

to me; I have not heard the proposal mooted before, and I should like to be able to reserve my opinion. I have not given the suggestion consideration.

18. Are we to understand that you are opposed to the Bill?—No; most decidedly not.

19. I understood from you that you did not consider the Magistrate was the proper person to enforce an award which was made by another Court?—I represented that that was the opinion of the Court.

20. It was not your own opinion?—I hardly like giving an opinion on a question of policy like that.

21. I thought you were here to advise us?—It is a Government Bill, and is the only effort that it seems to be possible to make to try to get over the congestion of the Court with cases of breaches of award, and it was hoped that in some way these cases of breach could be heard by a lower Court. As I said, I am in favour of it, but I have brought forward what the Court has stated—that it does not like having its awards interpreted by other people. As this is a Government Bill I am in favour of it, yes, but I am not very much impressed.

22. There was a suggestion made by the employers that there should be two Courts, one for the North Island and one for the South. What do you think of that?—It would necessitate having another Judge of the Supreme Court, because all the value of the Court is in the dignity and weight which having a Supreme Court Judge as President gives to the Court. There is no appeal, and in such a case one has to be careful. The difficulty largely arises now from the President having to sit on the Court of Appeal twice a year. Some weeks are wasted, as far as the Arbitration Court is concerned, by the Judge having to absent himself; but, at the same time, it must be remembered that nothing could really give him the status of a Supreme Court Judge except actually being a Supreme Court Judge and taking his turn with the other Judges, especially in sitting on the Court of Appeal. As long as he is a Supreme Court Judge he is not under the control of the Government, but under the control and direction of the Chief Justice, and if the Chief Justice says that he is to go to the Court of Appeal he must do so.

23. *Mr. Aitken.*] Would that be any real objection?—It would necessitate the appointment of another Supreme Court Judge.

24. You do not look upon that as a real objection?—No. Another objection is that same question of cross-rulings.

25. *Mr. Sidey.*] A further suggestion has been made to enlarge the powers of the Conciliation Boards so that they would be an inferior Court, and allow the Arbitration Court to be the Appeal Court to determine the larger claims?—I am rather in favour of that. I regret the Conciliation Boards being practically abolished as they were by section 21 of the amending Act.

26. *Mr. Hardy.*] Notwithstanding the “plums”?—Yes, notwithstanding the “plums.” I know that some of the Boards did not do their work well, that in some places they were hardly a success; but, taking them as a general rule, they did exceedingly good work in clearing away the unnecessary evidence from a case.

27. *Mr. Sidey.*] It has been suggested that the fact of fines going to the unions in cases of breach of award has been an inducement to the bringing of cases, and that the fines should be paid into the consolidated revenue for the purpose of helping to defray the expense of the administration of the Act. What is your opinion about that?—I think that practically that will be the case in any way without another amendment. The President of the Court has expressed his opinion very strongly against any of the unions bringing cases. After your passing last year an amendment under which inspectors of factories were made inspectors of awards the Department of Labour has been bringing all cases, and in this event the money will be paid into the Consolidated Fund. I say myself that it is quite wrong for any union or any private person to benefit by another breaking the law.

28. *Mr. Colvin.*] Are you aware that a great many of the principal unions have applied for other amendments in the main Act?—No; I am not aware that they have. If they have they have not done it through me, because then I could have got the suggested amendments printed and brought before you.

29. What would be the effect of striking out all the words after the word “union” in the second line of subsection (1) of clause 98 of the principal Act? This is what the secretary of a union has written to me: “We would also urge on you the necessity of endeavouring to have the principal Act amended by striking out all the words after the word ‘union’ in the second line of subsection (1) of section 98, and by the repeal of section 99 of the principal Act.” I would like to know if you would be in favour of that amendment?—I am not in favour of it.

30. *Mr. Davey.*] I understood you to say that the Government were not particularly anxious to pass this amending Bill empowering the Magistrates to deal with cases of breach of award?—I will not say that. Perhaps I expressed myself badly. I meant to say that if a suggestion were made for a better form of meeting the difficulty I believe the Government would not be wedded to that particular principle of the Stipendiary Magistrates dealing with breaches of award. If the Government bring down a Bill, they wish it to be passed; but my opinion is that if any person could suggest a better way out of the difficulty the Government would be ready to adopt that suggestion themselves. It is rather difficult for a Civil servant to know how to say these things.

31. Are you aware that the representatives of the labour unions when giving evidence here suggested that subsection (3) of clause 2 of the Bill be struck out and the following subsection altered accordingly, and that all parties should abide by the decision of the Magistrate, there being no appeal whatever?—No; I am not aware that they intended doing any such thing.

32. *Mr. Wood.*] With regard to the last clause of the proposed addition to the Bill, in respect to suspension, do you advocate that?—I would like to further consider the matter before I said that I advocated it, because Mr. Taylor has suggested in the course of discussion just now that there is a meaning in it which I had not considered. The word “suspension” has been inserted merely in order to prevent advantage being taken of a word. An employer might suspend his