

tion from Mr. Mottishaw that the men were anxious to organize at Ladysmith?

A. No, none by letter.

Q. I mean the statement by Mr. Mottishaw to you, that the men at Ladysmith wanted to organize?

A. It was commonly repeated by men passing to and fro from here to Ladysmith—that that was so.

Q. What did Mr. Mottishaw say about it to you?

A. Mr. Mottishaw simply repeated the statements made by other parties.

Q. Did he volunteer the statements, or did you ask some questions?

A. Mostly volunteered.

Q. What part was not volunteered, or what part was not brought out by you? Did he begin the conversation or did you?

A. He began the conversation.

Q. What did he say?

A. I am open to tell you exactly what he said. It will help my case. Mr. Mottishaw has been in the habit of coming into town. He has a house here. He said that the men were feeling disposed to be organized at Ladysmith.

Q. That is what he told you?

A. Yes, and other men prior to me.

Evidence given on previous Examination subsequently refuted.

On June 1 Shenton was recalled before the Commission, and shown the telegram of March 9, sent by him to Baker, and asked if he could explain it. His reply was that he guessed he could, but he would like to ask whether the Commission expected to make him responsible for everything connected with 'our consolidated organization.' On being told that the Commission had been appointed to find out all the facts, and that he was simply asked to explain the telegram, he asked if he might be allowed an adjournment until he had conferred with other men. Asked if there was anything in the matter, he had reason to be ashamed of, his reply was—'No, I don't think so. These things are connected between our union and the Federation, and I might be committing myself in regard to the secret and private affairs of our organization. If I have to give this I would like an adjournment until I can consult with the parties and confer with our lawyer in the matter.' On his undertaking to appear before the Commission at Vancouver on June 3, he was not questioned further at the time in regard to it. Questioned at Vancouver on June 3, in regard to this telegram, his reply was as follows:—

As near as I can remember that telegram for the calling on Mr. Baker was in connection with—was simply sent from Nanaimo as forwarded on from Ladysmith in connection, I think, with the organization of the miners at that town as a request. I believe this is the same telegram.

Q. Then the object of this telegram was to come and organize the miners at Ladysmith?

A. Yes.

Q. Why did you send it?

A. I think I am mistaken your Lordship; there are so many telegrams. I think I am substituting that telegram in the wrong place. That is the telegram that was sent rather—I remember now—that is the telegram that was sent—there were two sent—in connection with the possible trouble that we had in sight at our own place, and we wanted Mr. Baker there in connection with our own trouble, and I was requested to send for him immediately. That is the telegram.

Q. What trouble was in sight?

A. That was in connection with the local dispute that occurred there; in the month of February I think it was.

Q. When was that local dispute settled?

A. That was settled about the latter part of February.

Q. I think you must still be mistaken. Mr. Shenton, because this telegram is dated March 9, so it cannot have anything to do with that dispute?

A. Yes, your Lordship, but the matter was under way for three or four weeks pending.

Q. But you told us the dispute was settled the end of February, and here is the telegram sent on March 9, asking Mr. Baker to come immediately. You also say there is an urgent request for his presence?

A. Yes, it is in connection with the matter on hand then; it extended over a period of three or four weeks.

Q. But you tell us that particular trouble was settled at the end of February. I am reminding you that this telegram is dated on March 9, and the strike at Ladysmith took place on March 11. In view of that is not your first answer the correct one?

A. (No answer.)

Mr. Rowe:

Q. I think it must be, because Mr. Baker said he was called about the 10th of March; he said that in his evidence.

A. I am not able to recall. I am not clear. I am sorry.

His Lordship:

Q. Is it not clear that the object of the telegram was to request him to come and organize the men at Ladysmith—this telegram on the 9th of March, sent by you?

A. I cannot recall the matter clearly.

Q. It is the reasonable and obvious conclusion that that is the meaning of the telegram, is it not?

A. It seems so, although I thought—I know there was a second telegram urging Mr. Baker to come immediately in connection with our trouble. I have forgotten the date.

Mr. Rowe:

Q. Did he come?

A. Yes, he was at Nanaimo during the dispute, as speedily as he could be got there.

His Lordship:

Q. He answered on March 10 that he would leave Fernie for Nanaimo 'to-morrow morning'

and he himself says in his evidence that he was sent to organize. I suppose there is no difficulty in coming to the conclusion that this is the telegram?

A. Yes, I guess it must be. I cannot just recall all the telegrams. We had our own trouble somewhere about that time.

Q. Who requested you to send this telegram?

A. The request of Ladysmith.

Q. Who at Ladysmith requested you?

A. I think it was Mr. Mottishaw, if I am not mistaken.

Q. Why should they not have sent the telegram direct instead of through you?

A. Well, I don't know that they have any telegraph office at Ladysmith.

Q. Yes, there is a telegraph office at Ladysmith?

A. Yes, that is right; I don't know why they did that.

Q. Who paid for this telegram?

A. The Ladysmith—Mr. Mottishaw.

Q. They paid for it?

A. Yes.

Q. Did not you pay for it at the Nanaimo office?

A. Not that I am aware of.

Q. How did you get the telegram from Ladysmith? How were you instructed to send this telegram—by letter?

A. If my memory serves me right, Mr. Mottishaw came into town on the day.

Q. Why did not you ask him to send it himself?

A. Well, usually, as men knowing each other, we will help each other in that regard. He simply asked me to send it for him.

Q. If that is the case, why should you ask Baker to come to Nanaimo, rather than Ladysmith?

A. I cannot see that there was any special reason why, Mr. Hunter.

Q. Is it not the obvious inference that it was intended to discuss the matter before proceeding to Ladysmith?

A. No, I think not. The only connection I have with that circumstance is the fact of my being called on, and that was to suit his convenience in regard to sending that telegram; that is all.

Q. And you say it is a wrong inference to suppose that Mr. Baker should have a discussion with you and other Nanaimo leaders before he proceeded to Ladysmith? Is that correct or wrong?

A. I think that is correct simply from the fact, as I have stated previously in my evidence, that we always tried to keep out of the matter because the Ladysmith men, or Dunsmuir's employees, had been feeling a little sore with Nanaimo having anything to do with the matter, and we tried to keep out of it as much as possible.

Q. If that is the case, why did not you tell Mottishaw to send the telegram himself?

A. In the first place he is a very poor writer; it was only a matter of convenience.

Q. But you could have signed Mottishaw's name to the telegram?

A. Yes, I could have; I cannot just say now why I signed my own name. I am willing to confess my name was signed.

Q. I don't see why you make so much mystery over the matter, Mr. Shenton. You would naturally like to see a union at Ladysmith, as a union man?

A. Yes.

and he himself says in his evidence that he was sent to organize. I suppose there is no difficulty in coming to the conclusion that this is the telegram?

A. Yes, I guess it must be. I cannot just recall all the telegrams. We had our own trouble somewhere about that time.

Q. Who requested you to send this telegram?

A. The request of Ladysmith.

Q. Who at Ladysmith requested you?

A. I think it was Mr. Mottishaw, if I am not mistaken.

Q. Why should they not have sent the telegram direct instead of through you?

A. Well, I don't know that they have any telegraph office at Ladysmith.

Q. Yes, there is a telegraph office at Ladysmith?

A. Yes, that is right; I don't know why they did that.

Q. Who paid for this telegram?

A. The Ladysmith—Mr. Mottishaw.

Q. They paid for it?

A. Yes.

Q. Did not you pay for it at the Nanaimo office?

A. Not that I am aware of.

Q. How did you get the telegram from Ladysmith? How were you instructed to send this telegram—by letter?

A. If my memory serves me right, Mr. Mottishaw came into town on the day.

Q. Why did not you ask him to send it himself?

A. Well, usually, as men knowing each other, we will help each other in that regard. He simply asked me to send it for him.

Q. If that is the case, why should you ask Baker to come to Nanaimo, rather than Ladysmith?

A. I cannot see that there was any special reason why, Mr. Hunter.

Q. Is it not the obvious inference that it was intended to discuss the matter before proceeding to Ladysmith?

A. No, I think not. The only connection I have with that circumstance is the fact of my being called on, and that was to suit his convenience in regard to sending that telegram; that is all.

Q. And you say it is a wrong inference to suppose that Mr. Baker should have a discussion with you and other Nanaimo leaders before he proceeded to Ladysmith? Is that correct or wrong?

A. I think that is correct simply from the fact, as I have stated previously in my evidence, that we always tried to keep out of the matter because the Ladysmith men, or Dunsmuir's employees, had been feeling a little sore with Nanaimo having anything to do with the matter, and we tried to keep out of it as much as possible.

Q. If that is the case, why did not you tell Mottishaw to send the telegram himself?

A. In the first place he is a very poor writer; it was only a matter of convenience.

Q. But you could have signed Mottishaw's name to the telegram?

A. Yes, I could have; I cannot just say now why I signed my own name. I am willing to confess my name was signed.

Q. I don't see why you make so much mystery over the matter, Mr. Shenton. You would naturally like to see a union at Ladysmith, as a union man?

A. Yes.

Q. And you would naturally do all you could with Mr. Baker to suggest the best way of doing it, would you not?

A. Well, that was not the reason why he was sent for to come to Nanaimo.

Q. What was the reason why he was asked to come to Nanaimo?

A. As I have said, I don't know that there was any special reason that I could give.

Q. Then you don't want us to infer that it was the intention that you and he should have a talk over the matter before he proceeded to Ladysmith?

A. No, I don't.

Q. Yet it is the obvious inference, is it not? Is that not so?

A. Well, it may appear to be so, but at the time, as far as my knowledge goes, that was not so.

Q. Why was he to come immediately to Nanaimo? What was the urgency?

A. Well, of course that meant immediately to Ladysmith, I guess.

Q. What was the urgency?

A. The only urgency that I know is that the men had stated they wanted to organize at Ladysmith, and they wanted him there to organize them.

Q. Now, did Mr. Baker show you a telegram which he sent to Moyer, asking Moyer to come to Nanaimo?

A. Yes, I believe I have seen the telegram.*

Q. So that Mr. Baker and you were discussing this matter together evidently?

A. Well, at times of course, naturally so. Mr. Baker and myself talked the matter over; that was only natural.

Mr. Rowe:

Q. Did you see Mr. Baker before he went to Ladysmith, when he came to Nanaimo?

A. If I did see him it was just on matters of his business there. I don't remember having any conversation with him at all when he came to Nanaimo.

Q. He would naturally want to know why you sent for him?

A. Of course the Ladysmith men—that is, Mr. Mottishaw—knew he was coming and the time he would be there, and we waited and received him there, to conduct him down to Ladysmith.

His Lordship:

Q. Did Baker show you a telegram dated March 14, in which Moyer tells him he has full power to act for the Federation?

A. Yes, I think I have seen that.

Q. So that there is no doubt that Mr. Baker and you were consulting frequently about the organization of these men at Ladysmith, and about the strike generally?

A. Mr. Baker often came to me with either letters, communications or telegrams from Moyer, and would read them to me.

Q. And Baker was taking advice from you as to how to conduct the affair?

A. Not that I am aware of.

Q. He would naturally take advice from somebody on the subject?

A. I don't know as to advice; we simply talked over the matter.

*This telegram was in cipher. Elsewhere in his evidence, when informed of this fact, Shenton denied having seen the telegram, and said that Baker had 'informed me regarding the matter.'