

A point of law has arisen in consequence of the curious wording of subsection (2) of section 7. Some employers claim that they are only supposed to turn their hands out of the factory during meal-time, when any person is working in the factory during that time, and that if work is entirely ceased they have a right to allow them to remain in. They quote the wording of the Act, "while employment is being carried on;" at any rate there are bitter complaints that delicate females and boys should be turned out in the rain and cold into the streets to eat their food. It would be advisable that question should be provided for soon.

Section 2 causes a serious difficulty in preparing an information to bring a case before the Court, and often a gross miscarriage of justice, in consequence of it dividing workers into child, young person, and female, as follows: Say there are twenty persons of the female sex at work in one room after hours, ten may be under fourteen years, nine between fourteen and eighteen years, and one over eighteen years, bringing them under above heading; a separate information would have to be laid against an employer under each of these headings, which would be useless, as no Magistrate would allow more than one case to be proceeded with, being practically one offence; still if he is only charged with having one female employee—the others are not females, only children and young persons, within the meaning of the Act—the prosecution cannot give evidence that nineteen other persons of the female sex were unlawfully employed, so that the Magistrates are left under the conviction that only one female was employed contrary to the law, and punish lightly accordingly. To remedy this, all persons of the female sex, whatever their ages, should be called "females," and the male from twelve to eighteen years "young persons;" and the Act "the Factory Act."

I have, &c.,

RICHARD GAMBLE, Sergt. A.C.,
Inspector.

The Resident Magistrate, Auckland.

NOTE.—The rest of the reports of the Inspectors are of a merely formal character, and have not been printed.

[Approximate Cost of Paper.—Preparation, nil; printing (1,350 copies), £1 10s.]

By Authority: GEORGE DIDSBURY, Government Printer, Wellington.—1886.