

## ECHO OF WATERSIDE DISPUTE.

### Seventeen Men Fined.

Cases arising out of the dispute concerning the unloading of nitrate of soda from the freighter Dundrennan at Fremantle were heard before Mr. H. J. Craig, R.M., in the Fremantle Police Court on Wednesday, when 18 members of the Fremantle branch of the Waterside Workers' Federation were charged with having committed a breach of the Arbitration Act, it being alleged that they did something in the nature of a strike. With one exception they were each fined £2 with 18/ costs, in default six days' imprisonment.

The case, which was adjourned from August 30, was the first in this State in which charges were laid under the recent amendment to the Arbitration Act. The defendants, against whom summonses were issued on August 21 by F. H. M. Hardouin, representing the Association of Employers of Waterside Labour of Western Australia, were T. Morris, W. Krober, F. Denie, J. Reason, W. Thompson, W. Rosen, H. Henley, W. Ritchie, T. Walsh, G. Hitchcock, C. Walton, J. Lyons, W. Petterson, G. Cottrell, H. Taylor, W. Brunton, R. Rickerby, and S. Devon.

Mr. H. B. Jackson, with him Mr. E. C. Moss (instructed by Jackson, Leake and Co.), appeared for the complainant, and Mr. Arthur Haynes (instructed by Messrs. R. S. Haynes and Co.) for the defendants, who pleaded not guilty.

The proceedings were occasionally interrupted by interjections from the crowded gallery.

In his opening address, Mr. Jackson said that on August 13 the defendants were engaged in discharging nitrate of soda in bags from the steamer Dundrennan. After working for a short period they claimed payment of 1/3 an hour above the award rate, two day-time smoke-ohs, and two additional men per gang in the hold. Efforts were at once made to call the board of reference, constituted under the award, but the chairman of the board (Mr. F. Walsh) said he could not attend to the matter until 10 a.m. the next day. The men were informed and they continued working until noon. After lunch they refused to resume work. The board met next day and Mr. Walsh's decision was communicated to each party, but the defendants refused to accept the ruling and did not resume work until three days later. This refusal to work constituted a strike within the meaning of the Arbitration Act.

In evidence, the complainant said that about 11 a.m. on August 13 he was told by the secretary of the Lumpers' Union (Mr. T. Fox) that a dispute had arisen on the Dundrennan. Mr. Fox asked witness to call the board of reference.

Mr. Haynes: I contend this evidence is inadmissible. The charge is not against the union which Mr. Fox represents. Mr. Hardouin is repeating a conversation he held with someone altogether outside the dis-

pute.

The Magistrate: I will accept Mr. Hardouin's statements, provided they are substantiated by further evidence.

Continuing, Hardouin said he was informed that at 2.30 p.m. the men had stopped work. A call for work at 8 a.m. the next day met with no response. At 8.30 a.m., the board of reference visited the vessel and after inspection Mr. Walsh awarded the men 3d. an hour above the award rate and two day-time smoke-ohs of 20 minutes each. Subsequently, Mr. O. Cook, the union's vigilant officer, informed witness that the men had rejected Mr. Walsh's ruling.

Cross-examined, witness said he did not consider the cargo obnoxious.

Captain McCall, superintendent of the stevedores of the Federal Stevedoring Co., Ltd., said that in the afternoon of August 13 he told the men that they were committing a breach by not working and that the board of reference would meet next morning. On August 14, August 15, and August 16 his calls for labour were unsuccessful but on the fourth day, 18 men, including five of the defendants, were picked up. Discharge of the cargo was completed by noon on August 18.

One of the defendants (W. Brunton) said that after he had been working about two hours his neck became sore and he stopped work. That was his sole reason for stopping. He attended the next morning's pick-up and the other men were waiting in scattered groups.

To Mr. Jackson: The soreness was caused by the nitrate of soda.

The Magistrate said there was no question as to the guilt of the defendants, except Brunton. They were lucky to get off so lightly. The charge against Brunton was dismissed and complainant was ordered to pay him £3/7/ costs.

The costs allowed against defendants included a half-day witness fee of 7/6 each for Captain McCall and F. H. M. Hardouin. W. Brunton was allowed a fee of £1, his counsel pointing out that he (Brunton) earned £1/3/8 a day, and had lost a day's work through the proceedings.

Mr. Haynes secured a stay of proceedings for seven days.