.83 cents per 100 more for the transportation of flour to the seaboard for export than wheat for export, or from discriminating to the extent of 5.83 cents per 100 against mills east of the Great Lakes, grinding ex-lake wheat for export to the same seaboard port as all rail wheat."

The millers' representatives stated that they had the support of the agricultural departments of several provinces in their demands and representatives of some of these provinces were present with the deputation which pressed the appeal this morning.

LAW OFFICERS OF CROWN DEMUR

Reconstitution of the Canadian Wheat Board, with compulsory powers, as requested in the memorandum of the Canadian Council of Agriculture and pressed for by Progressive members of the House of Commons, is ultra vires of the parliament of Canada, according to an opinion by the deputy minister of justice, E. L. Newcombe, and tabled in the Commons this week by the prime minister, Hon. W. L. Mackenzie King. Mr. Newcombe, whose opinion is concurred in by Sir Lomer Gouge, minister of justice, and by Hon. D. D. McKenzie, solicitor general, holds that the appointment of a wheat board, with compulsory powers interferes with the rights of the provinces and individuals, and is therefore against the provisions of the British North America Act, 1867. Parliament, however, has an undoubted right to create a board with voluntary powers.

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Constitutionally Incomplete.

"It is my opinion," said Mr. Newcombe, in the document tabled, "that the reconstitution of the wheat board in the present circumstances with the powers conferred thereon by the orders in council is a project constitutionally incompetent to the parliament of Canada."

The deputy minister of justice deals at length with the powers which were conferred upon the old Canada Wheat Board, and says: "It will be perceived that these powers naturally group themselves into two heads. There are enabling or facultative provisions and there are compulsory provisions. As to those of the former class, I apprehend that parliament has undoubted authority to constitute a board for the purpose of buying and selling and to enable it to contract and to exercise such powers as are necessary or incidental to a voluntary undertaking.

"The board is, however, invested with compulsory powers and for the purpose of considering the authority of parliament to constitute a commission clothed with these powers, it is well to mention some of these separately. They include, (a) fixing of maximum prices or margins of profit at which flour may be sold by the millers; (b) the compulsory taking of wheat in store or in transit subject to compensation fixed by the board, including power by order of the board to transfer the property in any wheat so stored or in transit to such purchaser and upon such terms as the board may nominate and prescribe; (c) prohibition of the buying and selling of wheat in Canada in commission or otherwise and the operating of elevators or warehouses for wheat except by license of the board; (d) authority to regulate delivery to the board of all wheat sold or purchased in Canada; (e) regulation by the board of the dealings of its licensees.

Affect Provincial Rights.

"These coercive powers would be exercisable by the board in provinces," says the document, "and they directly affect property and the ex-

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The opinion states, however, that the temporary nature of these orders was evident and goes on to say: "and thus it is plain that the provisions affecting the former board were sanctioned only as war measures."

The deputy minister of justice then cites the Insurance Act, the Board of Commerce Act and the prohibition case of 1896 as showing that this legislation in question is outside of the powers of parliament.

"It is certain that the essential compulsory powers of the wheat board are prima facie included in the provincial enumeration of property and civil rights or local matters in the province. In my opinion these powers do not lie within the field which may be occupied by the execution of the Dominion's power to regulate trade and commerce, as that power has been expanded in successive decisions in the ultimate tribunal of appeal, and I think it may be affirmed without uncertainty that the necessary reconstructive powers are not comprehended in any of the Dominion enumerations."

"While I do not suggest a doubt that conditions of export from the Dominion and foreign trade relations may be regulated by parliament, I am impressed with the view that these powers cannot be made to cover for legislation which denies freedom of contract, capacity to buy and sell and the maintenance and execution of property rights which exist under provincial laws.

"The powers of criminal legislation which belong to the government exclusively are in their application to this case of an auxiliary character and cannot as such, be invoked to afford a sanction for measures in themselves ultra vires."

WAR SURGERY IN TIMES OF PEACE

N.Y.—In the first public statement made by him since his return from France, where for 4 years he worked both as operating and consulting surgeon for the allied armies, Dr. Jos. A. Blake called upon employers and employees to unite to provide adequate facilities for the surgical and medical treatment of the industrially injured.

Approximately 1,000,000 men a year in the United States are injured while at work, according to Dr. Blake. Because of the lack of hospitals specially equipped to take care of industrial cases, only a small percentage of these men receive the care which they need.

"The war taught medical men many valuable things," said Dr. Blake, "particularly in the treatment of wounds and fractures, and most of this knowledge has a practical application in the treatment of the industrially injured. But much of this valuable information will be lost or rendered useless unless a systematic effort is made to make use of it at once in all the big industrial centers of the country.

"At present there is only one hospital in the entire country that is wholly dedicated to the cause of the disabled worker—the Reconstruction Hospital of New York—and, although equipped with all the new operating and after treatment apparatus that was invented during the war, it can take care of only a fraction of a percent of the industrial injured because of its limited quarters.

"By making the Reconstruction Hospital a model upon which others can be patterned, however, its creators and supporters hope to supply the nucleus for a nationwide hospital system which will supply the industrial workers—the soldiers in the great army of peace—with the same kind of special medical and surgical attention as the Governments made every effort to provide for the soldiers who fought in the great war. Only it should be possible to do a great deal more for the injured worker than for the soldier because in caring for him there are none of the handicaps of war to contend with.

GIVE EXTENSION TO CALDER ACT

Extension of the Calder Act, which provides for the retirement of members of the Civil Service for another year, or until such time as the government can bring down a permanent system of superannuation for retiring members of the service, is expected to be announced to parliament at some time before the expiration of that act. The Calder Act, which was introduced at the time when the Civil Service was being reorganized, and many employees, who had reached advanced age and were unable satisfactorily to perform their duties were being retired, was first made applicable only to civil servants of 65 years and over, but at the last session of parliament was amended to apply also to employees of less than 65 years. It provides a retiring allowance graded according to length of service and salary received by the civil servant affected.

In its last report on the operations of this act during the last fiscal year the Civil Service Commission reported in favor of its continuance until such time as a permanent act could be passed by parliament. This recommendation, it is expected, will be carried out by the government and the act will not be allowed to lapse on June 30, as it would do, unless legislation to the contrary were passed by the House.

The Calder Act, however, it is understood will likely be continued on the basis of a temporary measure to be replaced perhaps next session by a permanent superannuation act covering the whole of the service.

treatment by experts—the same treatment that his employer would want if similarly injured. And it is economy to give it to him. If he breaks his arm he is entitled to more than first aid and a plaster cast. He is entitled to a proper setting of the broken bones and constant attention until the break is thoroughly healed."

Dr. Blake is one of the consulting surgeons on the staff of the Reconstruction Hospital. The hospital is devoted to the cure of occupational diseases and industrial poisons. In New York State alone there are 350,000 such cases a year—more than all the American soldiers disabled in the war. The addition which is now being built will cost 1,500,000. The directors hope to obtain this from the big industries and railroads and their employees.

:: Items of Interest from Overseas ::

OPPOSE PROHIBITION.

London.—The Independent Labor Party at the closing session of its conference at Nottingham defeated by a vote of 174 to 130 two resolutions supported by the Scottish branches of the party in favor of the total prohibition of the liquor traffic.

A further resolution in favor of public ownership and control of the liquor traffic and local option was moved, but Philip Snowden, the well-known Socialist, and former M.P., urged that more time be given for a constructive program on the question, and the resolution failed to carry.

The party unanimously passed a resolution on Monday emphatically opposing a Liberal-Labor alliance, either inside the House of Commons or outside the house.

ANOTHER 50,000.

London.—Over 50,000 men and women workers in the chemical trade are idle from today in consequence of the employers' notices to enforce another penny reduction, and all the circumstances point to this being part of the general attack of the employers on Trade Unionism. One South Wales employer, in fact, frankly declared that they were out to "smash the domination of the trade unions."

Alderman Devenay, of the Transport and General Workers' Union, declared "that there was no argument at the Joint Industrial Council. The employers had simply made up their mind that the third penny had to come off.

PLEDGE SUPPORT.

London.—The Independent Labor party conference at Nottingham today carried a resolution moved by Robert Smilie, president of the Miners' Federation of Great Britain and president of the Scottish Miners' Federation, pledging support to the Amalgamated Engineering Union and the other unions involved in the engineering dispute. The resolutions declare that the present conflict between the employees and employers in the engineering trade arose out of a deliberate attempt on the part of the employers to take advantage of the weakened state of the unions to destroy their power and to prevent gains of organized labor in the work-shops.

A ONE DAY STRIKE.

Dublin.—A manifesto issued this evening by the Labor party and the Trades Union Congress calls for a one day strike and demands that the Daily Eireann assert its authority, renege the army under a single command and accept the responsibility of government or confess its impotence and make way for the people to decide its issues.

The manifesto says the lord mayor and the Archbishop of Dublin, have been requested to invite the representatives of the executive council of the dissident section of the army (that headed by Boderick "Bory" O'Connor) to the adjourned session of the peace conference between representatives of the Free State and the Republicans next Wednesday.

It asserts that the Labor Party and the Trades Union Congress have consulted the leaders of the contending parties and forces and have been assured on all sides that many deeds of aggression and violence were committed by groups or individuals without authority. Every effort was being made to reduce to a minimum military intervention in civil affairs.

PRINTERS' PENSIONS.

London.—That 790 aged printers and widows of printers are receiving pensions at an annual cost of \$93,750, was reported at the annual meeting of the Printers Pension Corporation. More than 1,200 orphan children of printers killed in the war are receiving grants, and altogether over 2,000 people take benefits costing \$160,000 a year.

OFFICIALS REDUCE OWN WAGES.

London.—At the conference of the National Amalgamated Union of Enginemen at Leicester today, the delegates expressed the opinion that the officials' salaries should not be reduced, but the officials voluntarily offered to make a reduction of 10 shillings weekly until the position of the union proved more satisfactory.

NO DISSENSION.

London.—John Hill, general secretary of the Kolleermakers' Society, speaking of the lock-outs, said that it was undoubtedly the duty of the Government to set up the court of inquiry which, he pointed out, it could do without the consent of either side. He thought the Government must realize the reasonableness of the method, and that Mr. Chamberlain could hardly face Parliament again with a refusal of the request.

It was alleged, said Hill, that there were dissensions amongst the trade unions, but he had no fear of differences dividing the unions on the main issue.

SEAMEN'S UNION TO MAKE TEST CASE.

London.—A test case is to be raised in connection with the steamship Hobbsoning, of the Commonwealth Shipping Line, which is expected to arrive at Sydney shortly, according to a Reuter despatch from Melbourne, Australia. The federal government will insist that the management of the line must have freedom of choice in the selection of a new crew, while the Seamen's Union insists upon the steamer being manned by Australians only. The case has an important bearing on the future of the line, and is possibly fraught with serious consequences to the shipping trade generally.

The question of manning the Commonwealth vessels first became serious on March 9 last, when the government was forced to yield to the demands of the Australian Seamen's Union that the liner Largsbay be manned on its departure from Australia by Australian seamen because the Largsbay saving a valuable cargo, could not be held up pending the settlement of the dispute between Premier Hughes and the union. The premier took the stand that the government should not be dictated to by the union as to whether Australian seamen should be given the preference over British seamen. He then declared that if the management of the Commonwealth ships were not allowed to run the vessels on a business basis the government would have to reconsider its shipping policy. The premier claimed that the union's action in insisting on choosing the crew was a challenge to the cabinet of the Commonwealth government, besides being unfair to British sailors.

There is something about the breath of bootleg patron that reminds us of an air of finality.

April shows arspoil spring hat flowers.