

Toilers Final Fight For Liberty

Straightforward and Manly Talk

Mr. Coaker to Sir E. P. Morris

March 9th, 1915. Rt. Hon. Sir E. P. Morris, K.C., Prime Minister.

Dear Sir,—I am in receipt of the report by the Attorney General to the Colonial Secretary, dated March 5th, in relation to the petitions asking for the arrest and trial of Capt. A. Kean for Criminal Negligence in relation to the crew of the S.S. "Newfoundland."

As to the inquiry held by Magistrate Knight, it appears to me that reference is made to it in the report referred to merely for the purpose of dragging in reference to Mr. Morine, and Dr. W. F. Lloyd, and in some manner making it appear that they were responsible for the findings of the Magistrate and endorsed them because they took part in the enquiry and did not protest against the findings. It is sufficient here to say that Mr. Morine took no part except at the commencement of the inquiry, and that it was neither the duty nor the privilege of Dr. Lloyd to make any protest.

Presumably, the inquiry and report by Magistrate Knight were not satisfactory to the Government, for it appointed a special Commission of three Judges of the Supreme Court to go over the same field of enquiry. Can you, Sir, furnish any other reason than this for the second enquiry? Why, then, does your Attorney-General now base his reply in part on a discredited enquiry and report?

Your Attorney-General's report refers to the findings of the Commissioners in a manner which suggests that he has not yet mastered the true inwardness of those findings. He flippantly explains that the majority hold Capt. Kean guilty of "a grave error of judgment" because he had voluntarily assumed obligations towards the crew of the S.S. "Newfoundland," while the minority report held that there was no such obligation. The truth is, of course, that the majority held Capt. Kean liable for grave error of judgment in his conduct towards the men after they reached the "Stephano," and referred to his invitation to the men to come to his ship for the purpose of showing that he owed a duty to them, a duty voluntarily assumed. Misrepresentation of the findings of the Commissioners is a discreditable subterfuge for any man.

I am instructed that "a man may by neglect of duty render himself liable to be convicted of manslaughter." Two Judges of the Supreme Court have decided that Capt. A. Kean owed a "duty" to the crew of the S.S. "Newfoundland." The question to be decided is, did he neglect that duty, did he omit doing what a reasonable man in his position ought to have done? The petitioners pray that Captain Kean may be tried before a jury of his countrymen on the charge of neglect. The petitioners appeal to the Courts. Your Attorney-General replies by misrepresenting the facts.

Your refusal to render justice and properly safeguard the lives of three thousand sealers this year permits Capt. Kean to sail in charge of two hundred and seventy men, with a probable influence over hundreds more when at the icefields,—a man whose conduct your own Sealing Commission has found in error. Your action will be the signal throughout this Colony for a struggle which will not subside until you are sent into that political oblivion which, unfortunately for the Country, you were not consigned to six years ago, before you were enabled to develop the plans which have now well-nigh strangled the independence of our Native Land.

Upon you rests the responsibility of permitting Abram Kean to again play with the lives of our bread-winners. Upon you will fall the curses of the bereaved fathers, mothers, brothers, sisters, widows and orphans, whose loved ones were last Spring sent into eternity through the conduct of the man whom you and your manufactured Attorney-General hold blameless and innocent. Your refusal to respect the reasonable demand of the electorate must for ever stamp you as the most worthless Prime Minister who has ever held office in this Colony.

Your name will live long, not as the defender and up-lifter of your Country and Countrymen, but as the man who despoiled the electorate of its constitutional rights and privileges, who scorned the wishes of the people respecting a proper punishment for conduct which sacrificed one hundred breadwinners, and who absolutely refused to recognize the findings of Chief Justice Horwood and Mr. Justice Emerson, Commissioners appointed by yourself to investigate and report as to whether anyone was guilty of improper conduct in connection with the catastrophe which befell the crew of the S.S. "Newfoundland," and who thereby once again permitted the lives of our sealers to be played with by a man whose arrest has been already demanded by 4000 of his fellow countrymen.

You are welcome to all the comfort which your atonement in this matter will bring you, and to the string of blessings which an insulted and outraged electorate will bestow upon you. I have done my duty to those who appointed me to represent them in their demands for Kean's punishment. All Constitutional means to that end have been exhausted for the present, but the day may not be so far off when the peoples' will shall prevail, and when that time arrives, be it soon or late, Abram Kean shall stand at the bar of Justice to answer the charge of having enticed a ship's crew from its ship, placing it on the icefloe in a blizzard, and steaming away, leaving it to a fate which a human being would not permit a dog to endure.

W. F. COAKER, President F.P.U.

THE SEALING COMMISSION RECOMMENDATIONS RE NEW LEGISLATION

1. It shall be unlawful for the Master of a steamer engaged at the seal fishery to send upon the ice or permit to be sent upon the ice any members of the crew of such steamer a distance greater than that which is reasonable to enable them to perform the work ordered or required of them and to return to the said steamer within one hour after sunset of the same day as that upon which they were sent or permitted to be sent as aforesaid. (Penalty, on summary conviction by and to informer.)

2. It shall be unlawful to kill any seals found upon the ice or to take any seal pelts therefrom, or to remain upon the ice in charge of any seal pelts except between the hours from sunrise to sunset; and no person being a member of a crew of any steamer engaged at the seal fishery shall, without lawful excuse, be or remain upon the ice or away from ship after one hour after sunset or before sunrise. (Penalty, on summary conviction by, payable to informer.)

3. In the event of any member of the crew of a steamer engaged in the seal fishery not having returned to his after one hour from sunset, suffering injury from exposure on the ice

(a) If death results from the injury, if he leaves any dependents wholly or partially dependant upon his earnings, the owners of the ship shall pay the sum of \$1,000 as compensation to the dependents, the said sum to be recoverable as hereinafter set forth invested and distributed in manner similar to that provided with respect to sums payable under the Workmen's Compensation Act, provided that the injury causing death is not attributable to his serious and wilful misconduct, and provided also that the amount of any weekly payments and any lump sum paid in redemption thereof shall be deducted from such sum.

(b) When total or partial incapacity for work results from the injury a weekly payment shall be made by the owners of the ship during the incapacity, not exceeding fifty per cent. of his average weekly earnings during the previous twelve months, such weekly payments not to exceed five dollars, provided that in case of partial incapacity the weekly payment shall in no case exceed the difference between the amount of his average weekly earnings before the accident and the average weekly amount which he is earning or able to earn in some suitable employment or business after the accident. When any weekly payment has continued for not less than six months the liability therefor may, on the applications by or on behalf of the owners of the ship, be redeemed by the payment of a lump sum to be settled in default of the agreement by the Supreme Court or a Judge thereof, and such lump sum may be ordered to be invested or otherwise applied in manner similar to that provided under the Workmen's Compensation Act provided that the said weekly payments and the lump sum together shall not exceed \$1,000, and provided that the said injury or accident is not attributable to his serious and wilful misconduct.

(c) Any party suffering injury as aforesaid and, where death results from the injury, his dependents may proceed in the Supreme Court either by personal action agreeable to the owners of the ship or against the ship in an action in rem on the Admiralty side of the said Court for the recovery of compensation as aforesaid, and shall have a lien therefor upon the ship and her cargo in like manner and with the same priority as in the case of claims for seamen's wages. Costs to be in the discretion of the Court or Judge.

4. Proceedings for the recovery of compensation for injury shall not be maintainable unless notice of the accident has been given as soon as practicable after the happening thereof, and before the sealer has left the ship after the conclusion of the voyage and unless the claim for compensation with respect to such accident has been made within six months from the occurrence of the accident causing the injury or, in the case of death, within six months of the time of death and within two years from the date of the accident. And provided always that

(a) The want of notice or any defect in or inaccuracy in such notice shall not be a bar to the maintaining of such proceedings for the settlement of the claim that the ship is not, or would not if an amended notice were then given and the hearing postponed, be prejudiced in its defence by the want, defect or inaccuracy or that such want, defect or inaccuracy was occasioned by mistake, absence from the Colony or other reasonable cause;

(b) The failure to make a claim within the period above specified shall not be a bar to the maintaining of such proceedings if it is found that the failure was occasioned by mistake, absence from the Colony or other reasonable cause.

5. Every steamer engaged in the seal fishery, whenever any of her crew is or are absent after dark or in fog, mist or falling or drifting snow, shall make with her steam whistle or other steam sound signal, at intervals of not more than two minutes, a prolonged blast. Penalty.

The above suggestions are intended by the Commissioners signing the foregoing as additional to the other remedial measures therein suggested.

Quit Your Fooling--- Be Ye Men For Once

A Fervent Call on the Government to Act as Befitting Their High Position—Cease Trifling and Vain Self Seeking—Look to the Poor and the Interests of the Country

There is no country in the world where the affairs of the people have been mismanaged more flagrantly by incompetent, inexperienced, dishonest, and unscrupulous politicians than Newfoundland. The outstanding features in local politics for years have been; amateurism, and corruption.

The men in whose hands, for the most part the interests of the people have been placed in the past, have been like children playing at being men. They have aped and mimicked the mannerisms, and tried to imitate the accomplishments of the statesmen and politicians of other countries. They have played here and hounds with the baubles of title and preferment, and society—the St. John's puny parody of the real thing—more openly and childishly than any set of men far and near.

These men have wrung their ill-gotten wealth out of the bloody toil, and desperate poverty of the poor, and flaunted their pride and prosperity in the faces of the very poor upon whom they have fattened, and enriched themselves. God pity the poor and curb the ever encroaching injustice of the rich!

There is a cry of "Bread" in our streets. Gaunt, haggard hunger is in our midst. The little children are crying for the necessities of life; and yet, forsooth, we must be "patriotic," and give, give, give. Out of the blood of our infants we must give, as the rich give out of their unequal gains.

Strong men are struggling to face the problem of existence, honestly, and bravely, but almost in despair. They might look for justice, strength, and help from the leaders and "statesmen" of the country, and from the sleek, church-going, well fed christianity of the capital, but, lo, these same are they that oppress the poor!

These are the men who buy flour in one month for \$5.00 per barrel, and sell the same flour at \$7.00 and \$8.00 per barrel a month or two later, making, as an excuse to their consciences, the explanation that, "owing to the war, prices have gone up, etc." Why should the selling price of flour go up unless the purchasing price was up at the time it was bought? O you deceitful that rob God's poor! These are the same men who add their \$2.00 and \$3.00 profit on a barrel of flour to their already fat bank account, and are found next Lord's Day in the sanctuary singing:

"We love Thy Kingdom Lord," "Scribes, and pharisees, hypocrites!"

What of the church that gives them office and honor? What of the ministry that will fawn and cringe before these puny, shop-keeping aristocrats, aiding and abetting them in their crime against religion and justice?

The poor might look to these for help and consolation, but what do they get? The charity, forsooth, of these self same bloodsucking rich members, doled out to them, as a high and mighty favor, by loving hands!

The poor fishermen might ask these merchants for work to enable them to feed their little ones; they have it to give, but at what a price! The price of more robbery and blood. The men bring them their fish, the product of their toil and skill, but no benefits from inflated war prices accrue to them. Last August they said the fishermen only \$4.00 per quintal though they knew that in a very short time, by holding it simply, their unholy profit on this fish would be higher than ever before.

They offer the men the chance to go to the ice to prosecute the seal fishery, but, again no profit from soaring war prices belongs to the men. The price of seals is cut from \$4.75 to \$3.75, and no guarantee that common humanity, and a right valuation on human life will be safe-guarded for us. The man who, rightly or wrongly, is suspected of criminal neglect in the great disaster of last year, is to be entrusted with the lives of our fishermen again.

We turn with disgust from their feather-weight christianity—thank God it is not the real thing! There is reality—and, we leave them to their luxury, pride, and cruelty. There is a day of vengeance coming. "I will repay, saith the Lord." "It is easier for heaven and earth to pass, than for one title of the law to fail."

"There was a certain rich man, which was clothed in purple and fine linen, and fared sumptuously every day; and there was a certain beggar, named Lazarus, which was laid at his gate full of sores, and desiring to be fed with the crumbs which fell from the rich man's table—and it came to pass, that the beggar died and was carried by the angels into Abraham's bosom—the rich man also died, and was buried; and in hell he lifted up his eyes, being in torment." Has this parable been forgotten by the church and her rich merchant office-bearers?

There was One who said—"Be ye doers of the word and not hearers only."

For God's sake do something gentlemen! Do something to justify your position in the church and society. Do something for the country, and the poor: Be patriotic! Cut out your fooling about after titles and notice in high places. Quit your fooling with God and religion, and feed the poor. Deal justly with your fellow men.—BRUTUS.

Petitions Asking Kean's Arrest

To His Excellency the Governor in Council:—

The petitions of the undersigned residents of Job's Cove and electors of the electoral district of Bay de Verde humbly sheweth that on March 31st and April 1st last, seventy-eight sealers of the crew of the sealing steamer "Newfoundland" died on the icefloe from exposure, and that in the opinion of your petitioners, Captain A. Kean, Master of the "Stephano," was guilty of criminal negligence in relation to the said men, wherefore your petitioners humbly pray that Your Excellency be pleased to test before the Courts the liability or otherwise of Captain Kean. And as in duty bound they will ever pray.

JOB'S COVE Bay-de-Verde

- JOHN F. JOHNSON
JEREMIAH POTTLE
WM. JOHNSON
WM. COLBERT
ARCH. HALLIDAY
WM. G. JOHNSON
PATK. COLBERT
DENIS MURPHY
JOHN ROYAL
JOS. F. MURPHY
JOHN POTTLE
THOS. MURPHY
THOS. ENGLISH
WM. G. WHITEWAY
JAMES ROYAL
TIMOTHY KINSELLA
PATK. COLBERT
JAS. ENGLISH
WM. R. HALLIDAY
JOHN REXIN
CALEB JOHNSON
EDWARD F. COLBERT
JOHN S. JOHNSON
WM. R. JOHNSON
NOAH JOHNSON
PLEMON REXIN
WOODBINE JOHNSON
JOHN HALLIDAY
NICH. H. HALLIDAY
DAVID REID
WM. HALLIDAY
JOHN T. HALLIDAY
ROBERT WHITEWAY
WM. R. WHITEWAY
LEVI ROYAL
TIMOTHY KINSELLA

Rattling Brook, N.D.B.

- JOHN R. BARTLETT
ROBERT DAWE
JAMES EVANS
FREEMAN TOMS
SOLOMON ROUSELL
SAMSON TUCKER
RICHARD FOSTER
JABEZ PELLEY
JONATHAN DAWE
CHARLES OAKE
EDWARD BARTLETT
JOB RENDELL
JESSE NEWHOOK
R. W. FUDGE
DOUGLAS PELLEY
ISAAC DAWE
SAML. ROWSELL
E. A. BARTLETT
STANLEY ROUSELL
CHESLEY RENDELL
JOSHUA TOMS
FRED RENDELL
W. J. BARTLETT
WM. ROUSELL