Mr. THOMAS BALLINGER made a statement and was examined. (No. 3.)

Mr. Ballinger : I am vice-president of the Employers' Association. Mr. Montefiore has touched upon the points which I wished to bring out, chiefly with regard to the cost which this Bill will further throw upon the employers. Two years ago the cost to us of insuring our employees against accident was 11s. per £100; but owing to the alteration in the law we are now called upon to pay £1 6s. per £100, and there is no doubt if you alter the law again it will increase the cost to us. As I say, the rate we paid the year before the last Act was put in force was 11s. per £100, and this year it has been £1 6s. We were told by the Government that they were going to bring in a new branch to their Insurance Department and that the rates would be lowered; but we have had quotations from the Government Department, and they show that their rates are the same as that of other insurance companies—that is, £1 6s. per £100.

Mr. HENRY FIELD made a statement. (No. 4.)

Mr. Field : I am secretary to the Wellington Employers' Association. I may say that the Employers' Association entirely approve of the new departure which has been made in legislation in the provision made in clause 3. Hitherto the Arbitration Court has had exclusive jurisdiction in regard to questions affecting workers, and this is a move in the direction of removing cases such as are dealt with in this Bill from the Arbitration Court to the ordinary Courts of the colony. The employers have not made any request in this direction, and that provision is in no sense due to any action that they have taken, but they approve entirely of the new departure taken in clause 3. We do not, however, entirely approve of the method by which you seek to realise that principle. What we wish to see is that all claims for compensation, and all such cases, should be heard by the ordinary Courts of the colony, and that the Arbitration Court shall have no jurisdiction in the matter. We believe the Arbitration Court was never constituted for such purposes, and has no special qualification for dealing with such cases. We believe, further, that the ordinary civil Courts are the proper tribunals to deal with cases which are really only matters of damages—of how much shall be given to a man who suffers injury when he is in the employment of an employer. That principle is already incorporated in the ordinary law, and we see no reason why these cases of compensation for accident should be isolated from the provisions of the ordinary law. We believe also that the Arbitration Court has already plenty to do, and that it is not able to overtake the claims which are brought before it. We therefore believe that the removal of these cases from the Arbitration Court will be a great advantage. We desire, however, that there should be an appeal from the lower Court on matters of fact, and not only on points of law. There is no doubt that the facts influence the decision, and we think that the whole matter should be carried to the higher Court. We do not wish that these cases should be taken to the Privy Council, but that the final appeal should be to the Appeal Court of the colony. It would be in the interest of the workers as well as of the employers that matters of fact as well as points of law should be taken to the higher Court. At present the fees are so high that it would be very difficult for a worker to carry his case to a higher Court, and, therefore, we think the fees should be lowered. I think I have not overstated the views of the employers of the colony.

1. *Mr. Tanner* (to Mr. Montefiore).] I think you said that these matters of compensation had been considered by the Arbitration Court?—Yes.

2. Has there been any widespread dissatisfaction at the decisions of the Arbitration Court with regard to them?—Yes.

3. How many cases has the Court decided?—Between twenty and thirty. It is not only the cases they decide, but the precedent they create. For example, policies have been taken out exactly in the same way as if they were life policies, and then, when the matter has been brought before the Court, the Court has made allowances for persons who were not dependent upon the deceased. The wording of the decision does not always follow actually the evidence as the facts stand. There was one case in which a man had been suffering from epileptic fits for some twelve years. He went to work, and died. At the Coroner's inquest his wife stated that she had asked him not to go to work that day because she was sure he was going to have a fit, but he would go to work. He was wheeling a barrow, and fell down, and had concussion of the brain. When he was picked up it was found that he was quite rigid, and the doctor's evidence showed that it was the result of a fit and not of an accident. Still, compensation had to be paid. That would not have occurred if there had been a power of appeal to an ordinary Court. When that Act was brought in it was decided that farm-labourers did not come under it, and yet in a case it was decided that a man who was only a groom was a farm-labourer. The Crown Law Officer gave the opinion that certain people were not covered by the Act, but the Court held that they were. This man had been escorting a young lady home to her house, and in riding back he broke his leg, and he was compensated. The farmer is liable for the whole twenty-four hours, and there is no conceivable case in which the farm-labourer will not get compensation for an accident, although when he met with it he was not working for his employer.

4. You say that in some cases there has been dissatisfaction with the finding of the Court?—Yes.

5. In what districts was that?—In Wellington and in Dunedin.

6. And yet these decisions came with the approval and actually from the mouth of a Supreme Court Judge?—Yes, but he merely has to put into words the decision that has been come to by two laymen who are partisans.

7. Partisans on each side, if they are partisans?—That is a question of opinion.

8. But would not that neutralise the effect of any partisanship?—Theoretically it should do so; but unfortunately, as far as I know, it does nothing of the kind.

9. *Mr. Hardy.*] You say that farm-labourers are covered?—Yes.