

27. How do you get on in the settlement of those claims?—Generally speaking, they come along, and if there are any difficult points they go to Court.

28. Do you have many cases before the Court?—I do not have very many.

29. Generally speaking, the bulk of the cases are settled except from causes arising out of want of knowledge and in which disputes occur?—Yes, or from bad advice given.

30. Have you asked for any amendments in existing legislation?—Yes.

31. Frequently?—On several different occasions.

32. And have brought the matter before the responsible Minister?—Yes, before the late Mr. Seddon.

33. Do you find any of the suggestions you made to the late Premier embodied in this Bill?—Yes, some of them.

34. Do you know whether any suggestions have been made in the interests of those paying compensation and insurance?—The matter has been referred, I understand, to the Commissioner, and he has given advice upon it, and the members of the Employers' Association have given evidence. I have been with the latter on different occasions when they have done so. Of course, there have been many suggestions made by the Labour party.

35. Do you get many cases of permanent injury?—Yes, a fair proportion.

36. Which knock a man out of employment for the rest of his life?—Not such a great number as you might fancy. A man loses an eye, and is always quite satisfied that he is not going to get work again until such time as his claim is settled.

37. Do you find that there is a tolerably quick recovery after that?—Yes, very.

38. I would like to hear any statement you might like to make, if there are any passages in the Bill you desire to refer to?—I think paragraph 2 of the memorandum on the scope of the Bill is an exceedingly good one.

39. That is simply a memorandum, and would not be part of the Bill?—No. Take Part I, clause 4: I have a case in point now. There is nothing in the present Acts which enables us on behalf of an employer to pay an amount into Court and see that it is allocated properly. I have had several cases where widows have been left with young children and demanded that the whole sum be paid over to them. They want to take out letters of administration, which I always discourage. I like to see it done by the Public Trustee. At the present time I have a case where I have to pay £400 into Court because the woman has two young children. In such a case there is the fear that if she got the whole of that sum it might not reach the dependants under the Act. There ought to be some provision where on death the money should be paid into Court, and allocated to those who are dependants. On probate of a will the money is treated as a life policy or any other property of the deceased. I think something should be done with that.

40. You would like to see a provision whereby the compensation shall be tied up for the purpose for which it was really paid?—Yes: in other words, that it should not be taken as an estate. That is the real meaning of the Act in the first instance. Section 5 seems to me to be in very good form, and section 6 is good. Section 8 seems to be rather indefinite—that is, where they are persons under the age of twenty-one. It is almost a pity that something cannot be done so as to fix the amount, insted of having a dispute every time. A young fellow may be an apprentice getting 8s. or 10s. a week, and there is a dispute as to whether he should not get £1 a week, and it goes to the Court.

41. The case is retried every time?—Yes. Of course, there will always be the wish for the pound. Section 9 (Compensation for certain diseases): There should be a provision made—I do not know whether there is, later on—for the medical examination of these men. A man joining a friendly society has to undergo a medical examination, as does a man who wishes to insure his life, and in cases like this, where the benefits are larger, it seems to me that there should be an arrangement whereby, if a man claims on account of a disease, the employer should have the right to ascertain whether the man was sound when he first employed him.

42. *Hon. Mr. Millar.*] As a matter of fact, the only disease included here which is known to exist in New Zealand to any extent is pneumonicosis, which is caused by the dust in a quartz-mine?—Yes.

43. In the case of anthrax, it develops almost immediately?—Yes; that is a complaint which is contracted from the bite of a fly. But there is a clause providing that diseases may be added by the Governor in Council.

44. Yes, but only if the injury started in New Zealand?—There is a large amount of rheumatism in mining life.

45. Coaldust does not bring about pneumonicosis, which only exists in quartz-mines in one or two instances: it can be prevented by a jet of water used to keep the dust down?—Yes. There is one matter I would like to refer to; it is this: A foreigner comes here and meets with an accident causing death. Under the old Act it has been held that dependants living in foreign countries are dependants in terms of the section, and it is very difficult to find these out.

46. I intend to put a clause in making that apply only to countries where the same right is accorded to Britishers. The clause has been omitted here—it was in the Bill last year—and I purpose asking the Committee to put it in here?—That is all right. We have still here the wording "serious and wilful misconduct." It is the wording used in all the Acts.

47. *The Chairman.*] Has it been a source of difficulty?—Yes.

48. Can you suggest any better reading?—There have been more appeals from decisions on that than anything else in the Old Country, and it seems to me that the interpretation of it is continually changing. At one time "serious and wilful misconduct" would only mean drunkenness, but now it is held that if a man does anything that he is directly instructed not to do, that would be misconduct, always providing that he does not do it unthinkingly and in the interests of his employers at the time. Clause 14 is a very much-needed clause. This is where a man refuses