

that the Inspector is bringing them the penalties go to the consolidated revenue, and the unions gain nothing. Perhaps in some cases they have assisted the Inspector in procuring evidence, and they think they should get some of the penalties. As to the alleged delay, I may state emphatically that there is no delay in disbursing these moneys. The Court has always directed how these moneys are to be paid—witnesses' expenses, solicitor's fees, penalty so-much, to go to the consolidated revenue—and these are fixed up by the Clerk of Awards who is also Deputy Registrar, and we pay out immediately we receive his certificate. It then can be obtained by the parties five minutes afterwards. The Inspector then forwards a receipt to the head office from the parties receiving the money, and the amounts are then checked.

Mr. Kirkbride : I gathered from Mr. Young's evidence that there was some delay in the paying-out of these moneys to the proper parties because they were paid through the Inspectors. He advocated that the moneys in future should be paid to the secretaries of the unions, who would certainly, as far as I understand, act more promptly than the Inspectors have hitherto done.

Mr. Mackay : I do not think Mr. Young could give an instance of a single case, because it must be patent that any responsible officer of the Government, who is under statutory penalties, would deal more promptly with the payment of money than an irresponsible member or secretary of a union.

44. *Mr. Kirkbride.]* I could not understand why he advocated this, seeing that the Inspectors have to apply these moneys in the manner the Court directs?—The Inspector cannot, of course, pay money out until he receives it. If an employer is fined £10, and the costs come to another £10, we have to give him a certain time to pay that money over. He may delay it until the last moment, but the Act provides that we can proceed against him, so that in the end he has to pay; but immediately the Inspector receives the money it is distributed.

45. *Mr. Bollard.]* Do I understand that the Court now directs how the fines have to be paid?—The Court gives its decision like an ordinary Court. It fines the defendant, say, £5, and allows £2 2s. for solicitors' fees, &c.

46. Has the Court the discretion to order the fine to be paid to a union or to the officers of the Department?—The Court has that discretion.

47. What percentage has been paid to the unions direct?—None whatever in the cases brought by the Inspectors, but if a union brings a case against any one and gains it, then the fine goes to the union.

48. They have the privilege of bringing cases?—Yes; also if the Inspector refuses to take action they are at liberty to do so.

49. You are of opinion that all fines should be paid to the Department?—I think so. If the Department has to go to the expense of taking the cases before the Court, employing a solicitor, and subpoenaing witnesses, I think the fines should go to the revenue of the country.

50. Do you not think that the Department should take every case before the Court, and not the union?—I think so.

51. Just look at this bill of costs which was taxed in Auckland [Document handed to witness]?—I notice that £4 has been taxed off the £22 bill.

52. Was that case brought by the union or by the Inspector?—By the union.

53. Just look at the cost for the expenses of witnesses?—Of course, the trouble is this: that the Arbitration Court will fix a day for hearing a case, when probably the case which is being heard before it takes a very much longer time than was expected. The witnesses having been summoned by notice from the Clerk of Awards to attend at a certain time, the witness gets leave from his employer for the purpose, but it may be three or four days after the date fixed before the case is called on, and he cannot go away during that time. That is the reason I assume that some of the witnesses have charged as much as six days and a half.

54. But could not the Inspector arrange it better than that?—It is the Court that fixes the date. He gets notice that the case is to be heard, say, on the 25th of the month, and he has his witnesses there on the 25th, and they may be there three or four days before the case is called. If he let the witnesses away the case might be called on in their absence.

55. If you had an Inspector to bring these cases he would be able to arrange the matter better than to keep men waiting for six days and a half?—We would try to, because it is only mounting up the costs unnecessarily. I have no doubt that if the cases were left to us we should be able to arrange with the Court very much better than the unions can.

56. You think that all the cases for breach of award should be brought into Court by the Inspectors?—Yes, I do.

57. And that the fines should be paid into the Public Account?—Yes.

APPENDIX.

SIR,—

Auckland, 16th July, 1904.

I beg to forward you a few particulars of a case brought against me by the Tailors' Union. I was cited to appear before the Arbitration Court for a breach of clause 7 of the Tailors' Union award, which made it compulsory that work must be done on the premises for whom or by whom the order is taken. The facts are these: I am a commission agent, and occasionally I take an order for a suit of clothes, having an arrangement with Mr. Currie, a tailor, that I am to have a commission out of his price for making. I supply the tweed or cloth to the customer, and I get him to go to Mr. Currie to be measured. I know nothing about tailoring myself, but simply get my commission and a little profit on the cloth. Full log prices are paid. Well, for doing this