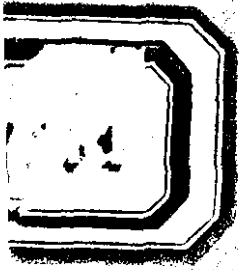


DISPUTES - TRANSPORT WORKERS, LONDON AND MEDWAY, MAY, 1912.



REPORT

UPON

THE PRESENT DISPUTES

AFFECTING

TRANSPORT WORKERS IN THE PORT OF LONDON AND ON THE MEDWAY,

TOGETHER WITH THE

MINUTES OF EVIDENCE OF THE INQUIRY.

Presented to both Houses of Parliament by Command of His Majesty.



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PETERHOUSE, STAINES,

Monday, 27th May, 1912.

Sir,

In accordance with instructions received from His Majesty's Government to inquire into and report upon the facts and circumstances of the present disputes affecting transport workers in the Port of London and on the Medway, I held a public inquiry at the Fishmongers' Hall on Friday and Saturday last.

The representatives of the different bodies of Employers and Workmen were in attendance, and I received from them the fullest assistance in my investigation. I now enclose my Report, together with the shorthand notes of the proceedings, and have the honour to be,

Your obedient Servant,

(Signed) EDWARD CLARKE.

The Right Hon. Sydney Buxton, M.P.

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R E P O R T

UPON

THE PRESENT DISPUTES AFFECTING TRANSPORT WORKERS IN THE PORT OF LONDON AND ON THE MEDWAY

The evidence produced before me at my enquiry related to seven specific causes of dispute, which were all dealt with by Mr. Harry Gosling, the President of the National Transport Workers' Federation, in the full statement which he made at my invitation at the commencement of the proceedings.

These causes were :—

(1.) The employment of non-union men in alleged breach of an agreement made on the 19th August, 1911, between the Association of Master Lightermen and Barge-owners and the Amalgamated Society of Watermen, Lightermen and Watchmen of the River Thames.

(2.) A similar complaint of breach of an agreement made between the Short-Sea Traders and the National Transport Federation on the 23rd August, 1911.

(3.) The refusal of the Association of Master Lightermen to meet the representatives of the Amalgamated Society of Watermen, Lightermen and Bargemen for the purpose of arranging rates of wages and conditions of employment of Masters and Mates of Tugs owned by members of the association.

(4.) The refusal by certain sailing barge owners to pay to the men according to a list of freight rates settled on the 1st January, 1912, according to an agreement made on the 11th August, 1911.

(5.) The refusal of certain wharfingers to pay in respect of the discharge of oversea ships the rate of pay fixed by an award of Sir Albert Rollit dated 5th August, 1911.

(6.) The refusal by a master carman, not now a member of the Master Carmen's Association, to pay the rate of wages settled by an agreement between the London Master Carmen and Cartage Contractors' Association and the Transport Workers' Federation on the 11th August, 1911.

(7.) Certain instances of vexatious interference with union workmen.

It will be convenient that I deal with these points separately and in order.

On the 27th July, 1911, an agreement known as the Devonport agreement was arrived at by a Conference over which Lord Devonport presided, and which represented respectively the Employers (comprising the Port of London Authority, Wharfingers, Granary Keepers and Shipowners) and the National Transport Workers' Federation, by which a general increase of wage of 1d. per hour and a reduction of day work from 12 to 11 hours was conceded and certain conditions of labour were prescribed; a question as to the increase of wages to men engaged in discharging oversea ships being reserved for arbitration. The meetings of the Conference at which these terms were arrived at took place on the 25th and 26th July, and it appears from the shorthand notes of that Conference that after the questions of figures were disposed of the following conversation took place :—

Mr. POTTER: May I ask a question to help me to consider these matters? Do I understand Mr. Tillett to mean by what he said that he desires, or makes it a stipulation, that the shipowner is not to employ any men who are not unionists?

Mr. BEN TILLET: No. Whatever the men do, whether they are unionists or non-unionists, if they are free agents, that is our card.

Mr. GOSLING: That is made clear in our note.

The CHAIRMAN : They do not come and say you shall only employ Union men. On the other hand they say you are not to insist on a certain class of men carrying your Federation ticket. You want a fair field and no favour.

Mr. GOSLING : That is it.

Mr. BEN TILLET : The workman is a free agent.

Mr. HAVELOCK WILSON : It must be quite well understood that we are going to do our level best to get every man into the Union, but we are not going to say to you, Mr. Potter, that you must not employ any man but a Union man. We shall see that every man gets into the Union, and shall use every means to bring that about.

No mention was made in the Agreement of the 27th July, 1911 of the employment or non-employment of Union or non-Union men. Differences arose as to the interpretation of two clauses of the Devonport Agreement, and by a supplementary agreement dated 19th August, 1911 ; it was agreed between the Association of Master Lightermen and the Amalgamated Society of Watermen that these two questions should be referred to the Board of Trade for decision.

This agreement of the 19th August contains the following provisions :—

“ In all cases of dispute or difficulties arising no member shall knock off work but continue his employment and report to his Society as soon as possible. The matter shall then be dealt with forthwith by the Masters' Association and the men's Society, and in the event of not coming to agreement the question in dispute shall be referred to the Board of Trade.

“ The members of the National Transport Federation will not demand or request that foremen shall be members of the Federation.”

This agreement was signed by Alfred Brooks, Richard Lambert, T. W. Jacobs, junr., representing the Association of Master Lightermen, and on behalf of the men by Harry Gosling and E. A. Spicer, and then countersigned by John Burns. This is the agreement which is said to have been broken by Mr. Curtis, the Managing Director of the Mercantile Lighterage Company, in the circumstances now to be stated. Early in 1910 a man named James Thomas was taken into the employment of the Mercantile Lighterage Company. He was a man of 61 years of age who formerly was a foreman, and had in the year 1889 been one of the founders of a trade union called the Association of Foremen Lightermen, to which he still belongs. He is a freeman of the River Thames. Attempts were made to persuade Thomas to join the Amalgamated Society of which Mr. Gosling is the General Secretary, but these were not brought to the knowledge of Mr. Curtis, who never spoke to Thomas, and never attempted to influence him with regard to his membership of either union, and indeed knew nothing about the matter.

The Amalgamated Society did not make any complaint to Mr. Curtis ; but on the 30th April, 1912, a man named Phillips, a member of the Amalgamated Society, refused to work with Thomas because he had the Foremen's Society's card. On the 1st May a delegate from the Amalgamated Society visited the wharf, and at his suggestion two other men refused to take further orders. On the 3rd May another man withdrew from work.

On the 7th May two delegates called at the wharf and saw Mr. Curtis, who asked one of them by whose instructions he called. He stated that he came on his own initiative, and Mr. Curtis asked them to go back to their Society, and if they had any complaint to make against him or the firm to make it to the Association and the matter should be dealt with in the proper way.

On the 13th May Mr. Curtis heard that the Amalgamated Society had determined to call out all the men employed by the Company on the 15th, owing to the fact of the Company still employing Thomas, and he wrote to the Secretary of the Association of Master Lightermen asking that a meeting of the labour committee should be called.

On the 16th all the firm's men were called out. Most of them were daily men, and, therefore, committed no breach of agreement ; but some were employed by the week, and left either without notice or before their notice expired.

Mr. Curtis applied to other firms in the Association to assist him, and they handed the Mercantile Company's orders to their men, who refused to do the work, and were thereupon discharged.

On the 19th the Amalgamated Society decided to call out all the men affected by the agreement of the 19th August, 1911, and on the 21st the Council of Stevedores and the Dockers' Union and the Carmen's Union passed resolutions supporting the Lightermen's strike. The full executive of the Transport Workers was then called

to London, and they, first in a conference alone and then in a joint conference with the London Committee, decided that as this was an attack on Trade Unionism and was a breach of agreement, they would call out all men in the Port of London. Their resolution as quoted by Mr. Gosling from the press of the 24th inst. was "That having fully considered the vital issue affecting the transport workers of the Port of London, and having taken into consideration the boycotting of Union men, the deliberate breaking of agreements by the employers, and the general vexatious interference with the workmen of the port, leaves us no other option than to call upon all the transport workers to cease work to-night, to enable the Federation to adjust their grievances."

The agreement which is said to have been broken by the employers came up for consideration by Lord Coleridge in an action of *Scruttons, Ltd., v. Lewis*. In the course of discussion Lord Coleridge is said to have expressed some doubt, but in his judgment, as reported in the "Daily Herald" of the 11th May, 1912, he said:—

"One does not want to have special evidence to know that between capital and labour perhaps the most disputed point of all, and on which people most markedly differ and most heatedly dispute, is whether it is justifiable for workmen to refuse to engage in any work with non-union men. That was a matter in dispute in July and August, 1911, among other things, and as is very often the case, the most heated part of the controversy is not satisfactorily settled; it is left open. There is something said about tally clerks and foremen not necessarily being members of the union, which shows the matter was disputed, but the great and dominant question, which was the right of union men to work with non-union men, does not seem to have been decided."

It appears to me that the charge of breach of agreement against the employers in respect of the employment of James Thomas wholly fails, and is based on a misapprehension of the effect of the agreement of the 19th August, and must have been made in forgetfulness of the assurances given at the Conference of the 25th and 26th July in that year. The point does not appear to be of great practical importance, for it has not arisen as a matter of complaint against an employer in any case since the making of the agreement, other than the very exceptional case of James Thomas.

No instance could be given me of a union man having refused to work with an ordinary workman not belonging to any union. "What generally happens," to quote the words of Mr. Gosling, "is that the foreman says to him: Why don't you do as the others? Then he joins, or the foreman says: Give us your key; I am not going to have any trouble with you." But whether important or not the case of Thomas was clearly "a case of dispute or difficulty" within the terms of the 5th clause of the agreement of the 19th August, and should have been discussed under that clause by the two Associations concerned. Such consideration ought to have been invited by the Amalgamated Society of Watermen before a man was instructed to cease working. The only reason given for this breach of the agreement was that a conference would have ended in disagreement. That, however, was provided for in the clause, and the question would have been referred to the Board of Trade.

2. This is substantially the same question, but it arises on an agreement of the 23rd August, 1911, between the members of the Conference representing respectively the Short Sea Traders and the National Transport Federation, Mr. John Burns presiding.

Clauses 5 and 6 of this agreement are precisely similar to the clauses already quoted from the agreement of the 19th August, 1911.

3. It appears that it has been the practice that bargains should be made individually between lightermen and the deck hands on tugs in the Port of London and on the Medway with respect to wages, hours, and other conditions of labour. When the men returned to work on the 21st August, 1911, the captains, mates and deck hands applied for an increase of pay. This was granted on terms varying with different firms. No complaint was made or increase asked for until, on 28th March, 1912, Mr. Gosling, as General Secretary of the Amalgamated Society of Watermen, wrote to the Secretary of the Association of Master Lightermen asking the Council to meet the Amalgamated Society as representing the masters and mates of tugs owned by members of the Association for the purpose of arranging rates of wages and conditions of employment. On the 4th April a reply was sent saying that the Council were not prepared to reopen the question which had been recently arranged.

This was followed by a letter from the Amalgamated Society containing a table of rates and conditions upon which the men were in future prepared to work, and a notice on behalf of all the men to terminate their employment on the 26th April.

Attempts at negotiation have been made through the medium of a Government department, and the week's notice which was duly given by each of the men was held over for three weeks; and the men were in fact at work when the resolution for a general strike in the Port of London was passed and put into effect.

No explanation was given to me of the refusal of the Association to discuss with the Amalgamated Society the claim for an increase of wages. I was informed that the deck hands upon the tugs were not within the provisions of either of the agreements of the 11th and 19th August, 1911, and there does not appear to be any agreement which bound the Association to discuss the matter with the Amalgamated Society and in case of difference submit it to the decision of the Board of Trade; but it is clear that the peremptory refusal to consider this application for a higher wage was one of the causes, and not an unimportant one, of the present disputes.

4. Complaint was made that an agreement made on 11th August, 1911, which was signed on behalf of the sailing barge owners of the Thames, the Medway, Sittingbourne and Faversham, for work within the Port, by Alfred Brooks, and signed on behalf of the men by Harry Gosling and E. A. Spicer, and countersigned by Sir George Askwith, as Chairman, had not been kept.

That agreement provided that present rates should be restored to those in force previous to the last general reduction, that a schedule of rates upon that basis should be prepared at the Board of Trade, and that all freights commencing on or after Monday, 21st August, should be paid for on the new rates.

A list of rates was, after much discussion, settled between the representatives of the parties, and signed by Sir George Askwith on the 1st January, 1912. Mr. Gosling stated that on the whole it was a satisfactory list. It was stated before me and not denied that no firm had paid the back money in respect of the increased rates which by the agreement were to take effect as from the 21st August, 1911. There might be some excuse for this as the revision of payments already made involving very detailed and minute calculation would occupy much time and labour, and unless every rate had been increased would not necessarily be to the advantage of the workman. But it was also stated and not denied that a large number of Sailing Barge Owners have not paid and are refusing to pay the rates contained in such list. No explanation of this was offered before me. Mr. Gosling put it as a complaint of breach of agreement against the Association of Master Lightermen, but it was explained by Mr. Lambert that although in August, 1911, Mr. Alfred Brooks was President of the Association, it was not in that capacity that he signed the agreement with respect to sailing barges. Mr. Gosling stated that he thought that Mr. Brooks had been served badly, and that he believed Mr. Brooks "was speaking all that he thought when he said that he was deputed by the whole of the sailing barge owners to say that if we would go back to work he would sign an agreement which should be retrospective, that rates should be drawn up, and that they would all pay them."

5. I can deal shortly with this, for what passed at the Enquiry satisfies me that if doubt still exists as to the meaning of the Award of Sir Albert Rollit, it will be agreed that he shall decide the question. The point is simple, by the Devonport Agreement, workmen receiving 6d. an hour had their pay raised to 7d., and this included men then employed by wharfingers and unloading oversea ships. Certain men employed in unloading such ships in the river were then receiving 7d. per hour, and the question was referred to Sir Albert Rollit to say if their wage should be raised to 8d.

He granted the advance, and in the case of the "Sea Belle," owned by Mr. Leach, a wharfinger, the question was submitted to the Lord Chief Justice as to whether Mr. Leach as a wharfinger was only bound to pay the lower rate, or whether, as the ship was an oversea ship he was bound to pay the 8d. The Lord Chief Justice decided, on the 27th November, 1911, that under Sir Albert Rollit's Award, Mr. Leach was liable to pay the higher rate, and I do not understand why that decision was not accepted as governing the case of all over-sea ships.

6. This question arises out of an agreement made on 11th August, 1911, between the London Master Carmen and Cartage Contractors' Association and the National Transport Workers' Federation, "on behalf of the London Master Carmen and Cartage Contractors and the London Carmen respectively."

This agreement specified certain rates of wages. It was signed on behalf of the Master Carmen by R. A. Kearsey, G. A. Duffield and others, and on behalf of the men by Harry Gosling, E. A. Spicer and others, and was countersigned on behalf of the Board of Trade by Sir George Askwith. At the time the agreement was made, Mr. Bissell of Haggerston was a member of the Master Carmen's Association. He

has since left the Association and now refuses to pay the rates so agreed upon. It was admitted that the members of the Master Carmen's Association have been quite loyal to their agreement, and endeavoured to secure the continued adhesion to it of Mr. Bissell. But the Association represents a small proportion of Master Carmen in the County of London, although it includes almost all the large firms. On the 25th March in this year the Association was informed that Mr. Bissell was not paying the union rate of wage. The Association called his attention to the fact that they disapproved of his action, and that they hoped that he would either give an explanation of why he did not conform to the agreement or would do so immediately.

Mr. Bissell at once resigned, and the Association passed a resolution that no member of the Association would assist him, and he has never received any assistance from the Master Carmen of the Association.

The Transport Workers' Federation applied to the Port Authority to refuse to load Bissell's vans on the ground that the refusal by a union man in their employ to load Bissell's vans would amount to a strike and would justify them in declining to load his vans, but it was admitted that the statutable obligations of the Port of London created much difficulty. No other action was taken in this matter by the Transport Workers' Federation until the other disputes had arisen and come to an issue.

7. In the course of his statement Mr. Gosling said that there was continual and vexatious interference with Union men, and they were from time to time victimised by their employers. One instance was given in the course of that statement, and certain other matters of the same class were mentioned towards the close of my inquiry. The principal case was that of the captain of a tug-boat, who, when the strike was in progress in August, 1911, was ordered to tow the "Lady Jocelyn"—a ship employed to bring non-union workmen to supply the place of those who had struck. He refused to tow the boat, and was at once dismissed. It was added that he was persuaded by Mr. Gosling to go to the firm a few months later and ask to be put back to work, and that he was roughly received and refused. It was admitted that the firm had a legal right to take the action they did, but it was given as an illustration of unreasonable and vexatious treatment. In the later statement, complaint was made that certain members of the Association of Master Lightermen had, within the past month, refused to pay the claims of workmen for the amounts earned by them under the working rules, and after compelling the workmen to take out County Court summonses had, within a few days of the hearing, paid the money into court, and so avoided a decision on a question they themselves had raised. It was obviously impossible to investigate these statements, especially as they were made towards the close of the Enquiry; but having to report on the facts and circumstances of the dispute, I think it right to mention them. It was at the same time admitted that in the case of Fitch the employers had acted within their legal rights, and that with respect to the question raised in these County Court proceedings no complaint had been made by the Workers' Federation to the Association of Master Lightermen. In this case, again, no explanation was given of the non-compliance of the Workers' Federation with the rule which prescribes a conference between the two representative Societies, and provides for an appeal in case of difference to the Board of Trade.

Reviewing the cases brought before me, I am of opinion that much of the difficulty which has led to the present troubles arises from the breach, as in cases 1 and 2, and the neglect in the cases mentioned under the seventh heading, of the provision contained in the Agreements of August, 1911, for a decision by the Board of Trade in the event of difference between the Associations. That clause is still in force, and I see no reason why the method prescribed should not now be used. The question of bringing within the operation of an agreement made between an employers' association and a workmen's union, shipowners or traders not belonging to the contracting body is one which can only be dealt with by legislation; and upon the question whether such legislation is practicable or desirable I am not invited to express an opinion.

EDWARD CLARKE

May 27th, 1912.

MINUTES OF A COURT
 TO
INQUIRE INTO AND REPORT UPON THE FACTS AND
CIRCUMSTANCES OF THE PRESENT DISPUTES
 AFFECTING
TRANSPORT WORKERS IN THE PORT OF LONDON
AND ON THE MEDWAY,
 HELD AT
THE COURT ROOM, FISHMONGERS' HALL, LONDON BRIDGE, E.C.,
 BEFORE
THE RIGHT HON. SIR EDWARD CLARKE, K.C.
MR. N. S. REYNTIENS, Secretary.

FIRST DAY.

Friday, May 24, 1912.

Sir Edward Clarke: I have been appointed by His Majesty's Government to inquire into and report upon the facts and circumstances of the present disputes affecting transport workers in the Port of London and on the Medway. The Fishmongers' Company have been good enough to permit this hall to be used for the purposes of that inquiry. I am proposing to-day to rise at one o'clock until a quarter to two for lunch, and I will sit until five o'clock, and be indulgent in regard to that if we should find that a little further prolongation of the sitting will be of use. An invitation to come and appear before me on this inquiry has been sent to a number of bodies chiefly interested in these disputes, and I am glad to know that representatives of some of the most important bodies at least are present here in this room. I shall ask, apart from names that I already have, for application to be made, and for the application to be made in writing, by anyone who wants to appear before me upon this inquiry. I do not ask that those applications shall be made at once, for it is my impression that, after a general statement has been made by the representatives of the more important bodies concerned, many others will feel that their interests are maintained, and that their cases are covered by the statements before me. Therefore, I invite those who represent what I may call subsidiary bodies to refrain from making application to appear before me until they have heard what has taken place in the course of to-day. Subject to that, I shall be glad, directly I have finished the few words I have to say, to receive applications.

The object of this inquiry is that I may be able to ascertain and report to His Majesty's Government fully and accurately the facts and circumstances of the present unhappy disputes on the Thames and on the Medway. No time will be grudged by me if it is needed for the purpose of making that information full and accurate, but at the same time I have no doubt that it is present to the minds of those in this room, as it is present to my mind, that the situation is one of great gravity and urgency, and that it is essential, if this inquiry is to be of value, that it should be as

far as possible confined to the facts into which I am called upon to inquire, and that as little time as possible should be spent in discussion with regard to the representative character of different associations. I hope that the representatives who are here from the Transport Workers' Federation, or one of them at all events, will in the first place make a statement upon this matter from his point of view. What will follow upon that will depend very much on the character of that statement, but I think I should best open the proceedings here by asking Mr. Gosling, or another representative of the Transport Workers' Federation, to make a statement upon the history of this case.

Mr. Botterell: I appear on behalf of the Shipping Federation. I understand that you said that notice has been sent to persons supposed to be interested in this inquiry, but the Shipping Federation have not received a notice, and presumably their interest in the matter may not have been regarded, or may have been overlooked, by the person who sent out the notices from the Board of Trade. If the matter is confined strictly to the *ipsissima verba* of this notice the Shipping Federation are perhaps not really interested, but at the present time there are scores of ships owned by gentlemen represented by the Federation laid up, and there may be a great many more in the course of a very short time if this matter goes on. The Federation feel very strongly interested in the matter, and therefore they wish to have your permission to appear here by counsel or solicitor, as they may desire, for the purpose of at any rate watching the proceedings, and, if necessary, taking part in them, subject, of course, to your ruling on any matter which may arise.

Sir Edward Clarke: Of course, my permission is not required for their being present here during the proceedings, and I am glad that they should be represented, but at the same time this is exactly one of the cases which I had in contemplation when I suggested that application to take part in the proceedings might be postponed, as I understand there is no direct interest in the matter. Perhaps Mr. Botterell would be kind enough to renew the application a little later?

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Mr. Gosling: Sir Edward, you called upon me, but I do not know that I am in a position to make a statement just at this moment. I have had no intimation that a statement would be asked for from us, and I should like at least a little time to think it out, so that I can put the thing intelligibly before you when I do it. Surely those who have locked us out are the people to make a statement to you and tell you why they have done it. Is not that the position? We have been locked out from our work, and we should very much like to know why.

Sir Edward Clarke: I think the position is one in which I certainly expected that Mr. Gosling would be prepared at the opening of the inquiry to say why circumstances had occurred which led to what he speaks of as a lockout. I am not, of course, insisting on his making a statement now if he is not prepared to do so, but, having regard to the statements which have appeared in public, I thought that he would be glad of the opportunity of making a complete statement of the facts.

Mr. Gosling: I shall be, of course, very glad of the opportunity of making a statement, but I have had no intimation that I should be asked to do it immediately you sat. The only indication of what is going to happen has been what I have seen in the Press, that you are simply going to decide upon procedure. Nobody has told me anything different from that.

Sir Edward Clarke: "The first meeting will probably be chiefly occupied with procedure and the arrangement of the course of the inquiry." Of course, these notices have been somewhat hurriedly sent out, because it was found that it was so pressing, but I myself hoped that directly the inquiry was constituted the transport workers would be prepared to make a statement of the history of the dispute.

Mr. Gosling: I want to help you in every way I can, and we shall do that, but the difficulty I am in is this: This inquiry I understood was to be into the general unrest. Now it seems that you are fixing it down to this particular dispute that is in existence now this morning. That arose by the employers insisting upon men working with non-unionists, which the men say they are not going to do, and therefore that inquiry can begin and end in five minutes. The men say they are not going to work with non-unionists while there is breath in their body. If you want to go through the general cause of unrest on the Thames and Medway I shall be prepared in a very little time to give you a statement of all that has happened since last August, and what has caused this unrest. That I shall be very pleased to do, but if the point is this present dispute, that arises in the first place upon the employers insisting that we shall work with non-unionists—

Sir Edward Clarke: Or it might be put in the other way, of your insisting that your men should not work with non-unionists.

Mr. Gosling: I might put it in that way, because it is as broad as it is long.

Sir Edward Clarke: You might put it either way.

Mr. Gosling: We say we are not going to work with non-unionists, and we are not going to do that until we are starved into doing it, and I believe even if the men are starved into submission, as soon as they get fat and well they will be out again for the same principle.

Sir Edward Clarke: My duty here is defined by the terms of the appointment which I have received, which is to enquire into and report upon the facts and circumstances of the present disputes affecting transport workers in the Port of London and on the Medway. Of course, I have some knowledge, though not a very detailed knowledge, of what has taken place, and I am aware, as all others are aware, that the difficulty arose early in May, or one difficulty and dispute arose early in May, in consequence of the question being raised as to the union men working with non-unionists; that is one of the disputes which is in existence. I hope the line is not going to be taken that that is incapable of discussion, because it is obvious that there must be a great deal in the history of the negotiations which last year took place between the two parties which would bear upon the right, on the one hand, to refuse to work with non-unionists, or the right of the masters, on the other hand, to refuse to recognise that rule, and upon that I think Mr. Gosling has plenty of information which

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would enable him to put a useful statement before me.

Mr. Gosling: Yes, I think I have. Does that mean that you are going to decide whether we can establish a right to refuse to work with non-unionists?

Sir Edward Clarke: Certainly not that I am going to decide, for I have no power given to me to decide in this matter, but what I am instructed to do is to enquire into the facts and circumstances of that dispute, perhaps with one or two others which have arisen, and it will be my duty to make a report to His Majesty's Government upon it. I am quite sensible of Mr. Gosling's willingness to assist me in what he, and I think others, must recognise to be a somewhat difficult task, but I hope he will not refuse to put before me a statement of such agreements as now exist with regard to this matter, if any do exist, and of the grounds upon which that withdrawal of unionist workmen was based.

Mr. Gosling: I do not want even to appear to be putting obstacles in the way, but if you would like me to make a general statement, then I would ask you to give me a little time first before I do it. If you say that after lunch you would like a statement from me I will get the facts in proper sequence and tell you what has happened from our point of view since the last dispute, what agreements have been made, and again from our point of view how they have been kept.

Sir Edward Clarke: I think that is quite reasonable. because no doubt the letter did not suggest that such a statement would be asked for at first. I think it is quite reasonable that Mr. Gosling should have some little time to prepare himself for that statement, and I shall be glad if he will be prepared to make that statement at two o'clock.

Mr. Gosling: I will do my best.

Sir Edward Clarke: I am, of course, anxious that no time should be wasted. I do not want to put questions to which he would rather reserve his answer until two o'clock, but I should like to ask whether he is able to give me any information now as to whether he represents the persons who are affected by another branch of the dispute which has arisen upon the Thames, for instance the tugs.

Mr. Gosling: All that will come from the same source. We are appearing as a Federation, and the grievances are Federation grievances; that is what I wanted to do. I think I shall be saving your time by asking you to give me a little time, because then I will try not to go over the ground more than once.

Sir Edward Clarke: May I ask whether there is a third and separate question in dispute?

Mr. Gosling: I should think I can confine it to about six points. I think I can show you, of course always from our point of view, that agreements are not far-reaching enough, are not binding upon any employers who choose to say they do not want them, and that there is a general real misunderstanding about what agreements really are when they are made, whom they affect, who is bound by them, and matters of that kind. Of course, the main point, the question of unionists and non-unionists, I do not quite see the way out of, because we say that we are called upon to make agreements, we are responsible for the carrying of them out, and our men ought to be employed in doing them. From time to time we have thrust upon us non-union men, not willingly, of course, non-unionist, but compulsorily non-unionist, because employers compel them to be non-unionist.

Sir Edward Clarke: Then I understand you to say that there are, you think, six points which you will have to deal with.

Mr. Gosling: I should think six.

Sir Edward Clarke: I would like to ask, for my convenience, whether your representative character covers the carmen.

Mr. Gosling: Yes. What I should propose to do, with your permission, is to make a general statement for the Transport Workers, and then, as to every statement I make, to back it up by a witness or two, if you want to hear them. If there is anything in my statement that does not quite satisfy you we will put individuals in, and they will give you evidence about the things I state.

Sir Edward Clarke: That is exactly what I hoped to have. I do not think it very likely that before me

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there will be great controversy as to separate matters of fact. I think very likely that statements which are made from one side or the other here will be statements of a historical character, and dealing with agreements, and so on, upon which no controversy as to facts will actually arise, but I shall be very glad if Mr. Gosling will make the comprehensive statements which he now promises me.

Mr. Gosling: I will do my best.

Sir Edward Clarke: I think in those circumstances it will be reasonable that applications to appear before me upon this enquiry should be reserved until that statement has been made, but there may be other cases not covered by the representative character which Mr. Gosling has as to which I will hear applications if desired when we have postponed the main matter of controversy.

Mr. Gosling: Perhaps you would allow me to say this: During yesterday and this morning applications have been made to us about public services, and things of that kind. I know we are very strongly criticised for giving what we call permits, but I want to say, of course, without any offence, that we must protect ourselves. We must, if we are going to fight, and that is all that we are able to do at present, stop as much work as we possibly can, and if we are going to win, in doing that some of the public services may be interfered with. We are quite prepared, where there is the health of the public, the care of the infirm and children, and matters of that kind, concerned in a dispute of this kind, to do our part in protecting them, but it ought to be by some kind of arrangement made here with you, because we do not want it to appear, because we are doing that, that there is a weakness on our part. I think you will quite appreciate our difficulty; but we should be very pleased to do anything that is reasonable in that way to assist public institutions and places of that kind.

Sir Edward Clarke: I am very glad to hear that statement, and although, of course, I have no authority whatever to make arrangements with regard to this matter, I feel quite certain that no action of that kind, prompted by those motives, would be misunderstood or misconstrued to the disadvantage of those who took it. I cannot say more than that.

Mr. Gosling: Last year we were asked to release ice for hospitals, and we found it was for garden parties, and that kind of thing, in the West End. We are not prepared to do that if we can help it. It must be a fair understanding between us if we can hold it back, which I hope we can, for the purposes of our fight; we do not want to hold it back from anybody who will seriously suffer through our doing so. I want to say that quite frankly, because I think it is the feeling of all the men.

Sir Edward Clarke: I can only say I am glad that it has been said. I have before me an application signed by Mr. Gardner, the secretary of Gardner, Locket and Hinton, Ltd., referring to the lighterage trade, and saying that Mr. Thomas Gardner will be glad to have an opportunity of explaining the position of the company, which is different in many respects from that of any other lighterage firm in London. Is Mr. Gardner here?

Mr. Gardner: Yes.

Sir Edward Clarke: Does Mr. Gardner desire to make any statement now?

Mr. Gardner: I am sorry, at an important meeting like this, when particular questions are involved, to bring forward what is purely a question perhaps of personal inconvenience to our firm, but I wrote to Mr. Gosling the day before I wrote to your Secretary, and pointed out the extreme unfairness with which our particular firm has been treated in one particular respect. My firm, Messrs. Gardner, Locket and Hinton, are incorporated with the firm of Messrs. Locket and Judkins, and we are coal merchants. We supply, amongst others, coals to the London County Council, of which Mr. Gosling is the vice-chairman, and the electric light companies, the Water Board, and various consumers on the Thames. Two days ago we had an intimation that we were not to be allowed to navigate any of our coal-laden barges to the various works on the river, and I believe I am right in saying that practically every other coal merchant has been allowed during the last two or three days to continue their business and supply their various consumers. It was certainly an anomalous position, and I think an unfair one; and, without seeking to ask for any favours

beyond what are granted to everybody else in this room, I think, while we are in a similar position to other firms, we should be allowed the right to continue our business as long as our competitors and fellow coal merchants are doing so. I submit, sir, that we might have some permission, at all events, from Mr. Gosling, to be put on equal terms—I ask for nothing more—with every other firm with which we are competing.

Mr. Gosling: That has exactly been our application all along—that we should be on equal terms.

Sir Edward Clarke: A copy of the letter written to Mr. Gosling has been handed to me. I do not know whether it has been answered.

Mr. Gosling: No, it has not.

Sir Edward Clarke: Possibly, Mr. Gardner, the answer will appear in the statement which Mr. Gosling will make this afternoon.

Mr. Gosling: Mr. Gardner has referred to my being a member of a public body that he supplies with coal. I can tell him straight away that they have got plenty, so that he need not worry. (Applause.)

Sir Edward Clarke: I hope it will be remembered that this is not a public meeting, and that there will not be applause from time to time during the proceedings. I need scarcely say that it would have no effect whatever upon my mind; but it is not respectful, and it is not congruous to the character of the inquiry which is now being held that there should be those manifestations. I am here to ascertain facts and circumstances; I mean to ascertain them, and I hope that will not be hindered by any applause or expressions of dissatisfaction, and so on in the room while the inquiry is going on. Is there any other representative of the Employers' Associations here?

Mr. Saxton: I represent the Amalgamated Society of Foremen Lightermen on the River Thames. The man Thomas, over whom this dispute really arose, is a member of the Society, and the Society is bound by its rules to support any member in his disputes. I wish to make an application for the Foremen Lightermen's Society to be represented by counsel before you, sir.

Sir Edward Clarke: The question of representation by counsel is, to my mind, a somewhat difficult one, and I shall be glad if Mr. Saxton will reserve that question until we have heard the statement that is made.

Mr. Saxton: I did not know whether it was necessary at this juncture to apply.

Sir Edward Clarke: No. Mr. Saxton will not be precluded from making that application again.

Mr. Gosling: That raises a very important matter as far as we are concerned. Are any of the parties to be represented here by legal gentlemen? We have come here to meet the employers, the people we work with, and to say what we have got to say, and hear what they have got to say. We do not want to have it interfered with by counsel or by lawyers of any kind. It would put us in a very awkward position if we are going to get into a legal way of conducting this business. We do not want that, with very great respect for you, sir; I know you are a very eminent lawyer. We do not want, and I think I could go so far as to say we are not going to do so, to meet counsel and people of that kind; we are going to meet our own employers.

Sir Edward Clarke: I have not given sanction at present to counsel coming here, and I hope we shall be able to conduct the inquiry without its resolving itself into the legal controversy which Mr. Gosling apprehends, but I do not absolutely decide the point now; I would like to leave it.

Mr. Gosling: I think we ought to know that before I make any statement, because I do not want to put a statement into the hands of lawyers. I want to put a statement into the hands of the employers—at least, I want to make a statement that they themselves can answer. If counsel is to be instructed, it really means who has got the biggest purse is then to have the biggest chance. That may be a reflection upon you, sir, and I withdraw it at once if you look at it in that light. What I mean to say is if eminent counsel are coming down here and this is going to be made into a sort of show for the season, or something of that kind, we shall all be here for ever. If they are going every day to have counsel that is what will happen directly we begin it. We have not got the funds, nor

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the desire to instruct anybody; we will put our own case in our own way ourselves as well as we are able and leave it to you to decide.

Mr. Tillet: The employers have the greater chance; they have the greater education and experience. Surely they ought not to be afraid to meet us novices and amateurs at this sort of business.

Mr. Gosling: The President of the Foremen Lightermen's Society can speak, and we shall be very pleased to hear what he has to say; we have no quarrel with them at all.

Sir Edward Clarke: I am not sure that it is competent for me to refuse to hear counsel if it were pressed upon me, but I express my own desire that counsel should not be engaged in this inquiry, because, although it is a great mistake to suppose that the employment of counsel always lengthens proceedings, at the same time it might involve controversial arguments which ought not properly to be addressed to me, who am simply making inquiry as to matters of fact. Although I cannot say positively I would not allow counsel upon an application being made, I hope that such applications will not be made.

Mr. Gosling: I will not pursue it any further. Will you allow me to say this, that the statement I am going to make this afternoon is on the understanding that counsel are not going to appear against us.

Sir Edward Clarke: No, I cannot agree to that.

Mr. Gosling: Then I am afraid, Sir Edward, I must say I cannot agree to make a statement until the matter is cleared up.

Sir Edward Clarke: One can clear it up, I think, very promptly. Are any other applications made to me to appear by counsel?

Mr. Moore: I am the Chairman of the Association of Public Wharfingers. We have not had an invitation officially to come to this inquiry, but, of course, anything that stops work on the river affects us. We did think, I must say, that if there had been an inquiry you would probably not object to the assistance of counsel in that inquiry. On the other hand, it is not for us in any way to put difficulties in your way, and what I think we are prepared to do is this, that the course that should be taken as regards our interest, which is only indirectly affected by the lighterage dispute, should be this, that Mr. Gosling should make his statement, and that then you should give to the interests like those I represent the same opportunity of considering, after having that statement, whether we desire to make an application to you for counsel or not. I make that statement or proposal without reference to my colleagues; I do not know whether they will all agree with me or not. Of course, proceedings of this sort do not give one the opportunity of consultation that I should desire, but I do submit that it may be well to hear Mr. Gosling's statement and then you, sir, to give the employers the same opportunity of considering that statement and of saying whether we want counsel or not, because, after all, it is impossible to say that legal questions may not occur about it when you come to the construction of agreements, which I understand Mr. Gosling is going to bring up. There was one thing I was glad to hear from Mr. Gosling, and that was this, that the main trouble is this question of union and non-union men. That really, I submit, is the one question probably which has caused this dispute.

Mr. Gosling: I must not be understood to assent to that statement.

Sir Edward Clarke: Is there any other application now made to be allowed to appear by counsel?

Mr. Woodward: I represent the Association of Master Lightermen, and I ask to be represented by counsel. We hope that you will see your way to grant it.

Sir Edward Clarke: On what ground do you wish counsel to appear for you?

Mr. Woodward: We have considered it, and we think our view would be better presented if counsel represented us.

Sir Edward Clarke: There are no legal questions to be argued.

Mr. Woodward: No, very likely, sir, but some of us are not able to present to you our case so ably or so clearly or lucidly as we could by counsel.

Sir Edward Clarke: Then perhaps the others who can will come.

Mr. Woodward: Anyhow, sir, will you be good enough to consider our application?

Sir Edward Clarke: If you please. Is there any other application? Mr. Gosling, you have heard what I have said about the matter. I think you may feel yourself perfectly safe with regard to this after what I have said.

Mr. Gosling: It puts me in a very difficult position. I am very anxious not to let you think we are trying to make difficulties, but it is of the greatest importance that this inquiry shall be a man to man inquiry—master and man face to face, no counsel and no interference by people who only know about it five minutes before it happens when they get a brief put into their hands, who are going to raise all kinds of little difficulties, that we are not entitled to say this, and that is going outside the question, and all that kind of business, which is very good in its way, but will not get a better understanding between the workmen and their employers. The whole object of this inquiry, if it is going to be of any use at all, is to find a way by which we can better understand each other, and we can do that best of all by leaving counsel out and letting them mind their own business and meeting the employers here and talking it over. We meet these gentlemen from time to time when we have the opportunity. If we had had an opportunity of meeting them this dispute would not have occurred and they would not have to meet us here, but still, we do meet them, and we generally suffer by their being better able to conduct their case, but that we do not mind. We are quite prepared to meet them here and for them to say everything there is to be said, but I do want to keep it down to the workman and the employer, and to keep it out of anybody else's hands. We shall find some eminent counsel come walking in here with highly technical objections to all kinds of things which I shall not understand, and I shall not know how to meet them, while if I have the employer, I do know him. I am with him pretty often, and he knows me, and we shall get on very well together if you let us settle it between ourselves. I do ask you to make a public statement now that you are not going to have any legal representation of any kind.

Sir Edward Clarke: It is not a very easy question, and if this were a matter with regard to which time was not of consequence, and of urgent consequence, I should hesitate to come to the decision that I do now come to, but in the present circumstances I think I will say that I shall not sanction the appearance of counsel before me. Of course, after taking the responsibility of that decision, and it is a serious responsibility, I shall feel it my duty to put any legal experience that I may myself have in effect in assisting those on either side who are putting their case before me.

Mr. Gosling: Thank you very much.

Mr. Botterell: I understand that it is no good my renewing my application now, because you have decided that you will not allow counsel.

Sir Edward Clarke: That is so.

Mr. Botterell: I do not know whether I am right in doing so, but I think I ought to protest on behalf of my clients with regard to this. The Shipping Federation is a very large body; it has only one manager, and it is impossible for him to attend an inquiry of this sort every day and produce evidence when his duties call him to other parts.

Sir Edward Clarke: I am sorry you should think it necessary to protest now. I hope, when the inquiry is over, you will find you have no reason to complain.

Mr. Botterell: I am quite safe in your hands, I am sure; but, this being a public inquiry, I thought I ought to make a formal protest.

Sir Edward Clarke: If you please.

Mr. Chadwick: Do I understand that your decision is confined to counsel, or does it extend to all legal representation referred to by Mr. Gosling?

Sir Edward Clarke: You are suggesting solicitors appearing?

Mr. Chadwick: Yes.

Sir Edward Clarke: I should think that will be very undesirable if the persons who are really themselves interested are here. Is there any other application?

Mr. Stranger: I wish to make an application on behalf of the Amalgamated Society of Foremen Lightermen to be represented by counsel. I have not heard what you said; I only arrived a moment ago.

Sir Edward Clarke: I thought Mr. Saxton had made that application.

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Mr. Stranger: I have not seen him; do I understand he has already made the application?

Sir Edward Clarke: He has already made the application, and I regret that it is covered by the decision I have given.

Mr. Moore: Might I ask a question which it would be a great convenience to a great many of us to know? You have told us what time you are going to sit to-day; would you kindly tell us after that what is in your mind about the continuation of sitting; but before you answer that question, perhaps you would answer me on this. I ask that the question of counsel might be reserved until after we have had Mr. Gosling's statement and have had time to consider it. Obviously we ought to have time to consider what our attitude is with regard to Mr. Gosling's statement after it is made. I am sure you will give to the employers the same opportunity that you are going to give to Mr. Gosling—time to look into the matter that is brought up—because we shall not be in a position after the end of Mr. Gosling's statement this afternoon to deal with it. None of us are aware of all the circumstances, and we do not know what it is yet. We shall want reasonable time to look into it. We are not anxious to delay the proceedings, but it would be of help to us that we should know what was in your mind as to when the proceedings will be continued.

Sir Edward Clarke: I will endeavour to take care that you are not put to any disadvantage by being too suddenly called upon to deal with any matter. As to future sittings, I hope that I may be able to sit to-morrow and Monday and Tuesday. I understand that this hall will only be at our disposal until Wednesday next, but I am very anxious to give a good deal of time and to give constant work to this inquiry now it has once begun, and I should propose to sit at half-past ten to-morrow morning and sit until five o'clock in the afternoon, unless any serious objection is made to that; and the same on Monday, Tuesday, and Wednesday. Now I am afraid that in the circumstances we must adjourn until 2 o'clock. I have already said that if there are other applications which after my suggestion as to their being reserved, it is desired to make now in order to prevent inconvenience in attending or anything of that kind, I will hear them.

(Adjourned for a short time.)

Lieutenant-Colonel Mark Mayhew (of Messrs. Mark Mayhew, Limited, Battersea Flour Mills): With regard to public services, I understood Mr. Gosling to say this morning that the public services would have special facilities granted them for carrying out public contracts, and so forth. I am in that position—a contractor desiring to carry out his contracts with the public. I understood Mr. Gosling said that he would be able to grant certain permits in the presence of the other party to this dispute. I therefore take the liberty of raising the question now.

Sir Edward Clarke: What Mr. Gosling said this morning is upon record, and must be left where it stands. I can say nothing more about it at present.

Mr. Gosling: I propose in the first place to deal with the question of the Federation ticket, and to try to make a clear statement about the man Thomas. That is the man who has refused to take a Federation ticket, and whom we have been accused of unfairly dealing with. We say that we are under an agreement with the employers of the Port that we have the right to demand that all men, except foremen and, in some cases, tally clerks, shall have a Federation card, and I hope to be able to prove that to you by documents. In the case of the man Thomas, he was approached some time back and asked to join, and those who approached him were not successful. We have been very careful not to hurry the thing, because we thought that he would in a little time think better of it. Most of his relations who are working in the trade do belong to our organisations, and we thought that, in case he was being used for the purpose of defeating the men in some way or other, we would be a little careful how we went. We have not asked him to leave any other organisation to which he belongs, nor do we want him to do it. As a matter of fact, we have members in our organisations who are also members of the organisation that he belongs to, which is a kind of masters' association on a small scale, called the Foremen's Society.

Men are driven into that organisation by the employers, and in some cases employment is only given to men after they have undertaken to leave us and to go into that organisation. Just to show you that what we are doing is only for the sake of regularity, if Thomas does join our organisation we stand to lose financially by his membership, because he is an elderly man, and on the ordinary rule which governs friendly societies he could not be expected to pay anything like what he would be entitled to receive in the case of his death, so that we cannot make a profit out of him; we are bound to incur a loss, but it is the principle that all men who work together should belong to one organisation.

Sir Edward Clarke: Where is he employed, and in what capacity?

Mr. Gosling: He is employed as a journeyman, a watchman, in a lighterage firm, and all the remainder of the men in that firm were members of our organisations. There is no question at all that he is a foreman; if there were, we should not say another word. I think it is not contended that he is a foreman, but what is contended, if I understand it rightly, is that we have no right to demand that any workman shall be a member of our organisations, and we are not entitled to refuse to work with them. We say that has been decided by agreement. Of course, in some trades the recognition of the Union card is as old as the hills, and in the Stevedores' Society at the present time no employer ever thinks of asking a man to go to work unless he has got a card. In fact they are shown before the men start work.

Sir Edward Clarke: How long has that been the practice.

Mr. Gosling: Ever since I was a little boy; I cannot go beyond that.

Sir Edward Clarke: That is sufficient.

Mr. Gosling: My colleague says it is over forty years. I am unfortunately over forty years. An agreement was signed at the Local Government Board, and countersigned by a Member of the Government, and the clause in it is this—

Sir Edward Clarke: What is the date of it?

Mr. Gosling: The date is August 19, and the clause is: "The members of the National Transport Federation will not demand or request that foremen shall be members of the Federation." What led up to that agreement was this.

Sir Edward Clarke: Do you mind just reading this agreement in full, with the names appended to it, so that they may be upon the shorthand notes?

Mr. Gosling: If you please. The reason I only read the last clause is this, that that is the only part of this agreement which affects this matter at all. It is signed by Alfred Brooks, Richard Lambert, and T. W. Jacobs, Junr., who were representing the Association of Master Lightermen, and it was signed on behalf of the men by myself, and E. A. Spicer, and then countersigned by John Burns. The agreement is as follows:

AMALGAMATED SOCIETY OF
WATERMEN, LIGHTERMEN, AND WATCHMEN OF THE
RIVER THAMES.

Agreed Reference to Board of Trade as to Interpretation of Lighterage Agreement, 11th August, 1911.

Differences having arisen as to the interpretation of certain clauses of the Agreement made at the Board of Trade Offices on the 11th August, 1911, between the Association of Master Lightermen and Barge Owners and the Amalgamated Society of Watermen, Lightermen, and Watchmen of the River Thames, it is hereby agreed between the parties that the following questions be referred to the Board of Trade for decision and settlement, as per clause 11 of the said Agreement:—

(1) Is a workman who has concluded his day's work, whether such day's work includes overtime after 4 p.m. or not, and who is called upon to do nightwork after 8 p.m. on that day, entitled to claim payment for the hours intervening between the time he ceased work and 8 p.m.?

(2) Does a man who has been at work for a long night automatically become a 6 o'clock hand if required for work the ensuing day, or has the employer the option of taking the man on at 6 a.m., 7 a.m., or 8 a.m.?

In all cases of dispute or difficulties arising no member shall knock off work but continue his employ-

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ment and report to his Society, and as soon as possible the matter shall be dealt with forthwith by Masters' Association and the Men's Society, and in the event of not coming to agreement the question in dispute shall be referred to the Board of Trade.

The members of the National Transport Federation will not demand or request that foremen shall be members of the Federation.

August 19th, 1911.

This agreement came about in this way. On August 11 an agreement was made to settle the questions in dispute, and before August 19, several questions—I think two points here—were raised upon which there was a difference of opinion between the employers and ourselves, and under the agreement we had to go to the Board of Trade to have them adjusted. When we went there, before we were able to come to an agreement as to the reference, the Masters' Association raised the point that we were demanding that foremen, as well as journeymen, should be members of our Association. They said that it was unfair for us to demand that foremen should be in our Organisation; they said they were their confidential men, and it was not fair for us to ask that their confidential men should be in our Organisation. Our men pressed us very hardly not to agree to that, but we thought there was some reason in what was said, and we did agree; we agreed that we would not in future demand that foremen were to be members of our Association. What I want to put to you is this: Why should we have had to make that agreement if we had not been demanding, and it had not been recognised that we were demanding, that other men should be in? I want to carry that a little further. There are two other agreements, one of them between the Short Sea Traders and the National Transport Federation, which was settled on August 23, at the Local Government Board. I hand that in. (*Agreement handed to Sir Edward Clarke.*)

Sir Edward Clarke: That is subsequent to the other one?

Mr. Gosling: Yes.

Sir Edward Clarke: Have you a copy there of the agreement of August 11?

Mr. Gosling: Yes, I have. (*Copy handed to Sir Edward Clarke.*)

Sir Edward Clarke: Again, for the same reason, do you mind taking this agreement of August 11, and omitting the first part of it which clearly is not relevant, but let us have the general conditions upon the shorthand notes?

Mr. Gosling: You would like me to read it?

Sir Edward Clarke: The general conditions; that is all.

Mr. Gosling: Yes: "When any alterations are necessary in special cases they shall be arranged between the two associations. Except as varied by this agreement all rules and conditions to remain as at present. It is further agreed that should any section of the lighterage trade employ members of the union on more favourable terms than those above set out then members of the Association of Master Lightermen shall be at liberty to adopt the more favourable terms in respect of their workmen. As soon as practicable after the resumption of work the Board of Trade shall inquire into the possibility of expediting and improving the arrangements for the distribution of orders. Both parties undertake to give full facilities for such an inquiry, and to give favourable consideration to any recommendation made as a result thereof. At any time, not less than three months from the date of this agreement, if either side desire to reopen any question they shall be at liberty to give a month's notice to terminate this agreement. Any question arising as to the interpretation of this agreement shall be referred to the Board of Trade." That is signed on behalf of the employers by Alfred Brooks, Richard Lambert, and T. W. Jacobs, jun., and on behalf of the men by Harry Gosling, E. A. Spicer, G. Wallington, and others, and counter-signed on behalf of the Board of Trade by G. R. Askwith, the Chairman.

Sir Edward Clarke: This refers back to a former agreement, "the present working agreement and awards." Is there any agreement existing before the date of this one of August 11, which dealt with the question of the employment, or non-employment, of union men?

Mr. Gosling: No. There never has been any agreement until the one made to which I have referred, and

I say that that was made because we were pressing beyond what was thought to be right in asking foremen to join. The reason I put that first, although the date is later, is because that is the agreement which comes closer to the lightermen's trade. It is backed up by two other agreements.

Sir Edward Clarke: Is there not in the agreement of August 19 a passage of some importance which requires to be read?—"In all cases of dispute or difficulties arising, no member shall knock off work, but continue his employment and report to his society, and as soon as possible the matter shall be dealt with forthwith by Masters' Association and the Men's Society; and in the event of not coming to agreement, the question in dispute shall be referred to the Board of Trade."

Mr. Gosling: Yes, that is of importance, and I will tell you what happened. After the man Thomas was seen, it was reported in that way to the society, and then two delegates were instructed to see his employer. They went and saw the man's employer, and put the matter before him, and told him what they thought would be the result of this man refusing to have a Federation card; and he refused to have anything to do with the matter.

Sir Edward Clarke: What is his name?

Mr. Gosling: His name is Mr. Curtis, and he is the gentleman who represents the Mercantile Lighterage Company. When the delegates reported to the men in the firm that Thomas would not take a card, and that his employer would not help us to carry out the agreement, the men in the firm said: "Very well, if he will not be one of us we will not work with him." They refused to work with him; and when the remainder of the men heard what had happened, they refused to work with him. Then, I believe, the Mercantile Lighterage Company called for the assistance of the Masters' Association, and they took the orders of the Mercantile Lighterage Company and handed them round to their Association. In other words, they asked, by their actions, all the other trade unionists to help the Mercantile Lighterage Company to help Thomas to break up our union. There was nothing for a man to do, so long as he was a trade unionist, but to refuse those orders; and as they refused, so they were stood down and told that there was no more work for them. Then, as we are all members of one Federation, of course it runs like wildfire, and as soon as it is found that the goods that are affected are being diverted into other channels, then you come up against another body of men who are trade unionists, and who say: "We are not going to help Thomas, whom we look upon as being put up by the Masters' Federation for the purpose of breaking up our union, to carry that into effect"; that is as far as we can tell, because we have no personal feeling against the man at all; we were prepared to be friendly with him, and we were not even asking him to pay, as is done in some cases where there is temper, an increased entrance fee, or a fine, or anything of that kind, although he has not been with us for a long time and we have been trying to get him. We said: No, if he likes to come in with us, we are prepared to take him. He seems to me to be like a modern Canute who is being used by the Masters' Association to try to drive the tide of trade unionism back. I do not think he is going to be able to do it, but, of course, the effect of it is this terrible state that we are now in. Our difficulty is this, that if we give way, and if we say, "Very well, never mind about this fellow, he is not worth troubling about," immediately that will be taken as the thin end of the wedge, and the men will say directly that if he is going to be allowed to do it, somebody else will have to do it directly, and so the thing begins to fritter away. We can only maintain the conditions under which we work by being a solid body of trade unionists. This matter has been raised, as I was saying, in two other cases.

Sir Edward Clarke: Before you go away from that, has this matter ever been dealt with by the Masters' Association and the men's society?

Mr. Gosling: Never.

Sir Edward Clarke: Why not?

Mr. Gosling: I think you had better ask the Masters' Association.

Sir Edward Clarke: I will ask them in their turn, but do you mind telling me why not?

Mr. Gosling: Because there is such a strong feeling

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against us by them that I do not think any good purpose would be served by our meeting together, even to talk it over. I know that does not appeal to you.

Sir Edward Clarke: It does not sound a very good reason.

Mr. Gosling: I do not think there is a good reason. I cannot think of a good reason. If 99 per cent. of the men—or a very much higher percentage than that; very nearly the whole of the men—in this port are now trade unionists, and yet this chap comes along and says "I am going to upset all of you," can he be doing it for himself? Is it common sense that he is doing it for himself? If he belonged to a set of men who had a grievance against us, and said, "We cannot have anything to do with you," that I could understand, but he belongs to a family of trade unionists, and no man can be persuaded to believe that he is doing anything else but being a tool for the Masters' Association. They have backed him up. His own employer has backed him up. Good gracious! If he had come to me and said, "I cannot afford the money," it is only 5s., and I would have given him the 5s. to join. It would pay us to give him a pension of £1,000 to get rid of him, if it were not for the principle of the thing. It is so absurd; yet because the Masters' Association says, "No, Thomas, don't you join, we will back you up, and we will break the necks of these fellows," that is why we are in this ridiculous state. Of course, it has been said that we were contemplating a dispute this year. I want to say quite boldly that we were doing nothing of the kind, and if we had our way, there would have been no dispute this year. What we were going to try and do was to get this inquiry. What we wanted was an inquiry into the whole unrest, but no dispute—no strike; because you must at the finish do this kind of thing across the table. I do not care if we have to wait two months in our fight, at the finish you must do it across the table; and we made representations over and over again—I do not know how far I am entitled to go into that, but I may say that I personally have made strong representations—that what was wanted was an inquiry of this kind. This has all been brought upon us, we say, for some other object, not Thomas's individual opinion of trade unionism. He has been used as a tool, and that is what has brought the trouble about. I am reminded that I ought to say to you that the whole matter could have been confined to the Mercantile Lighterage Company if it had been wished, but I quite understand that if the Association of Master Lightermen think that one of their members is being unfairly treated, they should take his part. I do not blame them for that at all. Now I want to come to this other agreement.

Sir Edward Clarke: I do not want to trouble you at all, or to embarrass you, but can you tell me anything more of the society to which you say he at the present time does belong—as to its membership, or how it is constituted?

Mr. Gosling: It is a Foremen's Society. I do not know its membership. I should not think it is very many; perhaps 100, or something like that. It may be more, but it is quite a small number. Of course, the foremen are only a small number.

Sir Edward Clarke: You say that he is an elderly man. Do you know how long he has belonged to the other society?

Mr. Gosling: I should think he has belonged to it right through, ever since it has been a society.

Sir Edward Clarke: A good many years?

Mr. Gosling: I should be prepared to accept that, if he says so.

Sir Edward Clarke: One more question: How long, to your knowledge, has the present state of things existed—namely, that he was working as a journeyman not belonging to your society, whereas he was a member of the Foremen's Society?

Mr. Gosling: I should think a year or more. I do not know, but I should think it is about that. It is a long time, and from time to time he has been asked in a friendly way, "Hadn't you better come with us?" You never can get these things settled, unfortunately, when the masters take them up against you, except by having a strike. It is the only way to do it.

Sir Edward Clarke: Supposing it to be a case—I am not saying it is, but supposing it to be one—which came under this provision about being dealt with forthwith by the Masters' Association and the men's society,

how would such dealing with it by the two societies be started? It would be, I suppose, by an invitation from your society?

Mr. Gosling: Or the other.

Sir Edward Clarke: Or the other. It would be from one society to the other?

Mr. Gosling: Yes.

Sir Edward Clarke: But no such communication has taken place in this case?

Mr. Gosling: None at all. We have made our request to the man's employer, and we have had no reply from either the employer or his association. May I go on with this?

Sir Edward Clarke: Pray do.

Mr. Gosling: On August 23 there were difficulties which arose in connection with the Short Sea Traders and our Federation. You will find that on page 7 of the book which I have handed up. There an agreement was made, and was signed on behalf of the Short Sea Traders by C. F. Leach, H. P. Hooper, and J. C. Mead, and then by a whole list of names on behalf of the Transport Federation; and that was countersigned by John Burns and by Isaac Mitchell, of the Board of Trade. In clause 6 of that agreement it says: "The members of the National Transport Federation will not demand or request that either foremen or tally clerks shall be members of the Federation."

Sir Edward Clarke: And I see that Clause 5 is in the same terms as the provision with regard to disputes in the agreement of the 19th.

Mr. Gosling: That is so. Then on page 31 you will see there was a conference of shipowners and representatives of the transport workers. This, I think, will establish our case conclusively. At the time of the 1889 Dock Strike, it was a regular practice that all men seeking employment at the docks, sought for it outside the gates of the docks. You remember that, I feel sure, Sir Edward?

Sir Edward Clarke: I do, very well.

Mr. Gosling: The object of that was to enable the men to meet on neutral ground to exchange cards—to show cards to each other. Then as the employers got the men under in the course of years, a good deal owing to the foolishness of the men in allowing them to, the men were compelled to come into the dock to be taken on, so that they could not show their cards to each other, so that it should not be known who were union men and who were non-union men.

Sir Edward Clarke: What was about the date of that change?

Mr. Gosling: I should think two or three years after the 1889 strike. Then last year, when the uprising among the men came, we restored the position, and after the agreements were signed, the men refused to go inside the dock to be taken on. That caused a further stoppage of work, and we were invited by the Government to attend at the Home Office for the purpose of discussing the matter with the employers. There, again, the employers only showed any anxiety at all because they said "If you are going to insist on all the men having Federation cards, that means our foremen and our tally clerks, who are our confidential men"; and we were pressed by everybody, including the Government, not to demand that foremen and tally clerks should be members of our organisation. I remember one member of the Government saying to us "They are no good to you; you do not want them. They are no part of you; all you want is your own men"; and the agreement was signed. From that moment the question has never been raised by the shipowners, but we have been entitled, and we have regularly carried it out, that men shall show their cards before they start work, but the foremen and tally clerks have been exempted, and the thing has gone along very smoothly.

Sir Edward Clarke: Show their cards to whom?

Mr. Gosling: To each other. You must not say "I have left it at home," because if you do, they say "Go home and get it." You have to show your card, and then there is the guarantee from one man to another that he is working with union men. We have practised that in the lighterage trade, not so severely, as I am proving to you, in the case of Thomas, but we must not be misjudged because we have been careful how we have done it. We ought not to be misjudged because we have not gone like a bull at a gate. What we have done is, we have tried to conciliate this man, and he says "No, you will not conciliate me; I have got the Masters' Association at my back, and I am doing this for them." That is what he says by his actions—

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not by his words, but by his actions. He says "I am fighting this battle for my employers."

Sir Edward Clarke: Is there any specific case besides that of Thomas in which a matter has been brought to the notice of an employer?

Mr. Gosling: Yes, I should think so. I do not know of my own knowledge, but there are men here who would be able to tell you if you wished; but we have some very serious cases of victimisation which we should like to put before you, if you think it is necessary after I have made my statement. A few weeks back—I am sorry I cannot give you the date, because I did not expect, of course, that I was going to be called upon to make a statement to-day—

Sir Edward Clarke: Before you go away from this, I notice that on page 31 of the book which you have been good enough to hand me, there is a statement with regard to a conference of shipowners and representative transport workers.

Mr. Gosling: Yes.

Sir Edward Clarke: That begins by paragraph 1: "Settlement to be final, and no fresh points to be raised after this agreement has been signed"; secondly, "settlement to be as per agreement signed by Lord Devonport, Harry Gosling and others on July the 27th, 1911, and to the award thereunder made by Sir A. Rollit, which agreement is hereby confirmed except as modified by this agreement." There is no copy of the agreement signed by Lord Devonport and yourself of July 27 in this book, I think?

Mr. Gosling: Yes, it is there.

Sir Edward Clarke: On what page?

Mr. Gosling: It is on the first pages of the book, at pages 3 and 4.

Sir Edward Clarke: I see "terms of agreement" at page 3. Is that what you are referring to?

Mr. Gosling: Yes, that is the one. That has been called the Devonport Agreement.

Sir Edward Clarke: That does not appear to be dated, but that is the agreement which you mentioned as of July 27, is it?

Mr. Gosling: Yes, that is so.

Sir Edward Clarke: Without reading it, or getting it all upon the notes, I should like to see whether there is anything in that agreement at all specifically referring to the employment or non-employment of non-union men.

Mr. Gosling: No, the only case that I know of where this clause has been put in, has been in supplemental agreements brought about in two cases, I think, if not three cases, by misunderstandings, and then the employers have said to us "To prevent misunderstanding, put in this clause and then we shall know where we are: you are not to demand foremen or tally clerks to be members." We say that there is only one inference you can draw from that.

Sir Edward Clarke: Would you mind kindly explaining to me the bearing upon this matter, if any, of the paragraph which is numbered 2 of the points reserved for arbitration, as to the Federation ticket?

Mr. Gosling: That was another kind of Federation ticket; that was the Shipping Federation ticket. Very strong complaints were made of the tactics of the Shipping Federation, and it was agreed at the Devonport Conference that if, after a great deal that had been said, still the matter was unsatisfactory, then it should be dealt with in this way. "Any complaint of the National Sailors' and Firemen's Union against the principle of the 'Shipping Federation ticket,' or the system under which the 'Federation tickets' are issued, to be submitted to an arbitrator to be nominated by the London Conciliation Board, who shall decide whether such complaints are well-founded, and if so, what change in the system should in consequence be adopted. If the Federation are not prepared to adopt any recommendation which the Authority may make, the issue of 'Federation tickets' is to be discontinued"; that is, Shipping Federation tickets.

Sir Edward Clarke: That is a different set of tickets from those with which you are now dealing?

Mr. Gosling: Yes; if I may say so without offence, that is an anti-trade union ticket.

Sir Edward Clarke: I see it is signed by Mr. Havelock Wilson for the sailors and firemen, and also by Mr. Tillet for the dockers, but it does not apply to your tickets—to the Federation tickets of which you are now speaking?

Mr. Gosling: No, not to those.

Sir Edward Clarke: The award, I see, in consequence of that agreement, is dated August 5. That award appears exclusively to relate to the question of rates of pay. Is that so?

Mr. Gosling: Which award are you speaking of?

Sir Edward Clarke: Sir Albert Rollit's award.

Mr. Gosling: Yes. If you will allow me, I will come to that in due course, because I have something to say about it. I want to say a word or two about the tugboats. We have agreements with every section of the lighterage trade, and I was going to say that even every sub-section with the exception of masters and mates of tugboats, employed in what we call the quay trade; that is the trade which is governed very largely by the Association with whom we are now in difference as to the man Thomas. They have made agreements with us, and with all others of our Federation, or parts of our Federation, and agreements have been made for the men in the engine rooms of the tugs, but not with the men on the deck. I do not say that they have not made arrangements with the men individually, because I believe they have, but the men asked us to make a collective bargain for them, and to try to secure for them—and I almost blush to admit it, because it seems so absurd—a 72-hour week. We have got the hours down generally in the trade to 60 a week, and most trades are asking for an eight-hour day, and these men asked us to secure for them a 72-hour week. I wrote to the Masters' Association, and I thought I would not give them any cause to complain by putting a programme before them and asking them to swallow it, so I wrote and asked them if they would meet us to consider wages and conditions for tugboat men, without even saying that I was going to ask them for a 72-hour week. They wrote back and said No.

Sir Edward Clarke: Will you give me the dates?

Mr. Gosling: I am not sure, but it is four or five weeks ago. Then we had a meeting of the men, and the men said, "If they will not meet us, we must put our own terms forward," and they put terms forward asking for increases of wages, but principally for the 72-hour week. That was sent to the Masters' Association, but they would have nothing to do with it. Then the men said, like we always do have to say, unfortunately, "You cannot get this without you stop work; you cannot get this by a conference, because they will not meet you." You will remember the agreement which says that any difficulty arising should be dealt with by the association, but they say, "No, we will not meet you." They would not even meet us and talk it over, and the men put in their notices. They did not leave their work, but gave the proper notice that they should give—a week's notice, I think, in each case. Then the Government intervened. I want to show to you, if I can, while the intention of the Government was good in all these cases, what an awkward position it puts us in, whether we comply or refuse to comply. The Government say, "Will you come and see us about this matter?" It is quite right that they should do it, and I went. They said, "Cannot you hold this thing up and let us look into it?" Now, what are you going to say when you have that put to you by the Government? You cannot refuse to do it, and so I said, "Yes, I will; I will persuade the men to postpone their notices." The men postponed their notices. I took the responsibility of that myself; but what men in my position have to be careful of is this, that we must not let the men think that we are playing the fool with them, because we are done immediately we do that. You not only have to be straight with the men, but you have to give them reasons to know that you are straight with them, or else they lose faith in you, and then you are done. If you keep running about making these little bargains, and if you keep trying to make peace, large crowds of men misunderstand you. We have not got the same opportunities that the other side have, of meeting in a hotel where all our members can be put together. All the masters in London could come into this room, but only the smallest portion of our membership could be got here, even if they could travel so far as to get here. That is our difficulty. Therefore we always have to talk in a way that the men will understand, because we cannot get to each individual and speak to him. That is where you get the unrest. The Government said, "Will you postpone these notices?"

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and we postponed them. They have been postponed now for over three weeks, and, so far as I know, even the Government cannot get these employers to meet us and to talk over whether men shall be required to work more than 72 hours a week. I do not think you will have any difficulty in finding out why there is unrest, because these things I am prepared to prove by supplementing what I am saying with others, if you think it necessary; but all this can be proved by documents.

Sir Edward Clarke: Do you mind telling me whether the tug men come in any way under the agreements which you have been opening with respect to Thomas's case?

Mr. Gosling: No; not at all.

Sir Edward Clarke: So that the clauses which have been put upon the note with regard to communications between the Masters' Association and the Men's Society, and then the reference to the Board of Trade, do not apply to the tug men?

Mr. Gosling: No.

Sir Edward Clarke: Will you let me ask you another question on a matter of fact? It is to help myself. You speak of a 12-hour day for tug men.

Mr. Gosling: No; a 72-hour week.

Sir Edward Clarke: I mean 72 hours a week for tug men. How would that time be calculated? These men live on the tugs a good deal, do they not?

Mr. Gosling: No.

Sir Edward Clarke: Not at all?

Mr. Gosling: No; they are not large sea-going tugs, they are tugs engaged up and down the river, and the men get home as often as they are able to do. There is no sleeping accommodation and general cabin accommodation like you have in sea-going tugs for them. We are not complaining of that; it is not necessary.

Sir Edward Clarke: I quite understand. But, of course, if a man were living upon the boat the question of 12 hours a day or 72 hours a week would be more difficult to deal with?

Mr. Gosling: Yes. I do not suggest that a man who is towing a ship to sea shall knock off when he gets to the Nore and go home to his tea, or anything of that kind. Then nothing has been done with the tug men; the Government have made no reply to us, except, I suppose, by appointing this Inquiry. The Masters' Association refuse to meet us; but, what is worse, this is all looked upon as a sign of weakness on our part, because we postponed those notices; so that you dare not do many things you would like to do, because they are misinterpreted. I have no doubt, if we had not postponed the notices for the tug men and done something which appeared to be a sign of weakness on our part, although it was because the Government had asked us to do it, we should not have had the Thomas business, because they would not have thought that we were weakening. But they thought that we were weakening, and then they said: "Come on with Thomas; that will be the next thing we will do." I have no doubt that if we had not resisted Thomas we should have found something else tumbling about our ears in a very little time. A Member of Parliament asked the President of the Board of Trade this question:—"Whether the tug masters employed in the trade of the Port of London have been applied to by the lightermen to reduce their average working hours to 72 hours per week; whether up to the present it has been impossible to arrange a meeting between the representatives of the masters and the representatives of the men; and whether the Board of Trade have been invited to intervene," and the President of the Board of Trade said, "Yes, the attention of the Board of Trade has been drawn to this matter, but at present it is inadvisable that I should make any statement on the subject," which of course means, I suppose, "Do not despair, something may yet be done." As far as I know there is still no inclination on the part of the employers to meet us with regard to these men. They are claiming the right to work these men up to over 100 hours a week in charge of tugs. What I want to call attention to is this: These tugs are up and down the river day and night; we have a large passenger service going on now, as you know, in the summer months. Is it not in the interest of life and property that men should at least have proper time for rest and not be required to work so long a week as 80 or 90 hours? Does it seem reasonable? Are we wrong if we are unrestful if we cannot get those kind of things remedied? That is why I do not want lawyers here to argue that. I want

to hear what the employers have to say themselves about it, and how they justify expecting us to work 100 hours a week and not complain. If we could complain in the ordinary way I agree at once, and I would not contend for a moment that we were entitled to strike if we could deal with it in any other way. I am proving that with our own letters to the Association, not for an extravagant purpose, but for a 72-hour week, and Government intervention, and then nothing done. Now the tugboat men are out with us; for the first time in the history of the port they have thrown in with us. Why? Because there is nowhere else for them to go for protection; they must come over to our side, and the employers drive them, I am very pleased to say, into our fold, because there is no other haven for them. The men have to come with us, and now they have thrown in with us. I do not want to talk extravagantly, but I hope that we shall not have to submit, and I hope these men will not have to go back to work until we have at least secured for them a 72-hour week.

Sir Edward Clarke: I shall be helped if you will let me have copies of the letters that have passed upon that.

Mr. Gosling: I will do that.

Sir Edward Clarke: And let me ask you another question: Can you tell me—I daresay you can—how the tugmen are paid? They are paid so much an hour, I suppose?

Mr. Gosling: No, by the week, and then overtime afterwards.

Sir Edward Clarke: Overtime over what?

Mr. Gosling: Overtime over whatever is decided as their week, and that is what we want to get decided.

Sir Edward Clarke: What is their week now?

Mr. Gosling: It is go as you please, get home when you can.

Sir Edward Clarke: I do not see where the overtime comes in, then.

Mr. Gosling: There is not any in the cases of these particular tugmasters, and that is why you can get what you got this morning, the dissatisfaction of one employer with another. You remember an employer was speaking here this morning about unfair treatment to him. That section of the employers has agreed to a 72-hour week for tugmasters.

Sir Edward Clarke: What section is that?

Mr. Gosling: That is the section that we call the rough goods trade, the men who are engaged in the carrying of coal and ballast and rough goods.

Sir Edward Clarke: Can you tell me when that agreement was arrived at?

Mr. Gosling: Last August, and it has worked absolutely smoothly ever since.

Sir Edward Clarke: You mean an agreement which is not before me among these?

Mr. Gosling: It is not before you, but it can be put before you. There they have agreed, and, mind you, that agreement had to be made under the supervision of these other gentlemen who refused to make an agreement for themselves. That is what is so absurd about the whole business. You noticed in that agreement that you were reading of August 11 that if we allow any other employer to make terms with us more favourable than theirs they claim the right to those more favourable terms, but when we make an agreement with employers less favourable to them they do not adopt them; while they claim the right to overlook the making of an agreement that gives 72 hours to the tugmen in the employ of these other lightermen, they themselves will not make an agreement at all with regard to their own tugmen, and not even when the Government order them to do it.

Now, I want to come, if I may, to just one other point with regard to the lighterage trade before I go on to the other points. In August last the sailing-barge men belonging to the Thames and the Medway ceased work with the other men. The sailing-barge men are paid by the freight; it is piecework, and there necessarily has to be a very large number of rates for the different classes of goods in the different places that they go to, and to get a basis for those rates takes a very long time. After you have got, say, five hundred different rates, you have then only got rates to guide you in making other rates. I want to say that to show you the difficulty we are in. The President of the Association of Master Lightermen asked us to send the men back to work, and he said: "If you send the

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men back to work then we can sit down and coolly and calmly go through these rates and fix up proper rates."

Sir Edward Clarke: Who is the President?

Mr. Gosling: Mr. Alfred Brooks, whose name you will see there. We said: "Yes, that is a fair thing to propose to us. If the men go back to work, so long as we have an understanding what is going to happen they will not be prejudiced, and it is better that they should be at work. Then we can sit down and go through the whole matter, and practically take as long as we like over it, because whatever is done shall be retrospective." That was agreed. I have, I am sorry to say, another undated agreement, but then you must remember that these things were done, or some of them, in the dead of night; we had to do them and we were all very tired.

Sir Edward Clarke: So that you do not know what date it was. When about was it?

Mr. Gosling: I find it at the head; I was looking at the tail. It is an agreement made the 11th day of August, 1911.

Sir Edward Clarke: That is the same day as the other one.

Mr. Gosling: Yes, it was an agreement that the present rates be restored to those in force previous to the last general reduction, any exceptional cases to be considered. A schedule of rates to be prepared at the Board of Trade on the above basis, the question of the sliding scale of limitations to be dealt with by agreement, and failing agreement to be referred to a conference of the Board of Trade. You need not worry about that last clause, because that was adjusted without any trouble. This is what I want to call your attention to. It is signed on behalf of the sailing-barge owners of the Thames, the Medway, Sittingbourne and Faversham for work within the port, by Alfred Brooks. Signed on behalf of the men by myself and E. A. Spicer; countersigned by Sir George Askwith, the Chairman. That agreement was made on August 11, and the men all went back to work. They were all told to keep an account of the freights they did, which they would be paid for at existing rates, and whatever difference there was would be adjusted when the price-list was made. It turned out to be a very much heavier task than was at first expected. Other difficulties intervening made it difficult to get meetings, and it was not until January 1 of this year that the list was finished, so it is a very good job that the men did go to work, because they would have had a long time to wait if they had had to wait until their rates were made. I will hand in a copy of those rates. (Document handed.) On the front page you will see inside the cover: "This list of rates for sailing barges on the Thames, Medway, etc., has been compiled in consultation with representatives of the parties in accordance with the terms of the agreement of August 11, 1911." That is signed by Sir George Askwith, the Chief Industrial Commissioner, and dated January 1. Then you get a whole list of rates, and on the whole it is a satisfactory list. Some of the prices are cut very fine indeed, and some of them are a little more generous; but we accepted the list as a whole, and are prepared to work under it.

Now, I want to put this position to you: You have got to enquire into why there is unrest. These men were told in plain words, without any other thing being said to them at all: "Go back to work. We are going to make a price-list for you. Whatever it is you will get, the difference will be made up to you." That was agreed upon, and it was to commence from August 21. I have a memorandum here, and there have been hundreds of them issued; they were issued by all the firms. This one is from Peters Brothers, near Rochester, Kent. That was handed to all the men when they resumed work: "Difference on rates to be paid when new schedule of rates is issued for any freight between the 21st August and above date." That was dated October 16 last. There is the list of freights issued by the Government Department set up for the purpose of keeping industrial peace. Here are the men agreeing to this being done and loyally accepting it when finished. We have not had one farthing of back money yet, and we cannot get it.

Sir Edward Clarke: Has any correspondence taken place about it?

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Mr. Gosling: I do not know how many letters Sir George Askwith has written, and I should think we have made 20 applications to the Board of Trade. They have not been able, and we have not been able, and you cannot get it unless you strike.

Sir Edward Clarke: Has any application been made to Mr. Alfred Brooks?

Mr. Gosling: Yes, over and over again. A letter has been written to him by the society's solicitor, and they make some objection; I do not quite remember what it is now. They make some objection, but they do not pay. If that was the only thing that had gone wrong over this list there might be some excuse found for it, but although the agreement says that it is signed on behalf of the Sailing Barge Owners of the Thames, the Medway, Sittingbourne, and Faversham, 30 per cent. of those owners are not paying this list, quite apart from the back money—that is not from January 1. At the present moment the firm of Burley and Company, in Sittingbourne, who have got contracts in London for carrying away refuse for local authorities, are refusing to pay this list, and we have had to call the men out from their firm to try and enforce it. Then you have applications from gentlemen that we should not stop the public service. In many cases the public bodies encourage sweating by allowing a contractor like this, who I have no doubt has charged extra rates for his work because of last year's strike, and is refusing to accept a freight rate that has been set up by an impartial body and put forward for us to adopt. He is doing the Finsbury Borough Council rubbish. Of course, I know politically it is the wrong way to get a fair wage clause from them, but there is the difficulty we are in, and then you get unrest.

Sir Edward Clarke: Is that Messrs. Burley?

Mr. Gosling: Messrs. Burley and Company, of Sittingbourne. That is why you get unrest, because what the men say to me is this: "I thought you said we were going to have a list that the employers were going to pay." I say to the men: "Well, there is the agreement"; they say, "What is the good of that; why do not you call us out?" That is what the men say nearly every time: "Why do you keep on letting these people do this kind of thing and you do not call us out?" The reason why we do not call them out more often than we do is because of the responsibility of doing it, because it is a very serious thing to upset the trade of the country, but there is no other way to do it until you, sir, have perhaps found some remedy.

These gentlemen attended the conference and instructed Mr. Brooks to sign on their behalf. I want to say quite clearly that I am not blaming Mr. Brooks at all. Mr. Brooks has done his very best. I believe Mr. Brooks had a meeting with all these gentlemen, and they gave him authority to sign on their behalf. They have sold him; that is what has happened. They have used him as a tool to persuade the men to go back to work and tell them that all would be well, and then they have left him in the lurch with his signature on an agreement that he cannot honour; that is why there is unrest. This gentleman at Sittingbourne, I believe, is one of the leading lights in the town, a magistrate, and a man whom we are all supposed to look up to. He is just the same as the others. He lets Mr. Brooks sign on his behalf, and then throws him down, and then you get the unrest.

Now I want to come, if I may, to the Devonport agreement.

Sir Edward Clarke: Before you pass from that, are you able to tell me what is referred to in the first paragraph of this agreement of August 11 of the sailing barges as "the last general reduction." It says: "Present rates to be restored to those in force previous to the last general reduction." Do you happen to know when that reduction had taken place?

Mr. Gosling: There was great difficulty about that. It was thought that it could be fixed quite easily, but when we got into negotiation it was found it was more difficult. The employers claimed that it was on a certain date, and we had reason to say it was on another date, and that caused a great deal of delay and a great deal of difficulty in making the list out. Sir George Askwith worked like a trooper over it; he was at it night and day for a long time. I and Mr. Brooks have been with him on several occasions until after midnight; but we did finally dig a way out for ourselves.

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Sir Edward Clarke: That to some extent explains the delay in arriving at the list.

Mr. Gosling: Yes; it was very difficult indeed, and it was only by the persistent way in which Sir George Askwith stuck to it that he finally conciliated, as I thought, everybody, and got out his list.

Now, with regard to the Devonport agreement; that was an agreement that was made with the Port Authorities. If I may venture to give a personal opinion, I think that is where the trouble began, although it ought to have finished there. Last year the Port of London Authority attempted to get a conference together of all the interests on the employing side, and we were to meet them. The idea that was at the back of our heads was (this was before there was any strike) that we should get a port rate for similar work, so that whether a man worked for Brown, Jones or Robinson, if he was doing the same work he got the same price. If I may express another opinion, I do not think you will ever get rid of the unrest in this port, or in any other port, until that is done, because it is so absurd to work for A to-day and B to-morrow, doing precisely the same work and having a different rate for it. If it is different work, of course it is another matter, but doing precisely the same work because somebody has got more favoured terms than others, that is what happens. That is what the employers themselves complain to us very bitterly about: "Why do you let so-and-so do this and not me?" You heard it this morning. That kind of thing is said to us every day of our lives, and we are being tempted—I do not say that we want much temptation, but we are being tempted by some employers to strike against others to bring them up to line. That is continually going on. I am not blaming them for it, because they are in this difficulty, that while they are willing to give us fair conditions—or some of them—they are unfairly handicapped by the others, and I hope to be able to prove that to you in one or two very strong cases before we have done. In the Devonport agreement first of all these parties met together. Before they had been there long, about half of them backed out and ran away. The Short Sea Traders would not be there because they were not allowed to speak, because someone else had been appointed, and all those kind of little troubles arose. They slipped out of it, and therefore we could not make a port rate to cover everybody because they had gone. Then the Oversea Shipowners said that they could not be bound at that meeting, but they were willing that the matter should be referred to arbitration. That is how you get the Sir Albert Rollit award, which I will explain in a moment. The Granary Keepers agreed to come under the Devonport agreement, but many of them have not carried it out from that day to this. I cannot give you the names of those who have not, but I can present a witness directly who will be able to, but I can make the statement clearly that some of the Granary Keepers have never honoured the agreement yet. Now, here is another thing that we have to meet day by day. You come across an employer and he says: "You know I am no party to that agreement," but the men can never be got to understand that. How can they understand? What the men think is that agreements are made by employers like they are made by workmen, for all, and they do not understand how these people keep slipping out. Here again I would like to make another suggestion as to one of the remedies to get rid of the unrest, that when a trade has fairly and securely made an agreement between masters and men, the remainder of that trade ought to be compelled to keep it, just as is done by the Trades Boards. Protect them how you like by your proper majority, make sure that it is a representative body on both sides, but having made an agreement do not allow any scalliwag to get out of it by saying, "I was not there and I took no part in it." That is what is going on in nearly all the trades. Then the employers are saying to us: "How can you expect us to obey this agreement when you are allowing so-and-so to do this work at a lower price?" Then if we say: "We are not allowing it," they say: "Why do not you stop him?" which means "Why do not you strike against him?" Then when we strike against him they take up the cudgels for him and take his part and lock the men out; that is why you get unrest. Once a rate is fairly and securely agreed upon in a trade it ought to be standardised and made the rate for the whole of that trade.

Sir Edward Clarke: Has such a question actually occurred of the others standing by a man who refused to pay the rate?

Mr. Gosling: I am going to show you that presently as we go along. There is a clause you will find in the Devonport agreement—

Sir Edward Clarke: Which agreement is that?

Mr. Gosling: It is the first page in that book. It was not signed by Lord Devonport because he was the Chairman; it was not signed by me because I was the Vice-Chairman, but the parties all signed it, you will see. Clause 5 is: "No man to be paid off with less than four hours day or night." One of the big firms on the river, Brewers' Quay, do not do that now. I daresay they are here and they will perhaps tell you why, but they do not do it now. That is my information, and I hope to be able to prove that if it is necessary.

Then, arising out of the Devonport agreement, the Oversea Shipowners had to be asked to make an arrangement with us, and, after some palaver, the London Chamber of Commerce was asked to nominate an arbitrator to decide what the terms should be for discharging oversea ships. They appointed Sir Albert Rollit. We were not asked whether we agreed; they appointed him and we accepted him. We put our case before him, and he decided in our favour. You have his award there; and you will see in the award it says that it was agreed on behalf of the shipowners—on behalf of the shipowners, not some of the shipowners, and the average man thinks that means all. He does not understand it to mean anything else. That was signed for the shipowners by Mr. J. A. Potter, and I signed it for the transport workers. They appointed Sir Albert Rollit, and he gave his award. And as soon as he gave it everybody said, "What a fool he must have been to have given an award like that," as they always do when it goes against them; and they said he should never have an opportunity of making another one for them, and all that kind of thing. That has been said to me by dozens of people who are affected by it. They never take a thing handsomely at all, they always take it with very bad grace. I am not saying this to frighten you in any way, because I do not think you would mind that at all.

Sir Edward Clarke: Does that apply to both sides?

Mr. Gosling: I do not think Sir Albert does; but that is what they said about it. Presently an oversea ship called the "Sea Belle" came into the Port of London to discharge. She went to Mark Brown's Wharf. Mr. Leach was the owner of the ship and the wharf; he enjoys the privileges of a gentleman who does not have all his eggs in one basket, you see; but when he wants to pay out, he says, "I am going to pay out on the lowest rate, because the Devonport agreement affects me as a wharfinger. I, as an oversea shipowner, am going to discharge my ship at that rate." The men who had commenced to discharge his ship were asked by their union not to finish the ship unless he agreed to the oversea rate. The delegates and representatives of the union saw him, and said to him, "Why not refer this back to Sir Albert Rollit? He, having made the award, will say whether the ship comes under it or not." He said, "No; Sir Albert Rollit is enough for once, but never any more. We are not going to have anything to do with the award; we are not going to have anything more to do with Sir Albert Rollit." So what they did was, they took the ship into the docks. You asked me if we had any instance of employers helping other employers to break awards. I am going to give you a very serious case. The Port of London Authority, a public body, undertook to discharge that ship. I daresay it will be said they cannot help themselves, but I want to put it to you that they can. They are bound to let a ship into the dock, but they are not bound to discharge it. That ship went into the docks, and to show you how awfully unfair they were, they asked permanent men, men who are entitled to a pension, to come and discharge this ship, believing that they would not dare to refuse to do it because of the loss of their job.

Sir Edward Clarke: On what date, or about what date, did this happen?

Mr. Gosling: In October last. These permanent men, who were good trade unionists, said: "Whether we lose our permanent job or not, we are not going to blackleg," and they would not do it. They not only would not do it, but they did not do it, and I do not believe it would have been done up to now. Then they carried it further; they discharged those men

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because they would not help Mr. Leach to break an agreement, and they called upon another lot of men and told them to do it, and I believe they went on until over 200 men had been discharged. Then they called together the foremen from different parts and made up a gang of foremen, and they said: "Discharge the 'Sea Belle,'" and the foremen said "No." The foremen would not do it, and they did not do it, but they did not discharge the foremen because they began to see that they would have had all the staff out if they were not careful. I believe if they had asked the clerks in the office to have done it they would not have done it, because it was so obvious to everybody that this was an attempt to break that agreement. Then after all this had been done they began to try to find another way to get out of the trouble. Of course, I am speaking rather strongly about this; I had a great deal to do with it. The Port Authority, with whom it was nothing to do whatever—the ship belonged to Mark Brown's wharf—then interested themselves in finding another way out, having failed to get men to blackleg. They said: "What is the best thing to do?" and it was decided that there might be such a thing as arbitration to decide a thing of this kind—not arbitration because they wanted it, not arbitration because they thought that was the way to settle disputes, but arbitration because they had failed to get men to blackleg and break down the agreement. Then I remember a very important gentleman connected with the Port of London who said: "We must have no more fooling about this kind of thing; no more Sir Albert Rollits; this time we will have the highest in the land; we will have the Lord Chancellor, or we will have the Speaker of the House of Commons, or we will get the Lord Chief Justice," to decide, mind you, what I suppose a county court judge would have thought was wasting his time—to decide whether this ship was under this agreement or not; but what they urged was that it was a matter of vital importance. It could not be of very vital importance remembering that if this thing was done the ship would have gone to sea; it could only be of vital importance if it was going to settle a principle once and for all, if it was going to decide what the price was to be for oversea ships in the port. An arrangement was made that if the ship was taken back to Mark Brown's Wharf, and the permanent men in the dock were restored to their positions, the ship should be unloaded and the matter referred to arbitration. The Lord Chief Justice very kindly said: "If this is a matter of great importance, and in which I can be of use in settling a grievance, I shall be very pleased to give my services to do it," so he accepted the arbitration, and Mr. Leach, on behalf of his own interest, and I for the transport workers, went and argued it before the Lord Chief Justice, and he decided in our favour. Now what do they say? They say all that the Lord Chief Justice has decided is that the "Sea Belle" came under that agreement, and nothing else. Do you believe, sir, that the Port of London Authority would intervene in a big dispute and go and ask the Lord Chief Justice to come and decide as an arbitrator, if it was a question of a ship that had left the port but had got about £20 one way or the other difference in wages to be paid? Do you believe they would have gone to the Lord Chief Justice to do that? What they did was, they went to the Lord Chief Justice so that he should decide whether the Rollit award applies to all oversea ships, but when he decided it did, they were sorry they went to him, and I daresay they think he is a very great fool now for having decided against them. We are now told by other wharfingers who have oversea ships in precisely the same way that the decision in the case of Mr. Leach does not apply to them.

Sir Edward Clarke: In that specific case I suppose the wages were paid according to the award of the Lord Chief Justice?

Mr. Gosling: Yes.

Sir Edward Clarke: Then that case was disposed of, whatever its historical interest may be. Has there been a similar case where the wharfinger has claimed that he, being a wharfinger, is entitled to pay under the agreement upon oversea ships?

Mr. Gosling: It is being done every day, and that is one of the reasons why the men have now been called out. Hay's Wharf will not; their representatives are here, and I daresay they will give you the reason.

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Cotton's Wharf will not. They say that all that the Lord Chief Justice decided, because his decision went against them, was whether the "Sea Belle" was an oversea ship or not, and whether she should pay 8d. or 7d. We say first of all that Sir Albert Rollit's award applied to all oversea ships; we say we have proved that by the Lord Chief Justice's arbitration; and now we have to strike to enforce it at other places. If the employers succeed in this dispute that is now going on it means that the men have got to go back under that unsatisfactory state of things again and breed more unrest, because they will only go back if they are too hungry to stop out, and they will only stop in until they get well enough to come out again; you cannot go on with this unrest, and you cannot conduct the business of the port. I think I have got enough business instinct about me to know how ridiculous it is even to try to do it. The work of the port cannot go on; I know that well enough. But how are we to act if we do not get something better than this? Nobody can say that the Lord Chief Justice would take sides, and the position now is that a gentleman in that high position is called in because of his high position, and because of the good effect his judgment will have, whatever it is, and then it is all going to be thrown on one side, and we have to begin to fight all over again with every other person. Then you may say: "Why do you let this go on?" My answer is: Because we have got to have a strike every day if we do not let it go on, and we have got to have this unrest.

Sir Edward Clarke: Take two or three days ago, for instance. At that time was there any strike in consequence of the action of either of these wharves then existing?

Mr. Gosling: No, and I do not know that there would have been, because we would have still hoped to have got through it somehow or other; but Hay's Wharf and Cotton's Wharf have refused a deputation from the Federation; they refused to see us.

Sir Edward Clarke: When? I do not want the exact date, but is it lately?

Mr. Gosling: Last week, I believe, but anyway it is a few days ago. I daresay we can give you the exact date.

Sir Edward Clarke: No, I only wanted to know whether it was quite recent or not.

Mr. Gosling: Now take the Stevedores' Society. The stevedores have got all one class of men doing all one class of work, being paid two different rates at least, and their only remedy is to strike. Some of the employers are paying a lower rate, and they cannot get them to take the standard rate unless they compel them by force. What I am trying to say is that nearly everything we do, and nearly everything that has been done in the Port of London has been done by force, and very little of it by argument.

Sir Edward Clarke: Can you tell me a little more about one class being paid two different rates? How does that arise?

Mr. Gosling: There are over 40 firms paying on the high rate, including all the best and biggest lines. The Short Sea Traders and Wharfingers are refusing to pay it.

Sir Edward Clarke: Is there any existing agreement under which you would say that the Short Sea Traders have come under an obligation to pay the higher rate?

Mr. Gosling: No; I think not. I was perhaps getting rather off the point then; it is really another point. We have from time to time got awards that are inconsistent with other awards, and there again you get difficulties because of these awards being made. What we are out for now is one rate for the whole of the work of the port, so far as the loading and discharging of ships is concerned.

Sir Edward Clarke: You want a level rate for that, as for the other case which you mentioned?

Mr. Gosling: Yes; that is so.

Sir Edward Clarke: But you do not, in respect of this matter, state that there has been any breach of agreement on the part of the firms who are paying the lower rate?

Mr. Gosling: Only where they are discharging oversea ships.

Sir Edward Clarke: Under the "Sea Belle" case?

Mr. Gosling: Under the "Sea Belle" case. May I just carry that one step further, and say this: Of course, we have to deal with large bodies of men. If

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you were trying to explain to a body of workmen—I do not mean because they are illiterate, because they are not nowadays, the men understand; but take an ordinary audience, an ordinary public meeting—if you were trying to demonstrate to them that when the "Sea Belle" is in the dock, say at Mark Brown's Wharf, she is not the "Sea Belle," or that she is not to pay 8d., but when she goes into a place where somebody else is unloading her then she is to pay 8d., you may have a man going to work on board the "Sea Belle" at one place one voyage, and getting 8d. an hour with exactly the same work, coming from the same port with the same goods, and then when she comes to another place that man is to have 7d. an hour because she goes to the other place. You never can get the unrest out of the men while that kind of thing exists. Now, sir, I want to go, if you will allow me, to the carmen. I hope I am not wearying you?

Sir Edward Clarke: Not at all. I want you to tell me as fully as you can your view upon this matter, and do not mind my asking you questions, because they will enable me more clearly to realise the points that you are putting.

Mr. Gosling: Thank you very much. Now I want to come to the carmen. The carmen are a very badly used body indeed. I think that is the general public opinion. There is a great deal of sympathy with the carmen, and I think a great deal of public sympathy. But, of course, that is not very much good. The carmen did succeed, with the assistance of our Federation, last August in making an agreement. Here, again, when any workman hears that the Government have taken his case in hand, that a conference has been called at the Board of Trade, and that an agreement has been arrived at, he does not understand, and he will never understand, that that exempts anybody at all. He says: "An agreement has been made, a rate has been fixed, at the Board of Trade, for my trade." That is the common understanding of Government interventions and agreements made under their auspices. An agreement was made, but far too low. We were so anxious to get an agreement of some kind that we accepted very bad terms. That is not only an expression from me; I know many people who are generally against us who admit it. The agreement was made on August 11, between the London Master Carmen and Cartage Contractors' Association and the Transport Workers' Federation, and the hours were fixed at 72 hours a week. You see that a man could be called upon to do 14 hours of the 72 in one day, and, under certain circumstances—when he went into the country, and that kind of thing—even more than that; that he only could demand a rest of 9 hours after 14 hours; and then the prices were: For one-horse drivers, 27s., going up to 31s., 34s. and 38s. for four-horse drivers; a small allowance for Sunday morning stable work, 6d.; a minimum rate for assistant horse-keepers and stablemen, 27s., and so on. That was signed by some of the leading carmen of London on behalf of the Association, and signed by members of our Federation, and again countersigned by Sir George Askwith. That was handed out to every carman in London, and every carman thought, "Well, now we have got at least something that we shall understand. We really do know now, bad as it is, although it is a 72-hour week, we do know that it is to be a 72-hour week, and we are going to be served alike." I daresay there are some members of the Master Carmen's Association in this room, so I am going to say this so that they may have an opportunity of explaining it to you, that the members of that Association, as an Association, have told us that unless we can make the other master carmen toe the line they will either, with very great regret, have to sever themselves from this agreement or go out of business. They say: "It is absolutely impossible for us to compete with these people who are sweating, and unless you can make them come up to time we shall have to throw up the sponge."

Sir Edward Clarke: Are you able to tell me if that has been said by either of the gentlemen who signed this agreement?

Mr. Gosling: Yes. Perhaps you will not ask me to name which of them has said it, but I can let you know. The gentlemen whose names are on this paper have said that to me, and I think they will be very likely to say it to you before this inquiry is over. One of the rules of the Master Carmen's Association is this agreement. They have put it into their rules, and every member consequently has to obey this agreement.

I hope I carry the journeymen carmen with me when I say this: The Association has acted more handsomely than anyone has with us. They say: "We have signed an agreement with you and we will do everything we can to have it carried out." A gentleman named Bissell who lives in Haggerston was a member of that Association. He refused to pay his men overtime, that is to say, he claims the right, like the tug owners do, to work men for more than 72 hours a week, and he does not want to pay them overtime. The unions say to Bissell: "You must pay overtime after 72 hours." "Ah!" he says, "that is if I employ your members, but I am not going to employ your members," and he discharges his union men and takes on black-leg labour. Then the Association of Master Carmen were seen by us. We met representatives of them, and they have done everything that they could, and I want publicly to thank them for what they have done. I believe they called this employer before them with the intention of either making him obey this agreement or throwing him out of their Association, and I understand that he has resigned to save being expelled from their Association. Here is one of the very vital causes of unrest. That carman goes to the dock to get goods. The Port Authority are under statutory obligations to deliver goods to anybody who has the right to claim them, as you know. Their men are fraternal members with the carmen; we are all in one Federation. The men in the dock and the men on the wharves say: "Here comes Bissell and Bissell has broken his agreement; Bissell is trying to break down the rates the carmen are getting. Bissell wants men to work more than 72 hours, and we are not going to load Bissell's van." Then the Port Authority say: "If you do not load his vans we will give you the sack." That means this: I am not saying the Port Authority can help themselves; that is not my point. My point is that this is what causes unrest. The Port Authority are saying that the men of the Port Authority shall be used to help Bissell to smash up the Master Carmen's Association and to break down our rates. How can that kind of thing go on and there not be unrest? Ought not there to be some legislation—if you like I will put it as high as that—something to compel a man like Bissell, whom there is bound to be a row about directly, because what will happen will be Bissell will come into the dock, the men will refuse to load Bissell's goods, the men will get the sack, and out will come all the transport workers again, because we are not going to let Bissell break our agreement. Ought not there to be some regulation, or some law that when the representatives of both sides in a trade have made a rate, and goodness knows it is low enough, that it should be maintained. Fancy a chap that can drive a horse in London and do a good deal of heavy labour work as well in loading and unloading his van, getting 27s. a week for a 72-hour week! Fancy doing that in London! Why, some of us who get two or three times as much money as that have a job to make both ends meet and look respectable. How can these chaps be expected to go below that, and here is Bissell, who says: "I am not satisfied with the 27s. and the 72-hour week. I want something even better than that for myself." It is encouraging sweating in its very worst form. This man is doing work for all kinds of people. I will not mention names, because I do not want to put anybody above another, but along comes some of these first-class firms, thoroughly decent people, with whom we never have any trouble at all, men who deal with their servants properly and fairly, and they are continually seeing me. I never get in a train or bus or anywhere else without someone plants himself down beside me and says: "How can you expect me to pay these rates if you do not make so-and-so do it?" Some of these gentlemen whom I know personally are continually saying to me: "We cannot go on paying these rates unless you make everybody do the same thing"; and every time we attempt to make the other people do the same thing then we are accused of upsetting the trade and causing stoppage, and all that kind of thing; that is the difficulty we are in. There is one other point and then I am finished; that is victimisation.

Sir Edward Clarke: In the case of Bissell, you say there will be a row. I suppose you mean there has not been any active hostility at present?

Mr. Gosling: We have done our best within certain lines to stop it; but again this is our trouble:

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people take that as the measure of our strength. They say we are not stopping Bissell because we cannot stop Bissell, but we can stop Bissell, and we can stop the whole work of the port, and we are doing it now. I am not proud of it at all, and I want to say so with all these men behind me, I am not proud of it, and I do not want all the trades of the port to be stopped, but I do want our agreements to be kept and our men to be properly treated.

Sir Edward Clarke: Is there no way in which you can make your strength felt against Bissell except through the servants of the Port Authority?

Mr. Gosling: We have asked the Port Authority to declare—I do not quite know how to express myself. We have asked the Port Authority to stand on one side and to refuse to load Bissell's vans and to take advantage of there being a strike.

Sir Edward Clarke: Is that standing on one side?

Mr. Gosling: There is no other way if they help. If they help they must help Bissell; that is the trouble.

Sir Edward Clarke: I quite see the point you are on. What I asked you was whether it was not conceivable that you had other ways of affecting a contractor than by appealing to the Port Authority to do that which you say they are not entitled to do under their statutable duties.

Mr. Gosling: You have to remember that we are only entitled to peacefully persuade.

Sir Edward Clarke: Certainly, I quite understand that.

Mr. Gosling: Bissell is a scab, and has employed scab labour; there is the trouble.

Sir Edward Clarke: You see the very serious difficulty, because you pointed it out yourself, having regard to the fact of the Port Authority being under statutable duties.

Mr. Gosling: Yes, that is very difficult for them, I quite agree, but what I should have thought they could have done is this: They say to a man: "Load Bissell's van," and he says "No." They say "Why?" He says: "Because Bissell has broken an agreement, and I am a union man." They say: "Very well, that is a declaration of a strike; we do not want to turn all our men out because Bissell is a scab." Consequently that is a strike, and they say to Bissell: "We cannot load up those vans; there is a strike." Surely, that is good enough? If it is not, it is not for us to find a remedy; it is for the Government; and I suppose it is for the result of this inquiry for the remedy to be found.

Sir Edward Clarke: I was asking you to help me by pointing one out.

Mr. Gosling: If you noticed, I said that we are only able to peacefully persuade. I thought that conveyed a great deal more than I said.

Sir Edward Clarke: I think I understood.

Mr. Gosling: Very good. Now on victimisation I have a witness here who will tell you, if it is necessary, unless you will take it from me as a statement, that men are discharged from their employment because they are union men. Men are kept in employment only so long as they will undertake not to join a union. That causes a great deal of unrest. In the case which was tried before Mr. Justice Coleridge three or four weeks ago, where the judge, as I told you, said that he could only draw one inference from that agreement, and that was seeing that foremen were mentioned, those who were not mentioned were included—

Sir Edward Clarke: Have you a report of that case?

Mr. Gosling: No, but I can get you the date and let you have it.

Sir Edward Clarke: I have the report before me, I think, because I have looked at it.

Mr. Gosling: I believe there is something better than the "Times" account, although it is generally very good; but I believe there is a better one. I believe there is a shorthand note.

Sir Edward Clarke: I have the "Daily Herald" account.

Mr. Gosling: You cannot do much better than the "Daily Herald," but shorthand notes are better than the "Daily Herald," I believe.

Sir Edward Clarke: It is possible.

Mr. Gosling: I believe we can get it. We will see what we can do.

Sir Edward Clarke: I should like a reference to

what you have just said as to what the judge pronounced upon that agreement.

Mr. Gosling: For all ordinary purposes if you stick to the "Daily Herald" you will be right.

Sir Edward Clarke: I am reading from the "Daily Herald" a quotation from the second part of the judgment, which was reported in the "Daily Herald" on May 11th, and it says this: "One does not want to have special evidence to know that between capital and labour perhaps the most disputed point of all, and on which people most markedly differ and most heatedly dispute, is whether it is justifiable for workmen to engage in any work with non-union men. That was a matter in dispute in July and August, 1911, among other things, and as is very often the case, the most heated part of the controversy is not satisfactorily settled; it is left open. There is something said about tally clerks and foremen not necessarily being members of the union, which shows the matter was disputed, but the great and dominant question, which was the right of union men to work with non-union men, does not seem to have been decided."

Mr. Gosling: But what he did say was this. Of course, you have only his judgment there, but in the shorthand notes of the case there is this: Mr. Neilson was against us, and Mr. Neilson was trying, in his very able way, to fritter the thing away, and the Judge said: "What other inference can I draw from this agreement?"

Sir Edward Clarke: If you please. Upon consideration he does not appear to have drawn it.

Mr. Gosling: I think he kept himself clear of it, for very good reasons, I daresay; but we have not got to deal with judges and gentlemen like yourself; we have to deal with ordinary men, and what other inference can the ordinary man draw from an agreement of that kind than that which we do draw, that we gave up foremen, and in some cases tally clerks; and if we had not possessed them, or it was supposed that we did not possess them, why should we have been asked to give them up? If we had not the right to demand that everybody as to whom we did not give up the right to demand it should be a member, then why were we ever asked to give up anything that we had not got? We must have had the right, or else we should not have been asked to give some of it up. We must have had it, and it was because we did have it, and because the employers saw the danger of our having the foremen, that we were asked to give it up; and it was because we saw something in their argument, and with a little pressure from other people, that we did give it up.

Sir Edward Clarke: I quite appreciate the point that you are making. Of course, you have come back now to the most serious question, as you yourself said, with regard to the present difficulties in the port—that is, the union men working with non-union men. I want to ask you whether you cannot give me some other case than that of Thomas, because in Thomas's case the question is complicated by the fact that, as I learn from you, he was a member of the Foremen's Union, and is still a member of the Foremen's Union, and is now working as a journeyman, but wishes to remain in the Foremen's Union. I do not say what the extent of the importance is, but you see the distinction between that and what would be the case of an ordinary workman who belonged to no union at all.

Mr. Gosling: Quite.

Sir Edward Clarke: Can you give me a case of your men having refused to work with an ordinary workman who did not belong to the Union?

Mr. Gosling: No. What generally happens is that the foreman says to him: "Why don't you do the same as the others?" That is what generally happens.

Sir Edward Clarke: And then he joins?

Mr. Gosling: Yes, then he joins, or the foreman says: "Give us your key; I am not going to have any trouble with you." That is what usually happens. This man is related to the foreman in this firm, and the firm take up his part, and the firm back him up.

Sir Edward Clarke: Does not that make it a very exceptional case?

Mr. Gosling: Will you allow me to deal with the case as an exceptional case for the moment?

Sir Edward Clarke: Certainly.

Mr. Gosling: If you will forgive me for saying it. I think we are rather at cross purposes. We are not

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asking this man to give up his membership of the Foremen's Society; we are not asking him to do that. We have got in our organisation members of the Foremen's Society who are now working as journeymen. What they say is, "Having been members of the Foremen's Society for a great number of years, we are entitled to considerable benefits," and we say that it would be unfair to ask those men to give up their membership and lose their benefits, so we have not asked this man to do that. That is not what is at the back of this. Thomas is not refusing to join our organisation for any personal reasons; it is the Masters' Association telling Thomas not to do it. If they told Thomas to do it he would very quickly do it—there would not be any question about it—or if his foreman had whispered in his ear and said: "We do not want to have any bother." What can there be in it excepting to bring our Union down? What can there be in it? The great mass of the men in the port belong to the trade unions; the non-union man is an exception; I do not say there are not any, but he is an exception. We make agreements with the employers, and our members carry them out with the employers. What can there be in it excepting, as I quite understand, that some employers think that trade unions are not desirable institutions, and if they could succeed in breaking them down they might remove one of their difficulties out of the way. I can quite conceive their taking up that position, and what I am going to say is that that is what they are beginning to attempt to do, and that is what all the men think they are beginning to attempt to do. That is why all the men so readily answered when they were called upon, because they say: "If you let this case go, others will flock along wholesale." With regard to the case which Mr. Justice Coleridge heard, the reason that that case was insisted upon was this: The barge came from Whitstable. The delegate went on board the barge and said to the man: "Have you got one of our cards?" He said: "No." The delegate said: "Very well, old chap, if you like I will make you out one at once and put you right." The man said: "My gov'nor won't let me join." Now I can give you the owner's name, and I can get you the name of the barge if you wish it.

Sir Edward Clarke: I suppose I have it here in the report.

Mr. Gosling: I think you have, yes. That is what he said. When a man tells you that, of course the men retaliate, and say: "Very well, then, we won't work with you." That owner can have all non-union men and take them all to deal with non-union men. We are not saying that there should be no non-union men. The non-union men can go and associate with themselves and we will associate with ourselves. If they want to get into our company they have got to do like you and I and everybody else does with other things that we belong to. If you want to come in our company you have got to be a member. There are some organisations that all of us here belong to, different kinds of organisations, and you have got to find your way in, have you not; and there is only one way to do it, by being a member. It is the same in the trade union ranks. Why should it not be? Supposing you do destroy trade unions, we are not going to sit down at it; we are going to have something else, and whatever else we have will not be as good as trade unions from the public point of view; it will be worse. The trade union is the safest thing for everybody. It does allow us to do this kind of thing. I could not be here off my own bat; I must have somebody behind me to enable me to be here, and to do what I am doing. Surely that is the best thing. The best way is to deal with the men collectively, and to have collective bargains, and if you have collective bargains you ought to have organisations to make them, and if you have organisations to make them the men who get the benefit of them ought to be compelled to support the organisations. I know that is something on which everybody will not agree with me, but on our side we are determined about it. We are perfectly determined that we will fight to the finish if it is to be a question of union and non-union labour. If there is any question about Thomas, if the masters contend that Thomas is an exceptional man, that is simply hedging. What they have said is that we are commencing a campaign to compel all men to be union men. There they are right; that is what we are doing. If they say that Thomas is a foreman the whole thing is exploded. If

they say that Thomas is a poor old chap who ought not to be interfered with in his old days, then the whole thing is exploded. But what they say is: "Thomas is a non-unionist, and we will not allow you to make him a unionist." If they are not saying that they are not saying anything, and there is nothing in their action at all; so that it really is purely and simply a fight of union against non-union.

Sir Edward Clarke: Of course, I have not heard what the employers say yet with regard to it. I will listen to them.

Mr. Gosling: I want to put that as clearly as I can, so that they may answer it as clearly as I put it; because if it is not a fight, if they have not locked us out because we want to make all journeymen unionists, then there is simply a misunderstanding.

Sir Edward Clarke: You have used a phrase now which you used before, upon which I should like to ask a question. Why do you say there has been a lock-out?

Mr. Gosling: Because every man who refused to do this work was stood down, when he was refusing to do it, because by doing it he would be assisting in the breaking of an agreement.

Sir Edward Clarke: That may be; but he refused to do it? I am not saying whether he was right or wrong at all; but, as a matter of fact, he refused to do it?

Mr. Gosling: Surely, if you say to a man, "Unless you break an agreement you shall not work for me," and then he says, "I will not break the agreement," you cannot say that he is striking. Surely he is locked out.

Sir Edward Clarke: "Unless you break the agreement that you have made with me"?

Mr. Gosling: Yes. We have made an agreement with the Masters' Association; we have made an agreement with the shipowners.

Sir Edward Clarke: You rest that upon the document of August 19?

Mr. Gosling: Yes

Sir Edward Clarke: Which Lord Coleridge said did not decide the matter one way or the other.

Mr. Gosling: Which Lord Coleridge said more about. I do not want anyone to think that I should be arguing law with you, and I am not going to do that; but what Lord Coleridge said was this:—First of all, he decided the first point, and he said that these delegates were entitled to give this information; and secondly, even if they were doing something which was wrong, it was a trade dispute, and that got them right. He decided those two points.

Sir Edward Clarke: Those were the two things which he had to decide.

Mr. Gosling: He did not have to decide that clause in the agreement, and, as a matter of fact, he did not decide it; but he did, in the course of the case, say to Mr. Neilson, "What other inference can I draw from this agreement than what the witness says." He did say that; I heard him say it.

Sir Edward Clarke: Do not understand that I am wanting to put you into any difficulty at all; but I am so profoundly impressed by the importance of what is taking place to the masters as well as to the men, that I am anxious to spare no pains to assure myself that I am thoroughly informed on both sides of the case. That is the only reason why I have interrupted you.

Mr. Gosling: Then, my last point is this continual and vexatious interfering with union men, and the victimisation which from time to time occurs. I am quite sure that, public man as you are, you will appreciate what I am going to put to you. Last August there was a tug belonging to Watkins, a tug owner, and the captain of her was a man named Captain Fitch, who was a man getting on towards 70 years of age; I should say over 65 years of age, certainly. He has been in that firm the whole of his life; he went in there as an apprenticed lad, and he has been there ever since, and I believe never worked anywhere else at all, so that he has done about 50 years in that firm. As long as he has been able to be one, he has been a trade unionist. He is, or was, the commodore captain of the firm, so that everything goes to show, by his length of service and by the position which he held in the firm, that he was one of their very best servants. Then he was put to this test, and it is a test which I will undertake to say any trade unionist would break down under, and do the same as he did. The "Lady Jocelyn" is the notorious blackleg ship which carries these scabs about

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from one port to another, and she arrived in the estuary of the Thames for the purpose of bringing blacklegs into London to do our work last August. Watkins said to Fitch, "Go down and tow up the 'Lady Jocelyn.'" You cannot imagine what that means to a man like Captain Fitch. You cannot think of what that means to a man. It is like asking a man, "Go and light the fire to burn these fellows up." It is saying, "Go and bring the blacklegs"; it is saying to a member of their union, "Go down there and tow up the blacklegs to destroy your own mates"; and he said, "I am not going to do it." They said, "Out you go, out of this firm, never to come back any more"; and these men have had to keep that man ever since. Do you wonder that there is any unrest? I will admit, if you like, that the man was wrong from the point of view of master and servant; but fancy asking him to do such a thing, and because he refused fancy that all his 50 years of service, and all the high position which he held in the firm all stands for nothing, and away he goes; and although the firm have been asked by influential people to put that man back to work they have absolutely refused, and if we did not find him his bread and butter he would be starving, for all they care. What are you going to say about that? The Port Authority served another man in the same way. They turned all the men to work excepting one, and they left one poor victim out.

Sir Edward Clarke: When?

Mr. Gosling: Last August, and he has been out ever since. There are two or three other cases among the lightermen, and dozens of cases among the other traders, but the worst case of all, of course, is Fitch. There is a man who, after 50 years of trade unionism, 50 years in one service, because he will not be a traitor to the men with whom he has been associated all his life, is hounded out of the firm and thrown down like that. That is enough to have a strike about without anything else, and we had very great trouble in suppressing our men so that they did not come out. What we said to them was: "From the point of view of money it is better that we should keep the man than make any fuss about it," but he has got to be looked after, and I suppose he has got to be looked after by somebody until he dies. You would have thought that the firm, after a few months, would have said: "Let bygones be bygones," and put the man back. They might have done that, but they have not done anything of the kind. He went to them himself personally upon my persuading him to do it; when I asked him to do it at first he did not like it, and he said: "I do not think you ought to ask me to do it." I said: "Go and do it in the interests of peace and quietness; go and ask the firm to put you back to work." He went down and asked them, and when he came back to me he said: "If I had known the way they were going to receive me I never would have gone." That is the kind of thing which does not help to make things go smoothly. Then every now and again men like me and those who are round me have to say strong things because we think strongly about that kind of action. I do not pretend for a moment that the firm had not a right—a legal right—to do it, but not a moral right. That is not the way to keep good friends, and if that kind of thing is going on continually there is going to be a great deal of bad blood. I am very much obliged to you for listening to me for so long. I have tried to put the case to you as well as I can, and I hope that this investigation of yours will have some good result.

Sir Edward Clarke: Thank you. Have you any evidence that you have now that you would like to give me upon any point.

Mr. Gosling: Each of these things that I have said I will endeavour to prove if you want them proved, but beyond that, no.

Sir Edward Clarke: Of course I should not ask you to give evidence upon the statements which you have made, and I accept those statements until they are controverted. If they are controverted, and there is any question about them, then one would have to hear evidence upon them.

Mr. Gosling: Then I think the better way would be for you to get the answer to what I have said, and then for us to meet anything that is controverted by evidence.

Sir Edward Clarke: That is the view which I take

with regard to it. You will give me the correspondence which you have mentioned?

Mr. Gosling: I will, yes.

Sir Edward Clarke: Now there is one thing I should like to say to you, and I should like it to be considered by the employers. Two of these headings which you have dealt with in this matter refer to the Devonport agreement, and the question of the interpretation of that award as regards wharfingers who came under the Devonport agreement, and who say that they are not bound, or have said that they are not bound, by Sir Alfred Rollit's award; and you have mentioned with regard to that the case of the "Sea Belle," which was an illustrative case. Is it not possible to separate that question? That question appears to me to be entirely a matter of legal construction of the award and the agreement read together. I do not want to invite any statement from you at this moment, or from the employers, with regard to it, but inasmuch as that seems an entirely separate question I should have thought it might be agreed that that should be dealt with separately; and if I could be of any service in dealing with it, of course I am at the disposal of both sides.

Mr. Gosling: May I put it to you that that was our object, and that is what we thought we had achieved—that we agreed that the matter should go to the Lord Chief Justice for him to decide. Of course, if you keep on spinning up it will come to tails some day, I know, but each time up to the present it has come heads. That is what we do not like. We have got the Lord Chief Justice; I know legally you cannot do it, but if you say: "Now we had better go to another Court of Appeal" I should like to know where we are going to stop, that is all. I should like to know which is going to be the last Court.

Sir Edward Clarke: I have not yet read the report of that hearing by Lord Alverstone.

Mr. Gosling: You have the shorthand notes.

Sir Edward Clarke: Yes, I have it here, but I have not yet read it; but it appeared to me that that was a case so entirely separate as a question from the other and very important matters with which you have been dealing that it might be possible to agree to separate that. I say no more now about it. Thank you very much for your help.

Now I want to ask the representatives of the employers if they would like to say anything now, or if not, whether they would like to consider it this afternoon and let me hear something to-morrow morning?

Mr. J. E. B. Curtis: I am the Managing Director of the Mercantile Lighterage Company, Limited. I am very glad to think that I am not called upon now to make a long speech. Before I say anything at all, may I compliment Mr. Gosling on the way that he has put his statement forward. With those few remarks on that point I will say nothing more about that, but I should like to say this with regard to the man Thomas. Mr. Gosling has made some statements with regard to Thomas and myself, and I should like to make it very clear to you before we go any further that Mr. Gosling is entirely mistaken. I have never had a word to say to Mr. Thomas in my life, neither have I tried to influence this man one way or the other in my life. This man has worked for me for over two years; no question has ever been raised on this point, and not one word has ever been said, and I on my part have never interfered with this man as to the duty he had to perform or to what union he should belong or no. I want to make that very clear. Mr. Gosling has stated that I, as Managing Director of this company, am trying to influence Thomas and am making a tool of Thomas. I am doing nothing of the sort, believe me; and I need scarcely add that my Association are not doing that either. I feel very strongly upon this. I have been engaged in this trade now for 24 years, and I believe that I have always been looked upon as treating my men with great fairness and respect. I have a great regard for my men, and I do not wish Mr. Gosling and his delegates to interfere with me. I do not wish to say anything more on that point, but I have before me here a clear statement of facts, and I am going to hand a copy of them in for you. (*Document handed.*) It is very short, and I am not going to make a long speech, but here you will see that this strike—I do not want to make use of the word "lockout," because it is an erroneous term to apply to this business altogether; this is a strike pure

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and simple—commences against my company alone, on April 30 of this year. I have before me on page 1 of this document a report which is the first intimation I ever had as to this question of Mr. Thomas, and it reads as follows. It is from my foreman in Millwall Dock named Mackay: "Dear sir,—It was reported to me to-day by our man Phillips—that is another of my watchmen in the dock—working in Millwall Dock that he could not take any further orders after he had finished the job he is now doing, because our man Thomas working in the Millwall Dock has got a Foremen's Society card." That is signed by Mackay, my foreman in the dock. I would like to draw your attention very strongly to the fact that that notice is dated April 30. The effect of withdrawing that man Phillips from my employment was to constitute a strike. On May 1 I got another intimation from Mackay: "Dear sir,—Our men Brown and Anderson got on the telephone at 7 o'clock as ordered for their orders and said they could not take any further orders, as W. Lyons, the delegate, had been there"—that is the delegate from the Amalgamated Society, Mr. Gosling—

Sir Edward Clarke: You mean the Transport Workers' Federation.

Mr. Curtis: It is affiliated with the Federation. The Amalgamated Society of Lightermen, Watchmen, Watermen, and Bargemen of the River Thames is affiliated to the Federation. It says: "W. Lyons, the delegate, had been there after I left about a quarter to five p.m., and told them not to take orders." That is signed by Mackay again. That is on the 1st May. On the 3rd May: "Mackay reported last night that another of our men, Porter, had been instructed to withdraw his labour and not accept orders to load in Millwall Dock along with Thomas." That was a report by Mr. Abbott, a director of my Company. Now, what I am going to say to you is important—very important indeed. You will gather that from April 30 to May 3 four men had been withdrawn from my Company's employment without any notice being given to me whatever—none to me, and less was there any notice given from the Amalgamated Society to my Association. According to the agreement, that should have been done; but there was no notice given whatever—not even to me, or intimation conveyed to me. On May 7, however—that is, four days after these men had been withdrawn—two men named Lyons and Bryan called at my office, and they left the following message:—"Mr. Curtis,—These two men (other name on back of card) will call to see you at 1.30 o'clock *re* Thomas. They say Thomas must have a Transport Workers' ticket, or, if he does not, all the Mercantile men will come out."

Sir Edward Clarke: It goes on: "They said they want to avoid this, and can do so providing he takes a ticket." I only add that for the sake of the note, that it may be complete.

Mr. Curtis: Yes, quite so. It is very clear, and I have it all here.

Mr. Gosling: Under the circumstances, I think we ought to have a copy of this document.

Mr. Curtis: I would ask Mr. Gosling to be good enough not to interrupt. I did not say a word to him, and I would beg that he would not say a word to me now.

Mr. Gosling: I was not speaking to Mr. Curtis, I was speaking to you, sir; and I was asking, under the circumstances, Mr. Curtis not reading the whole of the statement, that we should have a copy of the document.

Sir Edward Clarke: You may trust me. They are very short indeed. It was only a small thing.

Mr. Curtis: There was no intention on my part to avoid anything at all. It is very short. Then, at 1.30 p.m. on Tuesday, May 7 of this year, "Two delegates, by name W. Lyons and R. M. Bryan, called at this office with reference to the man Thomas working for my Company in the Millwall Dock." I am going to add here that I received them courteously, and I did not lose my temper, or anything of that sort; but I simply asked Lyons this: I put it in a few words: "I asked W. Lyons by whose instructions he called upon me, and he replied on his own initiative. I told him I was sorry I could not see him, but that if his Society had anything to say they had better address my Association." This is very shortly put here, but I asked them to go back to their Society, and if they had any complaint to make against me or my company to be good enough to make it to my association and the matter should be dealt with in the proper way. That

is not in that note, because I had to make it very short. That is on May 7. I must add here that during all this time I was without the benefit of these four men's labour in the Millwall Dock. They had all gone; they had been drawn out. On May 13—I do not know whether you wish me to read it—there is a letter from me to the secretary of the association.

Sir Edward Clarke: I think it would be a good thing to read it in order that the shorthand note may be complete.

Mr. Curtis: Certainly; there is nothing that I wish to hide. This is to the secretary of the Association of Master Lightermen and Barge-Owners, Ocean House, Great Tower Street, E.C., and it is dated May 13: "Dear sir,—It is reported to me to-day by my Millwall Dock foreman that he has heard it was decided at a meeting of the Amalgamated Society of Lightermen and Bargemen of the River Thames, held yesterday, that it was their intention of calling out all the men employed by my company on Wednesday next the 15th inst., owing to the fact of my company still employing the man Thomas, who, as you are aware, holds a foreman's ticket and no other. I have no guarantee that the threat above is seriously intended, but report it to you to enable you to inform our labour committee so as to be forearmed. This is a serious matter, and I beg you will take steps to have a meeting of the labour committee called at the earliest possible moment." I think that rather does away with the fact of the association backing up Thomas, or any of that rubbish. Then, No. 8 is dated May 16: "Mr. Schoulding, a delegate from the Amalgamated Society of Lightermen, Watchmen, and Bargemen of the River Thames, was in attendance outside the Mercantile Office"—that is my company's office—"last evening, the 15th inst., at 7.10 p.m., giving instructions to the company's employees to refuse orders last night, but, owing to most of the men having by this time received their orders, instructions were given for all the men to refuse orders on the evening of Thursday, the 16th inst." As a matter of fact, all my men were called out on Thursday the 16th. "The above information was given to Mr. Hewitt, the company's head foreman, at 10 o'clock a.m., Thursday, the 16th inst., by W. Drake, an old employee and one of the leading hands." That is just a little news that drifts into it. Then I have a statement by myself, dated May 15, which is a memorandum by myself: "Thomas is aged 61, and has been in the Mercantile Lighterage Company's employ a little over two years." Mr. Gosling was kind enough to say that he had been there for one year, but as a matter of fact it is two years; I do not know that he meant much by that. It goes on: "is a freeman of the River Thames, and belongs to the Foreman Lightermen's Society." He is a freeman, you see. "W. Lyons is an organiser of the Amalgamated Society of Watermen, Lightermen, and Bargemen of the River Thames, is not a freeman, and worked under Thomas some nine years ago, when Thomas was a foreman to Mr. Balchin. Lyons about two months ago tried to get the stevedores of a vessel in Millwall Dock to come out, as he said Thomas, the man in charge of the barge taking goods out of the said vessel, had no ticket. Lyons's efforts in this direction did not meet with any success, and it was not until the 30th April, 1912, Lyons interfered with our man Phillips"—I might have added "with some success." I have not put it there, but he really drew Phillips out. "The delegate Schoulding told our men last night they should come out in sympathy with the four men now out but that he was not ordering them to come out." Then there is another report from Mr. Mackay on the 15th May: "Sir,—It has been reported to me to-night that on and after the 16th May all the men concerned in this company will take no further orders." Then it says: "This information was given to Mackay by a man working for my company in the Surrey Commercial Dock named Cracknell. This man has worked for us for years as a leading hand." Then there is a memorandum by myself on the 17th May: "At 7 p.m. Thursday, the 16th May, delegates from the Amalgamated Society of Watermen and Lightermen and Bargemen of the River Thames were in attendance outside the offices of my company urging the men not to take orders, and in consequence all the company's employees left work without any notice, leaving the craft and goods in them in places they had been loading during the day, thus exposing the craft to peril." I do not

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know that I need say another word. That is the statement very concisely, and I consider that I have been extremely badly used by the Society. I do not wish to add anything to that statement.

Mr. C. F. Leach: I am the owner of the "Sea Belle," and to-morrow, if it is your pleasure, I will be prepared to answer some of the points that Mr. Gosling has put forward this afternoon. I was not aware that he was going to bring forward this case, and therefore I am unprepared at the present moment to do so; I have not got my papers with me, but I will be able to put a different complexion on the case, I hope, to-morrow morning, if it will be your pleasure to hear me then, or possibly, if you are going to hear the lightermen's case, it might be more convenient to fix a time after lunch.

Sir Edward Clarke: I think it would be more convenient to leave this question until a little later. It seems to me absolutely separate from the other part of the case.

Mr. Leach: It is.

Sir Edward Clarke: For the complaint, so far as complaint is made, is that there is still the maintenance of a contention with regard to the construction of a particular agreement, and therefore it seems to me quite separate from the other part of the case. If it is not inconvenient to you, I would rather hear it in the afternoon.

Mr. Leach: To-morrow?

Sir Edward Clarke: To-morrow afternoon, unless, Mr. Leach, and Mr. Gosling, my suggestion were accepted that this should in some way be dealt with separately. It is an entirely different class of case, and does not, I think, come really into the question of the disputes in the active sense of that term.

Mr. Leach: This is entirely passive, of course.

Mr. Gosling: I am afraid I do not quite grasp just what the situation is. I understand that you are inquiring into the cause of the unrest.

Sir Edward Clarke: No, I cannot say that. My authority is to inquire into the facts and circumstances of the present dispute.

Mr. Gosling: May I add to that; and wherever possible, to adjust them? Is that what you are going to do? I shall be delighted if you are, but is that what you are going to do?

Sir Edward Clarke: I should be very willing, if it were agreed that I should deal in that way with any part of any dispute that has arisen. I should be very happy to do so, but I have no authority except, of course, by agreement of those concerned.

Mr. Gosling: I should think, perhaps, we had better go a little further first and see what comes of it all.

Sir Edward Clarke: I think so, if you will let it bide for the time. Possibly you might agree that this should be eliminated, Mr. Leach, if you will think of it, please, between this and to-morrow afternoon.

Mr. Leach: It is desirable that you should hear me in regard to this point which Mr. Gosling has put forward, because there is quite a different complexion to be put on it, I hope.

Sir Edward Clarke: Yes, I shall hope to hear you about it, but whether I am to hear you about it as part of the dispute which has arisen, is a different question. It does not seem to have led to any actual strike in the matter.

Mr. Leach: No, no at present. There is nothing pending at the present time at all.

Sir Edward Clarke: I do not look upon it as one of what I may call the active disputes.

Mr. Gosling: I hope you are not going to let Mr. Leach slip out of this, because this is one of the complaints which we want reported to the Government.

Sir Edward Clarke: By all means; unless it might be dealt with separately, of course it will be reported to the Government; and Mr. Leach, so far from wanting to slip out of it, is, I understand, anxious to make a statement to-morrow afternoon.

Mr. Gosling: I shall be very pleased for his statement to go with ours, but I want the Government to know that that is one of our great troubles.

Sir Edward Clarke: Very well.

Mr. Curtis: I am sorry that I forgot this. This is a resolution which was passed on Sunday by the Amalgamated Society, and I failed to bring it to your notice. It is a resolution passed by the Amalgamated Society, not my Association.

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Sir Edward Clarke: I understand.

Mr. Curtis: I have a grievance here, and that is why I am going to read it, and I will tell you what it is in a moment. "In the agreement of August the 19th, 1911, between the Association of Master Lightermen and Bargeowners, and the Amalgamated Society of Watermen, Lightermen and Bargemen, only foremen were exempt from holding a Federation ticket. In spite of this agreement, and without notice, the employers have locked out all the men who refused to handle the goods of the Mercantile Lighterage Company"—and this is what I take exception to—"a firm which insists on its union lightermen working with non-unionists. Under these circumstances, all members working for firms under the quay trade agreement are called upon to cease work at the expiration of the day's work on Monday, the 20th May." What I take exception to is alluding to my firm in rather an opprobrious manner, and it has hurt my feelings extremely, as "a firm which insists on its union lightermen working with non-unionists." I maintain that never in my life have I ever interfered in this matter in any way whatever with any of my workmen, or never given any instructions, directly or indirectly, for anything to be done in that way. I make that statement most emphatically, and I want you to bear it in mind, if you please; nor did I lock out. But I have said that before.

Mr. Thomas Reekie: I represent the Association of Foremen Lightermen. The Association of Foremen Lightermen arose out of the occasion of the great dock strikes in 1889. When the dock labourers came out the lightermen came out in sympathy, and when the whole matter was settled up certain threats were used towards the foremen because they stood loyally by their employers and protected their property. They were told that they would be compelled to join the men's union, and that at a penalty; they would have to pay £5 each. There is a number of 250 of us, and we did not feel inclined to do so, seeing that we represented a separate interest altogether. We were not the workers; we represented the management and staff of our employers. Seeing that that was the case, we banded ourselves together, and formed an association called the Amalgamated Society of Foremen Lightermen of the River Thames; and I have a book of the rules in my pocket. Shall I read the objects?

Sir Edward Clarke: Please do.

Mr. Reekie: "This society, registered under the Trade Union Acts of 1871 and 1876"—you see, we are claiming to be a *bonâ fide* trade union, and we have never allowed that to be disputed—"is established to raise by entrance fees, subscriptions, fines, and donations a fund to protect the interests of the foremen lightermen of the River Thames; to endeavour to settle any disputes that may arise between master and man; to regulate as to the taking of apprentices by foremen; to pay a sum of money at the death of a member; to grant pensions; to pay law and other expenses of management; and to give assistance to members." The man James Thomas was one of the founders of that society; his name stands, I believe, No. 10 on the roll of our books. You will see by the wording of that rule that we have no enmity—in fact, we have a friendly feeling—towards the men who work under us, and ever since the foundation of that society we have tried to encourage that sort of feeling and to be a sort of ambassador between the masters and the men, holding the scale as fair as we could possibly do it. You see, there is a very great incentive to our brother Thomas—Mr. James Thomas—to remain loyal to our society, seeing that he is 60 years of age. We have 12 old men who have passed that period of life, to whom we give £10 a year as a pension. There is no right, but as they come along and we can elect them, we elect them as the money falls due, and pay as many pensions as we possibly can. So that our principles are not aggressive in any sense; we are simply formed to protect our own interests. We have got along from that trouble until another one arose.

Sir Edward Clarke: What was the date of the formation of the Society?

Mr. Reekie: The date of the formation of the Society was 1889, the same year as the great dock strike, and I may tell you that we number 250 members. Among our membership we have a great number of tug captains, because we have always considered that a tug

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captain is in an equal capacity with the foreman, because the men who are behind his tug in the absence of the foreman have to obey him. The foreman instructs the captain to do certain things, and he issues orders to the men who are behind his tug, and they have to obey him, so that we always look upon him in that sense. Coming down to the dispute last year, after the lightermen's strike, on the Saturday when the men were to turn to go to work two of the delegates came into our office and they said: "We are going to turn to to-night, guv'nor, but mark you this, before we turn to you have got to take that Federation ticket." That is the furthest thing from our minds, that ever we should take a Federation ticket, to allow ourselves to become under the dominion of any other trade society in the Kingdom, because we are not founded for aggressive purposes; we are founded for the mutual protection of our own members, and to protect and look after the property of our employers who employ us. That is the reason that we are founded. Were we to subscribe to the Federation ticket it would work in this way: A strike is declared; and these strikes are declared in a very peculiar manner. I employ a great number of men, and until Monday afternoon I never knew that one of those men was leaving me, and every one of those men said they were very sorry. They thought there was trouble coming; they seemed to smell it, and they were very sorry that such a thing should happen, but at half-past four in the afternoon the word came round and I lost all my men.

Sir Edward Clarke: Was that last Monday?

Mr. Reekie: That is what happened last Monday.

Sir Edward Clarke: Do I understand that all the foremen were called upon to take a Federation ticket?

Mr. Reekie: The peculiar part about the case is this: We have always been willing and ready to give any assistance when any dispute arose between the employer and the employee, but the peculiar part about it is, and I think Mr. Gosling can bear me out in what I am going to state, that we have never been approached during our existence by the employed, and I am sure we have never been approached by the employer.

Mr. Gosling: I can carry that a step further than that, and say they never will be approached.

Sir Edward Clarke: Will you tell me what you mean by not being approached?

Mr. Reekie: We were willing to act as the go-between to try to bring peace if we were required, because when a question is being settled we are the men who have to give the orders and to see them executed, and whatever agreement is made between the employer and the employed we have to see that it is carried out; we have the carrying of it out. We have to see that the rules and regulations which are embodied in any agreement are carried out to the letter. That is the part that we have to do.

Sir Edward Clarke: I understood you to say just now that you had been called upon to take the Federation ticket.

Mr. Reekie: Yes, two men came into our office in August last and said that they were going to turn to on the Saturday night, but they would not turn to until we gentlemen took the Federation ticket. The upshot of that was that the employers were informed, and they went with this to the Board of Trade, and

the matter was settled there that we should not be called upon to take the Federation ticket.

Sir Edward Clarke: That is what led up to the agreement which we have heard of?

Mr. Reekie: Yes, that is what led up to the agreement. We claim that James Thomas is a trade unionist in every sense of the word. The law of the land says that he is by Act of Parliament. Of course, in the history of our Society there is always a falling-away taking place; many men who have been foremen through circumstances over which they have no control have fallen back into the ranks. We are not unreasonable with those men. If they come to us and they say to us: "Shall we join the men's union?" we have never put the veto on and said that those men shall not join the men's union. We say: "If you think it is wise in your discretion for the sake of peace and quietness to join the union we do not object, but we cannot advise you, because we think as British subjects that the liberty of the subject should be respected." I hope I will not be interrupted; I am only speaking as I believe the law is laid down, that I have a perfect right either to belong to a union or not to belong to a union, and that I shall not be compelled to join any particular union. I have that right as an Englishman. That is presenting the case of Mr. Thomas as it is in its legal aspect. He is a member of a trade union —

Sir Edward Clarke: I do not want you to argue that; but I want to know this: Was Thomas a foreman till the time when he went to Mr. Curtis, do you know?

Mr. Reekie: I could not answer that. I think not.

Sir Edward Clarke: May I ask another question, and that is this: You have spoken of some men who belong to the Foremen's Union falling back into the ranks of labour and raising the question, at all events, of their joining the Federation.

Mr. Reekie: Yes; they have come and asked us whether they should do so.

Sir Edward Clarke: You say you have not advised them upon the point. Have any of your men done so?

Mr. Reekie: They have.

Sir Edward Clarke: Have you kept them on in the Foremen's Union?

Mr. Reekie: While they are paying their contributions to our Association they still remain members, and to expel them after paying for a number of years, seeing that there are certain privileges and that there is a pension and there is a death benefit, would be a very unfair proceeding.

Sir Edward Clarke: I quite agree; I only wanted to know the fact. I am much obliged. Is there anyone else who would like to say anything this afternoon? It is very nearly five o'clock, and I think I will adjourn now until half-past ten to-morrow morning. I have given instructions that the notes of the proceedings here shall be printed, in order that they may be obtainable by those who are interested, and I am told that they will be ready at ten o'clock to-morrow morning. They will be for sale also at Messrs. Wyman's, in Fetter Lane. We will have a few copies; but we do not want to sell them here, and therefore I must refer you to Messrs. Wyman in Fetter Lane. The price will be 1s. per copy.

(Adjourned to to-morrow morning, at 10.30.)

SECOND DAY.

Saturday, May 25, 1912.

Sir Edward Clarke: I want to ask Mr. Curtis a question if he is here.

Mr. Curtis: Yes.

Sir Edward Clarke: Will you kindly tell me what was the term of employment with your men with regard to notice on one side or the other?

Mr. Curtis: We were generally governed by that agreement that you have before you. I had no special agreements with my men other than that agreement that was made under the auspices of Lord Devonport.

Sir Edward Clarke: Under that what would be the customary notice?

Mr. Curtis: One month's notice under that agreement I should have had.

Sir Edward Clarke: Will you kindly tell me what was the character of the cargo that was left unworked?

Mr. Curtis: Everything—tea, rice, coffee, sugar and other commodities of a very valuable nature.

Sir Edward Clarke: Thank you. Will you tell me what steps you took after your men left on that day to obtain the discharge of that cargo?

Mr. Curtis: I could do nothing.

Sir Edward Clarke: Why not?

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Mr. Curtis: I had no men to do it.

Sir Edward Clarke: Did you apply to others to help you?

Mr. Curtis: I beg your pardon, yes. The next day, on the Friday morning, I had to report the matter to my Association, and they decided to assist me by taking my orders that came in; that is, new orders that were coming in all the time. They had not ceased to come in, and those orders were given to my—well, competitors.

Sir Edward Clarke: Were you able to continue doing your business by the help of other members of your association?

Mr. Curtis: No. When the orders were given out on that Friday night, May 17, to the various lightermen who came for their orders to these other firms those lightermen refused to carry out the order.

Sir Edward Clarke: And that stopped the business?

Mr. Curtis: They went on strike then.

Sir Edward Clarke: Thank you. Now, Mr. Gosling, I do not know whether you would be kind enough, just to complete the account of the matter, to say what steps were taken on your side with regard to this when the men had been withdrawn from Mr. Curtis' wharf.

Mr. Gosling: First of all, would you kindly ask Mr. Curtis one other question. He says that the men should have given him one month's notice. None of these men left their employment until their term of service had expired. They are daily men, employed day by day.

Sir Edward Clarke: Mr. Curtis, will you kindly tell us your view about that?

Mr. Curtis: They are daily men, no doubt; I thought you were referring to the agreement that covered all the employment.

Sir Edward Clarke: No, I was dealing simply with the terms of employment. So that there was no breach of agreement in the men leaving at the end of the day?

Mr. Curtis: None whatever; they are daily men in that respect.

Sir Edward Clarke: That answers your question, Mr. Gosling.

Mr. Curtis: The breach was that the society called them out.

Sir Edward Clarke: Yes, I quite appreciate that. Do you mind, Mr. Gosling, now completing the matter by telling me what steps were taken by your society after this incident at Mr. Curtis's wharf?

Mr. Gosling: None whatever. We did nothing beyond calling the men out from his firm.

Sir Edward Clarke: How about the other firms that were asked by him to assist?

Mr. Gosling: When the other firms handed the orders of the Mercantile Lighterage Company to their men to do, they said by their actions, of course, "That is asking us to help the Mercantile Lighterage Company to help Thomas to defeat the men, and that we are not going to do." They did not allow the men from the firms to go on with the work that they had contracted to do, but they discharged them because they refused to do the Mercantile Lighterage work.

Sir Edward Clarke: But they did refuse to do that work?

Mr. Gosling: They did, certainly.

Sir Edward Clarke: And, I presume, with your sanction, if not by your instructions?

Mr. Gosling: Quite.

Sir Edward Clarke: Perhaps by your instructions?

Mr. Gosling: Yes.

Sir Edward Clarke: Will you kindly just complete it by telling me how far that went?

Mr. Gosling: That is as far as it did go. We told the men not to help the Association to help the Mercantile Lighterage Company to help Thomas.

Sir Edward Clarke: If you please; I understand that. That would bring it up to about what date?

Mr. Gosling: On Friday night of last week the Masters' Association refused to employ the men. I say they locked them out.

Sir Edward Clarke: If you please. I understand that.

Mr. Gosling: We intended, of course, to confine our dispute to the Mercantile Lighterage Company, who, we said, had broken our agreement. We still intended all day on Saturday to do the same thing. As a matter of fact, we called a meeting for Sunday morning, which was the earliest we could do, of all our delegates, to take their advice as to what was the best thing

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to do; but we found on Saturday night that a very much larger number of men had been again discharged.

Sir Edward Clarke: For the same reason?

Mr. Gosling: For the same reason.

Sir Edward Clarke: Refusing to handle these goods?

Mr. Gosling: The Mercantile Lighterage Company's goods. So, then, it was just a case of finishing it up as quickly as possible. Instead of having our men discharged day by day until we had them all out, we said: "Now the intention of the Masters' Association is clear; we know what they are going to do. Call all the other men out that are affected by this agreement," and we called them all out.

Sir Edward Clarke: When was that?

Mr. Gosling: That was on Sunday when we decided to do that, and that order operated on Monday night. The men were not called away from their work; they were asked to finish their orders. Then when the men of that particular section, the lightermen, had decided to take that course, or, to put it in another way, to help the employers to get the job done as quickly as they could, then the other unions, all of whom are in the Federation, said: "What affects the Lightermen's Union affects us, and if the employers are combining for the purpose of destroying trade unionism, then the sooner we are in it the better, because we may as well all hang together." That is the state of things now.

Sir Edward Clarke: I think there was some further step on the day before this inquiry began. I do not want to inquire as to what is taking place now, but the day before this inquiry began I think there was a resolution passed, was not there, of the whole body?

Mr. Gosling: Yes. Then the stevedores and the dockers and the carmen, finding themselves in the position that a great number of their men were standing idle in consequence of this, again said what we had previously said: "We had better have all the men out. It is no use for one half of the men to be at work and the other half walking the streets, because whenever we have attempted to confine a dispute to the particular spot that it belongs to we have always been defeated. If we are to strike at all, then sectional strikes are absolutely no good."

Sir Edward Clarke: Then will you kindly complete the matter by giving me, in order that it may appear on the notes, the resolution of which I am speaking, which was passed, I think, on Thursday?

Mr. Gosling: I will hand you in a few moments a copy of the "Daily Herald," which has it in.

Sir Edward Clarke: If you please; that will be quite sufficient. I only wanted it read aloud. I will read it myself, if you will hand me the paper, in order that it may appear upon the notes and complete the story.

Mr. Gosling: I had better first give you the resolution of the lightermen: "In the agreement of August 19th, 1911, between the Association of Master Lightermen and Barge-owners, only foremen were exempt from holding a Federation card. In spite of this agreement, and without notice"—because we on our side claim a month's notice if this is to be altered—"the employers have locked out all the men who refused to handle the goods of the Mercantile Lighterage Company, a firm which insists on its union lightermen working with non-unionists. Under these circumstances all members working for firms under the quay trade agreement are called upon to cease work at the expiration of the day's work on Monday, May 20th." In other words, they are not to break their contracts, but to finish their work.

Sir Edward Clarke: The resolution that you have just read refers to a month's notice.

Mr. Gosling: The notice that the masters have not given refers to the month's notice.

Sir Edward Clarke: Where is that to be found?

Mr. Gosling: In the original agreement of August 11th. It is the sixth clause, under "General Conditions," the last clause but one:—"At any time not less than three months from the date of this agreement, if either side desire to reopen any question, they shall be at liberty to give a month's notice to terminate this agreement." Then the stevedores on the 21st passed this resolution as an instruction to their members:—"This Council"—that is, the Council of Stevedores—"having received the report of the delegates to the London District Committee of the Transport Workers' Federation, decides that all members be instructed to refuse to do any work which should properly be performed by

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Trade Union lightermen or watchmen, but, in the event of any barges being, or having been, taken to any vessel by Trade Union lightermen or watchmen our members are hereby instructed to continue to load or discharge the same." The dockers simultaneously with the stevedores passed a resolution at a special emergency committee "To instruct all members not to assist in any way watermen and lightermen or persons in charge of craft during the dispute between the Master Lightermen's Association and the Watermen's Union for the enforcement of the agreement entered into between the men and the employers in August of last year, and in the event of members learning that work which should be done by watermen and lightermen is being diverted or transferred we call upon the members of the above union to refuse to handle or assist in the diversion of such goods. All other work to proceed pending further instructions."

Sir Edward Clarke: I daresay you can tell me this: The dockers refer to the enforcement of an agreement—

Mr. Gosling: It is always speaking of the agreement of August 19th.

Sir Edward Clarke: That agreement being interpreted by them to mean that no non-union men should be employed with union men.

Mr. Gosling: I put it the other way round.

Sir Edward Clarke: That no union men should be called upon to work with non-union men.

Mr. Gosling: That the men should not be called upon to work with non-unionists. We do not dispute the right of non-unionists to work with non-unionists. Then the carmen said: "Warning to carmen. Lightermen's Strike"—

Sir Edward Clarke: Is this the same date, about?

Mr. Gosling: This was last Tuesday. "Do not blackleg. General order to all members of the Union. You are not to do any work that should be done by watermen and lightermen that may be diverted or transferred during the dispute between the Watermen and Lightermen's Trade Union and the Master Lightermen's Association." Then the Executive of the Transport Workers met the London Committee, and I want to be careful how I say this: As the matter could possibly become a national matter by carrying the same line of action into the other ports and asking them to assist, the full Executive of the Transport Workers was called to London, and they, first in a conference alone and then in a joint conference with the London Committee, decided that, as this was an attack upon trade unionism and was a breach of agreement, to call out all the men in the port. They have not gone beyond that at present.

Sir Edward Clarke: Is that the resolution to which I was referring?

Mr. Gosling: That is the one to which you were referring, which I will read. I am again quoting from the "Daily Herald" on May 24th: "That having fully considered the vital issues affecting the transport workers of the Port of London, and having taken into consideration the boycotting of union men, the deliberate breaking of agreements by the employers and the general vexatious interference with the workmen of the port, leaves us no other option than to call upon all the transport workers to cease work to-night to enable the Federation to adjust their grievances."

Sir Edward Clarke: Thank you. That completes the history up to the date of my appointment. There is just one other question. I want you to be good enough to answer me. Yesterday, reading some memoranda which he had made with regard to the interviews with Lyons, Mr. Curtis said, on page 17, in the right-hand column, a little below the middle of the page: "I asked W. Lyons by whose instructions he called upon me, and he replied on his own initiative." I do not know whether you wish to say anything about that, whether it was on his own initiative or whether, so far as you know, he was instructed to do this. I do not want you to answer it unless you are clear about it.

Mr. Gosling: I know the man, and that would be a very likely expression of his, but we take full responsibility for what he did. With reference to the statement of Mr. Reekie, the representative of the foremen lightermen, may I make a statement on that now, or shall I make it later?

Sir Edward Clarke: I would rather you left that

aside for the moment. I wanted to bring the history of this part of the question up to the close.

Mr. Curtis: Just now you were raising the point of my daily men, as you call them. May I say this: I have also weekly men, and those weekly men came out without giving me any notice whatever. I may add that one or two of them did give me a week's notice, but they broke it in two days' time and went out on strike.

Mr. Lambert: I have been asked to attend here with my colleague, Mr. Jacobs, to represent the master lightermen, and it occurred to me, Mr. Gosling having made his statement and Mr. Curtis yesterday having reported on the incidents in connection with his man Thomas, that the moment might be favourable for me to put before you what our views of the matter are.

Sir Edward Clarke: I shall be very glad to hear such a statement.

Mr. Lambert: In the first place, I should like to refer to the very serious charges which Mr. Gosling yesterday made against the master lightermen. I was astounded to hear him say that the master lightermen desired to break up the men's union, and that Thomas was used as a tool by the masters for that purpose. Well, sir, I take this, the first opportunity, of giving an emphatic denial to that statement. There is not the slightest foundation for it; there is not a vestige of truth in it. The master lightermen have never contemplated doing anything of the sort. It has never been hinted at at their meetings by any member present, and I am absolutely certain that it has never been in the mind of any member that the master lightermen should take any such action. I say, sir, at an inquiry of this kind it is a very wicked statement to bring forward. With regard to the man Thomas, we never heard of Thomas at our association until the commencement of this month, when Mr. Curtis, as a member of the association, brought to the notice of its members the position in which he was placed. We did not know whether Thomas was a watchman or a lighterman, whether he was a member of any union, or whether he was a non-unionist. We have had no communication whatever, and I do not suppose one per cent. of our members would know Thomas if they had seen him. We have never spoken to him; we have never had him up; we have never made any inquiry whatever; and yet, sir, Mr. Gosling has got the audacity to come here—

Sir Edward Clarke: I wish, Mr. Lambert, you would be good enough to abstain from an expression which will produce a retort. I am anxious now to ascertain facts, if you would kindly content yourself with a statement of facts.

Mr. Gosling: Would you allow me to say, Sir Edward, that yesterday, although I was speaking with very strong feeling the whole day, I think I kept myself without having to have any rebuke from you, and the least I can expect is that the masters should certainly do the same.

Sir Edward Clarke: Mr. Gosling, I have thanked you for the way in which you put the case before me yesterday. I interposed at once to ask Mr. Lambert to be good enough to help me in keeping the atmosphere cool in this inquiry.

Mr. Lambert: I am sorry if in the heat of the moment I used a word which did not meet with your approval, and I unhesitatingly withdraw it. I need hardly say that this is a most serious statement to have made against the Masters' Association that we are using this man Thomas for the purpose of breaking up the Trade Union. Mr. Gosling said that Thomas is being used to stem the tide of unionism. Well, sir, as I said before, there is not the least ground for that statement; we deny it and repudiate it entirely, and if it were not so serious I would venture to point out how ridiculous it is. You asked Mr. Gosling whether there was any other case besides Thomas, and he said not within his knowledge, but probably there were. Mr. Gosling is Secretary of the Amalgamated Society whose membership I think consists of between 5,000 and 6,000 members; he is the President of the Transport Workers' Federation, which consists of I do not know how many—100,000—which is behind the Amalgamated Society, and he comes here and wants to suggest to you that this one man Thomas is used by the Master Lightermen's Association, consisting of

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some 70 or 80 members, for the purpose of breaking up this organisation of 5,000 or 6,000 members, backed up by 100,000 members of the Transport Workers' Federation. The suggestion really is too ridiculous. It will not bear thinking of. He wants you to believe that this strike has been brought about by these means, by the intent on the part of the master lightermen to break up trade unionism. I think it is a very serious statement for Mr. Gosling to have made. I think it is a dreadful thing to think of, and a cruel thing, that all these men should be drawn out on such a pretext as that. It is quite clear to anyone on a moment's reflection how futile it would be to suggest that any body of employers, by the aid of this one man, who has been in his employer's service for two years, who has always been paid the trade union rates of wages, and has observed the same conditions of employment as other men in the union, are trying to smash the union simply by the aid of this one man. What are the facts? On that statement Mr. Gosling and his colleagues have called out—

Sir Edward Clarke: Really I must ask you, Mr. Lambert, to be good enough not to persevere in that sort of observation. The suggestion was made that your Association had used this man Thomas for the purpose of attacking the Trade Unions. Surely you have given to that a complete denial as a matter of fact, and that denial having been given, and being on the notes, will you leave it to me to form a judgment?

Mr. Lambert: I will not labour the point any further, sir. I am quite willing to leave it where it stands, and I have every reason to believe that the masters' case is perfectly satisfactory after what I have said.

Now, sir, I would like to go back a little in this matter just to show what has been the action of the Master Lightermen's Association in the matter. We have never shown any animosity to the Unions. It is a condition of employment amongst all our members that a man shall not be asked whether he is a member of the union or not. Men never are asked by foremen, nor are they asked by the employers. If the men like to belong to the union, if they like to have the Federation ticket, they are at perfect liberty to do so. If they desire to remain outside the union, or not to take the Federation ticket, the employers conceive it to be their duty that they should not force them; they should let the men do just as they like. This man Thomas elected to remain in the union he was in, and not to take the Amalgamated Society's ticket or the Federation ticket, and naturally his employer felt that he would not force him into the union.

Sir Edward Clarke: Will you kindly let me ask you a question of fact: Has there been to your knowledge any complaint until the 30th of April of this year with regard to a non-union man being employed at one of the wharves?

Mr. Lambert: A complaint from whom?

Sir Edward Clarke: A complaint from the society.

Mr. Lambert: The Amalgamated Society?

Sir Edward Clarke: Yes, to your Association.

Mr. Lambert: No, there has been no complaint of the sort at all. I would like to go back a little now. I think you have a copy of this little book, which is called "Working Rules," and dated June, 1908, which is issued by the Amalgamated Society of Watermen, Lightermen and Watchmen. (Book handed.) Prior to this date we had had conferences and arbitrations with the men's unions, and I think it was Mr. Gosling's suggestion that it would be desirable that certain working rules should be drawn up and printed in this form, that it would simplify the matter, the men would know what they had to do, and the employers would know what they had to pay, and under what conditions the men would be employed. We responded to the suggestion, and we had two or three interviews with Mr. Gosling and one of his colleagues. The result was that those rules were established. They came into operation in June, 1908. Subsequently additional rules were added, you will see on the last page, to come into operation on the 1st July, 1910. These working rules were in operation in July last.

Sir Edward Clarke: I see "Head Office, 29, Trinity Square," whose head office is that?

Mr. Lambert: That is the head office of the Amalgamated Society of Watermen, Lightermen and Watchmen; it is now removed to Great Prescott Street. These working rules were in operation in July last, and I would call your par-

ticular attention to page 7 of those rules, and to the last rule therein mentioned. It says: "These rules are to remain in force until the expiration of six months' notice given by either side." That rule was put in at the masters' suggestion with the sole object of preventing any upheaval or unrest suddenly, so that if the men wished to raise any question there would be time to discuss it without bringing about a sudden strike. That was one of the conditions on which the rules were accepted. On July 3 the Secretary of our Association received from Mr. Gosling a letter which states: "I am instructed by my Executive Council to give you notice of the following alterations in the wages and conditions of employment." Then follow the conditions. I do not know that I need occupy your time by reading them.

Sir Edward Clarke: Will you state if they involve a material increase of wages?

Mr. Lambert: Yes, a very material increase on the existing rates. On July 5 the following letter, No. 2, was written. You will find it is a reply by the Secretary of the Association, who said: "I am directed to acknowledge the receipt of your letter of the 3rd inst., varying the conditions of labour and rates of pay agreed in June, 1908. My Council accept this as the six months' notice to terminate the existing working rates as provided under the rules. Meanwhile my Council will give the matter their careful consideration, and I will communicate with you again at an early date." That letter was sent, the points were duly considered, and on July 13 letter No. 3 was again written to Mr. Gosling fixing an appointment for his members to attend to confer on the subject. Now you will see there that we raised our protest against this breach of the agreement. We said we accepted it as an intimation that they wished to terminate it six months hence. Then followed in letter No. 4 an acknowledgment that Mr. Gosling would attend. The result of that was that we were desirous as far as possible to meet the men and discuss the whole thing to see if some fair, reasonable and equitable arrangement could be arrived at. We had several conferences and negotiations; I think Mr. Gosling and his colleague attended on three occasions, and after a lengthy discussion a provisional agreement was arrived at, to vary the existing agreement. That provisional agreement was No. 5. It was agreed on July 28th, 1911; it was approved by Mr. Gosling and Mr. Spicer subject to the approval of the men, but Mr. Gosling and Mr. Spicer promised to recommend it for the men's acceptance. It was submitted to the men in due course, and you will find in No. 6 a letter was sent by our secretary to Mr. Gosling, dated July 31st. It states: "I have been instructed by the members of this society to respectfully refuse to accept the terms that we agreed to submit to our society, and to say that the members of this society stand by their original demand. Could you arrange another meeting this afternoon or to-morrow morning?" Well, sir, on August 1st letter No. 7 was written to Mr. Gosling: "At the meeting of the Council of this Association, held this afternoon, my sub-committee reported the result of their interview with you and your colleague this morning. My Council regret that the negotiations have brought about no satisfactory result. Whilst still desirous of exhibiting a conciliatory attitude in respect of the claims of the men, they feel that as the notice to terminate the existing rules and regulations does not expire until January the 3rd, time is afforded for both sides to consider the question at issue, with the hope that some conclusion may be arrived at satisfactory to all parties; and with the view of facilitating this end they suggest inviting the assistance of the Board of Trade." The response to that is letter No. 8 of August 3rd: "I hereby give you notice that the members of this society will cease work until the question of a 10-hour day and the abolition of the radius have been conceded." I think all this correspondence goes to show that there is an earnest desire on the part of the Masters' Association to confer with the men, to endeavour to come to some arrangement, and an agreement was provisionally come to, but it was refused by the men, and then we received the notice ignoring entirely this rule to give six months' notice to terminate the existing rule. That is one of the things of which the masters complain. Agreements are made and they are not adhered to, and it is one of the difficulties which we have experienced in all our negotiations.

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Unfortunately, agreements are made and they are not kept, and so further difficulties are accumulated. On August 3rd in letter No. 9 you will find that the Secretary wrote to Mr. Gosling: "I am in receipt of your letter of to-day's date, in which you give notice of the immediate withdrawal of the men, thus breaking your agreement with this Association, that six months' notice shall be given on either side before any variation of the terms of employment can take place. Your members have rejected the terms provisionally agreed between yourself and my committee. After protracted negotiations and owing to their uncompromising attitude my association are compelled to withdraw those terms, which were only conceded to avoid a disturbance of trade. The responsibility must rest with you." Then followed negotiations under the auspices of the Board of Trade. We attended there on four, five, or six occasions; we had conferences under the auspices of Sir George Askwith with Mr. Gosling and his colleagues. We had very lengthy meetings. When we attended we entered a protest before the negotiations commenced against the action of the men in breaking an agreement in which they were required to give six months' notice, but we were induced by the gentlemen at the Board of Trade to continue negotiations, and we did so. The negotiations extended for several days, and in the result, in order to settle the strike and bring about an agreement, two important points were conceded by the employers, and the result was that this agreement, No. 10, was signed, as you will see, on August 11. I may here remark that the officials of the Board of Trade stated that the master lightermen had done everything that they could to meet the matter, and I think the remark was made that they had acted very handsomely in bringing the thing to an issue in the manner they had done. No sooner is that agreement signed than we have difficulties. The men are only just back to work. We wrote on August 14, as you will see by letter No. 11, to G. R. Askwith, Esq., K.C., C.B.: "Labour Difficulty. At a fully attended Trade Meeting of Master Lightermen held this morning, it was reported by many firms that the men decline to take orders from the foremen or other officials of the employers unless they hold the Transport Workers' Federation Ticket. If this attempt on the part of the men's leaders is insisted upon it will undoubtedly lead to cessation of work within the Port." Then follows a resolution which was passed by the association. There also arose other difficulties.

Sir Edward Clarke: That resolution is so important that I wish you would read it.

Mr. Lambert: Certainly. The resolution is: "The attempt on the part of the men's leaders to enforce the Federation tickets upon all employees and officials of Master Lightermen is a distinct breach of clause No. 7 of the agreement dated 11th August, and this meeting of Master Lightermen hereby agrees to resist any efforts on the part of the men's leaders in this direction." Then also certain differences had arisen with regard to the interpretation of the clause in the agreement of August 11. If you refer to document No. 12 you will see it commences: "Differences having arisen as to the interpretation of certain clauses of the agreement made at the Board of Trade Offices on August 11th, 1911, between the Association of Master Lightermen and Barge Owners and the Amalgamated Society of Watermen, Lightermen and Watchmen of the River Thames, it is hereby agreed between the parties that the following questions be referred to the Board of Trade for decision and settlement as per clause 11 of the said agreement." The first is: "Is a workman who has concluded his day's work, whether such day's work includes overtime after 4 p.m. or not, and who is called upon to do night work after 8 p.m. on that day, entitled to claim payment for the hours intervening between the time he ceased work and 8 p.m.?" The second one is: "Does a man who has been at work for a long night automatically become a 6 o'clock hand if required for work the ensuing day, or has the employer the option of taking the man on at 6 a.m., 7 a.m., or 8 a.m.?" This forms part of an agreement dated August 19th, which was arrived at at the Home Office, Mr. John Burns being present. You will see the clause which follows the second point I have read is: "In all cases of dispute or difficulties arising no member shall knock off work, but continue his employment and report to his society as soon as possible.

The matter shall then be dealt with forthwith by the Masters' Association and the Men's Society, and in the event of not coming to agreement the question in dispute shall be referred to the Board of Trade." Then comes the following clause: "The members of the National Transport Federation will not demand or request that foremen shall be members of the Federation." I think it is perfectly obvious why that clause was put in. We look at it, of course, from the commercial, perhaps, and not the legal point of view. It seems to me so very plain; it is simply binding on the members of the National Transport Federation that they shall not demand that foremen shall be members. There is nothing in the clause to bind the masters that they shall employ only members who have Federation tickets, or only members who have union tickets. We should never have consented to such a thing; it is not likely. It seems to me such a simple thing, and I cannot for a moment understand how Mr. Gosling can read into these words the interpretation which he seeks to put upon them. It seems to me so very simple a case that I do not think it is worth while my labouring it before you. I do not want to waste time, but I do maintain here that the employers are not bound by that clause to employ only men who have a Federation or union ticket. Then the following document is Mr. Askwith's award on the points which were referred to him.

Sir Edward Clarke: You need not trouble about that, I think.

Mr. Lambert: Those questions arose with regard to this Federation ticket. You will see a copy of the letter, which is No. 14, dated September 4, addressed to the Secretary of the Amalgamated Society. It says: "Herewith I send you copy of a notice served this afternoon on Mr. Henry Grey, jun., about which my Chairman has just spoken with Mr. Spicer on the 'phone, and from whom he learns that your Society knows nothing of the matter officially. I am directed to request that you will be so good as to arrange that any grievances the men may have to place before their employers may be brought to the notice of this Association through your Society, and not be dealt with in the manner adopted in the present case. I have also to ask for an assurance from you in writing to-morrow morning that the men in question will continue at work in accordance with the terms of the agreement of the 19th ult."

Sir Edward Clarke: That is signed by your Secretary?

Mr. Lambert: Yes.

Sir Edward Clarke: And sent to the Amalgamated Society?

Mr. Lambert: Yes. Now, this is a very important document which is enclosed with this letter. It is addressed to Mr. H. Grey, junior.

Sir Edward Clarke: Who is Mr. H. Grey, junior?

Mr. Lambert: He is a member of the Association, and he is a master lighterman. "We, the employees, have sent E. Wedge and R. Lowe as deputies from us, putting our grievances before you, which we hope you will consider, as it is causing a lot of friction between us (your employees) and outside firms. The grievances are as follows:—(1) That the tug captains and roadmen in your employ are not members of the Amalgamated Society of Watermen, Lightermen and Watchmen, and the men have decided, by a meeting representing the whole body of your employees, that the tug captains and roadmen have had sufficient time to become members of the Amalgamated Society of Watermen, Lightermen and Watchmen, and that in the event of them not having a card of the same by Wednesday, the 6th instant, we shall have to cease work with them. (2) That any man being in attendance with craft at any dock, wharf or ship be told the name of the barge he is to have for his night's work before his day's work ceases, and if ordered to the office for orders he shall be on pay until such orders have been received by him, allowing one half-hour for orders running continuously from his day's work. (3) That in the event of a man being relieved before 4 p.m. or 6 p.m., whichever the case may be, that he should not be expected to cover up his barge after 8 p.m. o'clock." The men returned to work under the agreement of August 19 on August 21. On September 4 we have further demands put forward by the men. We immediately communicated with the secretary to the society, and presumably they took

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some action in the matter, because the men did not carry out their threat; they continued to work. Another point was raised on December 6. A letter was sent by the secretary to the Right Hon. John Burns, M.P., Whitehall, which is No. 15: "I am directed by my council to call your attention to the difficulty experienced by members of this association in connection with the Federation ticket. You will remember that at the conferences held under your presidency, during the time of the recent strike, the question of the Federation ticket was discussed, and you were good enough to assure our representatives that it would not be pressed in future, and that in your opinion it had then been carried too far. You were also good enough to suggest that in the event of trouble arising, our representatives might communicate with you thereon. From the enclosed particulars you gather that, far from disposal of the difficulty, it continues to exist in an acute form, causing serious interferences to our members in the conduct of their business. My council instruct me to respectfully invite your good offices in bringing about a removal of this difficulty."

Sir Edward Clarke: Have you a copy of the enclosed particulars?

Mr. Lambert: I am afraid I have not, but if you would like to have it, I will get it for you.

Sir Edward Clarke: I should like it because it will show the exact circumstances that had then arisen.

Mr. Lambert: These show that a number of attempts have been made by the men to stir up trouble, and these are not the only attempts. Our case is, broadly, this: We say that at the end of the strike, when the men returned to work on August 21, that was a settlement of the whole question. The men had gained substantial increases in their pay, and had obtained improved conditions in their working. We anticipated that, so far, that was an end of the matter, and we naturally went to our employers, our merchants, our millers, and manufacturers, and shipping companies, and we explained the situation to them. We said: "We are put to this additional expense, and we must ask you to contribute towards this expense to which we are put." After an interval, terms were arranged between the master lightermen and their employees. We did that because we expected that there was going to be finality about it; but no sooner had we got that done than we are stirred up from time to time. Demands of all sorts have been put forth by the men. We have conceded points to the men, we met Mr. Gosling and his colleagues, and we have had to agree to terms there in the hope that the whole thing would settle down. We did not want to stir it up. We desire peace. It is absolutely necessary for the trade of this port that there should be peace amongst the transport workers. What we are suffering from is this serious and continued unrest. Well, sir, I could occupy a very long time giving you incidents of the trouble we have had with regard to the Amalgamated Society and the men. They will not let us be at rest. Three times have we had to send notices to our customers of a threatened strike, or fear of a threatened strike. Many of us work for railways, and it is necessary for the railways to notify all their stations all over the country that there is a strike, and they cannot accept responsibility for delay in the collection or delivery of goods or other charges which may be incurred. This causes a great deal of difficulty in the way of business, and we do feel most strenuously that something must be done to stop it. We cannot possibly go on as we are going now. We have endeavoured to overcome the difficulties, but we find it has no satisfactory result. One day we have a suggestion that the men are to receive their orders in a certain manner, and if we endeavour to meet that, the next we hear is that there is some difficulty with the watchmen; they want payment on some system to which they are not entitled. You get over that difficulty, and then some arrangement which is made a month or two ago with regard to some particular work is broken without notice. We do feel that we are entitled now to take the line that we must have strenuous resistance to these constant attempts to upset the trade of the port. We have been constantly harassed by the action of the men and by the action of the society. They have made demands

upon us from time to time very recently, and, as I say, we have had to notify an impending stoppage of the trade. Mr. Jacobs and myself and colleagues have been in attendance on Sir George Askwith several times—six or seven times, I should think—since these agreements were settled.

Sir Edward Clarke: Between the date of August 21st, 1911, and the date of May 17th, 1912?

Mr. Lambert: That is so.

Sir Edward Clarke: Will you answer me this? Between those dates was the question of the Federation ticket raised again?

Mr. Lambert: It has been raised in this correspondence.

Sir Edward Clarke: Between the date of this correspondence, the last letter that you have given me, and the date of May 17 of this year.

Mr. Lambert: You will see the letter to the Rt. Hon. John Burns of December 6; I do not know that there has been any official communication since then.

Sir Edward Clarke: Now you come to May 17, I think?

Mr. Lambert: Yes, but before coming to May 17 I wanted to say one word about the tug hands. After the strike when the men returned to work on August 21 the tug hands, that is to say the captains, the mates and the deck hands, made application for an increase of pay, and in regard to my firm I saw them, and other managers saw their men. They asked, I forget now what the increases were, but we acknowledged that the men were entitled to something. The workmen had got something, and naturally the tug hands expected something and we told them so. Eventually we agreed terms with our tug hands, the men applied directly to their employers, not to their societies, for increases in wages, and terms were agreed between the employers and men under which they have been working for eight months. Then we have an application from Mr. Gosling.

Sir Edward Clarke: Have you a copy of those terms with the date of them?

Mr. Lambert: No, sir. The terms are not all alike; they work under different conditions, but the terms were satisfactory that were agreed.

Sir Edward Clarke: And arranged about the same time?

Mr. Lambert: All about the same time. They all operated from the termination of the strike or thereabouts.

Mr. Gosling: May I interpose and ask that those terms should be put in. The very essence of our complaint is that these were individual bargains and not collective bargains.

Sir Edward Clarke: I am told that they were terms which varied with the different firms.

Mr. Lambert: Quite so.

Mr. Gosling: That is where the dissatisfaction is.

Sir Edward Clarke: If you please, but that is the fact.

Mr. Lambert: Some time this year, I think it was about five or six weeks ago, Mr. Gosling made application to our Association on behalf of these tug hands, and he wanted to meet us with a view to discussing the conditions of employment, hours and the wages. Mr. Gosling said yesterday that the Association replied: "No, we will not meet you." That is not a correct answer to give. The answer that was given was this. "This question has been so recently settled that we cannot reopen it at the present; it was settled with the men last August."

Sir Edward Clarke: Is that in writing?

Mr. Lambert: Yes, that is in writing. I have not got the correspondence, but I can let you have it.

Sir Edward Clarke: Mr. Gosling has it now, I think. I asked for it yesterday. (Correspondence handed.) It will not be interrupting you if I read it now. The first letter is from Mr. Gosling on March 28, 1912: "I am instructed by my executive committee to ask your council to be good enough to meet this society as representing the masters and mates of tugs owned by members of your Association, for the purpose of arranging the rates of wages and conditions of employment to be observed in connection with the tug work.—Yours truly, HARRY GOSLING, General Secretary." The answer is on March 30: "Dear Sir.—I have to acknowledge receipt of your letter of the 28th ult., and to inform you that it will be duly submitted to this Association." Then there is a further letter from the

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Secretary of the Master Lightermen's Association on April 4: "I have placed before my council your letter of the 28th ult., and in reply am directed to inform you that the members of this Association owning tugs have recently arranged with their deck hands the rates of wages and conditions of employment for tug work, and they are not prepared to reopen the question." Then on April 15 there is a letter from the Amalgamated Society of Watermen, Lightermen and Barge-men: "Dear Sir,—At a representative meeting of the masters and mates of tugs at which I presided yesterday, your letter of the 4th April was read, and it was explained to the meeting that your Association are not prepared to meet this society for the purpose of arranging rates of wages and conditions of employment to be observed in connection with tug work. The decision of your Association left no alternative but that the men should draw up the rates and conditions that they are prepared in future to work under, which are as follows: (1) The week's work shall consist of 72 hours between 6 a.m. on Monday and 6 a.m. on Sunday, working as 24 hours on and 24 hours off. (2) The captains' pay to be £4 and the mates' £2 15s. (3) Sunday: For a Sunday, long, between 6 a.m. and 6 p.m. Captains 15s., mates 10s.; for a Sunday, short, from 6 a.m. to 10 a.m. captains 7s. 6d., mates 6s. (4) Sunday night: From 8 p.m. to 6 a.m., captains' 15s., mates' 10s. (5) Overtime: Captains 1s. 6d. per hour, mates 1s. per hour. (6) Each tug to have a mate appointed who shall have no other duties than his work on board the tug. I was instructed on behalf of all the men to give you notice to terminate the present employment on Friday, April 26th; each individual will give the necessary notice this week-end.—Yours truly, HARRY GOSLING, General Secretary." Then on April 18th there is a letter of the Association of Master Lightermen: "Dear Sir,—Your letter of the 15th inst. was submitted to a meeting of the trade held this day. In reply I am instructed to inform you that in view of the recent settlement with the deck hands of tugs the demands made by you on their behalf cannot be conceded. I am to add that if any section of the members of your society withdraw from their employment their action will necessitate a total cessation of work.—Yours faithfully, CHARLES J. YONWIN." Then there is an answer from Mr. Gosling on April 19th: "Dear Sir,—I have to thank you for your letter of yesterday's date, and notice you refer to a recent settlement with the deck hands of tugs. I must remind you that there has been no settlement whatever between your Association and this society for deck hands of tugs. It is not intended to withdraw from their employment members who are working under agreements between your Association and this society. The members of my society consider that the deck hands of tugs are entitled to have uniform conditions of employment (a principle which you have conceded to tug hands below the deck). I have noted the paragraph in your letter which contains a threat to lock out the whole of the trade if our action is persisted in in demanding an agreement for a 72-hour week for the deck hands.—Yours truly, HARRY GOSLING."

Mr. Lambert: Mr. Gosling made reference yesterday to the sailing barges.

Mr. Gosling: Have you finished with the tugs?

Mr. Lambert: Yes. With reference to the sailing barges, Mr. Gosling made some reference to that, and he will agree, I am sure, that that is a matter which does not affect my Association.

Mr. Gosling: Yes. If Mr. Lambert puts that upon me, may I say that the chairman of Mr. Lambert's Association, Mr. Brooks, is the gentleman who signed the reference to the Board of Trade?

Mr. Lambert: It is quite true it is the same gentleman, but I must make that clear, with your permission, Mr. Alfred Brooks is a member of the Associated Portland Cement Manufacturers; he is a Director, and they own a very large number of sailing barges, which work on the river. Last year Mr. Brooks was the President of the Master Lightermen's Association, not because he was a representative owner of sailing barges, but because they also owned dumb barges, and Mr. Brooks attended with Mr. Jacobs and myself all these negotiations in the labour dispute at the Board of Trade, and he signed these agreements on behalf of the Association. As regards sailing barges, Mr. Brooks acted not as President of the Association, but he acted as

owner of sailing barges, and my Association knows nothing whatever about that agreement. We never had anything to do with it, and he signed it as a private individual and not as President of our Association.

Sir Edward Clarke: At what page did you refer to this yesterday, Mr. Gosling? I think it is in the first column on page 10: "In August last the sailing-barge men belonging to the Thames and the Medway ceased work with the other men."

Mr. Gosling: What I said was this, and this is what I want to call your attention to: "It is signed on behalf of the sailing-barge owners of the Thames, the Medway, Sittingbourne, and Faversham, for work within the Port, by Alfred Brooks; signed on behalf of the men by myself and E. A. Spicer, and countersigned by Sir George Askwith, the Chairman."

Sir Edward Clarke: Where is that?

Mr. Gosling: That is in the right-hand column at the top of page 10; it begins at the second line.

Mr. Lambert: Mr. Brooks signed that, not as President of our Association, but simply as a private individual. We know nothing about it; we do not know what the terms are; we have not had any discussion on the subject, and are not in a position to discuss it, because the owners of the sailing barges are not members of our Association. I wanted to make that clear. Then Mr. Gosling made reference to the captain of a tug who would not tow the "Lady Jocelyn."

Mr. Gosling: Who would not tow the "Lady Jocelyn."

Sir Edward Clarke: That was the case of Fitch?

Mr. Lambert: Yes, a man named Fitch. That has nothing to do with my Association. It is a sea-going tug, and the owner of the tug is not associated with us in any shape or form whatever, and, of course, we cannot answer that point.

Sir Edward Clarke: Have you anything to do with the question of sea-going rates?

Mr. Lambert: Nothing whatever. May I now conclude my remarks by reading a letter which Sir George Askwith addressed to us on May 17th last, after we had had several interviews with him on the question of the man Thomas? I should like to read that letter to you, and, with your permission, our reply, because our reply governs the whole of our case, to which we adhere. The letter is dated May 17th. It is from the Chief Industrial Commissioner's Department, and it is addressed to our secretary, Mr. Yonwin, and it is signed by Sir George Askwith. It says: "I have been carefully thinking over the difficulties you mention with regard to the continual complaints tendered by trade union delegates to individual firms, the breaking of rules, etc., and the danger of sudden strikes. I would ask you therefore to lay before your Association the following suggestion—namely, that there should be formed (if I can obtain the consent of the men) a Conciliation Board or Labour Committee to be tried, say, for a period of twelve months, with (four) representatives of your Association and the same number of men, the employers to appoint a chairman and the men a vice-chairman, with power, by mutual agreement only, to call in an umpire. A preliminary meeting to be held to consider the proposed procedure of the Conciliation Board or Labour Committee, at which meeting I would, if desired, be willing to preside. The first duty of the Board or Committee would be to arrange for the prevention of sudden or unauthorised strikes, and for having complaints dealt with under a system which would avoid interfering with the smooth running of your business. Subsequent meetings of the Board to be held on days to be fixed at certain stated intervals. Such fixed meetings are, I think, very important for the prevention of frivolous complaints, and for avoiding your time being continually occupied at irregular meetings. I would point out that the men are much better organised than they have been in past years, and that the decisions of such a Board will carry great and effective weight. The men's delegates would have a special channel through which alone difficulties with your members could be dealt with, and this proposal would prevent 'pin-prick' and sudden action of which you have cause to complain." Now, that letter was received by my Association, and it was considered for a very long time at a very large meeting, and eventually this reply was sent, and this was the unanimous reply of the meeting. It is dated May 21, and it is addressed to Sir George R. Askwith:

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"My Council have had your letter of the 17th inst. before them to-day, and, while thanking you for your suggestions, they very respectfully submit that the expedients you recommend have all been tried and have failed. After the 1889 strike a Conciliation Board was formed, and they met at fixed intervals, but it was not long before this method appeared to invite complaints, mostly of a trivial and personal character, against foremen and executive officers of employers, which led to so much friction and ill-feeling that it was impossible to conduct the meetings with any approach to decency and order, and the employers decided to receive complaints in writing only. In 1900 it was again arranged to meet in conference to consider demands made by the men, and, having failed to arrive at a settlement, it was agreed by both sides that the London Chamber of Commerce should appoint an arbitrator, and it was while negotiations were proceeding with the Chamber for this purpose that the men were withdrawn from some of the firms, and the disastrous strike of 1900-1 ensued. After such a gross breach of faith the employers refused to meet the men again for some time. Conferences were, however, subsequently renewed, and working rules were agreed in 1908, one of which provided for six months' notice to terminate. In July last year certain demands were put forward by the men, and the employers claimed to treat these as equivalent to notice. This the men repudiated, and, in view of the widespread disturbance, my Council consented, without prejudice, to meet the men's representatives forthwith. At the first interview notice was again claimed, but Mr. Gosling stated that he would not be bound by it, and that the men were going to take advantage of the general unrest to co-operate with the other branches of the Federation of Transport Workers for the purpose of getting what they could out of it. Negotiations proceeded, and an agreement was unanimously arrived at conceding substantial advantages to the men, subject, however, to ratification. Both sides agreed to recommend it to their respective associations, and while the employers confirmed the agreement, the men rejected it. To what extent the men's representatives carried out their undertaking to recommend the agreement for acceptance may be judged by the following statement which appeared in the Press: 'Mr. Harry Gosling, the general secretary of the society, speaking to a Press representative this morning, explained that he was surprised and delighted with the firm stand the men had taken against their long hours.' The men then again put forward their original demands, and in spite of the agreement that had been entered into, and a suggestion on the part of the employers that the dispute should be referred to the Board of Trade, they struck work. How the employers were prevailed upon by you to reopen negotiations with the men is, of course, within your knowledge. It is only necessary for present purposes to remind you that our representatives urged the futility of again entering into an agreement which they were convinced would be wantonly set aside by the men as soon as it presented the least inconvenience to them. You, sir, put it to our representatives that an agreement entered into under the auspices of, and countersigned by, the Board of Trade would have greater value and a more binding effect than an agreement without such aid, since it would be difficult for the men to repudiate it. Accordingly an agreement was made on August 11, countersigned by you, with a clause providing that it should stand for three months, with one month's notice after that period. One of the clauses in the previous agreement confirmed in the new was to the effect that men were not to leave their work without submitting their grievance to their society, for it to be dealt with by both associations. How far your faith was justified was proved by subsequent events. The men were out on strike again in two or three days, and again my council yielded to the representations of members of the Government and your good self, and patched up the trouble. Since then there have been constant attempts on the part of the men, prompted by their executive members, to press fresh demands, or to restrict services, under threats to withdraw the men without the notice required under the agreement. On three occasions, at least, the trade have felt it necessary to notify their customers that a general stoppage of lighterage work was expected, the effect of which was to stop or

divert business, some of which never comes back, and to cause great loss and inconvenience not only to our members, but to shippers, merchants, and others. The latest occasion was the tug hands' dispute, and trade was only just becoming normal when the present strike was thrust upon the employers, the men again being withdrawn by their union without any notice. The peculiar conditions of the lighterage business make such actions on the part of the men particularly embarrassing. Barges have been left in all parts of the river and docks, with valuable cargoes on board, and it is no exaggeration to say that charges amounting to thousands of pounds will be incurred through failure to take goods from vessels under the conditions of contract in the bills of lading, etc. It is the knowledge that the employers can be so effectively punished that encourages the men's executive to take advantage of their difficulties, and as long as the Legislature relieves the men and their trade unions from their proper civil obligations, so long will they continue to act as they have done. In conclusion, my council desire to express their appreciation of the care and patience which you at all times have brought to bear upon these unfortunate disputes, but they fail to see that any enduring results can be obtained from further conferences. All the machinery you have suggested has practically been in operation for some years past. My Association have been ready to meet the men, and when they have failed to come to an agreement, have been willing to avail themselves of your good offices. Their object now is to obtain a lasting settlement, but it does not appear to them that they are likely to achieve that in the manner you suggest." That is signed by the secretary. That is really our case contained in that letter. We are tired of these constant interruptions of our business. It is impossible for us to obtain control of our business under the existing conditions, and we have decided that we cannot meet in these conferences again. Unfortunately, there is only one way in which we must resist these demands to interfere with our trade, and if it brings about a strike, we are very sorry. We do not desire it; but it is useless our making these agreements only to be broken. As soon as one agreement is signed, fresh points are raised, and we have endless trouble. That is the case for the master lightermen. If there is any further information that you require, I shall be very pleased to let you have it, if it is in my power.

Sir Edward Clarke: Thank you. I think you have given us a complete account of the matter, as far as I can see, from your side. I notice that you have dealt with the question of union or non-union men, and also with the question of tug men. The other questions raised with regard to the wages, and so on, I understand, are out of the control of your Association?

Mr. Lambert: Yes, the sailing barges and the sea-going barges are out of our Association. We do not know anything about them.

Mr. Gosling: May I make a suggestion which I think will help you? Mr. Lambert says that his Association are not responsible for the agreement which was signed for the sailing barges, and he also says that they have no control over the case of the man Fitch which I spoke about yesterday. May I suggest to you that you should see if those cases are going to be met and if Mr. Alfred Brooks is going to attend and let us know why it is that the sailing-barge owners have broken that agreement.

Sir Edward Clarke: That was why I asked Mr. Lambert whether that was excluded from his statement and responsibility, because of course I shall have to ask somebody else to give me information upon that matter.

Mr. Gordon Coombe: Mr. Gosling yesterday made a statement that some granary keepers have not honoured the Devonport agreement. On behalf of the granary keepers belonging to the Wharfingers' Association, may I ask that Mr. Gosling may give us a list that we may see, of the names which he had in his mind at that time?

Sir Edward Clarke: He referred to certain granary keepers.

Mr. Gordon Coombe: We should like to have a list, to see which they are.

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Sir Edward Clarke: I think he mentioned two, did he not?

Mr. Gordon Coombe: I do not want the names mentioned now, if we could have a list to see whether they belong to our Association or not.

Sir Edward Clarke: I daresay Mr. Gosling will be willing to do that.

Mr. Gosling: Yes, we will hand in a complete list of the names; but here is going to be a very great difficulty in connection with this inquiry. You see, the Association—I am not blaming them for it—of course are going to say: "We are only responsible for our members." But really the greatest trouble of all is the people who are not members of associations, who cut under the associations and break up our agreements. That is really our complaint.

Sir Edward Clarke: We will get all the facts out.

Mr. Gosling: If you please. We will give the names, and I expect it will be found that they are not members of the Association.

Sir Edward Clarke: Will you kindly hand that list to Mr. Gordon Coombe as quickly as you can?

Mr. Potter: I am Chairman of the London Shipowners' Docks Labour Committee, and I ask your permission to correct a statement which appears in the report of the proceedings of yesterday. I may say that I was also the negotiator for the shipowners in the negotiations which culminated in the Devonport agreement of July 27th of last year. On page 8 of the report of the proceedings of yesterday, you refer to the agreement of July 27th, and you ask Mr. Gosling "whether there is anything in that agreement"—that is, the agreement of July 27th—"at all specifically referring to the employment or non-employment of non-union men." Mr. Gosling says: "No, the only case that I know of where this clause has been put in has been in supplemental agreements," and so on. I think he repeated the same thing this morning, if I heard aright, when he referred to the dockers' agreement, and he said there was no reference to that at all. With regard to both of those statements, the recollection of Mr. Gosling and his friends is seriously at fault. When I heard such a statement had been made, I referred to my own notes taken at the time. These I will not trouble you with—they probably are ex parte—but I also obtained from the Port of London Authority an extract from the Minute which was made on July 26th, 1911. There were several days, I may say, during which the negotiations were carried on, and this is an extract from the Minute: "Mr. Potter said as regards the Shipping Federation ticket, he was not empowered to make any concession, the shipowners' claim being that, while they do not use compulsion in regard to the Federation ticket, a man should not be forced to be a member of the union." That is fairly conclusive, I submit; but I also referred to the official shorthand notes of what took place on the day before, on the 26th, and if you will allow me to read them, this is what I have here: "Extract from shorthand notes, July 26th, 1911. *Mr. Potter:* May I ask a question to help me to consider these matters? Do I understand Mr. Tillett to mean by what he said that he desires, or makes it a stipulation, that a shipowner is not to employ any men who are not unionists?"

Mr. Ben Tillett: No; whatever the men do, whether they are unionists or non-unionists, if they are free agents, that is our card. *Mr. Gosling:* That is made clear in our note. *Chairman:*—that is Lord Devonport—"They do not come and say, 'You shall only employ union men'; on the other hand they say 'You are not to insist on a certain class of men carrying your Federation ticket.' You want a fair field and no favour. *Mr. Gosling:* That is it. *Mr. Ben Tillett:* The workman is a free agent. *Mr. Havelock Wilson:* It must be quite well understood that we are going to do our level best to get every man into the union, but we are not going to say to you, Mr. Potter, that you must not employ any man but a union man. We shall see that every man gets into the union, and shall use every means to bring that about."

Sir Edward Clarke: You are reading now from shorthand notes. Are they printed?

Mr. Potter: They are not printed, but they can be verified. They are in the possession of the Port of London Authority, and I got them from them yesterday after hearing the statements that had been made. I am sorry I have not a copy.

Sir Edward Clarke: Are they in the nature of notes taken officially for the Port Authority?

Mr. Potter: The official record of what took place at those meetings by the Port Authority.

Sir Edward Clarke: Then I daresay the Port Authority will be good enough—is Mr. Blakie here?

Mr. Watts: I represent the Port Authority. It is as Mr. Potter has stated; there were official notes made at the time of everything that occurred, and that is an extract from those notes.

Sir Edward Clarke: I shall be much obliged to the Port Authority if they will supply me with a copy of the notes.

Mr. Watts: Certainly—for that day.

Mr. Gosling: If you are going to have notes, as I am very much concerned in this, I hope you will have all the notes, and not Mr. Watts's extract of the notes.

Sir Edward Clarke: Certainly. I did not ask for an extract from the notes.

Mr. Gosling: He said "for that day," I understood.

Mr. Watts: We can supply a full copy.

Sir Edward Clarke: If you think that other days would be important for me to see—

Mr. Gosling: I think they should all be read together for you to understand it.

Sir Edward Clarke: If you please. Will you let me have the notes of what took place, Mr. Watts?

Mr. Watts: Yes.

Mr. Potter: Certainly the whole notes may be put in the same thing was carried on to the next agreement, but the agreement was made by the Board of Trade. I do not know whether you have seen a statement which was made by the shipowners yesterday. It appears in the Press to-day; it is in "The Times," and if you will allow me, I will read the portion which refers to this very matter.

Sir Edward Clarke: I will refer to it, but I am not reading anything in the way of comment, or advocacy, or partial revelation, at the present time.

Mr. Potter: It is merely if there is any doubt in your mind as to the accuracy, I would be very pleased indeed, on behalf of the shipowners, to give you such evidence as I know will satisfy you that Mr. Gosling was mistaken when he said that there was no reference to anything in these agreements.

Mr. Gosling: With very great respect—

Sir Edward Clarke: One moment Mr. Gosling. I do not understand, Mr. Potter, that you say that in the agreements there is a reference to it.

Mr. Potter: I say it was embodied in the clause which I will quote to you now: "Working conditions and arrangements in all other respects to remain as at present." That is a clause in the agreement which was put in to cover that conversation. Up to then there was no stipulation at any time that unionists and non-unionists should not work together, nor was there any practical difficulty. We have always maintained that right, and there has never been any waiver on the part of the shipowners with regard to that.

Sir Edward Clarke: Nor any mention of the matter in any written arrangement or written conditions which had previously been drawn up?

Mr. Potter: That is so.

Mr. Gosling: I want to put myself right. Yesterday you were speaking to me about agreements.

Sir Edward Clarke: I quite understand the point. I put to you the specific question whether there is, in that agreement, anything specifically referring to the employment or non-employment of non-union men.

Mr. Gosling: That is so.

Sir Edward Clarke: You said "No," and you were quite right, except so far as refers to the later clause. It is not in that at all.

Mr. Gosling: Mr. Potter suggested, I understood, that my memory was at fault yesterday. It was not at all. You asked me whether it was in the agreements, and I told you what agreements it was in, and I said it was in no others that I knew of. Mr. Potter is now talking about some shorthand notes of four conferences which took place at the Port Authority, where all kinds of things were talked about, union and non-union, and many other things. The agreement is the thing.

Sir Edward Clarke: Mr. Potter's point, as I understand, appears to be, that considering the discussions that had taken place, this clause 8, which says, "Working arrangements and conditions in all other respects to remain as at present," is a clause which covers this question of the non-union working.

Mr. Potter: More than that; it was put in specifically to cover that point, in our intention—it may have

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been badly expressed—and following a distinct declaration by Mr. Gosling and his friends that they did not press for unionists and non-unionists not working together.

Sir Edward Clarke: However, it is clear that there was no written arrangement or condition.

Mr. Gosling: It goes much further than that.

Sir Edward Clarke: Will you wait till Mr. Potter has finished?

Mr. Gosling: If you please.

Sir Edward Clarke: Have you finished, Mr. Potter?

Mr. Potter: Yes.

Mr. Gosling: Then may I say that Mr. Potter was one of the parties who met us at the Local Government Board, or at the Home Office, I forget which, where he said that it was necessary that we should restrict our demand, and that is how that agreement came about. That agreement was signed by Mr. Potter, that we should restrict our demand.

Sir Edward Clarke: That you should restrict what demand?

Mr. Gosling: The demand that all men should belong to the union.

Sir Edward Clarke: And that you should restrict that to—

Mr. Gosling: And not demand that foremen and tally clerks should belong to the union. You see, after all this had gone on, Mr. Potter claimed exemption for foremen and tally clerks, and we met together and signed an agreement that they should be exempt. Exempt from what? If we were not entitled to the demand, there was no one to be exempted. It was because we were doing it, and he knew it, and we agreed that it should be done. Let me now refresh Mr. Potter's memory, if I may. Mr. Potter agreed with us that the meat ships should start work the following morning if we did not press for foremen and tally clerks to be members of the Federation, and that the men should be taken on outside the gates, so that they could show their tickets to each other.

Mr. Potter: No.

Mr. Gosling: You will have a right to answer it. It is a very material point, and it is worth a little time. It is the crux of the whole thing, because here were meat ships waiting to be unloaded, and we unwilling to unload them because we were wanted to allow union men and non-union men to go into the docks and be taken on from the quay, where they would not be allowed to show their cards. The thing was urgent; it was so urgent that the military were going to be called in that very night, and we were all very anxious to avoid that and get an agreement. Our intention was—and I want to say that quite frankly—that every living soul should have a Federation card—foremen and tally clerks and everybody else; and by way of compromise, to settle the thing and to get the ships to work the following morning, we agreed with Mr. Potter in writing, and it was signed then and he signed it with us, that foremen and tally clerks should be exempt. Let me take it one stage further, and I will tell you what happened. We were then asked: "Now, what about the morning's work; do not let there be any mistake about that?" We appointed delegates, and we had the pleasure of all shaking hands, Mr. Potter, if you remember, and you went home to bed, and our delegates went away and got the men to work. The delegates went down to the dock, because one of the reasons given why the men should not muster outside the dock was that they might not be under control, and we are very anxious to show that our men are disciplined and that they do behave themselves. Our delegates went down, and the men were all mustered up outside the docks and all showed their Federation cards, and they went to work and unloaded the meat ships. In the course of the day a non-union carman arrived on the scene. There was a great commotion, and Mr. Potter came running up, or telephoning up, I do not quite remember which, and said: "Here you are, all to pieces again, and you only started this morning." We said: "Well, these little things will happen, especially in a fresh start of work." We bundled off delegates again, and the master carman by that time had arrived, and he sent the non-union man about his business, and the work went on, and we unloaded the ship, and there has never been a word said about it since. Is not that what happened, Mr. Potter?

Mr. Potter: No.

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Mr. Gosling: Then we must be talking about two different things.

Sir Edward Clarke: Do not let this resolve itself at any time into a conversation. If you will be good enough to address me, I will take care that everyone has an opportunity of speaking.

Mr. Potter: The facts are not exactly, in my recollection—and I have some confirmation, I think—as put by Mr. Gosling. To take the last first, the men did not start work on the Monday morning. They had some objection that we did not know of—I do not know what it was—but it was not until the following day, I think, or two or three days after, that the men commenced work discharging meat. As regards the signing on Tuesday—

Sir Edward Clarke: I do not think that these circumstances really affect the matter. An agreement was signed at the time, and the first question would be what that agreement says.

Mr. Potter: Then I will confine myself, with your permission—

Sir Edward Clarke: You have told me that the shorthand notes will give me some information and help, and are material as part of the circumstances in this case, so I will look at the shorthand notes, and if there is anything in the shorthand notes which I think ought to be considered by me as part of the circumstances of the case other than that which you have quoted to-day, I shall mention it in the course of the discussion.

Mr. Potter: Then can I go a little further on the same subject? After this Devonport agreement, which was signed on July 27th, although it was an agreement made, the men did not work, for what reason I do not know. The agreement was quite futile as far as we were concerned. Then there was an award by Sir Albert Rollit under that agreement, and that award still did not bring the men in. Then a conference was held. Matters were very serious, and a conference was held, as Mr. Gosling says, either at the Home Office or at the Board of Trade, I forget which—the Home Office, I think—at which certain gentlemen who are here were present, and they will bear me out. This very question of the employment of unionists or non-unionists—and I do not ask you to take that on my own statement alone—was strongly debated. We pressed for its being specifically, in so many words, inserted in the agreement, but we were begged not to insist. I shall quote, if you will allow me, the statement which was made: "The shipowners expressed a desire that a clause be inserted making it quite clear that it was agreed that unionist and non-unionist should work peaceably together, but they were begged by Mr. Burns and others not to insist on the insertion of such a clause; the shipowners were told that the point was provided for by the 'Devonport Agreement,' and they were assured by the gentlemen named"—the gentlemen named are Mr. Winston Churchill, Mr. John Burns, Mr. Masterman, and Mr. (now Sir) George Askwith—"that it was quite understood that the condition in question was covered by the words in the agreements"—that is in the plural—"and the same gentlemen pledged themselves to use their best endeavours and influence in seeing that the condition was carried out to the letter and in the spirit."

Sir Edward Clarke: What are you reading from?

Mr. Potter: I am reading from a statement issued by the shipowners last night. "The Times" is the paper which I actually have in my hand; but I wish, if you will allow me, to have the statements I am making confirmed by Mr. Scrutton, who was present at the same time at both meetings.

Sir Edward Clarke: They are not at present contradicted. I do not want them confirmed unless they are contradicted.

Mr. Potter: I think that is the tendency of Mr.

Sir Edward Clarke: No. Your statements are not at present contradicted, and I want no confirmation of them.

Mr. Frederick Scrutton: If you would allow me, in one word, to say that I do confirm Mr. Potter's statement—

Sir Edward Clarke: If you think Mr. Potter requires confirmation, say so, by all means. I do not.

Mr. Frederick Scrutton: There was only one other point, if you will hear me on it, upon which I should like to speak. Your inquiry would not deal with any

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question of rates of wages of the port? It is far too large and complex a subject for you to consider, I take it; but Mr. Gosling yesterday made reference to the necessity of adopting a standard wage, and to the good effect which the introduction of a standard wage would have upon the labour of the Port.

Sir Edward Clarke: I am not going to enter upon that discussion at all. It is outside the matter with which I have to deal.

Mr. Frederick Scrutton: I thought possibly you might think that was a line worth following up, and that if the standard wage were the solution—

Sir Edward Clarke: No, I decline to consider it at all.

Mr. Frederick Scrutton: If you decline to consider it I have nothing more to say about it.

Mr. W. H. Appleby: I am the Secretary of the London Master Stevedores' Association.

Sir Edward Clarke: What point is it you want to speak upon?

Mr. W. H. Appleby: I want to read to you the rules of the Master Stevedores' Association. Our Association has been mentioned by Mr. Gosling, and he has referred to the Stevedores' Union. All the rules, the terms, and the arrangement of rates have been arranged between my Association and the stevedores. I do not know whether you have a book of rules. (Document handed.) On behalf of my Association, I wish, through you, to protest against the action of the delegates of the Amalgamated Stevedores' Labourers' Protection League in calling out their men in contravention of the award, which you will find at the end of that book. That was an agreement entered into with the men on December 27th last through the London Chamber of Commerce. The last award is on page 30.

Sir Edward Clarke: What has happened with regard to your men?

Mr. W. H. Appleby: They have been called out by the delegates.

Sir Edward Clarke: When?

Mr. W. H. Appleby: I do not know. Mr. Gosling gave you the date of the resolution, I observed this morning, of when they were ordered not to load union barges. I should like, through you, to ask him for the resolution that was passed calling them out and the date.

Sir Edward Clarke: When did they stop as a matter of fact?

Mr. W. H. Appleby: They stopped yesterday morning. Perhaps Mr. Gosling will oblige me with that resolution.

Sir Edward Clarke: Before they stopped had you any communication from Mr. Gosling?

Mr. W. H. Appleby: No, no communication at all.

Sir Edward Clarke: Will you be able to give us the date of the calling out of the stevedores, Mr. Gosling?

Mr. Gosling: I read it this morning.

Sir Edward Clarke: Yes, I think you did, but I will ask you to refer to it again. I am sure you did. You read four of them.

Mr. W. H. Appleby: He only read where the arrangement was come to not to load barges which were not put alongside by union lightermen, not about the total stoppage.

Mr. Gosling: I do not know that the Stevedores' Society, as a society, have done it. I think the Federation themselves have, and then, of course, the men all tumbled out together.

Mr. W. H. Appleby: We are dealing with the Amalgamated Stevedores' Labourers' Protection League. I had a specific agreement with them, as you will see if you will refer to the award in December. I must state, first of all, that our arrangements with our men have been most amicable for the last twenty-five years. They have had, by force of circumstances, to go out now and then, but this is the first time that they have struck. All our arrangements with our men have been amicable. We have had conferences, and if there were a few matters which we could not settle up amongst ourselves the matter has been referred to the Conciliation Board of the London Chamber of Commerce, and there we have always been able to arrange matters. The relationships between us and the men, I should think, are second to none in the country. It has been acknowledged by their own secretary, Mr. Anderson. Personally, I suppose the stevedores o

London are acquainted with nearly every man in their employment. I am, at any rate, with mine, and most of the others are.

Sir Edward Clarke: How many men would there be included?

Mr. W. H. Appleby: There are 8,000 in the society, and we employ the lot practically. On December 27, after having three or four conferences and an arbitration meeting, the award which was mentioned on December 30, and the agreement, was issued, in which it was agreed that this arrangement should start and continue for one year, with three months' notice to be given on October 1, 1912, and, if there was no notice given, then it was to continue yearly, notice to be given on October 1 in subsequent year. In contradiction of that award the men all struck through, I understand from personal inquiries I have made, instructions issued by their executive. I say that is in direct contradiction of these arrangements we have made. If you refer to the award I think you will find that I am correct.

Sir Edward Clarke: Have you under your hand now, Mr. Gosling, what you read to me this morning—the resolution with regard to the stevedores?

Mr. Gosling: Yes. "That this Council, having received the report of the delegates to the London District Committee of the Transport Workers, decides that all members be instructed to refuse to do any work which should properly be performed by trade union lightermen or watchmen, but in the event of any barges being or having been taken to any vessel by trade union lightermen or watchmen, our members are hereby instructed to continue to load or discharge the same."

Mr. W. H. Appleby: That is on Friday. On Thursday they all came out. Was any resolution passed calling them out?

Mr. Gosling: Not that I know of.

Mr. W. H. Appleby: The men told me that they got their instructions from the delegates.

Sir Edward Clarke: That, of course, may be.

Mr. W. H. Appleby: There was a meeting yesterday of our Association, and every stevedore was present, and a great quantity of them there made similar inquiries to what I have done, and the men, greatly against their wishes, had been called out in every case.

Sir Edward Clarke: Have they made any complaint with regard to wages recently?

Mr. W. H. Appleby: None at all. They are perfectly satisfied.

Sir Edward Clarke: Or any complaint as to their conditions of employment?

Mr. W. H. Appleby: None at all. They have no complaint to make. I have put myself out of the way to make inquiries personally, and my colleagues on the Association have done the same thing. They are perfectly satisfied with the conditions of their employment; they are perfectly satisfied with their wages, and they are very much dissatisfied at having to leave their employment. I would refer you as well, as Mr. Potter, I think, has mentioned about non-union labour, to page 4, the second rule as to times of call. There are different times of call, and then it says: "No member shall allow himself to be taken on before these times, but shall enter the dock gates at the hour, and no non-member shall be taken on before the hour," specifically mentioning that non-union men can work with the others, if necessary. Of course, we give precedence to the society men, but when we have cleared the stones of those men, then we take non-union labour. That has been our habit for years. The stevedores, I may mention as well, are the premier paid men in the Port of London, and they rightly, I think, consider themselves somewhat superior to their kindred societies, and, in fact, are a first class lot of men, and naturally they get better pay. I enter that protest, and I hope you will make a note of it, about their striking. Any information I can give you, or any assistance, in our poor way, that we can render to you in this inquiry, I shall be very happy to let you have.

Sir Edward Clarke: Thank you. Is there anyone here who represents the tug men?

Mr. Watkins: I represent the sea tug which was referred to yesterday in the case of Fitch.

Sir Edward Clarke: Are you the representative of any society?

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Mr. Watkins: No. I am a steam tug owner—a seagoing tug owner. We have no dispute with our people—no strike or anything of that kind—but my attention was called to this, and so I thought, if you would allow me—

Sir Edward Clarke: Have your men come out on strike?

Mr. Watkins: No.

Sir Edward Clarke: Then I do not want to hear anything more about it.

Mr. Watkins: I agree, but there is a charge here that we have—

Sir Edward Clarke: No.

Mr. Watkins: Very well.

Sir Edward Clarke: Now with regard to the dispute as to rates of pay for the short sea traders, is there anyone here who can give me information about that?

Mr. Moore: Mr. Leach is a short sea trader, and you deferred his case until this afternoon. Possibly he might be here this afternoon, as you said, about the "Sea Belle."

Sir Edward Clarke: I am much obliged to you.

Mr. Gosling: You see Mr. Leach is a wharfinger; Mr. Leach is a short sea trader; and Mr. Leach is an oversea trader; and Mr. Leach says: "The wharfingers' terms suit me best, so those are the ones I will pay." That is the trouble.

Sir Edward Clarke: I quite understand the point which you made yesterday.

Mr. Gosling: I do not know whether Mr. Leach is going to represent everybody in turn because he happens to be all, or whether each section are going to tell us what they have to say about the agreements.

Sir Edward Clarke: I think you mentioned yesterday two large wharves at which there was a refusal to pay.

Mr. Gosling: Hay's Wharf, who are represented here, and Cotton's Wharf.

Mr. Moore: Might I say, with regard to that suggestion as to Mr. Leach, that there is no doubt of his being a short sea trader, because he represents that body on the Port Authority, of which Mr. Gosling and I are members, so that there is no dispute about that. I might take this opportunity of saying that in the matter in which the wharfingers came up I was very glad to find that there was no allegation against them except in the case of the granary keepers, as to which you are going to give Mr. Coombe an opportunity of speaking; in the case of Mr. Leach, with regard to which he at once jumped up and wanted to deal with it; and I think you mentioned Hay's and Cotton's wharves. I was only going to suggest to you that it would perhaps help the procedure if, before an individual wharfinger or any other individual person against whom the charge is made, is heard, evidence were given. Would you prefer that the statement made by Mr. Gosling should be dealt with, or is it your intention to call any evidence in support of a particular case?

Sir Edward Clarke: I should be glad if you would deal with the statement to see if it is necessary that any evidence of fact should be given. My own impression is that with regard to matters of fact there would not be much dispute probably.

Mr. Moore: What is the allegation exactly with regard to Hay's and Cotton's wharves, because Mr. Magniac is here with regard to Hay's and Cotton's wharves, and I have no doubt that he will come and state the case, if there is anything to be said.

Sir Edward Clarke: I will turn to what Mr. Gosling said yesterday. It is on page 12, in the middle of the second column. I asked Mr. Gosling the question: "Has there been a similar case where the wharfinger has claimed that he, being a wharfinger, is entitled to pay under the agreement upon oversea ships?" and Mr. Gosling said: "It is being done every day, and that is one of the reasons why the men have now been called out. Hay's Wharf will not; their representatives are here, and I daresay they will give you the reason."

Mr. Moore: Mr. Magniac is from Hay's Wharf. Perhaps it would be simpler if he came forward and told you about it. I would like to know from Mr. Gosling whether there is any other point other than the granary point and the "Sea Belle" case, and whether that deals with the wharfingers' case. There is no other allegation, is there? Because I would like to get the whole thing out if there is any.

Mr. Gosling: Butler and Bellamy, and so on.

Sir Edward Clarke: There are other cases.

Mr. Moore: You see the difficulty. Here we are in the holidays at a time when people are ordinarily away. Mr. Gosling made a very full statement yesterday, to which we listened with great attention, and I think he put his case extremely well, if I may be allowed to say so, from his point of view. I represent the Wharfingers' Association. Naturally it is a matter of great concern to us as to the allegations which are made against us. We thought that Mr. Gosling, having made an exhaustive statement, the three cases which I have mentioned, which are all going to be dealt with, exhausted the cases. Now I hear Butler's and Bellamy's mentioned. Let us have Butler's and Bellamy's, and everybody else, if we have to deal with that.

Sir Edward Clarke: I do not think really you should press the point. I understood the point raised by Mr. Gosling—and it is one upon which it is quite immaterial whether it is one firm or half-a-dozen firms which are affected by it—to be that there was an arrangement about the rates of payment that were to be received by those engaged in the oversea trade, but that the wharfingers say that they are covered by a lower scale of wage, and therefore that they decline to pay the oversea rates of payment although the case was within the oversea trade; and he says that the question came before the Lord Chief Justice and that he practically decided that question in the "Sea Belle" case.

Mr. Moore: I think it would be better that I should leave out the "Sea Belle" case entirely, because, if you remember, you ruled that that should be dealt with this afternoon. Mr. Leach is not here. He was the other party to the "Sea Belle" case, and I think it will be better to leave that to be dealt with by him.

Sir Edward Clarke: Yes.

Mr. Moore: I may make your position and the position of the inquiry a little more clear if I tell you what the Wharfingers' Association is. The Wharfingers' Association consists of persons who are public wharfingers. It is called the Public Wharfingers' Association, and a public wharfinger is defined in the Port of London Act. We do not represent, as Mr. Gosling pointed out yesterday, every wharfinger; every wharfinger does not belong to our association, but the great bulk of the principal wharfingers do. The wharfingers include four sorts of wharfingers. There are the long sea-ship wharves, there are the short-sea trade wharves, there are the granary keepers, and there are the ordinary, or what is called the barge, wharves. I think that exhausts the lot. Mr. Leach's wharf is for long-sea ships as well as short-sea ships, and that is how the question of the "Sea Belle" arose in this case. I want to say this, as one of the parties to the Devonport agreement. The whole basis of that agreement was that there should be an increase of pay of 1d. per hour. The Port Authority discharge ships and do ordinary wharf work as well, and the wharfinger does the same. The wharfingers were invited to the conference by Lord Devonport in order to avoid a strike. The arrangement made was that everyone should receive 1d. an hour more. At the wharves the rate prior to the Devonport agreement was 6d. an hour for day money, and 8d. an hour for overtime. That was raised in the case of the Port Authority to 7d. and 9d., and in the case of the wharves the same. It was stated that the shipowners who discharge their own ships—at Tilbury, I think it is—worked by Mr. Scrutton, were already paying 7d. and 9d., and they were invited to give also an extra 1d. to their men at the same time. They said, "No, you have now come up to our rate, therefore there is no question as to us." Finally, it was settled, as is shown in the Devonport agreement, by the question being reserved as to whether the men at that time receiving 7d. and 9d. should also receive any addition. That, sir, can be made quite clear when you get the shorthand writer's notes that were taken at the time which Mr. Watts promised to give you.

Sir Edward Clarke: That is quite clear on the agreement.

Mr. Moore: One other point which is general that I want to make is this. No question was raised about a long-sea ship being included in the Albert Rollit award until months after. I think I am right in saying the men had resumed work in August—have you got the date when the "Sea Belle" case arose?

Mr. Gosling: October, I think.

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[Continued

Mr. Moore: That, sir, is a point that the wharfingers would wish you to have quite clearly before you, and I should like Mr. Gosling, through you, to be asked why, if there was a question about the long-sea ships—as long-sea ships come into the Port every day—if there was a question as to whether or not more than 7d. should apply to those ships, why it was not raised immediately when the whole circumstances could be gone into, and why it was left until the month of October. I think that is a point which has caused a good deal of discussion. Mr. Gosling saw the importance of it yesterday, and I should like through you to ascertain the reason for that long delay in settling it.

Sir Edward Clarke: I will ask Mr. Gosling to tell me that presently. I see the award of Sir Albert Rollit was this: "In view of an increase of pay granted by the Port of London Authority and Wharfingers under the agreement of the 27th day of July, 1911, there shall, as regards the discharge of vessels engaged in the overseas trade where the operation is carried on by shipowners or their contractors, be an increase of pay to 8d. per hour to men at present employed at 7d." That was the decision of Sir Albert Rollit, and that decision is dated August 5th, 1911. Then it says that it "shall take effect as from Monday, the 7th day of August." I suppose that from and after the 7th day of August all the men employed in the discharge of vessels engaged in the over-sea trade did receive that increased pay?

Mr. Moore: Yes. I am sorry that Mr. Potter and Mr. Scrutton have gone, because they were the representatives of the long-sea shipowners at the Lord Devonport Conference, and it was at their request that point was reserved. Mr. Gosling will agree with that, I know, as he was present at the time.

Mr. Gosling: Quite.

Mr. Moore: The wharfingers at that time were paying the same as the Port Authority, 6d. and 8d., for the discharge of ships, and that 6d. and 8d. in the case of the Port Authority and in the case of the wharfingers were raised to 7d. and 9d. Mr. Scrutton and Mr. Potter, who had to deal with the long-sea ships, discharge their ships at Tilbury and far down the river, where the circumstances are quite different to those in the port. It may be asked why Mr. Gosling has always wanted to have everything made one rate. It is essential in our point of view that you should know the circumstances. We, the wharfingers, are in competition with the Port Authority, and we have very similar conditions to those of the Port Authority. Obviously, if the Port Authority's rate is 7d. for the discharge of a ship, we must have the same rate, or else we cannot live in competition with them. That was secured in our view by the Devonport agreement, and to that we adhere. I cannot understand why—and I would like to hear an explanation of this—between August, the date at which the men went back to work, and October, there was no question raised about the ship in the river being a long-sea ship. The question was not raised by the other party to the agreement, the Port Authority; it was only raised with this individual wharfinger, and it was an individual case, as the award shows.

Sir Edward Clarke: I understand that from the date on which this award took effect the higher rates were paid for the discharge of over-sea vessels by the persons who had previously been paying the lower rate.

Mr. Moore: By the persons who had previously been paying the higher rate.

Sir Edward Clarke: Who had previously been paying a higher rate than that which had been fixed by the Port Authority.

Mr. Moore: If I might be allowed to say so, you might possibly wonder at the reason why the man on the long-sea ship down at Tilbury, or wherever it may be, got a different rate to the man who works on the ship in the dock or on a wharf. The reason is this, sir. When a man is working at a wharf or a dock there is other business carried on than the mere discharge of ships. When the long-sea shipowner at Tilbury has a ship, there is work then for his men, but when the ship is discharged at the dock or at the wharf, there is still work in the dock in the way of the handling and the warehousing of the goods, or in the wharf in a similar way, for the man, and he gets a better turn of employment. That has been always the reason. This matter

has been referred to at the Port Authority, and, as I understand it—the Port Authority will no doubt be prepared to confirm this—for the last 40 years a similar rate has been paid for the discharge of a ship and the work on the quay.

I have been asked to say a few words upon one point that was raised yesterday. That was as to the employment of union and non-union labour together. I was one of the signatories to the Devonport agreement. We are quite clear in our own minds—and you will be able to see what was in our minds by looking at the records—that the existing conditions were maintained in that agreement. Among the existing conditions was a resolution passed and circulated a good many years ago in the docks, and also adopted by the wharfingers, to the effect that we would have no distinction between union and non-union labour.

Sir Edward Clarke: Can you give me the date of that resolution?

Mr. Moore: The original date of it?

Sir Edward Clarke: Yes.

Mr. Moore: I am informed that it was in 1889, but I think I would rather the Port Authority put that in. What do you say, Mr. Watts?

Mr. Watts: I did not hear what was taking place.

Mr. Moore: I do not think there would be any objection to putting in that resolution, would there?

Mr. Watts: I propose to make a short statement in regard to the Port Authority.

Sir Edward Clarke: Very well; I will ask you to do so when Mr. Moore has finished.

Mr. Moore: I am addressing you as the Chairman of the Wharfingers' Association. I am a member of the Port Authority, but I am not here to represent the Port Authority. Mr. Watts is here as their officer, and I would prefer to keep them out of my statement as far as I can.

Sir Edward Clarke: If you please.

Mr. Moore: Of course, it is absolutely essential that you should understand the position under the Devonport agreement, as I have explained it to you. I want to have this quite clearly understood—why, if there was a case—perhaps that would come up better this afternoon in Mr. Leach's case of the "Sea Belle." Possibly you would prefer it to come up then, because he is more competent to deal with it.

Mr. Gosling: I can answer it, sir. It is quite simple.

Sir Edward Clarke: Are you going to be here this afternoon?

Mr. Moore: I will be here this afternoon.

Sir Edward Clarke: Then perhaps we will leave that until Mr. Leach comes.

Mr. Gosling: This raises another point which wants an answer. The question amounts to this:—"When you have got grievances why don't you kick up a row at once?" and then, when we do kick up a row, they say, "What have you made a noise about?" Mr. Moore is complaining that we did not raise the "Sea Belle" case earlier. We raised it as soon as we were able to, and thought it was the right time.

Sir Edward Clarke: I should like to know when it was raised.

Mr. Gosling: We talked it out a great deal at first what we should do and how we should do it.

Sir Edward Clarke: I see it came before Lord Alverstone on November 23rd, 1911.

Mr. Gosling: It happened about three weeks before that.

Sir Edward Clarke: I do not think we had better go further upon this point until Mr. Leach is here.

Mr. Gosling: If you please. With regard to the wharves, Messrs. G. and H. Green are not paying the award, and then there is the Grist Mill Company.

Sir Edward Clarke: I do not think it is material as to who are and who are not doing it, because it is a question really as to the interpretation and application of this award.

Mr. Gosling: What I am afraid is going to happen is that these gentlemen will be getting up, and saying, "If you please, sir, it is not me," and then they will be putting on their hats, and going away. Our case is that the unrest in this port—in every other port, if you like, but in this port particularly—

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is because agreements that are made are not always kept. I will confess, if it will help them, that we do not always keep our agreements. We admit that quite frankly, that we do not always keep our agreements. But the employers make agreements with us which we believe are binding through the trade, and immediately they are made we find all kinds of people saying, "This does not touch me." That causes the unrest, and that causes the difficulties. Then the men do possibly manufacture grievances that they otherwise would not, and you get strikes. If the price for wharf work is an understood price, and if the price for ship work is an understood price, we expect to get it. Mr. Leach of course is a gentleman, and I have the very highest respect for him, and I am only speaking of him in his business capacity. If Mr. Leach comes along and says: "Having signed the Devonport agreement and then having signed or agreed to the Hollar award, I like the Devonport agreement best, and I will work to it because it is cheaper, and that is the one I am going to act on," the men feel they have been fooled, because that was an agreement which was made for these different classes of work, and these highly technical objections cannot be appreciated by the men—they do not understand what it means. If the "Sea Belle" is discharged by Mr. Appleby, who was here just now as the secretary of the Master Stevedores' Association, he pays 8d. an hour for discharging her—it is 10d. now, because they have got an increased rate, but I was speaking of it as it was. If she goes to Mark Brown's wharf, because Mr. Leach first happened to be a wharfinger and signed the Devonport agreement, then he contends that on that same ship at Mark Brown's Wharf, with very possibly the same men who, having done a job on one side of the water, walk over to the other side and get another—they are to be engaged to discharge the same ship with the same goods from the same place at a different price, because Mr. Leach has signed another agreement that affects a different class of workmen. That is the serious point. Now, you see, all the people who are keeping out of these agreements are not here. Of course they are not here, and of course they will not come here. Most of the best employers are here—I am going to say that. They are here because they know their consciences are right, most of them. They say: "We are carrying out our agreements." But there is no means at all of making these other people toe the line; and then we get men in a heated state and in a bad temper, and then they very often hit the wrong man when they are striking. I admit that very often they do hit the wrong man, but it has been caused by this kind of thing which has been going on. That is what made me say yesterday that we ought to have an all-round port rate for the same kind of work. Then you have Mr. Lambert saying: "I represent the Master Lightermen's Association and we are full of grievances against the men." Our serious grievance is that we were led into signing an agreement with all the sailing-barge owners, represented by Mr. Brooks—and I am not saying Mr. Brooks served us badly, because I think Mr. Brooks has been served badly, but the fact remains. We were taken to the Board of Trade. It is a very serious thing if Government departments are going to be used to hoodwink men, because that is going to cause a great deal of unrest. We were taken there, and we were assured by Mr. Brooks—and I believe he was speaking all that he thought when he said it—that he was deputed by the whole of the sailing-barge men to say that if we would go back to work he would sign an agreement which should be retrospective, that rates should be drawn up, and that they would all pay them. We signed it.

Sir Edward Clarke: What agreement is that?

Mr. Gosling: That is the agreement that you have got a copy of which led up to the little book of rates that I told you about yesterday. Your secretary handed you a copy yesterday, and I think the date is August 21. That is a very clear agreement, and there is no question about it at all; there is the signature on behalf of all those barge owners. The list has been issued. That is, I think, a serious thing, and that is, I hope, going to be one of the things that you are going to report to the Government, if I may be bold enough to ask you to do so. Here is a document issued by a public department; it is "List of rates on sailing barges on the Thames, Medway, etc." and it has been

compiled in consultation with representatives of the parties in accordance with the terms of the agreement of August 11th, and it is signed by the Chief Industrial Commissioner. These people, whom Mr. Brooks has represented—and there is no question about this at all—are declaring that they will not pay this, and they are not paying it. As I said yesterday, some of these prices are very low indeed, and it is only because we have prevailed upon the men that this, being a document that we have put our hand to, they must stick to it, that they have done so.

Sir Edward Clarke: I remember your statement yesterday about that, of course.

Mr. Gosling: A man goes with his sailing barge to one of the wharves to get a freight, and he thinks he has nothing to say about it, because he has got his prices, but when his freight is discharged and he goes to get his money, they tell him, "We are not going to pay under that list." Many cases have been given to Sir George Askwith of infringements of this book, and I believe he has done his very best to get them to keep to the agreement, but they will not do it. Then I told you of Burleys, at Sittingbourne, yesterday. Those people, Burleys, ought to be here. I am either lying about them, or I am telling the truth. I say that this list covers that firm, and they are not paying the rate, and that is one of the causes why the sailing-barge men have been called out. If we are not very careful this inquiry is going to end in all these people escaping from coming here and answering the charges I am making against them.

Sir Edward Clarke: Very well; I will consider that.

Mr. Moore: Might I say a word if Mr. Gosling has finished. Mr. Gosling mentioned the name of a firm who are not members of our Association. I quite sympathise with his difficulty. He says when the masters signed the agreement, they thought it embraced all the masters. No, and it is for that reason that we see the greatest difficulty in the union, which does not embrace all the men, saying that only union men should work. That is really our case, Sir Edward. We cannot in a free country, in London, coerce people.

Mr. Gosling: We do not ask you.

Mr. Moore: I cannot coerce my fellow-wharfingers to belong to the Association, or to say that I should represent him. I represent a large number, Mr. Gosling says the best of them. I am content with that; I cannot go any further. I submit, Sir Edward, that this is really the point—if there is to be a limitation to the employment of union men, then there must be a limitation in the union of masters, too. This is what Mr. Gosling is after, I know perfectly well—if he could speak for the whole of the men in the transport trades, then that I should go into a conference to speak for everybody in the wharf trades.

Mr. Gosling: Certainly.

Mr. Moore: As long as this is a country in which everybody has got his own capital and his own concern, he can agree or not to row in the wharf boat, or he can stop out, and there is no power, I submit, Sir Edward, which will force him to come in. That is, if he will allow me to say so, the initial mistake that he is making. He is assuming that somebody is to be put up on the side of the wharfingers, and himself on the side of the men is to be put up to negotiate an agreement. They will prevent a man working, perhaps, if he does not belong to them, but I cannot prevent a fellow-wharfinger working if I wanted to. Much as I dislike the wharfinger who does not agree with me—I admit that—I cannot go and coerce him, and I do not think it is public policy that I should attempt it. That is the position I think that Mr. Gosling, if I might be allowed to say so, should take up with regard to the men's question. Public opinion is not sufficiently far advanced that we should have one man to speak for the masters and another for the workers.

Sir Edward Clarke: This is getting into an argumentative discussion upon a matter which is not really within my purview—upon a large question which is not within my duty. I am anxious now to keep to the matter of fact. With regard to the matter of fact, I would like to know whether there are members of the Wharfingers' Association who refuse to pay the rates which are contained in this book, and, if so, if Mr. Moore would tell me how it comes about?

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Mr. Moore: If Mr. Gosling will give me the names I am quite willing to deal with them. If Mr. Gosling will bring forward any case I will have it inquired into, and if the wharfinger is a member of this Association he shall come up and answer for himself.

Mr. Gosling: G. and H. Green, the Grist Mills Company, Messrs. Vogan, Seth Taylor, they are blacklegs.

Sir Edward Clarke: I wish, Mr. Gosling, you would abstain from using irritating words.

Mr. Gosling: I beg your pardon; I know what you think of them. They are non-unionists.

Sir Edward Clarke: It does not conduce to harmony to use such expressions.

Mr. Gosling: Quite right, sir. They are non-unionists. Mr. Moore represents the unionists, and these are non-unionists very likely, and that is why they do not pay; but, still, it is our trouble. Then C. and J. Denny, Newth Guyman and Co., Gilman and Spencer, Carbutt and Co., and Ross T. Smythe. We have had all this out with our friends before.

Sir Edward Clarke: If there should be any gentlemen among those names who are members of the Association, perhaps some explanation or justification will be given to me of the action which they take; that is all.

Mr. Moore: Yes, sir. I should like to clear up one or two points. In the first place, I think I was quite clear in stating that I could only speak for those who are public wharfingers as defined in the Port of London Act. There is only one firm among all those mentioned that is a public wharfinger, and that firm is Messrs. G. and H. Green. They shall be communicated with. They are members of our Association, I think. The Grist Mills is not a wharfinger.

Sir Edward Clarke: You need not go through the others if that is the only one.

Mr. Moore: There is one case I should be very sorry to see treated as a wharfinger. Mr. Seth Taylor's name has been mentioned; he is a miller, I think, and not a wharfinger.

Mr. Gosling: I think it will help you, sir, if I keep making these statements. The man who goes to work for Mr. Seth Taylor, or for Denny, or for Green, or anybody else, thinks he has had an agreement made for him through our Federation. He does not know all these fine distinctions. He says there has been a price paid for men at wharves, I know what it is, and I am going to get it; but when he gets there he finds he cannot get it. When we go to Mr. Moore and say: "Now, Mr. Moore, here is a man who has got a wharf who is not paying the rate." Mr. Moore says: "I am very sorry to say he is not a member of our Association." Then we must strike. There is no other thing to do. We must strike. You must either on the employers' side make the employers pay the standard rate that has been agreed upon, or we must strike. There is nothing else to do. Then everybody gets involved.

Now, may I say a word about the carmen? We are going to be in the same difficulty again about the carmen. The only carmen I have seen here yet are union carmen, members of the Association, and willing to pay the rate. We have no quarrel with those. There is Mr. Duffield sitting there, who is a very important member of the Master Carmen's Association, whom we have got no fault to find with. His business is being stopped because there are non-union carmen who will not pay the rate, and we have no alternative but to try and force them to do it in the way we are doing it. That is the trouble of the whole business.

Sir Edward Clarke: Non-union carmen over whom he has no control?

Mr. Gosling: Over whom he has no control, but whom we must force to pay our rates—we must do it, or Mr. Duffield will tell you—and I should like him to tell you what he has told me over and over again—he has said, "I want to pay the price that I have agreed to pay, but you must help me to make the others pay up, or I shall not be able to do it." Mr. Duffield will forgive me for using his name, but he has impressed that upon me, and other members of his Association have impressed it upon me, not as private individuals, but as an Association. They say, "What are we to do? You want us to pay a fair rate, and there are these fellows pulling us down all the time"—the sweating employers.

Sir Edward Clarke: You stated that yesterday, but without giving then the name you have just mentioned.

Mr. Gosling: I want to get some of these other people here, and let them tell the Government through you why they claim the right to sweat labour and to cut down these employers who are ready to serve us properly.

Sir Edward Clarke: It all comes to this, that there are non-union employers just as there are non-union men, and the union employers have no authority over them, just as your union has no authority over non-union men. I cannot enforce the attendance of anyone here.

Mr. Gosling: I want to put it to you that that is our justification for striking, and even if it does hold up the whole of the Port we are very sorry about that, but that is our justification—we cannot get uniform rates.

Sir Edward Clarke: This inquiry has given you the opportunity of making that public statement.

Mr. Duffield: On a point of order, with regard to what Mr. Gosling has said, I should like to answer that.

Sir Edward Clarke: All that I have heard Mr. Gosling say about you has been of rather a complimentary character, Mr. Duffield.

Mr. Duffield: I am very glad to hear it.

Mr. Moore: When I met Mr. Gosling over the Devonport agreement I am quite sure that he never was under the impression for one moment that I represented such a firm as Seth Taylor or Carbutts. He made an agreement with the wharfingers, and we all know what a wharfinger is. That is one of my points—that we must keep to the definition of wharfinger in the Act of Parliament. I am quite willing to answer for the misdoings of the wharfingers who are in my Association, but I cannot answer for merchants who might own a wharf on the waterside and who are no more wharfingers than Mr. Gosling is.

Mr. Gosling: Mr. Addis was at that Conference on behalf of these people.

Sir Edward Clarke: Very well. The names now have been given, and I think that is as far as we can carry it at this moment. I will adjourn now until two o'clock.

Mr. Duffield: Before the adjournment I should like to ask you if you will take the evidence in connection with the master carmen on Tuesday, because we are in somewhat of an awkward position. The master carmen have a large stock of horses to look after, and having very few men, that puts us in rather an awkward position up to that time. If you can say you will take our evidence on Tuesday, I should be delighted.

Sir Edward Clarke: Are you not going to be here this afternoon?

Mr. Duffield: I will be here this afternoon if it is your pleasure. I have a partner who is looking after my portion of the business for to-day, and on Sunday and Monday he will expect me to do the same.

Sir Edward Clarke: Then I will take full advantage of your being here to-day.

Mr. Lambert: Would you excuse the attendance of myself and colleagues until Tuesday morning? We have said all we have to say on the question of the lightermen, and we should like to go away if you could release us.

Sir Edward Clarke: Of course that is most reasonable, but I have great hope that I shall finish this inquiry before Tuesday morning.

Mr. Lambert: Then you will not need us further?

Sir Edward Clarke: I do not think so. I think I am very fully informed upon the facts, and it is with those and those only that I have to deal. I have some hope that this afternoon may see the end of my inquiry.

(Adjourned for a short time.)

Sir Edward Clarke: I think Mr. Leach has been good enough to attend.

Mr. Leach: I think Mr. Magniac would very much appreciate the privilege if you would allow him to say a few words before I do.

Mr. Magniac: I am representing Hay's Wharf. To-day and yesterday there have been certain allegations which very much affect my firm, that is, Hay's and Cotton's wharves. In view of those allegations made against my firm with reference to the Devonport agreement, to which, representing the wharfingers, I was one of the signatories on 27th July, 1911, I wish to take this, the earliest opportunity of stating that my firm has faithfully adhered to the Devonport agreement, the only

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one to which we were parties as wharfingers. It is, I presume, alleged by Mr. Gosling that we come within the scope of the Rollit and Alverstone awards. We are clearly not concerned in either of those awards, as we were neither represented nor invited to be present at either conference.

Sir Edward Clarke: The Rollit or Austin awards?

Mr. Magniac: Not the Rollit award or Austin award, but the Rollit or Alverstone award, the "Sea Belle" case. We were not invited to be present at either conference, which we deemed to apply to ship-owners. Mr. Gosling alleged yesterday that the masters would fear to have anything more to do with Sir Albert Rollit. I wish to contradict this emphatically and at once as regards my firm, and to say that we are willing to refer the matter to Sir Albert Rollit to interpret his own award. My contention has always been that we were not parties to that. I was myself a party to the Devonport agreement, as representing the wharfingers at the time, and one of the signatories to the Devonport agreement of the 27th July, and we have most faithfully carried out every part of that agreement which was come to. Until the question has been raised I have had no opportunity of expressing our views on the subject. We are contending that we have nothing to do with these awards; we did not come under them; but if, in Mr. Gosling's opinion, or in the opinion of the transport workers represented by Mr. Gosling, it is so, we are perfectly willing to refer it to Sir Albert Rollit. I really do not think I need take up your time. There are many other points that I might have spoken about to-day. Mr. Gosling has referred a great deal to the labour unrest and the causes. I read with considerable amazement a manifesto of the Transport Workers' Association, and it seemed to me that the boot was all on the other leg. After hearing the reasons which they put forward for this strike, I thought the boot was all on the other leg, and that we were entirely guiltless. They think otherwise. This is an expression of opinion, and I do not wish to take up your time, but, so far as we are concerned, and we are directly referred to, I feel bound here to answer that. I think, in expressing that willingness to refer the matter to Sir Albert Rollit, if it is alleged that we come under that, I have answered the question. We have always been under the impression that we did not come under it.

Sir Edward Clarke: I am much obliged to you, Mr. Magniac. I do not know whether you are able to say the same with regard to Cotton's Wharf or not.

Mr. Magniac: Yes, certainly; I am speaking now for Hay's and Cotton's wharves. Cotton's Wharf is part of our property. We are the owners of both Hay's and Cotton's wharves, and other wharves, and what I have just said applies to both.

Sir Edward Clarke: I am much obliged to you for coming to say it. Mr. Gosling, I do not know whether one could separate this question altogether, and probably deal with it by agreement in this way. You said yesterday that the firms who were interested, mentioning Hay's and Cotton's Wharves, as being, I presume, the largest instances, refused to accept Sir Albert Rollit's interpretation of his own award. Now I am told that they are willing to accept that interpretation. Would it not be possible for you to accept that offer?

Mr. Magniac: I do not think I put it that I was willing to accept that interpretation.

Sir Edward Clarke: To accept Sir Albert Rollit's interpretation.

Mr. Magniac: I beg your pardon, yes, clearly.

Mr. Gosling: Of course, I hesitate very much to say that we will not do everything that you should suggest we should do, but I do not want to get into another tangle, because the men will be very difficult to control if I am fooling with them at all. I should like to know just exactly what it is that Mr. Magniac suggests should be referred to Sir Albert Rollit. I must say I am very sorry that Mr. Magniac did not see the wisdom of making this offer when the deputation were asking to be received, or when many of our applications have been made. It might have gone a long way to have saved all this trouble.

Mr. Magniac: May I ask what deputation Mr. Gosling refers to?

Mr. Gosling: The transport workers have been trying to get this matter dealt with for months.

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Sir Edward Clarke: Have you had any deputation?

Mr. Magniac: It is a curious thing, but I think if there had been an application made to Hay's Wharf to receive a deputation I, as one of the directors of Hay's Wharf, would have known of it. This is the first I have heard of it, except Mr. Gosling's reference to it yesterday.

Sir Edward Clarke: It would be deplorable if any part of this difficult set of disputes were to be the cause of continued irritation if both sides are agreed as to what would be proper to be done.

Mr. Gosling: I agree with you.

Sir Edward Clarke: Yesterday Mr. Gosling said that the representatives of the union would say: "Why not refer this back to Sir Albert Rollit?" Now I am told that Hay's and Cotton's wharves are willing to refer it back to Sir Albert Rollit. Of course, as Mr. Gosling quite realises, I have no authority in the matter at all, but it is my first duty to do what I possibly can to render things more peaceful and to eliminate as far as possible any separate question from the discussion of the very grave and important questions that Mr. Gosling has been dealing with. I pointed out yesterday that this was quite a separate question. I should certainly have to state in my report of this inquiry the facts, and I could not give any decision upon it, but it would be a very happy result of our inquiry here to-day if, with regard to this separate matter, the wishes of the men were met by a reference of the question back to Sir Albert Rollit.

Mr. Gosling: I hope you will not think I am hesitating to accept the offer at once, but I want to get something more definite if I can. Is this to be a reference to decide whether all oversea ships coming into the port are to be paid for at the same rate, or, when we have finished with Mr. Magniac, are other people then going to say: "No, now you have got Leach and you have got Magniac, but nobody else," because that is only fooling? We say that all ships should be treated alike, and we say Sir Albert Rollit said, not in words, but he meant, that oversea ships should be paid for at a certain rate, and then the Lord Chief Justice confirmed it. That is what we say is the effect of these two documents. Then Mr. Magniac now says: "You cannot make this apply to me unless I am willing, because I was not there; I took no part in it." I know technically that is right, but you cannot get men to understand that. They say: "You have made a price for oversea ships." If the Port of London Authority and Mr. Magniac and everybody else will say now, once and for all, "We will have a decision by Sir Albert Rollit as to whether oversea ships are to be paid for at an all-round rate or not," then I think the men would be very foolish not to accept that offer and get that point settled.

Sir Edward Clarke: You see, Mr. Gosling, nothing can be done that will bind persons who are not parties to a submission and to an award except by legislation. No interpretation by Sir Albert Rollit of the award which he gave will carry further the effect of that award than as binding those who, in one way or another, do come under it. Then there is the difficulty which we saw earlier in the day, that there are the non-union employers as well as non-union workmen, but, having regard to the fact that the principal complaint with regard to this matter probably was with regard to those two very large wharves, and the fact that if the suggestion of referring back to Sir Albert Rollit had been accepted earlier it could not have gone further than his original award, would it not be very desirable now to refer it back to Sir Albert Rollit for interpretation? I can only put it in the form of a question, and I do not ask Mr. Gosling to answer it immediately if he is in doubt about the matter, but I hope that I may leave this inquiry with the belief that that particular question, at all events, may be referred back to Sir Albert Rollit, to whom the men wish to refer it back, and that it may be eliminated from the causes of strikes which have arisen in the port.

Mr. Gosling: Of course, I could not say yes right out without consulting my colleagues, but it would give me a great deal of gratification. I should say myself I should strongly advise them that something of the kind ought to be done, because if anything can be done to close this dispute it is advisable to do it. But I should like to make this public statement, that if we did accept it we should accept it in the belief that

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the price was to be laid down for the port, and that we should hold the right to hold up any firm that would not obey it afterwards. I do not want anybody to say yes or no to that, but I want to keep myself right with the public. I am saying that to the public, that if we go to Sir Albert Rollit, and Sir Albert Rollit says that those two wharves are to do this, that, or the other, that should be understood by the public to be a decision on this point.

Sir Edward Clarke: Sir Albert Rollit could not, in my view, say that any one particular firm was to do this, that, or the other; what he would say would be that his decision either did or did not apply to a certain class of firms. He can interpret his award; he cannot extend it. But is it well that more should be said upon this at the moment?

Mr. Gosling: Except that this is getting very near to the point, and it is a very important matter. Supposing Sir Albert Rollit says this award did not apply to Cotton's Wharf or to Hay's Wharf, then we are still in the open, because we must get an all-round rate for that class of work. If he says: "My award does not affect them," all he will be saying is, not that they ought to be affected by such award, but, "My award does not affect them." If the question can be referred to Sir Albert Rollit as to whether oversea ships discharging at Hay's and Cotton's wharves should be paid for the same as oversea ships at Mark Brown's wharf—and remember that they are competitors, and nearly next door neighbours—then I should think that would be a real way of getting a settlement of this dispute.

Sir Edward Clarke: I have pointed out that Sir Albert Rollit cannot legislate, and it is only by legislation that persons who do not belong to a union, whether a men's union or a masters' union, can be brought under the control of the rules which the unions may insist upon.

Mr. Gosling: Yes, but I understood there was a desire on the part of Mr. Magniac to help us to get a settlement of this difficulty.

Sir Edward Clarke: I think there is such a desire.

Mr. Gosling: I gather there is. I know Mr. Magniac well enough to know that when he talks as he has been talking he really means it. If that is so, then surely Sir Albert Rollit should be asked to say whether those ships are to be paid for at one price or the other. That will not be Sir Albert Rollit legislating. It will only be Sir Albert Rollit giving a decision for these two wharves. We could not ask him to carry that any further than the parties who met us there were able to be bound, but what I do say is, that will be the third decision in this matter, and, having got the third decision on it, supposing it is for us, we shall be entitled to say that that is good enough to enforce it on the whole of the port.

Sir Edward Clarke: I cannot say more than I have said.

Mr. Gosling: I know, sir, but you do see it is a real difficulty with us.

Sir Edward Clarke: I see the difficulty, but the difficulty is inherent to the situation of an attempt at collective bargaining between employers and men. Valuable as that is, at the same time it is apart from legislation, subject to the difficulty that there are not those represented by the union on the one side or the other, and that no agreement between the two unions can bind those who are outside their union. That is a difficulty one cannot avoid.

Mr. Gosling: It is a difficulty, but a great deal could be got rid of, and most of it could be brushed on one side, if those gentlemen would not help those people when we are attacking them, if they would let them alone, and let us attack them when they are at our throats. They ought to remember that these people are at their throats as well, and it cannot be right for Cotton's Wharf to handle a ship cheaper than Mark Brown's Wharf.

Sir Edward Clarke: Of course, as you see, those are arguments with which I have no power to deal. I hope I may be allowed to leave it here, and in the very sincere hope, and the confident hope, that if you and those who represent these wharves agree to take the decision of Sir Albert Rollit as to the scope of his award a great deal, at all events, of the difficulty of which you have been complaining will be removed; I must leave it there.

Mr. Watts: The name of the Port Authority has been mentioned in connection with this point. I think it is the first time it has been brought in in connection with this award at all. The Port Authority were not represented at that hearing; they did not regard it as a case in which they were interested at all. They were governed by the terms of the Devonport agreement, and maintained those terms. There has certainly not been any deputation from the men or any representations made to the Port Authority that they should come under the terms of that award. In Mr. Gosling's statement yesterday, although he referred to certain wharves, he did not mention the Port Authority. It is only just now at this moment that the name of the Port Authority is included as possible parties to a reference of this description. I think I have very great doubts whether the Port Authority would themselves consent to such a reference, but it is a matter which would have to be considered by them if it was put to them formally, and it would receive their consideration.

Sir Edward Clarke: I understand that it has not hitherto been represented to the Port Authority that it is claimed that they are under that award.

Mr. Watts: No; on the contrary, representatives of the Transport Workers' Federation have stated that they did not consider the Port Authority came under the terms of that award.

Mr. Gosling: Perhaps Mr. Watts will tell us where they stated that. In what document is that to be found?

Sir Edward Clarke: Is not that a matter for consideration afterwards?

Mr. Gosling: It is a statement that I am not endorsing; I am not, by not replying, agreeing to what Mr. Watts says.

Sir Edward Clarke: I quite understand that you do not accept that statement; but, obviously, that is a matter which has to be considered if you are arranging, as I trust you will arrange, this reference to Sir Albert Rollit.

Mr. Leach: I am confronted, sir, with a breach of good faith with regard to the agreements which have been entered into at different times with regard to the working of the Port of London with the Transport Workers' Federation. I am glad to find that this is only brought forward on the 23rd instant. Never before has it been suggested that there was a breach of any agreement. I think I shall have to begin at the beginning of this dispute. On June 29 the Wharf, Riverside and General Workers' Union of Great Britain and Ireland presented their demands as to what they considered should be the rates to be paid for work in docks, wharves, quays, ships, vessels, and craft in the Port of London. They then asked for a uniform rate of 8d. and 1s. The members of that union and other unions were invited to attend a conference, which was held, over which Lord Devonport presided. Eventually they arrived at an agreement which is known as the Devonport agreement, and which I have no doubt you have in your hand. I was not a member of that conference, but I was quite willing and wishful to abide by all the conditions which that agreement contained. I would refer you to Clause 1; that refers to the rate of pay of men who were previously employed at 6d. an hour. My men up to that time had been receiving 6d. per hour. A little further on it says: "Subject to the arbitration provided for below, men now receiving 7d. per hour for ship and quay work to receive 8d. and 1d. increase on overtime rates where less than 1s." Further on you will see: "The following points to be reserved for arbitration:—Whether in view of the increase of pay granted by the Port Authority and wharfingers, there shall be an increase of pay of 1d. per hour to men at present employed at 7d. per hour, and for overtime where this rate is now less than 1s." Then it says: "This is to apply only to the discharge of vessels engaged in the oversea trade." "This" surely means the men employed previously at 7d. There is nothing whatever in this agreement indicating that any man, whether receiving pay at 6d. or 7d., should receive an increase of 2d. per hour.

Sir Edward Clarke: I do not quite follow you. The first clause deals with persons who are employed at 6d.?

Mr. Leach: Yes.

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Sir Edward Clarke: And it raises them to 7d.?

Mr. Leach: Quite so.

Sir Edward Clarke: Then, with regard to the overtime, it raises the overtime rate from 8d. to 9d.?

Mr. Leach: That is so.

Sir Edward Clarke: Then, with regard to the persons employed at 7d., that is subject to the arbitration provided for below: Men receiving 7d. are to get 8d., and 1d. increase on overtime rates, where less than 1s. It is subject to that arbitration?

Mr. Leach: That is so.

Sir Edward Clarke: And the same document provides the question for the arbitration, whether, in view of the increase of pay from 6d. to 7d., and the increase of the overtime rate, there shall be an increase of pay of 1d. an hour to men at present employed at 7d.?

Mr. Leach: Yes.

Sir Edward Clarke: That covers the whole, does it not?

Mr. Leach: I think so. My point is this, that my men were never receiving 7d.

Sir Edward Clarke: That they came within the first clause?

Mr. Leach: They came within the first clause.

Sir Edward Clarke: And were raised to 7d.?

Mr. Leach: Yes, they were raised to 7d. There is nothing in the Devonport agreement that indicates that any man is to receive an advance of 2d. per hour, nor is there anything in the Devonport agreement that suggests that the rate of pay is applied to the class of work. It simply applies to the rate of pay that was payable prior to the Devonport agreement being signed. After the Devonport agreement was signed we took the view that we had to pay the men 7d. per hour. The men accepted the rate quite willingly, and we worked some few days—in fact, from July 27th to August 3rd. On August 3rd practically all the men in the port were called out, not because there was any grievance, apparently, but in sympathy with lightermen and men who were contesting the point as to whether they should be engaged inside or outside the Albert Dock gates. Our men were then not allowed to return to work. During the time they were out a circular was issued by the Transport Workers' Federation. Unfortunately, I have not got a copy of that, but it was spread broadcast over London. This circular was signed by Mr. Gosling and Mr. Tillet, inciting the men not to return to work unless they received 8d. and 1s. for ship work. That was before the matter had been put to Sir Albert Rollit. This yellow circular was eventually suppressed, and I think Mr. Gosling admitted that it had been wrongfully issued. On August 16 we resumed work again, still upon the same basis, paying our men 7d., an increase of 1d. per hour.

Sir Edward Clarke: That was after the award of Sir Albert Rollit?

Mr. Leach: I am not quite sure what date that was.

Sir Edward Clarke: His award is dated the 5th, to take effect from the 7th.

Mr. Leach: Yes, that is correct.

Sir Edward Clarke: When did your men come back?

Mr. Leach: On August 16, and they worked quite satisfactorily until October 23. During that time we discharged a large number of over-sea vessels, and also a much larger number of vessels coming from the Continent, which are in another class altogether. No question was raised in regard to the rate of pay that we were making in regard to those over-sea vessels during that period, and that rate of payment was prevalent in many other places in the Port of London during that time. I am not aware that any question was raised in regard to any of the other docks and wharves where this rate was payable. These vessels that I had up to that time discharged were vessels belonging to other owners. I happen to be also the owner of a vessel, the "Sea Belle," which is engaged in the over-sea trade. She, by arrangement with the people that had loaded her, was sent to my wharf to be unloaded for their account, I acting as wharfinger. The unions, I found out, intended to create trouble, because they thought there was a possibility under the Rollit award of being able to undermine the Devonport agreement. The men continued to work for two days after the vessel arrived, and then on the morning of the third day that the vessel was in port a delegate

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arrived and told the men that they were not to go to work. There was never then a suggestion that the rate of pay that we were paying, 7d. an hour, was incorrect, only that they demanded that the men should be paid the rate of 8d. and 1s. The men were still willing to work for us at 7d., but the union would not permit them to do so. I had a conversation with Mr. Anderson, and he asked me if we were willing to submit the case to Sir Albert Rollit, that is, whether the men were to be paid 8d. and 1s. We declined to do that because we understood that we were working under the Devonport agreement, which was perfectly explicit, and there was no question about it at all. On the 26th and 27th our men were still willing and anxious to work if the unions would only allow them to do so, and take off their embargo. On October 27 I called on Mr. John Burns at the Local Government Board, and I also went to Mr. Mitchell at the Board of Trade. I hoped that they would be able to intervene and persuade Mr. Gosling to instruct the men to go back to work. On the 28th Mr. Mitchell asked Mr. Gosling to send the men back to work; that was a Saturday. He suggested that the matter could easily be discussed the next week, and if there was any back pay due to the men it would be paid. Mr. Gosling declined unless the men were paid 8d. and 1s. On the 30th I saw Sir George Askwith, and I spent some four or five hours at the Board of Trade. The conversations were fairly long. I expressed to Sir George Askwith my willingness that if there was any ambiguity about the Devonport or Rollit agreement applying to this particular case I would submit the interpretation of those awards to arbitration. However, that did not seem to please Mr. Gosling and his friends, because they declined that, and this is a note that was made after I left the Board of Trade: "Sir George Askwith had another very long conference with the men, and when he came back he stated that he found a much larger question was involved, the men claiming that neither the Devonport agreement, the Rollit award, nor the Short-Sea Traders' agreement, and the award of Judge Austin under that agreement, covered the case of the work on oversea ships, either at wharves or in docks. Starting with those, the contention was further raised by the men that inasmuch as the stevedores' work in oversea ships lay outside the agreements and awards it followed that men who had joined the Stevedores' Union were bound by its rules, and that as such they could not accept any wages other than those for the time being applicable to union men, and that they were free to raise this contention. It was added that the men were willing to come under the Rollit award, that is to say, to accept 8d. and 1s." The fact was that during the strike in July the unions were all out to get extra members. There was a great deal of competition, I believe, between the various unions, and most of my men got scooped into the Stevedores' Union. Of course, later on they found that they were not getting the same rate of wage as other stevedores were in the port who were doing an entirely different kind of work to a very great extent. I believe myself that that was the reason why this dispute was raised. It was never then even suggested that there was any breach of agreement. "The union reported that they could only agree to an arbitration if the point of reference was whether all oversea ships should come under the Rollit award." I had no power to do that, because I could not commit other people to an award which did not concern anybody except myself. I was, of course, in honour bound to other wharfingers who had signed this agreement on my behalf to abide by that agreement, and not to go outside it, however willing I might have been to have paid a different rate of pay. I left myself entirely in the hands of others to advise me what to do. However, the thing drifted on for some considerable time, and eventually Mr. Gosling was persuaded by some influential people in the City to submit to arbitration—not the point as to whether the men should be paid 8d. and 1s., but that the interpretation of the Rollit award should be adjudicated upon. It was eventually arranged that the question should either be put to the Lord Chief Justice, the Master of the Rolls, the Speaker of the House of Commons, or the Lord Chancellor. I might say that when this suggestion was made to Mr. Gosling he was not in a position to accept it for some time. It took him, at any rate, from 2 o'clock until 10 o'clock one evening to decide as to whether he would accept arbitration on those terms, thereby indicating that he was not at all sure that he was on very safe ground.

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Mr. Gosling: I do not think it is right to draw that inference. It only shows that I used ordinary care in consulting my colleagues; that is all.

Mr. Leach: The reference to the Lord Chief Justice I think you probably have before you. The point was whether the "Sea Belle" fell within the Rollit award read in connection with the Devonport agreement, so as to entitle the men discharging her to the rate of pay specified in that award. On November 23rd Lord Alverstone heard the case. My argument before Lord Alverstone was that the rate of pay previously paid governed the case. Mr. Gosling argued that it was nothing of the kind, that it was the class of work and not the rate of pay. You have the award of Lord Alverstone in front of you, I have no doubt.

Sir Edward Clarke: Yes, I have.

Mr. Leach: On November 22nd, the day before Lord Alverstone heard the case, this appeared in the "Evening News": "The arbitration in connection with the recent 'Sea Belle' dispute at the London Docks will be heard before the Lord Chief Justice in the High Court to-morrow afternoon," and Mr. Anderson is reported as having said to a reporter, I take it, "I cannot say what the consequences may be if the arbitrator decides in favour of the owners of the 'Sea Belle,' and the existing rate of pay for working on vessels of this description," clearly indicating that Mr. Anderson, who is the secretary of the Stevedores' Union, was somewhat doubtful on the point.

Mr. Gosling: Supposing he said it. Mr. Anderson would never talk that kind of nonsense.

Mr. Leach: Well, sir, when the arbitration had been held one of Mr. Gosling's co-workers stated that he thought that the award would go—

Sir Edward Clarke: Is it not better to go at once to what the award was?

Mr. Leach: I shall be there in a moment. Lord Alverstone found in favour of the men that I should have to pay 8d. and 1s., but he went no further than to say that the men discharging the "Sea Belle" were to be paid 8d. and 1s. I immediately took it upon myself not only to pay the men who were working on the "Sea Belle" 8d. and 1s., but every other vessel that could be included in the term "oversea vessel." I did not wish to evade my responsibility in any way, although at the same time I must say I was greatly surprised at the decision that the Lord Chief Justice had given. Of course, after the decision, one begins to wonder why the decision has been given against one, and, if you will allow me, I should like to refer to the reference which was placed before Sir Albert Rollit. I must read again the point which was put to the arbitrator: "Whether, in view of the increase of pay granted by the Port Authority and wharfingers, there shall be an increase of pay of 1d. per hour to men at present employed at 7d. per hour." I want you to pay particular attention to the words "at present." This emanates out of the Devonport agreement, which is dated July 27. "At present," therefore, I take it, must mean July 27.

Sir Edward Clarke: What class of men were those who were being paid 7d.?

Mr. Leach: My men, when Sir Albert Rollit made his award, were receiving 7d.

Sir Edward Clarke: But at the time when this July 27 Devonport agreement was made, was it the men who were employed on oversea ships who were receiving the 7d.?

Mr. Leach: Some men on oversea vessels were receiving the 7d., but not all, by any means. My men had not been receiving 7d. then, and a great many others had not. Sir Albert Rollit gave his award, and in it he states: "(a) An increase of pay to 8d. per hour to men at present employed at 7d. per hour," and if you will look down at the bottom of the document you will see that that is dated August 5. At present, I take it, this applies to this particular clause "at present." Of course that was a very stupid mistake of Sir Albert Rollit to make. One can hardly understand a man of the standing of Sir Albert Rollit to make a mistake of that kind.

Sir Edward Clarke: What mistake do you say he made?

Mr. Leach: He dates his award August 5, and he says "at present." I do not know what other construction you can place upon that. "At present." I presume, means now—that is, the date of his award.

Sir Edward Clarke: What is the mistake?

Mr. Leach: He should have said: "An increase of pay to 8d. per hour to men employed prior to July 27"; that is what he was asked to decide, and he did not decide it at all.

Mr. Gosling: That means that Sir Albert Rollit should have asked Mr. Leach how to make an award.

Mr. Leach: I did not interrupt you while you were speaking, so perhaps you will kindly be quiet.

Sir Edward Clarke: Let Mr. Leach make his points to me.

Mr. Leach: I think that to a very great extent covers the case up to the point of the termination of the dispute, because from that time I have been paying 8d. and 1s., and I have not gone to Mr. Gosling, as he suggested most employers did who have had to pay a higher rate, and pressed him to make other people pay a higher rate. Of course, he claims that this is a breach of an agreement by employers, and that the employers are continually breaking the agreements. This is what Mr. Gosling stated himself after dinner on November 21 just before the Alverstone award was issued.

Sir Edward Clarke: What have I to do with that? Lord Alverstone made his award. The question before him was whether the "Sea Belle" being an oversea ship was affected and governed by the rates prescribed by Sir Albert Rollit—that is so, is it not?

Mr. Leach: Quite so.

Sir Edward Clarke: He decided that it was, and that the fact that you were a wharfinger and had been affected by the Devonport agreement did not interfere with the operation of Sir Albert Rollit's award; that was so, was not it?

Mr. Leach: Quite so.

Sir Edward Clarke: That decision has been made.

Mr. Leach: I quite admit that, and I have abided by the decision.

Sir Edward Clarke: Has there been any complaint since with regard to you that you have not obeyed that decision?

Mr. Leach: None at all.

Sir Edward Clarke: Then what is the question that is open between you and the Transport Federation?

Mr. Leach: None at all that I am aware of.

Sir Edward Clarke: You are not aware that there is any question open?

Mr. Leach: Not at the present moment, only I am alleged to have made a breach of agreement, and I am explaining to you that there has been practically no breach of agreement.

Sir Edward Clarke: I do not understand quite what breach of agreement is alleged against you if you have in fact paid these rates.

Mr. Leach: I have paid the increases. Mr. Gosling has put before you that the case of the "Sea Belle" was a gross breach of agreement.

Sir Edward Clarke: What I take it that Mr. Gosling was putting before me was this, that the interpretation that the Lord Chief Justice had given to the award of Sir Albert Rollit was an interpretation which ought to be applied to all oversea ships by whomsoever owned, and that there was no ground for saying that the fact that a wharfinger came under the Devonport agreement was a reason for his oversea ships not being affected by the Sir Albert Rollit award. I think that was Mr. Gosling's point. I understand that there is no complaint against you in that respect at all.

Mr. Leach: I am very glad to hear it. I have not understood that at all up to the present time.

Sir Edward Clarke: I do not want to stop you in the least, but I do not quite understand what there is open between you and Mr. Gosling's society.

Mr. Leach: I believe I have done everything that Mr. Gosling wants me to do, because I have paid ever since the Alverstone award was issued. Of course, Mr. Gosling, I believe, has stated that I was trying to evade the Rollit award from the time the Devonport agreement was signed up to October 23.

Sir Edward Clarke: You see, when there is a dispute each side is likely to put an interpretation upon the actions of the other side which may or may not have ground for it, but when one is dealing with actual facts I come to this, that you have obeyed the Sir Albert Rollit award ever since the decision of the Lord Chief Justice upon it?

Mr. Leach: That is so. Mr. Gosling wished to in-

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sinnate that I should have obeyed the Rollit award from the time that the Rollit award was issued.

Sir Edward Clarke: But the fact that it went to the Lord Chief Justice, and that he has decided it, appears to me a very good ground for thinking that there was a reasonable doubt as to the proper interpretation of the Rollit award, but that interpretation having now been given by the Lord Chief Justice it has been obeyed by yourself, at all events.

Mr. Leach: Mr. Gosling has thought fit to bring up this matter, and I thought it fit that I should explain to you the full particulars.

Sir Edward Clarke: I quite agree. The explanation now has gone so far as to say that you abide by the decision of the Lord Chief Justice, which was that the Rollit award was applicable to oversea ships, although they belonged to you as wharfingers; that ends it, apparently.

Mr. Leach: No, I do not think so quite.

Sir Edward Clarke: Then I shall be very glad if you will go on and let me see what is left open.

Mr. Leach: I do not think that the award of Lord Alverstone would have gone against me if it had not been for the stupid mistake of Sir Albert Rollit.

Sir Edward Clarke: You will see that I cannot go back upon any allegation of mistake of Sir Albert Rollit when his award has been interpreted and enforced by the Lord Chief Justice.

Mr. Moore: There is one other point, I think. Mr. Gosling will correct me if I am wrong. It was alleged by him this morning when Mr. Leach was not here, and Mr. Leach evidently thought his honour was affected in some way yesterday because you will remember at the end of the proceedings he asked that he should be heard to-day—

Sir Edward Clarke: I do, and I was very glad when his speech came.

Mr. Moore: May I point out this rather important thing? I want to clear away all questions of bad faith as far as possible. Mr. Gosling said these words, if I remember rightly: "Mr. Leach is a short-sea trader; he is a shipowner and he is a wharfinger, and he tried to get out by paying the lowest rate—the wharfingers' rate." That is an insinuation that a man is not acting up to his agreement, but is trying to get the best of an agreement. That is really an allegation which hurts the wharfinger and ought not to be made unless it has a basis in fact. Mr. Leach has thoroughly explained the matter, and I think now it is up to Mr. Gosling to explain why, if this thing was so clear about Sir Albert Rollit's award, the matter was allowed to go on from early in August until the end of October before the point about the over-sea ship trade is raised.

Mr. Gosling: Might not Mr. Moore just as well ask me why we did not have this strike two months ago—because we did not think we would; that is all. We do what we think best at the time to do. Will you let me say to Mr. Leach—because Mr. Leach is a gentleman I meet every day, and I do not want him to take this thing personally to himself—of course, we did say that his firm were taking advantage of a lower rate against a higher rate because they happened to be parties to two different agreements, but the point I want to make out of the whole of this business of the "Sea Belle," and I wanted to keep that clear of Mr. Leach if it had been possible, was this, that the "Sea Belle" was a test case taken by the whole of the people interested in over-sea ships to the Lord Chief Justice. It is perfectly true that he only had to decide the "Sea Belle" case, but it was not taken in the sense that he was only deciding the "Sea Belle" case. It was taken after meetings and conferences with all the parties interested. Mr. Leach, I think, will tell you if you ask him that he did not consent to go to arbitration with the "Sea Belle" until he had consulted all the other interests concerned in oversea ships. The meeting was held at the Port Authority. The Port Authority was represented at the conference, and if I am not mistaken, so were the other wharfingers who have yet to be brought into this agreement. While from the document the Lord Chief Justice only decided the "Sea Belle" case, I say that the Lord Chief Justice laid down the principle that all oversea ships were to be paid for at that rate. Now, if the gentlemen who have been kind enough to make an offer to us to-day will again say that the Lord Chief Justice or Sir Albert Rollit, or whoever they please, shall decide this point, I think the men

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ought very seriously to consider that offer, but I do want to say that I think it ought to be a final settlement. I do not think we ought to be expected to go to arbitration day by day and week by week to decide what price each ship shall be paid for that comes into the port. If over-sea ships are to be paid for at one price or another, let us know what the price is; let us get it clearly down in our books of rules, and we shall know where we are.

Sir Edward Clarke: It appears to me that after the award of Sir Albert Rollit there was a reasonable doubt felt as to whether certain classes of oversea ships were excluded from the benefit of that award by the fact of their belonging to wharfingers. That doubt reasonably existed; the matter was referred to the Lord Chief Justice, and it is clear that his decision was founded upon this, that he thought that Sir Albert Rollit's award referring to oversea ships referred to and was meant to cover all oversea ships wherever those ships were dealt with, or to whomsoever they belonged. If there is any further doubt about that, and I personally should have thought on reading the award of Lord Alverstone that there could not be any reasonable doubt about it, it is now consented to, as I understand, that the matter shall go to Sir Albert Rollit for him to give his interpretation of his award. I have pointed out before that it is impossible that anybody should make an agreement for all the employers, just as it is impossible for Mr. Gosling to make an agreement for all the men, non-unionists as well as unionists, but I hope I need say no more about that, and that I may have the satisfaction of thinking that that point, if, indeed, it is not supposed to be disposed of by what has been said by the Lord Chief Justice, as I have just cited, will speedily be disposed of by Sir Albert Rollit.

Mr. Gosling: You make such a serious and important statement that there can be no further doubt about it. After those words that you have uttered I think you have vindicated the position we have taken up absolutely.

Sir Edward Clarke: It should not be said that I have vindicated the position taken up by either side, because I believe there was a real doubt as to the application of this award of Sir Albert Rollit that went to the Lord Chief Justice, and he gave a decision upon it which I should think, when carefully considered, ought to have made an end of the dispute.

Mr. Gosling: I agree that there was a doubt, but I understand that your belief is that that doubt is to all reasonable people now removed.

Sir Edward Clarke: I can only read the decision of Lord Alverstone as meaning that Sir Albert Rollit's award applies to all oversea ships to whomsoever they belong.

Mr. Gosling: Thank you very much.

Mr. Leach: I am glad to notice that Mr. Gosling admits that there was an element of doubt in the interpretation of the agreement.

Sir Edward Clarke: I think that is quite clear. I have no doubt that both sides have quite reasonably entertained doubts as to the scope of that decision.

Mr. Magniac: I had not meant to trouble you, or to take up your time again, but I may say this, in reference to some words that Mr. Gosling used just now referring to an expression of your own opinion. With regard to my offer to refer the award back to Sir Albert Rollit, which I have always contended did not apply to us at all, because we are not ship owners, and it will be remembered that is a very important point—we are wharfingers only. In making that offer I wish it to be made very clear that I could deal only for those wharves which I am interested in. I meant that offer as applying and referring to nobody else at all. I am not in a position to speak except for my own firm, and I could not pledge anybody else, of course. I made that offer just now because our good faith had been, in my opinion, attacked when it was suggested that we, under the Devonport agreement, had done something as to which Sir Albert Rollit's award confirmed Mr. Gosling's opinion. That is all. I still contend that we could not possibly come under either award when we had not submitted anything to arbitration, when we had never been represented at the conference or

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before the arbitration, and that they concerned us not at all. I wish that to be made very clear, and also that we do not own ships. I would not have troubled you again, but I am obliged to do so because some of the expressions of opinion made it necessary that I should explain that. It is not for me to explain Sir Albert Rollit's award or Lord Alverstone's award, but I show my confidence in the backing of my own opinion, and my firm's opinion, that we do not come under either of those awards by offering to refer it to Sir Albert Rollit. I am so certain that we do not come under them, and so satisfied, that I purposely suggested Sir Albert Rollit, because Mr. Gosling yesterday said that we were afraid to go back to Sir Albert Rollit. I am not a bit afraid to go back to Sir Albert Rollit.

Sir Edward Clarke: We pass now to the carmen.

Mr. Dutfield: My point is this: At the present moment my Association have not received any information of any strike of any description.

Sir Edward Clarke: What does your Association call itself?

Mr. Dutfield: The Master Carmen's Association. The first firm that was struck against have been distinctly told that they have no grievance against them, and that they are perfectly satisfied with the manner in which they are conducting their business. The majority of the carmen are out on strike, and our Association has not even received the slightest information.

Sir Edward Clarke: When did they go out?

Mr. Dutfield: They started going out on Thursday, or at least on Friday.

Sir Edward Clarke: Yesterday?

Mr. Dutfield: Yesterday. Many were out yesterday; some are out to-day, and we have no idea what number will be out on Tuesday.

Sir Edward Clarke: There has been no dispute about wages?

Mr. Dutfield: Not a bit, as far as we know. As far as our Association is concerned, we have done all we think we are called upon to do, and are only too anxious to do it.

Sir Edward Clarke: Has there been, before they went out on strike, any communication to you with regard to the grounds upon which they proposed to go out?

Mr. Dutfield: None, whatever. All that we know at the present time is that our men have been called out without our knowledge.

Sir Edward Clarke: There is an agreement, I think, entered into by you with regard to wages?

Mr. Dutfield: There is an agreement between the masters' association and the men. The first men that went out on strike went out with the knowledge that they were on the best of terms with the firm.

Mr. Gosling: That is true. There was no notice given to the association beyond the ordinary strike notice that was issued. Would you mind now asking Mr. Dutfield to tell you what his association have done in the case of Mr. Bissell, because Mr. Bissell was a member of their association.

Sir Edward Clarke: I am not sure if Mr. Bissell is present. I think he was communicated with by telegram yesterday, but, of course, most people are aware to-day that this inquiry is being held. Mr. Bissell, I am told, is not here. Can you, Mr. Dutfield, tell us anything about this matter?

Mr. Dutfield: I can just tell you, as far as the association is concerned, what I know. The agreement was arranged in August last that this should be the rate of pay, and all members of the Master Carmen's Association were fully acquainted with all the details of what the arrangements were at the time.

Sir Edward Clarke: At that time was Mr. Bissell a member of the association?

Mr. Dutfield: Mr. Bissell was a member of our association at that time. You must remember that we only represent a very small proportion of master carmen in this county of London; I might say that our numbers are about 100, and the number of master carmen in London and the surrounding districts comes to about 2,500. We are quite a very small percentage, and over and above that we have one or two large firms that are outside our association. But still, those that were in the association did their utmost to stick loyally to what was arranged by that

agreement. Mr. Bissell, being one of those members, was acquainted with the details and the facts of what was arranged, and was, as far as the other members of the association were concerned, fully acquainted with everything that was necessary to be acquainted with with regard to the increases and the arrangements made at the time of that agreement. It was known to us, and, naturally enough, we are not to know unless the attention of the association is called to it, that certain firms were not keeping to the agreement made. I will say that the carmen's union acquainted us on various occasions with firms that were not paying, and we simply told them whether they were members of the Association or whether they were not; we could do nothing more. If they were members of our Association we communicated with them and remonstrated with them—if there was a firm that did not pay the agreed wage. Immediately we received the information that Messrs. Bissell were not paying the union rate of wage we likewise, as I said before, communicated with this firm and called their attention to the fact.

Sir Edward Clarke: Can you tell me how long ago that was?

Mr. Dutfield: A very few months; I should think about two months ago. As a matter of fact, I have not the date with me now.

Mr. Gosling: It was the 25th March.

Mr. Dutfield: Immediately we received that information from the union we communicated with the firm; we called their attention to the fact that we disapproved of the action of the firm, and that we hoped they would either give an explanation of why they were not conforming to the agreement or do so immediately. The result was that we received their resignation, and nothing more. We had nothing else to do; we can do nothing else. Having received their resignation we can do nothing more than accept it, and immediately we accept it they are outside our Association. The resignation, I might say, was immediately accepted, and they are therefore outside our Association, and we have no more control over them than were they never in the Association at all. I might also mention one important fact: We did call Mr. Gosling's and the union's attention very strongly to the fact that when we were negotiating with regard to the increase of wages we had a very small proportion of master carmen in our Association, and that we relied upon them to do what they could. They said if we gave an increase of wages they would see that the master carmen in London abided by it. They said they would see that it was carried out. They gave us practically a guarantee that they would see that those men who were outside our Association came into line, but it was not done. I say emphatically it was not done; they did not have the power that they said they had.

Sir Edward Clarke: They probably could not do it.

Mr. Dutfield: I will give you an instance. Take Bissell. Mr. Gosling only a little while ago said: "How can you expect us to deal with other masters and their men if you give them assistance?" I think those were practically his words. We did not give them any assistance whatever. With regard to Mr. Bissell, as I say, on no account would we assist him. We passed a resolution at our Association that no member of the Association would assist Mr. Bissell.

Sir Edward Clarke: When did you pass that?

Mr. Dutfield: As a matter of fact it was an agreed arrangement at the meeting of the Council, and Mr. Bissell, I think I can vouchsafe at the present moment, had never received any assistance from the master carmen of our Association. Mr. Bissell went on; he was able to employ labour at a lower rate of wages and compete with those that are in our Association who are paying a higher rate of wage. We have been all that time at a great disadvantage. It only shows us that to be a member of the Association as we stand at present is undoubtedly a disadvantage. Mr. Bissell's case in itself proves that. It shows that immediately he is called upon to give an explanation he can retire unhurt. That is all our case. We are only too anxious to carry on as we have done. Another thing is the unsatisfactory way in which this strike has been taking place. Some firms are at work and others are not; some firms have men out and others have no men out. With regard to the men that are

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in our Association—I mean the men employed by members of the Association—they have no grievance at all; they say they are perfectly satisfied; they are perfectly willing to do all they can, and we are only too anxious to get them to work, but the men of some of the members of the Association are at work and some are not at work; some were at work yesterday, and less to-day. Only two firms were out yesterday and two or three more to-day. What will happen in the future I do not know. It is not unanimous. The men have not come out all together, and it places many members at a disadvantage; and over and above that I should like to say distinctly now that to be a member of our Association is an undoubted disadvantage, for this reason, that all the time this Bissell case has been going on Mr. Bissell has been able to employ non-union men, while other members of the Association have been pinpricked by the members of the union by making questions on rather small points which have no bearing on the case. I think it can be substantiated that all I have said is exactly the position as far as the carmen are concerned. The masters in the Association are only too anxious to carry out the agreement that they have arranged, and they are very dissatisfied that no intimation has been given to them that there has even been a possibility of a strike, or, even now that the men are out, what they are out for, or what the reasons are.

Mr. Gosling: I do not know whether you would allow me to ask Mr. Dutfield one question, or whether you will ask him.

Sir Edward Clarke: I will ask him.

Mr. Gosling: I wanted to get two or three things from him; first of all, that the lower rate of pay is 27s. for a 72-hour week. I think it will be agreed, because that is in the agreement. Mr. Dutfield's complaint, I understand—I understand the sense in which he means it, of course—is that it is against the interests, in a sense, of an employer to belong to the Association, because if he did not belong to the Association he could get men cheaper than he is able to do under the rules of the Association.

Mr. Dutfield: No, I do not mean that at all. I distinctly repudiate that. I want it thoroughly understood that no member of the Association would think for one moment of decreasing the rate of wage.

Mr. Gosling: I know that.

Mr. Dutfield: Mr. Gosling says that I should get my work done cheaper if I were outside the Association.

Mr. Gosling: I did not say you would; I am quite sure you would not, but you could. Your contention is that you would.

Sir Edward Clarke: It was stated by Mr. Dutfield that Mr. Bissell, having ceased to be a member of the Association, had since then been able to get work done at lower prices than those which the members of the Association were paying.

Mr. Gosling: I understood Mr. Dutfield to say that it was in that sense a disadvantage to belong to the Association, because those who did not belong to the Association were getting their work done cheaper—getting cheaper labour—than they themselves were getting.

Sir Edward Clarke: That is obvious.

Mr. Gosling: I want to carry that a little further, and to ask this. Does Mr. Dutfield know that the carmen themselves have applied to be put under the Trade Boards Act, so that the rate of wages shall be fixed and enforced upon such people as Bissell?

Sir Edward Clarke: Under what Trade Boards Act?

Mr. Gosling: It is the Act of Parliament that allows Trade Boards to set up in certain grades and the minimum rate fixed. I wanted to ask Mr. Dutfield whether he knew that that had been done.

Mr. Dutfield: I think that is a matter which does not apply to me for the moment. I am dealing with my position. Mr. Gosling was very anxious at the commencement of these proceedings to keep lawyer's business out of it, and he said that it was to be a man-to-man conversation. What is an Act of Parliament, is nothing to me for the moment. What I do say is this: To be in the Association and to act honourably is to pay the rate of wage; to be outside the Association and to be honourable, is to pay what rate you like, provided the men accept it.

Mr. Gosling: I only want to see how far we can get an agreement between the working carmen and their employers—I mean the employers who belong to the Association—to get set up by a Trade Board a standard

rate for the trade, so that when Mr. Dutfield and his colleagues decide that it shall be, say, 27s. for a 72-hour week, then Mr. Bissell and his colleagues will not be able to pay less. Would you agree to an arrangement of that kind being made?

Sir Edward Clarke: I cannot hear you, I am sorry to say. If you will put it to me, I will ask Mr. Dutfield.

Mr. Gosling: The point I want to get clear is whether the Association of Master Carmen will agree with us that steps should be taken to get, under the Trade Boards Act, a minimum rate fixed for carmen, so as to make it obligatory upon those who now will not obey it?

Sir Edward Clarke: I do not think I can go into that, or let any question be asked referring to it. It does not come within the scope of my inquiry. I hope that there would be good feeling on both sides to adopt any Act of Parliament which will enable them to come together upon matters affecting rates of wage, but it does not enter into the present dispute.

Mr. Gosling: With very great respect, may I suggest that it does, and that it does in this way: I understand that you are inquiring into the cause of the dispute and the unrest in the Port.

Sir Edward Clarke: I am inquiring into the facts and circumstances of the present dispute.

Mr. Gosling: Then may I put it to you that one of the reasons why there is a dispute, and one of the causes of the unrest, is that we are unable to get an agreement made and kept, and we are unable to apply those agreements to people like Bissell and many others whom Mr. Dutfield has spoken of. I want you also to ask Mr. Dutfield whether he knows that there have been 60 separate carmen's strikes since last August, every one of them for the purpose of enforcing the conditions which Mr. Dutfield himself pays, upon those who are unwilling to pay them.

Sir Edward Clarke: Do you mean strikes against members—

Mr. Gosling: No, mostly against non-union employers.

Sir Edward Clarke: I daresay you know there have been a good many, Mr. Dutfield?

Mr. Dutfield: I may say, as far as that is concerned, that I have heard from Mr. Gosling and his colleagues that that is the case, but I have not actually come in contact with them myself.

Sir Edward Clarke: But you know that there has been trouble.

Mr. Gosling: I can put in a list of the whole of the names. That, of course, is the trouble. Mr. Dutfield, I think, will tell you, if you ask him, that in our interviews with the Association they have impressed upon us that we must do this kind of thing, or you are in danger of being no longer able to pay the rate; so that to that extent you endorse the action of the men in striking these firms?

Sir Edward Clarke: Will you kindly say "to that extent Mr. Dutfield endorses the action," and so on, just to get it right upon the note? It sounds as if I were endorsing it.

Mr. Gosling: To that extent Mr. Dutfield endorses the action of the men in having these strikes for the purpose of keeping up the price. That is what I wanted to put.

Sir Edward Clarke: That is your point.

Mr. Gosling: It is impressed upon us by your Association, Mr. Dutfield.

Sir Edward Clarke: Does the Trade Boards Act include such a trade as this?

Mr. Gosling: It does not, but we have asked that it should. Mr. Mitchell knows very much better than I do, but I think there is authority to put whatever trades it is thought right under it from time to time.

Sir Edward Clarke: Has any application been made to the Home Secretary?

Mr. Gosling: Yes, the carmen themselves have made an application, I think, to the Board of Trade.

Sir Edward Clarke: When?

Mr. Gosling: It was made a month or so ago.

Sir Edward Clarke: Quite lately. Is there any further point upon which you wish to say anything, Mr. Gosling?

Mr. Gosling: Yes. I do want again to press upon you that some steps ought to be taken, if it is possible, to get the other people of whom we have complained here, the sailing barge owners and people of that kind. I suppose Mr. Bissell cannot be got in now. Then I

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wanted to say this with regard to Mr. Lambert and his Association; I am sorry he is not here. He impressed it upon you very strongly this morning that they are willing to do all that is right, and we never do anything except what is wrong. We have great difficulty with some of the members of their Association even in enforcing our working rules which they have agreed to. It is very difficult, and not at all a good thing, every time to call the men out of a firm because you cannot get your rules carried out, and lately we have tried another means; we have gone to the county court and we have been prepared to put before the county court judge our working rules and to ask him to decide for us. In several cases we have been invited by the employer to do that, and he has told us: "If you do, I will come there, and I will fight it out with you." We have said that that is, after all, a very good way of doing it, because you get a very good decision, and the best of it is that whoever loses pays. We have taken thirteen cases since April 17th, and every one of those cases is a case under our working rules. I can give you the names of all the firms we have been against.

Sir Edward Clarke: Will you give me one instance of what you call being against your working rules?

Mr. Gosling: There is the case of the Tilbury Lighterage Company, which Mr. Reekie was speaking for to some extent yesterday, I understood. Mr. Reekie is a foreman lighterman, and he is one of the Tilbury Lighterage Company's foremen. He was telling you how they had been established for the purpose of bringing all parties together, and that kind of thing. This is how they did it in that firm. We have got five cases against them of men having earned money and not being able to get it. We took very great pains in those cases to see the firms and to see the manager of this department, and to ask him to meet us and settle the thing. He said: "I will never pay it." We said: "If you do not we are going to take you to the county court." He said: "If you take me to the county court I will fight you," and we said: "Right; that is what we want." We took him to the county court and he kept the men without their money until almost the last day, I believe, that he could pay in, and then paid the money into court; and that has been done thirteen times by different firms since April 17th.

Sir Edward Clarke: The money has always been paid in?

Mr. Gosling: In every case the money has been paid in.

Sir Edward Clarke: Will you give me a specimen of the cases? What was the question?

Mr. Gosling: In the case of the Tilbury Lighterage Company men were entitled, under the working rules, to a short night's pay. It is perfectly clear under the rules under what circumstances they are entitled to have it, but the foreman refused to pay them. We said: "There is a case for the county court judge." The judge would have had the rules before him and could have decided it; and I want to say that I think it would be a very good thing for the men themselves to find out if they are wrong in these cases, because, over and over again, we have had cases. We took a case some time ago to the City of London Court and counsel were instructed and the judge decided the point for us, and it saved us no end of trouble and expense, and saved a great deal of irritation and that sort of thing with the employers. We lost the case, and we have never murmured about it since. We know where we are and we are satisfied. In these cases it is very irritating to the men to take out their summonses and to be kept three weeks; because they generally keep you three weeks, and then, you know, there are so many days before the case is heard, when you have to decide whether you are going to defend it or not, and at the last possible moment when that has to be decided the money is paid into court; so that they neither will pay us, nor will they give us the opportunity of having the case settled.

Sir Edward Clarke: Are those non-union firms?

Mr. Gosling: No, those are union firms.

Sir Edward Clarke: Belonging to what union?

Mr. Gosling: Some of them belonging to the Association which was represented by Mr. Lambert this morning. One of them the Maritime Lighterage Com-

pany; another, Page, Son and East; another, the Tilbury Lighterage Company; and another, the firm of Henry Grey. All of these people, I believe, have been here present in these proceedings. There are two or three others, but I am not sure whether they belong to the Association or not. Those that I have mentioned do belong to the Association.

Sir Edward Clarke: But no communication has been made by your society to their union.

Mr. Gosling: We have made complaints to the union in those cases and endeavoured to get a settlement of the case, and they say: "No, we will not pay." Then we take out our county court summonses.

Sir Edward Clarke: That is the union.

Mr. Gosling: The union takes out the County Court summonses.

Sir Edward Clarke: Has your union written to the association about this, or has it been dealt with as an individual matter between the workman and his employer?

Mr. Gosling: It has been dealt with as an individual matter, because what the Association say is—and I think they are right there—"If you cannot settle this with them, that is another matter." We have thought that it was a better way to get the county court to do it, but they will not meet us at the county court; they will not meet us at all. That is our trouble. You have heard from Mr. Lambert and he read the correspondence; they refused to meet us on the tug business and they refused to meet us on these things. That is all irritating to the men, and that helps to make it more difficult to keep men in control. Of course this is not common to the lightermen; it is the same with many of the other trades.

Sir Edward Clarke: You mean it is not peculiar to the lightermen?

Mr. Gosling: I beg your pardon, yes. It is not peculiar to the lightermen, and we have been served in many cases like this. It makes the men think that all this is being done to irritate them, and that all this is being done because they want to have a fight with us. Whether they do or not—and, after what Mr. Lambert said this morning, of course it is difficult to understand what it is all about—the men think that all these things are done to cause a rumpus. You have to remember that the man has to have the pluck, and it requires some pluck when you have got to get your living every day, to go to the court and take out a summons against his employer. In one case here the man came to us, and complained that he had not been able to get his night's pay. We said: "Well, the easiest and simplest way is to go to the City of London Court and get a summons." I can give you the dates of these summonses, and they can all be confirmed. He went and got his summons the first day that he had nothing to do—the first day that he was unemployed—and I think on the night of that same day he went back into work in that firm. The next day, or the day after the summons was served upon them, they give him the sack. He was sacked by telephone message, I think, at Tilbury. He was told at Tilbury, "We shall not want you any more"; and, of course, the man knew that that was such an unusual thing that there must be some cause for it. When he remembered that he had issued a summons against the firm, of course he knew that was the cause of it. I would not say a word if they had met the man in court and beaten him. I should have said, "Very likely you are wrong; if you are wrong in one thing you may be in another, and I daresay you deserve the sack," but they kept that man without his money until the last moment, and then paid it into court; so that he neither has the satisfaction of meeting them in court and settling it, nor do we have the opportunity of getting decisions upon these things to know where we are. I do not think it is good that that kind of thing should be done. Over and over again I have said to the employers myself: "If the men are wrong, let us know that they are wrong; we will meet you and have the thing argued out. We will instruct counsel, and you do the same thing, and let us get the thing settled once and for all"; and that would be a very good thing to do in some of these cases.

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[Continued.]

Sir Edward Clarke: Do you mean that there is one question which affects a good many of these cases?

Mr. Gosling: Yes, there is.

Sir Edward Clarke: What is the question?

Mr. Gosling: There are many questions, but the many questions affect very many cases.

Sir Edward Clarke: A question as to the definition of a night's work, or something of that kind?

Mr. Gosling: Yes, that kind of thing. For instance, we had a very important case—we have the man here—where we thought it was very peculiar that in certain cases a man got 6d. for being out perhaps two or three hours before a man who would get a shilling. It was the interpretation of an agreement. I am not complaining about that now. We said: "Now, let us go and get a decision upon this." We went to the county court and instructed counsel, and did the thing in the proper way and got a really good decision: It was rather a difficult one, because the judge thought that the rules were badly drawn, and he was not able to come quite to the decision that he would have liked if they had been more explicit.

Sir Edward Clarke: At all events you did get a decision which was useful in other cases as well as in that one?

Mr. Gosling: Yes, and we have acted under it. Those are the things that we complain of. Now what about these tug men? Is it to be understood, or is it to continue to be understood, that the employers are not going to meet us and talk about the tug men; and is it to be understood that we must carry on our strike in the River Medway because sailing-barge men are insisting upon an agreement which was made at the Board of Trade? I do not know whether you can help us in that way at all, or whether the whole business, now that you have made your inquiry, is to go on to the bitter end, and whether we are to fight the whole thing out.

Sir Edward Clarke: I should like to help very much indeed, if I could.

Mr. Gosling: I am sure you would.

Sir Edward Clarke: Now let us be practical. Let me take now the agreement with the tug men, to which you are referring, or do you say there is no agreement that covers the tug men?

Mr. Gosling: No, not the tug men; there is no agreement at all, but the men in the engine rooms of the tugs have got an agreement. That I can get you a copy of.

Sir Edward Clarke: How about the deck hands?

Mr. Gosling: There is none for the deck hands.

Sir Edward Clarke: Has there ever been?

Mr. Gosling: There has never been.

Sir Edward Clarke: When did you ask for one?

Mr. Gosling: About four weeks ago.

Sir Edward Clarke: By letter?

Mr. Gosling: We gave our notice. You heard the correspondence read.

Sir Edward Clarke: Are you alluding to the letters which Mr. Lambert read?

Mr. Gosling: Yes.

Sir Edward Clarke: On September 4, 1911?

Mr. Gosling: No, quite recently. I handed the secretary the copies of them this morning, and you were good enough to read each of those letters out this morning for Mr. Lambert.

Sir Edward Clarke: You mean these letters which have been handed in this morning and read. There is a letter from you of March 28, 1912, that is, to ask them to meet the society, as representing the masters and mates of tugs, to arrange the rates of wages and conditions. They say that they have recently arranged the rates of wages and conditions, and are not prepared to reopen the question.

Mr. Gosling: That is so. There the men tendered their notices. The Government intervened, and asked the men to postpone their notices. The men postponed their notices, and kept them postponed for three weeks before they came out. I hope it is not going to be said that those men have broken any agreement, and left their work without any notice, because they have been under notice for three weeks, and the notices were only postponed.

Sir Edward Clarke: They gave a notice which expired on April 26?

Mr. Gosling: That is so, and it was simply hung up to enable the Government to intervene if possible.

As far as I know, they have been unable to do anything at all, and so there I want to show the justification for the strike, because the employers will not meet us, and the Government can do nothing, and we have either to go on working 100 hours a week or strike. If anything can be done in that case, we shall be very glad, of course.

Sir Edward Clarke: Do you say that comes within the scope of any agreement made between your union and the lightermen's association?

Mr. Gosling: There is no agreement at all in existence for that class of tug masters and mates. The Masters' Association have made agreements with us for other masters and mates of tugs in another section of the trade, but not for this section, and why they stop short of this section I do not quite understand, unless it is they say they made individual agreements last year; but they have made no agreements, individually or otherwise, dealing with the hours that the men work. We say that men in tugs are not to be called upon to work more than 72 hours per week.

Sir Edward Clarke: Now, as I understand, the tug men are within the scope of your Federation—your union?

Mr. Gosling: Yes.

Sir Edward Clarke: You say that on their behalf you have made representations?

Mr. Gosling: That is so.

Sir Edward Clarke: And that there is no agreement existing which binds the masters to make any fresh arrangement with you?

Mr. Gosling: No.

Sir Edward Clarke: And they say that they made their arrangements with the masters of the tugs?

Mr. Gosling: Individually, yes. We say that the vital point was left out, because the vital point is that there should be a fixed number of hours per week.

Sir Edward Clarke: The notice signed by you for the Amalgamated Society of Watermen, Lightermen and Bargeemen was given on April 15?

Mr. Gosling: That is so.

Sir Edward Clarke: Since which time there have been discussions, as I understand, and it has been held over?

Mr. Gosling: Yes, it has been held over. Now that the notices are operating, I do not want it to be thought that those men have come out against their notices and have left their employers without proper notice to them. As a matter of fact, the notices were extended. Then with regard to the offer of Mr. Magniac about the over-sea ships, I do not know whether, after what you have said, they will consider that sufficient, but that is in your judgment. Sir Albert Rollit did settle the matter, but if, of course, there can be a conference—I am saying this without consulting my colleagues, and I am saying it without having asked the men, but I am taking the responsibility of saying it—if there is the possibility of a joint conference for the purpose of getting these things in order, I think the men ought to go to it, and be willing to try and make a settlement.

Sir Edward Clarke: You are speaking now of the question about the rates.

Mr. Gosling: I am speaking of the whole thing—the present dispute.

Sir Edward Clarke: The whole of the present dispute?

Mr. Gosling: The whole of the present dispute; but I think this dispute must be settled as a whole. I do not think it would be of any use just to decide whether Cotton's Wharf, or Hay's Wharf, or the tugmen or the carmen, or any other set of men, were to be settled with. I do not think that would settle the dispute, but I think it could, by a joint conference, be settled if there can be a common understanding between us—and I am saying this quite sincerely, although, of course, some people think that we do not intend ever to keep agreements or anything of the kind—and if there can be some ways and means by which employers who will not toe the line, and men who will not toe the line, can be made to do it. I shall be quite in favour of that being done. I know that it is a very difficult thing to arrange, but I do not think that it is beyond the bounds of possibility. I think it could be done, and I think it ought to be done, otherwise there is nothing for us to do but to go on and win if we can, and if we must lose, lose; only I do want to say again that it is only for a time we shall lose, because the men will get into condition

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[Continued.]

again, and I am quite sure they will have another fight. We shall keep on fighting, I feel certain, on both sides until there is some very much better understanding, and I should be glad if you could bring that understanding about, because I am sure you appreciate that we are in difficulties, because that has been demonstrated by this inquiry. We have not come out of it unscathed; I quite admit that, but when you remember that I made yesterday, I believe, a very serious statement against certain people, and they will not come here and face it, they will not come here and face the men, and they will not come here and face our charges, it does show you that there are great difficulties in the way. I do not know of anybody, if you do not mind my saying it, who could perhaps whip this thing together better than you could yourself, if everybody will help you, and I want to say that I will help you, if the others will, to try and do it.

Sir Edward Clarke: Mr. Gosling, I am deeply sensible of the gravity of the questions with which, simply by way of ascertainment of facts, I have been called upon to deal here; and I need not say that anything that I could possibly do to help in averting the very serious consequences of an extended strike would be done willingly at any sacrifice of time. I should not think of that if I could be of any use. My function to-day is limited, and anything that I said might be misunderstood if I said anything further about the present condition of things in London. But I should like to remind you that no strike, and no succession of strikes, can ever compel men or masters who do not belong to a union to obey the decisions of a union. Circumstances may enable the members of a men's trades union to do as indeed it seems has been very largely done, according to your statement, in London—bring separate, not illegitimate, but personal pressure upon individuals, to induce them to join the main body of their fellows who have attached themselves to a union. That, of course, may be done by the men, and is done, and the result appears to be that there is no real difficulty with regard to non-unionist men, or at least there has not been any large difficulty at all lately. With regard to employers, a large group of employers, representing the dominant interest of an important trade, are always able to bring some pressure to bear upon other employers to get them into line, but nothing can possibly enforce agreements made which are not made by all in a particular trade upon persons who are not parties to them, except legislation. There are many reasons for hoping that legislation may be able to do a good deal in order to solve the industrial difficulties which are about us to-day, but I think I am bound to point out to you, after what has been said, that no strike can have that effect, and that no strike could be successful unless it were to be carried by legislation. I am sure that is present to the minds of those who on either side in this lamentable controversy are obliged to face the very grave consequences that may follow from it. All I can say is that I have tried to eliminate just one separate part of the matter which was before me, and I hope that that will be in course of settlement, but of course that is a minor portion, so to speak,

of that which I am dealing with. As to the rest, I can only say that I shall make my report as to the facts and circumstances to the Government, as I have been appointed to do, and that I am very glad to find that there has not been controversy with regard to matters of fact in evidence before me. Most important questions have been raised as to the interpretation of agreements, but absolute controversy and contradiction in matters of fact is not before me. I will make, to the best of my ability, a fair record of the facts and circumstances which have been proved to me. That record, of course, will be in outline, because the shorthand notes remain to supplement and to explain. I wish I could hope that from that record, when it is published, and from a consideration of the evidence which has been given before me, and the statements made on both sides, which have shown on each side a willingness to try to understand and appreciate the points which the other side have made—I sincerely wish that it might happen that the anxieties which beset us now and are so serious might be lightened in view of a solution being possibly obtained for difficulties which now seem so formidable. I am not entitled to say more, and I could not usefully say more, but I think that I have the whole of the facts before me now. I think Mr. Watts wants to add something.

Mr. Watts: It was only that I understood that I was to produce the notes of the Devonport agreement, and also a copy of the order which was referred to with regard to the employment of union and non-union men, and I am lodging those with you. Unless there is any point that you wish further information about where it has affected the Port Authority, I do not know that I have anything to add. The Port Authority were mentioned on two or three occasions yesterday quite incidentally. No special reference was made to them, and, if there is anything on your mind, I will explain it further.

Sir Edward Clarke: No; I do not think there is any additional matter that I ask you to give.

Captain Hooper: As one of the signatories to the agreement made by the Short Sea Traders, I should like to say that I am very glad that no question is being raised with regard to that agreement being broken on either side.

Sir Edward Clarke: I think I now have before me all the facts which usefully can be stated with reference to the matter into which I am appointed to inquire, and I will make my report as early as I possibly can. I am much obliged for the help I have had.

Mr. Gosling: I have been asked to say, and I am sure everybody will join in it with me, that I am very much obliged to you for the way in which you have listened to what we have had to say.

Mr. Moore: As one of the representatives of the employers' associations, I might add my vote of thanks, which I am sure is shared by all the employers, for the care and attention with which you have listened to this matter.

Sir Edward Clarke: I thank you all for the tone in which it has been conducted.

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