

150. *Mr. Fisher.*] It might be a mistake, because he was a very decent fellow?—Yes, I suppose it was a mistake—evidently so. If at any time there is anything else that the Commissioners would like to know before leaving I shall be very pleased to attend again, and if I wish to give evidence I suppose I shall have the opportunity to do so?

151. *The Chairman.*] Certainly. We shall be very pleased to hear you. We are very pleased with the way you have given evidence.

JAMES NESS was examined on oath.

152. *The Chairman.*] What is your profession?—I am the Union Company's representative at Port Chalmers.

153. What is your position in regard to the society?—I am the treasurer of the society.

154. Do you wish to make any statement to the Commission?—Yes. I have taken a few notes of the evidence I have seen in the papers. I see that Coleman, in his evidence, stated that Mr. Kirby and myself had used some amount of compulsion or coercion in inducing seamen to join the society. Well, I want to deny that. I think I was one who started the society. I was sent for by Mr. Mills, who asked me if I would take some part in it. I consented, and took the part of acting-secretary until they got a secretary appointed, and, with Mr. Mills and Captain Cameron and Mr. Whitson and several others, I drew up the rough rules. These rules were afterwards submitted to an actuary at Wellington and approved of, with several suggestions made by him, and they were eventually drawn up—of course, not exactly in accordance with the present rules—they have been altered lately—but according to our original rules. Mr. Kirby and myself went on the various boats, both at Port Chalmers and Dunedin, to try and get the men to join, and, as a rule, they were all very willing. There was no compulsion used. Any man who was at that time in another society had the privilege of remaining in it. We told them distinctly we did not want them in. We would rather they would stay out than join the society. I think I went on board every boat that came into the place at that time, and waited upon them, and spoke to them, generally in the smoking-room, or some such convenient room, and explained the society to them in detail, as well as we could, and took the names of those willing to join. Some stayed out, but eventually joined, but all friendly society men were asked not to join.

155. In regard to men who were not members of friendly societies, how was the position explained to them?—The position was explained that the directors considered it desirable that such a society should be formed, both for the good of the men and to try to bring them into better spirit with their employers.

156. But no compulsion was used?—No; no actual compulsion.

157. Well, will you read Rule No. 5 of the society? How do you interpret that? How do you think that agrees with your statement that no compulsion was used?—Well, when I say no compulsion I do not mean to say that the men were threatened that if they did not join they would be discharged from the company's employ. Of course, this rule does imply what you might call a certain amount of compulsion.

158. *Hon. Major Steward.*] Did you give the men to understand that preference in employment would be given to those who joined over those who did not join?—Yes; that was laid down to them in this way: In the case of the society men who would be standing by waiting for a job, those men or members of a friendly society would naturally have the preference over a non-society man. It could not be expected that these men would stand out. The men themselves pressed that question in all cases.

159. If there was not a threat there was an inducement?—Yes.

160. *Mr. Fisher.*] And logically it follows that if a man chose to exercise his own individual opinion not to join the society there was no work for him?—Hardly so, I think, because at Port Chalmers we employ a lot of men. When the ship is paid off, for instance, directly the men are off the articles they step into the foreman's department, where they are all taken on to do day-work until the engines are overhauled and the ship is ready to go to sea again. Every man is put to work whether he is a non-society man or a member of our society, or of any other society.

161. You are speaking of the present moment?—This thing has always held good.

162. No question has ever been asked?—The foreman at Port Chalmers never troubled his head to ask whether these men belonged to societies or not.

163. I understand you to state distinctly that, all things being equal, and you only wanted a certain number of men, you would prefer men who were members of benefit societies?—Yes, of course. You must understand we had no excess men. We have a certain number of men employed throughout the fleet, and practically there are no excess men in the fleet.

164. I am not referring to the excess men of the fleet; I am referring to an excess of candidates for a vacancy. We will say that four men are wanted, and that you have eight applicants for the job, four of whom are friendly society men and four of whom are not, I understand you to say you would prefer those who are friendly society men?—Yes.

165. And therefore the other men do not get a chance?—Yes.

166. *The Chairman.*] The preface to the rules printed on the 1st June stated: "It shall not, however, be compulsory for them to join the society, though all who join the company's service in future shall be required to do so and pay an entrance-fee in accordance with the rule within one month of their joining the company's service." Do you not think that is compulsory? Surely it means that if they do not do what they are told to do they must take the consequences?—It is compulsory on new men; it was not compulsory for men employed in the fleet at that time.

167. You cannot say it was all voluntary when the rules speak like that?—In regard to the old men?

168. No; I mean in regard to the new men?—Yes, they are expected to join the society if not members of another friendly society. In regard to my statement, I wish to show there was no