

nimity by the seventeen members. The report was drawn up in no merely local and temporizing spirit. It deals with the great struggle between capital and labour in a spirit broad enough to make the following conclusions everywhere applicable.

CONCILIATION THE GREAT REMEDY.

"No better method of dispersing the mists that surround a controversy of the sort under our consideration can be found than a friendly conference. A very large experience has shown that the difficulty is often cleared up in this way, and reduced to such dimensions as admit of a fairly satisfactory settlement. It is this experience which leads to the conclusion that the very first thing to be done in order to permit of the settlement of a labour dispute is to try the effect of conciliation.

"And in using this term 'conciliation' for the first time in this report, it is convenient to remark here that the terms conciliation and arbitration are often employed somewhat vaguely as if they were interchangeable, and yet they really represent two distinct things. The function of any conciliation agency is to get the parties to a dispute to come to a common agreement voluntarily, without any opinion being pronounced on the merits or any instructions given. The function of arbitration is distinctly to determine the merits and to give a positive decision to be abided by. If the declaration of such a decision can be avoided it is well that it should be, because decisions are generally more or less adverse to both parties, for even splitting the difference is an equal censure upon both. But conciliation, if it is a success, allows of a friendly settlement on a mutual agreement, and leaves no opening for discrediting the understanding or the impartiality of the arbitrators."

THERE SHOULD BE A STATE BOARD.

"The great weight of the testimony is distinctively to the effect that the existence of a State Board of Conciliation would have a wholesome and moderating effect. Such an

institution, clothed with the authority of the State, would stand before the public as a mediatory influence always and immediately available, and public opinion would be adverse to those who, except for very good cause shown, refused to avail themselves of its good offices."

ARBITRATION WHEN CONCILIATION FAILS.

"When conciliation has failed, then is the time for arbitration to begin. . . . In the immense majority of cases, both in France and England, the decisions given have been reasonably equitable. It is a demonstrated fact that decisions can be given as to industrial disputes which practically solve the immediate difficulty."

A SINGLE BOARD FOR BOTH FUNCTIONS.

The commissioners came to the conclusion that there should be only one board, "but that board should be empowered in some form to discharge, as occasion may require, the double duty of conciliation and arbitration. That is to say, that its first effort should be toward bringing about a voluntary agreement between the parties, and failing that, that the board or the permanent part of it, should discharge the duty of adjudication and pronounce a decision.

"Private conferences—private efforts at conciliation—may fittingly take place in any or every trade, but the advantage of a State board is that it is there, always in existence, to deal with any case that has proved too obstinate for private settlement."

ARBITRATION COMPULSORY UPON THE DEMAND OF ONE PARTY.

"No quarrel should be allowed to fester if either party were willing to accept a settlement by the State Tribunal. Industrial quarrels cannot continue without the risk of their growing to dangerous dimensions, and the State has a right in the public interest to call upon all who are protected by the laws to conform to any provision the law may establish for settling quarrels dangerous to the public peace."