

## ALUMNI DEPARTMENT

## ARBITRATION AND THE LAW.

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The recent arbitration of Wages, Working Agreements, and Rules submitted to Judge Kenesaw M. Landis as Arbitrator by agreement between the Building Contractors and the Trades Council, has a tendency of creating a precedent in settling wage disputes. There are strong reasons for believing that the United States will see a great development in this field in coming years. Few business men, before the war, knew anything about the matters of arbitration and lawyers were skeptical of its merits. The term "arbitration" suggested red tape, haggling and compromising and hence something very different from justice, which knows nothing of concessions and swaps. The public for the first time, does now begin to realize that back of these arbitration proceedings there lay tremendous potentialities.

The common law was little concerned with the disputes of traders. The organization of Courts Pepouros or better known as "dusty foot" courts took place during the time of the Saxons and lasted until the nineteenth century in English market towns. These were the merchants courts. The proceedings were had without delay and without etiquette since the suitors proceeded from their stalls into the hearing chamber, dusty booted and eager to settle a dispute before their petition lost their crackle. It was a long time before the technique of arbitration was worked out to entire success.

The American Civil War, accord-

ing to a report of the Municipal Court of Chicago, played a considerable role in developing the practice of arbitration in Great Britain. Numerous disputes arose between foreign traders. These were worked out under rules of arbitration so successfully that the practice was taken up by other bodies. This form of arbitration, however, has to do with trade associations both domestic and foreign and which are now encouraging the incorporation of clauses in contracts to submit to arbitration those disputes which might arise in due course of dealing.

Difference between trade disputes and wage disputes.

The history of arbitration which has been set out only minutely heretofore deals with those forms of trade arbitrations settling disputes of a commercial nature only. The submission to an arbitrator of those disputes arising out of wage and working agreements is without precedent in Chicago with the exception of the case of Packers and Workers settled before Judge Alschuler some few years ago. The settlement of the disputes presented to Judge Landis in May, 1921, affords an opportunity for arbitration laws of a national character in which the public shall be made a co-arbitrator. That the settlement of disputes between employers and wage earners decided by a man of such high legal attainments as Judge Landis possesses, clearly leads one to believe that the various