

22. Do you remember my meeting the men in conference in the hall? What was the reason I gave then?—That was one of the reasons. I think one reason was that you had been libelled from one end of the country to the other by outsiders.

23. Let me refresh your memory. Did I not state to the deputation and to you and the representatives of the Labour Federation that it was impossible for us to recognize a union while we were still bound by an award of the Arbitration Court to another union?—Yes, but I think—

24. Did I not make that statement?—I would not be sure of that. I would not say you did not. I do not remember. But I did hear that you stated that you always looked upon the award as a farce.

25. We were bound by the award, as the men were. Did I not make that statement, that I could not recognize the official of one union while we were still bound to another by an award of the Arbitration Court?—I do not remember that statement.

26. If I said I did make it you would not deny it?—No.

27. Have you ever known as many as twenty or thirty men go into the tunnel on a Sunday?—Yes, quite that number, when I went there first.

28. You are positive about that?—Yes, I think there would be that number.

29. Can you tell us when it was, or under what conditions it was done?—I never took any dates. I think they would be shifting roads and doing different things.

30. You have no idea what they were doing at that particular time?—Only that you have told me at different times that you only employed men to do work on Sunday that would stop the progress of the work during the rest of the week. So I do not know really what they would be doing.

31. You spoke about "the tactics of the contractors": what do you mean by that?—I believe that the contractors were unreasonable, in the first place, in not meeting a deputation of the men, and unreasonable in demanding that the employer should be the arbitrator.

32. If the statement I make is correct, was it unreasonable for us on that particular occasion to refuse to meet representatives of another union?—Yes.

33. Notwithstanding that we were bound to another union by an award of the Court?—Yes. It was unreasonable, because the position that would be taken up by a reasonable man would be that he would meet the deputation and explain that to them.

34. I am informing you now that it was explained to the men that it was impossible for us to meet representatives of another union. That being so, was it unreasonable?—Yes. There was no union in existence as far as Otira was concerned—only the West Coast Workers' Union.

35. But the tunnel was bound by an award of the Court, notwithstanding that there might not have been a branch there at the time?—Yes, but the award bound the employers to nothing: it only bound the workers.

36. Did we ever refuse to meet you on any occasion after that?—No.

37. We have discussed matters quite amicably: you have never found us unreasonable in regard to discussing matters?—No.

38. We did not belittle you or in any way insult you, did we?—The last conference was in a very friendly spirit.

39. Have you ever known any tunnel in New Zealand that has been worked under the Mining Act?—No.

40. Supposing that the contractors tendered for this work knowing that the Mining Act did not apply, was it unreasonable then for them to refuse to concede all the requirements of the Mining Act?—Whether you knew it was under the Mining Act or not, I say it is unreasonable to ask men to work under conditions that do not prevail at any of the other underground works. It would be unreasonable, I think, for the contractors to tender at a price that would not allow of their compensating the men for it.

41. What are these special conditions? The bank-to-bank clause is one?—Yes.

42. Forty-six hours a week another?—Yes.

43. And six hours wet time another?—Yes.

44. Those are the main conditions?—Yes.

45. The six-hours condition has been given, has it not?—In some cases.

46. In all cases in really wet ground?—It is given in some cases where the men have to walk out and say they will not work any longer than six hours.

47. Are those all the conditions that are different from those in mines?—Of course, the mines would have the Mining Inspector.

48. Do you know that under the Arbitration Court award the Resident Engineer, or Assistant Engineer, was made arbitrator as to a wet place?—Yes.

49. Those are the only conditions, then, obtaining at Otira that are objectionable, are they?—Yes, the hours of labour.

50. Do you remember a conference at which your president, Mr. Webb, yourself, Mr. Gavin, and myself were present—a conference held recently in reference to this question?—Yes.

51. Do you remember a statement being made by Mr. Webb that as we had not conceded all you required he would have to send intimation to the various unions to say that Otira was not a fit place to work in?—No, not because you had not conceded all that we required, but because you absolutely refused to make an agreement at all with us.

52. Under your conditions; but that was stated by Mr. Webb?—Mr. Webb stated that he would not advise men to go to Otira unless he was satisfied to sign his name to the conditions they were going to work under.

53. He said that he would really send word to the various unions under the jurisdiction of the Federation to say that Otira was not a place to advise members of the Federation to work in: is that right?—Yes.