MARITIME MINING RECORD.

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CONCILIATION VS. ARBITRATION

We have never been in love with the Lemieux Act, for several reasons. It was at times called an arbitration act, but it is not really so. Its object is to "conciliate" contending interests. Its findings might or might not be adopted by one or other of the contestants; they might not be agreeable to either, and then things were in statu quo, or, to use the language of the street, "as you were." Its findings cannot be enforced and therein lies its weakness. Judge Patterson, Chairman of the Stellarton conciliation, referring, presumably, to some strictures in the press, intimated that the functions of the Board were confined to an effort to reconcile the difference between the employers and the employees and not to investigate prices. Possibly, technically, the judge is correct. He can refer to the Act and declare its object is to investigate the differences between two parties only, those already named. That may be a literal reading of the act, but it is not a reasonable one, to a lay mind. Let us try to describe what ought to be the natural procedure of a Board. Workers in a certain locality have asked for an increase in wages, which has been denied. Application is made to the government for a Board, which is granted, and arbitrators—or conciliators, are named. The several members meet, after having notified the contestants. The Chairman asks the representatives of the workmen to state their case. This is done, and then the representatives of the employees are asked why the request of the workers has been refused. The answer is shot forth: "Simply because we cannot afford it." The Chairman then asks the workers what they have to say to that. The answer is: "They can afford it; they are making such and such a profit off every ton of coal." Turning to the operators the Chairman asks: "Is that statement correct?" The reply comes: "It is wholly erroneous." The question then arises: What should the Board do? Should they ask the contestants to commune with each other, and try to settle the points of difference, or should they say to the workers, who may be termed the prosecutors: "Prove your case," that is, demonstrate that the operators are making the profit named." This they cannot well do, as their statement of big profits is only an assertion of belief not a statement of fact. The Board has heard statements from the two parties the one contradictory of the other. What is left for it to do? The employers are asked to state their profits and this is done. The Board conclude the profit is reasonable. The workers are then asked to make reply. They state that as wages are insufficient to meet the cost of living, the operators can grant an increase by increasing the price of coal. The Board members then put on a sober face and say: "Our decision is that the workers wages be increased ten per cent," without close enquiry as to whether the wage the workers are already receiving is insufficient or not. The operators make no open demur; they bow gracefully to the inevitable, retire composedly and give instructions that the price be increased sufficiently to meet increase in wages. This is how the Lemieux Act has worked within the past five or six years. As already hinted it has been a success in reconciling two parties in a dispute, but an utter failure so far as protecting the interests of the public are concerned.

The Nova Scotia Arbitration Act was superior to the federal. The public, through the government, were well represented on the Board, as three of the members were government appointees. The Act only got one fair trial and its findings were accepted, and were not followed by an increase in the price of coal. The act was only invoked twice, because the managers and not the workers, strongly resented it. The first application for a Board came from the workers. The Commissioner granted a board; the manager of the mine certioraried; the workmen's reply to that was: "Oh well if he wants a fight we will fight it out in the old way," and they did. The proceedings at the second N. S. Board may be referred to later.

At the conference of U.M.W. representatives held a week or two ago in the U. S. the officials, that is the leading ones, Lewis, Green, etc., were, as were the N. S. U. M. W's, a week or two later, on the defensive and required to give reasons why the big strike was called off, as were the N. S. officials to explain why they had signed the "award" of the conciliation Board. In the United States the conduct of the officials of the leaders was vindicated, though there was a row. The same thing has happened in Nova Scotia, though the row was a little fiercer. The chief official in N. S. received so many hard punches that at one of the meetings the hard knocks caused his usual plentiful supply of gas to wholly escape. In the United States the U.M.W. officials stood by their guns. That is where the N. S. chief official made a mistake. When the audience refused to give him a hearing, he first should have thrown at them the reputed Masonic sign, which consists of a graceful moving of the thumb and an extension of the fingers towards the proboscis, succeeded by a movement of the fingers as if one were playing a piano. And he should have kept up the the process until the audience had got so mad that they could not send forth articulate sounds. Why did he not give this potent sign or else first fold his arms across his breast and then thrust them in his