

since the enforcement of the Act dozens and dozens of people have suffered very materially through it. I can instance, in addition to the Burgesses, two or three persons who have gone out of business, and whose places are empty, on account of the Act closing them up.

222. Can you explain how it is that the Burgess Bros.—those were the two, I think you said, were prosecuted?—No; but they were informed by the Inspector that they would have to close because they employed an assistant, and they closed up rather than be prosecuted.

223. Has action been taken by the Department for breach of the law?—Against seven shopkeepers, I think.

224. Can you explain how it is that fruit-shops are open in Wellington till a late hour now?—The only way in which I can explain that is this: the fruit-shops you have seen open are those that are conducted by one person. They do not employ any assistants. I know several of the larger fruit-merchants close up because they employ assistants.

225. *The Chairman.*] Or sell other goods?—Or sell groceries. I suppose that is the position the Department has taken up—that they sell other things than fruit.

226. *Mr. Alison.*] The Department do not prosecute where only fruit is sold?—I do not think that was made very clear. I remember waiting, as one of a deputation, upon the Right Hon. the Premier as Minister for Labour, and we tried to get a proper definition of what a fruiterer was. The Premier said that so long as there was reasonable compliance with the law no action would be taken. But soon afterwards, when I was away in Auckland, I got notice of these prosecutions taking place.

227. Do you think that the Department have not been guided by the law, but what was considered a reasonable compliance with the law?—That I would not like to say. I think the Department had a very difficult row to hoe, and whilst it was necessary that they should bring some pressure to bear to show people that the law was in force they did not know just what to do or where to turn. Personally, I do not know that it was the Department in fault. I think the Chinamen had been warned that as they were selling other goods than fruit they would have to close up at 6, and that if they did not get rid of their groceries or close at 6 prosecutions would take place.

228. They received no warning?—As far as I can understand, and I have interviewed them, they did not receive warning. They simply received intimation that they had to close at 6.

229. Are you, as representing the Chinese fruiterers, of opinion that there should be an exemption of all fruit-shops from any restrictive early closing?—Oh yes; most decidedly.

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THURSDAY, 6TH JULY, 1905.

CHARLES BAGLEY, Representative of the Auckland Fruiterers, examined. (No. 33.)

1. *The Chairman.*] What are you?—Fruiterer.

2. Do you represent an association?—Yes; the Auckland Fruiterers' Association.

3. Can you tell me how many members you have in your association?—About eighty.

4. Will you please to make your statement in your own way?—I would like first to say that I have been chairman of several shopkeepers' meetings; but the one I am now connected with I am representing more distinctly. I was chairman of the association which promoted the large petition which you have here, containing over seventeen thousand names, against the enforcement of the Act. I am not going to deal with the Shops and Offices Act, but am going to ask for the total exemption of fruiterers, and am going to try to give such evidence as will substantiate the claim. I will touch a little later on on the question of the assistants. I would like to state that I am in touch with the Auckland fruit-growers as much probably as with the Auckland fruit-sellers, and my purpose is to prove to you that this legislation would be more harmful to the fruit-growers than to the fruit-sellers, and, as a consequence, the public would be inconvenienced most of all. I would claim that fruit is nature's food, and would add that it is the only food provided by nature, so far as I am aware, which does not require some artificial preparation before it is consumed, and therefore it is in the best interests of the public to assist in its distribution in every way and to encourage its use. The number of fruit-growers in the district of Auckland who are registered with the Auckland Fruit-growers' Union is 596; of course, there are a number who are not registered. I now wish, with your permission, to put the position of the fruit-growers before you, and I hope this will be some information not only to you, but to the whole House and to the Colony of New Zealand. No similar return has been compiled before. The fruit industry has been looked upon as a small and insignificant one, and has not had that attention given to it which it deserves. When you have the figures before you you will see to what extent the fruit-growing industry has already developed in the Auckland district. The figures are as follows:—

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