

As far as I am personally concerned, I think that would adequately meet the requirements of the colony. We feel, as those in charge of industries of some magnitude in the colony, that to set up Magistrates' Courts to deal with fines of this sort would be to cause us to suffer in so far as the Magistrates, whose hands are very full with the discharge of duties associated with a multiplicity of Acts and laws in New Zealand—that they may not be seised of the knowledge of the technical requirements of the various industries of this colony. The Judge of the Arbitration Court, with his assessors, is from the very nature of the thing better acquainted with the conditions, and would probably have for that reason a more or less trained technical mind to deal with the various disputes. I think that it is a capital suggestion. I believe that there is on the part of those who employ labour generally throughout the colony a strong desire to come into line with the various Acts upon the statute-book of this country, and that there is no desire to evade the conditions of those Acts. I have to plead guilty to a breach of one of the Acts some time ago on the part of our firm. It was done ignorantly. As a firm we were carrying on business under certain conditions of which we were quite seised. There was then a change in the award at the sitting of the Court in Christchurch. There was a bare outline of the decisions in the paper at the time, no printed copy being available, and we went on, as we thought they did not materially alter the conditions under which we had been carrying on that branch. We had been going on for some months when, to our amazement, we had notice by post one morning that we were to be cited before the Arbitration Court for breach of certain clauses in that award, and the result was that we were fined the sum of £5; and, by way of emphasizing what has been stated, I may say that the costs amounted, I think, to considerably more than the fine. If I should not be transgressing I should like to say how some of those amounts were made up. First of all there was a charge for the hire of a hall for a meeting at which the matter was discussed. I understand from the bill of costs that no decision was arrived at that night.

2. You see, you are now entering into the judgment of the Court?—No, I do not think so. If it is not relevant I will not proceed; but I am trying to show, if you will pardon me a moment, how the charges are made up and whether the inducement to multiply that sort of thing should not be removed. In my opinion, the best spirit of those in the various trade organizations is in the direction of the removal of this sort of thing.

3. I am quite with you as far as that goes, but I presume the bill of costs has to be passed by the Court of Arbitration as it has by the Supreme Court in a Supreme Court case?—I stand corrected if it is so, but I do not think that is the case.

4. I do not know whether it is wise that you should criticise a judgment which has been given by the Arbitration Court, and that is what you are doing now?—Pardon me, but I did not proceed to criticise the judgment of the Arbitration Court at all. What I am trying to throw light upon is how the fines and costs are built up. The judgment of the Court in our own case was, I think, perfectly in order. Though my firm committed a breach of the Act ignorantly, yet at the same time we bowed very willingly to what was the decision of the Court. It is not that that I am criticising. I am showing what one effect of the Act is upon those who are carrying on the industries of the colony. I thought the information might be of some service to you.

[Some discussion here took place as to whether evidence regarding bills of costs should be admitted, the point being decided in the affirmative, and the witness proceeded.]

5. *The Chairman.*] Will you proceed, please?—I was about to state what the cost in the case to which I referred came to. The fine was £5, and I think the costs amounted to between £3 and £4; and I was about to show how the costs were arrived at. In the first place there was the hire of the hall, and the matter evidently not being decided at that meeting, there was the hire of the hall again, and so on. I will not delay you with the further details. I do not believe that the best spirit to be found in unionism in this colony is in sympathy with that sort of thing at all, and I think the Legislature ought to see to it, as due to that section as well as to those who are carrying on the big industries of the colony, that these disabilities are removed. I believe that the multiplicity of Courts for the purpose of hearing disputes and adjudicating on them is not the means by which this seems likely to be arrived at. Therefore, I repeat that I believe the circumstances would be best met by having two Courts—one in the North Island and one in the South. I do not think I have anything further to add. I certainly would have been better prepared had I had a little longer notice that I myself was expected to attend here to-day and not my brother. We are very much interested—I am speaking now of that section of the community with which I come in touch—in the machinery of the various labour Acts on the statute-book being made to run as smoothly as possible; and I do not believe for one moment that any honest, legitimate employer in this colony is at all desirous to evade the provisions of the Act. As I said at the outset, I believe that what breaches have arisen have been due very largely to ignorance. To speak for myself, I am a very busy man and have not time to take every award made by the Arbitration Court, digest it, and be seised of its effects. The main points come to one's notice often through the medium of a newspaper, and in that connection I should like to say this: that in the case to which I referred just now, where a change had been made in the award at Christchurch, we had sent to the Department here for a copy of the award. I think it was some two or three weeks after. The award, however, was not printed, and we were told that we could take a pen-and-ink copy of it from the office. But it was a fairly long award, and we had not a clerk whom we could spare for the purpose at that time. The result was that the matter was allowed to slip by, and it was some time afterwards that we bought a copy of the award. It was after we had been cited, and then we found that we had committed a breach of the award and laid ourselves open to Court proceedings. Well, I say that facilities should be given to employers to get a copy of these awards very speedily. As soon as that was done and the machinery made to work more smoothly, I believe there would be very many fewer cases in the Court. That is my own opinion. I do not think I need detain you further. Those are the features I desired to speak about.