cognize the possibilities of disputes, and make it a rule periodically to appoint some person or persons on each side to form a permanent conciliation committee to consider any differences that cannot otherwise be settled to the satisfaction of both parties. These persons could, in the event of failure to agree, if both employer and workmen assented, be converted into a board of arbitration by the appointment of an umpire; or a board of arbitration could be constituted of other persons altogether, and the conciliators on each side could present the case to the arbitrators.

Compulsory Investigation.

Compulsory investigation may also sometimes be employed with advantage. We have no doubt that the present investigation was a large factor in hurrying the railway strike to an end, and we believe that a method providing an expeditious mode of compulsory investigation by persons to be nominated by the parties and an umpire would satisfactorily dispose of a good many labour disputes.

Compulsory Arbitration.

The weight of opinion as expressed before the Commission was against compulsory arbitration, and while we do not think that a law applying this method of settling disputes to industries generally would meet with general approval, there are special cases in which it would seem to be the necessary final resort.

It does not need any argument to show that public service undertakings, such as railways, telegraphs, telephones, steamships, the supplying of power, water and light, and particular industries, such as coal mining, must be carried on without interruption if the whole industrial business of the community is not to be seriously damaged or ruined.

No gain that can possibly accrue to either of the parties in this class of case by means of a strike or lock-out can possibly be commensurate with the loss inflicted upon the general public, which may easily cause, in some instances, the total extinction of a particular industry, or its transfer to another district or country. We therefore think that, notwithstanding the objections that can be raised to compulsory arbitration, this mode of settling disputes ought to be resorted to in this class of case whenever the strike or lock-out has reached such dimensions as to seriously affect the public, and when all other means have been exhausted or would appear to be of no avail.

We would, therefore, suggest that the Governor in Council be armed with authority in the cases mentioned to notify the parties by proclamation that unless the dispute is settled by a day to be fixed, it will be referred to the court which shall have power to summarily investigate and try the same, and give a decision and award which shall be binding for a period not to exceed one year. This jurisdiction should not be open to be invoked by either party, and should only be exercised by the Governor in Council whenever it shall appear that the strike or lock-out has reached, or is likely to reach such dimensions, or has lasted, or is likely to last so long as to seriously affect the general welfare of the public; in short, the only ground on which the jurisdiction should be exercised is that of public necessity. Had the recent coal strikes in Kootenay lasted another two weeks there is no doubt that 75 per cent of the mining and smelting industries of the province would have had to close down and several thousand men would have been thrown out of employment. Such a crisis would be impossible under the proposed law.

When the trouble exists in more than one province, the court referred to should be the Exchequer Court of Canada, as its jurisdiction and process is binding over the whole of Canada, but all judges of the highest Provincial Courts of First Instance should be made *ex officio* judges of the Exchequer Court for this purpose. The reference should be made to the court, and not to any particular judge, and on receipt of the order of reference the Registrar of the Supreme Court or other highest Court of First Instance in the province should determine the

judge by lot, and in this way the parties would not be able to speculate on the personality of the judge who would try the dispute. We think that such an enactment would have a legitimate coercive influence on the parties, and that the proclamation would generally be productive of a settlement without the necessity for a reference. From and after the day fixed, the continuance of the strike or lock-out should be made unlawful.

Labour Leaders.

The testimony shows that it is of the utmost consequence to the workmen themselves that they exercise extreme caution in their decision to join any given organization. There can be no doubt that the designs and aims of the organizations, which we have suggested should be declared illegal, were to a large extent concealed from the men by their leaders. Workmen ought not, in their own interests, to leave themselves open to the charge that they are, as some employers claim 'slaves of the union,' and yet the evidence shows that it would not be a wholly incorrect description of the position of those who were engaged in the strikes in question. If workmen are not careful in the selection of their leaders, if they do not choose straightforward and fair-minded men as the officers of their organizations, the case for recognition is hopeless. Looking at the evasive and equivocating way in which the testimony of some of the leaders was given, and at the extraordinary trouble that was taken by them to keep their followers in the dark as to their real designs, it would be a miracle if any organization led by such men could ever maintain peaceful relations with any employer, no matter how friendly he was disposed to be, or how far he might go in his concessions. If the experience of the business world should unhappily demonstrate that unionism is symbolical of tyranny and treachery, the position of the workmen will become hard indeed, unless some other institution is devised which will better maintain the equilibrium which ought to exist between them and their employers. A special obligation is therefore placed upon the upholders and leaders of unionism to see to it that it is not overwhelmed with that just scorn and opprobrium which is certain to happen unless it is animated by the dictates of justice and reason. No institution which habitually violates the fundamental rules of right and wrong can last long in any civilized society.

That the workmen should be careful in the selection of their leaders is also shown by the fact that in at least two or three instances their purchasability was proved beyond doubt. The man who was the chief organizer for Canada of the United Brotherhood of Railway Employees is shown to have betrayed the secrets of the union to the employers for hire, at the very time that he was being paid by the union for bringing in new members, and while he was administering the oath which binds to secrecy. The evidence is also clear that paid hirelings of the railway company worked their way into the union, took a leading part in its deliberations, initiated new members, and duly reported all that took place to their master.

It is obvious from these facts that it is not beyond the bounds of possibility that the legitimate desire of a body of workingmen to establish a proper union may be used as a means to forward illegal and unworthy ends by plausible leaders who are in the pay of foreign capitalists, and that a union may be persuaded into a strike by unprincipled men for no other purpose than to cripple or destroy a Canadian industry for the benefit of its rivals. It was further shown that the United Brotherhood pursued just as reprehensible tactics as the company, inasmuch as private telegrams between officials of the company were disclosed to the union, arrangements made with an employee of a foreign telegraph company to reveal information, copies of confidential documents abstracted, waste paper baskets ransacked, and the house of the local superintendent watched, and all with the express approval and encouragement of the president of the Brotherhood.