

The Logging Bill Debate

Closing Addresses on This Bill by Hon. M. P. Gibbs, Who Nobly Defended All the F.P.U. Bills Sent to the Dumping Chamber the Past Session of the Legislature--Hons. J. Harvey and R. K. Bishop Bitterly Opposed Every Effective Clause of the Original Bill

HON. MR. GIBBS—I beg to point out to the House that to my mind there is a defect in the 1st section of the Bill reported by the Select Committee. The 1st section reads that in the Bill—"the employer shall be held to mean the individual or company who engages or pays the workmen of a concern." Now it is possible and is of frequent occurrence that the man who hires the workmen may have nothing whatever to do with paying him. He may be employed for the purpose of hiring a certain number of workmen under an agreement, and when he performs the work for which he was engaged his employment ceases. There is evidently some mistake, and I think that the Select Committee should reconsider this section, because hundreds of cases may arise where a man may hire, but not have anything to do with the paying of the man. We are not legislating for today, but for the future, and many cases may arise where the man who engages the workman has nothing to do with the compensation he

is to receive. Consequently this Bill would be inoperative so far as the employment of loggers is concerned were such contingencies as that would happen. I take it that it is not the intention of the Select Committee that difficulties of that kind should arise in future with regard to any action of theirs in the drafting of the Bill. In the next section, I do not think the definition of the word "logger" is correct. The Bill referred by the Select Committee defines logger as a man engaged in the "physical work of cutting, hauling, driving, etc., of logs." There is no such thing as physical work, there is physical force, as for instance the army or navy of a country represents its physical force. Man does not work he labors. When speaking of rights, you would not say the rights of work; a horse may work, but it cannot labor. If an elaborate definition be necessary, and it is desirable to have the word "physical" retained in it, then the Committee should insert "men engaged in the physical exercise

for the sake of gain or reward of cutting, hauling, driving, etc. of logs." I cannot accept the amendments made by the Select Committee to the Bill. With regard to the remark of the hon. gentleman that the Committee pursued the same course as the Lower House, I quite agree it did, but the hon. member forgets the facts that the select committee of the Lower House was composed of men who represented the loggers because he must know the section of the Lower House from which this bill emanated. Consequently as the representatives of the loggers they knew what was wanted. This Bill, I take it, is a bill to protect the logger and if you give the employer the right under the bill to put himself outside the provisions of it by taking advantage of the lack of knowledge on the part of an outport man the good intentions of the framers will be frustrated. I do not think we should be a party to anything like that. The members of the Committee I feel assured, never had any such intention in view: and I say this with

all sincerity, but with all due deference to them, the effect of the amendment is to place an employer of labor with hundreds, possibly thousands, under him, in a position to take advantage of the workingman by contracting himself out of the provisions of the bill. Now I think that would be a most unjustifiable amendment to make to that section and I want here to record my sincere protest against such being done.

I beg to point out to the Committee that it would be most unfair to give the employers of labor the right to issue their own paper in payment of their employees' wages. Let us work this out to its logical conclusion. Suppose that one hundred loggers make application for payment of wages that are owed by their employers, and are given orders upon John Smith, or some other person payable to bearer or order; the orders may possibly represent thousands of dollars. The men who receive them, upon arrival at their homes must of necessity make use of them. They go to the store of Mr. A. or Mr. B. to make purchases of food or clothing and there present their orders for payment. The owner of the store will not, unless he be paid a commission, in addition to the profit upon the goods sold, take the orders in payment and give cash for whatever balance there may be remaining. Thus we see, that the transaction in this case means a loss to the men.

MR. HARVEY—By this Bill the Minister of Agriculture and Mines must appoint an inspector, whose duty it is to visit the camps etc. and see that the Act is carried out. Every man in the camp has free access to him, and the Minister of Agriculture and Mines, and why we should put on an outside representative of the loggers, who is only "the fifth wheel

to a coach," and a personage who may make a great deal of unfair trouble to these companies, we could not see of any good from his presence or the least necessity for it, and the main alteration of the bill is as regards so-called agent of the loggers. In any case there would be great difficulty in getting an agent of the loggers. The Bill does not provide for his selection. It would be impossible to get an agent properly selected by the men to begin with and these companies nearly all replace their men three times in a season. Mr. Harris has shown us that. Now how can you get a representative of the loggers themselves under these circumstances? The Government appointee himself is really the representative of the loggers, so after discussion the Committee were of opinion that a second inspector was superfluous and in fact no reason for appointing him has appeared. There are some minor alterations. I may say, and particularly to the hon. gentleman in charge of the Bill that there has been no intention to change the principle of the Bill.

HON. MR. GIBBS—With regard to the explanation of the hon. gentleman I think with all due deference to the Committee they should not have conducted their investigations to one side only. They have heard the owner of the mill, or the employer of the men, but have not heard the representative of the loggers in order that he might lay before them certain grievances which they think should be remedied. While I have no doubt that there was no desire on their part to do anything unfair, still I contend that in order to give their proceedings that show of fairness so essential in matters of this kind they should have heard the representative of the loggers in order that they might learn from him why

a representative of the men should be appointed; and I have no doubt that if they had heard the reasons given for independent representation their demands would have been conceded on that point. The reason alleged for the elimination of the logger's representative is that the men have access to the Minister of Agriculture and Mines. My experience is that workmen will put up with wrongs and injustice sooner than make a complaint for fear of losing their employment. I have known this to happen from actual knowledge. If the man who gave of his toil and sweat in the work of cutting logs, the persons taking the orders must use them in the purchase of stock to replace that which was sold. The orders, therefore, become a sort of circulation medium in the way of trade, as if they were cash. There is no absolute guarantee behind them that they will be honored upon presentation like a bank note. The person issuing the orders may be unable to pay one hundred cents in the dollar upon demand, but nevertheless, without provision being made for security against the issue of the orders, we are asked by the Select Committee to give a right under the law to any person or company employing loggers, to pay the wages that may be due them by orders which may be worthless and which in any event will mean loss to the logger. A more vicious principle to insert in a Bill I cannot conceive. Why should the man engaged in the manufacture of pulp or lumber be given a right, while others engaged in another form of industrial work are denied it. The history of issuing orders in payments of wages has resulted in loss to the workman. An instance of this kind occurred in the Pilley's Island Company. That company paid a number of their workmen wages with orders and what happened? Before the paper could be redeemed the Company went into liquidation and the men were not paid. We do not want a repetition of that; if we do, pass this Bill in its present form. Then the right to pay by cheque in a Bank is also provided for. This I object to. It may appear alright to hon. members, who are not conversant with outport trade and business with regard to the issue of cheques. But if they would place themselves in the position of the loggers who has a cheque for one hundred dollars, and who upon arrival home goes to the store of John Jones to buy goods, or to cash the cheque, what happens? Mr. Jones very often will charge a premium for giving cash for the cheque, or if the logger purchase goods, he wants to receive one half the amount in cash and he will, in many instances pay more for his goods than if he had the cash in his possession at the time he went to the store of Mr. Jones. There has been a law upon our Statute Book for the past sixteen or seventeen years. I think it was passed in 1898, under which persons issuing paper of the kind which this bill purposes giving a right to issue, were liable to a fine of four hundred dollars. There must have been some necessity for legislation of this kind, otherwise the Government at that time would not have passed this law. This House should not thus implicitly repeal this law and give power to individuals or companies to pay the wages of workmen in orders drawn upon a third person. There is no justification for the passing of this section. To do so would mean serious dislocation of trade and business, because we may have tens of thousands of dollars of worthless paper in the hands of workmen and business men.

I cannot agree with the substance of the amendment. The amendment says: "Provided that, this shall not be obligatory in extreme sections or in connection with temporary camps." If a company engaged in logging business can get supplies, be they great or small, into the extreme sections of the country, surely they can get lumber to provide suitable and proper camps for the men as well. The logging industry is not temporary, it is a permanent enterprise that is here to stay. No person should be allowed by law to have camps in which men live that are not of a comfortable character, and such as the Bill contemplates. Is it because a man works at Red Indian Lake or mills on the Cander away from the base of supplies that he must labour under conditions, to which his more fortunate fellow in the city would not tolerate. What right have we to say to men "because you work 25 or 30 miles from the base of the Company you must put up with conditions which you would not tolerate under ordinary circumstances. You must sleep in camps which are not as they should be. Surely it is not the intention of hon. members that workmen should be obliged, because they go a long distance from the base of supplies, to live under conditions dangerous to their health. Why permit any man to employ labor, and not give the person employed the opportunity of living in decency and comfort? I propose to oppose strongly any such latitude being given to employers of loggers in this respect.

HON. MR. HARVEY—I am sorry that this is a section upon which my hon. friend (Mr. Gibbs) and I cannot agree. Even he must admit that there will often be cases when a company is preparing to open up a new and distinct section, for instance or when logging roads have to be put in or when exploration of prospective new ground is going on, or when camps are shifted daily with the movement of a drive, when it is impossible and unnecessary to put up an elaborate camp such as this bill calls for, and some latitude should be allowed. Temporary camps are no hardships necessarily. Living under canvas, even in the depths of winter, can be made both healthful and delightful, as many of those in this House know from personal experience. Under the Act it becomes illegal to put a man in a tent for one night. I ask anyone whether in these larger lumbering operations such a regulation can be carried out literally, or whether it is common sense. This sort of hard and fast undeviating regulation involves nothing more or less than manufacturing new crimes which do not exist in actual fact. We know that the Logging Companies are anxious to make the men as comfortable as they can because if for no other reason they know it pays them to do so, and without any law on the Statute Book they have been doing it, and it is reasonable to give them some credit for good intentions, and necessary to give them some small latitude. It is morally and physically impossible to carry out the letter of this section invariably in extreme sections.

I do not agree with the hon. member. I have not had the experience that some hon. members have had in the logging industry, but I think I may be safe in saying that the class of men the hon. gentleman refers to are never engaged in logging at the distance, that this section contemplates from their base of supplies, when they engage in an industry of the kind, they do so near settlements, and not in the interior of the country, for the reason that nearly all the timber not in the vicinity of settlements is owned by private individuals. This proviso is one by which operators on an extensive scale, will be able to evade the obligation imposed on them by this bill to find suitable accommodation for loggers.

I beg to point out to the Committee that the amendment, as proposed by the Select Committee, makes serious alterations in the original bill. In this we camps are to be covered with board and then sheathed with felt or other weather proof material. It is not obligatory on the part of the employer to cover the camp or roof with board, but he may substitute other things for it. He may substitute logs instead of board for the floors of the camps. As this industry is a permanent one, and will be in existence here for a great number of years to come, why should not employers roof their camps with boards and afterwards cover them with some other material for the purpose of making them watertight. Why permit the employer to put up a camp and cover with birch rhind or paper to keep out the weather and moisture? Why let not let the men living in camps have the benefit of a board roof. I think it will commend itself to the Committee that a board floor is absolutely necessary to the cleanliness of the place, because if you give a right to substitute logs for board floors, all the dirt of the camps will fill up the interstices between the logs. It is absolutely necessary that persons in charge of camps should be able to clean them thoroughly daily. They can't do it if rough hewn logs are used for the floor instead, and I submit that the section in the original bill much better suits the requirements of the loggers than the amendment.

HON. MR. BISHOP—In respect to the amendment, I can assure the hon. gentleman in charge of the bill that beyond all question experience proves that the best camp that can be constructed for the convenience and comfort of employees is the camp that is now described in the amended bill. Board covered camps have not been found to be the most suitable or comfortable. The substitution of flattened logs is better than one inch board floors. I state that positively and experience will prove it, if this is adopted, and the consensus of opinion of loggers will be that they have the best and most comfortable camp to reside in for the winter. The alteration is made not for the purpose of cheapening the building of camps but to improve them.

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