

members of the union on any proposal to strike. Similar provisions already exist in the case of certain unions and dealing with other matters, to the effect that if ten or twelve members demand a secret ballot on any proposal coming before the union a secret ballot must be taken. If that were done—and it can be made to be done under the rules of the unions and by law—I think it would get over the secret-ballot difficulty. It would be better than arbitrary Government interference with trades-union management.

2. *Hon. Mr. Millar.*] Do I understand you to say that you believe that the majority of unionist officials will carry out the will of the majority of members?—Yes.

3. I agree with you that every union should have a rule that it should be compulsory to have a secret ballot before striking, and I think that would meet the whole difficulty?—Yes, I think so—a single clause to that effect, to be made compulsory in all unions' rules.

4. *Mr. Okey.*] Do I understand you to say that it is feasible to have a secret ballot before a strike?—It is feasible, and it is wise too, even though the decision of the ballot is to go on strike, because the men would have a stronger backing, and the executive would know the quiet, calm judgment of the members of the union.

5. Do you think that after a ballot those who are against it would cease to try to intimidate the others?—I think that, even though trades-unions were compelled to have a clause in their rules that a secret ballot should be taken before striking, the feelings of the men could be played on by a section of the union, and the rule could be ignored; but I think it would have a steady-ing effect. I desire to prevent strikes, but penalties will not prevent men from striking.

6. The point I want to get at is this: if a secret ballot were taken would that in your opinion stop strikes?—No, but it would go a long way to prevent precipitate action.

7. You think it does not matter what you do, you cannot compel a man to work if he does not want to?—I do. In a country like New Zealand, where the policy for so long has been to enact penal clauses for unions that go on strike, frequent strikes have occurred. What a worker has the right to do as an individual he should have the right to do collectively. The corollary should be that any man who wants to go to work should be given protection at work. That is the stand we take up.

8. You are in favour of arbitration?—Yes. I think if the Commission we suggest were set up such an Act could be framed that would make those people who are now opposed to arbitration rush in and register under the Act.

9. I understand you are not in favour of the present constitution of the Court. Do you think that a Judge of the Supreme Court and a representative of the employers and a representative of the employees is a proper Court to decide all questions?—It is a question of experiment. Personally I believe that a Judge of the Supreme Court, if you get the right man, is the best man for the position. The ideal president of the Arbitration Court would be a man who is a sociologist, who keeps in touch with the times, who mixes with men, a man of affairs, a man who can act fairly between workers and employers. Unfortunately it happens that our Judge is right out of touch with the mind of the public on these things.

10. Do you think that if the body—call it a Court, Commission, or Council—the final body to decide all disputes—do you think that if that body gave a decision adverse to the workers they would be satisfied with that decision?—No. They might suffer it, but they would not be satisfied.

11. Do you think that there is any means of settling these matters?—Yes. This is the proof that there is a means: there have been probably a dozen compulsory conferences called by Mr. Justice Higgins, President of the Federal Arbitration Court, at the inception or threatening of many big disputes. In every case, including such big cases as the seamen's and the shearers' troubles, the dispute has been settled by the decision of the Court, and there has never been a strike afterwards.

12. Would you suggest something similar to that?—Yes, I would suggest, even in these present disputes now, the better way would be to legislate compelling the parties to go into conference, with somebody as chairman to decide.

13. Take the present case: if the Government called a compulsory conference, and supposing it were possible that the men agreed to it, and if then the Government appointed some Judge of the Supreme Court to give his decision, and if that decision were against the workers, do you think the workers would go to work?—Yes, most likely.

14. Most likely, but not certain?—Yes, most likely. They are going to work now, and they have got no fixed conditions.

15. You think, then, it is possible to devise a scheme to settle disputes?—I say that in this period of industrial development and advancement it is a travesty on our boasted progress that there should be such a condition of affairs existing in New Zealand, and personally I blame the President of the Arbitration Court for most of it.

16. Do you think that it is possible to devise a Court or Council, or such a body as will give satisfaction to both parties?—No, but it is possible to devise a tribunal—Parliament itself should be the tribunal—which will give satisfaction to the majority of the people of the country.

17. *Mr. Anderson.*] Take the case of a union outside the industrial agreement: in your opinion should they have in their rules, before they register under the Trades-union Act, a provision for a secret ballot?—Yes.

18. If it is outside the Industrial Courts what means would you suggest there should be for settling a dispute, presumably agreed upon by a secret ballot?—There should be a tribunal appointed, which tribunal the public, at all events, would feel would give its decision in equity and good conscience, and with a sense of what is fair and reasonable between the parties.

19. How would you select that tribunal?—In the present case I would suggest a tribunal consisting of representatives of both parties, with some public man to have a deciding voice—