

4. Take, for example, the woollen industry: why should that not come under the clause?—I do not know which industries should not, but the Judge represented that this shipping industry certainly should. Of course, the Committee or the House may do what they please, but the shipping industry should come under a colonial award (if the Court so decides), on this ground: a sailor, we will say, starts at Auckland, where he is under one award, and he goes to Wellington where he is under another award, then to Lyttelton where he is under still another, and so on. That seems absolutely ridiculous, and certainly as far as the shipping industry is concerned the right to make a colonial award should be given to the Court.

5. *Mr. Davey.*] Can that be made to apply to companies registered in Australia, say, the Huddart-Parker Company?—I would not like to give an opinion upon that. I am not versed in the shipping law. Clause F reads, "The President may, at any time before making an award, refer any question of law that may arise in any proceedings before the Court or before any Board to the Supreme Court for decision. (2.) The question shall be referred in the form of a special case to be settled by the President." That does not mean that there might be an appeal from the Arbitration Court to the Supreme Court or to the Court of Appeal, but only when the Court itself is puzzled over a question of law. Now, I want to refer to that very section 86 that I spoke of in regard to which one Judge went one way and one another. Both of them were Presidents of the Court, and a cross-ruling was given. Had the Judge been able to refer the question to the Court of Appeal he could, at all events, have got the opinion of the other Judges as to what the section meant as a question of law—did it mean to apply to all the persons in the district, or only to those who were cited as in business when the award was made? The Judge says that it would be a very great help to the Court if it were able to refer a case to the Court of Appeal in order to decide what the meaning of certain words is. I think the other sections in the proposed addition are very little more than small machinery clauses. In the last one, subsection (d) of section F "suspension" is put in as well as "dismissal." It was found in one case that the men were not dismissed but only suspended, so the word "suspension" has been added.

6. *Mr. Taylor.*] That was in the Auckland case?—Yes. It is an important clause, but it is plain on the face of it, and I need not take up your time by explaining it.

7. *Mr. Aitken.*] I was somewhat amazed when Mr. Tregear explained that an employer in a district should be held liable when the only notice given had been by advertisement. Now, I am an employer of labour, and as a matter of fact I never look at an advertisement in the paper. So I think there is a defect there?—I can only say in regard to that that we had always held, until Judge Chapman's last ruling, that the employers were liable within the district even without any advertisement having been inserted in a newspaper. I may say that in New Plymouth, to mention one case, every little carpenter's shop is under the timber-workers' award, while in Hawera, in the same district, there are two large shops which are not under the award on account of the employers not having been cited. The result is that there is most unfair competition.

8. *Mr. Jolliffe (Law Draughtsman).*] May I say, Mr. Chairman, that throughout the whole of our legislation an advertisement in a prescribed form is taken as binding on the public. Even advertisements in the *Gazette*, a publication which very few people see, are binding in larger interests than could arise under this proposal.

9. *Mr. Sidey.*] With reference to the Bill before the Committee, I would like to ask you, Mr. Tregear, what proportion of cases would be dealt with by the Magistrate under clause 2, where the maximum penalty for the breach does not exceed £50?—Almost every one.

10. You suggest that the amount of the claim might determine which Court should hear the case?—Yes.

11. Does it not appear to you objectionable to simply state that the amount of the claim shall determine which Court shall decide the case? Then, a person might himself, simply by increasing or decreasing the amount of his claim, have control over which Court should determine the case?—I should think that if he made his claim ridiculously large so that he could not sustain it, he would meet with a very strong expression of disapproval from the Arbitration Court. I do not see what benefit he would obtain by angering the Court.

12. What would you suggest as a limit to the amount of the claim?—I suggest £50.

13. Might not there be very many cases where a man might have a legitimate claim for £25 which might easily be increased to £50?—Then, I suppose, if it was as big as that it should go before the Arbitration Court. What is being attempted to be brought about by this Bill is that the Arbitration Court should not be pestered with the pettiest and smallest cases. If a man has a claim for back wages amounting to £50 it is an important thing. If he has a back claim for 30s., I do not see why the case should not be settled in the lower Court.

14. Do you not think it an objection that a Magistrate should have power to deal with awards which are made by another Court?—I represented strongly that that is the opinion of the Arbitration Court; they do not want their awards interpreted by the Stipendiary Magistrates.

15. Some of the labour representatives who gave evidence here stated that what they would desire would be that there should be two representatives—one representing the employers and one themselves—sitting with the Magistrate. Do you think that would be desirable?—What power is it suggested they should have? Would they be there just to advise the Magistrate, or would they have any voting-power.

16. *The Chairman.*] The suggestion was made that they should hold the same position as the two representatives of the employers and the workers on the Arbitration Court?—Honestly, I do not think it is necessary. In a small case, if a Stipendiary Magistrate could not give his decision as to whether such-and-such a sum of money was or was not owing under an award, I do not see the use of a Stipendiary Magistrate.

17. *Mr. Sidey.*] You do not favour the suggestion made by the labour representatives?—I think it would be expensive, and I do not think it would be worth it. But this is absolutely new