

Andrews and Beaven; third, companies and bodies which do not undertake the manufacture and repair of any description of metal work for the public, but which use machinery in the course of their businesses, such as the Meat-freezing Company, &c., or in the discharge of their duties, such as the Christchurch Drainage Board, and which necessarily employ engineers for the purpose of working, tending, and repairing such machinery. The union does not claim to affect the wages or employment of all persons employed by the employers in their businesses, but those only of the workmen defined as journeymen fitters, turners, brass-finishers, copper-smiths, millwrights, milling-machinemen, blacksmiths, patternmakers, borers, planers, slotters, and other machinemen. Each class of employers necessarily employs a large number of other workmen. The engineers and ironfounders employ a large number of moulders and boiler-makers. The agricultural machinery and implement manufacturers employ large numbers of moulders, carpenters, painters, and other persons, while the freezing and other companies employ scores of persons in different capacities. None of these persons are directly brought into the present dispute; but, in considering the question whether the state of the trade is such as to warrant the payment of increased wages and the granting of additional privileges to persons of the occupations directly affected, it is necessary to take into consideration the manner in which the business of the employers and the welfare of the men themselves would be thereby affected.

It is not suggested on the part of the union that the wages of fitters, turners, &c., are disproportionately low, as compared with the wages of moulders, boiler-makers, carpenters, painters, &c., and, if the increased wages and additional privileges now claimed for turners, fitters, &c., were granted, there can be no doubt that this would be at once followed, so far as the first two classes of employes are concerned, by claims on the part of the moulders, boiler-makers, painters, and carpenters for corresponding increases in their wages and for similar privileges. And there can be no doubt that such claims would stand upon a basis as firm as the claims now made, and that if such claims were conceded similar claims by the other classes of workmen employed in the same business could not be fairly and logically rejected.

It appears that there are, in the district affected by this dispute, some 151 workmen of the classes directly affected by the dispute. In Timaru and the Canterbury District generally there are, in addition, some twenty-seven of such workmen, and throughout the Canterbury District some 229 country smiths, making a total of 256. In the Addington Railway Workshops there are employed 115 men of the classes directly affected by the dispute; but the Court has no jurisdiction with regard to these men.

There are, it seems, seventy members of the union, of whom thirty-five are employed in the Addington Railway Workshops, and four are not now resident in the district. In the consideration of the question as to whether or not the union is really representative of the men employed in the trades sought to be affected, these thirty-nine men must be deducted from the strength of the union, leaving that strength at thirty-one. The evidence of the secretary of the union shows that of these thirty-one only some seventeen or eighteen are employed in the shops sought to be affected by this dispute; and it appears to me that it is really only these seventeen or eighteen men who can claim to be representative of their fellow-workmen in the matter. If this is the standpoint from which the matter should be viewed, the union demand is the demand of seventeen or eighteen men out of 151 to enforce their views upon the whole body. If, however, the whole of the members of the union (excluding only those employed in the Addington Workshops and those not resident in the district, neither of whom are in any way interested in the dispute) should be taken into account in considering whether the union is really representative of the workmen directly affected by this dispute, we still have the result that some thirty-one men claim to impose their will, with very special advantages to themselves, upon the total number of 151. It is plain, therefore, that the union cannot be said to represent the turners, fitters, &c., in the district, so as to make the voice of the union, in any respect, the voice of the men employed in these trades. There are, moreover, other facts apart from the mere numbers which show conclusively that the union cannot be regarded as being representative of the men employed in these trades.

It is not disputed on the part of the union that there are a large number of men employed in the district as fitters, turners, &c., who are not capable of earning the minimum wage proposed by the union, or the standard wage now prevailing in the district for skilled workmen. These workmen are not only debarred from becoming members of the union under its rules, but they would, under the scheme proposed by the union, be debarred from working in the trades in which they are at present employed. This is especially the case with regard to the men employed in the agricultural machinery and implement shops, in which (as is admitted by all the parties) so high a degree of skill is not required as in general engineering shops. That the persons employed in some, at least, of the agricultural-machinery shops are alive to the difficulty of the position is shown by the memorial presented to this Court, signed by sixty-six out of seventy-two men employed by Messrs. Booth, Macdonald, and Co. (including the whole of the men directly affected by this dispute), protesting against that shop being brought into the dispute. As to this memorial, the evidence satisfies me that it does fairly represent the feelings of the men who signed it, and that no pressure was brought to bear upon them to do so.

The evidence satisfies me that there is at present sufficient employment at the present rates of wages for all the men employed in the trade, and that thoroughly skilled and steady men can now earn the minimum rate of wages provided for in the scheme of the union. If that scheme were adopted, it is to be observed that, whatever might be the consequent disorganization of the trades involved, the members of the union would run no risk of want of employment, for they would have the double protection of being highly skilled workmen, as shown by their now being able to earn the highest current rate of wages, which is a condition precedent to their being members of the union, and the right to employment in preference to non-unionists, which is one of the planks of their scheme. I am unable, therefore, to look upon the union as representing the workmen employed in the trades sought to be directly affected, or the majority of such workmen; but, on the contrary, I am compelled to the conclusion that the scheme of the union is in some important respects inimical to the interests of the majority of the workmen. Further, as has already been pointed out, the welfare of a very large number of other workmen is immediately, though not directly, involved in the dispute. It is said that the Government returns show that the number of men so indirectly concerned is 1,630. It is plain that it must be a very large number.

The claims put forward by the union must, however, be examined upon their merits, because, though these claims can only be looked upon as the claims of a small section of the trade, they may still be just and fair, and such as should be acceded. The first of these claims is a claim to limit the hours of work to forty-four hours in the week. If this were a claim put forward by the whole or a substantial majority of the workmen I should think that it is one which it would be reasonable to concede. The result would probably be that the employers would have to employ a little extra labour, and the earnings of the workmen could be correspondingly reduced. It appears, however, that in most of the large shops the hours have heretofore been fixed by agreement between the employers and the workmen. There is no evidence to justify me in coming to the conclusion that there is any real hardship in working forty-eight hours per week, or that the workmen, or even a substantial number of them, desire any alteration in this respect. Without evidence as to the desire of the workmen in the matter, I do not think that an alteration should be made, which appears to be purely arbitrary, and which would involve a reduction in the weekly earnings of the workmen.

The next claim is for a minimum rate of wages, which is fixed at 10s. per day of eight hours for journeymen fitters, turners, brass-finishers, copper-smiths, millwrights, milling-machinemen, and blacksmiths; 11s. per day for patternmakers; and 9s. per day for borers, planers, slotters, and other machinemen. There is a further provision that men receiving over 9s. per day at present shall receive 10 per cent. advance on current rates. The principle on which this last advance is asked is not clear. As I have already remarked, the evidence satisfies me that thoroughly skilled and steady workmen can earn the minimum wage demanded, and this advance of 10 per cent. appears to be suggestive of an inducement to such men to join in the union claims, from which otherwise they would derive no advantage. The evidence satisfies me, however, that the proposed minimum rate of wages is the maximum which, in the present state of the trade, a skilled workman can earn, leaving a profit to his employer, and that it is impossible to establish that maximum as a minimum without throwing a large number of steady and deserving men out of employment. It was not disputed on the part of the union that if the advances demanded were con-