

World-Wide Problem

AN EDITORIAL in the Weekly Scotsman, published in Edinburgh, Scotland, deals with the age-old problem of protecting fishing rights of one's own country. The plea of the editorial writer is not too far removed from the cries of our Canadian fishermen who are at the moment seeking establishment of a 12-mile limit for Canadian territorial waters.

The editorial entitled "Norway Has the Answer" follows:

"Fishermen in the North-East are angry because foreign trawlers are destroying their drift nets. They have appealed to the Scottish Office for the protection of a fishery cruiser.

"How familiar this piece of news is. The oldest newspaper reader must have read about such protests and appeals as long ago as he can remember.

"The fishermen feel very strongly about the depredations of trawlers in their fishing grounds. Times without number they have urged the government to close the Minch and the Moray Firth to foreigners. And always the government refused. Minister after Minister offers sympathy, but regrets that international law and complications prevent the Government from restricting the fishing of foreign trawlers, except within the three-mile limit.

"The difficulty," said an official about the latest complaint, "was that the incidents so far reported were outside British territorial waters, and Fishery cruisers sent to investigate would have no right in those circumstances to challenge foreign vessels."

"Again, how dearly familiar is the official response. Why should the Government be so helpless? Can they do nothing to help fishermen whose livelihood is threatened? Of course they could, if they wanted. They are not bound hand and foot by international law, so that they cannot lift a finger. Their slavish adherence to the three-mile limit is entirely their own choice.

"Contrast the attitude of Norway and Iceland. These two small countries regard fishing as a vital industry, and have the courage to protect the interests of their own people.

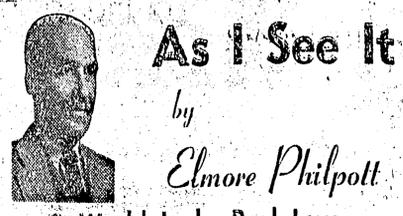
"Norway decided to extend her territorial waters to four miles. And this distance was measured from headland to headland instead of following the contours of the coast, so that large fiords were closed. In 1951, the International Court of Justice upheld Norway's right to make this law. Iceland, which was anxious to conserve fish stocks in her waters, then followed suit.

"The dispute with Britain arising out of Iceland's decision is not yet settled, but the British Government have agreed to accept a four-mile limit for Icelandic waters, with a line drawn between headlands. Thus Iceland excluded foreign trawlers—and her own—from 5000 square miles of formerly international waters.

"Meanwhile, Britain clings to the old practice. Recently she told the International Law Commission that experience had shown three miles to be sufficient to solve the legitimate needs of coastal states."

"In the name of freedom of the seas, we leave the Moray Firth wide open to foreign trawlers and close to our own. The principle of freedom of the seas is no consolation to inshore Scottish fishermen. Their livelihood and the fishing industry matter more than an out-of-date law which Iceland and Norway scrapped and which the International Law Commission rejected.

"How long are the Government to maintain this farce of sacrificing the interests of their own fishermen to an obsolete principle which they gain nothing by observing?"



As I See It
by
Elmore Philpott

World Lacks Real Law

ONE of Canada's best experts on international law has pointed out that I may have unintentionally misled some readers in a recent article entitled "Brown Sees Red."

"The World Court did not exactly find that 'a sovereign nation had the power to expropriate foreign owned properties on its own soil notwithstanding the fact that that nation had signed an actual contract with those foreign interests which bound Persia not to nationalize such properties.'"

"My learned legal friend points out that what the World Court really decided was that it had no jurisdiction in the case. The famous World Court battle, which was won by the most cunning, prolific and timely weener in history—the wily old Premier Mossadegh—hinged around competence to hear the case. The decision was that the World Court lacked such competence.

Hence, while the practical effect was about as I stated it, the legal reasons which led up to that decision are important, especially in considering the present crisis over the Suez canal.

NO MATTER by which route we get there, it must be apparent to more and thinking people that the most fundamental cause of war and threats of war between the nations is the lack of real world law.

There is, in fact, no such thing as "international law" in the same sense that there is internal national law in every nation under the sun.

The world is all too omniscient near on the brink of war as I write these lines because there is no true world law which says what Egypt may or may not do in regard to the canal; or which says what other nations may or may not do if they do not like what Egypt is doing.

Even in the lawless realm of power politics, which is based on force, there is no precise precedent for the situation which now exists at Suez. But, worse still, there has never yet been an attempt by the United Nations or any other potential law-making body to lay down principles of law whereby the nations may govern themselves in such matters.

ALL THE nations, including Canada, think in terms of the UN only when it suits their national convenience to do so. True, this is partly because all the so-called Big Five still have the theoretical right to veto any proposed action, even though such action is desired by all the other?

But, the mechanical defects of the UN are not the main cause of its lack of greater effectiveness, to date. Not a single big power is living up to the spirit much less the letter of its own membership in the UN.

The United Nations organization was created for precisely the purpose of dealing with such crises as that of Suez. But instead of taking their grievance against Egypt to the UN, even the two great western democracies, Britain and France, have deliberately turned a blind eye to that organization.

Yet the whole history of the development of international law all how is that it is gradually being brought to a halt.



WILLIAM MULLEN (left), 31-year-old Toronto convict who eluded police for two years after escaping from a work camp outside Stony Mountain Penitentiary near Winnipeg, heads back to prison under guard. Mullen, who had served 11 years of a 25-year term for manslaughter, was arrested on a southwestern Manitoba farm. (CP Photo).



"NEVER IN THE FIELD OF HUMAN CONFLICT WAS SO MUCH OWED BY SO MANY TO SO FEW"
Winston Churchill

BATTLE OF BRITAIN RECALLED—With special services held across Canada Sunday, the Royal Canadian Air Force joined other Commonwealth Air Forces in commemorating the 16th anniversary of the Battle of Britain, as well as the memory of 47 Canadian fliers who gave their lives in the air battle which decided not only the fate of the British Isles, but the destiny of free men. The battle, which is generally acknowledged to have reached its peak on September 15, 1940, when the Luftwaffe suffered its major defeat over Britain, has special significance for the RCAF in that it was the Force's baptism of fire. Here, a scene out of history helps recall the dark days before the tide turned, as pilots "scrambled" toward a line of famed Hurricane fighters to intercept an invading force of enemy aircraft. (National Defence Photo).

Foresters To Hold Resources Minister To Pledge on More Fire Protection Aid

WINNIPEG—Foresters, given a glimpse Tuesday night of increased federal money, said quickly how they would like to see some of it spent.

Jean Lesage, minister of northern affairs and national resources, addressing the National Forestry Conference, said he would recommend, if the provinces desired, a "modest program" of financial assistance for fire protection.

Such assistance would consist of "grants-in-aid" toward provision of "certain capital assets."

Maj-Gen. Howard Kennedy of Ottawa, thanking the speaker, said such capital assets "should include trunk roads" and "good-humoredly added:

"We will hold you to that, sir."

ROAD PLEAS NUMEROUS

Back of General Kennedy's suggestion were repeated statements at the conference that development roads in the forests are sorely needed.

Speakers emphasized that they did not mean logging roads but roads which would open up forests for general development and aid in fire protection.

Delegates, inclined to take a pessimistic view in the early sessions of what they had accomplished in presenting forests problems to the public, took a more cheerful view Tuesday and today.

G. Harold Flisk of Montreal, president of the Canadian Institute of Forestry, said some earlier remarks might indicate little had been accomplished since

Stowaway Family Back in Holland

ROTTERDAM (Reuters)—Mrs. Christina Zandvliet and her five children who stowed away on the liner Orontes to Britain from Australia have arrived here from Britain.

Oldest of the stowaways, dark-haired Anna, 21, said she shepherded her brothers, Adrian, 12, Gerard, 9, and Robert, 8, and their sister, Pauline, 6, aboard the Orontes telling them they were going to "see mommy who is ill in Holland."

The Zandvliets emigrated to Australia in April, 1954, but Mrs. Zandvliet had to go home a year ago because of illness. When news of the stowaways reached her she flew out to Los Palmas, Canary Islands, to join them for the rest of the trip.

The father of the family now is working his way home on a Dutch ship. They all have decided to remain in Holland.

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