

Q. Then Higney, Henderson and Baranzoni went on in the first place?
 A. Yes, Mr. Higney took the chair.
 Q. There was no one voted in the chair?
 A. No.
 Q. Who was secretary?
 A. Henderson.
 Q. He was not proposed or voted?
 A. No.
 Q. Then there was not a Cumberland man on the platform?
 A. No.
 Q. Mr. Baker was invited from the back of the hall to the platform by the chairman?
 A. Yes.
 Q. What was the first thing the chairman did after asking Baker to come to the platform?
 A. The first thing Mr. Higney did was to read a communication from the executive board of the Ladysmith men, addressed to the brother workers of Cumberland.
 Q. Where is that letter, why has it not been produced? Mr. Higney read it at the meeting?
 A. Yes, from the executive board of the Ladysmith union, addressed to their brother workers in Cumberland. The letter related the circumstances leading to the trouble at Ladysmith, and part of the letter stated that their trouble was our trouble here. It was a pretty long letter, two sheets of it altogether. I remember that part of it very well.
 Q. When the chairman had finished reading the letter did he say anything?
 A. He introduced Mr. Baker to the meeting. He was not able to say much; he excused himself on that account.
 Q. And Mr. Baker made a speech?
 A. Yes.
 Q. What was the purport of his speech?
 A. It was leading up to unions, and the benefit to be derived from it, and that he was going around British Columbia, and that he had organized twenty-four unions altogether. He intended to travel through Manitoba, and also take in Ontario, and that, practically speaking, Cumberland was the last place. I took from that that Cumberland was the last place on the western continent not organized.
 Q. And that he was here for the purpose of organizing?
 A. Yes.
 Q. Did he say how he came up here?
 A. Mr. Higney said that he had, during the short stay he had in town, received sufficient names to enable him to send for Mr. Baker to come up.
 Q. The men ready to organize justified Mr. Baker in coming up here?
 A. Yes.
 His Lordship:
 Q. Did he state the number?
 A. No.
 Mr. Bodwell:
 Q. But that it was sufficient to justify him in sending for Mr. Baker?
 A. Yes. I heard it was eighty.
 Q. You have heard that it was eighty?
 A. Yes.
 Q. When Baker finished his speech what happened next?
 A. After he got through with his address, Mr. Barber, the president of the union, rose up and moved a motion that we join—that we form a branch of the Western Federation of Miners.
 His Lordship:
 Q. Who was this?
 A. Mr. Barber.

Mr. Bodwell:
 Q. Where was Barber?
 A. He was sitting back about three or four seats from the front of the hall—this hall. He made just a few remarks in regard to the organization. I think he said he had been a member in the Kootenay country.
 Q. And that motion was seconded?
 A. Yes, sir.
 Q. Then what?
 A. Well, Mr. Higney was going to put the motion without giving any one a chance to speak, and I saw that the motion was going through without opposition, and I rose and moved an amendment to the motion, that we don't form a branch of the Federation in this place. I added to it also that if the Ladysmith men were out on strike that had nothing whatever to do with us here.
 Q. How were you received?
 A. They started to hiss considerably, and shouted to put me out. That was the response I received when I moved that amendment.
 Q. Did anybody follow you?
 A. Yes, Richard Conishaw, senior, made a few remarks. I believe they were deprecating the insulting attitude on the part of the audience towards me.
 Q. Did anybody follow him?
 A. Mr. Hunden; he also got up and spoke in support of freedom of speech.
 Q. Did anybody support your motion?
 A. Yes, Mr. Bickell. Mr. Hunden got up and deprecated also the attitude of the audience about hissing, and shouting to put me out. He considered it was right to give every person in the hall fair play. The next gentleman who tried to speak was Mr. Conishaw.
 Q. What did he have to say?
 A. He suggested that we leave this matter for a week; that it was a serious matter, and that we should consider it, and take a secret ballot at the pit. He asked if Mr. Sangster was in the hall. He says: Is that not the way you did at Nanaimo? Every vital question at Nanaimo is voted by secret ballot? Replying, Mr. Sangster said that things had changed there now—we have the Western Federation there now, and we usually get what we want.
 Q. At this stage did anything happen?
 A. Mr. Baker stepped to the front, excused himself to the chairman, and said that the motion and the amendment was out of order. He was here to organize a branch of the Western Federation in Cumberland, and all those not willing to join the organization he would request to leave the hall.
 His Lordship:
 Q. Mr. Baker said this—not the chairman?
 A. Baker—not the chairman.
 Mr. Bodwell:
 Q. That he was going to organize, no matter how many were taken in?
 A. Yes.
 Q. What did the chairman do—was the motion put?
 A. No, the motion was not put, nor the amendment.
 His Lordship:
 Q. He said the motion was out of order, that the meeting was for the purpose of organizing and that those who did not wish to organize could retire?
 A. Yes, Your Honour.
 Q. You say both motion and amendment were out of order?
 A. Yes.

Mr. Rowe:
 Q. How was the meeting called?
 A. For a mass meeting of miners; no object was stated in the notice.
 Q. Was the notice signed?
 A. No.
 His Lordship:
 Q. How long notice was given of this meeting?
 A. I believe it was posted on Saturday.
 Q. And the meeting was on Sunday?
 A. Yes; the notice might have been on Friday night or Saturday; I believe it was just one day.
 Q. I gather that what Mr. Baker said was that both the motion and the amendment were out of order, as the meeting was for the purpose of organizing, and that those who did not want to organize should retire?
 A. Yes, those are about the words he used.
 Mr. Bodwell:
 Q. What struck you at the time that Baker should interrupt?
 A. I came to the conclusion that what he said was correct; that he was there to organize and came for that purpose.
 Q. Why should he interrupt at that stage of the proceedings?
 A. There were likely to be expressions of opinion. There were quite a number of people in the hall who were not favourable to the organization at the time.
 Q. You knew that to be the fact?
 A. Yes.
 Q. After Baker said that some went out, you among the rest?
 A. Yes, I waited a couple of minutes and then went out.
 Q. Do you know, as a matter of fact, whether all the people who had expressed themselves as being opposed to the union went out?
 A. No, some of them did not go out.
 Q. Do you know why?
 A. I came to the conclusion that the men were afraid, when they saw the treatment I had received by being hissed and shouting to put me out, that they were afraid of expressing their opinion.

Significance of Organization being formed at this time.

In estimating the significance of the step taken in organizing these miners into a union, the known attitude of the Wellington Colliery Company towards unions among its employees, and the conditions of employment at the time cannot be too carefully considered. In their evidence before the Commission the miners made little or no complaint of the wages they had been earning at the time. Most of them, when questioned on the subject, testified that they were quite satisfied with the scale of remuneration, and admitted that, as compared with wages paid in other mines in the province and elsewhere in America, the

figures were most favourable. They all admitted that they knew that the company was hostile to the formation of any unions, and that they knew the formation of a union at Ladysmith only a month or two before was responsible for the fact that the men there were out of work. In fact, the explanation given by some of the witnesses to questions which were put to them would indicate that they were fully conscious that a dismissal of the persons elected to office in the union would be one of the first steps taken by the company after the organization was effected. This probability, for example, was cited as the reason for the selection for the most part of young men to the chief executive offices in the union. There was, moreover, not a single reason of importance given by any witness which would satisfactorily account for the formation of an organization under the existing circumstances and at this particular time. A desire for 'freedom of expression of opinion,' for 'individual liberty,' for 'freedom of liberty,' for the 'right to have an organization,' were put forward by the union officials as the reasons which prompted the formation of an organization. On the other hand, there was nothing adduced before the Commission which would point to any general desire on the part of the majority for organization, nor does there appear to have been any such desire. And it is clear that Baker and his coadjutors found the task of organization difficult to carry out. Had it been otherwise, the proceedings would hardly have been managed as it has just been shown that they were at the meeting on April 5.

Were the facts and circumstances surrounding the formation of the organization at Union at this time not of themselves sufficient to point to an evident design on the part of the Western Federation of Miners to bring about a common understanding and simultaneous action between the employees of the Wellington Colliery Company at Ladysmith and Union, no room for doubt would be left from the incidents and events which followed this organization, and which account for the strike at