

that months probably would elapse before the hearing could be reached. The chief difficulty arises from the provision contained in subsection (5) of section 4, as to the place of hearing. That provides that the application shall be heard at such place or places as the parties may agree on, or, in default of such agreement, as the Court, on the application of any party after notice in the prescribed form to the other parties to the dispute, directs." At the finish the Court tells us in plain language that the law is futile, and we had to throw the whole thing overboard, because of the faulty regulations.

4. Were there any other defects?—Quite a lot; but I will not delay the Committee by going into details. After that we had to abandon the matter on the direction of the Arbitration Court. Ever since that we have been pleading with Parliament to do something to amend the industrial legislation if they want to be in earnest about showing that this industrial legislation should stand, and that the industrial unrest of the country should be stopped. I say that the industrial unrest of the country is entirely due to the faulty legislation under which unions have to work. Let me explain: Immediately after this happened some of the unions wanted to get Dominion awards, but the Court told them they should not get them. The unions asked Parliament to amend the law, particularly in reference to the Arbitration Court. The Arbitration Court was unable to do anything, but then the unions found that, irrespective of Parliament and of the Court, they could get the very thing they wanted. In this way they soon had contempt for Parliament and contempt for the Arbitration Court. You cannot blame a body of workers for that when they had pleaded both to the Arbitration Court and Parliament for something, and were repulsed in both places, and then they found that outside, at a private conference with the employers, they could obtain what they wanted. It stands to reason that they would treat the Arbitration Court and Parliament with contempt. That was the beginning of industrial unrest and of contempt for the arbitration system of this country.

5. In what year did contempt for the Court start?—In 1912 and 1913.

6. *Mr. Howard.*] What unions organized outside the Court?—The waterside workers and the drivers. The Drivers' Union had attempted to do the same thing, and it took them twelve months, after making application for a Dominion award. They got interim awards before the twelve months. As soon as the Court's decision was given the drivers attempted to go out on strike. When this happened the Government stepped in and Cabinet's decision will be found in Volume 17 of the Book of Awards, relating to Rotorua, &c. The award was not satisfactory because consideration was not given to the increase in the cost of living. They would have been satisfied if they had got the award shortly after making the application. The cost of living would be over 6s. a week, and Cabinet gave the drivers 6s. by Cabinet order. The Government were saying at that time that the arbitration system had to stand in this country, but the decision of the Court was as I have stated—whether right or wrong, I do not say; nor am I contending that the decision of the Cabinet was right or wrong—I am just putting the facts before the Committee. How could the Government expect that all the other organizations who were under the Arbitration Act would accept the decision of the Arbitration Court—that they would swallow this decision when the Government themselves said that in the drivers' case the decision was wrong and gave them a bonus of 6s.?

7. *Hon. Sir W. H. Herries.*] The drivers were glad to get it?—I cannot say whether they were or not. I am putting this phase of the question as I see it as the beginning of industrial unrest. Quite recently the railway servants of this country had a Board set up. They would not accept the decision of that Board, and they got another. The peculiar thing was that the president of the first Board was also president of the Arbitration Court, and we people under the Act have to accept the Court's decision. How can you expect us to be satisfied with the decision of the Arbitration Court when the Government itself said that the decision was wrong, and gave the railway servants new terms? The matter now under review is not such a big, extravagant proposal as some people have tried to make out. The principle already exists in your Arbitration Act, and it gives to the railway servants the very thing we ask for. If it is good enough for the railway servants to have one union registered under the Act and embracing the whole of New Zealand, that principle has only to be extended to other trades-unions.

8. *Mr. Potter.*] But have not the railway men only one employer?—What difference does it make whether there are a thousand employers or one? It is the principle of the thing that matters. If it is good for the railway servants it is good for others.

9. *The Chairman.*] There is more restraint in the railways than with men outside: they consider things before they move?—Does not everybody do that?

10. I am afraid they do not. However, give your evidence?—Section 121 of the Act extends to the railway servants the same sort of liberty that we are now asking should be extended to all the unions if they like to avail themselves of it.

11. *Hon. Sir W. H. Herries.*] Is there not a great exemption?—There is no exemption. They may be registered as one union under the Act, and this proposal only deals with the registration of unions, not with applications and the work of the organization, and that is provided for in the railways. The next clause of the Bill provides for a Dominion Clerk of Awards. It is absolutely necessary that there should be such an officer in order to get a Dominion award. The next clause proposes to strike out the words in section 16, giving the Magistrate power to dismiss cases which he considers trivial. The point is that the Labour Department are the administrators of the awards, and it is they who decide whether a breach is trivial or not. If it is they do not take it to the Magistrate—they decide it for themselves; and you cannot shift them. They set themselves up as the Magistrate. Thousands of letters from organizations in New Zealand could be got along this line. It has been a complaint of organizations for years. The next proposal of the Bill is to give the Commissioner a vote in the making of recommendations. The Commissioner now has power to vote upon every other point that comes under his jurisdiction except that of making recommendations. He has power to vote as to who shall represent an organization in a case before him, and what employers shall be represented. We think that if it is good enough for him to have that power he should have the right to vote upon the making of a recommendation. That does not cut away power from either the union or the employer, because they will still have the right to go to the Court. Generally the deciding voice in the making of an award is the Judge of the Arbitration Court. Very often in deciding a point he knows a great deal less about it than the Conciliation Commissioner. Therefore let the Commissioner have a vote, and if there is dissatisfaction with his action in the matter there is still the power to go to the Arbitration Court. The next amendment deals with the report of the Commissioner to the Court. We want to reduce the time within which he has to