

43. You are not conversant with a judgment given by the Chief Justice in which he declares that the Act only applies to persons outside the shop—that is, persons engaged in the delivery of goods: you are not aware of that?—That is what Mr. Davey has just remarked, and my reply was that that was the first I had heard of it.

44. Has that half-hour been generally availed of in Dunedin?—As I said, I am not aware of any circumstances under which it has been availed of. I have never availed myself of it, except possibly on a Saturday night when the cash has not come out square.

45. Will you look at the memorandum attached to this Bill regarding clause 43: "By this clause any shop-assistant may be employed for fifteen minutes after the prescribed time of closing." The crux of the explanation is this: "The present provision allows an extension of half an hour, but applies only to assistants employed off the premises of the shop"—That has escaped my attention entirely.

46. So when you said that you are satisfied with the present law you had not seen that?—No.

47. With regard to the half-hour, would it surprise you to know that there are grocers in Auckland who insist on every minute of that thirty minutes' grace, say, on the late night?—Yes, because I have this feeling personally, and I believe it is shared by the trade in Dunedin—that a carter, when he has finished his round, has done, and if he is finished at 5 o'clock he is given no more work to do. I am satisfied that my carter does not work anything like fifty-two hours per week.

48. If the Act allows, say, thirty minutes, how would you compute then that a man has not more than fifty-two hours a week to work without overtime?—Would the same question not apply with regard to a fifteen minutes' concession?

49. Exactly, in a lesser degree. How would you make that fifty-two hours: there must be more?—As I said, these minutes of grace are allowed, and it is assumed they are not going to be taken undue advantage of. We do not suggest that we should make the actual closing-hour half past 1 or half past 6. I do not think it would really amount to half an hour a week.

50. Do you not think that the shop could be cleared, say, ten minutes before closing-time instead of ten minutes afterwards? Have you ever noticed the general clearing that generally takes place from hotels about ten minutes before the usual closing-hour?—No. I have had occasion to pass hotels at 10 o'clock and have noticed the clearing-out then, but I have never noticed it before 10. You take it that the present Act insists that every employee who is employed inside the shop must be outside the door at a minute past 1?

51. That is an Irish way of putting the question, but practically that is the sense of it. The present Act only applies to drivers. Another point is with regard to taking proceedings within three months after the offence has been committed. Do you think that that is too long altogether?—We think it is too long. We ask for one month, as it is at present.

52. Would it surprise you to know that by the time I, as secretary of the union, get notice of a breach and forward it in to the Department the time has elapsed before proceedings can be taken, and that is the reason for the extension to three months?—Would not a provision for one month expedite the Department a bit?

53. Do you not think it unfair that an unscrupulous man may commit a breach and then, by reason of the month's limitation, not be reached?—It should not be allowed.

54. That being so, can you not give commendation to the extension to three months? It is the same under breaches of award?—We do not very often have breach-of-award cases in Dunedin. Our experience may be somewhat limited, but we had no idea when we discussed that point that it took the length of time which you tell me it does to get a prosecution through.

55. *Mr. Davey.*] In glancing through the award you quoted from I see there are no hours of labour given in the grocers' award?—That is correct, simply because under the present Act the power of the Arbitration Court to fix hours was taken away from them.

56. Then the Shops and Offices Bill will apply to the hours of labour of men in shops?—With the exception of the last clause here in the Dunedin award, "Provisions to come into force hereafter."

JAMES GIFFORD LAURENSEN examined. (No. 35.)

1. *The Chairman.*] What are you?—A baker and grocer.

2. Where?—At Roslyn, Dunedin.

3. Have you anything to add to what has been stated by the previous witness—anything new—there is no need to go over the same ground?—I have no desire to go over the same ground as Mr. Hinton. I fully endorse everything he has said. The only thing he was a little bit astray about was the time of grace. I was fully aware of the decision given by Sir Robert Stout some time ago that the time of grace only applied to drivers. That was brought home very forcibly to one of our largest grocers in Dunedin, where on one occasion on a very busy day, when the shop was full of people, the Inspector walked in and said, "You must not serve this lady," and cleared the whole lot out. The employer said, "I was under the impression we had so-many minutes' grace." The Inspector said, "No, 1 o'clock is the hour," and ordered the customers all out. It was a very great inconvenience both to the customers and to the man who was trying to serve them. This sort of thing happens occasionally, and that is why we ask that we get the thirty minutes' grace, as was given in the old Act. The other strong reason why we ask for the thirty minutes' grace is on account of the drivers. It is quite impossible on many occasions for the men to get back exactly to time. They will be detained by women talking to them and by one thing and another, and we think that if we have the thirty minutes' grace it will save prosecutions sometimes. So far as Dunedin is concerned I do not think anybody takes advantage of it. With everything else Mr. Hinton has said I am in full accord.