

man has to be paid off before a Customs official. We have had two cases down here to prove this. We have to put the society away altogether in these cases, because the law makes us provide for these men. There is a man named McIlroy in the hospital, out of the "Mararoa," at the present time whom the company are providing for, and there were two cases out of the "Taupo"—Gibson and McLean. They were maintained by the company during the time they were out of employment.

108. The annual report for 1896 says there are 860 men in the fleet who are members of the society?—That would be about the number.

109. Do you know how many men there are in the fleet altogether?—The total number in the three departments, speaking approximately, is about 1,100. You can take each department at 350. They fluctuate from time to time as the ships lay up and are recommissioned again.

110. *Mr. Fisher.*] What is the number belonging to other societies?—When the society was inaugurated there were sixty-six, and in April of this year there were eighty-six, which shows an increase of twenty.

111. Does that mean that outside the 860 who are members of the benefit society there are only eighty-six belonging to other friendly societies?—Yes.

112. What is the balance?—The balance may be boys, scullery-men, men over age, and what you may term probationers.

113. *The Chairman.*] In the Act of 1890, speaking about seamen being left on shore, and wages being recoverable, it states, in section 5: "Every seaman so left on shore shall be left at a port or place at which there is a Collector or other officer of Customs; and the master of the ship shall forthwith, on the seaman being left ashore, furnish to the Collector or other officer as aforesaid a true account of the wages due to such seaman, and shall then pay to and deposit with such Collector or other officer, in money, the amount of the wages then due, if any, and also a sum equal to the wages computed to the end of the engagement of such seaman, or for three months, as the case may require, and also a reasonable sum, to be determined by such Collector or other officer as aforesaid, estimated to cover the expenses of the maintenance and medical and other attendance of such seaman in a public hospital until his recovery or the end of his engagement, and shall also leave with such Collector or officer the certificate mentioned in section 4." You state that the Customs would look after that?—It is their duty.

114. I want to refer to the sworn evidence of Mr. Belcher, and really I think we will have to get at the bottom of this cross-evidence. He says that he was instructed to ask Mr. Millar to call for a return showing the number of men injured and the amount of money deposited in compliance with the Act with the Collector of Customs for their keep and medical expenses, and that when the Customs were asked to give a return of the amount of money so deposited they gave a "nil" return. Can you explain that?—That is under the Act of 1894. There is only one case I can mention—the case of a man named Smith—that came under the Home Trade Act. He was injured on the "Brunner," between Wellington and Lyttelton, where he was discharged. On the articles I think he was shown "sick," and he was kept there about a week by the company. His expenses were paid, and he came south, and the company paid his wages while ashore. He was ashore altogether four weeks before he was fit to resume duty. That case did not go through the Customs, but we paid the expenses of the man.

115. Why?—Because it occurred in Lyttelton, and we paid his wages in Dunedin. That is the only case I can bring under your notice as evidence that money has been paid, and in that case it was not paid through the Customs.

116. Were the Customs officers doing their duty in allowing that?—If the man was shown on the articles when discharged as "sick" when the purser took the articles to the Customs for ratification it was their duty to see that the wages were paid into the Customs at that place. The man was discharged at Lyttelton, and he came to Dunedin to report himself to me.

117. *Hon. Major Steward.*] The Customs failed in their duty?—They may have done so in that case. I cannot say if the man was shown on the articles as discharged "sick."

118. *The Chairman.*] I asked that question because it may seem offensive to you as an officer of the Union Company to be asked a question about the Union Company evading its legal duties. The previous witness has sworn that the Act has not been carried out?—I can only give you the cases of McLean, Gibson, McIlroy, and Smith.

119. In all these cases you paid the money into the Customs?—Oh, no. Smith is the only case of a home-trade ship. The other three cases occurred in intercolonial ships.

120. *Mr. Fisher.*] Bracegirdle told us he had been three weeks ill at Sydney. I think he received £1 a week from the society, but no wages?—No, he would not be entitled to wages, as it was an ordinary injury, received probably through his own carelessness. I think he was in the "Taieri" at the time—a foreign-going ship, but owned and registered in the colony.

121. I am reading from evidence where Bracegirdle says he knew a man who had become sick in the employ of the company and been put ashore. It happened in his own case. He did not apply to be treated by the company under the terms of the Shipping and Seamen's Act. He went to the hospital in Sydney. Then, is there no provision in law under the Shipping and Seamen's Act and its amending Acts for the payment of wages to men who meet with accidents on board ship?—There is the provision of the Employers' Liability Act, which deals with accidents which occur through faulty gear or negligence on the part of the officers.

122. *The Chairman.*] Have you any other points?—Yes. I want to refer to the case of Cummock. In his evidence he said the reason he was not allowed to be a member of the society was that he was too old. The facts are these: He joined the "Waihora" on the 19th October, 1893, or nearly nine months after he left the "Rotomahana." He was a member of the society when he left the boat, but he then became unfinancial through being nine months on shore. During the period he was ashore he was up country, and when he applied to me for employment again I