

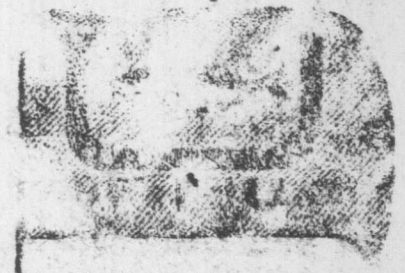
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The Mail and Advocate

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ST. JOHN'S, N.F.L.D., JULY 21st., 1915.

OUR POINT OF VIEW**Round Them Up**

It is high time for the local authorities to get busy, and round up every German in this community and elsewhere through out the Colony. Every one of the brood is a menace to the Empire. We have them still at large ostensibly engaged in legitimate business; but we believe that every German is an emissary of the Butcher of Potsdam.

Hardly a day passes which does not bring us news of atrocities in Canada perpetrated by German spies; and we know positively that nothing transpires in this country that is not known within short order by American spies or secret service agents.

The rumor regarding possible operations by German submarines in the St. Lawrence is well-grounded; and the Canadian authorities are taking every precaution to cope with this possible menace.

Canadian papers recently to hand discuss the question very seriously; and they issue warning to everybody that the greatest vigilance is necessary.

There are dozens of nooks and corners along our coast and the coast of Labrador where supplies might be concealed. Quite recently some discoveries were made in certain quarters that large quantities of petrol have been found which were evidently cached by German emissaries fully two years ago.

Windermere—the English correspondent of The Montreal Star—says that Krupp agents have been visiting this Colony; and that they are in possession of very valuable information. The Germans are in possession of soundings of our various harbors and other details which would give them easy access to some of our outposts.

It will perhaps be remembered in this connection that President Cantley of the Nova Scotia Company when he visited Esplanade previous to the outbreak of the war found that the Essen people knew as much about Bell Island (and perhaps more) than he did.

This is a very important consideration at the moment; and it behooves us to wake up to the gravity of the situation.

Round up the emissaries of the Potsdam Butcher!

Heroes have to wade thru a job lot of trouble to get a reputation.

There may be a lot of credit due a man's wife, but she usually demands cash.

The "Fiona" Outrage

THE action of the Government in holding the Revenue Cruiser Fiona here in St. John's the past few months and replacing her by a whaler bought by Crosbie is an outrage of the blackest kind.

Does the Government think people can not see through this little game of giving Crosbie, "the buck that sold the spars," another rake off such as he is getting for this whaler?

The Fiona is held up here for the purpose of getting a new deck. This is only a blind. The Fiona needs no new deck. This Government picnic yacht has cost this Colony unnecessarily thousands of dollars since she first came through the gap.

If the Government were sincere in their actions they would have waited until such time as the new decking was here before taking the Fiona off her regular work and replacing her by Crosbie's whaler.

The decking is not here and the Fiona is held up in this port for the past few months with her full crew aboard.

What do the toilers think of this outrage? What does the Government think the people are? Dumb cattle to be driven around there and there. This outrageous farce must end and end quickly.

Our people are being called upon for contributions to Airships, Patriotic Fund, etc., to all of which they have responded to in a handsome manner, testifying in a striking manner their loyalty to King and Country and their desire to see the war brought to as quick a determination as possible.

Enough money has been grabbed from the Treasury in connection with this latest outrage of the Fiona to build and equip at least one airship.

Does Governor Davidson know of this scandal going on? If he is aware of it, why has he not taken to task those responsible for the outrage?

We read in the daily papers day by day of families found living in shacks with nothing facing them but starvation. Able-bodied men walk our streets seeking employment. Fathers of families are driven to despair in seeking means to support their families; yet in face of this condition of things we find the Government guilty of such a gross injustice as keeping the Revenue Cruiser Fiona tied up in St. John's with her crew drawing full salaries and Crosbie—the "cul tured Graball" of Water Street—enabled to scoop in thousands of dollars in the way of Government subsidies for whalers to do the work which should be performed by the Fiona.

Where is that bright intellectual genius of the Adelaide Street "mud shop" he hasn't had a word to say about this Fiona scandal? Did Crosbie tell him to forget it like Donald Morrison told Strong to forget the Crown Lands Act.

The Star mud glinger is busy getting off quite a lot of buncombe about Coaker and the F.P.U. Why? Where is Charlie Hunt? Why don't he speak out on this subject in his rambling notes in The Star.

We would like to ask our Premier what action, if any, he took in the recent dismissal of a faithful and hardworking resident of St. John's East from the dredge Priestman some few months ago. We suppose he is enquiring into the matter?

McKenna's Advice

PREMIER MORRIS during the debate on the Estimates, in the Assembly made an official pronouncement that "Economy just now would be a crime!"

Some days ago, Mr. McKenna, the Chancellor of the Exchequer in Britain, said:

"The key to the problem (How to face the present financial difficulties) is the practice of thrift—that unlovely virtue, as it has

MOSDELL'S BOOMERANGS

And in these latter days has risen W. F. Coaker, who ranks with the greatest of the land in his efforts and achievements on behalf of his fellow-countrymen. To him belongs all the credit of initiating and directing the wonderful movement which has put our Toilers of the Sea in a position to enjoy to the full the benefits secured for them by his great predecessors.—Mosdell, in The Fishermen's Advocate, Dec. 20, 1913.

It was the old, old story of horny-handed Son of Toil being made a hewer of wood and a drawer of water for the middleman who marketed his produce abroad.—Mosdell, in The Advocate, Dec. 20, 1913.

For what isolated individual or groups of individuals found impossible of accomplishment was soon brought about when the great armies of Unionism entered the industrial field and did battle for what is but the common right of humanity.—Mosdell, in The Advocate, Dec. 20, '13.

been called If we could imagine the money spent on luxuries and superfluities suddenly diverted, along with the labor that goes with it we should at once get a large part of what we need (cash for the maintenance of Army and Navy)."

The Westminster Gazette commenting on this utterance, says: "All, or the chief part, of what now goes on drink and tobacco, EXPENSIVE MOTOR CARS, costly dresses, and amusements might be used in defeating the Germans. But we have only to say this to know that, human nature being what it is, it could not happen by a miracle which is past praying for, or under a sharp compulsion brought home to each individual The sound of revelry by night is not quenched by the noise of guns; it is the universal habit to make the coming and going of soldiers the excuse for festivities which spread to a wide circle of non-combatants."

All this has a local application. We are going on in the same old way as if there were no such thing as war. We are following out the advice tendered to us by Premier Morris. We are making merry while our sons and brothers are undergoing every manner of hardship in the trenches and on the seas. The call comes to us for resources for the cause; and those who should hearken to it, seem to give it a deaf ear. We are giving expression to the old pagan maxim 'eat and be merry'—let to-morrow take care of itself.

Men are still mortgaging their homes and their furniture to get possession of an automobile. So-called dummies are forgetting that the butcher and the baker, and the grocer must find cash to keep their business going; their feminine foibles must be gratified. Why should they be deprived of their amusements and their superficialities even if War is still in progress! Now we are satisfied that the utterance of the Chancellor of the Exchequer is both more reasonable and more honest than the pronouncement of the Premier.

If you wish evidence of our statement just look down the list of sops given to supporters and friends in the way of awards, and the cribs given to some of our local patriots? Some of these awards are sufficient to make men and angels weep. Reader, just read the list and satisfy yourself that the Premier is consistent. He emphasizes his statement that "Economy is a crime"—especially at a time when it is necessary to placate greedy gentry whose vade mecum is a Bank Book!

He (COAKER) was born of the common people; he was inexperienced in business or in politics; he was obscure and unknown. BUT he (COAKER) WAS THE MAN FOR THE TIME AND FOR THE WORK. What birth and experience denied was more than made up for in PERSONALITY, in BRAIN and in GENIUS.—Mosdell, in The Fishermen's Advocate, December 20, 1913.

Having the knowledge of the need; having ideas and schemes to accomplish the work; having faith in himself and confidence in the ultimate success of his (COAKER) great undertaking he (COAKER) BOLDLY LAUNCHED HIS (COAKER) HUMANE ENTERPRISE.—Mosdell, in The Fishermen's Advocate, Dec. 20, 1913.

Men scoffed at COAKER, but they were men who did not know him.—Mosdell, in The Fishermen's Advocate, December 20, 1913.

Extravagance Is Treason

SIR E. P. MORRIS, Premier of this Colony, in justification of an extravagant budget tells us: "Economy is a Crime."

The Chancellor of the Exchequer recently told the House of Commons: "Personal extravagance must be avoided during the war"; and he says further: "If we are to maintain our great financial position and to emerge from this war, not merely victorious on the battlefield, but with our financial position unimpaired, we must make great sacrifices now."

The Nation says: "Every preacher, teacher, editor, recruiting speaker ought to impress upon the public the plain fact that everyone indulging in any form of expenditure not directly conducive to the health and efficiency of himself and his family, is helping to 'crab' the successful conduct of the war."

Continuing its comments The Nation says: "Extravagance is a weakness common to all classes. The poor are in their degree, often quite as extravagant as the wealthy. At the present crisis anything but the simplest living and the most rigid personal economy is, whatever the income, virtually an act of treason."

How can our omniscient Premier justify public extravagance in the face of this indictment?

OUR PROUD DUTY

Bye-and-bye when peace shall have been declared, and our soldier boys come trooping home, Newfoundland will feel proud of the part that she had played in defense of home and Empire.

We are making many sacrifices in the cause, but when was cause more high and noble, and when did a people rise more gloriously to a holy cause than the people of Newfoundland rise to-day to this cause of humanity.

We are proud to bear our share of the burden, proud of the brave young fellows who have gone forth to battle, but we must not measure out what we do, it must be a measure of our full strength, if we desire to keep the proud position which we have won for ourselves. No half-hearted measures will do.

It never yet did do Newfoundlanders, who have ever been remarkable for doing things in style, when it comes to a question of devotion to King and Country. We want to present the Mother Country with two aeroplanes on the anniversary of her throwing down the gauntlet of battle to the enemies of mankind.

Only a few more days intervene, do not forget till too late, your determination to do your part. You are asked for a donation be it never so little.

Significant

"GERMANY has cornered the supply of cod-liver oil, and American dealers are doubtful whether they can obtain sufficient stock for next winter, according to a drug-market authority. Dealers in cod-liver oil say that the Germans are using it as a lubricant in place of petroleum oils."

This telegraphic despatch from New York recently appeared in a Canadian exchange; and it has special significance for us just now. The United States druggists have been using largely Norwegian cod-liver oil; and notwithstanding repeated efforts on our part the Newfoundland product has never been able apparently to keep pace with the Norway article. We have never been able to discover why the American druggists give preference to the latter, as we believe that our local product is equal, if not superior to the Norwegian oil.

Now it would seem that the Norwegian stocks have been exhausted, or that they are insufficient to meet the requirements of the trade; hence we advise our fishermen to get into the oil business at once. Should they be unable to get the plant requisite for refining, we advise them to pay attention to their common oil, and the first essential is cleanliness in the liver receptacles.

Oils of all kinds have advanced in price; and our output, even with an abnormally large cod-fishery, will necessarily be below the average, owing to an unprecedentedly short scaling voyage and the practical failure (to-date) of the whale fishery.

We would even suggest that other fish than cod be secured for the sake of the livers; and crude oils can be got from herring, bream, and dog-fish.

There is now running in The Daily News an advertisement asking for a quotation on "50 tons of Labrador fish" from a firm in Cardiff. This is somewhat unusual; and it seems as if we were going to get other orders from markets which we have not had formerly.

The fishery situation at present writing may be summed up as follows:—

The Norwegian catch is fully one-third short of last year's and Norwegian fish dealers are sticking out for high prices in the Portuguese and Spanish markets.

The French catch will be necessarily abnormally short, and will not be fifty per-cent. of former years. The French banking fleet have not half the fish of last year's catch; and there is no possibility of a large French voyage. Hence, some of the markets supplied by them must go a-begging for fish. We are under the impression that if the Government were to take up the bounty question through the Imperial authorities that it would be withdrawn this year, or, if not withdrawn, some concessions would be granted to us in view of the shortage in the French catch.

Heavy shipments of salt bulk have been made from the West Coast to the American markets; and we have learned that recently a shipment was made to Waterford, Ireland. This means a shortage in dry fish in this section.

We again wish to emphasize the necessity of better cure and more careful handling of Labrador fish, dryer, well-cleaned fish, will ensure better prices.

From present indications, our shore catch will not be an average one. Whilst fishermen along the Southern-Shore have done fairly well, the fishery around Notre Dame, Trinity, Conception and Bonavista Bays has been almost a blank.

But a poet doesn't necessarily dwell in an attic for the sake of the view.

But you can never measure a man's achievements by his own tongue.

THE LABRADOR FISHERY CASE

Judgment Handed Down by Geo. H. Emerson, Judge of the Supreme Court, In the Case of Lorenzo Noseworthy vs. W. A. Munn.

JUDGMENT OF EMERSON J.

Lorenzo Noseworthy vs. W. A. Munn:

This action was tried before me without a jury on June 23rd last.

Mr. Morine, K.C., with whom were Mr. Kent, K.C. and Mr. Mews appeared as Counsel for the Plaintiff.

Mr. Furlong, K.C. and Mr. Howley, K.C., appeared for the Defendant. The Plaintiff is a planter belonging to Spaniard's Bay C.B. and carries on the cod fishery at Sandy Islands, Labrador.

The Defendant is a merchant and exporter of codfish and other Newfoundland produce in this Colony with his head office in St. John's.

The Plaintiff sold and delivered to the Defendant's agent at Sandy Islands, Labrador, in the months of September and October, 1914, 576 1-2 quintals of Labrador fish. This fish was delivered in several parcels and the ordinary fish receipts taken, all of which were marked "current price." There is no dispute as to the sale and delivery nor that the price to be paid was "the current price" of Labrador fish for that season. After the close of the fishery season and upon his return to Conception Bay the Plaintiff was paid for the fish delivered at the rate of \$3.60 per qtl. for the 576 1-2 qtls., and he now claims in this action to be paid the difference between \$3.60 and \$4.50 per qtl., alleging that the price claimed by him was the "current price" of Labrador fish for that season.

The Defendant says, among other defences, that he paid the plaintiff the current price of Labrador fish for that season which was \$3.60.

The question that arises between the parties is two:—What is the construction to be placed upon the contract of sale as to the meaning of the expression "current price" used in the receipt and (2) the question of fact as to what price was from the evidence adduced at the trial. Counsel on both sides agree that "current prices" does not mean the market value at the date of sale and that the term has a special trade meaning.

Mr. Morine contended that it means the highest price paid for Labrador fish during the fishery season.

Mr. Furlong contended that it means the price paid by the greatest number of purchasers for the greatest quantity of Labrador fish.

I have sought in our local reports but cannot discover any judicial interpretation of the words "current price" but I would have thought, for this action, and the insistence of the plaintiff's Counsel for the interpretation put upon it by his client, that every person engaged in the fishery business of this country fully realized what the meaning of the words was. However, one of the witnesses for the plaintiff has used a term which, to my mind, conveys a meaning which is exactly synonymous with the term "current." Mr. C. A. Jerrett of Brigus says "I gave them (meaning his own fishermen) \$3.60 which was the rate I understood to be prevailing." I take it that the expression "current price" means the prevailing price for the fishing season. In turning to the "Century Dictionary" I find the definition of "current" is, among other meanings, "common, general or prevalent," and that the word "prevailing" means "prevalent, current, general, common," so that we may conclude that those who first used this expression in connection with our trade intended it to mean what in our language, what in ordinary intercourse it was intended to imply, and that in the long period of over a century in which this expression has been used in our trade it has carried and carries a meaning which in ordinary intercourse the words imply. If then we take the meanings to be attributed to the word "current" to be such as we have indicated, it becomes clear that we must look to the evidence taken in the case for the prices which were paid and accept that which was paid for the greater part or bulk of the Labrador cured fish of the season of 1914 as the determining factor in the issue.

Mr. Morine contended that the Court should take the price paid by Messrs. Baine Johnstone & Company who carry on a business at Battle Har., and its neighbourhood just across the Straits from Newfoundland where the price paid for fish within a radius of twenty miles North and South of Battle Harbour, was \$4.00. But the evidence shows that for the quantity caught in this neighbourhood, about ten thousand or twelve thousand qtls., the price was \$4.00 because the fish there was better cured, owing to the conditions under which the fishery is

carried on, that is, that the weather is more suitable for curing fish at Battle Harbour and its neighbourhood and was thereby made superior to fish caught on other parts of the long Labrador coast line and obtained a higher price. In order to obtain a correct estimate of the price paid for Labrador "slop" fish it will be necessary carefully to peruse the evidence taken in the case. There were 27 witnesses examined, ten for the plaintiff and 17 for the defendant. Most of these witnesses for the defence were representatives of the largest exporting houses in the trade and their evidence, when examined, abundantly proves that for the very large bulk of Labrador fish purchased during the season of 1914 they paid planters, fishermen and collectors \$3.60. I have endeavored to summarise the evidence taken on this question of the current price at which Labrador fish was sold in that year and its perusal can leave no doubt on the mind of anyone, as it leaves no doubt in my mind, as to what price was.

In summarising this evidence I have left out the evidence that should not have been admitted and omitted what is not essential to the issue.

I have now set forth all the essential evidence in the case except the evidence of the Plaintiff. In all the essential parts of his evidence he does not differ very materially from that of the other witnesses as to the price paid for the large bulk of the fish sold at Labrador last year and where he is in conflict with the Defendant his evidence is so unreliable that I place very little or no credence in what he states. He acted as agent for the defendant in the purchase of from 1400 to 1500 qtls of fish and received from the Defendant on behalf of those from whom he purchased the fish, amounts due them at \$3.60 and paid these fishermen and planters at that rate after he returned from Labrador; and that without any objection or claim on his or their part. I have said that his evidence is most unreliable. For instance he says:—"I have no personal knowledge of prices paid on the Labrador last year, except these paid to myself. I have not received more from anyone else. I sold to no one else. All my fish was sold to Munn." As against this we have the explicit evidence of Mr. R. S. Munn and Mr. F. Hartley that he shipped fish to T & M. Winter and Templeman for which he received \$3.60 a qtl. Further statements of his evidence or comments upon it are unnecessary.

I have therefore to hold that the Plaintiff sold his fish to the Defendant upon a contract to receive payment at a price to be ascertained by the current price of Labrador fish for the fishing season of 1914 and that the meaning of this contract is that the price is to be ascertained by the price paid for the large bulk of the fish during the fishing season and, secondly, I find as a matter of fact that the price paid for the large bulk of Labrador fish during the season of 1914 was \$3.60 per qtl. and I dismiss this action with costs.

Geo. H. EMERSON, Judge.
July 20th., 1915.

FIGHTING FOR CIVILIZATION

The Times of India:—"World power or downfall" is the alternative which Bernhardt holds out to his countrymen. If there are people in India or elsewhere who are likewarm in presence of German threats, they ought to ask what it would mean to them if world power fell into the hands of a nation of whose methods we have had such appalling manifestations. What influence would be exercised upon the civilization of the oriental races if a nation so shameless and cruel in warfare were to have even momentary control of the destiny of any Asiatic people? It is impossible to confront the mere idea of such a contingency without realizing that in joining with the rest of the Empire in resistance to German predominance the people of India are fighting for their own civilization and for their own liberty.

As the twig is bent the small boy is inclined to make a quick disappearance.