

1890.  
NEW ZEALAND.

# RAILWAY EMPLOYÉS

(LETTER FROM THE RAILWAY COMMISSIONERS REGARDING THE DISMISSAL OF FOUR).

*Laid on the Table by the Hon. Mr. Mitchelson, with the Leave of the House.*

## MEMORANDUM by the RAILWAY COMMISSIONERS.

The Hon. the Acting Premier.

IN reply to your request for an explanation regarding the dismissal of four railway employés at Christchurch, we have the honour to report as follows:—

The four men are Messrs. Owen, Winter, Elvines, and Newton, who were members of the Executive Committee of the Amalgamated Society of Railway Servants, a deputation from which waited on the Commissioners in June last, in Wellington; the interviews with whom are recorded in Parliamentary Paper D.-4 of this session.

The deputation gave an expression of loyalty to the service, through the president, who said: "The Executive . . . counsel obedience to superiors, strict attention to duty, and an honest performance of work."

By letter from the secretary of the society, dated the 28th August, 1890, the Commissioners received the following assurance:—

"This executive does not wish the Commissioners to be under the impression that the society upholds employés who may be guilty of insubordination."

And on the 28th August we received also the following telegram:—

"Informed loco. foreman, Wellington, asking men whether they will strike. Trust report false. No strike anticipated railway-men.—W. J. EDWARDS."

On the 29th August nearly the whole staff on the Westport railway refused to do duty in connection with the running and discharging of coal-trucks at the railway-staiths.

On the 2nd September a number of traffic and permanent-way men at Lyttelton declined duty in connection with handling goods.

The Commissioners, believing the assurances of the society, at first thought that the action of the employés in striking was due to excitement and external pressure. The men at Lyttelton, however, stated that they had been "called out" by "the executive;" and on receipt of mails from Westport we found also the following order had been issued there:—

"Westport, 30th August, 1890.

"SIR,—I have the honour to inform you, by instructions from the executive of the Amalgamated Society of Railway Servants, that engine-drivers, firemen, and guards are instructed not to shunt coals on staiths.

"CHARLES REYNOLDS,

"Secretary, A.S.R.S., Westport Branch.

"T. A. Peterkin, Esq., District Manager, N.Z. Railways."

At a meeting held on the 3rd September, at Christchurch, which was reported in the local newspapers, and at which the president and secretary were present, and Messrs. Winter, Owen, Newton, and Elvines spoke, the following resolution was proposed and carried unanimously: "That this meeting express its unqualified approval and admiration of the manner in which the men now out on strike, both here and at Westport, have responded to the call of the executive, and pledges itself to come out to a man, if called upon, either to assist in terminating the present struggle or to force the reinstatement of the men now out."—On the motion of Mr. Winter.

The Commissioners, while they could not allow employés in their service to be openly counselling rebellion and disobedience, were unwilling to take advantage of the men's imprudence during moments of undue excitement; but, as they find it necessary that obedience and order shall be maintained, they determined to remind the employés that strict obedience in future must be observed. They therefore issued the following circular:—

"Circular, No. 90/43.

"Head Office, Wellington, 6th September, 1890.

"TO ALL RAILWAY EMPLOYÉS.

"The Railway Commissioners have found with regret that some of their employés have been persuaded to act recklessly and foolishly in disobeying orders, and that they have broken faith by refusing to observe the rules of their engagement.

"The Commissioners desire to remind all their employés that the only condition on which they can be employed as public servants on the Government railways is that they strictly obey the rules and regulations made under the authority of the laws of the colony.

"Those employés who cannot conscientiously continue to obey the rules are advised to give notice in a proper and orderly manner and to resign their places.

"Those who, as heretofore, do their duty as public servants faithfully and loyally, will have the entire support and assistance of the Commissioners in any difficulties which may arise.

"JAS. MCKERROW,

"J. P. MAXWELL,

"W. M. HANNAY,

"Railway Commissioners."

"Officers in Charge will please supply a copy of this to each employé, obtain receipts, and send them to their District Officer."

This circular was followed up by an order which required that the four employés who were specially counselling the others to disobey should give an undertaking to refrain from doing so in the future.

The men preferred to take their discharge to pledging themselves as required.

The following is a report of the proceedings :—

Christchurch, 10th September, 1890.

Yesterday morning, in consequence of instructions received from the Railway Commissioners, Messrs. Elvines, Owen, Winter, and Newton, who are prominent members of the Railway Servants' Association, were called upon to attend before Messrs. Gaw (Traffic Manager), Burnett (Resident Engineer), and Ronayne (Locomotive Superintendent), in connection with the action taken by them at a meeting of the association held in Christchurch on the 3rd September, in proposing and seconding resolutions, and making speeches, inciting other employés to disobey the orders of the Commissioners. The proceedings were reported in the papers of the 4th September.

On the men attending at the Traffic Manager's office, Mr. Gaw said he would first read the telegram which had been sent by the Commissioners. It was as follows :—

"The Commissioners direct that Messrs. Winter, Owen, Elvines, and Newton are to be summoned to attend before yourself and Messrs. Burnett and Ronayne for the following action, viz.: The second resolution proposed by Mr. Winter at a public meeting, as reported in the *Press* newspaper of the 4th instant, in reference to the approval of the strike of the employés of Westport and Lyttelton is to be read over to them. They are to be informed as follows :—

"That it appears to the Commissioners that they have been urging other employés to disobey the Commissioners' commands, and to refuse the duties required of them, provided by the rules and regulations under which they are engaged.

"That many employés have been incited to acts of disobedience, through which they have lost their places.

"That, while the Commissioners do not wish to interfere with the union or with the free discussion of grievances, they cannot permit any employés to be parties to countermanning their orders, as to advising other employés to disobey their commands.

"That they must undertake to unreservedly obey the rules and regulations as required, and to abstain from counselling disobedience to orders, or the neglect by any employé to perform the duties required by him in the public service.

"That, if they are not able to sincerely and conscientiously undertake this, they should resign their places, failing which they should receive notice of discharge."

He then read the resolutions proposed by Mr. Winter at the meeting referred to, expressive of sympathy with the strikers at Westport and at Lyttelton, which were as follow :—

"(1.) That the executive and the railway-men in general regret very much the action taken by the Commissioners of literally forcing the men into taking steps at the present juncture which may probably end in a general strike by taking platelayers and others from their ordinary work and coercing them into doing the work of those wharf-labourers who have at present withdrawn their labour, thereby constituting them blacklegs and demoralising the society.

"(2.) That this meeting express its unqualified approval and admiration of the manner in which the men now out on strike both here and at Westport have responded to the call of the executive, and pledges itself to come out to a man, if called upon, either to assist in terminating the present struggle or to force the reinstatement of the men now out."

Mr. Gaw then read the speeches of Messrs. Newton, Elvines, and Winter at the same meeting, which appeared in the *Press* on the 4th September.

Mr. Elvines said that it appeared to him that, because they spoke at a meeting of the railway-servants on the position, they were to be dismissed.

Mr. Gaw said that that was not so. The reason was that they had incited men to disobey the orders of the Commissioners, and to refuse the duties required of them under the regulations. He now asked them which of the courses mentioned in the telegram they were prepared to take.

Mr. Elvines wanted to have the matters referred to by Mr. Gaw in writing.

Mr. Gaw said he could not do this. He would read the telegram over to them as many times as they liked, so that they should understand it.

Mr. Elvines continued to urge the right of the men to a circular on the matter.

Mr. Owen asked for time to consider their position.

Mr. Elvines pointed out that they had been summoned there at a moment's notice, without knowing what they were wanted for.

Mr. Gaw then put a plain question to them. He said all that was wanted was a plain answer.

Mr. Owen said it seemed to him that it meant that if they wished to stick to the service they must give up being union men.

Mr. Gaw said he could not discuss that question with them.

Mr. Owen could not understand what the Commissioners wanted them to do.

Mr. Ronayne said, to undertake not to interfere with the men in future. Mr. Gaw had sent the men to work, and they had been taken out by their orders as the executive of the society.

Mr. Gaw said they would give the men ten minutes to consider the question, and they could go away into another room and discuss the matter amongst themselves. Let them distinctly understand what they had to consider. The Commissioners asked them to say whether they would sign an undertaking to abstain from inciting any of their fellow-employés to rebellion against the orders of the Commissioners and to express their regret for having done so, or in the event of refusing they would be called on to resign, or be dismissed.

The men then retired, and at the end of the period returned. In answer to Mr. Gaw they declined to sign the undertaking, which was in the following words:—

"I hereby undertake for the future to abstain unreservedly and unconditionally from inciting any of my fellow-employés to disobey any orders of the Railway Commissioners, or to refuse the duties required of them provided by the rules and regulations under which they were engaged, and I desire further to express my regret for having done so in the past.—Christchurch, 10th September, 1890."

Some objection was taken by the men to the wording of the undertaking, especially the last clause of the document, expressing regret for having incited their fellow-workmen in the past. This, they said, was not what they should be called upon to sign, as they had not done so, and this conveyed the impression that they had and were sorry for it.

Mr. Gaw said he would be quite willing to take that clause out, which was done.

The men were then asked severally whether they would sign the undertaking, but they declined to do so whilst the men called out the other day in Lyttelton were still out.

Mr. Winter mentioned that, at a meeting here the other night, it had been decided to send a telegram on the matter to the Commissioners, asking for a conference on the question of these men. All then declined to sign the declaration under these circumstances.

Mr. Gaw then asked them whether they would resign from the service. To this they all, except Mr. Owen, returned an immediate and decided negative.

Mr. Owen asked for time to consider the position.

Mr. Gaw declined to give any further time. They had refused to promise not to incite their fellow employés, and now they declined to resign there was nothing to be done but to dismiss the whole four at once. Before doing so, however, he would once more ask them whether they would sign the undertaking he had read or resign. The men all declined to do either. Mr. Gaw said that, in that case, they would be dismissed. A fortnight's pay would be given them in lieu of notice, and they would have to report what had taken place to their respective foremen. The proceedings then terminated.

JAMES MCKERROW.  
J. P. MAXWELL.  
W. M. HANNAY.

Railway Department (Head Office), Wellington, 11th September, 1890.

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