

BIG HIT

## HAYDEN - GIBSON THEATRE

BIG HIT

FRIDAY, JAN. 31st, 1913

A THEATRICAL TRIUMPH GUARANTEED IDENTICAL NEW YORK CAST and PRODUCTION. A HIT EVERYWHERE.

HEAR FRECKLES SING

A. G. DELAMATER Offers a Beautiful Scenic Production of the SONG PLAY

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Every Denomination.



FRECKLES



It Was a Sensation as a  
Story—It Is of More  
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the Dramatist Has Incorporated  
Every One of the  
Famous Characters.

BY GENE STRATTON-PORTER

Dramatized by Neil Twomey

Author of Girl of The Limberlost, The Harvester, Etc.

Music by Anatol Friedland

See Freckles and The Angel

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See Freckles Friends

## STRIKE OF THE CANADIAN PACIFIC RAILWAY EMPLOYEES: F. B. CARVELL TURNS THE SEARCHLIGHT ON MINISTER OF LABOR

(Continued from first page)  
I am also informed that the company claims there is some dispute between the men and the company as to recognition of the rights of the union. By the provisions of Chapter 20 of the Acts of this House of 1907, known as the Industrial Disputes Act, with which practically all the members of the House are familiar, there is a statement of law which in my judgment the Minister of Labour has disregarded; that is the point to which I wish to direct his attention just for a few minutes. I will read section 15 of that Act, and not give any interpretation of it. Section 15 is as follows:

For the purpose of determining the manner in which, and the persons by whom, an application for the appointment of a board is to be made, the following provisions shall apply:—

1. The application shall be made in writing in the prescribed form, and shall be in substance a request to the minister to appoint a board to which the existing dispute may be referred under the provisions of this Act.

2. The application shall be accompanied by—

(a) A statement setting forth—  
(1) the parties to the dispute;  
(2) the nature and cause of the dispute, including any claims or demands made by either party upon the other, to which exception is taken;

(3) an approximate estimate of the number of persons affected or likely to be affected by the dispute;

(4) the efforts made by the parties themselves to adjust the dispute; and

(b) A statutory declaration setting forth that, failing an adjustment of the dispute or a reference thereof by the minister to a Board of Conciliation and Investigation under the Act, to the best of the knowledge and belief of the declarant, a lock-out or strike, as the case may be, will be declared, and that the necessary authority to declare such lock-out or strike has been obtained.

3. The application may mention the name of a person who is willing and ready to act as a member of the board representing the party or parties making the application.

I am informed from what I read in the newspapers, and I do not think the minister will deny the fact, that an application, complying in every particular with the requirements of section 15 of the Act, was presented, not to him but to his predecessor in office, just before the latter

retired from the position of Minister of Labour some time in the month of September, 1911; the application set forth certain disputes between the Brotherhood of Canadian Railway Employees and the Canadian Pacific Railway Company, giving all the particulars required by the Act, and substantiated by a formal declaration of one of the responsible officials that if the Government did not grant the board, the men would go on strike. This application was made in the month of September, 1911, and was left over for the present Minister of Labour to decide. Some time in the month of January, 1912, we are told that the present Minister of Labour refused the board, perhaps not in words, but in effect, by saying to the men that the company claimed that the man, about whom the trouble had arisen had not been dismissed because he was a member of the brotherhood, and that the company had good reasons for dismissing the man from the position which he held. The matter was allowed to go on, and nothing was done. In the month of June, 1912, a second application was made by the brotherhood, substantiated by all the necessary data and affidavits required by section 15 of the Act, the same as in the first case. On this occasion, according to the statements of the men, the Minister of Labour suggested that they should send a couple of delegates down to Montreal to wait upon the officials of the company and see if an understanding could not be arrived at. I do not think any person can find fault with the minister if he took that course, as it certainly would be better to have an amicable arrangement between the men and the company than to resort to a board. The men went down to Montreal, and they say that the minister told them positively that their delegates would be protected. Whether that is true or not, I presume the minister will tell us. The two men, however, who went down, lost their positions; whether because of their temerity to go up against the Canadian Pacific and demand their rights, or whether for some good cause, I do not know. The board was not granted; and so far as we are able to learn no reasons were given by the minister for his refusal to grant the board. About the first day of October, 1912, a third application was made by the brotherhood, supported by all the necessary data and affidavits, exactly the same as in the other two cases. As I said before, I understand there were two grounds of dispute. One was the matter of wages; the other was recognition of the brotherhood and certain rights which they claimed, certain rules which they wished adopted. This, bear in mind, was presented to the minister on or about the first day of October. As I construe the law, the Minister has not any discretion in the matter; he might possibly refer this to what is called the Conciliation and Labour Act, an Act passed some years before the Industrial Disputes Act was passed, in so far as it referred to railway employees; but he did not do it, and unless he does it or unless he takes some means of divesting himself of the duty of acting under this Act; then I say under section 6 of the Act he is compelled, if he respects the authority conferred upon him by the statute, to grant the board and go on and carry out the law as it is provided. Section 6 is as follows: "Whenever, under this Act, an application is made in due form for the appointment of a Board of Conciliation and Investigation, and such application does not relate to a dispute which is the subject of a reference under the provisions concerning railway disputes in the Conciliation and Labour Act, the minister, whose decision for such purpose shall be final, shall, within fifteen days from the date at which the application is received, establish such board under his hand and seal of office, if satisfied that the provisions of this Act apply."

The minister has never denied that the provisions of this Act apply. The application was presented to him on or about the first day of October, 1912, substantially complying with all the requirements of section 15 of the Act. The minister did not within fifteen days establish that board under his hand and seal of office; he has been deliberately putting those men off for a year, and not giving them the rights which they should have under the law. In the statements they furnished the minister on all of those three occasions, they stated to the minister that if he did not give them the board, they would strike. Now let us see what that means. Under section 56 of the Act, no employee of a company has the right to strike until he has applied for a board and the board has been granted; and if he does strike before the board is granted, or before the recommendation has been made, he is liable to a penalty fixed by section 59. The minister knows that these men threatened to strike. He knows that if they had struck before a board was granted, or during the

consideration of the application, they would have committed a criminal act. And yet, for a whole year, under a threat of striking, under the real necessity of striking, the minister refuses this board, and refuses to give these men a chance to have their grievances heard in the manner provided for by law. That is the branch of the case to which I particularly direct the attention of the minister.

We find that no action was taken by the minister for nearly a month and a half—not, in fact, until Parliament met. On the very day when it looked as if there might be a good-sized row in the country, the minister finally capitulated. I am told he went to the men and said he would give them a partial board, only so far as relates to the Ottawa district. The men refused. And finally, he granted what the newspapers called a "partial board" of investigation. What that means, I do not know. But we know that an investigation was held by the board appointed by the minister; and, if we can believe the reports of the newspapers, the board practically sustained the men in every proposition;—in the proposition that they were entitled to recognition; that their rules and regulations were entitled to be accepted by the company; that they were entitled to an increase of pay—I think the amount was left in abeyance to be decided between the company and the men. And not only that, but the men were to be taken back in their old positions and given pay from the time they struck. That decision was made, I believe, about the middle of December. A month and a half has gone by, and we know that the men have not been taken back, because they are still walking the streets doing nothing; and, so far as we know, no attempt has been made by the minister to induce the company to take the men back. It may be that the minister can give us information upon that subject. But I have a suspicion that if the Minister of Labour was as anxious to force the Canadian Pacific railway to take back these men as he was to force the Grand Trunk railway to take men back—and agreed to hold up legislation unless they did it—there would be no difficulty in having the men restored to their positions. The position of the minister is remarkable, when you compare his conduct in this case with that in the case of the men who struck on the Grand Trunk railway.

Mr. GRAHAM: They blamed the Ministers of Railways of that time. Mr. CARVELL: They blamed everybody. But now, we blame the Minister of Labour. And we do not intend to get away from that point. I arraign the Minister of Labour, and no other man. I believe that if he had exercised the influence with the Canadian Pacific Railway Company which he possesses, and which his Government possesses, this strike would never have occurred; or, even though it had occurred, the company carry out the recommendations of the board. It seems to me that it is a most remarkable position in which the minister finds himself. It is in contravention of the express provision of the laws of this country, and is an injustice to hundreds and hundreds of hard working men all over the Dominion. I think it is going to take some explaining on the part of the minister to convince these labouring men that they have been treated as fairly as the law of this country demands they should be treated; and it is going to take a good deal of explanation to convince not only the labouring men but the public at large that the great Canadian Pacific Railway Company has not a little more control over the Minister of Labour than it is in the interests of the labouring people of this country it should have.

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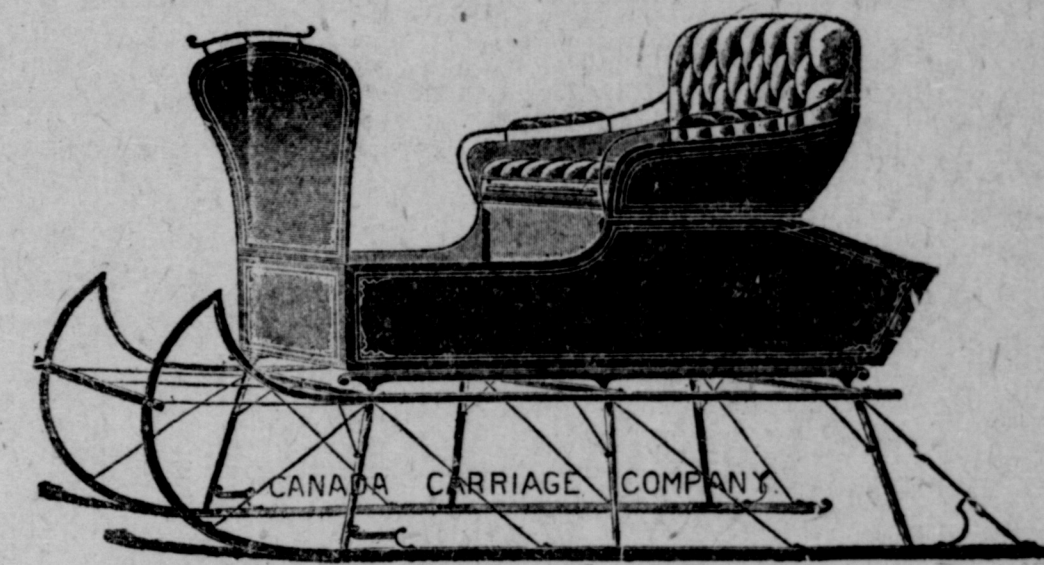
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