

1905.

NEW ZEALAND.

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LABOUR BILLS COMMITTEE :  
SHOPS AND OFFICES ACT AMENDMENT BILL

(REPORT ON), TOGETHER WITH COPY OF BILL AND MINUTES OF EVIDENCE THEREON,  
AND APPENDIX, BROUGHT UP AND ORDERED TO BE PRINTED.

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R E P O R T.

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THE Labour Bills Committee, to whom was referred the Shops and Offices Act Amendment Bill, have the honour to report that they have carefully considered the same and have taken evidence thereon; and they recommend that the Bill be allowed to proceed with the amendments as set forth in the copy attached thereto.

Parliamentary Buildings, 8th August, 1905.

J. F. ARNOLD,  
Chairman.

THE UNIVERSITY OF CHICAGO  
DIVISION OF THE PHYSICAL SCIENCES  
DEPARTMENT OF CHEMISTRY  
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For the purpose of this study, the following data were obtained from the analysis of the sample. The results are presented in the table below. The data were obtained from the analysis of the sample and are presented in the table below.

[AS REPORTED FROM THE LABOUR BILLS COMMITTEE.]

8th August, 1905.

Rt. Hon. R. J. Seddon.

## SHOPS AND OFFICES ACT AMENDMENT.

## ANALYSIS.

Title.	3B. Definition of "fishmonger" amended.
1. Short Title.	4. Section 21 of principal Act amended.
2. Repeal.	4A. Excepted offices.
3. Closing-hours for assistants.	4B. Overtime in excepted offices.
3A. Closing-hours for shops.	Schedules.

## A BILL INTITULED

AN ACT to amend "The Shops and Offices Act, 1904."

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Shops and Offices Act Amendment Act, 1905"; and it shall form part of and be read together with "The Shops and Offices Act, 1904" (hereinafter referred to as "the principal Act").

2. Section three of the principal Act is hereby repealed.

*Struck out.*

3. (1.) Subject to the provisions of the principal Act and to any award of the Arbitration Court, a shop-assistant shall not be employed in or about the shop or its business more than fifty-two hours in one week or at any time after one o'clock in the afternoon on the statutory closing-day, or after nine o'clock in the evening on Saturdays in districts where Saturday is not the closing-day, or after six o'clock in the evening on any other working-day.

(2.) If any shop-assistant is employed at any work in connection with the business of any shop later than half an hour after the time prescribed by this section, the employer commits an offence in respect of each shop-assistant so employed.

*New clauses.*

3A. (1.) A shop-assistant shall not be employed—

(a.) In a shop required under section twenty-one of the principal Act to close at a specified hour, after the hour so specified; nor

(b.) In any other shop—

(i.) If any of the trades mentioned in the *First* Schedule hereto is carried on therein, after eleven o'clock in the evening on one working-day in each week or eight o'clock in the evening on other working-days; nor

*Shops and Offices Act Amendment.*

(ii.) If any of the trades mentioned in the *Second* Schedule hereto is carried on therein, after eleven o'clock in the evening on one working-day in each week or half-past ten o'clock in the evening on other working-days; nor

(iii.) If none of the trades mentioned in the *First* or *Second* Schedules hereto is carried on therein, after eleven o'clock in the evening on one working-day in each week or six o'clock in the evening on other working-days.

(2.) The definitions contained in paragraph (a) of section fifteen of the principal Act shall extend and apply to this section.

(3.) This section shall not affect the provisions of the principal Act relating to hours of employment or the weekly half-holiday.

Definition of  
"fishmonger"  
amended.

3B. Paragraph (a) of section fifteen of the principal Act is hereby amended by adding at the end of the definition of "fishmonger" the words "or rabbits."

Section 21 of  
principal Act  
amended.

4. (1.) Subsection one of section twenty-one of the principal Act is hereby amended by repealing the words "(not being one of the districts mentioned in section three hereof)."

*New subsection.*

(2.) Subsection two of the same section is hereby amended by adding thereto the words "and a requisition under this subsection shall be deemed to supersede a requisition under subsection one hereof so far as such particular trade or trades is concerned."

*New clauses.*

Excepted offices.

4A. (1.) Section twenty-three of the principal Act shall not apply to any office in which is carried on any of the businesses mentioned in the *Third* Schedule hereto.

(2.) The said section is hereby amended by repealing the proviso to subsection one thereof.

Overtime in  
excepted offices.

4B. With respect to every office in which is carried on any of the businesses mentioned in the *Third* Schedule hereto the following provisions shall apply:—

(a.) The occupier of the office shall at all times keep a record-book, called the "Extra-time Book," wherein shall be entered a correct record showing, in the case of each office-assistant employed after one o'clock in the afternoon on Saturdays and five o'clock in the afternoon of every other working-day, the name of the assistant, and the respective dates and periods of such employment:

(b.) Where such extra time exceeds, in respect of any office-assistant, twenty hours in any one month, overtime at the rate of not less than one and a half times the ordinary rate of pay shall be paid for so much of such extra time as exceeds twenty hours:

(c.) Payment of overtime shall be made at the first regular pay-day after the close of the month for which it became payable, and, if not so made, the amount thereof may be recovered by the Inspector on behalf of the office-assistant:

(d.) The extra-time book shall at all times be open to the inspection of the office-assistants and of the Inspector.



*Shops and Offices Act Amendment.*

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*New schedules.*

**SCHEDULES.**

Schedules

**FIRST SCHEDULE.**

Bakers.  
Booksellers.  
Chemists.  
Dairy-produce sellers.

Florists.  
Hairdressers.  
Tobacconists.

**SECOND SCHEDULE.**

Confectioners.  
Fishmongers.  
Fruiterers.

Pork-butchers.  
Refreshment-room keepers.

**THIRD SCHEDULE.**

*Excepted Offices.*

Banks.  
Building societies.  
Cable companies.  
Forwarding agencies.  
Freezing companies.  
Insurance.  
Live-stock auctioneers.

Merchants (including warehousemen).  
Newspaper.  
Railway.  
Shipping.  
Telegraph agencies.  
Tramway.  
Wool-buyers and wool-brokers.

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## MINUTES OF EVIDENCE.

TUESDAY, 4TH JULY, 1905.

HERBERT SEATON, President of the New Zealand Shopkeepers' Association, examined. (No. 1.)

1. *The Chairman.*] What are you by trade, Mr. Seaton?—A fancy-goods dealer.

2. In Wellington?—No. 26, Willis Street, Wellington. I am a member of the New Zealand Shopkeepers' Association.

3. Do you occupy any office?—I am chairman of it.

4. Do you give evidence this morning on behalf of the Wellington or the New Zealand shopkeepers?—The New Zealand Association is now in course of affiliation with the other three centres. There are similar associations in Auckland and Christchurch; but on the present occasion whatever evidence I am in a position to give is on behalf of the Wellington Association.

5. Will you kindly make a statement?—Yes. The New Zealand Shopkeepers' Association was formed on account of the oppressive action of clause 3 of the Shops and Offices Act of last session, and, as far as our association is concerned, we are perfectly unanimous in wishing for the repeal of that clause. Our association, of course, does not represent every shopkeeper in Wellington. The Wellington Association, conjoined with the Newtown Defence League, has a membership of two hundred, each member being a legitimate shopkeeper. We have gone carefully through the number of shops in Wellington, and we find that altogether in Wellington, Newtown, and the suburbs there are, as near as possible, 907 shops, some two hundred of which have always closed at 6 o'clock. The other seven hundred remained open during the evening. Most of these are, of course, the smaller shops, not only in the city, but in the suburbs. Our association numbers, as I have said, about two hundred members. The other five hundred are quite in sympathy with us in asking for the repeal of the clause; but they leave the smaller number to pull the chestnuts out of the fire and do the work. The majority of the members of the association—in fact, the whole of them—are in favour of the repeal of the clause, and a large number are quite willing to abide by the proposed amendment, that no assistants shall be employed after 6 o'clock. However, there is a minority who fail to see how they can conduct their business during the evening without employing assistants at stated periods. They are perfectly willing to abide by the statutory hours for the assistants—fifty-two hours a week, I think it is; but there are a good number who have been working double shifts—that is to say, assistants who have come on at 8 in the morning have left at 2 in the afternoon, and those that have come at 2 have remained till 9 in the evening. There are very few shops in Wellington, other than fruiterers, that remain open after 9. Wellington being one of the chief centres of the colony, and a very large shipping port, it stands to reason that there are a very large number of people—especially those employed in and around the boats—who find it absolutely impossible to do their shopping before 6 o'clock. In some cases the present Act has been the cause of those who have complied with the law—and a very large number have—having to dismiss their one assistant. I can give you three cases—probably other members of the association know of more. One is Mr. Wilkinson, a bookseller in Vivian Street; another is Mr. Patrick, a draper in Vivian Street; and the third is Mr. Wickens. They have had to dismiss their assistants so as to be able to open at night.

6. What do they represent?—One is a picture-frame maker, one a draper, and one a book-seller. So that in the event of the clause remaining on the statute-book, there is no doubt that a lot of the smaller shops, where there is only one assistant employed, would dismiss that assistant so as to be able to keep open. We find it is absolutely authentic that a large amount of hardship has been caused to those who have conformed with the law. In some cases the receipts have dropped off to the extent of 25 per cent. as compared with last year, and they are going down all the time. In a good many cases 75 per cent. of the receipts come in in the evening. Those shops that really seem to be unable to work without the help of an assistant at night are, from what we can gather from members of our association, chemists, fruiterers, fishmongers, tobacconists, pork-butchers, confectioners, booksellers, and drapers. As far as I am concerned, I have two assistants. Their hours are from 9 in the morning till half past 5 in the evening. During the five years I have been in business in Wellington I have never on one occasion brought them back at night; but I recognise the fact that there may be times, such as in the event of illness or myself being away, when it would perhaps be necessary to have an assistant back at night, as long as one complied with the statutory hours. I would just like to mention my own takings during one month for the past three years. The month is that during which, this year, I conformed with the law and closed, and the same month in the two previous years. My business, I might mention, is an American novelty, electro-plate, and jewellery business. Twice a year I hold a sale. One of these extends from the middle of May to the middle of June, and is commonly called the "Yankee Hustle Sale." My receipts from the 14th May to the 14th June were, in 1903, when my business-hours were from 9 in the morning till 9 at night, £513 17s. 9d.—the figures being taken from my books; the receipts from 14th May to 14th June, 1904, the hours being the same, were £533 12s.; while from the 14th May to the 14th June, this year, when I have conformed with the law by closing at 6, they have been £330 9s.—a difference of £203 3s. as compared with the previous year. I may say that my takings are not as large as that every month; but any gentleman here is quite at liberty to see my books. That is all I have to say; but I should like other members of our association to add a few words as to the way the Act is affecting them.

WILFRED HIGGINBOTTOM, Ironmonger, Riddiford Street, Newtown, examined. (No. 2.)

7. *The Chairman.*] Are you a member of the Shopkeepers' Association?—Yes.

8. Will you make a statement?—Yes, sir. In the first place, let me say that Newtown is differently situated from the city, to a certain extent. It is essentially a working-man population that we have there. The men begin to migrate to the city at 7 o'clock—some a little earlier; but at 7 there is a continual stream going down into the city to work. Some of these men do not leave the city till 5, half past 5, and 6 o'clock. It is naturally impossible for them to do their business then, and some of them have only got half an hour during certain portions of the year for lunch. They have no time, unless they come with a rush at night. I will guarantee that five-sixths of the working-people of Newtown are opposed to the 6 o'clock closing movement for that simple reason—that they have no time to do their shopping. We are not supposed to open in the morning till 8. I have had to stop serving any customer who would have bought a hammer or a chisel, or something else with which he would want to work, because the law says, "You shall not open before 8 o'clock." These men go into the city, and, instead of the shopkeepers at Newtown being supported by their own population, this trade is absolutely driven into the hands of the big men in the city. There is no doubt about it, the 6 o'clock closing is going to create a monopoly in the shopkeeping business. The smaller man—the man who cannot possibly stand—will have to go, while the big man will remain; and then, when the smaller man is out of the way, the big man will make the people pay the piper. I could give this Committee the names of gentlemen who were in the habit of coming into my shop to do business after 6 at night; but since early closing has been in force—that is, during the last eight weeks—these gentlemen have never been in my shop, except one night last week, when they came just after 6 and gave me an order to get ready for them at 8 o'clock the next morning. That trade has entirely gone from me, with the exception of that one case. I think that if this Committee want to foster labour they should give the labourer, at any rate, time in which he can do his business. If Parliament wants to shut up the small shops, there is no doubt this is a very effective way of doing it. With reference to the gentlemen who are now very anxious that 6 o'clock closing should be in operation, I may tell you that for some two or three years I lived near to one of them, and I suppose you could have bought goods from him if you had gone up to 12 at night, because I believe he would have got up to serve you. I do not blame him; he was making his position, and I am making mine. I want to be able to live, and I want my son after me to be able to get a living. I went to Newtown with the idea of building up a trade. It took me some time to build it up, and just as I am beginning to find my feet 6 o'clock closing comes along. The question with me is this, as regards my own business: How long will two of us be employed? because if the law is not altered it is certain one of us will have to go out of the business. I cannot afford to go on for long in the way I have been going on during the last eight weeks. I spent a large sum of money in providing good business premises, and these are practically, as far as business is concerned, fully 25 per cent. less value to me than they were before.

EDGAR JONES, Vice-President of the Shopkeepers' Association, examined. (No. 3.)

9. *The Chairman.*] What is your calling?—Tailor.

10. Will you proceed, please?—At one of the shops which we have, through closing at 6 o'clock, the trade has gone down about 15 per cent. There is only the manager employed in the shop after that hour. As vice-president of the association, I have found on going through the town that during the last three or four months 6 o'clock closing has affected the smaller shopkeepers to a very great extent. At one shop at which I called a week or two ago—a small draper's shop in town; I will not mention names—the week's takings amounted to £12 11s. 5d., while for the same week in the previous year the takings were £48 15s. Of course, they did not say that the shrinkage had all occurred through the 6 o'clock closing. A lot of that large reduction was due to slackness of trade, because trade is not so good this year as it was last. I am speaking of the retail trade. You can easily understand that the heavy reduction from £48 to £12 means the difference between profit and loss, and if this state of things continues the person in question will have to close his business. Another tradesman I went to has two shops, and he said the result of 6 o'clock closing was a difference of 60 per cent. in his takings. The person I refer to is Mr. Whittaker, of Whittaker Bros., who keeps a bookseller's shop in Cuba Street. He says that the trade there is done at night; that their takings have gone down over 60 per cent., and consequently he has given notice to leave the shop, because he says it will be three or four months before the law can be altered, and he cannot stand the loss in the meantime. Up Newtown way, they tell us, four-fifths of the people resident there are working-men; it is 6 o'clock before they get home; they are unable to purchase before 6 o'clock, and if 6 o'clock closing is enforced it means absolute ruin to the shopkeepers in that part of the town. I find from going through the town that the operation of the 6 o'clock closing clause is good for the larger shops, but is very detrimental to the smaller shops in Wellington. We have taken a tally of the number of shops in town. It is 907, and I think out of this number there are about two hundred shops that have always closed at 6. The strongest supporters of the present 6 o'clock closing arrangement—that is, among the employers—kept open till 10 or 11 when they first started in business themselves. I know this, because I have been in Wellington some twenty-six years. You first of all start with a small capital, and you have to make every post a winning-post. When your business increases and gets larger you close at 6. In Wellington there are about two hundred shopkeepers who close at 6, and who will do so whether the Act is in force or not.

11. *Mr. Tanner.*] Did they always close at 6 from the time they started?—No. I remember some years ago, in Tory Street, some hundred shop-assistants went along with a band playing, in order to compel a shopkeeper to close at 6 o'clock. That shopkeeper is at present, I believe, one of the strongest supporters of 6 o'clock closing. At that time he kept open till 10 or 11; he was just starting then.

GILBERT EDWARD FOWNES examined. (No. 4.)

12. *The Chairman.*] What are you?—I am manager of a mercery business carried on at 20, Manners Street, Wellington.

13. Will you make a statement?—I may say that the business which I manage has been established for some seventeen or eighteen years, and has always been kept open till at least 9 o'clock at night. Though I have only had charge of it for some few months, we have done and do a great deal of trade with the shipping. Since the new Act came into force I have observed it by shutting up each evening at 6 o'clock, except on Friday, when we have closed at 9, and Saturday, when we have shut at 10 or half past 10. Since we have been closing at 6 I have found that the greater proportion of the shipping trade has gone—we have lost it altogether. Taking the month prior to the Act coming into force and the month since I have been observing it, I find that the difference in my takings has been £46 8s. 6d. Of course, in a small business that is a heavy reduction. Then, another point: The majority of the working-class—and they are for the most part the class I do business with—leave off work at 5 o'clock, and unless we are open after 6 o'clock they have no opportunity to make their purchases, and the tendency is to throw the business into the hands of the larger drapers. The men, instead of coming and making their purchases themselves, get their landladies and their wives to buy for them the class of stuff in which we deal. I may say that I have employed an assistant at night on every other evening in the week, and when he came back at night I always gave him time off in the afternoon to make up for it, so that he was really employed only fifty hours a week.

JOSEPH ZACHARIAH examined. (No. 5.)

14. *The Chairman.*] Whom do you represent?—I represent the pawnbrokers of Wellington, and, as far as I am concerned personally, a photographic-supply business. Under the Pawnbrokers Act my hours are limited—from 8 in the morning till 9 at night—and, naturally, I have been conforming to those hours; but the Labour Department selected me as a victim a few weeks ago, and the Magistrate decided that clause 3 of this new Act overruled the Pawnbrokers Act, and, of course, I have been compelled to close up at 6 o'clock. The decrease in my business since I have been closed—the month of June—has been, in selling, 50 per cent. exactly, and in my pledging business just about 15 per cent.—from 14½ to 15 per cent. As regards the pledging business, I might tell you that we depend upon a class of person—the working-man—who is employed from 8 in the morning till 5 or 6 o'clock at night, and who wants temporary relief during the week or month until he gets his pay at the end of it. That man can only come and do business with us in the pawnbroking line after 6 o'clock, and between 6 and 9 at night is certainly our very best business time. We could close comfortably from 8 in the morning till noon if we were allowed to remain open at night. As regards the photographic business, which is a very serious matter with me, I find I have to compete with firms such as Kempthorne, Prosser, and Co., and Sharland and Co., which are supposed to be wholesale houses, but which retail any single article. These firms are open from 9 till 6, and I find that the only way in which I can do business is by supplying material after 6 at night. In order to do this I have to keep open, and employ assistance as well, because a great deal of the time is occupied in the dark-room, and the shop would be left to itself unless I could get some assistance. As regards this assistance, I am employing a young fellow at £1 10s. a week, but, of course, unless clause 3 be repealed, I shall have to dispense with him. I put the matter to him, and he is quite willing to work from 12 in the morning till 9 at night, which hours would conform with the fifty-two per week provided for in the amended clause. When the young man came to me first his father asked me to try to employ him at night as much as possible, because he was afraid that the lad would mix with undesirable companions and find his way to hotels, &c., of an evening. To please his parents I kept him occupied at night, and allowed him so many hours off during the day to make up the time. I would also like to mention that I have been negotiating for a partner, and this gentleman came over from Melbourne and spent a month—the last month, unfortunately—with me in the business. Well, I will just merely say that the partnership has not come off, and leave that to speak for itself.

ALFRED LINDSAY, Bootmaker, Lambton Quay and Cuba Street, examined. (No. 6.)

*Witness.* I may say that the Act does not affect me very much, except in Cuba Street; but one feels his whole manhood stirred when he sees legislation taking this shape. To me it savours too much of Russia. As far as the hands are concerned, I only employ one or two, perhaps, extra of a Saturday night, but I do this expressly because the people who do the shopping cannot get out except during the hours concerning which the Legislature wants to say, "You shall not shop in these hours." The people come at that time because it suits them, and we feel it is not our duty to take them by the throat and say, "You shall not shop." It is a monstrous thing. I am in a similar position to Mr. Hannah. The only time the new Act affects us in Cuba Street is after 9 on Saturday night. From 9 till 10 or half past, you may say, the place is full; and to say to those people, "You must go out; Parliament says we have to shut our shops," is, to me, a most revolting thing. I do not know how it appeals to all of you gentlemen. It is taken for granted that the object of this is to be kind to the assistants. Why, take yourselves; how long did your fathers and your grandfathers work? When I came to this colony thirty-eight years ago I got up at 6 in the morning; I was on my seat—I was a working shoemaker—and I did not get off till 10 at night. And I am not a bit the worse for it. I could not have got on unless I did so. You are simply saying to men like myself, "You are down, and down you shall be kept." This does not affect me much now; I have arrived at the happy age of sixty-five, when I can get the old-age pension; but I think I will steer clear of that. To say to women who are burdened with a young family—honest wives of honest working-men—that they are not to shop except between particular hours, I think it is nothing but a blot on the British escutcheon. I say, by all means define a

man's labour and his hours, and pay him accordingly; but let everything else alone if you are going to make this people a nation. I know that if we shut at 9 on Saturday night it will mean a big falling-off on that night only; but that does not affect me; I am against the whole principle. The whole principle is absolutely wrong. If I shut at 10 on Saturday night, and do not do the ordinary trade then, I know perfectly well that my income-tax will be less, and the other expenses. The gentlemen who are around this table do not know, unless they are in trade, what trade expenses mean. As an instance, I might mention that I got a bill in the other day for £8 15s. for accident insurance. Well, I know there are men round this table who can bear me out when I say that when you have to insure a working-shoemaker against accident it is like insuring the moon. That is only one of the expenses that we have to put up with. If you are going to say to the shopkeepers that they must shut up, their business will not be able to stand it.

JOSEPH METZ, Pawnbroker, Cuba Street, examined. (No. 7.)

*Witness:* I might state that a very large percentage of my business is done after 6 in the evening—I should say fully 50 per cent.; in fact, our business is done principally with the poorer class of persons, and after they knock off their work is the only time they have to transact their business. I carry on my business with one assistant, and the hours do not press at all heavily on him. He works from 9 o'clock in the morning till 12. He gets off from 12 till 2, and comes on again at 2 and remains till 4; he has two hours off from 4 till 6, and then he remains from 6 till 9. He has the usual Wednesday half-holiday, and innumerable whole holidays during the year; and I find that the working-hours are not by any means too many. I might say that, as far as I am concerned, I should be very pleased if I could do my business between the hours of 10 and 3. It would suit me very well indeed; I do not like work. But I find that the bulk of my business is done in the evening between 6 and 9, and if I have to close at 6—well, my only means of escape will be to dispense with my assistant and work the shop entirely by myself, which I certainly do not wish to do. I do not suppose any man keeps long hours for the sake of keeping them; it is really that necessity forces it upon him. The expenses in business are very large, and owing to the competition people have to avail themselves of every opportunity if they wish to pay their way; in fact, it is the only way that a man can keep his head above water. I hope very sincerely that this clause 3 will be withdrawn from the statute. I cannot give you any particulars as to the reduction in my business, because I have not been closing at 6—not from any spirit of obstruction to the law, but I have been under the impression—in fact, we got legal advice—that according to the Act under which I was licensed I was entitled to keep open till 9. I have acted on that legal advice, and have kept open till 9; but, as I say, fully 50 per cent. of my business is done between the hours of 6 and 9 o'clock.

SAMUEL GEORGE ROSS, Jeweller and Engraver, Willis Street, examined. (No. 8.)

*Witness:* I am a native of New Zealand. I learnt my business as an engraver in Wellington, and I have been in business on my own account for the last seventeen years, exclusive of three years, when I was in America. For the first twelve years I had no stock, but during the last few years I have been gradually increasing my stock. I now have one assistant and one factory hand. The hours of my assistant are any time between 10 and 4, and up to 9 o'clock on a Saturday evening. The assistant is my sister. She has a month's holiday every year on full pay. I have one factory hand, and he comes under the factory laws. His hours are from half past 8 till 5. He also has a month's holiday—a fortnight at a stretch, and the other fortnight subdivided throughout the year. He is on full pay while having the holiday. My business place is in close proximity to the wharf. I do a large business with the floating population. I reckon that there are from seven hundred to a thousand people daily at the Queen's Wharf and the Glasgow Wharf, the class with whom I do my night business. They are quite a different class of people from those I meet during the day. I also do business with the arrivals off the express trains in the evening, and the people who stay at two or three large hotels which are in the vicinity of my shop. My rent, I might say, is extremely high for such a small shop; I pay £15 3s. 4d. a month. I pay this excessive rent in order that I may keep in touch with the wharf people and those off the trains, and those who stay at the hotels to which I referred. There are a good many tourists staying at these hotels, including the different operative and dramatic companies that come round, and their custom is well worth getting. I might state that more than five years ago this Shops and Offices legislation was brought under my notice by the Hon. Mr. Shrimski, and he advised me to get up a petition and approach the Premier, which I did. We waited on him over five years ago. I want to emphasize this, because it has been stated that there has been no indignation meeting or deputation in opposition to the provisions of the Act until lately. I say there has. We approached the Premier on this matter five years ago, and we had a petition signed by over a thousand people and 450 shopkeepers. In the year when the Premier was in England the Legislative Council was approached, also Sir Joseph Ward, and we emphasized this as much as we possibly could. I think it was about that time that the widows came to be spoken of, which the other party has made a good deal of capital out of. We would also have made a strong protest against this present Act had we known anything about it. We were all in sympathy with the Bill as it left the House and went to the Upper House—or the majority of us were. We had no objection to it; we rather approved of it. I was in touch with one of the members of Parliament, who told me that this obnoxious clause 3 was not in the Bill, and I informed him as soon as I knew the clause had been put in by the Council that we would approach the House immediately. I got a hint about it some four days before the Bill came back to the Lower House. I stopped the Hon. Mr. Rigg in the street, and asked him if it were in, and he could not tell me. He said, "I am Chairman of the Labour Bills Committee of the Upper House; I am in a confidential position, and I cannot give you any information about it; but you will see about it from the newspapers in a day or two." In speaking about Mr. Rigg I should like to say this:—

*The Chairman:* We cannot criticize members of Parliament here.

*Witness:* Very well. It has been stated in *Hansard* that if we cannot do sufficient business by 6 o'clock we ought to go into employment under another boss. Well, for the first five or six years that I was in business I was just making sufficient to keep my head above water. I was not even making wages; but by hard work I have raised myself to the position which I now occupy, and that position is this: I have a stock worth £3,000, and I am able to send my four children to school, and am giving them little luxuries in the way of learning music, and so on; while if I were in employment under another man and earning about £3 a week I should perhaps soon be in a position like that of some of the men who are coming into my shop and begging for employment, and I should not be able to bring up my children properly. I should not be able to carry out the ambition of every man, to bring up his children properly. If this obnoxious clause is not repealed I will, by every means in my power, strive to regain what I am losing by closing up at 6; but if I find I am not successful, I shall certainly not give up my position and work for another man. I shall simply go to the place where I got some years of experience—I refer to America. My employer there wanted to know how many hours I could work. He said that one of his men could work from 6 in the morning till 10 at night. I said I would be with him, and I worked longer than the other man. I should like to state that my takings in June, 1904, were £171 19s. 8d., and in 1905, during the month I closed at 6, £149 1s., leaving a debit balance of £22 18s. 8d. for the month.

A. BANKS, Pork-butcher, 59, Willis Street, examined. (No. 9.)

15. *The Chairman.*] We shall be glad to hear what you have to say?—I might say that the wages I pay are about £17 a week, and my takings up to 11 o'clock this morning were 6s. Our trade really does not begin before half past 4 in the afternoon. I do my business principally after half past 4, and if my shop were closed at 6 it would make a very great difference to me. I have kept open during the last eight weeks; I am just saying what 6 o'clock closing would do for me. My trade is almost all done after half past 4. I do not know that I can say any more.

FREDERICK WILLIAM WICKENS examined. (No. 10.)

16. *The Chairman.*] What are you?—A picture-framer and fine-art dealer, in Cuba Street.

17. Yes?—I might say that most of my business is done after 6 in the evening. Picture-frames, pictures, &c., are luxuries, and people are at liberty in the evening to spare time in order to choose their goods with better effect than they are in the day-time. Ladies and gentlemen can get out together, especially young couples about to furnish. They can come together after the gentleman has done his work. Another thing: I also keep the materials for students at the Technical School. Most of these students are employed during the day, and if I were compelled to close at 6 they would not be able to get their materials for school in the evening. Another thing I should like to mention is in connection with art exhibitions. These remain open, at certain periods of the year, at all times, including the weekly half-holiday and the evening. They sell pictures, and by being open prevent us from getting a commission on selling the pictures exhibited there by artists. As regards an assistant that I used to employ, I have never employed an assistant in the evening, although I have been in business for twelve years. I used to let them off at 5 or half past 5 every evening. I have also voluntarily closed twice at 6 o'clock—before ever this Act was brought into force—to see whether it would suit my business or not, and I found it a failure each time.

JOHN FREDERICK KUCH, representing the Pork-butchers of Wellington, examined. (No. 11.)

18. *The Chairman.*] Are you a member of the Shopkeepers' Association?—I am.

19. You might just tell the Committee what you think about this matter?—The pork-butchers have a strong objection to clause 3 of the Shops Act, and on that account they pray that clause 3 be repealed. It is not easy for the pork-butchers to commence their trade early during the day; in fact, they would rather prefer closing in the morning—all the morning—and then keep open a little later in the evening, because their trade is done in the evening. Many times our employees are very little employed through the day; our trade practically commences in the evening, and then we have to dispense with them. We would therefore ask that some other arrangement, combined with the legislation which is already upon the statute-book for the benefit of the employees, be made, so that we may sometimes employ them at a later hour instead of through the day, letting them off a number of hours during the day; otherwise we have no fault to find.

JOHN TOMLINSON MILLINGTON examined. (No. 12.)

20. *The Chairman.*] What is your occupation?—Draper and milliner, in Vivian Street.

21. We shall be glad to hear you?—I can speak very strongly on this matter, Mr. Chairman and gentlemen, because I am, perhaps, one of the most hardly hit with the 6 o'clock closing. Some six or seven years ago we started business in Vivian Street, and that street was then and is now a street in which business is done principally after 6 o'clock. I want you to understand that in this city there is a distinction between districts where business is done before 6 and where it is done after 6. We established our business in a thoroughfare where the business is done after 6, and we built our business up on that foundation. During these last two months our takings have dropped 22½ per cent. I can give you the actual loss in business done for the two months—namely, £216 9s. 4d., which is 22½ per cent. less, comparing the last eight weeks with the corresponding eight weeks of last year. As I was saying, we established our business principally on a night-work basis. To do that we worked our hands in two shifts. One shift was on duty from 9 in the morning till 6 at night, and the other one from 1 in the afternoon till 9 in the evening, the shifts working alternate weeks. We are conforming with the Act now, and are

working from 9 in the morning till 6 at night. We have reduced our assistants by one-half. We have seven or eight fewer hands in the shop at present than we had two months ago. The hands in the workroom have also been reduced one-half. Where we had from twenty to twenty-five previously we have now from ten to twelve. I would point out to you that under the old condition of things we did a good deal to improve Vivian Street, and a good deal of what money we have made we put into the premises in the way of improvements. This was to maintain our position as business people; but it will probably mean that we shall have to move out of Vivian Street. As far as the hands are concerned, they are well satisfied with the arrangement that held good before the Act came into force. A few months ago, when we were closing at 9 o'clock in the evening, I advertised for a junior assistant in the shop. I had between fifty and sixty applications within half a dozen hours, or less than that. Every day we have applications, either from the workers themselves or from their parents, for positions in the business, both workroom and shop. Instead of enterprise being encouraged, we are restricted. We have to refuse these applicants, and, in fact, we have to dismiss old and faithful servants on account of the curtailment of business. A good deal of our business has been done with girls employed in town—in offices and other businesses. They cannot conveniently do their shopping in their dinner-hour—at any rate, not up our end of the town—and the consequence is that we are losing a good deal of that trade, because they do not want to have to set apart all their Saturday afternoons for shopping. Another thing I should like to point out. We have a good many travelling companies coming round at present—in fact, they are always coming round here—but these companies, at the Opera House and elsewhere, have been doing better business since the early-closing law has been in force than they ever did before—that is, taking the average. You will find that the Opera House and other places of amusement are taking a good deal of the money that was spent at the shops by the people in their leisure time after 6 o'clock before the new Act came into operation. I can give facts and figures to prove these statements. Many of the married women in town cannot conveniently do their shopping before 6 o'clock, because they have their family duties to attend to, and they used to take the opportunity of doing their shopping when their husbands came home. If they are to do their shopping before 6 it rushes them, and it is not satisfactory to them or the shopkeepers. I know a great number of customers who have spoken very feelingly on this matter.

RICHARD BROWN examined. (No. 13.)

22. *The Chairman.*] What is your occupation?—Bookseller. I find that having to close at 6 o'clock makes a considerable difference in the sale of our periodicals. Not knowing, of course, that this compulsory closing was to come about, our orders had been as large as or larger than usual—growing every month—and we find now that the unsold copies are piling up, and we have no returns with these periodicals. The result is that we find we are suffering a dead loss—stacks of magazines unsold that used to be sold to the shipping people—people off vessels arriving after 6 o'clock, and railway trains arriving in the evening. The only opportunity that the officers and men had of getting into town to make their purchases is now closed to them, and the result is that newspapers and magazines that we should otherwise have sold to these men are now lying on our shelves, and being offered at any price that we can get for them, or so-much a pound as waste-paper. I have brought no figures with me, unfortunately, as I did not hear of this meeting until just a little while before I came here; but there can be no possible doubt that the returns have fallen off considerably. At a public meeting the other day we stated that the average falling-off in cash sales was estimated at 25 per cent., and I think that is well within the mark. If any member of the Committee would like to come to my business premises, 31, Willis Street, I could show him stacks of unsold papers and magazines. They will be presented gratis to members who like to call for them.

JOSEPH PATERSON SHAND examined. (No. 14.)

23. *The Chairman.*] What is your occupation?—I am a bookseller and stationer.

24. You are a member of the association?—Yes.

25. Will you make a statement?—My statement is, briefly, this: I certainly have not any figures for the past year to go upon, because I have recently taken over a business from Messrs. Gordon and Gotch, as a bookseller, stationer, and newsagent. I have only had it for seven months, but since I have been compelled to close at 6 o'clock—from the 11th May—I have had a falling-off of about £25 per month in my business. This is a very serious matter. When I purchased this new business I took upon myself certain obligations, and I am looking to my future with a certain amount of uneasiness on account of this Act. I handle, I presume, about the largest number of dated papers in Wellington. I have a shipment from London weekly, and I also handle the leading Australian papers. I used to sell a good number of these in the evening after 6 o'clock to visitors—the floating population that comes to Wellington through its being a large shipping port. People who come from England will naturally buy from me the London papers, to give them information concerning Home matters, and the same with Australian people. The result of the operation of the Act has been that I have to a great extent had to reduce my orders and cut down my supplies, and to me it has been a considerable loss. I am prepared to show my books to any member of this Committee who would like to inspect them, in order to prove that when I say I am losing business to the extent of £25 a month I am stating a much lower figure—in fact, I find the difference in my business, comparing May with April, is actually £34; but I reckon that on an average it is about £25 per month that I am losing. I may state that recently I employed a man, but I have found it necessary to dispense with his services and take on a girl in his place, because I could not afford to keep him.



ROBERT HANNAH, Boot-manufacturer, examined. (No. 15.)

26. *The Chairman.*] Will you proceed, please, Mr. Hannah?—I do not know that I have very much to say in the matter. Six o'clock closing we do not object to, but we certainly do object to having to shut up at 9 o'clock on a Saturday night. It is impossible for us to get the customers out of the shop and square up by that time. Anything earlier than 10 o'clock is very inconvenient, we find. I sympathize very much indeed with these gentlemen who are advocating longer hours than 6 o'clock. I know very well that had this 6 o'clock closing been brought into force in my earlier years it would have affected me very much. And it is not only affecting the small shopkeepers; it is also depreciating property to a very great extent. I can speak feelingly on that point. I have property in Cuba Street. I spent £15,000 there, and had 6 o'clock closing not come into force those shops would have been let some two months ago. They are not let now.

EDWIN ELLIS, General Dealer, examined. (No. 16.)

*Witness:* My calling is that of a second-hand dealer, and I need not explain that most of my work is done after hours. Those that I have been associated with tell me that the bringing into operation of clause 3 is such a blow that they will not be able to bear it, but that they will have to retire if it is to remain in force. I might say that there is nothing in the Shops Act that I consider any hardship, except where the employer's privilege is taken from him. Any one embarking in business wants the fullest latitude allowed him. I only crave that section 3 be repealed, and if the other sections remain as they are I shall be quite satisfied.

Deputation representing the pork-butchers of Christchurch in attendance.

GEORGE ANDREWS, Pork-butcher, Christchurch, examined. (No. 17.)

27. *The Chairman.*] Do you represent any one besides yourself?—I represent the whole of the pork-butchers of Christchurch.

28. Yes?—Mr. Chairman and gentlemen, we object to clause 3, because it affects the pork-butchers very much—I should say throughout the colony. However, I will speak for Christchurch and my own business. Our trade practically commences at about 4 in the afternoon and finishes at about 8 or 9 at night. I have five hands besides myself, and I work under the Arbitration award. If any one has to take the shop of a night it is myself. We have all the morning to make our small goods and prepare them for the window. Of course, we depend entirely upon the travelling public and the citizens of Christchurch for our trade. Our trade is different altogether from that of a beef-butcher. We do not canvass for orders. The customers come into the shop. If they want orders delivered, of course, we deliver them. But a beef-butcher has a round, which he has to go every morning. We do not. If we have to shut at 6 it means that I shall have to dispense with three hands. I have not dispensed with one yet. I might say that I gave early closing a week's trial—from one Friday night till Friday night of the next week. My takings were £7 less for the week, and I threw away small goods to the value of £2 10s. I do not know what it would mean to the small-goods-men; but I should say it would mean a big falling-off to the trade, and practically they could not live. As far as Saturday night is concerned, we could not shut at 9. I tried it. The night on which we tried to shut at 9 we could not get closed till half past 9, and then we had to shut the door and put the people out. The reason why we cannot shut at 9 on Saturday is this: The assistants of most of the establishments in Christchurch do not get away till half past 9, and many of them depend on Andrews's shop being open in order to get a sausage or a saveloy, or something else; and a man who likes a glass of beer will go to a hotel and have it with his fellow-employees before he comes to me. Practically we do more trade between 9 o'clock and a quarter to 10 than we do from a quarter past 8 to 9 o'clock. We do more in the three quarters of an hour after 9 than in the three quarters of an hour before 9. Why I strongly object to closing at 6 is because we send away to Wellington and by the early morning trains about 50 lb. or 60 lb. of sausages. I mean that the travelling public call and take them. Well, they never call at my shop till 7 or 8.

29. Do you send the sausages by steamer?—The travelling public take them. On four mornings in the week fully a hundredweight of small goods goes away by the half past 5 train to Culverden; and there is the train to Little River, and the south express at 8 o'clock. So you see there is no possibility for a pork-butcher to do his business before 6, because if he closes at 6 he turns the bulk of this trade away from his place. I have been eighteen or nineteen years in business, and, like several of the last lot of speakers, I started on nothing. Of course, I was a practical man. By hard work and the help of my wife I have attained the top rung of the ladder; and I do not want to go back—I want to stay there. But if early closing should come about and we have to close, I can assure you that it will mean I shall have to divide my shop. I shall either have to curtail my business or get out of it and take a small place. Before this early closing was thought of I took another lease of my premises. The landlord clapped on £30 a year more rent. The unimproved value put on £40 a year. So you see that, when you come to tot it all up, taking into account the income-tax—and they expect you to show something—charities, subscriptions, and one thing and another, you find that a man is being so handicapped now that there is no profit whatever in his business. I made more money ten years ago than I have made since. No money has been made in Christchurch in my business for the last ten years. If money were to be made I should make it, because I can do my work myself. You can keep your head above water, but hoard up money you cannot, because you are so handicapped in this country in one way and another. When I took my place of business I thought that £30 a year was not going to hurt me. But the next time my rates came in they were £40-odd instead of £12. That carries my mind back to the time I went Home, three years ago. My late employers, handling five hundred pigs a week, paid £72 a year rent in Birmingham and £22 rates. The man there has his men working

all hours. We have to pay our men according to the award, and the very moment the man has worked the specified time he drops his knife as if it were a red-hot iron. Your Shop Hours<sup>1</sup> Act has not hurt me so far, but if I have to observe it it will hurt me.

30. *Mr. Aitken.* You have not been obeying it, you mean?—I have been keeping open. As I said, I gave early closing a trial for one week.

JAMES SHARMAN, Pork-butcher, Christchurch, examined. (No. 18.)

*Witness :* Mr. Chairman and gentlemen, I can only corroborate what Mr. Andrews has told you. I have had about thirty-one years' experience in the pork-butchering in Christchurch, and I may say that if we are compelled to close at 6 on ordinary evenings and 9 on Saturday I think I shall have to say "Good-by" to shopkeeping. From my experience I find that between 8 and 11 on Saturday night I have taken more money than in any other time in the day. We start at about 8 in the morning to manufacture the goods, and by the time some of the goods are taken from the machine, and the smoke-house, and the copper, and put in the window it is after 4 o'clock. So we should not have much time to sell them between that hour and 6. If we were compelled to close at 9 on Saturday night we should have to start on the window at 8 o'clock. The goods are of such a perishable nature—in fact, they are more perishable than fruit. They have to be placed in their proper places in the cool-room, and some of them have to be put in salt, and the dishes have to be washed and the shop tidied up to have it clean on Monday morning. My boys, I might say, work from 8 till 6—about fifty-one hours a week—and the shop I take over myself every evening. None of my sons are there after 6.

31. *Mr. Alison* (to Mr. Seaton). You stated that some employers had dismissed their hands owing to the operation of the law?—That is so.

32. Has the law been enforced in Wellington?—It has been enforced since the 11th May.

33. Strictly enforced?—The Inspector went round and told shopkeepers that if they did not close they would be summoned. Some were fined. Some may have disobeyed, but the majority have conformed to the law. I think that chemists and tobacconists comprise those that have not complied with the law.

34. Then, the law has not been strictly enforced?—No.

35. How long did you say the law had been enforced?—Since the 11th May.

36. And it is still being enforced?—Yes.

37. Prior to the Act coming into operation did the employees complain of the hours they worked?—As chairman of our association, I can say that I have never heard a single complaint from any employee.

38. As representing the New Zealand Shopkeepers' Association, do you consider that the hour of closing shops should be fixed by Act of Parliament?—Undoubtedly not.

39. Do a majority of the shopkeepers of Wellington consider the clauses dealing with early closing as provided in the Bill passed by the House would work satisfactorily?—Undoubtedly not. The Wellington association is very much opposed to clause 21. They look upon it that a majority of one could close the minority, and it would be unjust to the smaller shopkeepers. As the Bill left the House it provided for a three-fifths majority.

40. The Shopkeepers' Association is opposed to clause 21?—Yes; equally with clause 3.

41. Which class of shopkeeper is most prejudicially affected by 6 o'clock closing, the large shopkeeper or the small?—I do not think the large shopkeeper is affected at all. He has never opened at night.

42. It really affects the small shopkeeper only?—Undoubtedly so.

43. Assuming that the Act were enforced strictly, what would be the effect upon the small shopkeepers?—To a great extent it would divert money into other channels. To a great extent it would benefit the large shopkeepers. We have in our association several large shopkeepers who close at 6, but they are quite in sympathy with the small shopkeeper. They recognise that they were small people once. Early closing would divert money into lots of channels. Take the night trade: there are lots of people who would not purchase at all if they were not able to purchase at night. I refer to such a business as the confectionery. There are lots of trades where people will do without a thing unless they can buy it at the time.

44. Are you of opinion that the enforcement of the law would have a ruinous effect upon a large majority of the small shopkeepers?—I feel confident that it would have.

45. You stated that a minority of the shopkeepers could not carry on their business if the assistants were not permitted to work after 6?—Yes, a minority.

46. Does your association consider that this minority should be permitted to employ hands after 6?—That is a question we have not brought up, because it is only just recently that the amendment has come under our notice. Personally, I think that as long as the assistants' hours are regulated by statute they should be allowed to be employed at any reasonable time. I look upon a reasonable time as being at any hour between 8 in the morning and 9 at night.

47. Do you consider that fifty-two hours a week is a reasonable enactment?—Yes; our association is perfectly satisfied with any sort of legislation as far as regulating the hours in concerned, but not the time when the assistants shall work.

48. Assuming that fifty-two hours a week are worked, do you consider that overtime should be paid after 6?—Personally, I would be quite willing to pay overtime if my assistants were brought back to work at night, which they are not.

49. Which clauses of the Act does your association object to?—We object entirely to clause 3 and clause 21—that is, the clause providing for compulsory closing at 6, and the clause which enables a bare majority of the shopkeepers to close the minority.

50. As to the other clauses, are you satisfied with them?—The other clauses do no affect us.

51. I would like to ask Mr. Andrews a question or two. (To Mr. Andrews.) You said that you closed for one week, and kept open the rest of the time: what was your experience during the week that you closed?—My experience was that there was no possibility of my carrying on my business so as to pay me if I had to close at 6.

52. Really, your business could not be successfully carried on?—That is so.

53. Did the Labour Department lay any information against you for keeping open?—No. The Inspector called on me, and I told him that I had given early closing a trial, and I should have to be compelled to close at 6 before I did so.

54. Has the Act been strictly enforced in Christchurch?—No, it has not—not in our business. I really think the Inspector could see that we could not do our business if we closed at 6, and 9 on Saturdays. Mine is a working-man's business. It depends upon the working-men.

55. *Mr. Sidey* (to Mr. Seaton).] I understand you are opposed to any limitation whatever as to the hours for shops to keep open?—Yes.

56. You do not approve even if the hour for closing is 10 o'clock or 11 o'clock?—It is totally unnecessary, because the shops do not remain open till that hour.

57. Are you not aware that there are countries in which the shops do keep open till that time?—Yes.

58. Is it not likely that if the hours are not limited the condition of affairs prevailing in other countries may also prevail here?—Not if the hours of assistants are regulated. In England they have a new Act which, I understand, does regulate the assistants' hours. The new Act in England, I understand, permits any shopkeeper to remain open after 8 o'clock as long as he does not employ assistants then.

59. You think there is no danger of the hours going beyond 10 or 11?—I do not think so. The tendency in New Zealand is not to work.

60. Are you speaking in the name of the association too? Is the association unanimous in taking up the position that there should be no limitation in the hours?—I think so.

61. And also as to your being opposed to clause 21?—Yes; we have threshed out clause 21

62. (To Mr. Andrews.) You said that there was more of your trade done after 9 on Saturday night than before 9?—No; I said there was more done in the three quarters of an hour after 9 than the three quarters before 9.

63. Is it not a fact that there are a number of persons who do their business after 9, who simply pass the earlier part of the evening in walking the streets and leave making their purchases until it is time to go home?—That is so.

64. Do you not think that if the people knew that all the pork-butchers were to close at 9 they would make their purchases a little earlier?—They would not.

65. What leads you to think that?—I put a notice in my window that the shop would be closed on and after such a date. This was there for a week, but I found that on the Saturday night on which I closed I lost that trade.

66. Do you not think it would just take a little time before people got into the habit of remembering that the shops closed at 9?—No; they would not until you closed the hotels up at the same hour. Then the pork-butchers would have no one to serve afterwards.

67. You think that if the hotels were closed at 9 it would be all right for the pork-butchers?—It would be all right.

68. I understand that you would be quite willing to close at 9 o'clock if the hotels closed too?—I believe, myself, that it would minimise the trade. It would drive a certain class of people off the streets; but I am satisfied of this: while the hotels have got two hours longer to keep open there will always be a big body of people who will not do their shopping until just before the hotels close.

69. If Christchurch were a no-license district you would have no objection to closing at 9?—No, because I believe that the trade would be done.

70. With regard to the week in which you tried this experiment: did the other pork-butchers in Christchurch close too?—I am not certain.

71. Did you close, Mr. Sharman?—*Mr. Sharman*: No.

72. You will recognise that it did not give the thing a fair chance if the others did not close?—I do not believe that Mr. Sharman took a farthing more than his usual amount.

73. You did not consult him about that?—I did not.

74. Where do you think the trade would go?—Of course we all have our customers, and they would say, "We did not get what we wanted last night, because you were shut." The reply would be, "Yes, we were giving it a week's trial." They would rejoin, "Then, as long as you do we shall not come near the shop."

75. Where would they go?—They might do without the luxuries—and the goods I handle are luxuries. They would use other things—probably trying somebody else's goods.

76. What do you call a luxury that you sell?—A chicken, or an Oxford sausage, or a German sausage, or pressed pork, or brawn.

77. You reckon that they would do without these goods?—They would do without them until they were forced to come in the day-time. But you see the working-man gets home, and has his dinner, and is asked what he would like for breakfast. He will perhaps say, "I would prefer a few sausages," and it is a case of going and getting them.

78. *Mr. Aitken*.] Mr. Seaton said that there were 907 shops in Wellington; that two hundred closed at 6 already, and two hundred belonged to his association. You did not make it quite clear to me, Mr. Seaton, as to whether you are absolutely in touch with the 507 remaining shops?—*Mr. Seaton*: We have the signatures of the majority of the five hundred asking for the repeal of clause 3; but they are not members of the association.

79. You are really representing them?—Yes, practically. These figures are only approximate, about the two hundred closing. As far as we could make out about two hundred closed already.

80. Mr. Brown made the remark that his periodicals were lying on the shelves. He did not make it quite clear to me as to whether or not he had any bad stock of the kind before early-closing came into force?—*Mr. Brown*: No. For six years I managed to sell all my papers and magazines; but now they are piling up.

81. Then Mr. Millington said that at his place they were doing with seven or eight hands less than they previously employed. Do you not employ more hands in the fine weather than in the winter months, Mr. Millington?—My figures would correspond with this time last year.

82. *Mr. Tanner* (to Mr. Seaton).] You are, I understand, voicing the opinion of your association when you say there should be neither compulsory closing, as provided for in clause 3, nor optional closing, as under clause 21?—Yes.

83. How then do you account for Mr. Kuch having told us that he would prefer to have the hours limited in the morning and extended in the afternoon, while Mr. Lindsay and Mr. Hannah do not object to 6-o'clock closing, but they do object to having to close at 9 on Saturday night?—They themselves close, but they are in sympathy with the association.

84. Have they always closed?—Yes, for some years.

85. Have you any suggestion to offer to the Committee as to meeting this difficulty?—I fail to see that there is any difficulty to be met. If you wipe out the two clauses and regulate the hours of the shop-assistants, there is nothing further that needs doing.

86. Leave matters as they were twelve months ago?—We should be perfectly satisfied, and I think the assistants themselves would, with the exception of a few malcontents.

87. *Mr. Taylor*.] Speaking on behalf of all these people, you do not desire to have any restriction on the hours for shopkeepers, so long as the assistants are protected?—That is so. The Chairman asks me to make the point clear that in whatever I have said I have represented only Wellington and Auckland—not Dunedin or Christchurch. Representatives from Christchurch are coming up to give their own evidence, I understand.

88. *Mr. Tanner*.] You are claiming to speak on behalf of Auckland also?—Well, the letters which have passed show them to be in sympathy with our views.

89. *Mr. Laurenson*.] What is the annual subscription to your Shopkeepers' Association?—Ten shillings.

90. Then there are 507 who do not think it worth while to pay 10s. a year?—Yes. Mind you, they have not been called upon to be members of the association.

91. Do I understand you to say that you object to clause 21, which would enable a majority of the shopkeepers to decide as to what would be a suitable hour to close in a particular trade?—Yes, we do decidedly object, as an association. I think it unfair that seven people should close six at a certain hour.

92. *Mr. Barber*.] Mr. Seaton stated that a number of the large shopkeepers, prior to this Act coming into force, observed 6-o'clock closing. Was that, Mr. Seaton, because they were away from the residential districts?—A number of the large shops have always observed 6-o'clock closing.

93. The shops, say, on the reclaimed land, where there are no people living?—That is so.

94. The small shopkeepers are keeping open for the people living in the vicinity?—To a very great extent. Although there are very few people living in Willis Street, we do a large trade with the floating population.

95. It is the shipping chiefly there?—Yes. Of the shops that are closing at 6 now, a majority kept open in the early days as late as we do.

96. It is for the convenience of the public, and not only for the selfish gain of the shopkeepers, that the shops are required to be kept open of an evening?—It is absolutely necessary as a means of livelihood for the small shopkeeper, and also for the convenience of the public; probably gain, chiefly.

97. (To Mr. Andrews.) Is it for the convenience of the public that you wish to keep open after 6 o'clock, as well as for the shopkeepers' own benefit, Mr. Andrews? Would it not inconvenience the public to a very considerable extent if you were compelled to close at 6 o'clock on week-nights and 9 on Saturday?—A great deal.

98. You said that if the hotels were compelled to close at 9 on Saturday night, you did not think the hardship would be so great. What is to become of the workers engaged in their work up to 9 o'clock, and who want to purchase something for Sunday's breakfast on Saturday night? How are they going to get what they want for Sunday's breakfast?—They could not get it—unless you kept the back door open. I think we should have no restriction on our shops as long as we abide by the arbitration award concerning our men.

99. Is it not necessary for the convenience of those engaged at their work up till 9 o'clock of a Saturday night, that you should keep open a little later?—Yes, decidedly.

100. So that the fact of the hotels closing at 9 would not enable these people to supply themselves with the requisite things?—No. I just passed off that as a joke, in a sense. As long as the hotels are kept open there is always a class of people willing to stay there till the last moment.

101. But you have other customers besides them?—Yes.

102. *Mr. Fisher* (to Mr. Seaton).] How many shops did you say there were in Wellington?—Nine hundred and seven, approximately.

103. How many have shut voluntarily at 6 o'clock?—As near as possible, two hundred.

104. Then, if clause 21 were put into operation, there would be no question as to whether the shops would remain open or not?—Clause 21 provides that the shopkeepers in a particular trade can close the shops engaged in that trade by a majority.

105. Would you mind if clause 21 applied to all trades, instead of to any one particular trade?—As far as Wellington is concerned, there is no doubt that the shops could not be closed under that clause,

but in some of the smaller towns it might affect them—that is, if the clause is to be universal. We are not in favour of clause 21 or clause 3.

106. Would not the Shopkeepers' Association be content if the shops were allowed to remain open till 10?—We do not wish to be restricted. I suppose that quite nine-tenths of our members close at 9—a lot at 8—but there are certain trades that you cannot limit—pork-butchers, for instance, and fruiterers do a very late trade. A man is not going to walk about town for an hour or more with a pound of sausages in his pocket. And the same applies to fruit. People want to buy the things when they are going home.

107. Take the men, under the existing state of affairs, who work in warehouses: what opportunity do they get to shop?—During the day they have very little. In some warehouses they let the men out a bit in the day.

108. They are privileged?—Yes; they have no means of shopping before 6 unless they are privileged.

109. It is quite possible, under the existing state of affairs, for a hawker to bring his cart in front of your shop on a Wednesday afternoon, and sell the goods handled by you?—Yes.

110. Hawkers' carts are not regarded as shops?—They are, but I do not think much notice is taken of them, because you see them about the streets at all hours of the day.

111. I understand that hawkers are selling goods on the statutory half-holiday which you are prevented from selling then?—That is quite right. Whether they do it legally or not I am not in a position to say, but they do it. On the wharf they go round selling things at all hours of the day and on every day.

112. (To Mr. Lindsay.) What will be the result upon the value of your property, Mr. Lindsay, if this Act comes into operation—from a letting point of view?—Heavy depreciation straight away. In Cuba Street—a principal street—there are shops to let in a row. That is one of the main contentions—that the bulk of the trade is done after 6 at night. If you will allow me, I would like to say that from the assistants' point of view, they are to-day, as far as labour is concerned and the hours worked, in a Garden of Eden as compared with their fathers.

113. *Mr. Kirkbride.*] Do I understand from Mr. Seaton that the Shopkeepers' Association object to section 21 of the Act *in toto*?—*Mr. Seaton:* They do.

114. The shopkeepers would not favour it even if the majority required were made two-thirds?—No. They look upon it as unfair that one body of men should be in a position to close up another body. Speaking personally, it would not affect me whether it was a bare majority or otherwise, but I know that it would some of our members. Take the ironmongers: there are about twenty here, three of whom keep open. Well, a majority would close these three up. The feeling on this point, however, is not the same throughout the colony. In Christchurch, I think, they favour clause 21, with certain exemptions. But, as far as our association is concerned, we would like to see the clause wiped off the statute-book.

115. *Mr. Ell* (to Mr. Seaton).] With regard to this section 21: you are aware no doubt that several towns in New Zealand have already taken advantage of it?—Yes, greatly to the detriment of the smaller shopkeepers. We have evidence from Pahiataua and Masterton. We have letters asking us to get the clause wiped off the statute-book.

116. You are also aware, no doubt, that provision has been contained in the law since 1894 for the shopkeepers themselves to have local option?—Yes.

117. To regulate the hours for a trade or for all trades?—It has never been taken advantage of, I think.

118. As the shopkeepers in Christchurch are as a whole in favour of clause 21—provided certain exemptions are made—do you expect special legislation for Wellington?—No, we do not expect it, but there is no harm in trying for it.

119. You do not ask that there shall be a special Act put through for Wellington?—No. We want whatever legislation is passed to be made applicable to the whole of the colony.

120. If Dunedin and Christchurch are agreeable to clause 21, and you are divided here and Auckland is divided, do you think the Legislature would be justified in putting the clause through?—I do not think they would be justified by any means; but if they do it, we shall have to conform with the law. We do not think it at all justified. It is not wanted. The shopkeepers have not asked for it.

121. Will you still say that when I tell you that I personally have had many shopkeepers ask me for it in Christchurch—and suburban shopkeepers too?—Yes, I know that Christchurch wants clause 21. They look upon it as being the lesser of two evils. That is the only reason why they ask for it.

122. They did not advance that as a reason: they simply said that they were in favour of it?—In their communications with us the Shopkeepers' Association down there said they would sooner have it as the lesser of two evils.

123. Do you not think, with regard to your long hours of trading here, as compared with Christchurch and Dunedin, that it is largely a matter of habit with the people?—It is not so much a matter of habit; it is a matter of necessity. Christchurch is a religious town, and people go to bed early.

124. In Dunedin they do not trade for the lengthened hours that you do here?—No; because Dunedin can hardly be classed as a port. In Wellington we have a large tonnage of shipping, and there is always a very large floating population.

125. Mr. Laurensen tells me that in his town—Lyttelton—they do not trade the lengthened hours that you trade here?—I suppose the people go through to Christchurch.

126. But in Christchurch they do not complain?—There is a good deal of complaint. There are a lot of shops in Christchurch that open at night. Wellington is the latest-shopping place in New Zealand, but it is the capital, and they are more up to date here, and there is more competition.

127. How do you account for this : you are asking that, say, bootmakers' shops shall be allowed to keep open to any hour that they may desire to keep open to—that they shall be allowed to keep open after 9 on Saturday night : yet the people that you say will be inconvenienced here if the bootshops are shut at 9 can buy their boots in Christchurch before 9 o'clock ?—I do not know about the boot trade in Christchurch, but there is no doubt that some of the shops here do a very big night trade.

128. The business there is conducted between 9 in the morning and 6 at night on week-days, and up to 9 on Saturday night, yet the people are supplied with all their requirements ?—Yes.

129. Then there are other trades that your association mentions : fancy-goods dealers, picture-frame makers, booksellers—they all close at 6 in Christchurch ?—We are not wanting to compel them to keep open.

130. My point is simply this : that it seems to me to be largely a matter of habit amongst your people here that has forced upon you more lengthened hours than are absolutely necessary ?—We do not find it so. If it is a matter of habit, that habit should not be broken straight away at the price of ruining a large number of small shopkeepers. There is no reason why the Government should force an Act through the Legislature to make a man close at any particular hour.

131. But when members of the House are asked by shopkeepers in other parts of New Zealand to fix a certain hour for closing, or to give them power to close their shops by local option, do you not think it is the duty of the Legislature to listen to these requests ?—Undoubtedly so ; but I do not think that any particular town—there may be individuals ; for instance, in this town there are one or two traders who want to make the smaller men shut up at a certain hour, and they come begging and praying to every member of the House to have the shops shut early. I do not think any man who shuts late wants to. It is those who have already closed at 6 that want 6-o'clock closing.

132. I was told by two of your suburban storekeepers, and several in the suburbs of Christchurch, that they would like the shops closed within reasonable limits ?—I presume they already close at 6,

133. No ; they close at 8. They request that the hours should be uniform. You say that the shops are open to serve the convenience of the public ?—Yes.

134. Then if a law were passed to enable the public, say, by a vote, to fix the hour of closing, would you object to that ?—Yes, we should object to it ; because we should look upon it as an infringement of our own liberty.

135. *Mr. Hardy.*] Does your association, Mr. Seaton, approve of the shortening of the hours of labour, generally ?—I think the average hours of labour in New Zealand are sufficiently short already.

136. You do not understand me. Do you approve generally of the shortening of the hours of labour ?—As far as our association is concerned, that is a question that has never been brought up.

137. But do you approve of the idea of shortening the hours of labour ?—Further than they are already shortened ?

138. Generally ?—Oh, heavens ! no.

139. One of the other witnesses stated that you would rather work shorter hours if you could ?—Well, no one is fond of work.

140. He said that no one cared about long hours. Do you approve of that, generally for all workers ?—As far as the workers are concerned, I think the hours are limited already by statute ; but as far as the shopkeepers are concerned, I say that Government or Parliament have absolutely no right to interfere with a man's own individual exertions.

141. Do you not think that with improved facilities, improved means of transit, and improved systems of manufacturing goods, we ought to be able to shorten the hours of labour ?—I should say, increase them, and increase your export and import trade, and improve the colony's finances altogether.

142. That is another question altogether. This is what I want to know : With improved facilities, improved machinery, and improved means of transit, do you not think we could shorten the hours of labour, and would it not be better for everybody ?—I do not think so.

143. That is, provided you make as much money ?—Ah !

144. Would it not be better if the hours of labour were shortened, provided you made as much money ?—The employers themselves wish for absolutely no interference. If we could do as much trade in three hours as we do in twelve, we should be prepared for the Government to legislate ; but we are satisfied we could not.

145. But if you could make as much money, would you not like to have your hours shortened ?—Yes. As far as I am concerned, if I were in a position to close at night, I should be only too pleased to do so.

146. Then, if Parliament could devise a scheme by which the hours of labour could be shortened and you did not make less money, would you not approve of it ?—If Parliament could, but Parliament is not capable of doing it.

147. *Right Hon. Mr. Seddon* (to Mr. Brown).] How long was it after the early closing started that you found the falling-off in the sales of those standard works ?—*Mr. Brown* : The first week or so that we were shut at 6 the Frisco mail arrived, bringing a supply of magazines. The people who came down and were in the habit of buying the magazines found the shop shut, and the next day they did not come for them—they had gone on by steamer or train to some other place, and at the end of the week, instead of having sold out our supply, we had about two-thirds on hand.

148. Do you think these people got the magazines somewhere else where the shops kept open ?—At the railway-station, or the next place they visited.

149. But if every one shut up, these people, if they wanted their usual magazines, would have had to get them ?—They could not have purchased them, and the people who had imported them would have lost by it.

150. Did the state of things improve after the shops had been closed at 6 for a time?—No; the trade in that particular line has become worse. The people go to the theatres and the hotels, instead of buying a magazine and going home to read it.

151. You would say that a person who had been in the habit of taking, say, the *Nineteenth Century*, knocked it off because he could not get the magazine after 6 o'clock?—Yes.

152. Do you ask the Committee to believe that?—I ask the Committee to come down to my shop, and I will show them piles of magazines which they are welcome to accept.

153. As to your general business, did your takings continue the same as they were during the first week, or have they improved as you have gone along?—They have fallen off; because the trade done at night has principally been done with the seafaring public—people who come in by boat and train after 6 o'clock, and the only opportunity they get is to come down at night and purchase, as they are off again early in the morning. That trade is lost now.

154. Have you inquired from any other booksellers whether they have sold the same number of magazines? These are generally ordered by number?—Yes, so-many of each. Mr. Shand made the same statement as I did—that he had not been able to sell his wares, and, like cherries, unless the magazines are sold when fresh, they are no good.

155. After you closed, what have your takings been for the consecutive weeks since the first?—We estimated the reduction to be 25 per cent.

156. Did you suffer a greater falling-off in the first week?—I am bound to admit that the first week of closing at 6 was the worst week.

157. Say it was 50 per cent. the first week, it would be a much lesser amount last week: have you made a comparison?—I have really not made a comparison. I did not come prepared with figures; I was asked to come here very shortly before the meeting; but I know that the unsold stock tells its own story.

158. The point is that time is doing its work. When the general public get accustomed to early closing and know that they can only buy what they want during certain hours they will suit themselves, will they not?—The same conditions hardly obtain in Wellington that you find elsewhere. The trade that is done at night you do not see in the day. It is done with people who arrive at night principally and depart in the morning. People come off the ships and the trains, and the shops being open they buy what they want and are off by the early train in the morning. We do not get these people in the daytime at all.

159. You argue that booksellers require special treatment, that they should be exempted?—I am not asking for any special consideration on our account; but I say that what affects me must affect others. I am not really asking you to pass any special legislation on the bookseller's account; I have not been authorised to do so.

160. You say that there are special circumstances attending your business which do not apply to other businesses?—That is so.

161. Then you would like to be put among those exempted on that ground?—I do not like any restriction at all.

162. But supposing there were to be restrictions?—Make it as late as possible, because, as some other speaker said, it frequently happens that the whole morning goes by and we hardly see a customer.

163. Do you sell much between 11 and 12 at night?—We are not open as late as that.

164. At what time do you close?—I am never open later than 11.

165. What would be the percentage of your sales between 10 and 11 o'clock?—It is a fairly good run of trade, because the theatres and the hotels turn out then and the people must take something home.

166. *Mr. Tanner.*] If the hotels could be brought into line with the shops a great deal of this difficulty would disappear, would it not, Mr. Brown?—I have no doubt. It would nearly settle the business.

A deputation from the Wellington Shop-assistants' Association attended the Committee.

*The Chairman:* We understand that you represent the Wellington Shop-assistants' Association and wish to give evidence with regard to the Shops and Offices Act Amendment Bill now before the Committee, more especially dealing with the hours of labour. We do not wish to restrict you to the four corners of the Bill, and desire to have a general statement from you. We only ask you, as far as possible, not to overlap one another in your evidence. We shall be glad to hear you.

WILLIAM HAMILTON, Secretary to the Wellington Shop-assistants' Association, examined. (No. 19.)

167. *The Chairman.*] Are you an employee of the association?—Yes. The association consists of members, male and female, and a president, vice-presidents, and committee.

168. About how many members are there?—A total of 303 are on the register. The general and executive committees have met on several occasions recently for the purpose of framing a circular which embodies the requirements of the Shop-assistants' Association. I have a number of the circulars here, in which there are only seven clauses. I will go through the circular—it will only take a few minutes—and make a few comments on each clause. We are here to represent the committee, and the committee represents the whole of the association. These clauses are the basis of our requirements. Clause 1 says, "Duration of employment not to exceed fifty-two hours weekly." That speaks for itself, and I do not think there is anything unreasonable in that clause. Clause 2: "Shop-assistants not to be employed in any shop after 6 p.m. on Mondays, Tuesdays, Wednesdays, and Thursdays, and not after 9 p.m. on Fridays, and 1 p.m. on Saturdays." We want to keep strictly to these hours. Any extension would be injurious to the health of shop-assistants, as a large proportion of them, as you may know, go to lunch at 12 o'clock, get back at 1, then work from 1 to 6, which is five hours' constant employment without any food. If that hour were extended by half an hour, that would mean five



hours and a half, and if you allow half an hour for them to get home, that would mean six hours without a meal. We have to watch that, because many of the assistants are females, and it would not be fair to shop-assistants living a considerable distance from their place of employment if the time were extended. Section 4, (c), of the present Act says that no assistant shall be employed "for more than five hours continuously without an interval of at least one hour for a meal," so that you would have to alter that section if you kept the shop-assistant after 6 p.m. without a meal. Clause 3 of our circular says, "Saturday to be the statutory half-holiday, fixed by Parliament." All shop-assistants greatly desire this to be the half-holiday in preference to any other day. It would enable them to participate in the sports, and games invariably held on that day, and also permit them to make short excursions into the country districts. We think that Parliament should fix the day for the half-holiday, and not leave it to the Mayor and City Council. The day fixed by the City Council might lead to confusion, because one Council might select Wednesday and another Saturday (should there be a change of members), and such a change in the day would upset business a great deal.

169. *Mr. Aitken.*] It is not the Mayor and City Council who choose the day, it is the local bodies generally in conference?—The Council have the larger voice in the selection of the half-holiday. Many of the shopkeepers whom I have seen and who now open on Saturday would rather close on that day, provided it was fixed by Parliament. They now open on Saturday afternoon because others open on that day. They are afraid that one shopkeeper might have a greater share of the business than another. If the day were fixed by Parliament the shopkeepers I have seen would only be too pleased to close on Saturday. Clause 4: "All shop-assistants shall be given one week's holiday in each year on full salary, provided they shall have been in their employer's service not less than one complete year." It might have been added that that clause was in lieu of overtime payment. The shop-assistant does not want the overtime payment. It is found unworkable, because if it is given away with one hand it is taken back with the other.

170. *Mr. Barber.*] We can add that to the clause—that is important?—Yes, "in lieu of overtime payment"—it is important. The present Act says that for three hours on thirty days in the year the shop-assistant can be worked overtime, so that he is really giving a *quid pro quo* for the holiday. He only asks for seven days, while his employer can get him to remain at work three hours a day for thirty days in the year. I have met shop-assistants who have been employed for many years—one for fifteen years—who have never yet had a short summer holiday, and the man who has been at work in one place for fifteen years says, he never will unless Parliament directs it. I might say that it is quite a customary thing in England for shop-assistants to get a yearly holiday.

171. *Mr. Fisher.*] Do you say the man you speak of has never had a holiday at all?—No. He has had the public holidays, of course. We want the annual week's holiday added. Clause 5 says: "Where shopkeepers own more than one shop in the Wellington combined district; the managers of branch shops shall observe the hours of shop-assistants as provided for in clauses 1 and 2." We must be very careful not to let—I do not like to say unscrupulous—shopkeepers place shop-assistants in charge of branches and call them managers. Any person in charge of a shop is called by the Act the "occupier," so that it would never do to let a man have several branches here and there and put managers in. He might call any assistant a "manager" in that case. What we desire is that only the one head of a business shall be defined as the "occupier," because partners might also be made from the staff and placed in charge of shops. It would be a very easy matter to add a number of partners in a business, and say that those men were not shop-assistants but partners. That would defeat the true meaning of the Act, which is for the protection of shop-assistants. We therefore say that "shop-assistant" shall be defined as one who is employed in any capacity, whether as shop-assistant, shop-walker, shop-sweeper, &c. Clause 6 says, "The Saturday statutory half-holiday shall not be interfered with when a public or proclaimed holiday falls on any other day in the week." Section (c) of clause 16 of the present Act now in force is very unjust to the shop-assistant. It says that if a holiday falls on any other day in the week than the Saturday the assistant loses his statutory Saturday half-holiday if that is the usual day. For instance, the King's Birthday falls on a Monday, say, and that is a public holiday. The assistant loams about and tries to enjoy himself, but when Saturday comes, which would be a real holiday to him, he has to work right on until 9 o'clock at night, so that he does not get a holiday at all; he gets nothing, and would rather be without the King's Birthday holiday and get his Saturday afternoon.

172. *Mr. Barber.*] Does not the shop-assistant get his salary for the King's Birthday?—Yes, by the Act, but he has to regard his own health and that of his wife and children too. I have met a very large number of shop-assistants, and found them to be a fine, manly lot of fellows, but up to the present they have not been united, although they are pulling well together now. They do consider their health and look after their families. In many instances they would prefer the Saturday half-holiday to the public holiday. Clause 7, which is the last, says, "The Prince of Wales's Birthday to be a statutory public holiday." That clause was adopted owing to the muddle caused by the alteration of last Prince of Wales's Birthday holiday from Saturday to Monday. It was interfered with by the City Council in Wellington, and the railway time-table had to be altered because the holiday was proclaimed on the Monday instead of on the Saturday. I think the City Council is not strong enough to settle the day of the holiday. The members are influenced by small vehement deputations, and we say it would be better if Parliament fixed the date of this public holiday. I have a list of shopkeepers here who believe in the uniform closing of shops, and I do not think I can do better than hand it over to the Committee. So that they should all know what they were signing, I pasted clause 3 of the Act in the list, and they all signed. Some of them had a meeting of their firms before they agreed to sign. One hundred and seventy-five signed their names. They close at 6, and would like to continue to close at 6. The list is headed, "We, the undersigned shopkeepers in the Wellington district, being in favour of uniformity in the hours of closing and opening of shops (with exemptions to refresh-



ment-room keepers, chemists, and *bona fide* retailers of fruit and fish), urge the Government to enforce provision 3 of "The Shops and Offices Act, 1904," and consider such action necessary to the general welfare and health of ourselves, our families, and assistants." I pasted the following on the inside cover of the book containing the signatures: "I witnessed and can testify to the genuineness of all the signatures of this petition."

173. *Mr. Aitken.*] Those who are opposed to clause 3 told us there were two hundred shopkeepers in Wellington who were in favour of it. You have the names of only 175?—We have a great many more than that in favour of it, but after the Act was enforced it was not necessary to obtain further signatures, or the list would have been larger. The Government said they were going to enforce the Act. It is estimated that about two thousand hands (shop-assistants, clerks, &c.) are employed by the shopkeepers who have signed this list.

174. *Mr. Ell.*] How many refusals did you have in your round of the shops, roughly?—I could not tell you how many. The restaurants, tea-shops, bakers, and confectioners, fruiterers, fishmongers, dairies, sweet-shops, tobacconists and hairdressers, and ham-and-beef shops were not called upon to sign, and they form the bulk of the people who have not signed this list. I have learned from different sources that these people consider they ought to be exempt in some way or other from the early-closing hours.

175. *Mr. Tanner.*] Do you think they should?—I am only looking after the interests of the shop-assistants. Personally, I think refreshment-rooms and tea-rooms should be allowed to keep open as long as licensed hotels, and that the public should be given the opportunity of getting tea and coffee as long as they can get beer. I should like to see all restaurants licensed.

CHARLES HAYWARD IZARD, President of the Shop-assistants' Association, examined. (No. 20.)

176. *The Chairman.*] Will you make a statement?—I have been asked to say a few words with regard to the question of Saturday being the statutory half-holiday. The association had every hope last year that Parliament would fix upon Saturday, and I believe that but for the opposition raised by the country there would have been no difficulty whatever in Saturday being fixed as the day. But when it was found that there was a very large number of the members of the House against the Saturday being fixed, and that they were chiefly in favour of Wednesday in country places, we suggested that the fixing of the day for the half-holiday should be left to the electors of the four large cities to decide. The position of the cities and of country districts appeared to us at that time to be somewhat different. A country district might have several towns in it which might have different market-days, and probably it would be awkward for them to have one particular day fixed as the half-holiday. But in the four large cities the interests are practically the same, and it seemed to us and to some members of the House perfectly reasonable that the electors of the four large cities should have the right to say which should be the day on which they should shop. Now, we do not want the question referred to the electors if we can possibly avoid it. The shop-assistants desire that Saturday should be the day. They contend that Saturday is the natural half-holiday, if there is to be a half-holiday at all. If the day which precedes Sunday is the day upon which all the mercantile offices, workmen, and everybody else in New Zealand who have a half-holiday enjoy their half-holiday, it is only natural, I think, that those who are employed in shops should, if possible, enjoy their half-holiday upon the same day. The difficulty with regard to the question of payment of wages on Friday has nothing in it, because nearly all the large concerns pay their people on that day. I am certain that Mr. Barber's large company does. The Harbour Board, the Union Steamship Company, the City Council, and the Railway Workshops all, I think, pay on the Friday. I think it was found that some three thousand employees were paid on that day, and that was found to be the case without any careful scrutiny to see what some of the smaller places did. Therefore, I think there would be no difficulty about the payment of wages on the Friday. I am quite sure the association I am president of have no desire to ruin or prejudice anybody, but if Saturday becomes the day we shall be in exactly the same position as we are with regard to early closing. A great many people who were opposed to early closing prior to the enforcement of the Act are now, since the Act has been in force, in favour of it. I will mention a concrete case, because the gentleman can be called. Mr. Lloyd, jeweller, of Lambton Quay, was very bitterly opposed to closing at 6 o'clock. He and I have had many little words about it, but after clause 3 had been enforced he told me he would be just as pleased if it always remained so. He said that he was very doubtful whether, if clause 3 were repealed, it was going to do him any good. That only goes to show that when statutory enactments are enforced, and people begin to work in harmony with them, there is not the loss, or suffering, or misery anticipated. I might say, generally, with regard to new clause 3 of the Bill, that I suppose it is apparent that it means that the shop-assistants may be employed fifty-four or fifty-five hours a week, because under this they can be kept half an hour after the time prescribed.

177. *Mr. Tanner.*] It is an increase in the number of hours?—You can increase the time for twenty-nine minutes every day.

178. *Mr. Aitken.*] But the shop cannot be opened: the assistants can be kept there?—It is as bad, I apprehend, to be kept in the shop as it is to be kept selling stock.

WILLIAM HENRY LAVELLE examined. (No. 21.)

179. *The Chairman.*] What are you?—An accountant.

180. Are you an officer of the association?—I am honorary treasurer of the Shop-assistants' Association. I have been asked by my colleagues to speak upon clause 4, section (3), on page 3, which deals with the payment of overtime. Section (3) of clause 4 says that for the purpose of stocktaking or other special work the assistant may be asked to work three hours a day thirty days in the year, and later it provides for the payment of overtime-work. It appealed to us that the provision for the payment of overtime was placed on the statute-book for the benefit of the assistant, but unfortunately it worked

materially to his disadvantage, for this reason, that many employers used to give their men a yearly holiday of seven or fourteen days and pay them during illness; but the moment the Act came into force these privileges were withdrawn and the employers said that if their men wanted to be paid for overtime they could have it. We therefore want an annual holiday for six working-days, and to have the provision for the payment of overtime taken away. Moreover, although it is intended to give us a benefit, I know that many employers get round the clause in different ways. The bulk of the assistants are drawn from warehouse staffs, and it has always been the custom when a hand is engaged for the employer to arrange for little commissions and premiums.

181. *Mr. Hardy.*] “Spiffs”?—Yes. These premiums have been reduced very much, because the firm can decide how much shall be paid in premiums, so that while the man may have had the average wage and his overtime he has lost all these privileges. So we want the clause for a week’s annual holiday instead of the one for the payment of overtime. We think the one can be worked better than the other.

182. *Mr. Fisher.*] What do you mean by “premiums”?—Supposing you are selling an article and find that it is hanging fire, you put a premium of 1d., 2d., or 3d. on it and say to your assistant, “That will be paid to you,” and it is added to the wages. The employer can give these premiums or not, as he pleases.

183. *Mr. Sidey* (to *Mr. Hamilton*).] Clause 2 on your circular is of course the clause that is subject to clause 3 of the Act. At present Saturday is not the closing-day, and the wish of your association is that Friday should be the late night instead of Saturday?—There is one day fixed for the statutory half-holiday, either Wednesday or Saturday. At present it is Wednesday, as fixed by the City Council in conference with the other local bodies.

184. So that it would be Wednesday, after 1 o’clock?—Yes, at present.

185. And 9 o’clock on Saturday?—Yes. We want the public to shop late on Fridays instead of Saturdays.

186. No provision is made for late hours on New Year’s eve and Christmas eve, as provided for in clause 3 of the Act?—That has been put to the shop-assistants and they are perfectly willing to work on those two occasions until 11 o’clock. That has been put to them on several occasions. They admit the necessity of it on those two special days.

187. You have not expressed any opinion as regards the closing-hours of shops?—I will if you like, but that is hardly our case. We shop-assistants are looking after ourselves.

188. You do not reckon it will affect you how long the shops keep open? A man may keep his shop-assistant beyond a certain hour?—Yes, that is why we want “shop-assistant” to be clearly defined. We do not want a man to be called a “manager” or “partner.” If he is a small shopkeeper we do not mind what time he likes to stop. Of course he would ruin his health by long hours.

189. You do not think it would act prejudicially to the assistants to allow a shopkeeper to remain open as long as he likes?—Not if he is the real owner.

190. Would you prevent two persons entering into partnership to do business?—I would have one of them defined as the “occupier”—the head of the firm. The whole thing can be evaded if there are two occupiers. They can open the shop one after the other, and then they would compete with the small man.

191. You say that if two men are partners only one shall be allowed to keep open?—Yes, only one should be the occupier under the Act.

192. With regard to clause 7 of your circular, would you have any objection to Empire Day being substituted for the Prince of Wales’s Birthday?—I think myself it would be better—it would be a more popular day.

193. In that case the Prince of Wales’s Birthday would not be celebrated at all?—Yes, “Empire Day” could be substituted; but let us have it fixed as a statutory holiday, not decided by the City Council or any other body.

194. You have submitted a list of shopkeepers who have expressed a desire for 6-o’clock closing?—Yes.

195. Are there a number of those shopkeepers now remaining open, or who did so before the Act was enforced?—Yes, but not a very large number. A proportion of them kept open because the others did. I might say to some of them, “Why do you not set the example,” and they would reply “I keep open because So-and-so does.”

196. (To *Mr. Izard*.) With regard to the statutory half-holiday, which you consider should be left to the four large cities to decide: how would you define the boundaries?—I only speak for Wellington: I would take the four electorates of the city, cutting out the country. You might have to step over a boundary where population comes in, but I think by the manner in which the Commissioners have fixed the city-boundaries the country would not be touched at all.

197. Do you not think it would be unfair to the shopkeepers if you allowed those five or six miles out to keep open on Saturday afternoons?—I think people come into the cities to shop because there are better shops there, and I do not think they would go into the country five or six miles to shop.

198. If the shops in the small towns closed, the city shops would not be likely to lose their trade, but if they were kept open people might go into the country?—I do not think that would be so in the four cities—they are so clearly divided.

199. There are several small places near Dunedin?—That may be so, but certainly not near Auckland, Wellington, and Christchurch. If I saw the plans of the electorates I could easily show you. We do not want to be unfair to any one.

200. (To *Mr. Lavelle*.) In relation to overtime: do you think it would be important to make it optional with the assistant to take a yearly holiday or overtime as allowed by the Act?—It is an absolute farce now according to the Act. He works his overtime but does not get any more money, and he is debarred from all the privileges he got before.

201. *Mr. Aitken* (to *Mr. Hamilton*).] You told us there were 303 shop-assistants on the register of the union: how many shop-assistants do you think there are in Wellington?—I think about three thousand.

202. Have you any means of knowing the minds of the balance outside your 303?—Yes, I have had every means. They have told me scores of times that their sympathies are entirely with us, but unfortunately their means are so slender that they cannot even afford the shilling to join our association. Then there is the Grocers' Union, they have not come in with us, because they have an association of their own.

203. I do not suppose that you used the slightest compulsion to get people to sign your petition, but I might inform you that I see two names on it, one of a man and the other of a woman, of people who have changed their minds. The man came down to me in a rage as if he would tear my head off, and the woman wrote me a very long letter, when the 6-o'clock closing started?—Yes, I can quite understand that. The women are very changeable. But everyone asked to sign knew what he was signing.

204. Some people will sign anything?—I did not find that out. I found the work far more difficult than I anticipated, and was sorry I took on the job.

205. *Mr. Tanner*.] Of the three thousand shop-assistants you spoke of, how many do you think are adults over the age of twenty-one?—I should think about two-thirds: that is two thousand.

206. And that two thousand are all in favour of the Saturday half-holiday?—There is not the slightest doubt about that.

207. Have they ever tried to use their voting-power municipally by electing a Council that would be likely to give effect to their wishes?—Yes. At the last election for a Mayor and City Council we had the names of fifteen candidates in favour of the Saturday half-holiday. I had the names distributed amongst shop-assistants, and I think they voted for those men.

208. How many of the fifteen were successful?—I think six, but some of the fifteen were not well known.

209. How many does the Wellington City Council consist of?—Fifteen members, and fifteen of the candidates were in favour of the Saturday closing.

210. Have you members in the adjoining boroughs, which were represented at the meeting to fix the day, acting in a similar way? It is necessary to send men favourable to yourselves there?—Yes. It is a risky thing now. It is not only the City Council that fixes the day. It is not a representative vote.

211. Do your people try in the outside boroughs to get support?—Yes, and they are in favour of it.

212. At present you have not been successful because the city has the predominating influence?—The Shop-assistants' Association has only been in existence six months and we have not had time.

213. *Mr. Barber*.] You said you were successful in the City Council elections and got six Councilors in. Were you successful in getting the Mayor selected?—We could not fix upon the proper man—they all shuffled the question. We wanted a "Yes" or "No," and the man who came nearest to us got in.

214. In reference to this petition signed by 175 shopkeepers: you said you had no difficulty in getting those shopkeepers to sign?—I did not say that. It took a long time and was a bigger job than I anticipated.

215. Supposing there is a man employing an assistant who knows there is a man a little higher up who manages his business without an assistant, do you not think that man would sign it because he thinks he is being treated a little unfairly?—No. Some men are exempted.

216. Because *Mr. Timmins* is allowed to keep open *Mr. Blair* would go in for 6-o'clock closing?—I have been told that *Mr. Timmins* and his wife and an assistant are employed in the shop. I understand he keeps open.

217. You said you thought restaurants ought to be kept open after 6-o'clock?—Yes, the same hours as the licensed houses.

218. It would be necessary for them to employ assistants?—Yes. I should limit their hours.

219. You do not object to restaurants being kept open?—Certainly not.

220. If a girl is working overtime at night it is necessary for her to get her tea in town?—Yes, but their interests ought to be safeguarded.

221. (To *Mr. Lavelle*.) With regard to overtime-pay allowed: A lady in one of the three largest drapery-shops on Lambton Quay told me that from January up to the Prince of Wales's Birthday holiday she earned 3s. 6d. overtime, and, in consequence, had to forego her holiday. She was in the habit of getting ten days' holiday, and she has lost that?—In some cases they do not even pay the 3s. 6d. I know one large business place in Wellington where it has been evaded. The assistants have not been paid even the 3s. 6d., and they have lost their privileges.

222. *Mr. Alison* (to *Mr. Hamilton*).] Are the assistants in favour of clause 3 being retained?—We have not said that.

223. Are you in favour of the retention of clause 3 of the Act?—I am, as a citizen.

224. And as representing the Shop-assistants' Association, what do you say?—I am not empowered to answer that question. We have, I can assure you, at our committee meetings expressed a good deal of sympathy with the small shopkeepers.

225. Shopkeepers told us this morning that if the shops are closed compulsorily as at present, it would prove ruinous to a large number of small shopkeepers. Do you consider that the shopkeepers should be compelled by Act of Parliament to close their shops, and that the effect would prove ruinous to them?—No, I do not think so. In some cases it would prove to their advantage. I have been round to a good many shopkeepers and heard what they said about their gas and electric-light bills, and if they could do their business in a fair number of hours they would prefer to do it.

226. They say they could not carry on their business in the limited time permitted?—I think they could.

227. Has that question been considered, the effect upon the shopkeepers of this proposal?—Yes, it has been considered in this way, that our association thinks that the shopkeepers would not lose if they adopted early closing and uniformity in the hours of closing. If all the shops closed at a certain hour one would not reap any advantage. People spend a certain amount of money, and would spend it in a shorter time. It is when the exemptions come in that there is trouble. If you give one an exemption others want it. If you could fix upon one hour for closing and enforced it, I think the shopkeepers would be the better for it. I will give you an illustration: In taking round that list in a certain street I came across three bootmakers. I asked one of them working at his last, "Will you sign this list?" He said "No, not unless the other two up the street do so." I went to the next man and he said he would not unless the other two did. Ultimately, I managed to get one of them to sign it, and then went to the other two and they signed it, and now they are firm friends. This shows that it is uniformity that is wanted.

228. Did the employees complain that the hours they worked prior to the passing of the Act were too long?—I do not know. I have only been connected with the association for a few months.

229. Are you aware that the assistants objected prior to the Act being brought into force?—Yes. After the passing of the Act several of our members came to me and told me they were being kept over time, more than fifty-two hours a week, and I told them what to do. Two of them were paid for their overtime under compulsion by the Labour Department, and immediately their employers reduced their wages. Two got a cheque for about £2 14s., but they said "It does not come to anything; our wages are lowered," and they had been working all that time for nothing.

230. *Mr. Fisher.*] In connection with this petition: What was the method by which you got it signed? Did you go from shop to shop right through the streets?—Well, I had other things to do at the time. I started in Willis Street near to my office, and went along that street. Perhaps one or two of the shopkeepers would be out. It would only be the principal who signed—never a subordinate.

231. Did you go to every shop in the street?—I missed the restaurants, fish-shops, and tea-rooms. I did not go to a single Chinaman's shop. I missed those shops mentioned on the cover of the list produced.

232. We cannot value a petition unless we know how the signatures to it are obtained? How many shops are there in Willis Street, three hundred?—Oh no.

233. Roughly, how many?—There are very few beyond where Manners Street intersects it. It was a question of time with me, and in the middle of it I sprained my ankle and limped about for three or four weeks. If I had been in proper fettle I should have got more signatures.

234. That impairs the value of the petition very much. Willis Street is packed with shops. There are only twenty-six names down for Willis Street, and there is an enormous stretch of shops on Lambton Quay for which you have thirty-six names. What do you think, generally speaking, is the opinion of those people you did not call on? The point is this: there must be a great number of shops you called on and got refusals, and a great many shops you did not call on?—There were a great many shops I did not call on, but four out of five I called on signed that list.

235. Then you must have called on very few shops?—Yes, perhaps so.

236. Then this petition is not representative in any way of the shopkeepers of Wellington?—Yes, on the contrary, it is.

237. We were told to-day there were 907 shops in Wellington, and this represents only 175?—I did not go to the Chinamen's, nor to the restaurants, hairdressers, tobacconists, and other places mentioned, because they claimed some kind of exemption.

238. As a matter of fact, this petition does not represent the opinion of the shopkeepers of Wellington?—It represents the opinions of those I called upon. I have just told you that four out of five of those I asked to sign signed it.

239. That shows that you were very discriminating as to those you called on?—Oh, no. Look at the list and you will see.

240. You missed people like Mr. Hannah and Mr. Lindsay?—I called on Mr. Lindsay.

241. And he would not sign it?—No. There are not many shops left when you take those out which I have named. When the Act was enforced I immediately stopped getting signatures.

242. When you started that petition you considered it probable that you would treble that number?—No. The Act is enforced now. I was surprised at meeting with such a large number of restaurants.

243. Are you engaged in any business at present—occupied in any way?—I am secretary to the Shop-assistants' Association.

244. (To Mr. Lavelle.) Are you engaged in any business?—I was accountant at Messrs. Kirkcaldie and Stains, and I was organizer of the association now formed, with Mr. Izard, the president.

245. We were told by one employer that he had lost £25 per month, by another that there was a difference of £80 in his takings, and if another told us that his cash sales had fallen off 25 per cent. from your point of view would he be right?—We cannot verify such statements, we must take them for granted. I could not say Yes or No.

246. Can you say whether sales have dropped as a result of this early closing or not?—It would not be fair for me to do so. It would not be unbiassed. Trade is considered to be bad just now in Wellington. I know that as an accountant.

247. Another point was raised this morning by some of the witnesses who are property-owners: They say that through this Act the letting-value of their properties has been depreciated?—I cannot say as to that. I am not a property-owner.

248. Do you not think it is the duty of the members of your association to consider the interests of their employers?—Decidedly I do. I have always impressed that on the committee.

249. It is a point of considerable importance?—Yes. Naturally we are not going to work against the shopkeepers if we can help it; we want to work with them, although at times our interests may clash. Taking the majority of the employers, they are with us and we are with them.

250. *Mr. Ell* (to *Mr. Hamilton*).] With regard to this petition, you say that in Willis Street you left out all the hotels, restaurants, tobacconists, fruiterers, and so on, from its junction with Lambton Quay?—Yes.

251. Having regard to the fact that all those people were not called upon to sign, do you think that twenty-six is a large proportion of the remaining shops?—I think they are the majority. There are very few indeed on the left-hand side of Willis Street. The number can be ascertained. I went just beyond the Duke of Edinburgh corner.

252. You did not go beyond Dixon Street?—No.

253. The signatures represent the shopkeepers between Dixon Street and the King's Chambers?—Yes, but in some cases the occupiers were out of their shops and I could not see them. The list is not complete, and I state in the book why it is not complete.

254. What part of Cuba Street is covered by this petition?—On the right-hand side from here, the Union Clothing Company's to Coveney's shop, at the corner of Ingestre Street.

255. All these names were secured between Ingestre Street and Manners Street?—Yes.

256. And throughout that distance you exempted the several hotels and other places you have mentioned?—That is so.

257. You think twenty-six represents the majority of the remaining number of shops?—I am sure of that.

258. Now with regard to Lambton Quay, taking it from point to point?—I started at Stewart Dawson's and finished up with the jeweller's shop at the corner of Bowen Street.

259. The signatures shown represent those obtained between those points, after exempting the places you have enumerated?—Yes.

260. And some buildings cover a great amount of space, I suppose?—Yes. Places like Whitcombe and Tombs's and Kirkcaldie and Stains's, who employ a great number of people.

261. Having regard to the fact that you exempted so many places, do you consider that thirty-seven names is a good majority?—Yes.

262. With regard to the statement that 6-o'clock closing has reduced the rental value of property, is it a fact that there are many shops empty on Lambton Quay while the Act was even under discussion?—I could not say Yes or No to that from memory.

263. Do you know of your own knowledge how many shops were empty in Cuba Street before the Act was passed?—No, the point never occurred to me. Cuba Street is a street I do not often go through.

264. *Mr. Hardy*.] Are you in favour of shortening the hours of labour?—I am in favour of a fair number of hours. I consider fifty-two a fair number for shop-assistants, and forty-five to forty-eight for working-men employed at hard manual labour. The shop-assistant's work is not so laborious as that in some other occupations.

265. How can that best be brought about?—By the mechanic or assistant working well while employed. I believe a man can do as much in eight hours with a good intention as another man in twelve if his spirit is not in his work.

266. If a shop-assistant works with judgment and good will, would it be necessary to provide him with commissions or "spiffs"?—A good shop-assistant, I think, is always trying to sell his old stock first, and so look after the interest of his employer, and these "spiffs" are given with that object.

267. They are given as an incentive to get rid of old stock?—Yes.

268. But if a shop-assistant is a good assistant, and is getting a reasonable salary, should he require this incentive?—No, I do not think a first-class man should require any commission.

269. Has this legislation which Parliament has been dealing with for some time made any improvement as a rule in the assistant's time?—Oh, yes, when that Act was passed, and ever since, the shop-assistant has hailed it as his best friend.

270. Is there the same good feeling between the employer and the employee that there used to be in the past?—I am sure there is.

271. Is there not a little bit of "Pull baker, pull devil," just now?—I am not aware of it. I meet the assistants and employers on the same footing. Not one employer that I have seen has told me I am doing wrong.

272. You are here to-night to endeavour to benefit yourself and your fellows?—That is quite right.

273. The employers here this morning were endeavouring to benefit themselves?—Yes.

274. And yet you are working in a measure antagonistically to each other?—No, we are not. We are trying to work with the employers. We consider that whatever benefits us benefits them. A willing assistant is a greater help to his employer than an unwilling one.

275. Would it surprise you to learn that a good deal of evidence given this morning was very contrary to that given this evening?—No, but there is a very different class of employer to those who were here this morning.

276. In your circular put before us you want the statutory half-holiday to be fixed by Parliament: is that for the colony?—No; we are only speaking for Wellington. We have no right to go beyond that.

277. You think it is probable that it would act beneficially in the cities?—Yes, in the four large cities; I am sure of that.

278. You would not be prepared to recommend any alteration for the towns?—No, I should allow them to fix the day themselves.

279. You speak of all shop-assistants having a yearly week's holiday in lieu of overtime payment?—That is right.

280. You said the overtime provision was put in by the Labour Department ?—We understand it was.

281. You were not in favour of it then ?—We were not consulted.

282. Would it surprise you to know that some of the shop-assistants approved of it when the matter came before the Labour Department some two years ago ?—That may be, but we have seen how it works.

283. Then you do not consider that the fifty-two half-holidays which the employees get in the year are sufficient ?—No. I think if the assistants give their overtime gratis to their employer he should give them one week's holiday in the summer months.

284. But they do not give the overtime gratis : the law provides that they shall be paid for it ?—But it does not compel the employer to stick to the old rate of wages.

285. How do you mean ?—In one case that I know of the shop-assistant got a small cheque for his overtime-payment, and at the same time he was told that his wages would be reduced.

286. Why ?—Because his employer was a mean man ; he was taking advantage of his assistant.

287. Is it not contrary to the spirit of the Act if a man's wages are reduced on account of the half-holiday ?—Yes.

288. Why was that not brought before the Court ?—The shop-assistant values his situation, for if he gets out of work he might not get work readily again. He is one of the silent sufferers.

289. You spoke about an employee who has been working for fifteen years in a place and has never had a holiday ?—Yes.

290. Was he a good man ?—He must be fairly good or his employer would not have kept him so long.

291. And where is the employer in Wellington who would keep an assistant for fifteen years without giving him a holiday ?—The assistant had the public holidays, but never a free week to get away anywhere.

292. But the law provides that he shall get fifty two half-holidays and the statutory holidays ?—Quite right.

293. And the law provides that he can only work a certain number of hours ?—Yes.

294. And yet you say it is not enough. You want the assistant to get a holiday to go out of town ?—He wants to get a clear week in each year. A mechanic can always get his holiday when things are slack.

295. But a mechanic does not get paid ?—No.

296. What is the pay of an ordinary shop-assistant ?—About £2 10s. weekly for a good male assistant.

297. Has the amount of pay gone up or down since this legislation has been placed on the statute-book ?—I could not tell you that.

298. I presume that the necessities of life in some cases have increased in price ?—They have. I know that from my own experience.

299. Some things are cheaper and some dearer ?—Yes, but there is a tendency for things to get dearer in Wellington during the last six months.

300. You are speaking only for Wellington when you ask that the half-holiday shall be made statutory ?—Yes.

301. And you think the Prince of Wales's Birthday should be a statutory holiday, but have no objection to substituting Empire Day for it ?—I think Empire Day is the more popular day. The Prince of Wales's Birthday is never observed at Home ; they think more of Lord Mayor's Day.

302. You are perfectly clear in saying that when a public holiday comes in a week you have a right to the half-holiday as well ?—If we have a right to the public holiday, let us have it. Then why interfere with the statutory half-holiday ?

303. You have a legal right to the half-holiday ?—Yes.

304. But the law provides that it is no longer a legal holiday when a public holiday comes in the same week ?—Yes. We want the statutory half-holiday to be allowed, and to enjoy the public holidays when they come round. It is not fair that we should lose our half-holiday.

305. If you do not get the whole holiday you get the half-holiday, and when you get the whole holiday you lose the half-holiday ?—Yes, the shop-assistant would prefer to get the Saturday half-holiday to, say, the King's Birthday, or some of the other holidays that come along.

306. *Mr. Colvin.* Is it not a fact that two-thirds of the shopkeepers are against the early closing ?—I would not say two-thirds ; I would say about 50 per cent., and a good many of these people if it were fixed by law would feel the benefit of it.

307. And the majority—in fact, the whole of the large employers—are in favour of early closing ?—Yes, nearly all of them.

308. The small shopkeepers in their evidence to-day said that their trade is ruined because the working-men cannot get what they want after 6 o'clock, or their wives cannot get out to do their shopping in the evening, and if they have to go to the large places to buy it will cause property to go down in value, and the small shopkeepers will have to give up their establishments because they cannot compete with the large business establishments ?—Yes, but the Act exempts the small shops where only one person is in charge. In this connection, I do not think a man and his wife should be counted as two. I thoroughly sympathize with the small shopkeepers in Wellington, and I have advised two or three to clear out of their businesses because they are not making anything or are losing money. It is a pity. Some stocks are so small that the proprietors will never make them pay. With about ten pounds' worth of stock how can they make a living ? All the legislation in the world will never enable them to make such a business pay. It will be a case of the survival of the fittest.

309. Do you not think the tendency of our legislation is to put all the business into the hands of the large trusts and combines, and that eventually the prices will go up ? It is the small shopkeeper

who keeps the prices down?—Yes, that is the tendency all over the world. It is so in the United Kingdom, too. It is a pity perhaps that we cannot form a league to buy from the small shops.

310. That is what we want to guard against—the driving of trade into the hands of the trusts and combines?—Yes.

311. And you will have to be very careful, because instead of improving your own position as workers you will be making it worse?—I can assure you our assistants are in full sympathy with the small shopkeepers, and I do not know how it is that some of the newspapers say that we are not in sympathy with them. I think 6 o'clock is a little too early for them.

312. *Mr. Davey.*] Do you know any firms that were in the habit of giving their assistants holidays who now declare that they will not pay them for the holidays if they pay them overtime?—I have heard from assistants that their employers are not going to give them any holidays. There are three firms with something like four hundred hands. There are a great many houses who do not give holidays, but give sick-pay.

313. You know of firms whose assistants have been so told?—Yes, I can give the names if necessary.

314. Do you know of any firms who have not so said?—I know of no firms who now give holidays and pay for them.

315. Supposing that one member of the deputation this morning stated that five-sixths of the workers were opposed to early closing, would you say he was correct?—No. We have the opinion of the Trades and Labour Council, and they are distinctly opposed to late shopping. They are strongly in favour of the Saturday half-holiday, and urge us to delete even the late night. I got that from their chairman. He asked our opinion, and said, "We, as workers, do not want the late night."

316. (To *Mr. Hamilton.*) Dealing with the position with regard to partners, and the contention that only one should be considered the occupier although there are two, does it not strike you as unfair that one should be compelled to be at one shop and the other at another?—There should be only one occupier. Our idea is that there should be a head of the firm. He only should be recognised as the occupier. As the Act at present stands the manager can be called the "occupier," or the man in charge. We want to protect the assistants. The assistant may be made the manager or called a "partner" to evade the Act, and a half a dozen might go in in that way. You could not stop them, and they would compete with the small shopkeepers.

317. The owner of two shops cannot be at two places at one time. He must have some one in charge of his shops of necessity?—Yes, if he wishes to keep them open after 6 o'clock.

318. Say, I had a partner, and we had two shops, one in Willis Street and one in Cuba Street, prior to the Act coming into force: you would have no objection to us keeping these shops open?—I should consider you were competing with the small man.

319. How else could you work your business?—We say there is only one head of a firm, and he should be designated the "occupier" under the Act.

320. We could keep one shop open one night and the other shop another night?—There would be difficulties in the way in any case. It is for you, gentlemen, to overcome the difficulties.

321. *Mr. Fisher.*] The assistants would offer no objection, would they, to the inclusion of a clause in the Bill providing for fifty-two hours' work in the week, and, so long as the assistant got out of the shop at 6 o'clock, the employers could keep open till 8?—No, they would not.

#### WEDNESDAY, 5TH JULY, 1905.

A deputation representing Wellington butchers in attendance.

*The Chairman.*] I understand that you appear before the Committee this morning with the object of giving evidence in connection with the Shops and Offices Bill as it would affect the butchers of Wellington. You no doubt have had the Bill before you, and know how it would affect your trade. If there is anything else that you would like to speak about—anything contained in the Act as regards the hours of working, and so on, we shall be glad to hear that also. We have a number of deputations coming, and, while we want to hear everything you have to say, we would ask that you will not repeat too much what one of you has already stated. Will you please select your speakers.

#### WILLIAM JOHN GARRETT examined. (No. 22.)

1. You are a master butcher?—Yes. I am president of the Wellington Master Butchers' Union.

2. What is the membership?—Between thirty and forty. We embrace the butchering trade of Wellington, with the exception of the Gear Company, who have a gentleman here representing them.

3. Will you make your statement, please?—There are very few things in the Bill to which we wish to call your attention. The principal thing is the hours of labour—provided for, I think, in clause 3 of the Act. We are working under an award, and to fall in with that award we have arranged our hours to be from half past 6 in the morning till half past 5 at night on ordinary days, and on Saturdays from 6 in the morning till 9 at night. Those hours suit us very well. We are dealing with a perishable article, and it is necessary for us to open a bit earlier than the ordinary trader. There are sausages and other things to prepare, and hotels to serve with meat, which, in the summer-time, could not be done the day before. I think that all the members of Parliament must know that butchers have to be open a little earlier than other shops right through the colony. I think the Bill exempts fishmongers from certain provisions, and we, as butchers, dealing with a perishable article, claim that we should have a little concession also. I think the concession we are asking for principally concerns the morning.

4. You want to be able to commence as early as you like?—No. From half past 6 is our time till half past 5 at night. Perhaps it is out of place, but I should like to mention that the butchers were



the first in Wellington to shut on Wednesday before the Act came in, and we have also considerably reduced our hours at night. At one time the closing-hour was 7; then we brought it down to 6; now we have voluntarily made it half past 5. On Saturday the closing-hour was once 11; then it was brought down to 10, and then to 9. In fact, we believe in early closing. The only thing we ask is a little concession as to commencing-time in the morning. I think that covers the whole position with regard to early closing. One of our members wishes to speak on another clause.

EDWARD DANIEL BARBER examined. (No. 23.)

5. You are a master butcher?—Yes; carrying on business in Wellington.

6. And you are a member of the association?—Yes.

7. Will you make your statement?—What I was requested by our union to ask for was in regard to clause 21, I think it is, of the present Act, giving a trade the right by a bare majority to fix the closing-hour. We would like that applied to Wellington. Wellington, being a combined district, is not, I think, affected by that provision. That is the way we interpret it; and we want that power in Wellington. All we ask is that a majority of the trade shall have the power to fix the hour of closing—that is, if Parliament decides to only fix the hours of labour and leave the hours of keeping open an open matter. We want a majority of the trade to have the right to fix the hour of shutting the shops. Otherwise we are quite satisfied with the working of the present Act as applied to our trade, with the exception of the opening-hour referred to by Mr. Garrett.

THOMAS HORBY BROWN examined. (No. 24.)

8. You represent the Gear Company specially?—Yes.

9. A very large company, is it not?—Yes.

10. How many shops has it?—Five.

11. Employing in the shops about how many hands?—From forty to fifty.

12. I think you should make a statement, in addition to the other gentlemen?—I have nothing to add to what Mr. Garrett has said. What will suit the smaller traders will suit our company.

13. You acquiesce in everything that was stated by the other witnesses?—Yes.

Statement of JOHN ROD. (No. 25.)

I can only repeat what the others have said. We have hotels to serve, and the people want the meat for dinner. If we were not to start till 8 o'clock, it would be impossible to get round with the meat for dinner. We close at half-past 5. We are only asking for about an hour extra in the morning. We always close at 9 on Saturday, and the men are perfectly satisfied. As for other shops, it might be a hardship in some businesses, such as the confectionery, to close at 6. To bring restaurants under the Act would be disastrous.

Statement of FRANK LAWRY, M.H.R. (No. 26.)

Mr. Chairman and gentlemen,—The President of the Butchers' Association in Wellington asked me if I would come here and say a few words. I might state that the whole question of the butchering trade was brought very prominently before the Stock Committee, of which I was Chairman, and consequently I am fairly familiar with the requirements of that trade. In my opinion the honourable member for Avon, Mr. Tanner, who is a member of this Committee, struck the keynote of the whole situation when he pointed out to me that the master butchers in Christchurch voiced the opinion of the butchers throughout the length and breadth of New Zealand, when they said that the important time for carrying on their business was in the morning. I believe that the butchers throughout the country would be prepared to curtail the time in the evening if the concession were granted to them, to have time early in the morning. Just before I came down here, I was talking to a gentleman who keeps a very large boardinghouse in Auckland, and he said that very frequently when a ship came into Auckland at 6 in the morning his house was literally flooded with people off the ship; he could not make provision overnight for an influx of visitors that he did not anticipate, and the only course open to him was to ring up a butcher's shop and ask them to bring down what he required to provide his visitors with food. I think Mr. Garrett and the other gentlemen have placed the situation fairly before you that the butchering trade is an exceptional one; that the goods are perishable, especially in the summer-time; and the early morning is the most important time for the butchers to carry on the work associated with their business.

14. *Mr. Sidey* (to Mr. Barber).] You stated that you wanted clause 21 to apply in Wellington?—Yes.

15. Do I understand that you prefer that no limitation whatever be placed on the hour?—We prefer the limit. If we do not get the limit, then give us the power to shut by a majority of the trade.

16. You want Parliament to fix a limit for closing?—Yes.

17. But if no limit is fixed?—Then we want the power to fix the hour by a majority. We want the hour for commencing in the morning to be 6.30. At present we are working under an award and if the award were not in force I presume we should have to obey the Shop Hours Act.

18. The butchers are exempt from Saturday closing?—Yes, we have that privilege.

19. What is the feeling of the butchers as regards a universal Saturday half-holiday?—I think a majority of the butchers of Wellington would be favourable to a universal Saturday half-holiday, if it were absolutely universal, without any exemptions.

20. Can you speak in the name of your association?—We have discussed it before and I am sure the majority of our union decided that it would be possible. They would be quite willing to accept it if it were absolutely universal—with no exemptions whatever.



21. *Mr. Kirkbride* (to *Mr. Garrett*).] What are the hours per week that butchers are now working ?—According to our log they are fifty-six. We work about fifty-four hours now, allowing an hour or two for attending to the stables on Sunday morning, but generally only one man comes back for that; so we are as a rule an hour or two to the good each work. I believe that under our award the time is not up till 10 on Saturday night; but we shut at 9.

22. You stated that at the present time you start at half past 6 and close at half past 5 in the evening ?—Yes.

23. Do you not, then, work more than fifty-four hours or fifty-six hours a week ?—No. There are the usual hours off for meals. We have about an hour to the good I think.

24. Under the Bill your hours would be curtailed by four ?—Exactly, if the Bill were enforced in its present form.

25. *Mr. Tanner* (to *Mr. Garrett*).] You say that at the present time under your award you commence work at half past 6 in the morning and knock off at half past 5 in the evening ?—Yes.

26. Do those hours suit you ?—Very nicely.

27. In Christchurch it has been represented to me that it would be far better if the butchers were allowed to commence work much earlier in the morning—say, as early as 5 or even before that—and that they would be willing to take that time off the later part of the day—to alter the time but not work a greater number of hours ?—We have threshed the thing out in our union, and our trade agree that from half past 6 in the morning till half past 5 at night on week-days, and from 6 in the morning to 9 at night on Saturday, suits them very well.

28. Half past 6 is sufficiently early ?—Exactly.

29. Yours is mostly a town trade: you do not carry the meat to a great distance, do you ?—To the suburbs.

30. Where do you get the meat from ?—It all comes in of a morning.

31. It is brought in ?—Yes.

32. You do not fetch it yourselves ?—No; it is delivered by the wholesale butchers or the abattoirs people.

33. How would it be if the men bought their own stock and had it killed at abattoirs some miles off ?—I think the hours would suit them very nicely. I do not think we can improve on them in Wellington.

34. Of course, you are speaking for Wellington ?—Yes.

35. *Mr. Bedford*.] I would like to ask if these gentlemen represent the small butchers to any extent ?—*Mr. Barber*: The whole of them.

36. And you are all agreed on the advisability of closing at half past 5 ?—Yes.

37. You also think it would be workable to have a universal Saturday half-holiday ?—The majority of our trade think that. *Mr. Garrett*: Provided, of course, that fishmongers and others were closed.

38. *Mr. Bedford*.] And are you satisfied with the fifty-two hours for shops ?—*Mr. Garrett*: No; we are satisfied with the fifty-six provided for under our award.

39. You would object to reducing them to fifty-two ?—Most decidedly.

40. *Mr. Ell*.] Do the deputation represent the butchers in the suburbs, in Newtown and the outlying districts of the city ?—*Mr. Barber*: Yes; all the butchers of Wellington, with the exception of perhaps three. There are three who are not members of our union.

41. *Mr. Laurensen* (to *Mr. Garrett*).] Do you all know that an award remains in force, even if its date has expired, until a fresh award is made ?—Yes.

42. *Mr. Alison*.] With reference to a universal half-holiday on Saturday, I understand this gentleman to say that the association were in favour of a Saturday half-holiday, provided all the shops were closed on Saturday afternoon: Is that so ?—*Mr. Garrett*: Yes.

43. But if all the shops are not closed, what then ?—*Mr. Barber*: We want to come in under the exemption.

44. Do you consider there should be an hour fixed for opening at all ?—No; but we do not want it fixed at later than half past 6.

45. Do you all represent the association ?—Yes.

46. Do you desire that there should be any hour fixed for opening in the morning ?—In the interests of the trade in other centres we would say, fix the hour not later than half past 6; as early as you like if desired in other places. We do not know the conditions there. Make it not later than half past 6 and we shall be satisfied.

47. You really desire that there should be no restriction with regard to the hour of opening your shops ?—That is so.

48. *Mr. Bollard*.] Do any of you gentlemen know anything about the climatic conditions of Auckland regarding the difficulty in keeping meat at certain seasons of the year ?—*Mr. Garrett*: Yes. I think they are far worse than in Wellington. The climate is warmer, and you want almost to cut the meat up when it is killed.

49. Do you think that half past 6 in the morning would suit the butchers in Auckland ?—No; it is very likely the Auckland butchers would want to start an hour or so earlier than we.

50. Do you think that a butcher doing a large retail trade could supply hotels and boardinghouses in time to get the meat ready for breakfast, if he only opened at half past 6 ?—He would have a pretty tough job in a place like Auckland, where it all has to be done of a morning. It is only the larger hotels in Wellington, where the people want to catch the early trains, that we supply at this hour of the morning.

51. Do you think it would be better not to fix any hour in the morning ?—It would certainly suit the trade throughout the colony to fix no hour at all. This Act would, no doubt, apply to the whole of New Zealand. The conditions in the North are more severe, as regards weather, than they are in the South.

52. So far as butchers are concerned, you think that no hour in the morning should be fixed so long as they did not work beyond the number of hours fixed by the Arbitration Court?—Exactly.

53. *Mr. Hardy.*] As far as the universal Saturday half-holiday is concerned, are you speaking for the four cities?—No; for Wellington.

54. You have had no experience as to whether a Saturday half-holiday would work in the country, where things are very different?—No.

55. Have any of you gentlemen ever worked in a country shop?—*Mr. Rod*: I have a shop in the country.

56. Do you think that a universal Saturday half-holiday would generally suit the trades in the country?—I think it would not suit the country, because it takes the carts all day to go some rounds. I think Wednesday half-holiday much more suitable than Saturday for our trade.

57. You think that probably what you put before us would be very suitable for the cities, but would not be suitable for the country on account of the distance the carts have to go?—It would not suit the country. I have a round in the country, and it takes a man the whole day to do the round.

58. Your cart is a shop, to all intents and purposes?—Yes.

59. It would inconvenience you greatly if in the country you had to comply with what you now suggest for the cities?—Yes, it would.

60. *Mr. Ell.*] What are your hours of closing at night?—*Mr. Barber*: Half past 5 on week-nights and 9 on Saturday, all the year round.

61. Have you had any complaints from the public?—No. Closing at these hours has been in force for more than two years now, and it seems to be quite satisfactory.

62. And the public seem to be able to obtain all their requirements in the shape of meat?—Yes.

63. *Mr. Fisher* (to *Mr. Barber*).] Do you think the conditions which you desire in connection with your trade might be injurious if applied to any other trade, and are you asking for special conditions for your trade only?—We came here to ask for special conditions for our trade only; but I think a majority of the butchers think that all shops should be shut at the same time. In a shopping district like Cuba Street or Willis Street it interferes with business to a certain extent if the shops are not all opened and shut at the same time. It spoils trade to have one shop in ten open.

64. Your log prescribes fifty-six hours?—Yes.

65. You would have no objection to any other trade having fifty-six hours, from your own point of view?—No; certainly not.

66. *Mr. Sidey.*] With regard to the hours of assistants, I want to be quite clear that the butchers have an objection to the assistants' hours being limited to fifty-two: Is that so?—*Mr. Garrett*: Yes.

67. Would it not be possible to work your business in such a way that you would have the hours of opening your shops, and at the same time have the limitation provided in this Bill for the hours of assistants?—We should have to shut our shops in most cases.

68. You cannot keep the shops open unless you have the assistants there?—No. Several people have branch shops with none but assistants in them. If the assistants were off, the shops would have to be closed. We should like all shops to shut the same, even if a man had a dozen assistants, one assistant, or no assistant at all. We think it only fair for all the trade to shut up at the same time.

*Mr. Brown*: With reference to early-morning starting, I might state that two of the Gear Company's larger shops have men there at 5 o'clock in the morning, but they only work the prescribed number of hours according to the log. That is to say, they start at 5; and on Monday at 2 o'clock and Tuesday at 2 they get off; and on Wednesday, which is their usual half-holiday, they get off at 1 o'clock. They do not work any more than the prescribed hours, and it suits them very well, because the young men have practically three afternoons in the week by getting up a little earlier. But there are only four that work on those terms out of about fifty.

69. *Mr. Sidey* (to *Mr. Brown*).] Could you not make the same thing apply and limit the hours of your assistants' work to fifty-two? Could you not so arrange that the hours they would be in the shop would not be more than fifty-two, and yet have the shops open the same hours as at present?—I am afraid not; particularly with the smaller butchers. I think it would be a big hardship to them. Where a man has got only one man in his shop, it would mean staying in the shop himself all the time, if he let the assistant off. As regards closing earlier than half past 5, I do not think it would be actually just to the public—the workers in particular—to close earlier. To close earlier than half-past 5 would, I think, deprive the worker many times of the opportunity of getting a bit of meat as he goes home; particularly the casual worker who is paid on knocking off in the afternoon. Our present hours suit the trade in Wellington. I have been butchering in Wellington for thirty years, and I can say that the hours at the present time suit our trade remarkably well right through.

70. *The Chairman.*] To put your evidence in a nutshell, you ask that the hour for closing be fixed by statute, as under clause 3, and, if that cannot be done, that you have the right to decide for yourselves under clause 21 of the Act?—*Mr. Garrett*: That is right.

A deputation of Wellington confectioners in attendance.

*The Chairman*: We understand, gentlemen, that you have come here this morning to give evidence with regard to the Shops and Offices Bill now before Parliament, showing more particularly how it is likely to affect the confectioners of Wellington. I presume that you have your speakers selected, and I have to ask you as far as possible not to overlap each other in your statements; otherwise, we want to hear the fullest statement that you wish to make.

C. H. JONES examined. (No. 27.)

71. *The Chairman.*] What are you, *Mr. Jones*?—Proprietor of the Diamond Confectionery Company, a manufacturing and retail concern.

72. Have you an association in Wellington?—No.

73. You come here this morning as individuals?—Yes, combined together on account of the exigencies of the situation.

74. Do you represent any in the trade besides those present?—Some of the members of our deputation represent those in other centres. Mr. Godber is here to speak for Christchurch and Dunedin, I understand.

75. Will you make a statement?—Yes, sir. It was a great surprise to us to find that we were not exempt, as we had been previously, from the operation of the Act. We were not aware until the first Saturday night that the Act came into operation, that we were not exempt as hitherto under the Half-holiday Act. I do not think the Labour Department can say that in the working of that Act they have had any trouble with the confectioners—that, although we have been exempt, we have abused the exemption. So we come to ask you to still exempt us from the operation of the Shops and Offices Act. It is obvious to every one that our business is done after the hours at which the Act says shops shall be closed—namely, 6 o'clock—in fact, we hardly begin to take money until that time. It is in the evening, when the entertainments and all that kind of thing is going on, that we begin to take money. Under the present law it is impossible to work our assistants very long hours. We cannot work them more than fifty-two hours. I may say that we work in double shifts. Every one who employs assistants at night is bound to do that. But the assistants do not work every night in the week. Some work three nights, some two. I am speaking personally, but I think those with me will bear out what I say. Instead of our assistants working fifty-two hours they do not work more than forty-six a week. That is the compensation to which we think they are entitled in view of the fact that they work two and sometimes three nights a week. We feel that if this Act were adhered to, and we were compelled to close at the hours stated, it would really mean that we should have to shut altogether. At an interview which a deputation from us had with the Premier, two of our assistants, who went with us, voluntarily informed the Premier that they were quite satisfied with their hours, that they did not work more than forty-five or forty-six, and that if this Act were adhered to, instead of having two relays of assistants, we should only be able to have one. I think I have stated the case fully so far as I am concerned. Should we not be exempted from this Act, there would be no other course for us but to close altogether. I speak now more on behalf of the sugar-confectioners—that is, the ones who make sugar-confections, and not the pastrycooks.

Statement of JAMES GODBER. (No. 28.)

*The Chairman* : Whom do you represent ?

*Witness* : I represent the pastrycooks, confectioners, and restaurateurs of Wellington, and I have also had a telegram from Mr. Hopkins, of Dunedin, and one from Mr. Broadway, of Christchurch, asking me to represent the confectioners of Christchurch and Dunedin before this Committee. As far as our particular trade is concerned, I personally feel it almost a waste of time to take up the time of the Committee, because they must see for themselves that our trade should, in justice, not only to ourselves but to the public, come under the exemption clause. In the trade I represent it is necessary that our places of business should be open after the time mentioned in the last Act for closing—6 o'clock—because a great many of the assistants in the various establishments are bachelors, and have not homes to go to when they leave work, and some of them are dependent upon shops like ours for their evening meal, and also for refreshments generally. We feel that in the interests of the public it is not right—it is not fair to them—that places like ours should be closed and other places—which, truly, pay licenses—should remain open, because we know that it is the case, especially in New Zealand—and I do not think it will ever be altered—that no gentleman cares to take a lady into a hotel to get refreshments such as tea or coffee; and it is quite necessary that people who want tea or coffee should have places available to get it. We expect to—and in fact we do and are quite willing to—observe the statutory hours for assistants; and we confidently expect that Parliament will, when this Bill is passed, exempt our trade from the restrictions imposed on other trades, because we feel that in that way we are supplying a public necessity. I question very much whether, if it were not for the public convenience, the representatives of our trade would not rather close earlier; but we realise that we are open for the benefit of the public, and we feel that we are doing something for the good of the community in keeping our shops open. For instance, there is this: supposing the other shops are kept open till 7 or 8 at night, well, then, all the assistants are thrown out on the streets then, and there is nowhere for them to go for refreshments but the hotels if our shops are closed. But a great many of these assistants—and it is becoming more and more pronounced—desire refreshments that are non-intoxicating, and prefer having them to going to the hotels. On behalf of the confectioners and pastrycooks of Wellington, as well as Christchurch and Dunedin, I confidently appeal to the Committee, and through the Committee to Parliament, to exempt our shops from the hours of closing.

Statement of FRANK HENRY ELLISON. (No. 29.)

*The Chairman* : Where is your place of business, Mr. Ellison ?

*Witness* : No. 75, Cuba Street. I might say that I have had twenty-eight years' experience in the confectionery business, a little more than twenty-six years of that as an assistant, and for the last two years on my own account. While an assistant I fought in the interests of my employer, knowing the harm that this legislation would do in connection with our business. I also know now that it would have a very baneful effect. When this Act first came into operation—last November I mean—I kept an account of my takings from 6 o'clock, for twenty-one days, and I found that 75 per cent. of the money was taken after 6. Our business is a catch business; the goods we handle are luxuries, not necessities; and the trade is done when there are people about. The business is such that on a wet Saturday night our takings are, possibly, reduced by one-half, and it is the same on a wet holiday. It is only when a large number of people are on the streets and have an opportunity to see our wares that they buy. What we lose on a wet Saturday we never make up on a Monday. We also keep light refreshments,

such as drinks, which I think we ought to be have the same privilege to supply to the public or those who require them, as the hotels.

76. *Mr. Sidey* (to *Mr. Jones*).] I would like to know whether the confectioners would have any objection to section 21 of the Act, which provides that a majority in any trade may determine the hours at which that particular trade shall close, being made to apply to them?—Yes, we should. I think it would be coercion on the part of the big man that would be exercised in that respect. Personally, I should welcome that clause. It would operate to my advantage, because we have five shops. But it would be the smaller man having only one shop that we should coerce into observing our hours. For instance, there are men in the city who carry on with the aid of their wives. If we were to close these men up it would appear like coercion on our part.

77. Are there not more small shops than big ones?—No, not with purely confectionery shops.

78. Are you of opinion that there should be no limit to the hours—not even 11 o'clock?—Yes; I am of opinion there should be no limit, because the necessity has not arisen. The Labour Department has never complained with regard to us, and necessity has not arisen. It is obvious that no one keeps his shop open unless he takes money; and we must take money when we can. Our goods are bought on the impulse of the moment. On New Year's Eve, for instance, we should not like to be limited; and then at election-times people are lavish with their money.

79. *Mr. Tanner*.] You cannot suggest any hour that would be suitable as a uniform hour for closing in the evening?—No. The Diamond shops close at 9 o'clock—one of the shops at half-past 9; but sometimes of a wet night our assistants have discretion to close at 8.

80. Do you find that people come in late—the last thing before the public leave the streets—in order to purchase little articles?—Yes. They very often take home a bag of lollies to the children or the wife.

81. You keep open, then, till the theatres come out?—No; only on Saturday nights at the present time.

82. *Mr. Fisher*.] The hotels used to close here at 11?—Yes.

83. Now they close at 10?—Yes.

84. Has that made any difference to your business?—Yes.

85. Has it with your business, *Mr. Godber*?—*Mr. Godber*: Yes. *Another member of deputation*: Yes.

86. *Mr. EU* (to *Mr. Godber*).] Can you suggest any hour for closing on the ordinary week-nights—any uniform hour?—I cannot suggest any hour. I may say that we close our business in Cuba Street at not later than 11 o'clock. On wet nights we close earlier. Eleven o'clock is the limit.

87. *Mr. Davey*.] I understood you to say that you had received instructions from *Mr. Broadway*, of Christchurch, to advocate for him what you are advocating for Wellington. Does that cover the whole of the confectioners and pastrycooks in Christchurch?—I take it it does. The request was made by wire, and I am sorry that I did not think to bring the telegram with me. It asked me to plead for exemption. And the same applied to *Mr. Hopkins*, of Dunedin.

88. If the House passed a law providing that you should close your place of business when the publichouses closed, would you have any strong objection to that?—Well, I do not know whether I would. The rink, for instance, closes at 10 o'clock, and ladies and gentlemen from there come into the shops for refreshments, and that takes us a little time over the statutory hour for the closing of hotels in Wellington—viz., 10 o'clock.

89. *Mr. Millar*.] In the shops where the assistants work double shifts, do you send to the Inspector a notification of the names of the persons on those shifts?—*Mr. Jones*: No; I never knew the necessity for that. I did not know there was any such law. The Labour Department have never asked for that. We should be only too glad to furnish it.

90. I wanted to know whether it would be possible for the Department or the Inspector to ascertain whether an employee was working fifty-two hours a week or sixty-two?—The Labour Department have been to see our assistants, I understand, and cross-examined them severely to see if they could not catch them in telling a lie. This is what I am told. I never took the trouble to inquire what they said.

91. Would you object to having such a provision incorporated in the Bill?—No; there would be no objection on our part to providing any facility for seeing that our assistants do not work more than the statutory hours.

92. You see you might want to act fairly towards your employees, but another employer alongside of you might have men working sixty-two hours a week?—We do not object at all to such a provision.

93. *Mr. Laurenson*.] Did I understand you to say that you objected to clause 21?—Yes.

94. I should have imagined that a great majority of the confectioners in Wellington would have been in favour of a late hour, and that therefore the majority would have fixed an hour that would suit the bulk?—I have five shops; I suppose that I would therefore have five votes, but I should not like to coerce other men who perhaps carried on business with the aid of their wives into closing earlier than they wished. I do not mind their being open after I have shut.

95. You call yourselves confectioners, but from the evidence that has been given it seems that there are more refreshment-places represented here than confectioners' shops?—In the big cities there is a sharp distinction made between confectioners and pastrycooks which is entirely wanting in the country districts. I understand that in country districts all pastrycooks sell sweets; but there is a sharp line in the big centres. We are unanimous that we should feel a fatal effect on both branches of the business if early closing came into force.

96. If you hold the opinion that it would have a fatal effect why are you afraid of clause 21, which gives a majority the power to fix the hour for closing? You have five shops, but you would only have

the right as occupier of one shop to exercise one vote. The assistant who was keeping a shop open would not have a vote. It would really put the whole power of deciding what the hour for closing should be into the hands of the smaller people?—Here is an almost fatal objection to that. It would not be fair in the big centres to mix all up together—pastrycooks and sugar-confectioners. You would want something to define the difference between the two branches. And then there are certain places in the cities that depend on a late trade more than others. At some shops it is an early trade, and at some a late trade. It would be hardly fair to the man who gets his living in a late neighbourhood if those who could dispense with the late trade fixed an early hour.

97. You adhere to your contention that clause 21 would not suit you?—I cannot see that it would benefit the trade. Personally I do not see that I have any insurmountable objection to it; but we have been left alone so long, and we have not abused that exemption, that we come with all confidence to you to ask that we still be exempted.

98. *Mr. Alison.*] You only keep your shops open late at night to meet a public requirement, do you not?—Yes.

99. You close as early as public requirements enable you to do?—Yes.

100. Are you unanimous as a deputation that there should be no fixed hour for closing?—Yes.

101. You contend that if there is to be legislation fixing the hour for closing shops, confectioners and pastrycooks should be exempted from the operation of the law?—Yes.

102. Have the employees at any time expressed themselves as dissatisfied with the conditions under which they have been working—in relation to the hours?—No, sir; on the contrary they have been very glad of them. We took a young lady on a little time ago, and she went round telling her friends “Oh, we only work half-days at that place.” She had to start at 1 o’clock and leave at 9. This give the assistants an opportunity of doing things for their friends or their mothers in the daytime. Two of my assistants voluntarily went with us in a deputation to the Premier a little while ago, and they spoke to the Premier on the subject. They pointed out that if the Act were insisted upon it would mean only one assistant instead of two.

103. Have the confectioners and pastrycooks complied with the law and closed at 6, Mr. Jones?—No.

104. Not one?—No.

105. Did the Labour Department insist that you should?—No.

106. There has been no attempt on the part of the Labour Department to enforce the law?—No, not against us.

107. *Right Hon. R. J. Seddon.*] Do you think these young ladies of yours would prefer to stop in the shop to going to the theatre in the evening?—I do not think we have any amongst our young ladies who go to the theatre. We take our young ladies from a class that are not inclined that way.

108. They would not go out for a walk in the evening when you kept them in the shop if they got the chance?—I would not like to say that. They can go for a walk every other night; they are only kept in the shop three nights out of six.

109. You think that is enough to attend to matrimony?—It is a most remarkable thing that we cannot keep the young ladies any time, they are marrying so quickly. In fact I put the eagerness with which they seek the situations in our shops down to this, that the story has got about that the employment is only of a temporary character, in that way.

110. You are one of those who are specially exempt under the Act?—Under the Half-holiday Act, yes.

111. What does clause 3 say: have you got the Act there?—I may say that we took to selling refreshment directly this Act came into force.

112. Clause 3 says “Provided further that for the purpose of this section refreshment-rooms shall not be deemed to be shops,” and you are selling refreshments?—Yes.

113. *Mr. Alison.*] Do the pastry-shops sell refreshments?—I think they all do.

114. And all the confectioners?—I do not know about all. I think that other confectioners were going to fight this Act in view of the fact that they did not employ any assistant at all, but their wives were about the places and looked after the shop in case of any little emergency.

115. Did all the confectioners become sellers of refreshments as soon as this law came into force?—I do not know. I only speak for myself.

116. But you spoke generally in answer to the Premier?—No, I only spoke for myself. I have five shops.

117. Have you any knowledge with regard to that point?—No, I have not. I know that two members of this deputation do not employ assistants; it is only a case of a man and his wife.

118. Is there any other member of the deputation that would be able to inform the Committee whether it has become general amongst the confectioners to sell refreshments since this law has been in operation?—I think Mr. Taylor undertook to sell refreshments.

119. Does this gentleman here sell refreshments?—*Member of deputation:* Yes.

120. *Mr. Aitken.*] Does Mr. Wighton sell refreshments?—*Mr. Wighton:* All the goods that I sell are refreshments.

121. *Mr. Barber* (to Mr. Godber).] In the event of your being compelled to fall into line with the hotels and close at 10 o’clock, do you consider it would be an inconvenience to the general public?—Yes, I do, because there are many people whose pleasures keep them out after 10 o’clock, and who like to get refreshments. There are many also who have not homes where they can go and get supper. There is no fear about any one who comes into refreshment-rooms like ours being incapable of reaching home safely.

122. You think that if there was no place open in the vicinity of yours in Cuba Street these people would have to go to bed without supper?—Yes.

123. *The Chairman.*] With regard to the trade in Dunedin, you say you represent the confectioners there?—I was asked to do so by telegram yesterday.

124. A telegram from Mr. Hopkins?—Yes.

125. Do you represent Mr. Hopkins alone, or the whole trade?—That I cannot say. He asked me to plead for exemption.

126. I want this point made clear, because a meeting was held last night in Dunedin to consider the matter. They came to no decision till last night?—I cannot say, excepting that the telegram was signed "Hopkins," and was asking me to plead for exemptions.

127. *Mr. Tanner.*] When did you get the telegram?—Yesterday afternoon.

128. *Mr. Ell.*] You especially represent Mr. Broadway, and you say it is necessary for you to keep open till 10 or 11 at night?—Yes.

129. Mr. Broadway closes on ordinary nights at 7, and on Saturday at 11 o'clock?—I cannot say at what hour Mr. Broadway closes. All I know is that his wire was in the same tenor as Mr. Hopkins's asking for exemption. I would like to say in connection with shifts that in our trade the same young women do not work every night. The one that works, say, on Wednesday night will not work again till Friday night. They have a half-holiday once in one week and twice in the next, and they are off in the morning. We do not work them up to the statutory hours. We treat them well, and they stay with us and are happy in their positions.

130. *Mr. Fisher.*] At what time does the rink come out?—Ten o'clock.

131. About how many people are there in your place within twenty minutes of the rink coming out?—Last night there were forty.

132. You rely on the rink for a good deal. It is not a constant thing?—No, but in the summer-time there are concerts and other entertainments that generally conclude at about ten o'clock, and in our line of business we do a nice trade from 10 till half past.

A deputation of Wellington fruit-merchants in attendance.

F. W. HAYBITTLE examined. (No. 30.)

133. *The Chairman.*] I would ask, gentlemen, that you will not overlap in your statements, as there is another deputation waiting. I understand, Mr. Haybittle, that you are a merchant, engaged in business in Wellington?—Yes.

134. If you will make a statement we shall be pleased to hear you?—I presume, seeing that time is the essence of the contract, that all I need say is something salient and to the point, as far as the view the auctioneers take of this matter, and that will be in connection with the condition of trade, comparing it as it is at the present time with twelve months ago, and, say, a month before the Shop Hours Bill took effect—that is, in regard to the prices realised and the volume of business. I have taken out some figures, which may be interesting. First of all, let me give the figures for apples that are grown and consumed in the colony. This time last year they were selling at 9s. per case for a certain variety, and 6s. for the cooking-apples. Two months ago the prices were 9s. 6d. and 6s. a case. To-day the prices, owing entirely to the fact that the business is restricted, as a result of the hours which the retail fruiterers have to observe—the prices are 7s. 6d. and 5s. This time last year oranges brought 5s. 6d.; two months ago they sold for 6s.; to-day they bring 4s. Lemons, grown in Auckland and Sydney—this time last year, 7s. a case; two months ago 6s.; to-day, 4s. Bananas, this time last year, 7s. a case; two months ago, 10s.; to-day, 4s. Some have been sold lower, but that is the average. Pears, this time last year, 9s.; two months ago, 9s.; to-day, 6s. 6d. In regard to vegetables, which also go through the fruit-market and are vended by the retail fruiterers: cauliflowers, this time last year, 6s. per sack; two months ago, 4s. 6d.; to-day, 3s. 6d. Cabbages, this time last year, 3s. 6d.; two months ago, 2s. 6d.; to-day, 1s. per sack. Pumpkins, very little difference—4s. 6d., 4s. 6d., and 3s. 6d. Lettuces, 4s., 2s. 6d., and 1s. 6d. per case—a recognised size of case. Those are the items of interest. There is no doubt that the restricted hours for selling by the retailer have had a very, very great effect, not only in connection with the prices, but also with the volume of business. The shipments have been greatly restricted, and I put it down not to bad weather—because we always seem to have wet weather in Wellington during the winter, so that is not a factor—nor to the cold; but I take it that it is entirely on account of the provisions of the Shop Hours Act that the low prices, which have affected the whole fruit trade in the colony, have been caused. Fruit is not a necessity; it is to a certain extent a luxury—medical men say it is a necessity—but it is not delivered at the public's door. People have to go for it, and, unless it is placed prominently before them, naturally the consumption must suffer if the hours for selling are restricted.

135. *Mr. Aitken.*] I understood you to say you would give us, not only particulars of prices, but information as to quantities. You have not said anything about the latter?—It would be hardly fair to give any definite opinion with regard to quantity, because we have had only a month's experience of early closing. But there is a diminution of shipments of, I should say, fully 20 per cent. There is another aspect of the effect of trade, and that is in regard to Rarotongan fruit. This trade has been fostered to a great extent by this colony, but this year we have come a tremendous cropper in connection with the Rarotongan business—in absolutely all cases debit notes have been forwarded, not only to the Natives who are in the habit of shipping, but also to the trading communities. They have lost their fruit, they have lost their cases, and they are in our debt. I have also had evidence from Auckland growers, particularly those at Port Albert. These gentlemen say that the Auckland market is in absolutely the same condition as the Wellington market. They tell me that a particular sort of apple, grown at Port Albert, for which they were in the habit of getting 9s. and 10s. a case in the Auckland market, has been sold, during the time the shops have shut early, at down to 6s. a case. Very often we receive fruit from abroad, which is, of course, of extremely perishable character, and ripe at the

time of landing. Say, for instance, the shipment arrives to-day. If the shops were open late at night they would be able to get rid of large quantities of this very ripe fruit at once, which would not be the case had they to close at 6.

136. *Mr. Sidey.*] You spoke of the prices being affected in other parts of the colony as well as in Wellington: do you speak of that from your own knowledge?—I think I mentioned that I only received a communication from Auckland in that respect. That was from a large grower in one of the big apple-growing districts north of Auckland.

137. You cannot speak of any other place?—I can only say that the shipments they have sent down to Wellington have suffered the same reduction in prices as that which I have indicated.

138. Are you aware of the extent to which the Act has been enforced in other parts of the colony? No. I understand that the same conditions have ruled that we have had in Wellington, but I have no evidence to that effect. I know that they have in Auckland.

139. You know that the Auckland fruiterers have closed at 6?—Yes, some of them have.

140. They have not done so in Dunedin?—I am not aware of that. I know that they have been fairly strict in the observance of the law in Wellington; but even if they had not, the fact that this sword was hanging over their heads would be quite sufficient to cause a disruption of business, because they would not know at any time when they would be compelled to close.

141. You attribute the drop that has taken place in the market entirely to the legislation that was passed last year?—As far as Wellington is concerned, I say, absolutely.

142. Are you aware of the prices ruling in the other centres?—No, I have no knowledge. I only speak as to the Wellington market.

143. The prices that you have given us are the prices that have been paid to you by the fruiterers, I suppose?—Yes.

144. Have the public got their fruit any cheaper on account of the drop?—I do not think they have, because some of the retailers have assured me that large quantities of what they had bought had not been sold and had gone bad, and the destructor had taken a very large quantity.

145. You do not think the fruiterers have made greater profits?—I do not think they have. I went round among some of the retailers, and I found that what they told me was true—that a large proportion of their surplus fruit in the back of the shops was showing evidence of decay.

146. *Mr. Barber.*] It is generally understood that last season was a bad season for fruit. Was it not?—Last season was a fair season—not a bad one. 1903 was a bad season.

147. I have heard statements made by a good many people that there was a shortage?—There was a shortage in certain districts, but not taking them collectively. Last season was a fair average season. For instance, last year was a very good year in the districts of Nelson and Motueka.

148. You cannot see any reason why apples should be cheaper this year than last year—there has been no surplus crop?—No, none whatever. The only way in which I can account for it is that the hours of business have been restricted.

149. You said that pears were bringing 7s. two months ago and 6s. 6d. to-day?—They were bringing 9s. two months ago.

150. Would you not presume that they would be getting dearer at this time of the year rather than getting cheaper?—Yes, they ought to be getting dearer.

151. Are you of opinion that the very fact of the Act being enforced, although some people are exempt from its provisions, has restricted their trade?—I feel certain that it has had a dominant effect.

152. The fact that closing has prevailed with some shops and that they have been in darkness has had this effect, that they have not attracted the people, and therefore the trade of the shops that remained open has been curtailed?—Quite so. I quite agree with the suggestion. My answer is absolutely on the lines of your question.

153. The importation of bananas, &c., from Rarotonga has not been in excess of that of previous years?—No, just about the same.

154. It has not been through any oversupply that prices have been so low?—No.

155. *Mr. Bedford.*] Have the fruiterers generally in this city observed the early-closing provisions of the Act? Is it not a fact that they have remained open all the time?—A fringe of them have, during the last three or four weeks. Practically the majority have closed. I think that cases have come before the Court, and those who have kept open have been fined rather severely, and that during the last fortnight all have closed.

156. So a majority have observed the Act?—Yes.

157. You said that wholesale prices had been affected detrimentally, but not retail prices?—I do not think the retail prices have fallen as the wholesale prices have.

158. You would think that if the retailers had surplus stock they would reduce the price in order to get rid of the fruit?—They recognised, they explained, that there is a certain trade, and they did not think that a reduction in a small way would affect the volume of business. I did ask them why they did not reduce the price in order to get rid of the fruit rather than let it go bad, but they thought they would sell just about the same amount, under the present conditions, at the higher price as they would if they reduced it.

159. Have they reduced their purchases from you—from the wholesale people?—Very much. As I said it is hardly fair to give a straight-out opinion, because the trouble has only been accentuated within the last month. But I should say there has been a difference of quite 20 per cent.

160. *Mr. EU.*] The fruiterers have not been interfered with—have not been closed?—Yes, they have been closed in Wellington.

161. The Labour Department deny it; they say they have not closed the fruiterers—that they have never even sent a notice to them?—They have not only closed them, but have haled them to the Court and had them fined.



162. Are you not referring to Chinamen who have been selling groceries as well as fruit, and have been haled to the Court—not the ordinary fruiterers?—The trade is entirely in the hands of Chinamen.

163. But these Chinamen have been selling groceries and other articles as well as fruit. Is not that a fact?—I do not know how they have culled the cases for Court proceedings, but I think the ordinary fruiterer here makes a point of stocking a small amount of groceries with his fruit. I think the whole of them are what you might term “grocers.” If the Department wanted to exempt one Chinese fruiterer they would have to exempt the lot, because they are practically all grocers.

164. I live in a direction where I have to pass, I think, five or six shops, and these shops are open every night; so that, as far as that street is concerned, the public are not hindered in any way in obtaining their fruit?—You say that there are five or six shops, and they have not closed.

165. They have never been interfered with?—That certainly surprises me. They may be places with only one trader in the shop, perhaps.

166. Well, there is a plentiful supply of fruit in each one of those shops?—The big merchants and the people who buy most copiously have all closed fairly in compliance with the provisions of the Act.

167. *Mr. Wood.*] What was the price of the Island oranges, say, eighteen months or two years ago?—I have not got that information with me. I simply took the average of the prices that we are realising for the Sydney oranges which have just come into the market. The price of the Island oranges was, a year ago, 5s. 6d. a case.

168. How many oranges would be in a case?—About eight dozen.

169. You told the Committee that the Natives send the fruit. Is it not a fact that the Union Company have buyers at the Islands, and send the fruit here?—No; the Union Company have no buyers. There are traders from Auckland, who establish depots there. But the Union Company, I can say definitely, do nothing in the way of trading in fruit.

170. Have you any idea of the price of oranges at Rarotonga?—If they could sell their oranges there at 1s. and 1s. 6d. a case they would be foolish not to do so, because it is seldom that we would return them 1s. 6d. a case.

171. What were bananas selling at before the Act was passed?—At this time last year, 7s.; in April, 1905, two months ago, 10s.; and last Friday at from 2s. to 4s. a case. I have given the outside price. I think I mentioned that some went lower.

172. Is it not a fact that they were sold last February in Wellington at 4s a case?—I do not think so. I took the figures from my market report, and one month before the Act came into force the price was 7s.

173. Well, I, myself, bought a case from your own place for 4s.?—Possibly that was an isolated case. It may have been the description of bananas—Tongan bananas are cheaper; or it may have been the size of the case.

174. *Mr. Davey.*] Is it not generally acknowledged that things are far more slack all over New Zealand now than they were two years ago?—No; at any rate, not in the produce line. There is a tremendous boom in the trade owing to the scarcity of some products, such as potatoes. Taking it all round, it is rather a satisfactory season not only for the growers, but for the trade generally.

175. Is it not within your knowledge that the spending-power of the people is considerably less now than it was two or three years ago?—We have not found it so in our trade. I think the trade has, if anything, till the last month, shown an improvement.

176. I understood you to say just now that you are selling apples of the best quality at 6s. 6d. a case?—Seven shillings and sixpence a case, and 5s. for cooking-apples.

177. Can you give the Committee any idea of what the best apples, say, the Sturmer, are selling at in the shops to-day?—No; I have no information regarding the retailers. It would only be a mere guess. I know that Sturmers were sold by my firm on Monday at 6s. per case. That is a variety of dessert apple.

178. They are marked at 4d. in the retail-shop windows?—That would be about 11s. a case. Generally speaking the weight of New Zealand apples in a case of the recognised size is from 32 lb. to 34 lb.

179. Did I understand you to say that in your opinion there was no shortage of fruit last year, as compared with the two previous years?—There was no shortage, taking the general average. In the height of the season there was considerable difficulty in getting rid of stone-fruit. We had the usual oversupply in the recognised months.

180. *Mr. Laurenson.*] How many pounds are there in these cases of bananas?—About 70 lb. in a case.

181. Do you not think, in view of the prices you have named, that if the retailers sold at a cheaper rate they would increase their sales very materially?—I think you will find that one of the reasons why the Chinese keep their connection in Wellington, and are so well established in it, is the fact that they do sell cheaply. I think that is the one reason why the Chinese practically control the trade in Wellington.

182. *Mr. Alison.*] Can you tell us approximately how many Europeans are running fruit-shops in the combined district of Wellington?—About twenty.

183. And the rest of the fruit-shops are run by Chinamen. Do you know how many fruit-shops there are in the combined district?—I should say about one hundred and fifty.

184. And only twenty are run by Europeans?—It might be between twenty and thirty.

185. How long has the Act been in force in the combined district of Wellington?—Rigidly, for about a month. It has been fairly well kept.



186. A statement has been made that the Labour Department deny that the law has been enforced. You stated, if I remember rightly, that a very considerable proportion of the fruit-shops were closed, but that a number of the fruit-shops also sold groceries?—Yes.

187. Are you satisfied—have you any doubts whatever from your observation and experience—that the closing of the fruit-shops at an early hour in the evening seriously affects the sale of fruit?—I do not say it will be the absolute ruination of the fruit trade, but it will mean a tremendous shortage of business and volume of trade.

188. It would be seriously prejudicial to the fruit-seller?—And more particularly to the fruit-grower.

189. It would be detrimental to the convenience and comfort of the public?—And the public too.

190. And would mean a consequent reduction in the wholesale price of fruit?—That has been exhibited during the last month, and I have tried to say, in as decided a manner as possible, that the only reason I can give for it is the shortening of the hours for the retailers.

191. Speaking for the fruit-growers, is there not a large quantity of fruit coming into Wellington from Auckland and other places?—Wellington practically imports everything. It is not a fruit-growing centre at all. It imports from all parts. It practically supplies nothing from its own province.

192. Do you consider there should be any restricted hour for the closing of fruit-shops?—No; I really think that in the interests of the public and of the growers the fruit trade should be allowed a free hand.

193. That they should be exempted from the operations of any law regarding early closing?—Yes.

194. You have a close connection with the fruit-growers as being a wholesale man?—Yes.

195. You sell a great quantity of fruit to the fruiterers?—Yes. Practically the whole of the fruit trade of Wellington passes through the hands of the Wellington brokers. There is no selling privately.

196. Prior to the passing to the Shops and Offices Act, did you hear complaints from shopkeepers, from their employees, or from the public that the fruit-shops in Wellington were kept open till too late an hour?—No complaint whatever.

197. You consider it a gratuitous interference on the part of Parliament for which, to your knowledge, there is no justification?—Well, if you could hear the expressions of opinion by the people in the trade, you would unhesitatingly say that it was an interference with their trade and business.

198. *Mr. Laurensen.*] Do you not think it an undesirable practice for the fruiterers to try to combine other businesses with their own and then expect to be allowed to remain open longer than those other businesses—for instance, the grocery trade?—Well, it is hardly a matter that should, I think, come under any suggestion or reply from me.

GEORGE BAYLIS examined. (No. 31).

199. *The Chairman.*] What are you, Mr. Baylis?—I am interested in several businesses at Newtown—shops in which various businesses are carried on, including the fruit.

200. Have the fruiterers any association?—They have a union of their own in Wellington.

201. Whom do you represent?—I represent the union.

202. Together with your friend there?—Yes.

203. Will you make your statement first?—The fruiterers of Wellington are mostly aliens. There are about eighty Chinese carrying on the fruit business and about twenty Europeans. There are really more Europeans than twenty, but several of them have taken to hawking in the public streets. These hawkers compete with the occupiers of business premises, and though, I understand they pay a license to the local body, they pay no rates, taxes, or rent, and therefore are in a position to sell much more cheaply and at other times than the shopkeepers. The fruiterers in Wellington mostly sell not only fruit, but other articles. The question has been raised of Chinese selling groceries. Well, in other parts of the colony which I have recently visited I have found that some of the fruiterers are confectioners as well. In Wellington the fruiterers sell groceries and tobacco. The question of the fruiterers closing at 6 has also been brought up. I can give evidence that a great many of the fruiterers in Wellington have closed during the last month. I have in my hand a statement showing that on the 19th June the Inspector of Factories proceeded against several Chinese fruiterers. As to the manner in which the Chinese carry on their business; some of the shops are conducted by one occupant, and the larger shops—it was against two or three of these that the Inspector of Factories took proceedings—employ one or more assistants. These places carry on the fruit trade to a large extent, and assistants have to be employed in order to enable the proprietors to carry on the business. Well, I have been assured by the Chinese against whom the Inspector took proceedings—Kong Wah and Co., Ah Wing Bros., and Ah Chee—that they have suffered severe loss through not being able to sell their fruit. The result will be that if the law is enforced in their business they will simply have to go out of it altogether. As to how the Europeans engaged in the fruit trade are situated, I will state a case that I have personal knowledge of. In one of the business premises which belongs to me there were two brothers of the name of Burgess carrying on business. They have conformed with the law and closed at 6. The result of their closing at 6 has been the loss of from £9 to £11 per week. These people's premises were situated in Riddiford Street, Newtown. I might mention that the Burgesses had their sister helping them, but when the Inspector told them that they could not have an assistant in the business they thought that rather than have any trouble with the Department they would get rid of their assistant and close the business up.

204. You said that you represent the association. Do the Chinamen belong to the association?—Yes. There are forty-five Chinamen and, I think, about eight Europeans belonging to the association.

## DONG HONG YAM GETE examined. (No. 32.)

205. *The Chairman.*] Do you wish to make a statement?—Yes, sir; if you will allow me.

206. Will you tell us how the Act affects your shop?—I have a shop opposite the Post-office in Newtown. Several Chinamen came up and told me how the Inspector had come and shut them up. Other Chinamen complained, and said they were suffering a great deal of loss. But I hardly understood what they said. When I was by myself one Friday night, however, the Inspector came and told me that I must shut at 6. So I shut at 6. On the Friday night before that I took £4 10s., but on the night when he came and told me to shut up I took only £1 14s. If the fruit is left from 6 at night till 8 in the morning it will, in the summer-time, be brought near to getting rotten. Fruit generally sells at from 6 to 10 at night. A lady came to my shop and asked, "What made you shut up last night?" "Well," I said, "the Inspector came to my shop and made me shut up, and I cannot help it." "But," she said, "I want to get fruit." I said, "You will have to come at a different hour, then." "Oh!" she said, "The doctor says my girl must have fruit; she is sick." I told her I could not help it. The next morning a lady came and said, "I came here, but you were shut." I said, "Yes; the Inspector made me shut. I could not help it. You will have to come at a different time now." "Look here," she said, "my husband is working on the wharf; he left before you were open, and when he came home all the shops were shut. All my family were starving that night." Then, a gentleman came one morning before 8 o'clock and knocked at the door. I was inside sweeping. The knocking continued, and he said, "Open the door; I want some cigarettes." I said, "You cannot get them till 8." He said, "I must be at work at 8. What am I to do?" I said "You will have to see the Inspector and get permission for me to open for you." In Newtown eight shops out of ten are selling tobacco and green-groceries in addition to fruit. So if they shut up at 6 o'clock it will be very difficult for men up there to get some onion or something else for breakfast. So a lot of Chinese said, "This is no good. We will get you, as you have interpreted for the Court so long, just to go and tell the gentlemen."

207. You mean that there are ten Chinese shops at Newtown, and eight of them sell groceries and tobacco and fruit?—Fruit, tobacco, greengroceries, and some other groceries. Every shopkeeper told me this: "If they will not let us remain open till 10, try to get them to make it 9 o'clock on a week night, but 10 on Saturday." That is what they told me to ask you, gentlemen. Seven o'clock in the morning is quite early enough; men come in to get something for breakfast. At Newtown most of the men come down to town to work. When they start the shops are not open, and when they go home all the shops are shut.

208. *Mr. Sidey* (to *Mr. Baylis*).] Referring to the shops against which proceedings were taken, were they shops which carried on a combined business?—Yes. I think two of the shops sell Chinese goods besides the fruit.

209. Two of the shops proceeded against sold something else besides fruit?—Yes, I think so.

210. If the shops selling a similar class of goods are closed at 6, do you not think it unfair that after these shops have shut some other shop selling the same goods should be allowed to keep open?—I would not like to go into a general discussion of that, for this reason: in the colony there are, I think, very few shops that confine themselves to one special trade. I know of a grocer's shop in Newtown, three doors from a Chinaman's fruit-shop, which sells vegetables, tapes and cotton, and ironmongery, and small articles of that description. Newtown is entirely cut off from the centre of Wellington, and is almost a centre of its own. Since early closing has come into force all the shops have had to shut up at 6, except two or three one-man shops, and the result has been stagnation of trade. The takings of businesses which were £3 or £4 a day have dwindled down to that number of shillings.

211. At any rate, you recognise that it would not be fair to, say, a grocer if another man who sold groceries and also fruit was allowed to remain open while he was shut?—Yes.

212. Did the two brothers named Burgess, who closed at 6, sell anything other than fruit?—No; they were purely fruiterers and greengrocers.

213. Is there any one particular hour at which the fruiterers would agree to close?—That I would not like to say.

214. (To *Mr. Dong Hong*.) Do you think all the fruiterers would agree to close at one time?—You mean close at the same hour?

215. Yes?—Yes; they are willing to, as long as you allow them to keep the assistants.

216. At what time?—At 9 o'clock on week-nights, 1 on Wednesday, and 10 on Saturday night.

217. They all agree to that?—Yes; that is what they all told me. And open at 7 in the morning.

218. Would you agree to the shopkeepers fixing their own hours, under a clause here? If a majority of shopkeepers say the shops shall be closed at a certain hour, then all have got to close at that hour: do you agree to that?—Yes; all close at the same hour. In a shop where there is an assistant employed, say, the assistant is not to work more than fifty-two hours a week. There would not be much doing in the morning, and the shopkeeper could let him off till noon, so long as he worked later. They are agreeable that way too.

219. *Mr. Barber*.] You said you thought 10 o'clock late enough on Saturday night: do you think 10 o'clock is late enough for Newtown?—Ten o'clock is late enough for me.

220. But do not the people, when they come back from town, want to do their shopping after 10?—Well, if I ask for a later hour you might not give me any at all. The people will have to get used to 10 o'clock and make haste home.

221. *Mr. Alison* (to *Mr. Baylis*).] You said that if the law was enforced as to 6 o'clock closing the fruit-shops would have to close up. Are you confident that that would be the effect?—I take it that would be the effect. I may say that ever since the inception of the Bill I have tried as far as possible to resist it and protect the people who have been punished, doing it in as passive a manner as possible. I did not want to work in opposition to the Department, because I knew they were placed in a very awkward position; but we had our living to look after. And I know for a positive fact that

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:—

5—I. 9.

*Auckland Local Fruit-crop from 30th June, 1904, to 30th June, 1905.*

Fruits.	Number of Cases.	Average Weight per Case	Weight in Pounds.	Price per Pound.	Value.
		lb.		s. d.	£ s. d.
Apples .. .. .	116,755	40	4,670,200	0 1	19,459 3 4
Pears .. .. .	21,828	40	873,120	0 2	7,276 0 0
Plums .. .. .	98,115	20	1,962,300	0 2	16,352 10 0
Peaches .. .. .	27,323	20	546,460	0 2½	5,192 5 10
Lemons .. .. .	12,703	40	508,120	0 1	2,117 3 4
Quinces .. .. .	5,905	40	236,200	0 1	942 10 0
Poor-man oranges ..	2,547	40	101,880	0 2	849 3 4
Green gooseberries ..	11,341	20	226,820	0 2½	2,362 14 2
Apricots .. .. .	2,963	20	59,260	0 4	790 6 8
Nectarines .. .. .	1,349	20	26,980	0 3	337 5 0
Persimmons .. .. .	685	20	13,700	0 2	114 3 4
Cape gooseberries ..	6,053	12	72,636	0 3	907 19 0
Tomatoes .. .. .	47,750	20	955,000	0 1	3,979 3 4
Tree-tomatoes .. ..	580	20	11,600	0 2	120 16 8
Hothouse tomatoes ..	1,200	12	14,400	0 6	360 0 0
Cherries .. .. .	1,671	12	20,052	0 8	668 8 0
Grapes (outdoor) ..	3,383	20	67,660	0 3	845 15 0
Grapes (hothouse) ..	6,571	12	78,852	0 9	2,956 19 0
Sweet oranges .. ..	1,032	40	41,280	Per Case. 12 6	645 0 0
Passion-fruit .. ..	5,647	20	112,940	2 6	705 18 9
Jam strawberries ..	Boxes. 43,644	1	43,644	Per Pound. 0 2¾	500 1 9
Miscellaneous fruit—	Cases.				
Walnuts .. .. .	120	20	2,400	0 5	50 0 0
Figs .. .. .	400	12	4,800	0 2	40 0 0
Loquats .. .. .	333	12	4,000	0 3	50 0 0
Guavas .. .. .	300	12	3,600	0 2	30 0 0
Water-melons .. ..	300	12	350	Dozen. 4 0	70 0 0
Rock-melons .. ..	300	12	350	4 0	70 0 0
Currants .. .. .	100	12	Lb. 1,200	0 4	20 0 0
Dessert strawberries ..	Boxes. 35,000	32	70,000	1 3	2,187 10 0
" .. .. .	43,000	30	80,625	1 1	2,329 3 4
" .. .. .	43,700	16	43,700	0 8	1,456 13 4
Total .. .. .	376,654		10,853,429		73,786 13 2
Small boxes strawberries ..	165,344				
Total number of packages ..	541,998				

I have not dealt with the fruit not marketed, but only with the marketed fruit. What I claim from these figures is this: that about two-thirds of the total crop here shown is raised in the North of Auckland, and used in the Auckland Province, while about one-third is exported to the southern provinces—perhaps a little more. In some districts fruit-growing is becoming the chief industry. In one small district—viz., Port Albert, there has been raised something like fifteen thousand cases of apples, averaging 40 lb. each, this year, besides other fruit. Then, we have another district—Mahurangi—which has one orchard of some 60 acres of mixed fruits in full bearing. I have only mentioned these two as an example of what is being done in this industry, as we have a very large area of land well adapted for fruit-growing north of Auckland. In one district where the land a few years ago was practically valueless and worth only 5s. or 10s. an acre, last year large quantities of fruit were produced; and this shows that the fruiterers should not have any restrictions put on their energies in distributing fruit. There are a great variety of fruits grown, and if the fruiterers are compelled to close at 6 o'clock it will result in loss not only to them and the growers, but also to the community. Take strawberries, for instance. In one small district last year the value was about £6,000. The growers gather their fruit twice each day. It is marketed in the morning between 7 and 9, also in the evening between 6 and 8 o'clock, and if the evening supply of fruit were thrown on the next day's sale there would be a large loss inflicted. There are also peaches and a number of other fruits practically in the same position. I think it will be admitted that this establishes the fact that fruit should be regarded as one of the foods that people should be encouraged to use, whether it be taken from a medical, physical, or any other point

of view. Another point is that the Right Hon. Mr. Seddon has asked me on three or four different occasions to give him some sort of a definition of "fruiterer," and what they should be allowed to sell. He has admitted that they should be exempted, but the difficulty seems to be as to what shall constitute a fruiterer. The fruiterers themselves think the definition should include the sale of green and fresh fruit, preserved fruit, nuts, confectionery, aerated drinks, vegetables, and flowers. There is no doubt that the trade had been affected more or less by the legislation enforcing early closing of fruit and other shops. My position here this morning is to urge the greatest good to all. We would like to urge our position in this matter with regard to the shop-assistants, which is the most crucial point. We say emphatically that no fruiterer could properly carry on his business if his assistants had to leave at 6 o'clock at night, and we think that fruiterers and their assistants should be allowed to mutually arrange at what time the assistants should come and go, provided that a weekly half-holiday is given, and not more than fifty-two hours worked in any one week, so that a master or mistress should not be interfered with or have to do work at night any more than the servant. We want to put both on an equal footing. If one works one evening the other could work the next. We ask for fair play, so that we could mutually change as long as the assistant does not work more than the prescribed hours and get the usual holiday. We would ask you gentleman to try and make the law so that it will assist in bringing together the employer and employee, and not setting them at variance. That is the desire of the fruiterers of Auckland.

5. *Mr. Kirkbride.*] A very important statement was made by a Christchurch witness: he said the shopkeepers were prepared to keep a time-book for the Inspector to see. Would the fruiterers of Auckland be prepared to keep a time-book?—Yes; as president of our association I will guarantee that.

6. *Mr. Alison.*] I want to ask whether in the table submitted in your evidence, in which you say you only included marketable fruit in Auckland, if you included the fruit in the suburban towns that did not percolate into Auckland?—Yes, all the suburban boroughs round Auckland, but not the consumption at places like Whangarei, Matakana, and others, which would materially add to the figures given.

7. Has the Shop Act been enforced in the combined district of Auckland so far as fruit is concerned?—Practically not to any extent.

8. Has any fruit-shop been closed?—Yes; but unfortunately fruit-shops have not been defined. Some are fruit-shops with other occupations combined. We have suggested what should constitute a fruit-shop, and that would get over the difficulty.

9. Then, in respect of fruit-shops proper, the Act has not been enforced?—No.

10. Are many fruit-shops in Auckland run by Chinamen?—There are a few run by Chinamen and Assyrians.

11. Can you tell us approximately how many Chinamen run fruit-shops in Auckland?—About six probably, and then there are the Assyrians.

12. About how many fruit-shops are there in Auckland?—About one hundred and fifty, and about twelve altogether are run by aliens.

13. Do you think there should be any restrictions, so far as fruit-shops are concerned, in the way of early closing?—I think not. If you interfere with fruit-shops you are trying to upset nature. I think that is the best answer I can give you.

14. Before the Shops and Offices Bill of 1904 was made law did you ever hear any complaint from the employees or the public with regard to the hours that the shops were kept open?—No; I have inquired, and been told by a number of shop-assistants that they never asked for the inclusion of fruit-shops in the Bill, and never wished it.

15. *Mr. Bollard.*] With regard to the return you put in, it includes the amount of fruit marketed in Auckland and the suburban boroughs?—Yes; about one-third is shipped away.

16. What is the area of the orchards?—They vary from 60 acres downwards.

17. Are you aware that nearly half of the orchards of the colony are in the Auckland Provincial District?—Yes. As far as I can ascertain, about 50 per cent. of the income of the people north of Auckland in the fruit-growing districts is derived from this source, outside the natural products of gum, timber, coal, cement, &c.

18. How long have you been connected with the fruit trade?—Twenty-five years. I introduced the Island fruit, to a great extent, south of Auckland.

19. *The Chairman.*] We want evidence on the Bill?—This question affects it. We distributed forty-five thousand pounds' worth of fruit last year from the Islands in the Auckland district.

20. How is the Bill going to affect the sale of that quantity?—It would affect it in this way: that 50 per cent. of this fruit is sold after 6 o'clock in the evening, perhaps more.

21. *Mr. Bollard.*] What the fruiterers of Auckland practically want is to go back to the same state of things that existed before the Act came into force—they want no restriction in the matter of hours?—No restriction of hours outside the number the law allows them to work.

22. And you want to regulate the hours of the shop-assistants so that they should not exceed a reasonable number?—Yes; even if you reduce the hours to fifty-two a week it would be better than restriction.

23. You said something about 50 per cent. of the natural products in value came from fruit?—Yes, in the fruit-growing districts; and if you legislate as suggested these people will have to leave their lands or go into some other occupation which the land is not fit for; and there is quite a number of districts in the North where, if you injure the fruit trade, you will injure the producers as well as the consumers of the country. In the near future a considerable area in the North of Auckland will be one vast orchard if the industry is not interfered with.

24. What you say does not apply to the whole of Auckland, but only to the districts you have mentioned?—A large area north of Auckland is better adapted for fruit-growing than for any other purpose.

25. The 50 per cent. mentioned applies more particularly to the area you now mentioned?—Yes.

26. *Mr. Hardy.*] Are those figures you have placed before the Committee correct?—Fairly correct. I am prepared to go into the matter privately with you, but it is confidential as between other people and myself.

27. Are there many people employed in the industry?—Yes. In fruit-raising there are 596 affiliated growers, and probably there is a quarter as many more.

28. The amount of money involved is about £19,000?—No, about £75,000. for local-grown fruits, and £45,000 for Island fruits. Ten years ago we were importing apples from Tasmania to the value of about £10,000, while to-day we are importing about two thousands pounds' worth.

29. Are you exporting much fruit?—No.

30. Then, the question of the codlin-moth, which I suppose you have in Auckland, does not affect people who have clean trees down South?—No; but I should like to give some information about that. Quantities of fruit are shipped from the South to Auckland covered with scale.

31. Is your district much infected with the codlin-moth?—Not so much as it was. The assistance you have given in the appointment of Inspectors has improved matters very much.

32. You would not be in favour of sending that infected fruit down South?—No. We do not allow it to come into our auction-marts now.

33. *Mr. Tanner.*] Will you give us again your definition of what a "fruiterer" is, and what he should be allowed to sell?—A fruiterer should be allowed to sell all kinds of green and fresh fruits, preserved fruit, nuts, confectionery, aerated drinks, vegetables, and flowers.

34. *Mr. Barber.*] Can you give us any idea of the amount of trade done in fruit in the evening at Auckland: is it a large percentage of the trade—I mean after 6 o'clock?—Yes. About 50 per cent. or more in a fairly large shop. You may take 10s. before 6, or £2 10s. after 6 o'clock.

35. If you are not exempted from the provisions of this Act do you think you would lose that trade?—Yes, certainly. The next morning a great part of the fruit would go into the dust-cart.

36. Would people take it in the morning?—No; fruit is a luxury as well as a necessity, which people take when walking about at night as a part of their enjoyment.

37. *Mr. Ell.*] You say that, providing that the hours are limited to fifty-two and you are allowed to work your shop-assistants any hours not exceeding that number, that is all you ask for?—Yes; that is all we ask for.

38. What do you consider it reasonable to ask a girl to work?—The Act provides for eight hours, but I have no doubt that if you considered that too long, we should be prepared to reduce the fifty-two hours. What we want is to be allowed to conduct our business according to requirements.

39. *Mr. Sidey.*] Do you object to clause 21 of the Act, under which the majority of the shop-keepers can regulate the hours?—If we do not get the exemption, we would rather deal with it ourselves than by legislation.

40. I understand you object to clause 21?—I have no objection to it.

41. *Mr. Alison.*] With regard to the 50 per cent. production north of Auckland, you stated that outside the timber and gum industries the fruit-production equalled 50 per cent. of the industries in the North. Is there not a large production of sheep, cattle, and horses, as well as timber, gum, and coal?—Coal is a natural product. What I said referred to the districts in which fruit is raised in quantities at the present time, and not to the agricultural or pastoral districts.

42. You say that the fruit-production is 50 per cent. of the total production from fruit-growing districts in the North?—Yes.

JOSIAH DANIEL WEBSTER, of Auckland, examined. (No. 34.)

43. *The Chairman.*] Will you please make a statement?—I can only say in reference to this matter that I quite indorse all Mr. Bagley has said with regard to it, but I would ask the gentlemen dealing with this Bill to have a little consideration for the employer equally with the assistant. The business of a fruiterer, dealing as it does with a very perishable article, we consider that we should be exempt from the provisions of the Shop Hours Bill, and that there should be no restrictions whatever placed upon the distribution of fruit to the injury of the fruit industry. A man and his wife may have to attend from time to time various social functions, and some consideration should be shown for them. The Act provides for the assistants' hours, and that should be sufficient. We are quite agreeable to fifty-two hours per week being worked, but we would like the employers to be allowed to utilise those hours which will best fit in with the manifold vicissitudes of the business. An employer might arrange to go to the theatre, for instance, and if he cannot have the assistance of his employee to conduct the business during his absence, of course he would be debarred from going, and by making the hours from 6 o'clock in the evening week-days and 9 o'clock on Saturday as the closing-times, it would be impossible for the employer to conduct his business properly. It is only reasonable that an employer should be able to say to his assistant, "You can go off in the afternoon or come later in the morning, as best suits. I require you to come back in the evening for a few hours." It would not hurt the assistant nor be any injustice. As to the 9-o'clock closing on Saturday night, it seems to me utterly absurd. My own business is carried on close to the wharf and railway, and it is customary after 9 o'clock for people going home in trams, trains, and ferry-boats to make their purchases of fruit, &c. So that for our employees to go off at 9 o'clock would mean great and unnecessary inconvenience to our business.

44. *Mr. Bollard.*] Do you think that the employer and the employee ought to be able to mutually arrange the hours on any particular day so long as they are not worked beyond the fifty-two hours in the week?—Yes; I firmly believe they could do that without any injustice being done to either.

45. If you and your wife desired to be away from business you want to be able to arrange with the employees to take your place?—Yes. There are innumerable instances continually arising which are unavoidable and may cause you to keep your employee a little over the hours stipulated. Of course, if a particular hour is made law it is almost impossible to comply with it, and if action is taken against you the Magistrate says, "There is the Act—we must administer it," and so you are mulcted in a fine unjustly. Fruiterers should be totally exempt from the Act altogether, because the business is so trying, and there are so many phases of the business that it is impossible to carry it on with any restrictions.

46. *Mr. Hardy.*] You are in favour of reducing the hours?—I think fifty-two is a reasonable number.

47. You want to be able to go out in the evening and ask your assistant to come back and exchange his time?—Yes.

48. How would you do that so that the Inspector would be in a position to judge whether you were overworking your hands or not?—That would be a hard matter to define.

49. Can you suggest any method of noting the time or booking off, for instance, as is adopted by the railway people?—No, I do not think I could suggest anything in that line.

50. You know that the laws are not made to harass those who wish to do well, but for the punishment of those who do wrong, so what suggestion have you to offer in order that the Labour Department would know that you were not harassing employees?—I think the employees are quite able to look after themselves in that respect.

51. Do you keep a time-book?—No.

52. Do you not think it would be well to keep a time-book in order to show the hours which the assistants work, and then you could book them off as wanted?—It would mean some trouble to book in that way, but I suppose it could be done.

53. You are of opinion that employers and employees should work together for the common good?—Yes.

54. And you would be prepared to keep a time-book, so that the officers of the Labour Department could inspect it and see if the time was duly kept or not?—Yes.

55. That would be better than the Labour Department coming in and harassing you?—Yes.

56. *Mr. Kirkbride.*] What hours have you been working hitherto?—Nine hours per day, by mutual arrangement.

57. What number of hours in the week?—Not more than fifty-two.

58. Did you have any difficulty in arranging the time with your employees by way of an exchange so as to have an evening to yourself?—No, it occurs very rarely. You might go a month and nothing will arise to make it necessary, and another month you might require to be relieved on several occasions.

59. Do you agree with Mr. Bagley's definition of a fruiterer?—Yes, I think that is reasonable. There is one item about the Maori kits which I think might be included.

60. *Mr. Tanner.*] Would you consent to any arrangement by which a shop might be opened, say, at 10 in the morning instead of 8, and the two hours put on at night?—No, because I consider that in the fruit business there should be absolutely no restrictions. I would be willing to allow an assistant to come later in the day and stay on at night.

61. *Mr. Ell.*] You say you are agreeable to the fifty-two hours a week?—Yes.

62. What number of hours would you consider it reasonable for a girl to be employed on any one day?—What is stated in the Act—9 hours—I think is reasonable.

63. You think that is quite long enough for a girl to be on continuously?—Yes, quite long enough.

CHARLES EDWARD HODDINOTT, of Christchurch, examined. (No. 35.)

64. *The Chairman.*] What are you?—A furniture-dealer. I have been in Christchurch thirty-one years.

65. Whom do you represent?—I represent the whole of the trades of Christchurch, the whole of the shopkeepers and the different trades belonging to our association, as we have all the trades amalgamated. We number 490, which includes Sydenham as well. The statement I have to make is this: That at a meeting held by the association on the 3rd July we agreed unanimously as a body that we should ask for the repeal of clause 3 and clause 21. The petition to the House, which will follow, was signed by seven thousand people, and I am sorry that I have not got it with me. We all agreed that fifty-two hours should constitute a week's work, and that the employers and employees should mutually agree that refreshment-rooms, fruiterers, and fish-shops, and other businesses which dealt with perishable goods should work fifty-two hours, and, if necessary, to work until 8 or 9 o'clock at night, and let the employees start at 10 o'clock in the morning. The association suggests that each shop should have a time-book to be signed by the employer and employee for the guidance of the Factory Inspectors. That is in respect of shops only which sell perishable goods. It is considered by the association that family ties should not be brought into this question, as in the Avon district a great number of small shops are kept by widows with small families, and in such cases the daughter comes into the shop when the mother is having tea or is attending to her baby. It might be that a father is keeping a shop and has no wife, but only a daughter; and we want the daughter in such a case, or the son, to be able to help the father. Then, as to keeping shops open after 6 o'clock, this refers to the small struggling shopkeepers who have not become monopolists. The monopolists have become so through being struggling shopkeepers in the first place. They got their patronage from the working-classes, and now if a workman wants

a suit of clothes or a hat he is required to take time off, because he cannot get it without doing so. Then, there is the case of people who go round furnishing at night. A man cannot always trust his future intended or his young wife with financial matters, but likes to be with her when he is furnishing; and it is true that the small furnishing shops in Christchurch are only able to exist through such trade. To show the difference in the trade done during the day by the working-classes, before 6 p.m. on the 9th June my takings were £4 13s., while after 6 o'clock at night my takings were £45. Before 6 p.m. on the following Tuesday, the 16th June, my takings were £3 11s., while after tea-time when the young people came into town, my takings were £28. I have taken the Tuesday and not the Saturday night. On the 23rd June my takings in the day were £1 11s., but after 6 o'clock I furnished houses for two young people, and my takings came to £60. That was the night I defied the law. We do not ask for any exemptions at all in Christchurch. We simply ask that clauses 3 and 21 be entirely wiped off, and that we be left with freedom so long as we do not sweat our employees. My employees have been with me a long time, one for seven years and one for six years. They work eight hours on five days in the week and five hours on the half-holiday. They have always been on the best terms with their employer, and I think that any interference which affects the freedom of the employer or destroys the friendship existing between the employer and employee is wrong. We think the restrictions would cause ruin to a large number of shopkeepers who have taken long leases at high rentals, believing that they would have British freedom and be permitted to trade at night, and I do not think the landlords would release them from their obligations, and neither would they lower the rentals. The feeling of the Christchurch public generally is on the side of the small shopkeepers, because it is felt that the Act has been passed to back up the monopolists and at the instigation of the Trades and Labour Council. If members of the Trades and Labour Council at some time became struggling shopkeepers they would at once be the first to ask you to repeal the law that they now ask you to make. If the Act was forced upon us Mr. Greenwood would require three or four extra assistants.

66. *Mr. Laurenson.*] Mr. Greenwood is the Official Assignee?—That is so.

67. What is your business?—A furniture-dealer.

68. Do you find that you do a lot of business after 6 o'clock?—I think I have proved that from those figures of the three days I quoted. Most of my trade is done in the evening, and it is the same with every small furniture-man when the working-class, who cannot afford to lose time, have to make their purchases.

69. Did you hear of any objection, or do you know whether any other people in Christchurch had any objection, to the hours the employees were working prior to the passing of this Act?—The whole of the employers of Christchurch have no objection to the hours stated, which I think are fifty-two or fifty-four hours per week, but the major portion of the shopkeepers do not keep their employees so long.

70. But prior to the passing of the Act did you hear of any objection on the part of the employees with reference to the hours they were working?—I do not think I did. I have not heard any objection among the employees or those working in the same line as myself, unless it is in shops like that of Wardell's, who close their shop religiously at 6 p.m. and send their carts out delivering their goods after hours, when you may meet their carts from 11 p.m. till 12 p.m. That comes from the shops who are now asking for the early closing.

71. Is it your experience that the well-to-do shopkeeper is in favour of early closing?—My experience in Christchurch—yes; because they have always been in the habit of early closing since they ceased to be struggling shopkeepers.

72. Your experience is that the little shopkeepers are opposed to it?—Yes, and that those in favour of it are those who always closed at 6 p.m. and are in the habit of sending out their carts after the closing-hour.

73. Do you consider it is essential for the public convenience that a shop should be open at night?—I do, most decidedly; and what is more, I do not think there is any more evidence needed than the petition which I believe Mr. Taylor and Mr. Tanner have had placed before them containing close on seven thousand signatures from working-men.

74. Do you think fifty-two hours is a reasonable time for employees to work?—Yes, because they get an hour off from their employer when they want it, if the employer likes them, outside of their dinner-hour.

75. I understand you to say that, as representing a large number of the shopkeepers, they are opposed entirely to clause 3 and clause 21 as the Bill passed through the Lower House?—Entirely opposed. They wished to be left as they were.

76. Do you consider there should be no legislative interference or restriction with regard to the hours of closing?—Only in respect to where the assistants are employed in the sale of perishable goods, and it should be mutually agreed upon, and a time-book should be kept to satisfy the Factory Inspector.

77. Do you think the fifty-two hours should be distributed to suit the requirements of the business?—I think at 6 o'clock the employees should be free, except where perishable goods are sold, and that the fifty-two hours should be worked in in such a way as is most convenient to suit those trades.

78. How about the hairdressers?—I represent the hairdressers, but I believe they placed their grievances in full before you before this. I think there are nights, such as Saturday nights, when the assistants should be retained.

79. Only on Saturday nights?—I think that is the only night required, because on that night people come up the town to be cleaned up for Sunday.

80. How about the widow who keeps male employees?—I should advise her to get married, and to take the assistant as a husband. I know of no one case where a widow is keeping a hairdressing saloon and an assistant.



81. I know a case in Auckland ?—Then, it should be legal for her to keep an assistant on the late night.

82. *Mr. Davey.*] I think you said that no restriction should be placed on a man and his family—referring to family ties ?—Yes, parents are the best judges as to what to do with their children.

83. Do you think they should not be considered as assistants ?—They should not be designated as assistants if they are not paid for their services.

84. Supposing you had two sons and I had two sons—if I sent my two sons to you and you sent your two sons to me, would they not be assistants ?—Yes, they should then come under the definition of “assistants.”

85. And if they work for themselves they would not be assistants ?—If they served in the shop while their father or mother was having tea only they should not be designated “assistants.”

86. I dare say you know several shops in Christchurch which will bring this question to your mind : Do you think it is fair that a man who employs four or five assistants should be forced to shut up while another man who has none should be allowed to keep open ?—As long as an assistant is not kept after 6 o'clock, such a man should have the same advantages as others—he should be able to look after the shop himself if he is not too lazy to do so.

87. I understand that you represent the tobacconists ?—I represent all the trades, but I believe you have a petition from the tobacconists.

88. I have a letter from them, but they want special hours for themselves ?—If they were required to keep a time-book they should keep the time off in the morning and be asked to work late at night.

89. *Right Hon. R. J. Seddon.*] Has the question been put as to the latest hour asked for in this particular business ? Supposing Parliament decided that there should be a limit fixed for all shops carrying on business in which assistants are employed ?—We fix no hour. We have simply asked for absolute freedom, but we certainly do not object to our assistants being protected, and I am sure none of us would deny ourselves so far as to ruin our own health. We should not keep open till midnight, but if I had a customer to attend to who wanted to spend £10 or £12 I would not like to turn that customer away ; but I want the freedom to turn the key in my door when it best suits me.

90. You want absolute freedom to do as you like ?—Yes. So long as there is a chance of getting trade in the evening we do not want to close the doors.

91. You would not like to be employed after midnight ?—No. I think most of the shops in Christchurch close early except fruiterers and others selling perishable goods, who have to keep open to serve people coming from the theatres, but all other shops you seldom see open after 9 o'clock. With regard to fruiterers, fishmongers, and pork-butchers, that is when they get their trade. People going home sometimes buy a bit of ham for supper, and these shops require to keep open. I think every man should be the best judge of the time he should close.

92. You said they all closed voluntarily at 9 o'clock ?—No, I did not refer to your reporter, and do not try to put words into my mouth that I never uttered ; what I said was that if you go through the streets of Christchurch and suburbs you seldom see any shops open outside the fruiterers, fishmongers, and such places after 9 o'clock.

93. You say you did not see them open ?—Not in the streets I pass through.

94. If you did not see them open after 9 o'clock they would not be open, so far as you know ?—There may be other shops open in the streets I do not pass through.

95. Is it true or otherwise that most of the shops in Christchurch shut up at 9 o'clock on their own account ?—I cannot say that, only for the street I am residing in and where my business is carried on. In Sydenham, I think some of the shops are open till 10 o'clock at night ; Mr. Ell can tell you that.

96. It would have been better if you had told the Committee that you referred to the one street you passed through ?—I go through four or five streets.

97. Well, in the five streets you happened to go through you say the shops close at 9 o'clock : it would not be a great hardship if the shops, with the exception of fruiterers and fishmongers, closed at 9 o'clock ?—I am only speaking for myself, but what my association claims is absolute freedom with regard to the time the shopkeeper should turn round and go into his own door and turn his key.

98. Still, people voluntarily close at 9 o'clock—that is your evidence ?—I say you seldom see shops open in the streets I pass through, except such places as suburban grocers, and so on.

99. *Mr. Aitken.*] You said the association you represent numbers over five hundred ?—No ; 490.

100. How many shops are there in the combined district of Christchurch ?—About 640, as far as I am able to judge. There may be a percentage of those who are not monopolists, and who close at 6 o'clock through living out of town. Then, there are the large shops, such as the Supply Stores, Strange's, Ballantyne's, Wardell's, D.I.C., and others.

101. I understand that you represent 490 out of the six or seven hundred ?—Yes, I think that is about the number.

102. *Mr. Tanner.*] Does your association support or disapprove of the compulsory half-holiday ?—They disapprove of the Saturday half-holiday, because the best trade is done on that day through the farming community of Canterbury coming in for miles around, and they then have Sunday to rest, which some require.

103. Your idea of freedom is that the proprietor should have the right to do what he likes with regard to closing except with his assistants ?—Yes, and a time-book should be kept to satisfy the Factory Inspector.

104. You spoke of the large shops closing at 6 o'clock, which kept their employees on the move for hours later in delivering goods ?—Yes.

105. Did you find that to be the case with the particular firms you mentioned ?—Yes. I can give the names of several other firms—large drapery firms—which close at 6 o'clock ; but, so far as other

shops closing which I could mention, their carts are running up to 9 and 10 o'clock at night. [Corroborated by Mr. Tanner.]

106. *Mr. Barber.*] Apart from your own interest altogether, do you consider it is for the convenience of the public that small shops should be kept open up to a certain hour in the evening?—Yes, and the petition containing seven thousand signatures will show you that we are supported in the general action we have taken.

107. *Mr. Ell.*] Are there many people in your line of business in Christchurch?—Yes, from thirty-five to forty.

108. Do you know Mr. Hindle?—Yes, he lives at Spreydon. He always closes at 6 o'clock in order to catch his tram, as he lives a long distance.

109. He is a small business-man, and is in the same line of business as you are?—Yes. I might say that he is a tea-dealer, and gives his furniture away by coupons marked "first," "second," and "third prize," &c.

110. You say that the working-men are at your back?—Yes, with seven thousand signatures, as you know, having seen the petition.

111. Yet you denounce the Trades and Labour Council, who support early closing and represent the working-men?—I denounce a certain section of the Trades and Labour Council. There are many men in Christchurch who belong to unions and do not attend now because the Trades and Labour Council wish to kill the goose that lays the golden egg.

112. You represent the shopkeepers in Christchurch?—Yes, and the suburbs, including Sydenham shopkeepers, and have got 75 per cent. of their signatures—which contradicts what you have stated *re* Sydenham.

113. Do you know Mr. Vogan?—Yes.

114. Mr. Vogan told me personally that if all the shops were brought into line he was in favour of early closing?—That may be. As you very well know, he closes at 6 o'clock.

115. And Mr. William Bowden, who has one boy to help him, at Addington, says the same?—Yes, always closed at 6 o'clock.

116. I have a letter from Mr. C. H. Smith, a small shopkeeper, and from other small storekeepers, and when you say you represent all the small storekeepers in the suburbs you are not correct?—I did not say I represented them all. I said I was representing the association. Can you produce any other letters from any one who has kept open after 6 p.m.?

117. You said that shops are kept open for the convenience of the public?—Yes, otherwise they would not be kept open; and also, of course, for the convenience of the men who keep them open, as they want to get a living as well as other people.

118. If it were left to the shopkeepers to fix their own hour of closing, would you agree to that?—What would suit one man might not suit another. We say give freedom to all.

119. If provision were made that the people themselves should settle the matter by vote, would you object to that?—Yes, I would object to it, because it would be prompted by the Trades and Labour Council, as you know.

120. *Mr. Hardy.*] I think you said something about the Trades and Labour Council: What Council is that?—It is the head of some of the unions, and its members are prominent in getting favours by rubbing noses with some one else, as it is a case of "you scratch my back and I'll scratch yours."

121. If reasonable, I suppose you approve of trades-unionism?—I do not, for this reason, that neither of my employees has been a member of a union, and they have been with me for six years, and the moment they joined it would make us bad friends.

122. You would not mind me saying that I approve of unionism?—It is necessary perhaps, because some of the big firms that I have mentioned might work their hands till 3 or 4 o'clock in the morning.

123. You think that the unions might interfere too much?—Unionism is all right if it is not overdone.

124. Do you think that Trades and Labour Councils are interfering in matters that do not concern them?—Yes, and I have reason to believe that Trades and Labour Councils instigated clause 3.

125. You do not believe in killing the goose that lays the golden egg?—That is so.

126. You believe in fair play all round?—Yes, and I think they are getting fair play compared with the time when I was a worker.

127. Do you think the Councils have interfered in this matter?—I do, certainly.

128. And you think it was outside their province to do so?—Yes, so long as they were protected, not overworked, and were well paid.

129. You think they are busybody people?—Yes, that is my opinion and the opinion of the Shopkeepers' Association in Christchurch.

130. *Mr. Alison.*] Have the provisions of the law in respect to early closing been enforced in Christchurch generally?—Yes, they have in respect to two nights only, because a telegram was sent by Mr. Seddon to the effect that the Factory Inspectors were not to be too hard on the shopkeepers until Parliament met. Then some of the shopkeepers who saw that others kept open did the same, and have opened ever since.

131. Then, it has only been partially enforced?—Yes, that is so.

GLAVES KIRBY, of Christchurch, examined. (No. 36.)

132. *The Chairman.*] Will you please make a statement?—All I can say is that I can fully support Mr. Bagley in what he has said with regard to the fruit industry—that it will affect the grower just the same as the retailer and the agent. In the definition of "fruiterer" we would have amongst the articles permitted to be sold, Maori kits. Our shopkeepers all keep Maori kits for people who wish to carry their fruit away in them. Country people very often purchase a Maori kit instead of

taking their fruit away in a paper bag. We have no complaints to make in connection with our employees. We quite agree with the number of hours provided for, and therefore I need not say anything more on the fruit question, except to reiterate that I back up what Mr. Bagley has stated. We have no figures to refer to.

133. *Mr. Taylor.*] Do I understand that the position you referred to was what it was prior to last year's Bill, and that only the shop-assistants require protection?—Yes; we do not want them to work longer hours, but only to assist us when it is agreeable.

A deputation from Newtown attended the Committee.

*The Chairman:* I understand that you have come here as shopkeepers from Newtown desiring to show us how the proposed Shops and Offices Act Amendment Bill will affect you. I shall be glad to hear your statements.

GEORGE BAYLIS examined. (No 37.)

134. Do you represent the association?—I am secretary of the association.

135. How many members are there?—Two hundred and forty altogether.

136. All Newtown shopkeepers?—Yes, Newtown and suburban shopkeepers.

137. About how many are there in the association?—There are about one hundred and fifty financial members, but the others are members who have very small businesses, and we did not like to have them all subscribe although they belonged to the union practically.

138. *Mr. Barber.*] There are a few shopkeepers in Newtown who do not belong to the association?—There may be two or three, but outside one or two all belong to it.

139. *The Chairman.*] Will you, please, make your statement?—The Newtown district is essentially a workman's district. There are about sixteen thousand residents composed mostly of working-class people, and the shops in that neighbourhood are in a small way of business. There are no very extensive businesses there, but there are shops that have grown up to suit the requirements of the working community out there, and the ladies and gentlemen now present will give you their business experience as to the working of the Bill and the effect it has had upon their several businesses. I will not detain the Committee by making a speech, but will simply say that I speak in a dual capacity. I am not only interested in two small shops, but am the proprietor as well, and, speaking from the landlord's point of view, I say the effect of this Shops and Offices Bill has been to send out of business already two small shopkeepers, to my knowledge—people who have not been able to carry on their business simply because they had to close up at 6 o'clock, after which hour they did the biggest portion of their business before the Act came into force. The ladies and gentlemen here represent the various trades of the district. There would have been a much larger meeting of shopkeepers here to-day but for the previous knowledge I had when you first opened your proceedings, when I saw that if there were representatives present of each trade it would be sufficient to give you the information you require.

OSCAR GEORGE AUGUSTUS HARVEY examined. (No. 38.)

140. *The Chairman.*] What is your particular calling?—Bookseller and stationer.

141. Please make your statement?—As already pointed out, Newtown is in a somewhat different position from that of other portions of the city. We have not a floating population, but a population which is away from home the greater part of the day either on business or engaged in labour, and some of them are employed at considerable distances from which it is impossible to get home and do their shopping before 6 o'clock. In respect to my business, the larger portion of it is done in the evening. People come out of their homes and walk leisurely down the street after the day's work is done, and see some book or paper that they would like to have, and perhaps see some thing of beauty for their homes which they come in and buy, and if we were compelled to close at 6 o'clock at night these people would be deprived of this opportunity. There is a principle that should be recognised by all—that no community can live entirely by itself. There must be benefits mutually given, and we must sacrifice ourselves for the benefit of others. While some are working others are buying, and we keep open a little later than others to meet that want. If they come down the streets and find them dark, dull, and dismal—perhaps the only light is the translucent glare of the publichouse—they will not care to come out at night, or would be tempted to drink liquor which is bad for them. But in buying an article such as a book or a newspaper, or a luxury in the way of food, they would be doing no harm to themselves, but would mutually benefit both themselves and the seller. Another thing is, that many people who are in the position of small shopkeepers find that this is the only chance they have of obtaining a livelihood. They transgress so far as to get up to middle age when they find themselves too old and useless to get employment, and the last resource they have is to get into a little business in some way and to pick up some of the crumbs which the large business houses leave after they have gathered in the shakels in the daytime. Some of these small shopkeepers are not able to dig and are too proud to beg; they are not old enough to take advantage of the old-age pension, so what are they to do if they cannot carry on a little business in order to obtain a living.

142. Will you show us how the Act will prevent them from getting a living?—If this Act is enforced and they have to close at 6 o'clock their means of living will be taken from them, and where they will be cast to Goodness only knows. Another thing is that the small shopkeepers protest against it as a matter of principle, as an unnecessary interference with their liberty. There is really no reason why a man should be prevented from working if he has a mind so to do. It seems to me that legislation of this kind is destroying the manhood of the colony, and it is legislation for children rather than for men and women. Surely these people know best how to carry on their business. We object to be made mere automatic machines and compelled to close at a certain hour at night. If everything is to

be made smooth and automatic in this way there will be no chance for any one showing any grit. I merely say that in my case, if we are compelled to close at 6 o'clock, much of my business will be gone, and I really do not know what I can do, because the customers with which I have to do cannot possibly shop at our end of the town at any other time of the day.

ADA FORREST examined. (No. 39.)

143. *The Chairman.*] What are you?—A music-seller and music-teacher at Newtown.

144. Will you make a statement?—I would like to say it will be most unfortunate for us if we close at 6 o'clock, because my husband and I are teachers at the same time, and when he goes to town to give a lesson I have to look after the shop, and when I go out to give a lesson I shall have to close the shop. We shall not be able to manage at all, because we must have some one there.

145. Your trade is done chiefly at night?—We often do not take up to 2s. in the day up to 3 o'clock.

146. How much do you take after 3 o'clock?—I cannot say we take a great deal, but we have taken sufficient to enable us to stay there two or three years. We have a niece whom we have adopted, and it will be very unfortunate if she cannot go into the shop, because both my husband and myself have to give lessons together. If we could employ an assistant we might manage, but even then it would be extremely difficult. If the clause permitted a man and his wife to attend to the shop at night it would be all right. We cannot think it is right that a wife cannot help her husband and a husband his wife. At present people ask us what is the law; they do not know what it is, and we say we do not know either.

147. If you were permitted to close in the day you might be able to keep open at night yourself?—Yes, but it would be unfair if a woman has no husband and yet has a family, because the children would not be able to help her. If a man has a wife who is willing to help him—well, it is a crime to do so.

Mrs. GRACE PHILLIPS, of Newtown, examined. (No. 40.)

148. *The Chairman.*] You are in business?—I keep a small pork-butcher's shop for the sale of small goods.

149. Are you a married lady?—I am a widow. I can only repeat what Mrs. Forrest said. Two-thirds of my business is done after 5 o'clock. We must prepare the goods in the daytime, and it is 4 or 5 o'clock before we get the things into the window. Since the Act was passed I have done all the business myself, but it is very irksome. I have an assistant, but for the last few weeks I have been doing it myself. I suppose if I had an assistant I should have to close at 6 o'clock, and that would mean destroying my business altogether.

150. If you were permitted to let your assistant go off at 6 o'clock and kept your shop open after that, could you manage then?—Yes, I could do that; but then it would be really irksome to carry on for five nights in the week. My daughter could help me a great deal in the evening perhaps, now and again, because I might want to be away from the premises perhaps once in two or three weeks.

SARAH AGATHA JACOBSEN, of Newtown, examined. (No. 41.)

151. *The Chairman.*] What are you?—A draper.

152. Will you make a statement?—I have closed at 6 o'clock since the law made it compulsory, but I find it very detrimental to my business.

153. Are you a widow?—Yes, and am bringing up a family. I should like to know if I can have any of my family to assist me in the shop after 6 o'clock.

154. We cannot tell you that; but you think you should be able to employ your own children in the shop?—Yes.

155. Could you then close at 6 and make your shop pay?—I could manage then if I opened in the evening.

156. A large portion of your business is done at night?—Yes, from 7 to 9 we generally did good business.

157. Why is that?—Simply because the people are at work all the day, and have only the evening to shop in.

158. Do not the ladies of Newtown come out in the daytime?—Yes, but we do a lot with the young people who are engaged in the daytime. I find that my business has fallen off quite 25 per cent. since we closed at 6 o'clock. That is the only thing I can go by.

MARY ANN BURN, of Newtown, examined. (No. 42.)

159. *The Chairman.*] What business do you carry on?—I have a fancy-goods shop in Constable Street, and my position is that for ten years I have had a widowed mother and two nieces to care for. Since the Act was passed I have not been able to have my nieces in the shop to assist me, and my mother has been very ill. Our trade is done mostly in the evening, because it is a catch trade and not a certainty. I laid my money out not long ago in this business, and fear that I must lose all of it.

160. Have you been closing at 6 o'clock?—No, I have been doing the work by myself; but sometimes I might just as well have closed the same as others, because people do not come out now to purchase.

161. Then, you think that all the shops should either close or be kept open?—I think all the shops should be allowed to keep open at night at Newtown, because Newtown is a place where the trade is done in the evening and not during the day.

## EDWIN LEWIS, Grocer, examined. (No. 43.)

162. *The Chairman.*] Do you employ any labour?—No. I find in my business that I cannot manage by opening at 8 o'clock in the morning and closing at 6 in the evening. Being in the residential portion of the district, I find people want to buy things in the morning before 8 o'clock, and although I am exempt from the Act through not employing labour, I have to open at 7 in the morning and keep open till 7 at night. I find that these two hours are the best for cash sales that I have during the week. That is, taking week-days and not counting Saturdays. It can be explained in two ways. There are two cases not far from my shop. One is that of a widow who leaves to go to the city in the morning, and is working all day. The children are too young to do the shopping in her absence, and the consequence is that she has either to do her shopping down town or to do it in her own district after the time fixed by Parliament. It frequently happens that a housewife finds that she has not sufficient food to last over the morning through a few friends coming in at night. She has no food therefore for breakfast, and I should like to know if it can be a crime to supply that lady when, perhaps, her husband can go and get drink from early morning till late at night. Closing at 6 o'clock might do very well in the city, but we are convinced that in the residential portions it will not do for us. A business place is run for the benefit of the public, and we find it to be an absolute convenience to the public round about, and have to extend the hours for the benefit of the people. I think these reasons ought to have some weight in deciding that these two clauses (clauses 3 and 21) should be wiped out of the Act.

163. *Mr. Barber* (to *Mrs. Jacobsen*).] How long have you been in business?—Twelve years.

164. How many children have you?—Three.

165. Could you have brought those children up without the evening trade?—No, I could not.

166. *Mr. Fisher.*] Would the lady witnesses have any objection if the Act closed their shops at 9 o'clock?—Not at all.

167. *Mr. Alison.*] Do you mean that they should close at 9 o'clock each night in the week, including Saturday night?—Not on Saturday night. We look to the profit on Saturday to pay our rent.

*Mrs. Phillips* : Nine o'clock would be a little too early for me. Ten o'clock would suit better.

168. *Mr. Barber.*] Do you not think that you should be exempt altogether from the Act?—Yes.

*Mr. Alison* : Do you not consider that the business which you run should be exempted from the operation of any legislative restriction, with regard to the hour of closing—that is, that you should be allowed to keep your shops open as you desired?

*Mrs. Jacobsen* : I think 9 o'clock would be late enough. In *Mrs. Phillips'* case, I think she should be exempt.

*Mr. Alison* : Have you been complying with the law by closing your shops at 6 o'clock.

*Mrs. Forrest* : We have not closed. I do not know the law—do you?

169. *Mr. Alison.*] You do not know what the effect will be, so far as the operation of the law is concerned?—Yes, we do; but we know that if all the other shops are closed, people will not look at our little shops at all.

170. What will be the effect then?—It will simply ruin us.

## HEYWOOD HENRY MACDOUGALL examined. (No. 44.)

171. *The Chairman.*] What are you?—A stationer and fancy-goods dealer. I want to speak on behalf of the trade to a certain extent, and partly on my own behalf. Out at Newtown the trade is not worth—to use a low expression—"a tinker's curse" until after 6 o'clock at night. The majority of my takings are taken after 7 o'clock in the evening in my trade. You might just as well shut your door and go outside in the backyard as to expect business in the morning; but from 6 o'clock on people want their *New Zealand Times*, and if we are not allowed to open until 8 o'clock in the morning they will not be able to get it. It is the same with the *Evening Post* at night. I have been observing the law—that is, closing at 6 o'clock—because I am employing assistance. My trade has fallen off 33 per cent. since closing in January. It has not picked up in any degree. The customers who used to come in after 6 do not come in now. Where they go I do not know—I have lost their trade. Before I was employing a young lady at 10s. a week. She started at 9, 10, or 11 o'clock in the morning, and sometimes she had two afternoons off in the week. The total number of hours she worked was forty-seven per week, whereas the Shop Act allowed me to work her fifty-two hours per week. So long as the Legislature provides for the total number of hours to be worked it should not interfere in the matter of how or when they are worked. There is a little shop down the street where they employ nobody. They do, I think, a larger trade than I do, and they keep open. I think it is an injustice for an Act of Parliament to compel me to close if it allows that shop to keep open and collar my trade.

## GEORGE HARVEY, Picture Framer and Dealer, Newtown, examined. (No. 45.)

172. *The Chairman.*] Will you make your statement?—I have been in business in Newtown about fourteen years. It never has been of very much good. It is not a question of money, it is a question of how you can exist and pay your way. I can assure you that I am as hard up to-day as I was fourteen years ago, and I have worked very hard too. The trams came along and took away a portion of my trade, and then this Act knocks the bottom out of Newtown. I employed two hands, a girl and a boy; but I have to dispense with the girl. The lad is between fifteen and seventeen, and I pay him a good wage. He works from thirty to forty hours a week, and I tell him to go home if there is nothing to do. My takings have gone down fully one-third. Sometimes I go the whole day and do not turn a sixpence. The first week we closed under the present Act I was working in the workshop at the back,

and about 8 o'clock there came a knock at the door. There were three individuals with pictures, who wanted them framed, but they could not come in the daytime because they were working. We do not ask for any privileges, but we want liberty. We are tied down hand and foot, and it is as much as we can do to pay our way. I think we should have our liberty, and be allowed to do our business in legitimate hours. I have been observing the law, to my misfortune. It was the law, and we must abide by it. My shop comes under the Factories Act, but what is the use of keeping a shop open when all the others are closed. The place is too dismal, and there is no one about. I can assure you that the trade done in Newtown—and I speak after fourteen years' residence—is in the evening, and not during the day.

SAMUEL LATHAM ROBERTS examined. (No. 46.)

173. *The Chairman.*] What are you?—An ironmonger and crockery-dealer.

174. Will you make your statement?—Yes. As I think the ground has been gone over sufficiently, I will just say that I have kept the law, and that my takings have been 25 per cent. less than they were before the Act came into force. Especially in the crockery and fancy-goods trade the trade is a catch one, and is done at night. People used to come out and buy, but since I have closed my shop at night the falling-off has been fully 25 per cent. I have no assistants except my wife, but I could get no satisfactory answer from the Labour Department. Although others have not been doing it, I have kept the law. As has been stated before, most of the people living in Newtown are workers in town, and instead of buying at night they buy in town, because they cannot get up to Newtown before shutting up time. I know that all classes of people have suffered, and that trade has fallen away. Of course, it means this, that if trade falls away like that some one has to suffer—either the landlord or the merchant. If all those shopkeepers who do not employ assistants are not compelled to close I think we should be thoroughly satisfied.

ALEXANDER CROSKERY, of Riddiford Street, Newtown, examined. (No. 47.)

175. *The Chairman.*] What are you?—Draper.

176. Do you employ any assistants?—I used to employ my wife, but I found I could do the work myself, and gave her the sack. Regarding this Early Closing Act, I recognised the moment it came into force that it would mean ruination to my business. I tried to get information as to whether a wife was the assistant within the meaning of the Act, and I could not get a satisfactory answer, so I thought that rather than “go up” for £3 10s. I would give her the sack. Business in Newtown cannot be done between the hours of 8 in the morning and 6 in the evening. When I first started business, three years and a half ago, I never opened my shop until 12 or 1 o'clock in the daytime, and always kept open at night.

177. Until what time?—Until the customers stopped coming in—there was no limit to the hour. Sometimes I might close early, if it was raining and there were no customers about, but for the first twelve months I never opened my shop until 12 o'clock. How are we tradesmen of Newtown to get support if the workers are away all day in the city. They have to go from home early to get to their work at 8 o'clock or half past. We open at 8 o'clock and close at 6 o'clock, so that we are shut when they go to work in the morning and closed when they come home. We cannot supply that portion of the trade. The population being residential and a suburban one, people are in the habit of getting their teas in the afternoon and going out in the evening, and if they see something in the shop which pleases them they sometimes buy it. Ours is merely a catch trade. You merely catch their business because they see something that they would like. I would like to ask how the people living in Miramar can deal with tradesmen in Newtown. They are working from 8 o'clock in the morning till 5 o'clock in the afternoon. Living over there they cannot get washed and dressed and ready to come out until after our shops are closed. A man must feel in a good humour before he is going to buy anything. If Saturday afternoon as the half-holiday is brought into force we shall be thrown out of the business altogether. At present the worker has the chance to buy on the Saturday night, but what chance would we have to sell if we had to close on Saturday as well. Since the Act came into force I have employed nobody. I got rid of my wife as an assistant, and do the work myself. I have shut my shop up to attend here, and there may be customers waiting. Last Tuesday I opened at 2 o'clock, but took nothing at all from 2 o'clock till 6. From 6 o'clock onwards I took £9. On the Monday I took 7s. 6d., and in the evening £6. That will prove to you that the trade at Newtown is done at the night-time, and if the people were asked whether they would prefer not to open at 8 o'clock in the morning and to have their night trade, you would get a majority of nine out of ten to agree to open after dinner and to trade at night. We do not get the day trade—the night trade is the suburban trade.

ARTHUR STEADMAN, of Newtown, examined. (No. 48.)

178. *The Chairman.*] What business do you carry on?—I am in the boot and shoe trade. The Newtown population consists of the working-class of people. There are brickmakers and other people who are employed during the day who have not an opportunity of buying their boots in the daytime. They have to do so after they knock off work at night. A man comes in after 6 o'clock and gets measured for his boots, whereas he has not that opportunity given to him in the daytime because he is at work. Early closing means a great deal to us, because we lose a considerable amount of trade through it. During the daytime other people get into the trains and go away to town and therefore, we lose that class of trade. It is mostly the working-classes that we do the trade with, and they have to do their shopping after 6 o'clock. For instance, last week I had a knock at my shop-door and found two customers; I lost one of them, who wanted a pair of gum boots, and the other wanted ordinary boots. I said it was after 6 o'clock and I was not open. But I went down the street afterwards and found other shops open, and thought what was sauce for the goose was sauce for the gander, so I have opened my shop this week. I

find that I cannot run my shop unless I open it after 6 o'clock. I have a wife and five children to support, and it is after 6 o'clock when the trade is done in Newtown, because it is then that the people have an opportunity of purchasing, after they have had their tea. It is a catch trade also; people see a pair of boots which takes their fancy, and they come in and get them. If you did not get the trade then you would lose it altogether. You must get these things on the spur of the moment or your opportunity is gone. I cannot carry on my business unless the hours are extended. There are only myself and my wife, and she relieves me in the shop.

179. You acquiesce generally in what has been stated by the other witnesses?—Yes, it affects me just the same.

GEORGE BAYLIS re-examined. (No. 49.)

180. *The Chairman.*] Do you wish to supplement what you have already said?—The one point I would like to bring out is this: that the effect of closing the shops in Newtown has been this: people who have been in the habit of traversing the streets after their day's labour was done now want to go to the opera or some other place of amusement. It has been the means of sending them to the music-halls and places of that description, and I know that as a matter of fact the foreign companies of play-actors which have been coming here have been carrying away large sums of money.

181. And the people have an amount of recreation at theatre and music-halls now that they never had before?—They have been spending money that goes out of the colony, and which would have provided outfits for their children and the improvement of the district. There are two ways of looking at these things. Five shillings spent in the Opera House would be much better spent in the household on the family.

182. *Mr. Barber.*] The effect through the enforcement of the Act has been the depreciation of the whole district?—Yes.

183. So that if this law extended throughout the colony the colony would not be in such a prosperous condition?—That is so, undoubtedly.

184. (To *Mr. Harvey.*) Your trade, like *Mrs. Forrest's*, and all that class of trade, is done only while the people have leisure in the evening?—That is so.

185. People are engaged in some kind of business or other, and if they wish to pick out a song or a book they only have time to do so in the evening?—Yes.

186. (To *Mr. MacDougall.*) Supposing the Act is enforced, will you carry on your business?—I am going outside of Wellington.

187. Is that chiefly because of the enforcement of the Act?—Yes, I never expected that the Legislature would make other arrangements or I do not think I should have made the arrangements I have made.

188. (To *Mr. Roberts.*) Does the early closing interfere with the artisan in getting tools wanted in your trade?—Yes; he has to come down town, and for the most part he gets his employer to get them for him when he wants a large amount.

189. (To *Mr. Steadman.*) Do you consider the enforcement of the Act is an inconvenience to the people living in your district?—Undoubtedly.

190. And you think that if a petition was sent round, as has been done in Auckland and Christchurch, the people of Newtown would sign the petition to the effect that it was for their convenience that the shops should be kept open after 6 o'clock?—Yes, I can positively say that.

191. It is not only an inconvenience to the shopkeepers at present, but also to the public?—Yes. If a working-man wants a pair of boots made it is impossible for him to come away from his employment to get measured. He has to wait until he has had his tea.

192. That also applies to a ready-made pair of boots: he could not send a little child for them?—Yes, it applies there also.

193. *Mr. Aitken* (To *Mr. MacDougall.*) I think you said you had made arrangements to sell your business?—Yes.

194. Would that not show that there was something to buy?—Since making this arrangement, and further arrangements on my own behalf to get out of Wellington, the purchaser cancelled his agreement and forfeited £40 to get out of it. If some one could be found weak enough to buy, I would sell.

195. *Mr. Fisher.*] Providing the difficulty of fifty-two hours a week were got over, would any of you have any objection, if it were unanimous, to close at 9 o'clock?—

*Mr. Harvey:* I think it is an interference on the part of anybody to say what time we shall close our shops.

FRIDAY, 7TH JULY, 1905.

JONATHAN WILLIAM COLEMAN examined. (No. 50.)

1. *The Chairman.*] What are you?—I represent the tobacconists of Auckland.

2. Have you a Tobacconists' Association?—Yes.

3. And Hairdressers' Association?—Yes.

4. Have you any idea how many members there are in the association?—There are only eight, because it was formed for the Arbitration Court. Those who are not affected by the Arbitration Court do not want to join the association for fear of being involved in anything that did not affect them. We represent those who do belong to the association.

5. How many are there altogether?—Seventy.

6. Is that the total in Auckland?—Yes.

7. Do you wish to make any statement?—As tobacconists we ask you to exempt us from the operations of the Act on the ground that fully one-third of our business is done after 6 o'clock, and of

those in the suburbs fully two-thirds of their business is done after 6. It affects the suburbs more than it does the town tradesmen. Another reason is that the hotels almost throughout the whole colony sell tobacco the same as we do, and they are exempt from this Act. There is no restriction whatever on their hours of selling, and they do equally as big a business as some of the tobacconists do, and we do not think it is fair that they should conduct the same business as ours and not be restricted. We do not want to interfere with their business, but we do not want ours interfered with by the Shop Hours Bill: that is the main point. We do not object to the fifty-two hours a week for the assistants, that is fair and reasonable; but we do not want to be brought under the operations of the Act with regard to early closing: that is our principal objection. With regard to the hairdressing department, we have come to an agreement with the men under the Arbitration Act, so that that will not be affected by the Shop Hours Bill. I think it is before the Court at the present time.

8. The Act would override that?—We could not speak in regard to that until we have a conference with the men. We do not want to be brought under the Act with regard to early closing; it would mean absolute ruin for a lot of suburban men. In Symonds Street, Ponsonby, and Newton, all our business is done after 6 o'clock—it does not commence till after 7 o'clock. How are they to get their living if they have to close at 6? It is absolutely impossible.

9. Really what you ask is, that you should be able to keep your shops open as long as you wish?—Yes, fifty-two hours a week, but the assistant not to go off at 6 o'clock—fifty-two hours by mutual arrangement. The amended Act is only clause 3 disguised. It is no use to any tradesman.

10. *Mr. Alison.*] What hours do tobacconists work?—Thirty-two and a half hours a week on the average; they have to work on shifts. It means that if we have to close at 6 o'clock we shall have to reduce our staffs by one half.

11. Why?—They would come to work from 8 to 6, and put in the required number of hours; but at the present time we work two shifts, and that averages about thirty-two and a half hours.

12. During what period of the day is the greatest volume of business?—After 6 o'clock in our particular line.

13. Is that the experience of all tobacconists?—Yes, beyond any doubt.

14. You claim exemption from the operation of the law entirely in regard to early closing?—Certainly.

15. Do you suggest any hour for closing?—No; we have had quite enough interference with our business, and we want to be able to conduct our business as it suits us and pays us.

16. Has the Shops and Offices Act been enforced in the Auckland District?—Not with regard to ourselves.

17. There has not been an enforcement of the law in any one instance?—Not with regard to tobacconists.

18. Before this early closing became law did you hear any objections from any employees with respect to the hours and conditions under which they were working?—No, I am certain of that. Our own men have asked for fifty-six hours before the Arbitration Court.

19. Did they make any application or express any discontent at working at night?—Not the slightest. The men have got common-sense, and they know very well that they must be there when the work is to be done.

20. Is there any one in the trade, as far as you know, in favour of fixing the hour for closing?—I have not heard so. We could not, because what would suit Queen Street would not suit Symonds Street.

21. In your opinion, is it essential for the requirements and convenience of the people that tobacconists' shops should be kept open as at present?—Certainly.

22. That is prior to the law being brought into operation?—Yes, that is our opinion.

23. *Mr. Hardy.*] You are in favour of shortening the hours of labour, I presume?—We have never lengthened them.

24. Do you not think in this age of labour-saving appliances you might fairly well shorten them?—We are agreeable to the fifty-two hours as stated in the Bill.

25. And even if good reason could be shown, you would not object even to having them further shortened if they could be?—I would for one, because a man could not earn the money in the shorter time; the men must earn their wages.

26. You think fifty-two hours is sufficiently long for a man to work?—Yes, there is no doubt about that.

27. Are you in favour of the owner of a shop working longer? Have you to work longer hours?—Yes, we have to work longer than our men very often.

28. Is it fair that you should work longer than your men, and by that means place him at a disadvantage?—It does not place him at a disadvantage, because my men would knock off at a certain time, and I would work on later, but I would not start at the same time as them in the morning.

29. Do you really work any longer than fifty-two hours?—No, certainly not.

30. *Mr. Aitken.*] You are speaking as to the suburbs: do you find in the heart of the city that it is absolutely necessary to keep open after 6 o'clock?—Yes, absolutely necessary.

31. *Mr. Tanner.*] You say men cannot earn their money in less than fifty-two hours, and that they have common-sense, and yet you say yourself they work thirty-two and a half hours?—My tobacconist's assistant, I mean. I have two sets of assistants; men and women.

32. You have no wish to keep any of them after 6 o'clock?—Yes, certainly.

33. *Mr. Sidey.*] I understand you object to section 21 of the Act?—Yes, we do object. It is not fair for us in the main part of the town to close, and it is unfair for those in the suburbs to have to close—business is different in the different parts of the city.

34. *Mr. Laurenson.*] What time do the assistants start?—One starts at 8 o'clock in the morning



and knocks off at 1 o'clock. Another one starts at 1 o'clock and knocks off at 8 o'clock, and so it is followed up every day of the week.

35. You say it is different in different parts of the city. In Christchurch they find that the man who wants to get shaved after 6 in the suburbs is the same type of man?—The majority might affect the minority. The Queen Street and those off Queen Street might have a majority and close the suburban men. Is it fair for them? We must be fair to all classes.

36. You employ men?—I do.

37. You do not object to those men's hours being fixed at fifty-two?—No.

38. Supposing a man starts a tobacconist's establishment on his own, and employs no one and works sixty or seventy hours a week, does he not interfere with your business?—Yes. I did that when I started, and that was the only way to get along, and I want to give others an opportunity of doing what I did myself.

JOHN SELLEY examined. (No. 51.)

39. *The Chairman.*] What are you?—Hairdresser and tobacconist.

40. Do you employ hands?—Yes.

41. How many?—Four besides myself, and I work in the saloon.

42. Where is your business?—In Queen Street, Auckland.

43. Do you wish to make a statement?—I think Mr. Coleman has gone over most of the ground. The only thing he omitted to mention was that if we are compelled to close up at 6 o'clock, it will induce young men to go into publichouses for tobacco. At first, young men are a bit shy for a time, and if they only go into publichouses for tobacco, they think it would look a bit mean, and the result is that they would go in and ask for a glass of beer as an excuse to get tobacco. It would no doubt be an inducement to them to go into hotels and make a start with a glass of beer, and Goodness knows where it will end, and there are other things similar to that, that if there are any restrictions placed on tobacconists, they should also be placed on others dealing in the same goods, so that if we are left entirely without restrictions as hotels are, we could compete with them, but, if we are placed under restrictions as to closing, and the hotels have a free hand, then we have no chance of competing with them whatever. We are quite agreeable to fifty-two hours, but we could not possibly let men go at 6 o'clock in the evening, when the business is only just starting. People knocking off work at 5 o'clock are obliged to go home, wash, and have tea, and by the time they come to have a shave or whatever they require, it is considerably after 6 o'clock. Therefore, if we are to close, they are not able to get a shave or anything else in our line, and probably it induces them to go to a publichouse, as there is no other place to go to.

44. You agree with your colleague that what you require is to be able to keep open as long as you wish?—Exactly, without restrictions.

45. You are satisfied with fifty-two hours a week?—Yes. We do not object to a man having regular hours, but we do object to having to close at a certain hour.

46. And you want to make mutual arrangements with your employees?—Yes.

GEORGE TUTT examined. (No. 52.)

47. *The Chairman.*] What are you?—Tailor and mercer, of Upper Symonds Street, Auckland.

48. Who do you represent?—I represent the tailors, mercers, clothiers, and shopkeepers of Symonds Street, Karangahape Road, and Ponsonby.

49. Have they an association?—No. I am a member of the defence committee in Auckland, and we have taken great interest in this matter, because it affects us considerably.

50. Did they have a meeting?—They did.

51. And requested you to come here?—Yes; they said they must be represented.

52. How many are there?—About one hundred and fifty to two hundred. There are about thirty in the soft goods that are affected.

53. Do you wish to make a statement?—Of course, we should like to see clause 3 wiped out altogether. The Amendment that is before the House at present is just as bad, if not worse, than it was before with us. For instance, it is absolutely useless for us to let the assistants away at 6 o'clock in the evening and keep the shops open, because we cannot cope with the trade; also, it is a very great hardship on the assistants in the suburbs. For instance, in my own case I had two men and a boy, and when the law was enforced compelling us to close at 6 o'clock, I had to discharge one of these men. Another suburban draper at Newton, who employed six assistants, had to get rid of three. Therefore, it is a very great hardship so far as the suburban shopkeeper is concerned, and the assistants. Our business practically starts at 4 or 5 o'clock in the afternoon, and it takes us all our time to cope with it up to 9 o'clock. In one shop in particular, at Newton, in the same line as myself, the proprietor told me one day that up to the time of going home to his lunch, he had only taken 6d. in his shop, and I think I can safely say that in the suburbs of Auckland we take practically 50 per cent. of our takings after 5 o'clock in the afternoon, and it means that if this law is enforced, as far as the suburbs are concerned, the Official Assignee will have a lot of work to do. Of course, my assistants, like others in the suburbs, have not worked fifty-two hours. We have no objection to fifty-two hours in the slightest, and even if they were made shorter we would not mind, but it is absolutely imperative that we should keep open after 6 o'clock in the evening, and I trust clause 3 will be repealed for the benefit of the suburban shopkeepers.

54. *Mr. Alison.*] Then I take it from your statement that you are opposed to clause 3 and clause 21 of the original Bill as passed by the House, and you are also opposed to the proposals contained in this Amendment Bill?—Yes. Of course, I might say if the words in section 3 "or after nine o'clock in the evening on Saturdays, in districts where Saturday is not the closing-day, or after six o'clock in the evening on any other working-day" were deleted, I do not think there would be any complaint from any shopkeeper throughout New Zealand.

55. And that that part of the clause should be struck out?—Yes.

56. Then, we understand that the businesses you are representing would be seriously injured if there was a closing-hour fixed as proposed in the amending clause, section 3 of subsection (1), which we have just dealt with?—I do not think they would have any objection to being ruled by three-fifths of a majority, but, of course, in the suburbs we have to be there to do business when business can be done. For instance, 9 o'clock on Saturday is simply ridiculous, as far as we are concerned. I have closed, myself, since the law has been enforced as near to 9 o'clock as I possibly could. Only last Saturday, from 8 till 9, I was standing on the footpath talking, and I remarked that this was the worst hour, from 8 to 9. At 9 o'clock we started to get busy. I said to my assistants to get away at 9.30 sharp, and when they left I had three or four customers to attend to. I attended to the customers, and when I had finished it was a minute to 10, and from the time the assistants had left till then I took £2 16s. 8d., in the thirty minutes. I claim that there is no suburban or town shopkeeper who can afford to throw £3 away on any Saturday, which would mean a good round sum in the year. We in the suburbs would like to keep open to 10 or 10.30 on the Saturday night.

57. Have the employees, as far as you know, complained at any time prior to the passing of "The Shops and Offices Act, 1904," with reference to the hours that they had to work at night?—No, sir. I might say, when the petition was got up in Auckland, my assistants, on their own initiative, got a number of people to sign it, and every customer they asked did so, and the assistants signed it themselves, because they knew that if we had to close one of them would lose his position.

58. Are the employees desirous that the hours should be restricted so that business premises should be closed earlier—did they express any wish about it prior to the operation of the law?—I do not think so.

59. Have you heard so?—No, I have not.

60. In your opinion it is in the interests of the people, for their convenience, that the shops should be kept open as they were prior to this Act being made law?—Yes, exactly. Take the tailoring trade in the suburbs of Auckland, it is principally done in the evening. It is impossible for a working-man to get measured, or get a suit of clothes tried on when at work. This is one of our greatest difficulties.

61. What is your experience with regard to each shopkeeper: are they generally in favour of early closing at 6 o'clock?—Undoubtedly, because in Auckland City they close now—they always have closed at 6 o'clock; but I say this, that we have not got a large shopkeeper in Auckland at the present time that can turn back and say that he has not been very pleased indeed to keep open till 9 o'clock in past years.

62. Then the effect of the early closing would benefit the fat man to the detriment of the struggling shopkeeper?—Yes. We ought to have the same chance in life as the big shopkeepers. All the big people, when they started, kept long hours to work up their businesses.

63. *Mr. Sidey.*] I would like the witness to make it plain as to whether he objects to any closing-hour whatever?—Yes; I stated so.

64. No limit whatever, either 11 or 12 o'clock?—We have always been in the habit of closing at 9, and like to close at 10.30 on Saturday nights.

65. You would object to a statutory hour of 11 or 12 o'clock being fixed?—Yes, undoubtedly, because Auckland has very large suburbs, and we might, perhaps, be on a different footing to other centres.

66. I mean fixing some hour by statute at which all shops close, even supposing you make it 11 o'clock?—I do not think we should be dictated to at all.

67. Or even as to the limit to which assistants should be employed?—I should not object to that. We do not wish to work assistants after 9 o'clock; but still, it might arise in the busy seasons when it would be convenient for us to keep open for an hour extra, and why should we be deprived of that?

68. *Mr. Laurensen.*] You object to any hour of closing being fixed by law?—Yes.

69. And you say 9 o'clock for ordinary nights and 11 o'clock for Saturday would be a fair thing?—Yes, that would be what we were doing.

70. Do you think those are right hours for people to keep at work, say, from 9 o'clock in the morning?—I say, that providing employer and employee are working agreeably together, that there is no need for any one to dictate to them.

71. You do not agree to any hours being fixed at all?—No. We are agreeable to have fifty-two hours a week for our assistants, or even less, but we want the assistant to work when convenient for our business.

72. Do you think, if shops closed at 6 o'clock in the evening and 9 o'clock on Saturdays, that there would be less goods sold?—I do not say that. The business must be done; but it is done at the expense of the suburban shopkeeper. Since I have been closing it has made a difference of 33 $\frac{1}{3}$  per cent. to my takings.

73. You could only keep the business by working those hours?—Yes.

74. *Mr. EU.*] Can you suggest a way out of this difficulty—you see a number of the shopkeepers have carried a resolution at Port Chalmers in favour of clause 3, provided that all are brought into line—can you suggest anything? You say you want unlimited hours?—I say that if they want to close at 6 o'clock we do not object, but it suits us to keep our shops open later than 6.

75. They want it done by statutory enactment?—We do not ask for it.

76. You ask for a special Act to deal with Auckland?—We do not want any law at all. I think, when you made a law regulating the assistants, you should not dictate to the employer.

77. You think we should ignore the Port Chalmers people?—I still say we do not want to be dictated to.

78. You want a special clause in the Act to deal with Auckland ?—If the people all agree in Port Chalmers, that suits them.

79. They say they want statutory closing ?—We say we do not.

80. You want a special clause to deal with Auckland ?—No.

81. You are aware we have to frame our laws : you say you do not want it, and they say they do ?—Put a special clause in dealing with Port Chalmers only.

82. Then, with regard to closing up, clause 21 provides that a majority of the shopkeepers in any particular trade or all trades fix, say, upon 7 or 8 o'clock at night, and they ask that that shall be enforced by law, and you object to that ?—Yes, I would.

83. They approve of clause 21 in Dunedin ?—I cannot speak of Dunedin. I am only speaking of a place I know something about. I have been in business in Auckland for ten years, and it suits my business to be open in the evening.

84. But we have to legislate for the people generally ?—I do not think the shopkeepers have asked for legislation. I understand a petition has been before the Committee from Wellington shopkeepers signed by 175 out of nine hundred-odd, and I will guarantee that a hundred of those have always closed at 6 o'clock, and therefore that leaves seventy-five against eight hundred who are opposed to it. I cannot speak for Dunedin. In the suburbs of Auckland we strongly object to being dictated to as to when we shall close.

85. *Mr. Alison.* You are here as representing a large proportion of the shopkeepers in the suburban portion of Auckland ?—Exactly.

86. And you are here representing their views. Have you communicated in any way with the people in Port Chalmers, Christchurch, or Dunedin ?—No, sir.

87. Has there been any communication, as far as you know, by those you are representing with the shopkeepers of those towns ?—No, not that I am aware of.

88. You are here voicing the opinions of those who sent you to represent them ?—Exactly.

89. And you make no suggestion as to how the law should operate in other places ?—No.

90. Do you say that the shopkeepers in other parts should be allowed to be subjected to the same conditions as the shopkeepers at Auckland ?—Yes.

WALTER HILL examined. (No. 53.)

91. *The Chairman.* What are you ?—A wool-buyer in Christchurch.

92. Whom do you represent ?—I am representing the members of the New Zealand Wool-buyers' Association. [List of names produced.]

93. You represent the whole of New Zealand ?—Yes.

94. Do you wish to make a statement ?—Yes. The wool-buyers come from all parts of the world. I think there are forty-five members of this association, and their arrival here begins in October, and continues up to the sales commencing towards the end of November. The volume of business they do throughout the season amounts to close on £2,000,000, and the volume they have done during the past season amounted to about £1,825,925, and the number of bales put through was 172,411. The various items are set out in the statement : *Totals as per broker's catalogues* (average, £12 10s. per bale) : Christchurch—First sale, 3,567 bales ; second sale, 17,183 bales ; third sale, 20,319 bales ; fourth sale, 3,451 bales : total, 44,520 bales, £556,500. Timaru—First sale, 5,877 bales ; second sale, 13,030 bales ; third sale, 3,689 bales ; fourth sale, 491 bales : total, 23,087 bales, £288,587. Dunedin—First sale, 5,429 bales ; second sale, 12,924 bales ; third sale, 6,113 bales ; fourth sale, 1,327 bales : total, 25,793 bales, £322,412. Invercargill—First sale, 6,594 bales ; second sale, 5,056 bales : total, 11,650 bales, £145,625. Wellington—First sale, 1,702 bales ; second sale, 5,197 bales ; third sale, 8,363 bales ; fourth sale, 2,578 bales : total, 17,840 bales, £223,000. Napier—First sale, 7,403 bales ; second sale, 8,378 bales ; third sale, 2,637 bales : total, 18,418 bales, £230,225. Auckland—First sale, 2,000 bales ; second sale, 3,500 bales ; third sale, 1,000 bales : total, 6,500 bales, £81,250. Grand totals, 147,808 bales, £1,847,599. *Totals as published by Loan and Mercantile* : Offerings both at auction and by private treaty, 172,411 bales, £2,155,137 10s. *Volume of business to be dealt with* : Actual sales, 146,074 bales, £1,825,925. This amount represents the hard cash paid by members of the Wool-buyers' Association during the wool season, irrespective of £10,955 11s. paid for delivery alone, besides railage and port dues. If this Act is going to remain as it is, and the offices are going to be closed at 5 o'clock in the evening, our difficulties are going to be increased to a very great extent. We think it is going to seriously interfere with the business. I would like to mention a few of the details as to how the business is done, and point out some of the difficulties we have to contend with at present, and show how the enforcement of the Act will cause serious loss to the colony and the farmer. The buyer will suffer as well, but he has an interest he is easily capable of looking after, and he will make it up by taking it out of the raw material, because whatever he pays for the raw material, he will take into consideration in taking cost of putting it into the finished article. The bulk of the business done by buyers represented by me is done by auction sales. These sales are arranged with the consent of the brokers by the buyers, and they are held at various places throughout New Zealand, per list handed in. They have to be held at such times as the buyers can get to them, and time must be allowed for travelling between Napier and Invercargill. You will notice by the lists that we hold sales at 7.30 in the evening, and if the offices are closed at 5 o'clock these sales cannot be held, as clerical assistance could not be employed. Therefore, we should have to practically reorganize the whole system. I am speaking mostly with regard to buyers coming from England, the Continent, and America, as local buyers are usually at home with their work. Some local buyers travel through the colony with the English and foreign buyers, but not all of them. The business of these buyers who are travelling from north to south has to be conducted to a very great extent by telegram. Therefore, if a buyer arrives in any place after 5 o'clock at night and wants to communicate with his office, and his office is closed, his business must wait till next day.

this will interfere with his work in valuing his wool next day. He cannot move before 8 o'clock a.m., as the telegraph-office is not open, and then his own office is closed. He cannot stop in one place, but has to catch a train or boat to get to another centre to attend and value wool for sale there. The work which a buyer does in his office must accumulate in his absence, and when he gets to his office he must do it when he can—in the evenings generally. To enable buyers to do this they must have clerks there to show the accumulations of work. The wool business commences with shearing, say, in October, and buyers are open to do business when it commences. There were about 24,000 bales sold privately between October and November last, and, after we begin with the sales, the business is influenced by numbers of uncontrollable reasons; brokers may have had for years a small sale, say, five or six thousand bales; it may have been that the shearers have got on with their work owing to fine weather; perhaps the London market has gone up suddenly; buyers are showing anxiety for wool; and the brokers get increased quantities in consequence. They may have a staff prepared for a smaller quantity, and therefore the staff must work overtime daily to deal with the increased quantity. Many times the buyer starts away for a sale, and has no idea of the amount of business he is going to do. He must value the wool coming into the sale, and his staff must anticipate the work, but they do not know whether he will do a large or small business. The buyer is dependant on cabled advice from his principals, therefore he gets a staff that can cope with the work on ordinary occasions, and if it happens that he buys an extra quantity the staff must work overtime. I think that if it is stated, or made a condition when engaging wool clerks, that work will be expected of them when the work is there whether it is day or night, and they are paid accordingly. It is quite the same with the selling broker as with the buyer. The conditions of sale are as follows in the North Island: "The goods to be weighed by the warehousekeeper, taken away within ten clear days, not including Sundays, at the buyer's expense, and to be paid for in cash before delivery. Such payments to be made before 2 p.m. on prompt day."\* With regard to that condition, I think that if the selling broker and buyer had to close their offices at 5 o'clock, it is imposing impossibilities upon us, and the whole wool business of the colony would have to be reorganized. I can name several instances during last wool season when brokers could not possibly have done their work, and comply with the Act; they did not comply with the Act, they could not have done so. There were twice at Christchurch when brokers offered 18,000 and 23,000 bales respectively with eight days prompt, that is, buyers had to pay for the wool within eight days of buying. Brokers must deliver the wool within those eight days, and 18,000 bales is a large amount of wool to handle. There is also the weighing, invoicing, and checking. They could not do it, and did not get the invoices out before prompt day, and buyers did not pay. The farmer would come for his money on the day brokers said they would pay him out; they did not get their money in, and probably their overdraft would not allow them to pay until they got our cheques in. As it was, they did not comply with the conditions of sale. The following sale they had over 23,000 bales. They agreed they could not comply with the conditions and eight days prompt, and gave ten days—two extra days. They could not even comply in that case, and they were still twenty-four hours behind with invoices. We could go on doing this working overtime under the conditions which prevailed before this Act, but cannot do so now, and therefore we ask for exemption, or the business is going to be seriously handicapped and disorganized.

95. If you were absolutely exempt, the same as freezing companies and carriers, &c., you would be satisfied?—If we were included in that clause, that is all we are asking for. There are a dozen difficulties that crop up with regard to this same thing. For instance, we are buying wool in Napier and the office is in Christchurch, it takes two days to get a letter from there, and that two days must be two days of the prompt. We pay cash absolutely in payment of our wool. The broker will not accept a cheque, and if we do send a cheque, we must wait until the cheque is returned as good before the documents are released. Payment is made by urgent telegram through the banks. With regard to shipping, the shipping offices are exempt under the Act, and I think I am safe in saying that our work is five times greater than that done by shipping companies regarding a shipment. They do not even make out the bills of lading in some cases—they only make out the manifest. We have invoices, specifications, particulars for Customs, &c., and our documents are just as necessary at Home as the ship's manifest, or the shipmaster dumps the cargo on the wharf and heavy charges are incurred. This work we could not do if we could not work at night to get these documents Home. Buyers often have instructions when and how to ship. Under this Act they could not obey any instructions; they would have to obey the Act and the client and principal would have to take things as they came. I have had instances when instructions were to buy and ship promptly—I had one in Wellington last year—I bought wool one day, the ship was sailing the next day, and the Vancouver mail was leaving two days afterwards. I bought the wool and made arrangements to get the invoices the night following, to be posted to me at Christchurch, and I got them the second day after the sale. My staff worked at night and caught the Vancouver mail, and it gave us three days' margin on arrival of the ship in London. A mail one week later would be no good. I had 350 bales at £12 10s. per bale, and if this wool had arrived Home before the documents it would have been dumped on the wharf with heavy charges. I had instructions to ship immediately, and I took the risk. We do not often take a risk like that, but it occurs with every Frisco mail that we must have extra work done. A ship carrying her own documents is really no use to us—the Home people want the documents before the ship is alongside. The wool has to be shipped, and if these charges are incurred the grower has to pay them every time. I think the whole matter summed up is practically this: that if this Act remains in its present form, it would mean reorganizing the whole system—namely, extending the period for holding sales, limiting the quantity offered for sale, extending the time for payment to buyers, thereby keeping the farmer longer without his money, increased storage accommodation which would increase the storage charges, and it would probably mean extending the season another two months, which means two months'

\* In the South Island only eight days are allowed.

added interest to the wool left over. It would also mean loss of business to the broker, probably resulting in decreased quantities being offered. (Buyers paid over £10,000 in charges last year for handling alone; we pay 1s 6d. per bale for delivery for every bale we buy—the labourer gets it all.) If this Act is enforced, and decreased quantities are offered, buyers will not come to New Zealand, causing decreased competition and smaller returns to the farmer, with the result that there is loss in labour, loss to the farmer, and to the country generally.

96. *Mr. Laurenson.*] Supposing the wool-brokers and buyers were included in the clause in regard to live-stock, would that suit you?—I do not say it would fit the whole case, because I have not read the remaining parts of the Act, and I do not know how far the remaining part of the Act would affect us. I simply say that we are not exempt, and what I meant to emphasize from the beginning was that it is necessary we should do our business in our own way, and that applies to the whole business throughout the colony. If you make inquiries you will find that the employees throughout the whole service recognise that they have six months in the year when they can go as they please, and we can do our work with half the staff in the winter months. We keep them all on for the time when we require them, and also have to engage casual hands in the heavy part of the season. There is a great volume of business to be taken into consideration, and it would be impossible to put this business through if we are restricted in any particular.

97. According to clause 23, which provides that offices “shall be closed not later than one of the clock in the afternoon on Saturday, and five of the clock in the afternoon on every other working-day, and shall continue closed for the remainder of the day: Provided that this section shall not apply to shipping, railway, tramway, newspaper, telegraph agencies’, cable companies’, or telegraph companies’ offices, or offices of freezing companies, or offices of forwarding agencies, or offices of live-stock auctioneers.” There shall be no time for them to commence or cease work. If you were put into that particular section it would exempt you?—So far as I see, that would be what we require, but as to how far the other provisions of the Act would interfere with us, I do not know.

98. *Mr. Alison.*] It was stated that sales are held from 9 a.m. to 7.30 p.m. Could you not arrange the sales to comply with the law?—I would say it is almost impossible. During the season buyers travel from Napier to Invercargill and occasionally to Auckland, the wool is available between this time—November to March—and must be dealt with, or serious loss occurs.

99. *Mr. Laurenson.*] Your opinion is that the dates of sale could not be altered without serious injury to the wool-producer?—Yes. To extend the time means increased interest and increased storage-charges, &c., which has to come out of the wool-grower. With regard to the clerks’ hours, I had a clerk who did not work more than forty-eight hours overtime during the wool season, and during the six months of the off season he did not do an hour’s work, practically having six months’ holiday.

#### HARRY TOWNEND MILNES examined. (No. 54.)

100. *The Chairman.*] What are you?—I am a wool-buyer.

101. Do you wish to make a statement?—I do. Mr. Hill has put the case clearly before you, but I would like to indorse his statement—that time is of the most vital importance in our business, Our season is short, practically four months, and consequently owing to distances we have to travel, and quantity of wool offered, we have to work at a high pressure during that period. Sales are arranged by buyers and brokers for the convenience of both to economise time as much as possible. It would be impolitic to extend the season, as growers usually desire the earliest possible realisation of wool, and would prefer to ship to London, on account of getting early advances from their agents, rather than hold wool in store for, say, a couple of months. This would cause an amount of business to be lost to the colony, through growers shipping in preference to the delay and consequent extra charges. Shortness of time at present makes it impossible to hold regular sales at Oamaru, Blenheim, Palmerston North, Wanganui, and Gisborne, and consequently approximately ninety thousand bales are shipped to London from those places without the opportunity of it being offered locally, this being a direct loss to the business and labour of the colony. Buyers’ time should be spent valuing and buying wool, but as business is nearly all done on London credits, established in the name of the buyer, he has to spend considerable time attending to banking business, signing cheques, drafts, shipping-documents, &c., and, as he can usually only have the evenings for this work (which cannot often with safety be delegated to another), it is imperative that his clerical staff should be present to furnish all necessary particulars and details. Buyers are away from headquarters engaged in buying for sometimes twelve days at a stretch, and can now with difficulty find time to make payment for their purchases; and if the closing-clause of the Act be insisted upon it will result in complete disorganization of business. The buyer cannot estimate the amount of business he may do, because of being subject to daily and often hourly cabled instructions, and a buyer may have big orders, but find that his competitors can outbid him. Clerks cannot be obtained at an hour’s notice, and even assuming they were engaged during a busy time, by the time they could be instructed sufficiently to be useful the rush would be over. Longer prompt days would not meet the case, for the steamers carrying the wool will not wait for a shipper to prepare his documents. The increased charges enumerated by Mr. Hill cause buyers to pay less, and the grower, finding expenses increasing, will ship to London. Smaller offerings will not induce buyers to come, and, competition being more restricted, would eventually cause a diminution and probably extinction of the trade. In regard to labour employed by wool-sales in New Zealand, apart from clerical work, at a rough estimate, fully six hundred men are employed during the season in handling wool sold locally, and there is no reason why considerably more men should not be employed as the business develops. It is impossible for a buyer to arrange for any regular staff; what may be sufficient for him one year may be too small for the following year, or his staff may be too large already

JOHN ARTHUR examined. (No. 55.)

102. *The Chairman.*] What are you ?—I am manager of the New Zealand Loan and Mercantile, Wellington. I represent the Wellington Wool-brokers' Association, which comprises Dalgety and Co., Murray, Roberts, and Co., United Farmers' Association, and the Wairarapa Farmers' Association. I also, by request, represent the Christchurch Wool-brokers' Association, which comprises the whole of the brokers here, and I can indorse every word which Mr. Hill and Mr. Milnes have said. I have had thirty years' experience in the New Zealand Loan and Mercantile, and I say it is absolutely impossible to complete the work by 5 o'clock. Some people might say, in regard to a company like ours, "Why do you not employ more hands," but it is absolutely impossible—only one man can work at an invoice. I am speaking from practical experience. We have certain days to get our invoices, and I have worked from 5 o'clock in the morning till 3 o'clock next morning to comply with the conditions of the wool-sale. It may be said "Why do you not extend the days," but the farmer would not like the extension. The farmer wants his money, and every night after a wool-sale the clerks have to go back at night and send out the results of the wool-sale, and make out the different invoices, and I want the staff complete. We do not ask the clerks to come back; they know they have to come back to do the work. So far as my company is concerned, they are exempt under the Live-stock Act, but others are not, and I say it is impossible to comply with the Act. Even if we were not under the Live-stock Act, I have to sell to-day, and I shall be selling at 5 o'clock to-night and then not be finished. After a wool-sale the buyers have to class the wool. You may extend the time if the farmer likes to wait for his money, but the buyers cannot do it. If a man knows he could not get the invoices at the right time he would not buy the wool; he buys it because he knows there is a boat going in two or three days, and he can get it on board. In the end the farmer is the man who is going to suffer if this Act is brought into force. The shipping companies are bound to suffer also, because they bring their boats here to run in conjunction with the wool season. We simply could not get the work through if we have to close at 5 o'clock, and buyers will not come here. I have seen no hardship whatever in regard to the staff; they never complain. They have a fortnight's holiday every year, and get plenty of time off during the off season. I can only support what Mr. Hill and Mr. Milnes have said; and, as a broker, I can speak from practical experience. I have gone through every department of the business, and I know that if we have to close at 5 o'clock it will curtail business. We may be selling in Masterton till 5.30, and after the sale the invoices are made out, and the farmer waits and gets his cheque and is ready to go home next morning. Perhaps a farmer lives a long way from where we are selling, and it is only to oblige the farmer that we wait for them. As for increasing the hands, it would not make the slightest difference, because two men cannot work at the one ledger.

103. *Mr. Alison.*] Have you seen the Shops and Offices Act Amendment Bill ?—Yes.

104. And clause 3, subsection (1) ?—Yes.

105. Would such closing-hours as that meet your approval ?—No, certainly not.

106. Do you approve of fifty-two hours as being the hours for assistants to work ?—Sometimes they may probably work less. If you ask me personally what I approve of, I should say forty hours. In some cases they may work less and in others more.

107. You claim that you should come under the exemption clause which exempts certain people from the operation of the Act ?—Would that cover wool-brokers ?

108. By adding wool-brokers ?—Yes, certainly; that would suit us. If you add wool-brokers, that is what we ask, and that would suit our purpose.

109. The definition would be "wool-buyers" and "wool-brokers" ?—Yes.

110. That would cover the whole of those affected ?—Yes.

111. Has the Act been enforced as far as the wool-brokers and wool-sellers are concerned ?—No; it has not been complied with.

112. Have there been any prosecutions ?—No; there have not been, not that I know of.

113. *Mr. Fisher.*] Could you not make any concession to the assistants who work at night by way of overtime or additional leave ?—They get plenty of concessions now, and they admit it. They get a fortnight's holiday every year, and if a man wants an extra week he gets it, and they get off at times to see cricket and football matches.

114. You treat them liberally ?—Yes; we treat them liberally.

115. And you do four times as much business in one half of the year as in the other ?—Yes.

116. *Mr. Davey.*] Do you think the words "wool buyers and brokers" would cover the whole thing ?—Yes, I think so.

117. The word "broker" covers a wide ground, but you as auctioneer would not be a broker: do you think that would be sufficient to cover the whole ground ?—Yes; I think it would cover it.

118. With regard to the question asked by Mr. Fisher, supposing the employees worked all night, do they get any concession the following day, or do they come down at the same time ?—They come down at different times—10, 11, and 12 o'clock.

119. *Mr. Bedford.*] You do not pay overtime ?—No; only to the store hands.

120. *Mr. EU.*] When you give this fortnight's holiday to the assistants, do you grant them pay ?—Yes; all the time.

121. *Mr. Alison.*] Have you heard, or did you hear at any time prior to the passing of "The Shops and Offices Act, 1904," any complaint from any of your employees with respect to the hours they were called upon to work at night ?—Never once.

ALBERT CHARLES BUSHELL examined. (No. 56.)

122. *The Chairman.*] What are you ?—An employee in Mr. Hill's office.

123. You heard the statements made by the wool-buyers ?—Yes.

124. And as one of the employees, do you acquiesce in what has been stated ?—Yes; most em-

phatically. I think they have put the case fairly and clearly; and, as far as my opinion is concerned, I think both buyers and sellers should be exempted. It is absolutely impossible to comply with the Act without dislocating the whole wool business in New Zealand.

125. Are you representing the whole of the employees?—I was asked to give evidence by the wool-buyers, and I volunteered to do so.

PETER MITCHELL MCKAY examined. (No. 57.)

126. *The Chairman.*] What are you?—A chemist in Auckland.

127. Do you represent the association?—We do not represent the Chemists' Association. We represent the town and suburban chemists; we are delegates from a meeting.

128. Do you wish to make a statement?—Yes. We have come to Wellington to represent the consensus of opinion or views of the chemists and druggists of Auckland with regard to the Shops and Offices Bill, which became law and was placed on the statutes of the country last session, the most objectionable provision of which has, so far, been inoperative in deference to public opinion in the four chief cities of the colony. That in itself is one of the strongest arguments we can bring to bear why the Shops and Offices Act should be amended, and the early-closing clause as far as chemists and druggists are concerned deleted. It would bear very hard on the suburban chemists, and you can reckon all chemists outside of Queen Street suburban, for frequently a large proportion of their business is done in the evening. The public have to be considered. Numbers of working-men are unable to see a doctor or procure medicine during the day; and, if compelled by the 6-o'clock closing of the chemists to consult a doctor or procure medicine during working-hours, it would mean a serious loss. Quite a number of medical men are taking up their residence in the suburbs, who have a consulting-hour in the evening, to meet the requirements of the district in which they reside. If the 6-o'clock closing were in force you can understand how hard it would press on the suburban chemists, besides the inconvenience to the general public. Another disturbing factor which is brought about by compulsory early closing is that another competitor enters the business arena against the chemist. The doctor will, if his patient cannot procure the immediate dispensing of his prescription, dispense his own medicines; and what with the keen competition of the storekeeper on the one hand and the draper on the other, who stock nearly all medicines, and in some cases surgical instruments and appliances, I look forward at no distant date to the New Zealand chemist becoming an extinct species of the *genus homo*. In any other part of the Empire, where there is closing by statute, all chemists are exempted. I cannot point to any country where the chemist or pharmacist is compelled to close at a certain hour by Act of Parliament, but I can point to several countries where chemists are compelled by Act of Parliament, not only to keep open day and night, but to have a qualified man always on the premises ready to meet any emergency. You must differentiate between the chemist and the storekeeper; a stock of the necessities of life can be laid in at any time, but one never knows when one may be overtaken by sickness, or when alarming symptoms may develop, or when the ministrations of a chemist or doctor may be required—say, for instance, in a case of accident or poisoning. The other clause which bears very heavily on chemists is that relating to assistants. In the first place, let me state that all chemists are unanimous in approving of the fifty-two hours for a working-week for assistants, but they think they should have the option of working them in shifts, so as to have the assistance of one in the evening. The State demands a certain standard of education from those who follow pharmacy as a profession. The preparing and making-up of a prescription correctly is one of the principal parts of a chemist's education. In fact, it is the technical knowledge thus gained upon which he depends for a living, and as I pointed out before, in the suburbs, more prescriptions come in in the evening than during the day. Therefore, the principal part of an assistant's or apprentice's technical knowledge is gained during the evening. The enforcement of that clause would be detrimental to the apprentice or assistant. Another strong argument in favour of giving the employer an option in this matter, is that in all well-regulated pharmacies it is absolutely essential for the safety of the public, especially where potent drugs enter the prescription, to have all prescription checked. How can that be done if the employer is not to have his assistant's assistance after 6 o'clock? It would also come very hard on the employer if he had to be at his business for 365 days in the year, for you are aware that ours is a Sunday as well as an every-day employment. As you are aware a chemist has to be open on Sundays for the dispensing of doctor's prescriptions, therefore, in case of sickness, although even allowed to keep open after 6 o'clock, supposing a chemist got sick or was incapacitated from looking after his own pharmacy, if he could not employ his assistants at night he would have to close up his business.

129. *Mr. Alison.*] Are you clearly of opinion from your experience and your knowledge, and your experience of other chemists, that it is essential to meet the public requirements that chemists should be exempted from the Shops and Offices Act in respect to early closing?—I am.

130. And you claim that you should be exempted entirely?—Yes, we do.

131. And you are opposed to clause 3 of the existing Act?—Yes.

132. And do you know clause 21, which was passed by the Lower House last year with reference to provision being made by which shopkeepers themselves could, by a majority, determine the hours of closing: have you seen that?—I have not seen that.

133. Have you seen the Shops and Offices Act Amendment Bill?—Yes.

134. Do you know clause 3, subsection (1)?—Yes.

135. Do you approve of that with respect to the closing-hours and assistants?—We are all unanimous in Auckland with regard to the assistants working only fifty-two hours a week.

136. But the time they shall work?—We ask that the option be left with us to work the assistants in shifts to suit the exigencies of the business.

137. Did you hear at any time prior to the passing of "The Shops and Offices Act, 1904," any complaint from any of the employees that they were discontented with the hours they were working at



night?—I have not heard any complaint, and my present senior assistant has been with me for fourteen years.

138. Have you heard of any complaint from any other chemist's assistant?—No, I have not.

139. The law has not been put into operation?—No, it has not.

140. *Mr. Wood.*] You say the law has not been put into operation?—Yes.

141. Do you know the law with respect to chemists?—It was enforced for two nights, I think, in Auckland. I only speak from my own knowledge of Auckland.

142. In what way was it enforced?—The Inspector gave us notice to close at 6 o'clock.

143. Was that the chemists' shops?—Chemists' shops, pure and simple.

144. The Act says, "In the case of chemists' shops, for the sole purpose of supplying medicines and surgical appliances which are urgently required": is it not a fact that the chemists not only dispense medicines and drugs of all descriptions, but also sell combs and brushes, and various other things that the storekeepers sell?—A comb may be a surgical instrument, and a brush also.

145. I mean the ordinary things that the shopkeeper sells?—That is part of their stock-in-trade.

146. It was only then that any mention was ever made to you about the Act?—That clause I pointed out to the Labour Inspector.

147. In respect to clause 21, you never took advantage of it or troubled about it?—No. The law then became inoperative, but I daresay we might have taken advantage of it if the law had not become inoperative.

148. *Mr. Aitken.*] You were closed for two evenings at the instigation of the Inspector?—Yes.

149. At whose instigation did you open after that?—The same individual.

150. He came round and said you might open?—I went to him and questioned him, and he called on one or two places and said that for a time, until some law process had been gone through, the Act would not be enforced.

151. But within the last two months the decision has been made. Then you did not comply with the Act after that?—No.

152. And you were never asked to comply with it?—No, not the chemists.

153. *Mr. Ell.*] With regard to the articles chemists sell. Other shops are compelled to close at 6 o'clock, and do you think it would be fair to permit you to sell articles which they sell in their business when they are compelled to close?—For instance, you get ichthyol soap and tar soap, and even in a doctor's prescription you may have to supply the soap mentioned where a man has irritation of the skin.

154. But as to ordinary hair-brushes?—If it were absolutely necessary to be used, then as a surgical instrument say, for stimulating the scalp in cases of falling-off hair, I do not know that it would be wrong to sell a hair-brush then.

155. That hair-brush could be purchased next day without injury to the person?—Yes.

156. It is no matter of urgency at night?—No.

157. So that it would not be unfair to any other trader if it was restricted?—Yes. Of course, you must take into consideration the number of boats leaving Auckland, and men coming in from the country and leaving at night. The majority of chemists do not want to sell anything that is sold by the storekeepers.

158. Do you think it would be fair to let you sell articles which were not really chemists' goods, and which storekeepers were not allowed to sell?—I am against selling those things.

159. What should be the stock of the chemist?—I could not say.

160. *Mr. Barber.*] Do you think it would pay you to keep open simply for the purpose of dispensing prescriptions?—Yes. There are a number who are prescribing chemists to certain families—these families have their own chemist and no doctor.

161. Supposing you were deprived of selling those things which Mr. Ell mentioned, would it pay you to keep open for dispensing prescriptions?—Yes. We do not want to sell hair-brushes or those things after certain hours.

162. *Mr. Bollard.*] It is considered to be the ordinary stock of chemist to sell toilet requisites?—Yes, and has been from time immemorial.

163. If ordinary shopkeepers are selling toilet requisites, you think they are intrrenching on the chemist?—Not altogether. I think that when storekeepers and drapers sell surgical instruments and appliances they are intrrenching on the chemist.

164. Or hair-brushes?—In certain cases it may be.

165. These toilet requisites are not something new you have introduced into your business?—No.

166. Toilet requisites have been considered ordinary stock by the chemists for time immemorial?—Yes.

GEORGE DENBY examined. (No. 58.)

167. *The Chairman.*] What are you?—A chemist at Symonds Street, Auckland.

168. And appointed with Mr. McKay to come here and give evidence?—Yes.

169. Do you wish to make a statement?—At the meeting of chemists, these resolutions were passed: "That this meeting desires that chemists should be exempt from the Shop Hours Act, because in every part of the world chemists are allowed to supply medicines, medical requisites, and anything required for the use of the sick or injured at any time, day or night. Also, that so long as chemists' assistants are not required to work more than fifty-two hours per week, they may remain on duty till 9 p.m., this being necessary so that prescriptions dispensed may be checked by a second person for the safety of the public." "That this meeting hereby appoint Messrs. Denby and McKay to represent them before



the Labour Bills Committee of Parliament now sitting at Wellington." I have been in almost all parts of the world, and that is the rule, with the addition in Germany that qualified assistants must be on duty always at night.

CHARLES CARTER examined. (No. 59.)

170. *The Chairman.*] What are you?—Secretary of the Confectioners' Association, Auckland.

171. How many members are there in the association?—About two hundred members.

172. Have you any idea how many there are outside your association?—I should say about 185.

173. Making a total of 385 in the business altogether in Auckland?—One hundred and eighty-five shopkeepers. There were over four hundred signatures sent down in the petition altogether.

174. Do you wish to make a statement?—We had a meeting last week, and Mr. Laurie and I were deputed to come down here and place our views before you. The confectionery trade is a very peculiar one in some respects, the chief thing being that more than two-thirds of the business is done after 6 o'clock at night. I can say this myself, because I have had a retail shop in Auckland for nineteen years. If we were compelled to close at 6 o'clock it would simply mean that we should have to close the premises altogether—we could not pay our way.

175. And what do you ask for?—We want total exemption.

176. What about employees?—With reference to employees, we are quite willing that they should not be employed more than fifty-two hours per week. As a matter of fact, some of them are not employed forty hours a week, but we want to work them in shifts to suit the business of the confectionery trade. It would not suit us if they worked fifty-two hours and left at 6 o'clock at night.

177. What time do you close now?—I close about 10 o'clock.

178. And the majority?—Somewhere between 9 and 10—some earlier than others; 10 o'clock is about the latest. My place of business is in front of the Opera House, and the main business comes from there.

179. Would there be any objection to making the closing-hour 10 o'clock?—Not on Saturday night—it would not suit that night.

180. Or 9 o'clock?—Nine o'clock is too early. I would like to read a letter sent to the meeting of the retail shopkeepers from the manufacturers of confectionery—the wholesale people, dated the 4th July, 1905:—

"4th July, 1905.—To the Chairman of the meeting of the Retail Confectioners of Auckland, St. James' Hall, Auckland.—SIR,—We note advertisement convening a meeting of the retail confectioners of Auckland for this evening, for the purpose of electing a delegate who shall proceed to Wellington to give evidence before the Labour Bills Committee as to the effect of 'The Shops and Offices Act, 1904,' on the confectionery trade of Auckland. Our purpose in addressing you is to request the meeting to allow their delegate to represent to the Labour Bills Committee, in Wellington, the action taken by the manufacturing and wholesale confectioners of Auckland from the time of the first meeting of protest against the Bill held last November up to the present time, and their personal unaltered opinion as to the effect of the enforcement of the Act on the entire confectionery trade—manufacturing and wholesale—as well as retail. Obviously the interests of the whole trade are identical. It will be in the recollection of the retail confectioners that the wholesale and manufacturing houses undertook to afford financial assistance should any retailer be proceeded against under the Act. The result of the meeting last November was a petition bearing nearly two hundred signatures, which was sent to the Premier, in whose name the Act stands protesting against the enforcement of the Act and praying for amendment. The reply to that petition (which is in the hands of the secretary of the Confectioners' Association here) stated 'that very little difference, if any, would be made in the working of the Act as applied to confectioners,' and the absence of interference of the retail confectioners here is doubtless the result of the representations then made. The interests of the confectionery trade in Auckland in respect of legislation are being carefully watched by a committee consisting of representatives from the manufacturers, the wholesale confectioners, of representatives from the retail confectioners, and of representatives from the employees in the local manufactories. The latter—the employees in the local factories—are unanimous in their opinion that any Act similar to the present one must, if enforced, result in the discharge of many of their number. They have petitioned against the Act. It is clear to every one who has an adequate knowledge of the confectionery trade that the present Act will, if put into operation, very seriously interfere with the just rights of those engaged in the confectionery business. We respectfully suggest that your delegate be furnished with a copy of this letter to take to Wellington, and we hope your meeting will agree to this.—We are, &c., T. H. HALL AND Co., A. J. ENTRICAN AND Co. (LIMITED), (representing the Wholesale and Manufacturing Confectioners)."

181. *Mr. Alison.*] You ask to be exempted from early closing altogether?—Yes.

182. Have you heard any complaints from the assistants prior to the passing of the Act as to the hours they worked at night?—No, not to my knowledge.

183. Have the provisions of the Act been enforced with regard to confectioners?—No, not in Auckland.

184. Do you think there should be any restrictions as to the hours confectioners' shops should be closed?—The only restriction I would be willing to concede would be the fifty-two hours in regard to the employees. There should not be any restriction at all as to the shops.

185. With reference to the employees, you are entirely opposed to clause 3 of the existing Act?—Yes, entirely.

186. Do you know clause 21, which was passed by the Lower House?—Yes, with regard to the majority.

187. Do you approve of that?—Yes; I do not think the confectioners would object to the bare majority.

188. Do you approve of clause 21 or not? For a bare majority of the shopkeepers to decide at what hour they shall close: are you agreeable to that clause?—I would not object to three-fifths.

189. With respect to clause 3, subsection (1) of the Shops and Offices Act Amendment Bill, have you seen that?—Yes.

190. You say it is impossible that that clause could operate without very seriously affecting the working of your business?—Yes.

CHARLES GEORGE LAURIE examined. (No. 60.)

191. *The Chairman.*] What are you?—I have been appointed delegate with Mr. Carter, to represent the Auckland retail confectioners, and I have also a letter asking me to represent the employees, which says, "Would you please represent the employees in the manufacturing confectionery trade of Auckland, in support of the petition which was sent by the employees to Wellington *re* the closing of the retail shops at 6 p.m."

192. When was this petition sent?—On the 23rd November, 1904, with two hundred-odd signatures, petitioning against clause 3. I may say that the employees in Auckland have not a union, but they have an association which was formed just about the time the trouble came on with the Shop Hours Bill. They knew that two-thirds of the confectionery trade was done after 6 o'clock at night, and they also knew that if this clause was enforced against the retail confectioners it was going to be a very great hardship to them, because confectionery was only a luxury, and it was bought when the workers were at leisure. When people go to the theatres, a large number of them buy lollies at the same time. If the shops are closed, you do not buy lollies the next day because you were at the theatre the previous night. They see that two-thirds of the trade will stop, and, therefore, two-thirds of the employees will be got rid of from the factories, and that is the reason they are protesting against this Bill. Twenty-two years ago, I started a retail and manufacturing business in Auckland. I have now some forty-odd employees and two shops, and I have put all I earned into the plant, but if this Bill is enforced it will mean the confiscation of my property. I can quite indorse what Mr. Carter has said, and I say we must have total exemption. We are quite satisfied with fifty-two hours a week for our employees—they have never murmured as to the hours they have to work. I do not know of any employer who has had a complaint from any of his employees as to the number of hours they work, and they are quite willing to fall in with the hours to suit the business.

A deputation representing warehouse employees of Auckland in attendance.

GEORGE SQUIRREL examined. (No. 61.)

193. *The Chairman.*] What are you?—An accountant at Archibald Clark and Sons, (Limited), Auckland.

194. And you represent the Auckland warehouse employees?—Warehouse, entering-room, and office employees.

195. Have you an association?—No, but as proof of our position here this afternoon, I have brought a copy of the notice convening the meeting of those employed.

196. Was it advertised?—Advertised by circular. And this is the resolution come to. [Documents produced.]

197. How many attended the meeting?—About thirty-five or thirty-six, I think it was. That resolution is signed by the chairman.

198. How many in the line would there be in Auckland altogether?—There are twenty-three warehouses, large and small. The large warehouses have a staff of eighty—entering-room and office employees numbering from ten to twenty. Of course the meeting was called especially for office and entering-room employees, they only being affected.

199. How many would there be at the meeting—one quarter of the total number?—Quite that. One representative of each house would have been quite sufficient, because they voiced the opinions of the others.

200. Will you make your statement?—Yes, sir. The object of our appearing before you does not seem to be, on the face of it, a very formidable matter, but it means a considerable difference to us as office employees in the Auckland warehouses. I hold here a copy of the Shops and Offices Act passed last year, and I would just draw your attention to the interpretation of the word "shop." "Shop" means any building or place in which goods are kept or exposed or offered for sale, or, in which any part of the business of the shop is conducted, but does not include a warehouse doing exclusively a wholesale business." Now, on the face of it, ninety people out of a hundred, I presume, would say "You are exempt." Naturally so; but, under the interpretation of the word "office," as follows: "Office means any building in which any person is employed, directly or indirectly, to do any clerical work in connection with any mercantile or commercial business or calling carried on therein by the occupier thereof; but does not include any solicitor's office or any mining company's office, miners' union office, or any building or room in which the clerical work of a factory or shop is carried on if situate within the factory or shop"—under that definition of "office" the whole office staff of a warehouse is brought under the Bill. The consequence is that perhaps about one-third of the employees of the large wholesale warehouses in Auckland are brought under the provisions of the Shops and Offices Act; the balance of the employees are exempt. Now, we take it that this is wrong in principle, because the employers make no distinction between office assistants and warehouse assistants. They are all part and parcel of the same staff to carry on the business. In order to get relief from the operation of this clause, we would respectfully point out that the amendment which was moved in the House last session by Mr. Baume, that is, that the word "warehouse" should be inserted before the word "factory," so that the end of the clause would read "does not include any solicitor's office or any

mining company's office, miners' union office, or any building or room in which the clerical work of a warehouse, factory, or shop," &c.—that is all we want. Then we shall be entirely free from the operation of the Act.

201. In a word, what you ask for is to be exempted from the Act?—Exactly.

202. You do not care how it is brought about, but what you want is to be exempt?—No, but we suggest that as the easiest means of doing it. In the Lower House last session we were beaten by one vote, and by one vote in the Council also on the very same thing; so that the consensus of opinion evidently is that we should be exempt as a body.

203. Will you tell us why you should be exempt?—There is one other clause that I should like to draw attention to before I leave the Bill, and that is at the end of it—section 46, which reads “Nothing in this Act shall apply to *bona fide* commercial travellers, meaning thereby persons employed by merchants as commercial travelling agents for the purpose of selling goods to, or seeking orders for goods, from persons who are dealers therein and who buy to sell again.” These are another class of members of the staffs of the wholesale warehouses of the colony, and they are specially exempted. Therefore, we ask for the office assistants to be exempted also. We contend that there is no necessity for the office staffs of large warehouses to be brought under any Shops and Offices Bill. We have no complaint to make. Our hours of labour are very light. The actual working-hours are thirty-eight per week. We close at 12 o'clock on Saturday, and we have all the regulation holidays. We have a fortnight's holiday every year. Sick-pay for any length of time has from time immemorial been a recognised thing. Let me give one instance. In the house that I represent one employee was paid his salary for twelve months after he was incapacitated for work, until the time of this death. It is these harmonious relations that exist between the warehouse employees and the employers which we wish to see continued. We fear that if this Act is not amended in the way that we desire, and if, after the session is over, the law is enforced, our employers will have ample grounds for bringing us to work at 8 in the morning, if necessary, or earlier than that. There is nothing in the Act to prevent their employing the warehouse employees at any hour in the morning, as long as they close at 5 in the afternoon. So that by going to work at 8 instead of 9 in the morning—only one hour earlier—we should have six hours a week tacked on to us, which would make forty-four in place of the thirty-eight that we now work. Of course it is a recognised thing that when overtime is necessary the hands come back. There are certain seasons of the year at which the warehouse is busier than at others, and it is then necessary to do some work at night. The same reasons for which solicitors', mining companies', and miners' union offices were granted exemption from this Act will apply to us—that is, that excessive work in the daytime occasionally prevents us getting through the regulation amount of work; arrears accumulate, and therefore must be attended to after hours. There is no need on the part of anybody to be paid for this overtime, because, as I say, we consider the privileges we enjoy more than compensate for the little extra overtime that we should earn under the Act. Last year, when we got up this protest, we did it single-handed—that is, from Auckland alone; and I believe that if on that occasion the other centres of the colony had assisted us we might have pulled it through. But on this occasion a deputation will arrive from Dunedin on Tuesday and apply for permission to give evidence, and we are endeavouring to get similar representation from the office employees in Wellington.

WILLIAM MASSEY CHAPMAN examined. (No. 62.)

204. *The Chairman.*] What are you?—A clerk.

205. In whose employ?—Messrs. Sargood, Son, and Ewen's.

206. A warehouse in Auckland?—Yes.

207. Will you make a statement?—Mr. Squirrel has placed the matter so lucidly before you that he has left me hardly anything to say. I desire to tell you that we are here at the unanimous wish of the warehouse employees of Auckland, that the matter should be placed before you. They feel that the clerks should be put on the same basis as the salesmen in the warehouses. At present the amount of overtime-payment which will be received annually will in no way compensate us for the disadvantages which will arise through our being brought under this Act. During the last few years there has been a give-and-take policy between the employees and the houses, by which we have worked the necessary overtime willingly and gladly. We recognise that occasions do arise in the warehouses—at the 20th of the month, and, in Auckland especially, at the time of the arrival and departure of the Island steamers—when it is absolutely necessary that we should put in a few nights a month working. I suppose the nights sometimes run to, well, from three to six, according to the season. But the amount of overtime-payment that would be earned would in no way compensate for the other advantages that a man would lose. As Mr. Squirrel said, there is a fortnight's holiday, there is sick-pay, and many other advantages that we get. For instance, any employee in a warehouse or the entering-room would, if he desired to have an hour off or even a day, ask for it, and it would be given without there being any complaint. The fact that he gives his services in the evening, if he is required to, willingly and pleasantly, allow of his asking for that. I do not think that any man in any warehouse in Auckland has ever been refused a day off if he wanted it for any private business of his own. I feel sure that the clerical staffs in the warehouses will be grateful if the Labour Bills Committee see their way to help to exempt them from the operation of the Act.

208. *The Chairman.*] You agree with Mr. Squirrel, that what you require is absolute exemption?—From the operation of the Act.

209. You want no limitation of hours or anything?—Well, I do not know what limitation could be suggested. Our hours are so short now. We work from 9 in the morning till 5 at night, and we are away at 12 on Saturdays. We get a fortnight's holiday throughout the year; in fact, with the holidays given in the warehouses, we reckon we have a fairly good time. For instance, a man going for his holidays at Christmas-time, has the option of going—well, we fill in the time ourselves, and we arrange it ourselves

as to when we go for our holidays. I believe that a man who went away at Christmas of this year would go from the 24th December to the 12th or 13th January. During this time he would be free to do as he liked, and would draw his salary.

210. Do you employ any females in the warehouses?—We have one typiste only at the place where I work.

211. I am not speaking of your particular warehouse?—There are no females employed in the warehouses at all, except in the capacity of typists.

212. Are there many of these?—No, I think there is only one in each warehouse in Auckland.

213. There are no female clerks?—No; and the typists never work overtime.

214. You think it is not necessary for warehouses to come under the Act so as to make employers provide the proper sanitary arrangements?—Well, the premises are inspected by the Inspector of Factories, I believe. Anyhow, it is open to an Inspector to go and see them. The arrangements are all first-class in all the warehouses.

215. *Mr. Alison.*] There was a petition presented to Parliament last session by warehouse employees in Auckland, asking that warehouses should be exempted from the provisions of the Shops and Offices Act. Do you know anything about that?—I do.

216. Was that instigated by the employers?—No, not in any way.

217. Was the prayer of the petition unanimously approved by the employees?—Certainly. I can speak of that petition, because I had the doing of it myself. We had a meeting, and it was resolved that we should send the petition to Wellington. We were not able to get the forms from the printers until half past 10 that morning.

218. *The Chairman.*] I think it will be quite sufficient if you say there was no pressure brought to bear?—There was none whatever. The petition was signed by six hundred men on their own initiative.

219. *Mr. Alison.*] You say there is considerable latitude extended to warehouse employees. Is that quite satisfactory to the employees?—It certainly is. I am quite satisfied that the warehouse clerks have nothing to ask for in the way of legislation to get them anything they want.

220. You feel that there is a unanimous desire on the part of the warehouse employees that they should be exempted from the operation of the Shops and Offices Act?—It is quite unanimous in Auckland.

221. Prior to the passing of the Shops and Offices Act—the 1904 Act—did you hear on any occasion any employee or body of employees complain as to the hours they were working, or that they were called upon to work after 5 at night?—Never.

222. Has the Act been put into operation as far as the warehouses are concerned?—No, it has not been. We had instructions to keep a time-book, and we have kept it. We followed out the instructions of the Inspector to do so.

223. *Mr. Hardy.*] How does the Act affect you?—It affects us in this way: Take, for instance, the entering-room. There is a staff in my room of sixteen; seven of them come under the Act and nine do not. The seven who do come under the Act we keep a time-book for, and they are given to understand that they will be paid what overtime they earn; but they lose their holidays, and they lose any other perquisite that is going among the warehouse employees, because of the firm being compelled to pay them overtime. According to the Act a junior would work two hours overtime. We never work after 9 p.m. in our warehouse. We work from 6 to 9 p.m.; that is, the men. The juniors are never worked after half past 8 p.m. Well, we have reduced the time within the last twelve months to two hours for juniors, for which they would receive 1s. 6d. The firm provides them with a dinner at one of the three best places in Auckland, and that costs the firm 1s. 3d. The firm pays for the meal, and the employees go to which of the places they like. In Auckland the suburbs are extended, and they would have no opportunity to get home between 5 and 6.

224. I understand you to say that the concessions granted by your firm and by warehousemen generally to their hands are greater than the Act seeks to give them?—They certainly are.

225. Then, if the Act does not seek to take anything more from the warehousemen, why should you object to it?—For instance, there was one man came to me when the Act came into operation; a man with a family of five or six. He knows perfectly well that were he taken ill while in the employ of the firm his wages would be secured to him until he got better. I do not say that it would extend into years, but for six months he would have his salary paid.

226. Are you sure that these people who are working under the clauses of the Act applying to them are in a worse position than they were before the Act came in?—They are in a worse position in this way, that they are losing the advantages which they had, and in place of them are getting the overtime allowed by the Act.

227. Has the Act, when applied to your warehouse, had the effect of increasing the goodwill between employer and employed, or otherwise?—It has not been rigidly enforced, but when it is brought into force I think it will do away with the good feeling that has existed so long, simply because it is a matter of getting the pound of flesh. The men know they are working for good employers, and if there is anything wanted it is done cheerfully and willingly. I could tell you of three cases in which our firm has paid wages, in one for eight months and another for twelve months—when the men were away ill—and men earning good salaries.

228. Has the Act had a tendency to level down rather than raise up?—To level down.

229. You say that as a rule the employees in your warehouse do not work longer than the Act provides that they should do?—No.

230. There are times, I presume, when you have to work overtime?—Yes.

231. In the seasons when you are bringing in stock, and I think you said at times when the Islands trade affected you?—Yes.

232. If you are kept under the Act you think it will have a bad effect?—I think so.

233. *Mr. Bedford.*] You say you work between 9 and 5. Is there much overtime during the year ?—There is not a great amount. I should say about three or four nights a month.

234. Can you tell me what the average number of hours per week throughout the year would be ?—Including stocktaking and all ?

235. Yes ?—I think the night-work on our stocktaking would be about ten nights, and that would be in addition to the average of, say, four nights per month. It would be about sixty nights in the year, I should think.

236. And how many hours would there be in those sixty nights ?—Three hours per night—from 6 to 9 ; the juniors from 6 to 8.30. Now it is reduced for them to from 6 to 8. The employers themselves recognise that they do not get the best results out of a man if he is working every night.

237. *Mr. Tanner.*] You are really afraid that if the Act were enforced and you were included under it you would lose all the privileges to which you have referred ?—Yes.

238. Have any class of men amongst the clerks lost any privileges up to the present time ?—No, because the Act has not been rigidly enforced.

239. *Mr. Sidey.*] What is your position ?—I am the head of the entering-room ; that is, the outward shipping.

240. You are the head of a department ?—Yes.

241. What is the position of the other witness, Mr. Squirrel ?—Accountant.

242. Are you satisfied that all the other warehouses treat their employees in a similar way ?—Yes, as far as I know, and I have made inquiries and been in close touch with them.

243. Is there any union amongst the various warehousemen ?—No, but there is unanimity on this point.

244. There is no understanding amongst them as to how they treat their employees ?—No.

245. How often do you take stock during the year ?—Twice a year.

246. And you reckon you do about twelve nights overtime each time ?—Yes.

247. How does that compare with other firms ? Would it be about the same ?—I should think it would be about the same.

Deputations representing Auckland and Dunedin master grocers in attendance.

*The Chairman.*] We understand that you gentlemen have come from both Auckland and Dunedin, two deputations representing the master grocers, to give evidence in connection with this Bill. I will ask the Dunedin representatives to speak first, and to make the fullest statement that they think necessary. But I would ask you to overlap in your statements as little as possible.

THOMAS SNEDDON examined. (No. 63.)

248. What are you ?—A master grocer, of Dunedin.

249. Have you a Grocers' Association there ?—Yes.

250. Do you hold office in that association ?—I am one of the executive.

251. You have been sent here to represent the association ?—I have been sent here by the association to represent their views.

252. Will you tell us in your own way what you have to say with regard to the Bill ?—We had a meeting on Tuesday night, and the resolution we came to was to advise you to retain the compulsory clause.

253. To retain clause 3 of the Act ?—Yes. That is nearly the whole of the resolution. The meeting thought that if you retain clause 3 you will be conferring a greater boon on the public of Dunedin than by allowing every Tom, Dick, and Harry to shut and keep open when they like. The meeting thought that if you do anything at all you should do it right out, close every shop at 6.

254. You ask that the Act be kept just as it is at present ?—Yes.

255. With clause 3 in ?—Yes.

256. *Mr. Sidey.*] No exemptions, I understand ?—Well, I think some were in favour of the chemists and the hairdressers being exempt.

257. *The Chairman.*] But speaking on behalf of the grocers, you mean that the grocer who employs no assistants should also have to close ?—Yes. Throughout Dunedin suburbs, and as far down as Port Chalmers they are all very agreeable to the shorter hours and compulsory closing ; in fact, they religiously keep to that. I do not think you would get a more law-abiding community, taking the people right throughout the colony.

JAMES DAVIDSON WILSON examined. (No. 64.)

258. *The Chairman.*] You also are a master grocer ?—Yes.

259. And a member of the Grocers' Association ?—Yes. I think Mr. Sneddon has put the matter perhaps just as lucidly before you as is necessary. I do not think I can add much. I think that if you could see your way to take the matter into favourable consideration you would confer a great benefit upon us. No doubt a number of the grocers who do not employ labour would be keeping open, and in self-defence some who might not be able to afford to keep shut while others were open would have to do the same. If they had to allow the assistants to go away at 6 they would have to keep the shop open on their own account or sacrifice a certain amount of trade. So we think that if you could make 6-o'clock closing uniform it would be a benefit conferred on the trade. The grocers have never been working harmoniously together until clause 3 has been enforced. Since then we have had no difficulty whatever in regard to closing. To revert to the old order of things again would be, I think, well, not very pleasant, and would cause a great amount of confusion indeed.

260. *Mr. Alison* (to Mr. Wilson).] Do you represent an association of shopkeepers ?—Yes, the Master Grocers' Association of Otago.

261. How many shopkeepers does it embrace ?—We had not time to ascertain the number, we had to come away in such a hurry.
262. How many shopkeepers do you represent ? How many shopkeepers are there in the association ?—I cannot really tell your from memory.
- Mr. Sneddon* : I think there are from twenty to thirty in the association, and all who employ labour are, I think, in the association. Perhaps it would be thirty-five.
263. *Mr. Alison* (to *Mr. Sneddon*).] You represent thirty-five shopkeepers ?—Yes, speaking from memory.
264. Why do you desire that clause 3 be retained ?—We think it better for the whole community, and the whole of the shopkeepers too.
265. You think it would be in the interests of the community and in the interests of the shopkeepers ?—Yes. The community try by every possible means to accommodate themselves to the shopkeepers by purchasing in time, and they are quite agreeable to any hours that we want fixed for closing.
266. In your opinion it is in the interests of the people of New Zealand that all shops should be closed at 6 ?—I cannot speak for the other districts, but I should think that if it is good for one district it should be good for another.
267. When you said "Let all the shops be closed early," did you mean not only the grocers' but all the other shops ?—All in our trade, but I could really say that the drapers and the butchers are with us. As to hairdressers and chemists, however, I cannot say.
268. Are you authorised to represent the butchers ?—No, but I know their feeling in the matter.
269. Did they authorise you to speak on their behalf ?—No, but I might mention that I saw two Dunedin butchers along the town just now, and they said they thought it would be an inconvenience to them if they had to shut at 6, because they shut at half past 5.
270. Do you speak on behalf of all business men, or do you speak only on behalf of the grocers ?—On behalf of the grocers only.
271. As far as the grocery business is concerned you say that clause 3 would operate beneficially ?—It would.
272. In the interests of the community, the shopkeepers, and the employees ?—Yes.
273. You are aware of the strong feeling that has existed throughout the colony with regard to the enforcement of clause 3 ?—Yes, I have heard something about Wellington. I think Auckland is in line with Dunedin.
274. At what time did you close your shops before clause 3 became law ?—We opened at 8 and closed at 6. We have done that for years and years.
275. Then the passing of clause 3 made no difference to you or to those whom you represent as regards the hour of closing ?—It made no difference to me personally, but of course it brought into line some others who had hung out. They are all in line now.
276. As far as you are concerned, you closed at 6 prior to the passing of the Act ?—Yes.
277. Has the Act been enforced in Dunedin ?—Yes, lately.
278. Rigidly enforced ?—Yes, very rigidly too.
279. Have there been any prosecutions ?—No, we did not need that.
280. Are all the grocers' shops closed there at 6 ?—As far as I understand.
- Mr. Wilson* : All those that employ labour are.
281. *Mr. Bollard* (to *Mr. Sneddon*).] You said that you represent thirty-five shops, I think ?—Something like that, I expect.
282. Can you tell us how many grocers there are in Dunedin ?—It would take time to count them all up. I think there are thirty-five any way.
283. Is not that only a small proportion of the grocers in a large city like Dunedin ?—No, there are not many more here.
284. Are there not five times as many as you represent ?—No.
285. How many are there ?—There might be ten or twelve more small shops. There are numbers of other shops, of course, that sell vegetables and such things.
286. I mean grocers' shops, in Dunedin ?—It is hard to define grocers' shops—like the Chinamen's shops in Wellington.
287. What class of men are they in the association which you represent ?—A good, healthy class of people, and a good business lot of men too, and they know what they want. They want the shortest hours possible, and the best work. They know they can get better work out of a man when working shorter hours.
288. Do I understand you to say that you represent every grocer who employs assistants, in Dunedin ?—Very nearly the whole lot.
289. You cannot tell us how many there are ?—There might be about half a dozen that are not in the union, and we cannot tell ; but they have fallen into line lately since the Act was passed. I can tell you that some of the grocers—and large grocers too—who are not members of the association are very much in favour of early closing. They closed at 6 p.m. for years before the Act came into force.
290. I understand that the association you represent wish that every grocer close at 6 p.m. ?—Yes, that is our view of the matter.
291. Whether it be a small man employing one assistant or otherwise ?—Certainly ; we want that.
292. *Mr. Hardy*.] How many hands do you employ ?—I have three.
293. You would not be considered one of the very big grocers ?—Yes.
294. And you think, as far as you can judge, that there is fair unanimity amongst the trade generally on this question ?—Yes, there is.

295. Is it better for the men, as well as the masters, that the hours of labour should be shortened ?—They all seem to think so, and I know from the experience I have had that a man gives more satisfaction in his work when the hours are shorter.

296. Do you find any difficulty in getting the orders out through closing at 6 p.m. ?—No, the work is all done by 5 o'clock with us.

297. Do you do any country trade ?—Yes ; well, not very much in the country, but we have different rounds in the various districts round Dunedin.

298. *The Chairman.*] How many miles do you go ?—We go to the Valley.

299. About six miles ?—Yes.

300. *Mr. Hardy.*] You send a cart out looking for orders ?—Yes, that is we send a man.

301. And you send a cart to deliver ?—Yes.

302. Do you find any difficulty in delivering your goods within the specified time ?—No.

303. No difficulty at all ?—Not a bit of difficulty.

304. Are all the larger grocers in Dunedin with you in this matter ?—Yes.

305. Are they members of your association ?—Yes, with the exception of those I told you about, and they are very strongly of the same opinion, and have always been.

306. Are they large employers ?—Yes, very large.

307. They are not men who would be called social pests—men who do the whole of the business and kill the small ones ?—No, not a bit of it.

308. They act fairly and give fair wages, as far as you know ?—Yes.

309. You are perfectly clear in your own mind that the employees as well as the employers are at one on this question ?—Yes.

310. And you are perfectly satisfied with clause 3 ?—Yes, I am satisfied.

311. That is, as far as your trade is concerned ?—Yes.

*Mr. Alison :* The witness said that his desire was that clause 3 should be retained, which clause applies to all shops.

312. *Mr. Hardy* (to witness).] We do not want to catch you, we only want to elicit the truth. You have been in business for a considerable time, have you ?—For about twenty-four years.

313. Have you been chatting to other tradesmen about this clause 3 ?—No. I really never thought till Tuesday night that I should be up here, and I took no notice of the thing beyond what I saw in the papers.

314. But you said that you had spoken to two butchers ?—That was in Wellington. They are Dunedin butchers, and they stick to this early closing.

315. Whether the law is enforced or not they observe early closing ?—Yes. They say the Act would make them keep open till 6, whereas they shut at half past 5. Though I have no authority to speak on their behalf, I can say that the butchers and drapers have always fallen into line with the grocers in respect to closing.

316. As far as your experience goes, you believe the community is at one with you ?—Yes, I have heard that from many of the customers.

317. *Mr. Bedford.*] You pretend to represent the small shopkeepers ?—There are a good many in the association. I am one of the small shopkeepers.

318. There are a number who, before the Act was passed, kept open after 6 ?—Yes.

319. Do you represent these at all ?—Are they agreeable to early closing ? I have not heard anything from them.

320. Do any of them belong to the association ?—I could not exactly say.

*Mr. Wilson :* There are several who have been compelled to close early since the Act came into force.

321. *Mr. Bedford* (to *Mr. Wilson*).] Do they approve of 6-o'clock closing ?—We have not consulted them on the matter.

322. You do not pretend to speak for them ?—No, not those two or three. The rest we can speak for definitely.

*Mr. Sneddon :* Up my way there are three or four out of five, I think it is, who are quite agreeable to the clause.

323. *Mr. Bedford* (to *Mr. Sneddon*).] Do you think it would be better to retain clause 3 with proper exemptions than to stick to clause 21 and abolish clause 3 ?—I have not understood clause 21.

324. *Mr. Aitken.*] Clause 21 provides that a plebiscite of the shopkeepers in a town shall be taken, and if there are 100 of them and fifty-two vote for early closing, then you close early. It compels everybody to close ?—I do not think we were instructed on that matter. I would rather see the closing done by Act of Parliament.

325. *The Chairman.*] You would rather have clause 3 ?—Yes.

326. *Mr. Bedford.*] If you had a majority of grocers in favour of early closing, then clause 21 would suit you as well as clause 3, because that majority would be able to adopt the hours mentioned in clause 3 ?—There might be a risk of being outvoted.

327. *Mr. Aitken.*] You said you had been twenty-four years in business ?—Yes.

328. When you started business, what hours did you keep ?—When I came out I was for two years employed before starting in business. Closing-time was 11 on Saturday, and, in the week, any hours. I had always upheld short hours at Home, and I said to the boss "I cannot do it. Why do you not try to close at 10 ?" I went round to the other places, and got them to close at 10. Then the closing-hour was brought down to 7 o'clock ; then, ten years afterwards, to 6.

329. If you go up the North-east Valley you will find a small shop at the corner of a street, kept by a woman who sells groceries. Do you want to close her shop at 6 ?—I do not see why it should be any hardship to her any more than any one else.



330. Does she not do most of her business after 6?—Perhaps her husband is working in a printer's shop, making £3 a week.

331. Perhaps she has not got any husband?—Many of them have, and the husband is earning a good income.

332. *Mr. Tanner.*] The fact is that the hours have been gradually contracted in Dunedin without any legal interference, and you have been very glad of it. Most of your principal shops have been in the habit of closing at 6 before last year's Act was passed?—Yes.

333. And you hailed that Act with satisfaction because it finally ended the question?—It brought them all into line.

334. And you would prefer to keep it so?—Yes.

335. Would you allow the exemption now allowed in favour of a shop kept by one person only?—No. I believe it is better for every one to shut.

336. *Mr. Sidey.*] I would like to know to what extent you gentlemen are able to speak for the small suburban shopkeepers who employ no assistants at all?—I am speaking for the association. I am speaking as a small shopkeeper myself.

337. When you speak of there being about, I think you said, from six to twelve other grocers keeping shops who are not included in the association, I suppose you refer to those who employ labour. There would be more than a dozen if you included all the small one-man shops?—Yes.

338. There would be a good many more?—A few more.

339. You do not profess to speak on their behalf?—No.

340. *Mr. Fisher.*] How would you have fared in business when you first started if you had been compelled to adhere to the conditions of the Act as it is now?—I think I would have fared just the same as other people.

341. Did you not find that you did the best part of your business after 6 o'clock in the evening?—No; I cannot say that I did. I did my work during the day.

342. Have you been in business in any of the other centres of the colony?—No.

343. You said a few minutes ago that in your opinion what was good for one place was good for another. Not having had any experience in any other place, do you think your opinion on that point is worth anything?—It is hard to say. I think a man who has a knowledge of humanity and other things should have a little opinion on that matter.

344. But you are quite ignorant of the conditions that exist in other centres, from a business point of view?—Not altogether.

345. Are you fully conversant with the situation of Newtown, for instance, as regards Wellington?—I have been through it.

346. You have seen it, but you do not know anything about it from a business point of view?—No. I have been through all the centres here.

347. So that if a Newtown shopkeeper went to Dunedin, his opinion upon Dunedin business would be as good as yours regarding Wellington, because he would have seen the shops?—Quite probably—as an expert.

348. You said you represented thirty shops, was it not?—Something more than that number, I think.

349. Do you represent any of the small shops, such as the one in the Valley that Mr. Aitken referred to?—I do not represent the woman's shop, but I represent the small shops. A number of the small shopkeepers are in the association.

350. What I want to get at is, how many you do not represent. That is the point I want to get at?—I think I stated that some twelve or fifteen, or some number like that—at any rate, some not in the association—are quite agreeable to shutting early.

351. You think they are practically unanimous in Dunedin?—I know of three or four in one district, out of seven or eight, who are agreeable to shutting.

352. You say that you represent thirty shops, and I am quite sure from that that you do not represent one-third of the shops in the particular line of business in Dunedin and suburbs. We want to know the opinion of the people you do not represent?—That is a different subject.

353. The portion of the trade that you do represent is really the larger shops?—Not all.

354. Mostly?—No. I believe they are half-and-half, the small shops and the larger ones. I know that the other ones not in the association, are falling in with early closing and are quite agreeable to it.

355. But they have not fallen in with it enough to join the association?—No. We often get men to join afterwards.

356. *Mr. Barber.*] You are not in the centre of the town?—No.

357. Have you ever kept open after 6 at all?—Well, years ago I did?—I have not for about fourteen years.

358. Can you give me the names of any of the small shopkeepers you represent? You said you represented fifteen?—More than fifteen small shops. I could not tell you now exactly, but I know there are a good many.

359. *The Chairman.*] On your return to Dunedin, will you send us a full list of the association and of others which you represent to-day, and also the number of their employees?—Yes. I cannot tell you the number from memory of the members, because I have not been attending the meetings lately. We represent the shops employing two or three hands and more.

360. Is it only those who employ labour that you represent?—Yes.

361. *Mr. Barber.*] Can you give us the names of any of the shops that you represent which only employ one assistant?—Mr. Crummell, in King Street; Mr. Mitchell, in North-east Valley; Mr. Harris, of Mornington; Mr. Henderson, of Mornington. The latter has two boys and a girl. Mr. Mort, of North-east Valley. These are parties who do not belong to our union, and yet they uphold the 6-o'clock movement. There are more still.



362. Is the district you represent purely a residents' district?—Yes.

363. How long have you been in business?—Twenty-four years.

364. And you have only been closing early during the last four years?—Fourteen years, I said.

365. There are ten years in the time that you were working up your business when you did keep open?—I did keep open, but I was not in favour of it.

366. But during the first ten years you did keep open?—Yes, but my principal work was all done before 5 o'clock.

367. You only represent the grocery trade?—Yes. I have seen people come to my door at night for change of 2s., when there was no trade at all.

368. Do you not think it is easier for the grocery trade to supply goods while the proprietor is away than it is in any other business?—People can send a child for a pound of tea rather than for a pair of boots for the father?—It is convenient to send children.

369. It would not work so well in the case of wearing-apparel?—I have nothing to do with that.

370. *Mr. Alison.*] I would like it to be made clear whether the grocers asked that clause 3 be retained, or whether it should be retained for that class of business only?—Yes, that is what we are up here for.

371. *Mr. Hardy.*] Mr. Barber put a question, asking whether you kept open for the purpose of making your position, so that you could afterwards shut up. I understood you to say that, while you were under cross-examination by myself?—I do not think so.

372. I understood you to say that you did it because you were forced into it?—Yes, all the big and small shops were keeping open till 7 and 8 o'clock.

373. And notwithstanding that you were a beginner, you were desirous of shortening the hours?—Yes, and I got it done.

374. And you would do it now if you were a little man?—Yes.

375. Because you think it is better to work short hours than long hours?—Yes.

376. If keeping a shop for yourself, you would not keep open in order to catch every penny?—No; I have not been a grasping man in all my life.

WILLIAM PEET, Auckland, examined. (No. 65.)

377. *The Chairman.*] What are you?—A grocer.

378. In what street?—The Karangahape Road.

379. Have you an association in Auckland?—We have.

380. Do you represent that association here?—I do.

381. How many members have you in your association?—Something over sixty.

382. Can you tell us how many grocers' shops there are in Auckland and suburbs?—No, I cannot.

383. Your association combines both large and small grocers?—Yes; if they like to join.

384. Will you make your statement to the Committee: they can then ask you questions afterwards?—Our association recommends that clause 3 of the Act be retained—I am speaking for my own trade only—with the addition that we want 10 o'clock instead of 9 o'clock on Saturday as the time for closing. We also want Saturday hours on the nights before holidays.

385. What holidays in particular?—All the general holidays. We want no exemptions in our trade whatever. We also ask that this Act should be worked subject to the award of the Arbitration Court—the whole of the Act and not section 4 only. With regard to overtime we find sometimes three hours a night for stocktaking is not enough. Stocktaking has to be done in one night and before opening next morning, and sometimes we might want four hours for this purpose. This would be for only one night a year. We do not want our men to work for nothing. We are paying them now for overtime, but we cannot always get our work done by 6 o'clock. We do a town trade and a country trade, and our orders have to be sent by train sometimes to a flag-station, and if we do not get them up to time it means that our customers have to come from five to twenty miles to that station for nothing.

386. *Mr. Fisher.*] How do you propose to do that?—By an award of the Arbitration Court. We do not want any hard-and-fast rule, and we want the combined districts made larger so as to include more people, as the North Road runs the whole length of the street, and one side of it is in it and the other is not. With regard to the office-assistants we want the same award for them as for the shop-assistants. With reference to Empire Day I do not know whether it is intended to include this or not; but, if so, we want it substituted for Prince of Wales's Birthday. With regard to the Saturday universal closing we want the present arrangement left as it is. We do not want Saturday fixed all over New Zealand. It is a suggestion from our union that all moveable holidays should be treated the same as in Sydney and some of the other States—that is, that they should be kept up on the following Monday. We think it would save a lot of confusion if that were done here. We had a lot of confusion on Empire Day and Prince of Wales's Birthday in Auckland. Some closed one day and some another, and others not at all. I think that is all I have to say.

387. *Mr. Alison.*] Has the early-closing clause of the Act been enforced in Auckland with regard to the class of shops that you represent?—It has.

388. Throughout the city?—Yes, as far as I know.

389. All the shops have closed at 6? There are some exemptions.

390. I am speaking of the grocers' shops?—Yes.

391. Shops previously closing after 6 are now closing at 6 o'clock?—Yes.

392. What time did you close your shop before the Act became law?—Six o'clock.

393. The others whom you are representing?—Most of them at 6.

394. Then it really makes no difference?—Of course, we close at 9 o'clock on Saturdays.

395. With the exception of that it makes no difference?—According to this Act we should be under a penalty for keeping a man half an hour overtime, but we have been working under an award of the Arbitration Court, and pay for overtime.

396. What was the award ?—It was fifty-three hours until 6 o'clock on four nights, five hours on the half-holiday, and thirteen hours on the Saturday until 10 o'clock.

397. And you wish that continued ?—Yes.

398. You ask that it be applied to all shops where no assistant is employed ?—Yes ; for grocers' shops. We considered that if the employers have to shut at 6, others should be also compelled to shut. There should be no exemptions whatever.

399. Are there any exemptions under the Arbitration award ?—The Arbitration award did not close the shops ; it only allowed for the hours of working.

400. Are the provisions of the awards sufficient for you ?—We are quite satisfied with them.

401. You would have no objection to the small shops remaining open so long as the assistants got away ?—We do not want the shops to be kept open. A man employing half a dozen assistants cannot mind the shop himself.

402. But how about a man not employing assistants ?—It is not fair that he should be allowed to keep open. One individual would not make much difference, but half a dozen would make a great difference.

403. How many assistants do you employ ?—Eleven.

404. How long have you been in business ?—Perhaps twenty years.

405. During that twenty years, taking the first five or ten years, did you keep open to a late hour ?—We did.

406. How long have you closed at 6 o'clock ?—I could not tell you ; probably five or six years.

407. When you first started in business, did you start in a shop in which you employed any hands ?—At first my brother and I started without any assistants.

408. You made your own way ?—Yes.

409. *Mr. Sidey.* I would like to be quite clear as to the number of shops you say you represent ?—Something just over sixty. I cannot give you the exact number.

410. Do you profess to speak on behalf of those one-man shops which do not employ any labour ?—No.

411. *Mr. Fisher.* Is not the petition from Auckland signed by seventeen thousand people against clause 3 of great value from an evidence point of view ?—Yes ; but the seventeen thousand people were not grocers. There may have been some.

412. But the people who require groceries are entitled to some consideration, are they not ?—Yes, undoubtedly.

413. You said just now that in the early stages of your business, when with your brother, you did not close at 6 o'clock ?—Yes.

414. To what hour did you work ?—We kept open perhaps to 9 o'clock.

415. And when you found your business had so developed that it did not pay you to keep open so late you closed at 6 o'clock ?—We closed at the same time as our neighbours. At whatever time they closed we closed. My place is in a big retail centre.

416. *Mr. Barber.* Supposing you were starting business again as a small man, what chance would you have to compete with the big men if you only kept open during the same hours as they did ?—The same as I had before, because the big shops kept open the same hours that we did.

417. Those with a large number of assistants ?—Yes.

418. Twenty years ago, in the Karangahape Road, were there many assistants employed in the grocers' shops : did any employ eleven assistants ?—I would not say that any of them employed eleven assistants, but there were several businesses that employed assistants.

419. Twenty years ago ?—Yes.

420. If it were necessary for them to have assistants to conduct their business, did they keep open till 9 o'clock at night ?—Yes.

421. Did they bring their assistants back till 9 o'clock ?—Yes.

422. They worked the same hours every night ?—Yes.

423. You think that if 6-o'clock closing had prevailed when you started business you would have been as successful as you have been during the past few years ?—Yes, I think so.

424. You are not sure ?—How can I be sure ? The circumstances were so different.

425. You employ eleven assistants : do your assistants work after 6 o'clock ?—Sometimes.

426. What time do the delivery-carts leave off ?—Any time from half past 5 to 7 o'clock.

427. Do you not think you have an advantage over the small shopkeeper who has not a cart to deliver his goods ?—We have some advantages, and they have some as well.

428. What advantages have they ?—We have a big wage-bill and they have not.

429. You would not have a big wage-bill if the worker did not more than earn his wages ?—I suppose not.

430. You have an advantage over the small man by having your carts out after you close ?—We are prepared to get them in by 6 o'clock.

431. You are willing—if compulsory closing at 6 o'clock is enforced—to allow all your employees, including the delivery-cart men, to cease work at 6 ?—Yes, generally. Sometimes it would not work.

432. *Mr. Fisher.* You speak in reference to clerks as well as others ?—Yes.

433. Did the clerks make any reference to you in the matter ?—No ; but I think there is something in the Act which refers to clerks.

434. You did it on your own initiative ? The clerks have not approached you ?—No. I speak on behalf of the Association of Employers.

435. *Mr. Alison.* I wish to know whether the employees have made any representations to the employers prior to the passing of the Act, to the effect that they were working hours in excess of those they desired to work ?—They wanted fifty-two hours a week, whereas we were working fifty-three.

436. That is as far as the Arbitration Court award is concerned ?—Yes.

437. That was the only difference so far as the hours were concerned ?—Yes, I think so.

W. PERRY TAYLOR examined. (No. 66.)

438 *The Chairman.*] What do you represent?—I have been sent here to give expression to the opinions of the shop-assistants of Auckland—the grocers' assistants.

439. Have you a union or organization of any kind?—Yes, we have a union. I think its numerical strength is 105 members. I am president of that union.

440. Have you any idea of the number of grocer's-shop assistants there are who are not in the union?—The number is very large. We have not been able to get the preference-to-unionists clause inserted among the other clauses of our Arbitration Court award, and for that reason a large number of assistants are absenting themselves from our union, and refrain from joining or taking any interest in it.

441. This afternoon do you express the opinion of those outside your union?—I express it of the union, and also for the others outside. We are considering their interests along with our own.

442. *Mr. Aitken.*] Do I understand that you are authorised to give evidence on behalf of those outside the union?—No, I have not been authorised; there was not a meeting called by them. A decision was arrived at by the members of our union stating that I should come here and give evidence. Concerning the grocery trade, the assistants engaged in that trade are unanimous in the opinion that for work to commence at 8 a.m. and to conclude at 6 p.m. is a fair request. Nine-o'clock closing on the late night in the week has been in operation in the larger shops, as also in the smaller shops in the City of Auckland, and the consensus of opinion among the assistants is that thirteen hours, including lunch-time and tea-time, is sufficiently long enough for an assistant to be called upon to work. Since 9-o'clock closing has been in vogue customers generally seem to have conformed to the new order of things, and the new regulations appears to have created little if any inconvenience. As matters obtain at present, customers are enabled to make their purchases during nine hours on four days of the week, five hours on the half-holiday, and thirteen hours on the late day. It seems to be the wish of the grocers' assistants that the masters of that trade be allowed, through legislation, to call upon assistants to work three hours on three nights of the week during the month preceding Christmas, and that after these three hours provision be made for the payment of overtime at the rate of time and a quarter. The reasons for the assistants making known what I have said is because they allow that it is impossible for those in the grocery business to overtake the business of the Christmas month in days consisting of hours from 8 to 6. The assistants also wish it to be made known that they are quite agreeable to working one night in the year irrespective of hours for the business of stocktaking. It has been the custom in times past for the master to keep his shop open on the night preceding a holiday. The assistants are, as a consequence, called upon to work the hours required of them. We are called upon to work three hours on the night before a holiday, and we would rather have the holiday taken away from us than do this. We also have to work the late night in addition, as also the weekly half-holiday, and it means that we give eighteen hours for the holiday, so that we only gain one hour by the way we do it.

443. *The Chairman.*] Are you working under an award of the Arbitration Court now?—Yes.

444. Under what date—previous to last November?—Yes.

445. Well, you know that an award overrides this Shops and Offices Act, and I suppose you know that an award of the Arbitration Court is in force until another is made?—Yes. Some of the smaller shopkeepers have given it as their sincere belief that business in which they are engaged would be considerably hampered and neglected if it were made compulsory for a master to grant his assistants leave of absence after having worked from 8 till 6. They plead to be allowed to retain the services of the assistants until such time as they, the masters, deem the time opportune to dispense with their services for the day. The assistants contend that in advocating such a right the masters are not at all solicitous for the welfare of their assistants. The grocers' assistants are at this time working under an Arbitration Court award, and the Court has decreed that all shops working under its award shall close at 6 p.m. But a law is seldom or never entirely enforced. There are times when a law is knowingly or unknowingly violated. But it must be said that inquiry has elicited the information that many masters adhere strictly to the mandate of the Court in respect to closing-hours. Still, although so much has been said, it must not be inferred that the assistants have no reasonable cause for complaint, because I have been assured that assistants in the grocery, as well as other departments of trade, are summoned to work longer hours than from 8 to 6. I have come in contact with grocers' assistants wending their way homewards at 8 or 9 o'clock, and these have come from the larger establishments. The answer they have given to questions is that they have had to stay over to complete orders, and that if they had not placed some of the orders under the counter they would have been working till 12 o'clock, waiting until these orders were completed. I do not think it is right that a master should keep his assistants on till 8 or 9 o'clock in the evening. The assistants wish it to be made known that they feel they are indebted to the Right Hon. the Premier for the step he has taken in connection with the early-closing hours, because they think he has been considering their interests and ameliorating their lot. They say that the time they have off will enable them to concern themselves in matters pertaining to the improvement of their homes and minds, while they will be able to participate in those recreations which make a man a better man and a woman a better woman. The grocers' assistants would not go so far as to say whether it is right that a small man should be allowed to keep his shop open or not; but we are of opinion that all assistants should be allowed to leave their shops, whether small or large, at 6 o'clock at night. I think that is all I have to say on behalf of the association, except to add that all the assistants of Auckland are entirely in favour of the clause in the Bill which provides for 9 o'clock on the late night.

446. To put the matter in a nutshell, you want clause 3 to be retained?—Yes.

447. You want the hours of labour to be restricted to 6 o'clock on ordinary nights?—Yes; and we want the shops closed at 6 o'clock on the night preceding a holiday.

448. You do not express any opinion as to a shop closing where there is no necessity for assistants to be employed?—No; we do not think it is our business to interfere in that direction

449. *Mr. Alison.*] Prior to the passing of the Act, did the employees represent to the employers that they desired legislation to compel all shops to open at a given hour and to close at a given hour—that is to say, the employees in connection with your union?—Well, it was decided in the first place to call a meeting for the purpose of forming the union, and when that union was formed it was determined to make a statement and present it to the masters first for consideration, to see if it was possible to come to an amicable agreement with regard to the hours and the payment of wages. I was not the president nor a member of the union at the time, but I believe that statement was presented to the masters, and they declined to consider it. As a consequence it was placed before the Arbitration Court, and the Court decided all the matters I might say in our favour.

450. You misunderstand my question: has your union at any time made representations to the Government in favour of a fixed hour for the opening and closing of shops?—No, I do not think so; not to the Government.

451. Have you made representations in any other quarter?—Not that I know of.

452. Are you in favour of the shops being closed at 6 o'clock?—Not all shops. As regards the one-man shop, we do not pretend to stop anyone from getting the privileges he seeks. But we do believe that it is only right that an assistant working where there is only one man should be allowed to leave off work at 6 o'clock as well as the assistant working for a man who employs eight or ten assistants.

453. At what time did the shops close prior to the passing of the Act?—I know of some shops that did not close until 8 or 9 o'clock at night.

454. And since the Act became law are they all closing at 6 o'clock?—No; I have already stated that the Act has been violated, and in this way, that we neglected as a union to ask for the keeping of a time-book, and there are places in Auckland now where the assistants are called upon to work till 8 or 9 o'clock. There are some where the assistants are working after 6, even now.

455. Taking the grocers' shops as a whole in the combined district of Auckland, do they close at 6 o'clock?—No.

456. Has the law been enforced?—No.

457. Have there been any prosecutions to compel the closing of the shops?—No.

458. *Mr. Tanner.*] Is your union affiliated with the Trades and Labour Council?—Yes.

459. You do not know whether the Auckland Trades and Labour Council ever asked for 6-o'clock closing to be introduced?—I do not know.

460. You do not know whether any Trades and Labour Council did?—No.

461. *Mr. Fisher.*] Do you ever look forward to starting in business yourself?—Not in the grocery line.

462. I mean from this point of view: do you think it is likely—say in the Karangahape Road—that a young man without any assistants could open a grocery business, conform with the conditions present, and make a success of it?—No; not an entire success.

463. You think that if the Act were enforced it would absolutely preclude any man from starting in business?—Yes. If a man is denied the right to remain in the shop after 6 himself.

464. Have you had that point discussed?—No, but I have thought it over myself.

465. You do not think, if compelled to close at 6 o'clock, you could make a success of such a business?—Not as under other circumstances.

466. Do the large shops deliver late at night?—Yes.

467. Up to what time?—They deliver until 8 o'clock at night, but overtime is paid to the grocers.

TUESDAY, 11TH JULY, 1905.

JOHN McQUEEN examined. (No. 67.)

1. *The Chairman.*] I understand that you have come to give evidence with regard to the Shops and Offices Bill now before this Committee, on behalf of the Southland employers. I shall be glad if you will make your statements, covering as briefly as possible the various points that you wish to bring under our notice. What are you, Mr. McQueen?—A farmer, among other things.

2. What Southland employers do you represent?—I am the managing director of the Southland Frozen Meat Company, and I represent the Invercargill Employers' Association.

3. Will you make your statement in your own way, please?—The employers of Invercargill wish to have an amendment made in clause 12 of the Act, so that a main borough should have the same advantages in having the appointment of a majority of delegates as a city has in the representation of a combined district. A city has the power to appoint one more delegate than the outside boroughs. Otherwise the minority would control the majority. Take Invercargill, for instance. Nearly all the shops are within the main Borough of Invercargill. Each of the suburban boroughs, which with the main borough would compose the combined district, would have the same representation as the larger main borough, where there are many more shops and a much greater population. Then there is another point. Take for instance a draper's establishment where they have a factory and a shop all in the one building and under the control of one management. At the present time they are obliged to close the factory on Saturday—to make the half-holiday on Saturday—and if the local authorities have selected Wednesday, which in Invercargill is the half-holiday, then the half-holiday is observed by the factory hands on one day and the shop-assistants on the other. At the present time, however, the Inspector winks at the evasion. They are evading the law now practically with the consent of the Inspector, but they recognise that that is not a proper position to be placed in. It is merely on sufferance that they are carrying out what seems to them a proper system—that all the employees should get their holiday on the same day so that they could enjoy themselves together if they liked.

4. *Mr. Tanner.*] What section of the Act are you referring to in dealing with that point?—Clause 18, I think it is. But it comes under the Factories Act as well. I am not quite sure which clause it is here, but that is the grievance—that between one Act and the other they are labouring under that difficulty. Then there is another matter. The proviso to subsection (1) of clause 21 enacts that “no requisition shall be acted upon by the Minister unless the local authority has certified that the signatures to the requisition represent a majority of the occupiers of all the shops within the district.” Now, it does not appear clear from this Act what the local authority is. It may be taken to be the delegates that are appointed for the purpose of fixing the day of the holiday, because there is no local authority. Where a combined district is in existence there are various local authorities within that combined district. It appears to me as if it requires a better interpretation of the term “local authority.” I do not know that this is a point to which I was instructed to call attention, but it is one that has occurred to me. Then there is another point. There are certain offices which are exempt from closing at certain hours, and they are specified in the Act. The building societies think that they ought to be exempt too, because, from the nature of their work, they require to have their meetings, and their officials are required to be in attendance, later than the hours which the Act allows. The officials have to be in attendance at an hour that suits the people after they have closed—after they are obliged to close. That is the only suitable time at which they can go and make their payments, and in order to have these payments made some one must be there to take them; but the officials of the societies—the property, investment, and building societies—are not allowed to be there, according to the Act.

5. *The Chairman.*] So you ask that building societies be exempt?—Yes, along with the freezing companies, shipping companies, and others enumerated in the list of exemptions. I think that is all I have to say.

DONALD REID examined. (No. 68.)

6. *The Chairman.*] What are you?—A solicitor, practicing at Milton.

7. Whom do you represent?—The Bruce Property, Investment, and Building Society.

8. Will you make your statement please?—This institution has been in existence for about forty years, and we are advised that we come within the provisions of the Shops and Offices Act. I do not think there can be any doubt about it. If the opinions of the best lawyers in Dunedin are to be regarded, a building society comes within the four corners of the Act. It would scarcely be workable in our case to be subject to the Act. Our society, like all other similar institutions, was inaugurated in the interests of the working members of the community. Members of the Committee will know that the only means many of them have of making a home for themselves is by the aid of building societies. Nine-tenths of our shareholders are working-men. We hold our meetings, and have always held them, on the first Tuesday of every month, and subscriptions are taken between the hours of 6 and 8, after the day's work is done. Our secretary receives a salary, but of course he is not solely employed in that work; it is only an adjunct. We feel that unless we are exempt it might lead to inconvenience, and it would not be in the interests of our workers if any hindrance were put in the way of their paying their subscriptions after office hours. Under these circumstances I would ask that you add at the end of the proviso to section 23 of last year's Act the words “and the offices of property investment and building societies.”

9. *Mr. Tanner* (to *Mr. McQueen*).] The difficulty that you alluded to in the early part of your evidence applies, I suppose, to Invercargill only, as far as you know?—No, it must apply to the other main boroughs.

10. To the four large cities?—The four large cities are provided for.

11. What other boroughs?—There is Oamaru, there is Palmerston North—.

12. Take Oamaru. Has Oamaru any adjoining borough or local authority contiguous to it?—I could not tell you from personal knowledge, nor of any others, except Invercargill.

13. We will speak of Invercargill. I can see the difficulty with regard to the others perhaps in time to come; but you are particularly acquainted with Invercargill?—Yes.

14. Do you mean that you would extend the provisions of the Act so that Invercargill would become with its adjacent boroughs a combined district in the same way that the other four are?—Of course, according to the Act, the Governor requires to declare the combined district.

15. He *may* do so?—Possibly.

16. Has he done so?—No.

17. Suppose he did, then I suppose you would be in pretty much the same position as the other four large centres?—In exactly the same.

18. And you wish that the chief borough in the group—that means Invercargill—should have a controlling majority on the board of delegates in the same way as they have in the cities?—Just the same. The same reasons exist.

19. Otherwise you are afraid that the representatives of suburban and adjoining boroughs, if these were equally represented, would outvote the Invercargill delegates, and force on a majority of the shopkeepers, by a majority of delegates, what they did not want?—The great majority—I suppose 80 or even 90 per cent.—of the shops are in the main Borough of Invercargill.

20. You referred also to section 18, about which I am not very clear. The section states that where people are employed in a place which is both a shop and a factory, they shall be separated, and they, apparently, shall have their holiday on that day which applies to the factory or to the shop, according to whether they are chiefly employed in the factory or the shop?—Yes, but I do not know that section 18 meets the point I was alluding to. That refers to where they are employed in both branches; but take such factories as Herbert Haynes and Co., in Invercargill: it is a factory under the Act, and it is really a factory, but there is also a shop, and there are employees who are wholly employed in the one, and others employed in the other branch. They are obliged to have their holiday on a different day.

21. So that it leads to closing a portion of the building on two half-holidays?—Just so. The employees cannot go for a picnic or a holiday together, except with the connivance of the Inspector.

22. Would this meet the case of your people—if an option were given to them to close the entire building, factory and shop, on one half-day or other, but not on both?—That would do it.

23. *The Chairman.*] You say that in Invercargill the Inspector does not enforce the Factories Act as far as the Saturday half-holiday is concerned?—I could not make that charge. It would be unfair for me to make it, because that is not of my knowledge. I could only give it as hearsay. What the employers say is that they do not care about having the system of giving the holiday on the same day carried on on sufferance. They want to have legal authority, so that they will know what they are doing.

24. Have you any establishments at Invercargill where there is a factory connected with a shop employing, say, one hundred and twenty hands?—I do not know what the number would be in Herbert Haynes's, but there would be a good many.

25. Three or four times as many in the factory as in the shop?—I should think so.

26. In a case like that, do you think it would be fair to compel the factory hands to give up their Saturday half-holiday?—Of course that is a different matter.

27. We can understand the hardship in a small shop where there are perhaps two tailors, or one or two dressmakers; but we have in all the large cities establishments where there are perhaps two hundred employees in the factory and only twenty in the shop?—That is quite true, but this point then arises: They might adopt a system that would be disastrous to their employers—very likely would, if they closed on the market-day, on which the country people come in. If they were compelled by the employees to close—

28. It is not the employees—it is the statute?—Yes; but I mean if it were left to the employees to elect whether they would close on Wednesday or Saturday.

29. In any case, where you have such a shop as I speak of, with perhaps forty in the shop and eighty or a hundred in the factory, would it be fair to ask the factory hands to give up their Saturday half-holiday?—There is something to be said in favour of that.

A deputation representing the Christchurch Butchers' Association attended.

*The Chairman:* I understand that you gentlemen represent the Christchurch butchers, and that you wish to make a statement on their behalf with regard to the Shops and Offices Bill. I shall be glad if you will make your statement as fully as you wish, but as our time is very limited, and we have other witnesses waiting to come in, I would ask you not to overlap each other more than is unavoidable.

JAMES KNIGHT examined. (No. 69.)

30. What are you?—A butcher, of Christchurch.

31. Do you represent the Butchers' Association?—Yes, we represent the whole of the butchers of Christchurch, with the exception of two or three small butchers.

32. Do you represent the butchers in the suburbs?—Yes, and Lyttelton too.

33. Are you president of the association?—No; Mr. Steel is.

34. Will you just make your statement in your own way, please?—I have not much more evidence to give than we gave last year. What we as butchers want is this: We are under an arbitration award, and that suits us very well; and we would like to continue to work under that award.

35. What does it provide?—Fifty-six hours per week. Of course, certain wages which are allowed are on a rather higher basis than that of any other trade on account of the hours being so much longer.

36. We will not touch the wages question. The award, of course, does not compel you to close your shop at any particular time?—No.

37. What time do you think would be a fair hour at which to close your shops, if we were to deal with that?—We close at 6 o'clock, and the trade is well satisfied to close at 6. Where the Shops and Offices Act touches us is the provision that a shop shall not open before 8. In our particular trade it is necessary to open before that. Some people start work between 5 and 6, and others between 6 and 7. At my shop we start at 7 because it suits us. What we want is to work in with the fifty-six hours.

38. What time would you suggest for opening, then—any?—No; we would not like to be restricted to any particular time as far as opening is concerned. With meat being perishable, and different trades being required to work in a different way, it would not be workable at all to fix the hour for commencing. To show you how that would not work, I would point out that there are some butchers who do their own carting. It is necessary to cart before they can send the meat out in the shop, and they have to start fairly early. As I say, it suits some to start at 7 and some at half past 6. What we do is to run in as near to the time allowed as suits us, but we are generally slightly under the fifty-six hours per week. Six o'clock suits us very well for closing on week-nights, and 1 o'clock on Thursday. Since the Shops and Offices Act has been partly enforced we have tried to close at 9 o'clock, but it has been very inconvenient. The other Saturday night I had a visit from the Inspector. He was standing outside the shop at about 9 o'clock. At 9 I had about twenty customers in my shop, and he came in at about seventeen minutes past and asked how it was we were not shut. I replied that if he would show me how to get shut with these customers in the shop any quicker than I had been doing since 9, and if he would get them out of the shop, I should be pleased. It was just when we were getting the shop clear that he came in, and then we put the shutters up.

39. What you really ask, then, is that you should have no restriction at all placed on you as far as opening is concerned?—Yes.

40. And that you should not be restricted to employing your assistants less than fifty-six hours and you say you are satisfied with 6 o'clock closing as far as your trade is concerned?—Yes.

## FRANCIS HENRY STEELE examined. (No. 70.)

41. *The Chairman.*] You also are a butcher?—Yes.

42. And a member of the association?—Yes.

43. Will you make your statement now?—I can fully indorse what Mr. Knight has said. As far as 9-o'clock closing on Saturday night is concerned, it is a bit too early. We are quite satisfied to close at 10 o'clock on Saturday nights under the present system. We do as much on Saturday as on any other three days of the week. In clause 4 of the Act, regarding the hours of employment, it is provided that "a shop-assistant shall not be employed in or about the shop or its business for more than nine hours, excluding meal-times, in any one day, except on one day in each week, when the employment may be for eleven hours; nor for more than five hours continuously without an interval of at least one hour for a meal." That provision is rather awkward for us. Supposing a man is doing a round: it may be a small round in the morning, and at 10 o'clock he has to leave for—taking Christchurch—perhaps Riccarton, Fendalton, Papanui, Opawa, the Port Hills, or right up to the Cashmere Hills. Well, that man could not get back by 1 o'clock. He might on some days. On a Saturday it is exceptional. There are two days' supplies to go out, and he gets back perhaps at 2. If a proviso were put in that he could take his lunch with him, it would be all right; but if not, is that man going to leave his cart, get his dinner, and go back and do the remaining half-hour's work that he has to do in that locality? The clause is right enough for the men in the shops. If a proviso is put in that the man can take a meal with him, or get his lunch on the road, it will settle the matter.

44. Is there any objection to his taking an hour while on the cart?—It would pay him better, if the people were wanting the meat, to have his hour when he got home, or to take his lunch. When a man goes out on a cart you do not know what he is doing. He might be spending half an hour of your time, or an hour for aught you know. I am only saying that that is a clause which it would be an impossibility to comply with. There is another point as far as holidays are concerned. Clause 16 provides for a holiday on "the birthday of the reigning Sovereign." Well, in Christchurch that comes in Show week—generally on Show Day. They try to get Show Day as near the 9th November as possible. If it comes on a Thursday there are two days' closing, and it is impossible for a butcher's shop to be closed for two days together in summer-time. I think that that day ought to be struck out from the list, as we generally give the men a half-holiday on the Monday and a half-holiday on the Friday if Show Day comes on a Wednesday. We have never recognised King's Birthday before if it came on an awkward day, because we have always given the men Show Day. If there are two closing-days coming together it is awkward. If the day falls on Saturday there are Friday and Saturday together, and we are virtually closed clean out of existence for those days. In the summer-time a man has no facilities for keeping his stuff, and he might as well not kill any just then. You cannot get sheep and cattle for nothing in these times. As soon as you get the meat killed it deteriorates in value unless you have a market for it. We should like to continue under the award. We are perfectly satisfied with 10 o'clock as the time to shut on Saturday night. I think that as the meat is perishable we ought to be allowed to keep open till 10. I have had about thirty years' experience in the butchering line, and I am of opinion that when the people come in at 8 o'clock you cannot get cleared up and shut at 9.

## SYDNEY MERRITT examined. (No. 71.)

45. *The Chairman.*] Are you a butcher?—Yes. I am manager of the Christchurch Meat Company's shops.

46. Will you make a statement?—I wish to indorse what the other speakers have said. We are working very comfortably under the Arbitration Court award, and it seems to cover all the difficulties between employer and employees. We find that we can carry on our business very well by working the fifty-six hours. If the hours were reduced to fifty-two, well, I for one cannot see how we should get over the difficulty. We employ something like forty men at our shops, and I know that they all seem well satisfied with the conditions under which they work. With a few minor improvements that might be made, I think the award covers everything that is necessary between master and man. It would be a great hardship on the trade if we could not open before 8 o'clock in the morning. We represent the whole of the butchering trade in Christchurch and its suburbs, and I do not think there is one that raises the slightest objection to closing at 6 o'clock during the week. We have lately been closing at as near to 9 as possible on Saturday night, but we find that there is a certain amount of hardship inflicted. It would be very much better if the closing-hour were extended to 10. We say nothing at all about being compelled to close at 6; what we want is to be able to retain the same number of hours that are included in the award—that is to say, fifty-six per week.

## HENRY GEORGE KNIGHT examined. (No. 72.)

47. *The Chairman.*] Whom do you represent—the Butchers' Association?—Yes. I am secretary.

48. How many members have you?—Roughly, fifty-five or fifty-seven.

49. What is the total number of butchers in Christchurch and the surrounding districts?—About sixty.

50. Will you make your statement?—I can only indorse what the previous speakers have said. I think that, so far as the butchers are concerned, it would be better, owing to the peculiar nature of the trade, if we were put on the exemption list, or something of the kind. The arbitration award seems to control the trade sufficiently, as between employee and employer.

51. As secretary of the association, can you tell us what holidays the arbitration award provides for?—Yes. New Year's Day, Good Friday, Easter Monday, the birthday of the reigning sovereign, Labour Day, Show Day, Anniversary Day, Christmas Day, Boxing Day, and the day on which the butchers' picnic is held.



52. So that the 9th November is provided?—Show Day, of course, would come in that week too.

53. *Mr. Taylor.*] You are quite satisfied with the Arbitration Court conditions?—Not altogether. There are a few amendments that would suit the employers if made, but in the main we are quite satisfied. As to the King's Birthday, Mr. Steele pointed out how there might be an inconvenience in connection with Show Day. The award provides for the observance of Show Day by the butchers, although, I think, the Act does not. It would be very inconvenient to have to close on King's Birthday as well, owing to there being a large number of visitors to Christchurch. So that, if it were possible, it would be much more convenient for the butchers to work under the arbitration award.

54. *Mr. Laurensen.*] You are working under an award, are you not?—Yes.

55. Under that award, what wages are you compelled to pay?—The minimum for journeymen is £2 11s. per week.

56. And what for your shopmen?—Up to £3 10s.

57. Are those the highest rates of wages paid in the colony?—Yes; with the exception of perhaps politicians and some other people.

58. Did the Court take into consideration, in making the award, the fact of your having to work long hours?—I believe so.

59. What do you ask: to be included in the exempted trades?—Yes, we think that would be fair—for employers and employees. I think that provision for the high wage was made because butchers work a little longer than mechanical trades, and that kind of thing.

60. If the hours were reduced to fifty-two for the men, would you then apply to have the wages reduced?—Yes; I think that in all fairness we should be called upon to do that, or else it would mean a considerable rise in wages—if they reduced the hours and did not reduce the wages.

61. To boil it down, what you ask is that the butchering should be placed amongst the exempted trades?—That is so.

62. *Mr. Tanner.*] I would like to ask Mr. Steele a question. Is it a fact, Mr. Steele, that in Christchurch most of the butchers have their meat killed at the abattoirs?—Yes.

63. Which are several miles distant from the city?—They are supposed to be five miles by rail; perhaps it would be six by road.

64. The butchers have to turn out very early in the morning in order to get their meat from the abattoirs?—There are one or two that get it in carts of their own.

65. How do they manage in other cases?—There are contractors.

66. Well, then, the contractors have to turn out early?—Oh, yes.

67. The meat is not brought down to the station by any special train?—No.

68. Therefore the butchers must, in the summer-time, start very early in order to get their meat to the shops?—Yes.

69. And that increases the length of the day in a way that does not apply in other towns?—It applies everywhere.

70. We were given to understand the other day that in Wellington the meat is brought down by rail?—That may be so. Of course, I do not know anything about Wellington; but there is not a place on the face of the earth where butchers do not have to make an early start.

71. But this bringing-in of the meat from such a distance in carts creates an exceptional circumstance in the case of Christchurch?—Yes.

72. Would it meet your case if the hours were shortened in the evening, so that you closed earlier than 6, and extended in the morning?—No; because when the town is open we have to be open as well.

73. Do you mean to say that you sell much during the last two hours? Is not the bulk of the business done in the morning?—No. If you come to my shop and take the cash for a week you will see. A man who goes into the butchering trade knows very well what he has got to put up with. No man could reduce the hours very well to less than they are at present—that is, fifty-six a week.

74. There are witnesses who tell us that the bulk of their trade—I refer to the retail trade—is done in the evening. Does that apply to the butchers?—There is a lot of trade in small goods, such as chop done in the evening. You see, if you restrict the spending-power of the people you restrict the earning-power. Take the Christchurch tramways, for instance. From April to May they carried forty thousand passengers; but when accommodation was made for the people, and they started running every ten minutes, they carried from 110,000 to 116,000 in one month. I say, then, that if the shops are shut the people have not got the spending-power; they cannot spend, and we cannot earn.

75. We do not want to limit you in your opportunities of selling; we only want to know as far as possible what are the best hours during which the trade can be done?—Under the system on which we are working now we could not condense the hours without having to shut up altogether.

76. What is the system you are working under, an award, or the Act?—No, an award.

77. Has the Act never been enforced in Christchurch?—No; not with us.

78. Have any attempts been made to enforce it?—Yes. The Inspector went to Mr. Knight's shop and told him he would have to shut. He also came to us. We tried to shut at 9, but we could not get the shop clear.

79. You are speaking of Saturday night?—Yes.

80. Would it hurt if you closed earlier than 6 on other nights?—Yes.

81. Then what you really want is exemption from the Act, or to be left under the terms of the award, in which case the Act would not apply to you?—Yes; but we would prefer to be exempt.

82. *Mr. Ell.*] How long have you been working under the present award?—Since 1902.

83. You have not found any serious inconvenience arise from it?—No. We did at first. We used to close at 6 before—we always did—and at 10 on Saturday nights.



84. It was the King's Birthday matter that I was referring to. That holiday is mentioned in your award?—Yes; and it is a very serious thing.

85. You have been working under it for some years?—We have been had up twice for breaking the law. That is where it comes in. There is no give-and-take. No man can run a butchery and close up absolutely.

86. You say that it is impossible to do your business if you are compelled to close earlier than 6?—Yes.

87. Are you aware that in Wellington here the butchers close at half past 5?—I am aware of it; but there is a difference in the various towns. In Christchurch the bulk of the people leave off work—well, some at 5, some at half past 5, and some at 6, and we do a big business between 5 and 6.

88. Are you aware that the Wellington butchers tell us that they can supply all the needs of the public by closing at half past 5?—They might do it.

89. Do you not think that if this is so in Wellington it would also be the case in Christchurch?—I do not think so, because different towns are differently situated.

90. What are the remarkable conditions in Christchurch to prevent the butchers closing at half past 5?—The facilities for getting into and out of the town are very different. The trams in Christchurch are running all about, and you can get about without any difficulty.

91. I might tell you that the tram-service in Wellington will convey you to almost any part, at frequent intervals?—As far as Christchurch is concerned I think it would be rather awkward to a man to be asked to shut at half past 5. If anything, the hours should be extended.

92. If the Wellington butchers can supply all the needs of the public by half past 5 at night, I really cannot see why you could not do the same in Christchurch?—We cannot. The award says each place is to suit its own requirements. The Wellington people start earlier than we do. Some of the Gear Company's men start at 5.

93. *The Chairman.*] You say that closing at half past 5 would not suit you. I think that is sufficient?—It would not suit us.

94. *Mr. Aitken.*] With reference to a five-hours interval between meals, you suggested that a meal might be taken on the road by a man out delivering, instead of his leaving the road and getting a meal. Would you be quite satisfied with that, or would not the man endanger the life of the horse if he left it standing in the cold while he was eating?—I dare say he would. I would prefer the man to go home and have his meal. I am sure the man would prefer it.

95. What you really need then is exemption from the Act?—That is correct.

96. *Mr. Kirkbride.*] You think it would not do for a man to take a nosebag for himself and one for his horse, and stop on the road?—I would not care if he did it; but the man would prefer to go home and have his meals. It might not occur every day in the week—probably only on Saturdays.

97. *Mr. Hardy.*] You spoke about the loss by shutting up two days in the week at show-time: how many butchers in Christchurch have cool-chambers?—I think only two.

98. Then it would not apply to them?—It would. They would be losing the sale of meat. In this Carnival week I should think there must be an influx into Christchurch of from twenty to thirty thousand people.

99. How would it mean a loss of the sale of meat? Do you not think the people would eat just as much meat if the hours of labour were curtailed?—No.

100. Do you approve of the shortening of the hours of labour generally?—Not in our line of business.

101. Supposing you made as much money by working shorter hours, would you adopt that course?—I would sooner not work at all, if I could live without.

102. If Parliament could devise a scheme by which the hours of labour would be shortened, you would approve of it, would you not?—If I saw ways and means, without hindering the business or myself in any way.

103. In these times of labour-saving appliances, do you not think that the hours should be shortened?—There is no labour-saving in our business.

104. Have you got better carts than you used to have?—We have up-to-date carts.

105. Better carts than you had?—Yes.

106. You can get about much quicker?—Not much quicker.

107. Have you better horses?—No, I do not think so.

108. Have you got better men?—I do not know; I do not think we have as good men.

109. This legislation is supposed to be in the interests of the employers and the employees, is it not?—It is supposed to be.

110. Has it been in your interests as an employer?—I do not know, I am sure. I do not think I am much worse off than I was before.

111. It has not injured you?—We have never curtailed the hours, as you want to curtail them in the Act. We have always closed at 6 on week-nights and 10 on Saturday.

112. Has this legislation in any way injured your trade?—No; it has only injured the working-man.

113. In what way?—I will explain. A duffer gets as good a wage as a competent man. He is paid the same wage and the man may be no good—may have no ambition. Men in my place have told me, referring to such a man, "If that man is going to get as much as I do I am off. I have to do his work as well as my own." That is what I find.

114. Is that the fault of the legislation, or is it the fault of the men, or the fault of the employer?—It is partly the fault of giving the men too much wages—some of them. It makes them so that they do not care.

115. As a rule, have you spoilt your horses by giving them food too good for them?—It never spoils them to give them too good food.

116. Well, then, if it never spoils the horses by giving them too good food, how are you going to spoil your men by giving them too much wages?—Well, we do, to a certain extent, I find.

117. You have been in business a good number of years?—Yes.

118. Have your hands as a rule stayed for long periods with you?—There is one man there now who was in the same business when I was a boy.

119. There is a good feeling then, between yourself and your men?—Yes.

120. In years gone by there has been a good feeling?—Yes.

121. Is there as good a feeling since the labour legislation has been passed, as there was in the past?—No.

122. *Mr. Bollard.*] I understood you to say that what the butchers in Christchurch want is exemption?—Yes; it would suit us better than anything else.

123. Supposing you do not get exemption, what hours would suit you for opening and closing?—We open now at half past 6 in the morning.

124. Is that early enough?—It is early enough for us, but some shops require to open a bit earlier. It depends on what you have to do. Some of the trains start at half past 7 and some at 8. We have to send small goods on nearly every train that goes out. If we did not start at half past 6 in the morning, or something like it—on Saturday morning we might start a bit earlier—we could not fulfil the orders on hand.

125. Supposing you were carrying on business in a part of the colony where it was very difficult to keep meat at certain seasons of the year, and you were supplying hotels and boardinghouses who would not take overnight the meat for the breakfasts of people who wanted to go away at say, 6: how would you manage if you only opened at half past 6, if the law prevented you from opening your shop before?—You might as well shut the shop altogether.

126. Then, as far as half past 6 in the morning is concerned, you are not prepared to say that it would suit the whole colony?—No. In Auckland a man might have to kill some of the stuff in the morning, and he might have to start at 5. Each place has its own requirements. Where the weather is warm I do not know how they do. I was in Sydney a short time ago and I saw the carts taking the stuff about at all hours of the day. It was killed the same day as it was sold in the shops.

127. *Mr. Alison.*] You consider it essential to the working of a butcher's business that the work should be started early in the morning?—Yes.

128. And in the warmer parts of the colony at an earlier time even than in Christchurch?—Of course they know their requirements better than I could explain them.

129. But it would follow?—Yes, naturally.

130. Has the Act been enforced in Christchurch?—No.

131. Have there been any prosecutions under the law?—I do not think so.

132. Under the existing Act could a butcher's business be carried on so as to meet the public requirements and to enable the shopkeeper to run the establishment?—No, not now the present Act has come into force.

133. You are positive of that?—Yes, positive.

134. Are the whole of the butchers opposed to the early-closing clauses of the Act?—Yes.

135. The whole of them?—Yes.

136. Are the butchers all opposed to the provisions *re* the hour for opening shops—8 o'clock in the morning?—Well, I should think so. No man could conduct his business. He would have to close.

137. Do you think there should be any restrictions as to the hours at which butchers should open?—No; that should be left to the man himself.

138. You are working under an Arbitration Court award, fifty-six hours a week?—Yes.

139. Do you consider that an award of the Arbitration Court is the best and fairest way of determining the working-hours and the hours of closing?—Yes; the matter has been thrashed out before the Court from both sides, and if they had not been satisfied you would have thought the men would, if they could have condensed the hours at all, have wanted to do so.

140. Do you consider it in any way necessary, either as affecting employees or employers, that as far as butchers are concerned there should be legislation fixing the hours of opening or closing their shops?—I do not think so.

141. How long have you been in business?—I have been in one shop about thirty years.

142. How many employees have you?—Fifteen.

143. Prior to the passing of this Act, did any one of your employees or the employees of any other butcher's establishment, as far as you now, complain as to the hours they were working during the day or night?—I think they were, before the award came into force, but none of them have complained since the award was made.

144. They were quite satisfied with the decision of the Arbitration Court?—Yes, perfectly satisfied.

145. As regards the hours of closing and opening, the wages, and all other matters?—Yes.

146. *The Chairman.*] How did you come before the Arbitration Court on the last occasion?—Did you take the men there or did the men take you?—They took us there.

47. Why?—Because they thought they were not getting enough wages.

148. And because of the hours of labour?—Yes, I think so.

149. You told Mr. Alison just now that there was no dissatisfaction at all since the award was made?—There was not before last year.

150. *Mr. Alison.*] I said prior to the passing of the Act. You have been working under an award for how long?—Three years—since 1902.

151. *The Chairman.*] You see the fact of the men taking the employers to the Arbitration Court shows that there was dissatisfaction?—Mr. Alison said, since the award has been in force.

152. *Mr. Alison.*] Yes, since the award has been in force?—I was asked about the conditions in different towns, and I should like to read this extract from the award: “The hours of commencing and leaving off work on each day of the week by the employees of any employer may, in the case of a difference, be settled by the employer and the secretary or president of the union, or, in case they are unable to agree, then by the Chairman of the Conciliation Board for the industrial district, whose decision shall be final. In deciding the matter the requirements of each business shall be considered irrespective of any other business in the trade.” One man might want to start at 5 and another at 6. That is the reason why that was put in.

153. *Mr. Davey.*] How long has the award to run?—It has run out.

154. *Mr. Aitken.*] But it continues?—Yes.

155. *The Chairman* (to Mr. H. G. Knight).] You are now working under this award of the Court?—Yes.

156. I suppose you know that as far as wages and hours of labour are concerned, this Act does not apply to the butchers while they are working under that award?—As far as the employees are concerned, we understood that by reading that in conjunction with the award, the butchers could not open until 8 o'clock in the morning.

157. But so far as the employees are concerned, the Award overrides the Act?—Yes.

158. And the award continues in force until another one is made?—That is so.

RICHARD AUGUSTUS HALL, Representative of the Kawakawa Storekeepers, examined. (No. 73.)

159. *The Chairman.*] I understand you come from Kawakawa, in the Auckland District, to give evidence in connection with the Shops and Offices Bill?—Yes.

160. What are you?—A butcher.

161. Are you in business at Kawakawa?—Yes.

162. How many butchers are there at Kawakawa?—Only one.

163. Whom do you represent?—The Kawakawa storekeepers, with the exception of two.

164. How many storekeepers are there at Kawakawa?—Seven or eight.

165. Then you represent three-fourths of them?—Yes.

166. Will you just make your statement?—The objection they have is to the closing on Saturday. The County Council—there are no Road Boards in our district—has fixed the half-holiday, and the day that suits one township does not suit another. There are three townships in the district—Opua, which is distant eight miles from Kawakawa; Ohacawai, sixteen miles; and Kaikohe, twenty-four miles. Saturday does not suit Kawakawa.

167. Who fixes the holiday?—The County Council, the only local authority we have.

168. Why is it that Saturday does not suit Kawakawa if it suits the other places?—It is our mail-day, for one thing, and many people come in on that day.

169. What is the distance between Kawakawa and the next township?—Opua, which is eight miles. People there also want a change.

170. What other township is there?—Ohacawai, fifteen miles off.

171. Are they satisfied with the Saturday?—No. I think most of the business people want Friday, although I do not speak for them. There was a petition got up containing five hundred signatures of people asking for a change, and only eighteen were against it.

172. Why did the local authority fix the holiday for that day if it was against the wish of the people?—Well, they did fix it against the wish of the people.

173. How do you suggest we should deal with that matter?—Supposing we had a town district or Road Board within a radius of a certain locality, then the people would have the right to fix their own day for the half-holiday. It comes very hard on certain people in particular parts of the county. Whangarei has a particular day fixed, and there happens to be one storekeeper just inside the boundary who has to close, although others just outside may open. The majority of the people about our district are bushmen and gum-diggers, and under present circumstances they complain that they have to lose a whole day before they can get their goods.

174. What you propose is that the power should be taken out of the hands of the County Council and placed in the hands of each township?—Yes.

175. In the hands of the shopkeepers?—Yes, or of the ratepayers, if they prefer it.

176. Is that the only thing you want?—We also want to be able to serve our customers at any time. People coming in from the country may want something on the half-holiday, and we want to be able to supply them. We do not object to the assistants getting their half-holiday, but we do not see why we should not be allowed to keep open to supply people coming from a distance.

177. *Mr. Aitken.*] You want to do away with the half-holiday altogether?—No.

178. I thought you were just now claiming exemption from the half-holiday. I suppose you say that so long as you give your assistants the half-holiday the shops should be allowed to open in order to serve any customer coming from a distance?—Yes, that we should not be liable under the Act for serving any person coming, say, from ten to twelve miles. A lot of the business in the country is done late, because we are not thickly populated up there, and people have to ride long distances. If the early-closing law is made arbitrary now it might become oppressive to us. At present I do not think the shopkeepers do keep open even to the time allowed. Take the case of a blacksmith, for instance: A traveller riding along the road on Saturday might find that his horse had cast a shoe, but under the law he could not have that shoe put on until the following Monday morning, and would thus be prevented from going on his journey.

179. *The Chairman.*] Is that all you wish to say?—Yes.

180. (To Mr. Houston.) Do you wish to add anything?—I think Mr. Hall has said all I might wish to say. I agree that each district should fix the day for the half-holiday. Kawakawa used to have

the Friday, and it is a day on which very little business is done there, whereas in other places they have been accustomed to give the half-holiday on Saturday, and I do not think they should be compelled to take another day objected to in the district. Mr. Hall says that if he has employees and they go away, he should be allowed the privilege of handing out goods to people who may have come long distances to obtain them. Many of these people are bushmen and gum-diggers, who come in on the Saturday to get their goods for the following week, and if he were compelled to close on that day, it would inflict a very great hardship on those men. With regard to blacksmiths, they do not as a rule employ assistants, but if they were not able to shoe on Saturday afternoon, the result might be that the traveller would have to wait for two or three days before he could get his horse shod. With regard to Marsden, there is a hardship in one man having to close on one day while just a short distance off another man is allowed to keep open because of the half-holiday being taken on different days. If they all closed on the Friday they would be all in the same position, and no hardship would be placed on any one.

181. *Mr. Aitken* (to Mr. Hall).] I want you to emphasize your desire to keep open so long as you give your assistants the half-holiday?—I do not go quite so far as that. I want the privilege to open if I like. There might be people come along who desired to obtain goods, and it would be a hardship to the settlers even more than to the storekeepers if they were unable to get them. I know that there is a difference of one-fourth in the takings of the storekeepers through closing on the Saturday.

182. *The Chairman*.] But supposing the holiday were fixed for Monday, Tuesday, Wednesday, or Thursday?—So long as the assistant is not there, I think the storekeeper ought to be allowed to serve his customers.

183. *Mr. EU*.] Have you a road district there?—No.

184. What is the extent of the county—many miles?—Yes; but I could not say what it is from memory.

185. Have you a township there?—Yes, ours is a township.

186. Is it under the Town Districts Act?—No.

187. You have no town districts under the Act up there?—No; the only local authority is the county.

188. And you desire that a smaller area should have governing-powers with regard to the hours of closing?—Yes. It was Friday, and the Inspector came round and asked us what day we were going to take for the half-holiday, and we fixed our day. It was always fixed.

189. *Mr. Bollard*.] You say you are a butcher?—Yes.

190. Are you satisfied with the hours fixed under the present Shops and Offices Act—to open at 8 o'clock and close at 6, except on Saturday?—That does not apply to us.

191. There is power given under the present Act that if a majority decides it can be brought into force?—We are quite willing to be governed by the majority.

192. Could you carry on your business as a butcher if you were not allowed to open until 8 in the morning in the summer-time?—It would be rather arbitrary, and the people would find it so themselves very soon.

#### WEDNESDAY, 12TH JULY, 1905.

A deputation representing the restaurant-keepers attended the Committee.

*The Chairman*.] I understand you have come to give evidence with regard to the restaurants in connection with the Shops and Offices Bill. The Committee have suggested that you will probably ask for exemption under the Act, and while I do not want to limit anything you may wish to say to the Committee, I might say that the Committee quite understand the position you are in. If one of the deputation will make a statement, others may be heard if there is anything further to add.

#### ARTHUR HENRY ROGERS examined. (No. 74.)

1. You are a Wellington restaurant-keeper?—Yes, and we represent not only the restaurant-keepers of Wellington, but of Auckland, Christchurch, and Dunedin.

2. You have a communication from those people asking you to represent them?—Yes. The reason why we ask for exemption is because the Act already assumes it, and gives us partial exemption. There are several clauses defining what shops should be exempt under certain conditions. We point out also that our employees are working under an award, and although the sittings of both the Conciliation Board and Arbitration Court were very lengthy when our case was under consideration, both the Board and the Court found it impossible to fix a day of so many hours for our employees, and fixed a week of so many hours, and provision for a certain amount of overtime to suit the requirements of certain branches of the trade. The requirements of the trade can not altogether be covered by legislation, for some of the shops open for breakfast and close early, while others open at 10 o'clock in the morning and keep open till midnight. The restaurant-keepers of Christchurch and Dunedin have no award, and consequently would be brought under the Act if total exemption were not granted to us. We have to cater for the public in the large centres, and our trade is spasmodic. We cannot tell when there may be a rush of people coming in in consequence of a train being late or a steamer coming in, or through a large meeting at the Opera House or the Town Hall, or at any of such places, and our employees have long periods of idleness between hours. I might say that the majority of our hands—especially in the female line—are recruited from domestic service, and they come to a restaurant in preference to working in private houses, because they consider the conditions superior. Hotels are exempt under the Act, and our hands do not work actually so long as similar hands in the hotels. The wages are provided for and our hands are protected by the award now in force. The award has been

in force nearly four years, and at the expiration of the first two years the employees did not state that they wanted any amendment in any shape or form, which may be taken as *prima facie* evidence that they are satisfied with it.

3. What you ask is for total exemption?—Yes.

4. *Mr. Tanner.*] On behalf of the three towns?—Four.

Statement of Mr. FIELD, Secretary of Employers' Association. (No. 75.)

*Witness:* This is a business which does not come under the ordinary shop regulation. These are places where food is supplied, and meals obtained the same as at hotels, and on the same ground I think a good case has been made out for exemption. If the provisions stated that "eating-houses which exist for the supply of meals exclusively" shall be exempt it would meet the case. We are not acting on behalf of confectioners, who would supply sweets and things of that kind. It is for oyster-saloons and fish-shops that we are speaking for, and representing this morning.

5. *Mr. Aitken* (to Mr. Rogers).] Has there been any interference with you since the Act came into operation last year?—Yes; one man in Christchurch was summoned before the Court.

6. And fined?—I am not quite sure about the fine. I am not sure as to whether the case was adjourned or not. He was haled before the Court for not closing.

*Mr. Field:* The Labour Department has notified the restaurant-keepers in Wellington that they are subject to the Shops and Offices Act.

*Mr. Rogers:* Here in Wellington, and in other towns too.

7. *Mr. Sidey.*] What do you consider is the correct definition of the articles which refreshment-house keepers can dispose of?—I should say meals only. We do not represent anybody who sells anything over the counter.

8. Nothing but meals consumed on the premises?—Yes. Some of our people supply a few beds.

A deputation of Wellington shopkeepers who favour the retention of clause 3 of the Act attended the Committee.

*The Chairman:* I understand you represent the shopkeepers of Wellington who favour clause 3 of the Act, and wish to give evidence in connection with the amending Bill. I shall be glad if you will make your statement. We shall give you full liberty to touch on any question affecting the Bill or the Act, but we ask you not to overlap one another in anything you may have to say.

FINLAY McLEOD examined. (No. 76).

9. What are you?—A draper.

10. Whom do you represent?—We are here to represent the bulk of the retail drapery and clothing trade of the City of Wellington. We are opposed distinctly to the amendment proposed in the Bill before the House at present. We are opposed to it because we regard it as unjust, and as leading to an interference with our trade. [Clause 3, (1), read.] We are not at all opposed to the proposal that an assistant should not work after 6 o'clock, or any other reference in that way. What we say is that a man who employs labour is placed at a disadvantage as compared with a man who does not, and that you are about—by placing this law on the statute-book—to create an injustice so far as we are concerned. It has been stated during the recess that those who favoured clause 3 were doing an injustice because they were interfering with the liberty of the subject. Now the finest definition of "liberty" is obtained from "The Rights of Man and of Citizens," as approved by the National Assembly of France, clause 4: "Political liberty consists in the power of doing whatever does not injure another. The exercise of the natural rights of every man has no other limits than those which are necessary to secure to every other man the free exercise of the same rights, and those rights are determinable only by the law." I will admit that your amendment gives us rights. You say to the man that employs labour, "You have the right, if you wish, to keep open as long as you like." You say also to the man who does not employ labour, "You have the right to keep open as long as you like." But what is the good of giving us the right unless you give us the power to act? You prevent a man who employs labour keeping open, and you allow a man who does not employ labour to keep open. Let me give an illustration: There are two boats in Wellington Harbour. There is a commander on board of each. One is a boat say, of 2 tons burden, and the other is one of 2,000 tons. Both are ready to proceed to sea, and both have the right to go to sea. The commander on board the small craft says "I am going," and he has the right and the power to act. The other also has the right to go to sea, but he has not the power to act because you deny him the right to get a crew, and therefore you treat him unjustly. Another point is that this Bill is a distinct blow at labour, and I will endeavour to show you how. Take a radius or area in one of the cities for instance. Supposing the business transacted within that area comes to £150,000. That business is done by the aid of assistants. You deliberately propose that a certain amount of business shall not be done by the aid of assistants. Supposing it amounts to 25 per cent. What is the result? Those assistants will be dismissed, and no further burden will be placed upon those who remain. Is that not a blow struck at labour? You are striking at the liberty of the subject. Not in any other place out of New Zealand will you find that labour has been struck at in such a way as this. This is not doing justice to the strong man, and it is oppressing the weak. It is really oppressing the poor lonely widow. We have widows that are lonely and widows that are not lonely. Take the lonely one. Supposing she is carrying on her business from 9 in the morning until 9 at night, and as a result of these long hours she is laid up, and perforce has to employ others to carry on her business: this proposed amendment would prevent her. This is not a Bill at all that favours labour. This is a Bill with a wrong title: it should be called a Bill to favour Chinamen and

other Asiatics in unfairly competing with Europeans, and I am here to enter my strong protest against the proposed new clause. If you are going to apply restrictions, apply them justly, but if you pass this clause you will strike a blow at labour and at those whose interests will be detrimentally affected. We are here representing the drapers and clothiers of Wellington so far as clause 3 of the Act is concerned, and we think it will be a fair measure as applied to us.

J. R. CAREY, Draper, of Cuba Street, examined. (No. 77.)

11. *The Chairman.*] You wish to add to what Mr. McLeod has stated?—Yes. We are here this morning as drapers and clothiers to support clause 3 of the Act, with the deletion of the words after the word “Dunedin,” “in which two or more persons (including the occupier) are employed.” What we want is uniformity. We think the one-man-shop exemption should not be allowed. We do not think it is necessary at all, and it is not fair to others. We do not think there should be any exemptions whatever. With regard to clause 3 of the Act, it has never had a fair trial. November and December are always the best business months of the year, and consequently those who do business in the evening get the benefit of the extra trade. They were told at very short notice that their shops would have to close between the hours of 6 in the evening and 8 in the morning, except one day, and it was natural there should be an uproar. If the Bill had been brought into force on the 1st January, when trade is naturally dull, I do not think you would have found any objection to it all. There was the same outcry about the half-holiday when it was brought into force: the small shopkeepers were going to be ruined if they closed up, but now they are glad to have it and would not go back to the old system on any account. Who has caused the biggest outcry over clause 3? I do not think it is the small shopkeepers generally, but those who deal in perishable goods. They have been agitating and agitating, and have at last brought some of the small shopkeepers round to their way of thinking, so as to get the Act repealed. As to the amending Bill now before the House, in clause 3 there is a provision enacting that a shop-assistant shall only work fifty-two hours a week. We do not think this section will work, because it leaves too many loopholes for infringements. What is to prevent an employer taking an employee in with him as a partner and giving him a small interest? The employee would probably be in no better position than he was before, yet, in the eyes of the law, he could work as many hours as he liked; and that would be done in a good many cases, I think. Take the case of the firm I represent. There are two in the partnership and we have two shops: there is nothing to prevent one of us working in one shop and one in the other. Since we started, several others have started in the same trade within a stone’s throw of us, and they have kept open every night. We have felt this very much, and have thought very seriously of opening at night ourselves to protect ourselves. In the amending Bill there is a provision for shop-assistants working only fifty-two hours a week. Why should you legislate only for the shop-assistant? Why should they only work fifty-two hours? I take it that if you believe they require time for recreation and rest for their mental and physical welfare, we as employers need it also; and if you make a uniform hour for closing it would not make any difference to any of us. If the Act had been enforced in January, as I said before, when trade was dull—with one or two exemptions—business people would have settled down to it very quietly.

HENRY FREDERICK DAVIS examined. (No. 78.)

12. *The Chairman.*] What are you?—Mercer and outfitter, carrying on business on Lambton Quay. We are here not to oppose the Shop Hours Bill; generally speaking, that is not our wish. As you have heard from the two previous speakers, we are here more to support, and to ask your co-operation in supporting, clause 3 as it was originally passed, with the deletion of the words “in which two or more persons are employed,” so as to leave it as a general closing measure. Our idea, and I think it is a correct one, is that it should be general, by every one. If that is done no one will suffer; the trade will evolve itself into the business hours appointed, and the assistants will get the same benefits as the employers. It has been argued by the small shopkeeping community who have opposed clause 3 of the Act with a large “blast of trumpets,” assisted by one or two others, who, if they had given any thought to the matter, would never have taken the step they have. It has been asserted that the prosperity and success attained in times past by a large number of shopkeepers was on account of their working early and late, and that it was by their industrious habits, and so on, that they have become prosperous. It must be admitted that to a certain extent this remark is true. But in making such statements, it is forgotten by those gentlemen that the conditions of life are different now to what they were in former days. Twenty-five or thirty years ago every one worked late and early, and consequently, for the convenience of those who worked late in the mechanical trades and so on, the shops had to keep open. But at the present time we never hear of any trade, except that of the shopkeeper, working more than eight hours. The shopkeeper now works ten hours for the convenience of other men, and under these conditions I consider that the Shops and Offices Bill (with suggested deletion) passed last session met all the requirements. Many people have talked about the necessity of keeping open at night to gather in a little extra trade in order to pay their way, but they have found, and I have found, that it does not pay for the gas. The success of the shopkeeper depends upon his ability to cater for the taste of the general public. The man who is successful to-day is the man who has discovered how to cater for the public against the man who keeps open late. It is the man who keeps open late that goes to the wall; it is not the man who has discovered how to cater for the taste of the general public. This is not a measure that is the forerunner of any great movement, because we know that in Australia, particularly in Brisbane, it is now in operation, and has proved successful. In Sydney, when it was first adopted, a great uproar was made against it, but it is still in operation, and is a great success. Again, in support of the original Bill, I would point out that so far as the shops which have closed are concerned, within reasonable time, as the Bill directs, they have closed every night, while those remaining open have done very little business, and this shows that the public are with us, and that the outcry against the Bill

has been made by a very small minority of interested people, who eventually will say the law is a very good one. To carry the clause now proposed will strike the man who employs two or three assistants. It will strike him out of existence, unless some plan is adopted to overcome the difficulty by doing what one speaker has stated will be the case—viz., taking assistants into partnership. This would simply mean that you would be opening the door to fraud. I have a small establishment in which I employ two assistants—a branch establishment. If this suggested amendment of the Bill became law, I should have to close that shop; but, at the same time, if I made up my mind I could keep it open with the assistance of my partner; or I could admit a young man into partnership and keep the branch shop open, or I could keep the two shops open. In making such a provision for the benefit of the assistants only, I think you are doing wrong. As one speaker has already said, employers require the rest as much as the assistants. If the clause is passed it will be a great injustice to those who have a small branch business in the outlying districts, as well as to those in the city. Whether clause 3 has been carried out in its entirety I am not in a position to say with authority, but I hold a power of attorney for a person who owns a small shop, and that shop used to keep open till 11 or 12 o'clock on Saturdays, and 8 or 9 other nights. His returns have not decreased, and he now closes at 9 o'clock at night on Saturday and 6 o'clock other nights, and has not suffered from it. He does a small grocery, drapery, and baking trade, and since the shop has been closed early, the returns, instead of going back, have increased; whilst alongside of him there are two shops which have kept open. I contend that every working-day is provided for in the Act, although it has been stated that it is not so.

ALEXANDER VEITCH examined. (No. 79.)

13. *The Chairman.*] Are you a member of the firm of Veitch and Allan?—Yes, drapers of Cuba Street I wish to refer to some of the evidence given by previous speakers which might possibly be misunderstood by the Committee. I know they did not intend to urge that the whole of clause 3 of the Act should remain as it is. That is, of course, for you gentlemen to deal with. What they wanted to say, and what was emphasized by Mr. McLeod, was that we are here representing a particular trade, and so far as this trade is concerned, we urge that clause 3 should remain.

14. That is, with the words struck out in the second and third lines?—Yes. What we desire is that there should be complete uniformity in closing without exception in any given trade. I can also say something of what has occurred in Sydney, where a similar Act is in force. A resident there has informed me that when the Act was first enforced in Sydney there was a very great outcry against it in the same way as there has been here. Numbers of people who had been doing a certain amount of business in the evening by keeping open after other people had closed, thought it was going to ruin them. The authorities on the other side had a stiffer back than appears to be the case here, and did not give way, and the consequence is that people have settled down to the new regulations, while those who made the biggest outcry now state that they would not on any account go back to the former condition of things. That is all I wish to say.

15. *Mr. Hardy* (to Mr. Carey).] How many hands do you now employ?—Eleven.

16. How long have you been in business?—Two years in Wellington.

17. How many hands did you employ when you started?—Nine.

18. And you observed 6-o'clock closing?—Yes, from the start.

19. You consider it a hardship because the law proposes to permit those who only represent themselves—say, a husband and wife—to keep open?—I do. I think there should be no exemption whatever.

20. Do you not think it would be a hardship to these small people?—No, I think we should be all on the same footing. There should be no difference whatever.

21. If it injured the small shopkeepers, you would not advocate that?—No, but I do not think it would injure the small shopkeepers. Take the Newtown people, for instance, they would soon know that they must shop before 6 o'clock. In the past, some of the shopkeepers have been able to work their hands in shifts. Instead of bringing them on at 9 o'clock in the morning they brought them on later and kept them at work later.

22. It has been stated in evidence on behalf of the Newtown shopkeepers that if what you propose is given effect to they will lose their business?—I do not think it for a moment.

23. And that the working-people who live there have to come to the city to work, and do not get back until 6 o'clock or about 6; so that if the shops were compelled to close in Newtown they would lose some of their business?—I do not see that for a moment. The working-people generally go home from work to get cleaned up, and do not shop at that time. Besides, the working-people generally shop on Saturday.

24. As a general rule it is not the working-man who does the shopping?—No, it is his wife as a rule.

25. You do not think it would be a hardship to them if the shops were closed at 6?—I do not think it would be a hardship to any one.

26. I presume your expenses in a large business mount up to a considerable sum?—Yes, much more than in a small shop. We have to pay big rents and big salaries, because the living-expenses are so great.

27. What is the ordinary rate of pay for a departmental manager?—From £4 to £5 per week.

28. And for junior hands?—We cannot get any one under £2 a week for junior positions.

29. And you do not wish to keep open to make more money?—We do not want to keep open after 6 o'clock. We want rest after that. When the Saturday-night closing came into force we received notice in the morning that we had to close that night. On the day we received the notice to close at 9 o'clock we had a tremendous amount of growling about it, but on the next Saturday and the following one the trade gradually eased off again. Then the Premier let us off the new regulation, and we again kept open until 10 o'clock, but the trade did not come back at once—it gradually came back. Now, however, since we have had to close at 9 o'clock, we find that a few minutes after 9 the trade



has vanished. We do as much trade up to 9 o'clock as we did up to 10 o'clock, and I am satisfied that others would find that the early closing would not injure them in the slightest degree.

30. You do not agree with what is called "the widow clause"?—Not a bit.

31. You think that if the law provides for the hours of the employees it should also deal reasonably with the employers, so that they should get the benefit?—That is my idea exactly.

32. *Mr. Barber* (to *Mr. McLeod*.) You said that the passing of this Bill would strike a blow at labour?—Yes.

33. What class of labour?—The shop-assistants.

34. What about the proprietor's labour if you compelled him to shut?—There are so-many assistants employed at the present time to do a certain amount of business. Say it is £100,000 worth a year: the bulk of that business is done with the aid of those assistants now, and if the clause proposed in the amended Bill is carried, and 25 per cent. of that business is to be done without the aid of the assistants, surely 25 per cent. of the assistants can be dispensed with. That is the only natural result of the clause proposed in the Bill.

35. You only pay your assistants when they are practically earning money: is there not a portion of the day on which they are idle?—If they are idle half the day it does not affect the point. The point is that by the proposed amendment of the law a certain amount of business will be done and you will prohibit the assistants taking part in it beyond a certain hour of the evening, while you allow the other men to do it.

36. And if the proprietor did a certain amount of business it would deprive a certain amount of the labour going to assistants?—Certainly; if a certain percentage of the business is done without the employment of labour, surely it follows, as that 2 and 2 make 4, that the assistants must lose the employment of their labour.

37. How many shops do you represent to-day?—We represent the bulk of the retail trade, commencing from Lambton Quay right up to Cuba Street, and one of the Newtown businesses. As far as the business done where assistants are employed is concerned, we claim that we represent the bulk of the retail trade.

38. (To *Mr. Carey*.) You said that a good deal of objection was taken against the Wednesday half-holiday by the small shopkeepers. Did the large shopkeepers approve of the Wednesday half-holiday?—They did not make such an outcry as the others.

39. What experience are you giving?—Christchurch experience.

40. You said you had an uphill fight as a beginner. Is this the first occasion on which you have been a beginner?—No.

41. You are really not a beginner as the proprietor of an establishment in Wellington?—No.

42. You mentioned in reply to a question put to you by *Mr. Hardy* that the reason for not keeping open after 6 o'clock was that the residents of Newtown—if they knew that the shops were to be closed—would not go in to do their shopping?—I meant to say that if those who were living in Newtown found that the shops were closed at 6 o'clock they would not have time to go into town, and would do their shopping before that time. In no town in the colony do they cater for late shopping like they do in Wellington.

43. You really think that if the shops were kept open after 6 o'clock in town the Newtown people would come into the city to do their shopping?—I do, undoubtedly.

44. (To *Mr. Davis*.) What time do you think the working-man would have to do his shopping if all the shops were closed at 6 o'clock?—A very good time is between 5 and 6 o'clock, and on their half-holiday.

45. That is, on Saturday afternoon?—Yes.

46. You said just now that the working-men did not do their shopping during working-hours, but went home and got cleaned up?—I did not say that. You are referring to Newtown. At the present time the working-men leave their businesses at about 5 and their trams get up to Newtown at about half past 5. If a man wants a collar or a tie before he goes home to tea he slips into a shop and buys it. After he gets home he comes to town. But if the shops were open in Willis Street and Manners Street, he would go home first and come down and buy what he wanted, which would be detrimental to business in Newtown.

47. Your answer is diametrically opposite what *Mr. Carey* said?—I do not think so.

48. You say that it is not necessary for the convenience of the working-man to keep shops open for a certain time after his working-hours?—I said it was necessary, because the working-man works eight hours and we work ten, and I think the one hour between 5 and 6 is sufficient.

49. There are numbers of working-men who do not leave off at 5 o'clock. Take, for instance, grocers' assistants. They want to patronise drapers' shops the same as the ordinary working-men, and in lots of trades the workmen leave off at half past 5?—Well, if one of my assistants wanted to go off to buy a bottle of medicine I should allow him to do so, and I do not think any employer would object to any of his hands going out to make a necessary purchase. I do not think there is any need to study these people at all.

50. Personally, you are in favour of Saturday half-holiday?—I am in favour of the Saturday half-holiday, but that has nothing to do with this deputation.

51. But you say you are in favour of the Saturday half-holiday, and that your business is on Lambton Quay?—Yes.

52. You say that the shopkeepers work ten hours a day?—Yes.

53. How?—From 8 in the morning till 6 at night.

54. Is there not any time for meals?—Yes.

55. Do the assistants start work at 8 o'clock in the morning?—A great number of them.

56. How do you know that very little business is done by those who keep open after 6 o'clock?—By observation and experience. My experience is that it does not pay for the gas.



57. And your experience is derived here in the city ?—Yes, and in the outskirts.
58. What outskirts ?—Brougham Street.
59. You said that you hold a power of attorney for the owner of a shop whose returns have increased since the shop has been closed early ?—Yes.
60. And yet you said immediately afterwards that two adjoining shops were keeping open and you thought it unfair ?—Yes.
61. Do you think that they would keep open if by closing their returns would increase ?—They have not got the pluck to try it, and, unfortunately, the Act has not been enforced.
62. Do you think they would do better if they closed ?—I think they would do just as much business.
63. (To Mr. Veitch.) How many hands do you employ now ?—Forty or fifty.
64. How long have you been in business in Wellington ?—Twenty-five years, or thereabouts.
65. Did you ever keep open after 6 o'clock when you first started business ?—Yes.
66. At what time did you close as a rule when you first started ?—It is so long ago that I almost forget. I kept open as long as we could do any business.
67. If you had been deprived of the evening trade so long as you were doing business after 6 o'clock, would you have been so successful as under existing conditions ?—It is difficult to say. If I had been asked the question then I have no doubt I should have said it would ruin me to have to close up. But with my larger experience I think it would not have hurt me.
68. But your knowledge in those days would have enabled you to answer that question ?—I have now the knowledge I had gained at that time and the larger knowledge I have since gained, and, putting the two together, I do not think it would have hurt me.
69. Do you really think that if you had been compelled to close at 6 o'clock when you first started business twenty-odd years ago, and for five years after you had started, say, you would have worked up to the same successful position you are now in ?—I do not think it would have made much difference, if any. As a matter of fact, when we first started we did close at 6 o'clock for a period in the first premises we had, but in Tory Street we kept open late, because I lived on the premises and it was convenient to do so.
70. Do you think the same conditions which prevail in the city trade apply to the suburban trade ?—As a matter of fact, from my experience suburban shops in every part of the world keep open late—at least some of them do. It has been a practice for people starting in business with perhaps a small amount of capital to try to make headway, and they are willing to keep open day and night to make their business a success, and if they take a few shillings after other people have closed, well it is something to the good, and, naturally, they look to taking every extra penny they can.
71. And do you not think it is necessary for people who start in a suburban district to keep open late in order that they may work up a business ?—That is not the point. My point is that there should be uniformity of treatment in every particular trade—that the law should treat them uniformly.
72. You say that the bulk of the suburban people keep open late: are not the conditions under which suburban people live altogether different from those of the city ?—I do not think anybody keeps open for the convenience of any one else. The shopkeepers keep open for the benefit of their own pockets.
73. It is for the convenience of the public, which makes it a benefit to their pockets. Take a large city: there is not a large trade done in large cities with a shopping population at night ?—Oh, yes there is. In the largest city in the world certain shops keep open all hours.
74. That is for the benefit of the pleasure-seekers ?—No; there are shops that close early and shops that keep open late in London.
75. I mean in your own trade ?—Yes; you will find one shop without any compulsion closing at 1 o'clock on the half-holiday.
76. I mean the night trade ?—Yes; you will find shops keeping open till 10 o'clock, or as long as there is a person on the street.
77. You think that the small men could succeed in suburban districts without keeping open for the evening trade ?—That is another point of view altogether. What I said was that there should be uniformity in the law in its application to every one engaged in a particular trade.
78. You mean that every shopkeeper throughout the colony should be compelled to close at a certain time ?—I am speaking for Wellington only—I say nothing about the country.
79. What I want to find out is this: do you think that the same conditions which are suitable to a city trade apply with equal force to a suburban trade ?—I do not see that it would make the slightest difference.
80. *Mr. Sidey* (to Mr. McLeod.) I understand that you represent all those that employ assistants ?—No; there is one who does not, but the others employ assistants. We represent the bulk of the trade. I think we represent the whole of those who employ assistants. I was guarded in using the words "bulk of the trade."
81. Those trading in the city and the suburbs ?—I should say chiefly in Wellington, although I have a branch in Newtown.
82. Is there only one whom you represent who does not employ assistants ?—I can only say there is one.
83. To what extent did those you represent close at 6 o'clock before clause 3 was enacted—all those present ?—No. For instance, I selected certain seasons of the year during which I did not close at 6 o'clock—say within one month of Christmas. That was before clause 3 was passed. Mr. Lees kept open all the year round. He was very anxious to close at 6 provided those around him closed at the same time. Business is a matter of competition, by which it is regulated.
84. It is the drapers you represent ?—Drapers and clothiers.

85. What is your opinion with regard to the question asked by Mr. Barber of the last witness, as to the general conditions of trade prevailing in Wellington and its suburbs?—They are exactly the same. People in the cities want clothing, and in the suburbs, as far as the requirements of the community go, they are just the same.

86. Is it not a fact that people who live in the suburbs live further from their work?—Taking it as a general rule they have further to go.

87. They have to leave their homes, as a rule, earlier in the morning and get back later at night?—Yes, as a rule. I do not think an overwhelming majority do, but a portion of them would.

88. You are aware, I suppose, that in the suburbs a storekeeper combines other businesses than that of a draper?—The particular suburb I have in my mind was so ably defended by Mr. Barber that I am not aware that that is the case there.

89. *Mr. Ell.*] How long have you been in business in Wellington?—Five years and a half.

90. Did you start in a small way?—No, in just about the same way as I am now.

91. How many hands do you employ now?—About ten altogether.

92. You have a branch shop, I understand, at Newtown?—That is so.

93. If 6-o'clock closing brings about a larger amount of business you would reap a share of it?—Yes, I would start at scratch with the other man. This is the point: We do not claim any restriction, but Parliament has come forward to place certain restrictions on us and we say that those restrictions are unfair.

94. And yet you are quite agreeable to your shop in Newtown being closed at 6?—That is so. I have always been a supporter of it—of the principle—more than anything else. It does not affect me to the extent of a shilling one way or the other. I am here on principle, supporting a movement the justice of which I believe in.

95. From your past experience of running a shop in Newtown, who would you say usually does the shopping—who makes the purchases in your shop, the husband or the wife?—The great bulk of it is done by the wives.

96. Do you think that you would be placing a hindrance in their way if you closed at 6?—Not at all. If a vote of the community were taken to-morrow, I believe the bulk of them would be in favour of universal closing at 6.

97. Are there a number of small drapers' shops in Newtown?—Yes, quite a number of, comparatively speaking, small shops.

98. And you think that if they closed at 6 the people up there would not have any hindrance placed in their way in securing their purchases locally?—The people have made no complaints to us about it. We have closed for a time at 6, and we have had no complaints whatever.

99. How many shopkeepers does this gathering represent—that is, in favour of 6-o'clock closing? Have you any knowledge sufficiently definite to justify you in making a statement?

100. *The Chairman.*] These gentlemen only represent the drapery and clothing trades. You have already answered the question, Mr. McLeod?—That is so. A petition is being presented to Parliament, and from it you will get the exact number of drapers and clothiers that are in favour of 6-o'clock closing, but they are in an overwhelming majority. And when you speak of shopkeepers you must remember that there may be a shopkeeper who represents a hundred hands, and another who represents only two hands. Well, the Shops and Offices Act treats them as equal for the purpose of taking a vote, but they are hardly equal.

LLOYD JONES examined. (No. 80.)

101. *The Chairman.*] What are you?—A bookseller and stationer, in business at Wanganui.

102. You wish to give evidence with regard to the Shops and Offices Bill?—Yes.

103. On behalf of whom?—Our own firm.

104. Will you just make your statement in your own way?—Yes. In the matter of closing at 6 o'clock, I do not know whether it is proposed to make that compulsory or not. Although we do close at 6, I am not anxious to see other people forced into it. There is one point that I wish to bring forward, and that is this: There are usually busy times in the year when it is important that there should be exemptions. We usually keep open in December, from about the 16th to the end of the month, every evening. A very important part of our business is done then, and it would be a very considerable loss if we were prevented from keeping open then. If any attempt should be made to make early closing compulsory, as has been done in the four large cities, I would submit that it should apply to bazaars also. Bazaars open every evening and do a very large trade, to the detriment of the shops in the same line. I think it very unfair that they should be allowed to keep open and do business while the shops are compelled to close. With reference to the hours of employment, the present Act provides for fifty-two per week. We only work fifty, but I find on reading up the Act—I had not done it before—that we have been breaking the law every Saturday. We work eleven hours and a half on Saturday, although we only work fifty during the week. I think we should be allowed eleven hours and a half on Saturday, as was the case under the old Act. Clause 4 of the Act provides for an extension of the hours for stock-taking "or other special work"—to quote the wording of the clause. I find that what constitutes "other special work" is a matter of opinion on the part of the Inspector. On the only occasion on which I applied for permission to work an assistant after hours the Inspector would not grant it without referring to Wellington. That is very inconvenient. The occasion for special work arises hastily, and it is sometimes not practicable to at once find the Inspector; and, as I say, it is a matter of opinion with him as to what is "other special work." I would submit that men shop-assistants should be on the same footing as factory-assistants in respect to overtime. Factory-men may work every night of the week, provided you pay them and they are willing to work. I am no advocate of overwork or long hours, but emergencies arise in all businesses—times of pressure occur—when it is absolutely necessary that you should have hands back. I will give an instance: a busy day during a sale. I noticed a case

of the kind in Wanganui only last week. A firm of drapers there had a large sale going on, and the hands were going hard all day. When 6 o'clock arrived the shop was in utter disorder. The stuff had been pulled out of the windows and the things were down off the shelves, and they had all their hands back to help straighten up; but they broke the law in doing so. I think I would claim that the assistants should be placed on the same footing as the factory hands, that when work at night is required the assistants should be allowed to do it, provided they are paid and are willing to come back. It is true that there are thirty days allowed, but two days a month would not be an extravagant number for busy seasons when you wanted your hands back, and if you use two a month, twenty-four are gone, and you have practically none left for stocktaking. I think it really might be made a matter of arrangement between the employer and his hands, if he pays them. I am quite agreeable to the hands being paid, but I do protest against having business brought almost to a standstill, as it might be if we could not get the hands back. To get permission might be very good with respect to women and children, but I press the point that men should be allowed to work whenever they are willing, provided the employer pays them. Of course, during the past year the Act has not been very strictly enforced, and it has not mattered much, but as soon as the law did come properly into force I can see that difficulties would very often arise, and business would be very much hampered. As to paying the shop-assistants for overtime, I am quite willing to do so, but I would point out that there is a considerable anomaly in the fact that they have to be paid time and a half, while the factory hands working in the same building are paid only time and a third. I would submit that the latter is ample, but I am not very keen on that matter. If the half-holiday question comes up I am very strongly opposed to a universal Saturday half-holiday. The present law has worked admirably in our town for many years past. In our business especially Saturday would be, I will not say ruinous, but it would cause us very heavy loss. But no doubt you have heard all that can be said about it, time after time. I will put it in this way: we are often told "There will be just as much trade done; you might lose a little for the time being, but trade must right itself. People will buy all they want, whether it is on Saturday or any other day." This is how I put it: here are a number of us, with our hands full of something—call it nuts, or sovereigns, or whatever you like—throw them up in the air, they will all come down again; but it does not follow that they will all come into the same hand, and that is what will happen with trade. You disorganize it, and you do not know what is going to happen. We have a certain amount of trade, and we are anxious to hang on to it. I have always been in favour of a half-holiday. I was in business in Marton some years ago, and I instituted a half-holiday there long before the present Act was thought of. It worked very well for a good while, but strange to say it was the public who broke it down. They would not have it; they compelled us to open. In the matter of special holidays, I wish to object to Labour Day. In Wanganui we give Anniversary Day and Prince of Wales's Birthday, which are not provided for by the Act. Labour Day is never observed there. Even with the factories it is a farce. It has never been observed by shops, and it is an innovation that I do not think at all desirable or necessary. We have ample holidays during the year. This one would be simply a lost day. Our business is a composite one. We do a wholesale and a retail trade under the same roof, although with a different staff, but each staff takes from the same stock for the execution of orders. I notice that under the present Act a warehouse employee does not rank with a shop employee. There is a distinction made. I think there are a great many composite businesses in the colony, and some provision should be made for treating them both alike.

105. *Mr. Aitken.*] How would you treat the wholesale and retail alike? The retail shops are open longer than the wholesale and always have been. You do not want to close the retail shops at the wholesale shop hours, do you?—No, but we do close all alike. Our wholesale branch works till 6 o'clock, the same as the shop.

106. But in larger cities they do not?—No, I suppose not. Do they not in a composite business, such as Duthie's?

*Mr. Aitken:* No; Mr. Duthie closes early. His retail trade is nothing.

A deputation of Wellington chemists in attendance.

*The Chairman:* I understand, gentlemen, that you represent the Wellington chemists, and that you wish to give evidence with regard to the Shops and Offices Bill as applied to your own calling. Will you select your speakers?

LEON COHEN examined. (No. 81.)

107. *The Chairman.*] You are a chemist, Mr. Cohen?—Yes.

108. Carrying on business in Wellington?—Yes.

109. Do you represent the Wellington Association?—We are a deputation from the Central Pharmaceutical Association—the Wellington Association.

110. Including all the chemists, practically?—I think the chemists are all members, pretty well.

111. Will you just make your statement as to what you suggest?—We held a meeting with regard to this question, and passed a resolution. I think the trend of the resolution was that the chemists should close at 8 o'clock, and that the assistants should work fifty-two hours a week; also, that the hours should be arranged for the assistants in such a way that a chemist would be able to bring an assistant back on two nights in the week. Otherwise the master chemists would have to work every night till 8 o'clock, or whatever time was fixed.

112. If I remember right, you asked also to have the half-holiday fixed?—Quite so. Of course there were one or two who dissented from that resolution. I think they are represented here. Personally, I do not see why a chemist's shop should not be closed at 8 o'clock.

113. This may help you [copy of resolution handed to witness]?—Yes. It is with regard to the latter portion of the resolution that I speak—that the hours on each day shall be arranged between employer and employee—that is, as long as the assistants work fifty-two hours a week. It gives the chemist discretion to arrange with the assistant, so that the assistant can let him off two nights a week.

114. But that is not mentioned in the resolution, is it?—It says that the assistants shall work fifty-two hours per week, and that the hours on each day shall be arranged between employer and employee.

115. I wish to make that clear, because I understand the chemists throughout the colony work together, and that is what they ask from other centres—practically the same as that—that is to say, that on every night of the week they shall be permitted to bring their employees back, if necessary, so long as the hours per week are limited to fifty-two?—That may lead to evasion, because I do not think it would do for a chemist to start his assistants at, say, 10 in the morning in order that he should work them every night in the week. I do not think it would be fair to the assistants.

116. If we fixed it by statute that the employees shall be away two hours on two nights per week, would you keep a book to show when an assistant commenced work and when he left off work?—I do not think that would be impracticable. I think it could be done, if necessary.

Statement of ARTHUR HOBSON, Chemist, Wellington. (No. 82.)

*Witness :* It has been the habit of the Wellington chemists to keep open till 9 o'clock for many years past, but for three months at the end of last year and at the beginning of this I closed my pharmacy at 8 o'clock, with a number of other chemists. I found business as good during that time as it was previously. My business is in the suburbs, amongst a residential class of people, and I do what one would call a family trade—that is, I have a fair number of prescriptions each day, and I sell a good few patent medicines and a great number of sundries. The people are able to procure all their requirements before 8 at night. I live on the premises, and the medical men know it, but I must say that in the evening I have not been called up for very many urgent prescriptions. That will show that it is quite practicable to shut at 8. With regard to assistants, it would be quite satisfactory to have the assistants working fifty-two hours a week, provided their hours could be arranged between the employer and the employee, because we might wish to get our assistant back on some particular night and would like to have the opportunity of bringing him back when required. I think it would be quite practicable if we had a book showing the hours the assistants were employed. I would like to emphasize the fact that we wish to keep our half-holiday intact. We do not desire to have any provision for chemists keeping their shops open for urgent medical appliances, or that sort of thing, because there are some chemists who would take advantage of that and keep their shops open on the half-holiday as well as the other days. We would like provision made for closing the shops in the afternoon and reopening from 7 to 9. I find that from 7 to 9 in the evening on the half-holiday there is a great deal of business doing, and it seems necessary there should be provision for reopening.

Statement of FREDERICK CASTLE, Chemist, Wellington. (No. 83.)

*Witness :* I would like to emphasize the necessity of having assistants back after 6 o'clock. A great deal of a chemist's business is prescription-work, and many prescriptions come in between 6 and 8. If a chemist is not allowed to have his assistants back after 6 there is danger of his making a mistake in making up his prescriptions by having to attend waiting customers. That appears to be an important point in regard to the assistants. I think the fifty-two hours a week could be adjusted so that employees did not work more than nine hours on one day. That, I think, should be left to you to fix. With reference to shop hours, I am in favour of closing at 8, because I feel that to be off between 8 and 9 would be of great benefit to us, and would increase our efficiency, intellectually and physically, for that last hour takes it out of us more than any other hour of the day, and from experience I find that the whole of the business—that is, all reasonable business—can be done by 8 p.m. Exceptional cases are liable to occur at any time. For this reason I am in favour of closing at 8 o'clock. I would like to say this with reference to Wednesday: Under the last Act, I think chemists are allowed to keep open at any time after 1 o'clock for dispensing prescriptions, and there is no provision for opening between 7 and 9, as we have been doing. We would like it fixed so that we should have to close at 1 o'clock and reopen from 7 to 9 in the evening.

GEORGE EDWARD ELSON, Chemist, Wellington examined. (No. 84.)

*Witness :* There has been a little opposition on the part of a few members of our association as to asking for 8 o'clock being made the closing-hour. I have a requisition here, which has been signed by a few of the chemists, and which I would ask permission to read.

117. *The Chairman.*] If you will hand it in that will do. I will see that it is printed with the evidence?—Yes. I have, also, a few remarks bearing on the requisition which I had intended to read to you.

118. Very well. Will you give us the pith of the requisition, and then make your remarks?—The requisition is addressed to you, and reads as follows: "We, the undersigned chemists of Wellington, while approving of the limit of fifty-two hours' work weekly for chemists' assistants, desire to bring under your notice the inconvenience that would be caused both to the medical fraternity and the general public should an Act be enforced compelling chemists to close before 9 p.m. A large number of chemists do their principal dispensing business between the hours of 8 and 9 in the evening. The hour of 9 p.m. has been generally recognised by both doctors and chemists as a reasonable time for closing, and we consider that the nature of our business entitles us to a little latitude in this respect." Then follow the signatures of G. E. Elson, 79, Courtenay Place; Charles A. Fletcher, 4, Willis Street; R. M. Green, Taranaki Street; John Castle, 15, Riddiford Street; Robert Charles Brien, 108, Cuba Street; H. Brittain, Manners Street; A. A. Waters, for Mrs. M. A. Mackenzie, Thorndon Quay; and David Thomas Orr, Lambton Quay.

119. Eight in all?—Yes. That is the requisition. The few remarks bearing on this that I would ask you to allow me to read are, "In presenting this requisition we do so with a firm belief that the measure is in the interests of the public for several reasons that are consistent with the measure. In the first place, the evening hour of consultation of medical men is from 7 to 8 p.m., and, granting that it is often after 7 before a medical man can see his patients, it is almost impossible that they can reach their chemist and have their prescriptions dispensed before 8 p.m. The 8-o'clock closing was suggested as a sort of compromise between 6 and 9, as chemists could not reasonably be closed at the hour of 6 p.m. without causing great inconvenience, and, further, it was never intended that they should. Nine o'clock is a fair hour for closing, and has always been appreciated by the public. I would also point out that we are allowed to reopen on Wednesday evenings from 7 to 9. This is necessary for the reason that no assistants are allowed to be employed after 1 p.m., and two hours is necessary to discharge the work that naturally accumulates from being closed during the afternoon. We can also apply the same reason in asking for the closing-hour to be 9 p.m. on the other four nights of the week—viz., that no assistant can be employed after 6 p.m., and the evening dispensing has to be done single-handed. Again, on Sunday evenings we open from 7 to 9, so that if a compulsory 8 o'clock is made we thus have two closing-hours, which is somewhat misleading to the public. We trust your Committee will consider our evidence in favour of extending the time suggested by other members of our association."

*Mr. Cohen* : Might I add one or two words with regard to the question of doctors?

*The Chairman* : Yes.

*Mr. Cohen* : The doctor finds it convenient to have the chemist there all night, if he possibly can. A doctor likes to have a chemist on the premises all the time. If you ask a doctor when he would like us to close, he will say "Oh, as late as you like. Ten o'clock if you like. Always be handy to me." The doctors can get through their work if they like, and they can let you know if they want something urgently; but they will keep you hanging about till 10 o'clock if they possibly can.

120. *Mr. Tanner*.] Still, doctors are often called upon suddenly, are they not, and it sometimes becomes necessary to get medicine or appliances instantly? Are there many such cases?—In my opinion there are very few urgent cases now, that a doctor cannot treat on the spot. The doctors have hypodermic tabloids of all descriptions. There are very few such cases that the doctor cannot treat, if he is at all up to date.

121. Then there is not much in that contention?—There may be a little, but not so much as they make out.

#### THURSDAY, 13TH JULY, 1905.

ROBERT SAMUEL ALWARD examined. (No. 85.)

122. *The Chairman*.] Whom do you represent?—The fishmongers.

123. Were you expecting some one else to come with you?—No. They deputed me to attend on their behalf.

124. What are you by occupation?—Manager of a fishmongery business.

125. You represent others besides yourself?—Yes, I represent the trade as a whole.

126. In Wellington?—Yes.

127. You represent the fishmongers of Wellington?—Yes; the retail fishmongers.

128. How many?—I represent directly six shops, three of the Napier Fish Company's, two of Fernandos's, and one of Hurcombe's. One or two others are agreeable, but they did not sign the requisition.

129. So that you really represent the whole of the fishmongers of Wellington. Will you just make your statement?—The statement I have to make is with respect to the hours of closing. As stated in the Act they are not workable in our business, for we must open in the morning before 8 o'clock and remain open in the evening until, say, 8 or 9, for the convenience of the public. In the morning before 8 o'clock we have to serve hotels and private customers with breakfast fish, which has to be delivered by 7 o'clock. It is necessary that it should have quick despatch, because fish is the most perishable article of food. I think that is our point, as far as the hours of closing are concerned.

130. As far as the hours of opening and closing are concerned, you want to be exempt?—That is so, because the hours stated in the Act are not applicable to our business, more especially with respect to the evening. I represent the Napier Fish Supplies Company. We get our supplies from Napier by the express, which arrives at 7.20 p.m., and in many instances we have to sell the fish on the night on which it arrives in Wellington—particularly in the summer-time, when the weather is warm.

131. Now tell me this: Does the word "fishmonger" define your trade sufficiently?—No. That is a point that I have marked here separately. The definition of fishmonger is not sufficient. We want the right to sell rabbits, which we have always had heretofore. A fishmonger, I take it, in the Old Country and in this country, generally sells rabbits, game, and poultry. In Wellington, since I have been here, we have only dealt in fish and rabbits, and since the new Act has come into force we have given up the rabbit trade in order to be able to keep the shop open. We were given to understand that early closing would not be enforced if we desisted from selling rabbits.

132. What I want to get at is what term you wish inserted that would cover your trade? If we are going to exempt you, we must have some word or words to define what we mean. What do you suggest?—"Fishmonger."

133. You think that does cover it?—Oh, yes; but in the Act it says, "A 'fishmonger' means a person whose business is to sell fish or shell-fish." We contend that we should be allowed to sell rabbits at least. A butcher would not take up the rabbit business because it would not work well with the retailing of meat. The fur from the rabbit-skins is injurious to the sale of the meat. Our knocking off

selling rabbits has been the means of throwing out of employment a dozen or twenty men who were trapping for the trade. We consider that selling rabbits in the shops also tends to keep the rabbits down in the country. I might say that if we are not allowed to sell rabbits it means a big financial loss to our concern. We wish to be exempt from all the provisions of the Act.

134. You want exemption from the Act altogether?—Yes. Ours is a peculiar trade. There is no regularity about it. We take fish from the fishermen, and they might be one week and not catch anything, and then have another week of favourable weather. We have to work our trade to suit requirements. The fish trade is not a large business, and there are not a large number of people employed by others. Most of the shops are run by the proprietors or their families, so that it does not affect a large number.

135. *Mr. Bollard.*] You claim exemption altogether under the Act?—Yes.

136. Supposing a fishmonger was exempt and there was no definition other than the word “fishmonger,” he would not be able to sell rabbits or poultry?—He would not, unless the definition was widened.

137. You said just now that the word “fishmonger” was all you wanted put in?—In clause 15 it says “A ‘fishmonger’ means a person whose business is to sell fish or shell-fish.”

138. If you had not a better definition than that, you would not be able to sell rabbits?—No; we want a wider definition so that we should be able to sell rabbits.

139. And poultry?—No. Poultry would be too wide, and people who sell poultry would probably want to come under the same clause. Wellington fishmongers do not sell poultry, but rabbits have always been a part of the trade, and I think that if we had the right to sell rabbits only, speaking for myself, I should be satisfied. I do not think any of the fishmongers are anxious to go in for poultry or game.

140. Supposing you are not exempt under the Act, at what hour in the very hot weather is it necessary that you should open in the morning?—We always open at 6—from 6 to 7; people have to be served with their breakfast fish. We have better facilities for keeping the fish fresh. It comes in on the previous evening, but they do not care to have it delivered then because, as I say, they have not the same facilities that we have for keeping the fish fresh.

141. Is 6 o'clock early enough?—Yes.

142. How about people going away by boat at 6 o'clock and wanting their breakfast earlier than that?—I do not think any hotel in Wellington serves breakfast before 6 or 7. At the Royal Oak you cannot get anything before 7.

143. Are you working the assistants under any award?—No, there is no award in the fish trade, because the fish business is a peculiar trade. There may be two or three days on which there is nothing for the men to do, and then two or three days when there is a good deal to do.

144. What time do you work your assistants per week?

145. *The Chairman.*] How many hours?—About nine or ten hours a day.

146. For six days in the week?—Yes.

147. *Mr. Bollard.*] Do you consider that is a fair thing?—A very fair thing.

148. Sixty hours a week?—Yes. Of course the men are paid proportionately. We pay a good wage. Our men are paid from £2 10s. to £3 10s. a week.

149. Would not the hours of the butchers suit you?—No, because fish is more perishable than meat, and the butchers can regulate the supply. We do not know for five minutes what fish we are going to have. Once it is in our sheds—I am referring to the wholesale department—it must be cleaned. We cannot knock off till the work is done.

150. But you stated just now that sometimes you were a whole day without doing anything?—Just so. Then we let the men go away.

151. How many hours do you work your men sometimes, in order to make up the sixty hours if on some days they do nothing?—I have been in Wellington now for about seventeen or eighteen months, and in no instance have I worked them more than eleven hours.

152. Eleven hours a day?—Yes.

153. Could you make up the time, if they are for days doing nothing, if you did not work them more than eleven hours?—We pay them so-much a week.

154. How do you make up the sixty hours if there are days when they do nothing?—I was only averaging it. We work about sixty hours a week.

155. Sometimes you must work the men twelve hours in a day?—That might be so in odd instances—two or three in a year, or something like that, but not more than that. The average is about nine hours a day.

156. But you told us just now that they worked sixty hours a week?—You asked me if I thought sixty hours would be a fair thing.

157. But afterwards you said you worked them sixty hours. That is an average of ten hours a day?—That would be the outside time. Of course we do not keep the time. We pay the men so much a week.

158. *Mr. Kirkbride.*] I understand you to say that the fishmongers desire to be exempt?—Yes.

159. And you want the definition of “fishmonger” to be something different from what it is at present?—We should like that.

160. At present it reads “A ‘fishmonger’ means a person whose business is to sell fish or shell-fish”?—That is so.

161. You wish the definition to be enlarged?—So that we can sell rabbits.

162. So that you sell fish, shell-fish, and rabbits?—Yes.

163. Anything more?—We would like game and poultry, but we would waive that if we could get rabbits.

164. *Mr. Aitken.*] When does the fish arrive in the market? Are there any regular hours?—No; it arrives at all hours.

165. How do you come to know when the fishing-boats come in?—We do not know until the fish is delivered at our sheds.

166. Do you not come down to the wharf and buy the fish?—No.

167. You have your own boats?—We have four steam-trawlers of our own in Napier, and the bulk of the fish we get is railed down to us every day. It arrives by the express every night.

168. Then you do get your supplies regularly?—We do from Napier, but we also get large supplies from local fishermen.

169. That is what I mean. When you get fish from these fishermen you must meet them whenever they come to the wharf?—That is so.

170. How do you come to know when a man has come across from Queen Charlotte Sound with fish to sell?—He does not bring it from the Sound. We engage fishermen over there, and all they catch is shipped to us by the steamers from Picton or Blenheim, as the case might be. The other fish is caught in Ohariu Bay and Island Bay, and when they land it they bring it in. We do not know it is there till it is delivered at our sheds.

171. What time do you open in the morning to receive that fish?—At 6—that is, the wholesale shed.

172. When do you open your retail shop?—Generally at about 7. In Newtown I do not open till about 8.

173. Then, it would not suit you to have an hour stated at which you could open?—No; because in summer-time when we expect large quantities of fish we are there early.

174. I think you said you kept open at night so as to enable the people to buy fish for the morning's breakfast?—Yes.

175. Then do you require to open in the morning for the same purpose?—Yes; because the hotels want their fish delivered for breakfast.

176. Would not the hotels, supposing you got them into the method, take delivery in the evening instead of in the morning?—We have never tried to get them to. They might; but they would not have the facilities for keeping the fish that we have. We have properly insulated chests and keep ice, &c., in them for the purpose.

177. You have never made an attempt to regulate the hours, have you?—No; we work as short hours as we can.

178. *Mr. Tanner.*] Have you attempted to get any definition of "fishmonger" in a short sentence which would include all you want?—No, I have not.

179. How do you understand the terms "fish or shell-fish" now? Does that include preserved fish and salted fish?—I would take it so.

180. And tinned fish?—Tinned fish is preserved fish; but, at the same time, it is not perishable fish.

181. You have not claimed for that?—No.

182. With regard to poultry, if you are allowed to include poultry, of course, that will include ducks in the season?—Just so, all game and poultry.

183. Poultry includes game, and game includes venison?—Yes.

184. In fact, it almost brings a butcher's shop into it?—No; but, as I say, we would waive that if we got the rabbits.

185. We want a straightforward definition in a few words, which would cover the ground without being too wide: you have not attempted to get one?—No.

186. *Mr. Ell.*] I have had complaint made to me by a fishmonger in Christchurch that some of these fried-fish shops keep open till 11 and 12, and up to 1 in the morning. Because "fried fish" is interpreted, according to law, to mean fish, they are enabled to keep open, while those who sell fresh fish desire to close at a more reasonable hour. The suggestion has consequently been made that the interpretation of "fishmonger" should be one who deals in fresh fish and shell-fish, and that we separate the two businesses—the fried-fish shops and the ordinary fish-shops—and enable a more reasonable hour of closing to be fixed?—Do not fried-fish shops come under the head of "restaurants"?

187. I am simply telling you what the complaint is?—I do not know what they do in Christchurch.

188. What is your feeling with regard to the matter? Do you think that would be a fair interpretation of "fishmonger"?—We do a tremendous trade in smoked fish, and that is preserved fish. "Fresh and smoked fish," we want.

189. Well, that would be all right then if that were added?—Yes; if you made it "fresh and smoked fish and rabbits." I think, as far as I can see, that would cover all that would be necessary for us in Wellington.

190. *Mr. Tanner.*] It would not cover bottled oysters?—They are shell-fish.

191. *The Chairman.*] Are they fresh?—Yes.

192. *Mr. Ell.*] A petition was presented to the House last year asking that the fish-shops be closed at 1 o'clock on one day of the week so as to provide the employers and the employees with a half-holiday the same as the butchers. It was signed, I believe, by all the fishmongers in Christchurch and suburbs?—We do not consider that a half-holiday is workable in our business, more particularly on Wednesday afternoon, because during Lent Wednesday is always a fast-day, and that is a day when the public require fish.

193. How about if the half-holiday is fixed for any other day?—Saturday is a very bad day to close, because it is our best day in the week.

194. Well, if you had the option of closing on a certain day in the week other than Wednesday, for the whole of Wellington?—Well, if I had the option I should fix Monday.



195. And that would suit your trade?—That would be the best day for our trade.

196. You have no objection to a half-holiday being provided for?—The people who deputed me to come here have objections, and I have an objection.

197. With regard to closing at night, what hour do you think, as a uniform hour, would be a reasonable one to fix, in order to confine the trading hours within reasonable limits?—I do not like to work all hours. We say from 8 to 9 o'clock at night—9 preferably.

198. You would not seriously object to 8?—Eight is too early, because, as I pointed out before, we get our fish from the Napier train arriving at 7.20, and it is almost 8 before we can get it up to the shed.

199. You would say 9 o'clock?—Yes.

200. If everybody were compelled to close at that hour you would have no objection?—No.

201. *Mr. Wood.*] With regard to the interpretation of "fishmonger," you said you wanted to be able to sell rabbits?—Yes.

202. You also said you did not think anything such as poultry or game was covered by "fishmonger." I understand you carry on business in Wellington?—Yes.

203. Across the street here there is a fishmonger who has always got his shop, when I go past, more or less full of game?—I beg your pardon; that is not a fishmonger's shop. Mr. Clarke keeps the shop and he is a poultryman. That is our shop lower down the street. We never have any game in it.

A deputation of Dunedin warehouse-office employees in attendance.

*The Chairman.*] I understand that you gentlemen have come here on behalf of the office staffs of the Dunedin warehouses to give evidence in connection with the Shops and Offices Bill as it affects yourselves. I shall be glad if you will make your statements, not overlapping each other more than is unavoidable.

THOMAS STARK examined. (No. 86.)

204. What are you?—A Customs clerk.

205. At Dunedin?—Yes, at Messrs. Ross and Glendining's.

206. Whom does the deputation represent?—The four houses of Sargood, Son, and Ewen; Bing, Harris, and Co.; Butterworth Bros.; and Ross and Glendining.

207. The office staffs of those four firms?—Yes.

208. Will you make your statement now?—First of all, what we have come up for is to endeavour to get the soft-goods clerical staffs included in the exemptions under the Act. I will give as briefly as I can one or two reasons why we ask for this. As far as our trade is concerned, there has, so far, been no request made for any legislative interference as to the hours. We are all quite satisfied with the hours that are worked at present, and are quite willing that they should continue as they are. Another point is this: the work of the office naturally follows that of the warehouse, and this is one reason why we think we should be exempt from the operation of the Act. We go to work at 9 o'clock and stay till 5, having an hour off for lunch; and on Saturday we get off at 12, which makes up thirty-eight hours a week. One or two of the boys come a little earlier than 9—perhaps half an hour earlier—to get the books out and get things ready. As to the overtime we work, we take stock in our business twice a year, in July and in January; and the overtime then generally runs for about three weeks up to, perhaps, a month. As a rule we only work two hours and a half extra at night for those periods. Then, perhaps, we work for a night or two at about the 20th of the month, when we send out the accounts. The invoice clerk may be back for a night or two then. Or perhaps he may be back for a night at Frisco-mail time, or on any other special occasion like that. But the two hours and a half we work at present we find quite sufficient for the purpose. Then we have a lot of privileges. We all get a holiday, which generally runs into a fortnight. In any case it is ten clear days, and if a longer period is wanted there is never any hesitation in giving it.

209. Ten days per annum?—Yes. For sick-leave, or anything of that sort, unless it is of a very unusually protracted character, there is never any deduction made. The relations between ourselves and our employers have always been of a very cordial character, and I have no doubt they will continue in the future as they have been; but we fear that perhaps if we are not included in the exemptions from the Act things may become harder for us. For instance, we might have to start at 8 o'clock in the morning—in fact, in some lines in Dunedin the clerks are starting at 8, whereas formerly they did not commence work till 9. We knock off work at 12 on Saturdays, as I have stated, but by the Act we should be required to work till 1 o'clock. If you knock off work at 1, by the time you get home and have your dinner and so on, the Saturday afternoon is pretty well gone. The hour between 12 and 1 makes all the difference in enabling one to enjoy himself on the Saturday afternoon. I do not think I need detain you further. Probably you will have heard what the Auckland delegates said, and the reasons would, of course, be on just the same lines.

210. In any case, what you ask is that you shall be exempt from the Act in every way?—Yes.

GEORGE McMILLAN examined. (No. 87.)

211. *The Chairman.*] Where are you employed?—At Messrs. Sargood, Son, and Ewen's, Dunedin.

212. Do you wish to say anything?—We do not wish to overlap in any way; we just desire to say we are perfectly satisfied to work under the existing state of affairs. If we are not exempt the employers might turn rusty and make us work the full fifty-two hours a week, which to the seniors would mean about fourteen hours a week extra. Even with the night-work included, I do not think we now work the fifty-two hours. So we wish to be exempt under clause 23, with shipping companies, &c.



W. L. PORTMAN examined. (No. 88.)

213. *The Chairman.*] You are also a warehouse-office employee from Dunedin?—Yes.

214. Do you wish to say anything?—I wish to corroborate what my two fellow-delegates have said to you with reference to this Shops and Offices Act. I can assure you that in the firm with which I am connected the employees are more than satisfied with their present conditions of employment as regards overtime, and they fear that if they are included in the Act these conditions will not be so favourable to them—that their privileges in the way of holidays and sick pay will be much curtailed, and that it will be likely to cause friction between the employers and the employees.

215. So you are all agreed that you should be exempt?—We are all agreed in hoping that we shall be exempt from the Shop Hours Act.

216. *Mr. Hardy* (to *Mr. Stark*).] You are satisfied that you represent a fair majority of the employees in the warehouse?—Oh, yes, so far as the clerical staff is concerned.

217. Have you had any meetings?—We had a meeting.

218. And the matter has been fully discussed?—Yes, and we were unanimous as to the sending of delegates here to make this request.

219. Have you noticed any signs of approval or signs of opposition to the proposal to exempt them?—No, not any signs of opposition.

220. Then, generally speaking, the employees are opposed to the legislation in question?—Yes, as far as they are concerned; that is, speaking for the clerical staffs.

221. You are speaking for the majority?—Oh, yes.

222. And you are not in any way in collusion with the employers?—Not at all.

223. What are the recognised holidays that you get?—The statutory holidays, the ten days which I mentioned, and any day that we want to get away—any two or three days—we always get. There has never been a demur made to our getting away.

224. If the law is enforced there may be an inclination towards tension between employers and employees?—That is what we fear.

225. Do you get any sick-pay? Supposing that some of the employees were off ill, would their wages be stopped?—Not at all. I do not know of any instance in my experience of such a thing having been done; not as far as our house is concerned, any way.

226. Then, if rigid rules are laid down there may be a tendency to take away from the employees many of the privileges which they now appear to have?—Yes, that is what we fear.

227. And it is in consequence of your fearing this that you object to the Act applying to you?—That is so.

228. *Mr. Bedford.*] Do you know whether there are any offices or warehouses where the clerks work more than an average of fifty-two hours a week in the year?—I think that in some of the hardware houses they do; in the wholesale ironmongers. Of course, from the nature of the trade, stocktaking is a long job.

229. Throughout the year they would work more than fifty-two hours a week on an average, you think?—No.

230. You do not?—No.

231. *Mr. Aitken.*] Have the employers suggested to you or to any of your number, so far as you know, that you should take action in the direction of getting the law altered or abrogated as far as you are concerned?—No, not as far as I know.

232. Your firm did not suggest to you that you should come here and give evidence of the nature that you have given?—No.

233. *Mr. Tanner.*] Do all the members of the deputation repudiate collusion with the employers?—Yes.

*Mr. McMillan:* Yes.

*Mr. Portman:* Yes.

234. (To *Mr. Stark*.) You make a great point of the privileges which you enjoy and which you are afraid might be withdrawn if you are not exempt from the operation of the Act?—Yes.

235. Is it not possible for the employers to withdraw these privileges at any time whether you are under the Act or not?—They have it in their power, but they have never done so, and we have no reason to believe they will.

236. Have you any wish that these privileges should be defined so that they could be legally claimed and incorporated in the Act?—No; I think we should leave it with confidence to our employers.

237. You are quite prepared to take the risk?—Personally, I am.

238. *Mr. Wood.*] With respect to the privileges you enjoy, I think you said you got from ten to fourteen days a year?—Yes.

239. What days do they include—Christmas Day?—No, they are independent of all statutory holidays.

240. What position do you occupy? Are you the head of the clerical staff?—No, I am Customs clerk, outdoor clerk, and stockkeeper.

241. Are the other gentlemen heads of departments?—

*Mr. McMillan:* I am head of the entering-room.

242. *Mr. Ell* (to *Mr. Stark*.) You occupy a leading position?—Yes.

243. Have you suffered any disabilities so far, or has there been any friction up to the present, as the law now stands?—Not the least.

244. You will notice that the law provides for ventilation and light, &c., and for sanitary provision being made?—Yes.

245. You do not desire to be excluded so far as these are concerned?—No.

246. There is no sign whatever, as far as you know, of any friction arising as the law stands now?—No.

247. What hours do the juniors work ?—As far as our place is concerned we have no juniors at all.

*Mr. McMillan* : The hours for juniors are from 8.30 to 5.30 with us, and from 8.30 to 12.30 on Saturdays, making a total of about forty-four hours a week.

248. (To *Mr. Stark*.) Do you know of any cases where they work longer hours than you state—thirty-eight ? I mean office assistants in warehouses ?—Only in the hardware, and some of the general merchants' offices, at certain times of the year.

249. If there were such cases, do you not think we should be justified in endeavouring to meet them by law ?—Yes.

250. Without doing anything to create friction ?—Yes.

251. You are absolutely clear on this point, that so far there has been no sign of any friction ?—That is so.

252. (To *Mr. McMillan*.) What position did you say you occupied ?—I am head of the entering-room.

253. How many clerks are there under you ?—Seven.

254. Are they brought back at night ?—On only perhaps two nights in the month ; that is the most. As a rule, we work on till 7 o'clock, having half an hour off for tea, instead of coming back afterwards.

255. How often does that occur—working on till 7 ?—Only twice a month at the very most.

256. What holidays do the hands get ? What concessions ?—They get the ten days each year, sick-pay, and all public holidays on full pay.

257. (To *Mr. Portman*.) What position do you occupy ?—I am cashier and assistant ledger-keeper.

258. You are the head of your particular department ?—Yes.

259. How many clerks have you under your directions ?—I stand next to the accountant.

260. You have no clerks immediately under your control ?—Yes, two, who are connected with the ledgers, would be immediately under me.

261. What hours do they work ?—Similar to those *Mr. McMillan* stated—from 8.30 to 5.30.

262. How often do you go back at night, or do your assistants go back at night ?—We have as a rule about three weeks each half-year for stocktaking, and there are a few odd nights during the six months when we come back—say, a night about the 20th of the month. It might amount to a week during the six months.

263. A week in each six months ?—Yes.

264. Then that would make about fourteen weeks a year that you go back ?—No, one week in six months in addition to the three weeks each half year.

265. I see. That is eight weeks in the year ?—Yes.

266. What hours do they work when they go back ?—From 5.30 to 7.30—two hours.

267. (To *Mr. McMillan*.) I would like to put the same question to you that I put to *Mr. Stark* : whether there has been any sign of any friction so far under the law as it stands now ?—No.

268. (To *Mr. Portman*.) You can give the same answer ?—Yes.

269. *Mr. Fisher* (to *Mr. Stark*.) Are you aware of a circular letter being sent from any head offices in any centre to their branch firms, saying that if the law is so framed that they must pay overtime, they will deduct all the sick-pay and stop the leave which they are granting now ?—No, I am not aware of any such circular.

270. *Mr. Laurensen* (to *Mr. McMillan*.) You want to be exempt from all the clauses of this Act ?—Yes, we want to be put on the same footing as departmental hands. They are entirely exempt under the Act.

271. Are you aware of the fact that there is a great deal of overtime done in banks ?—I believe that is so, but we cannot speak with authority about the banks or the hardware places.

272. You only represent the — ?—Dunedin soft-goods-warehouse clerks.

273. *The Chairman* (to *Mr. Stark*.) How many soft-goods warehouses are there in Dunedin ?—There are just the four wholesale houses.

274. *Mr. Aitken*.] Are Jamieson's included in it ?—They are not members of the Warehousemen's Association.

275. *The Chairman*.] There are not a number of small warehouses ?—There are a number of indentors, but you can scarcely call them warehousemen.

276. So that practically you represent the whole of the soft-goods people ?—Yes.

#### FRIDAY, 14TH JULY, 1905.

A deputation from the New Zealand Employers' Federation representing the Otago Branch of the Retailers' Association attended the Committee.

HENRY FIELD, Secretary of the New Zealand Employers' Association, examined.

1. *The Chairman*.] You appear on behalf of the Otago retailers ?—Yes. We have been desired by the Otago Retailers' Association, which has had a meeting to consider this question, to present to you the views of that body. At the meeting I understand there were representatives of all the various branches of the retail trade, and the views to be put before you represent those held by the branches in the district of Otago.

THOMAS WARDELL examined. (No. 89.)

2. *The Chairman*.] You represent the association ?—Yes.

3. Just make your statement, please ?—As *Mr. Field* has stated, it devolves upon us to place before the Committee the views of the Otago Retailers' Association, who are members of the New Zealand Federation. Some two or three months ago, before this amended Bill came down, they met to con-

sider the Shops and Offices Act as in force at present and as a result there are a few minor details which they desire alteration in, now that the whole question is before Parliament. The first they wish to draw attention to is that there is no provision made for keeping open on Christmas Eve and New Year's Eve to a late hour as is provided for on Saturday night, and they desire that privilege. If Christmas Eve or New Year's Eve occurs earlier in the week they desire to have the privilege of keeping open, because, as the law now stands, they are only allowed to keep open late on the Saturday night. I think it is an oversight in the Act, and they ask that the late hours on those nights be extended to them. They also consider that the hotels which retail tobacco and cigars should be brought under the same regulations with regard to the sale of those articles as the retail shops in that trade. If hotelkeepers are found selling those articles they should be liable to a very substantial penalty, otherwise the only other redress obtainable would be to close them up, which I suppose is not advisable under a Bill of this description. I think a penalty would meet the case. The next point, and rather an important one, is that in the original Act, section 4, there are provisions made for the payment of overtime, and elsewhere in the Act it is provided that assistants are to be paid for holidays. The shopkeepers consider that if overtime is paid for the assistants should not be paid for holidays. I will just read the clause as the retailers have submitted it: "The overtime rates should be struck out altogether as they interfere with the present weekly arrangement and the reciprocal arrangements now existing. If it is right and proper that extra wages should be paid for overtime, it is neither right nor proper that wages should be paid for work not performed. It is not equity." That, I think, explains itself. There is no doubt that this question of overtime has been brought before you very often, and too much cannot be said on the point, because anything that entails a hardship either on the employers or employees should be amended if possible. Then they desire that a new clause be inserted providing that any award of the Arbitration Court shall override the Act. The Arbitration Court is mentioned in the original Act, clause 4, section 4, which reads, "This section shall operate subject to the provisions of this Act, and to any award of the Arbitration Court." That provision should be made wider. A clause should be inserted providing that any provisions of the Act should be subject to an award of the Arbitration Court. Then in section 15 of the original Act, subsection (b), there are certain provisions enabling traders, in the event of Saturday being fixed as the statutory half-holiday, to open on that day and keep the half-holiday on any other day of the week. That has been found to be very undesirable. The Labour Department have objected to it on many occasions, and it is suggested that the day chosen should be observed by all in the same trade. As many of you no doubt are aware some retailers choose Monday, others Tuesday, and so on. If the option were confined to Wednesday or Saturday, I think it would be found more satisfactory. Those are the chief minor details regarding the Act which the retailers direct attention to. Of course, the principal business which brings us here this morning is in reference to the celebrated clause 3, and I will just read a telegram from the Dunedin Association regarding their attitude on the matter.

4. *The Chairman.*] What do you mean by the Dunedin Association? Will you please define what association you are speaking of, because we have had so many witnesses who have claimed to speak for associations. Let us be clear?—*Mr. Field* and myself represent the Employers' Federation of New Zealand. The Otago Association is a constituent of that Federation.

*Mr. Field:* About five hundred employers are members of the association, but how many are engaged in retail trades I do not know. The Otago Association represents a very large proportion of the retail traders.

5. *Mr. Aiken.*] I suppose Dunedin will be similar to Wellington in that respect, and you can give more detailed information with regard to who are employers of the association in Wellington?—Yes.

6. Will you tell the Committee how the Wellington Association is formed?—We have nearly every grocer who is employing labour as a member of our association. The same is true with regard to drapers, and there is a goodly number who do not employ labour. Then with regard to bakers, we have about one-fourth, but they run their own separate union. With regard to the butchers, we have not more than one-sixth as members, but we have also restaurant-keepers, pork-butchers, and people of that class.

7. *Mr. Tanner.*] But those people claim exemption under the Act?—Yes.

8. This is rather irregular. If we hear *Mr. Wardell* now we may get this information out later?—*Mr. Wardell:* In Dunedin the retail section of the Employers' Association is more largely representative than the retail section of Wellington. The telegram I referred to from Dunedin giving us instructions in the matter reads as follows: "Otago Association convinced that no Shop Bill will be satisfactory without compulsory closing-hours. Exempted trades say 8 p.m. Factory Inspectors support this view. Hope Vigilance Committee will give evidence.—WILLIAM SCOTT."

9. Who is William Scott?—Secretary of the Otago Employers' Association.

10. That may mean anything. An employer is not necessarily a retailer?—The Employers' Association is made up of sections, and *Mr. Scott*, as Secretary of the Employers' Association in Dunedin, is speaking for the retail section thereof.

11. Have you any authority for saying this?—Undoubtedly.

12. Well, go on and let us finish your evidence?—The objection to clause 3 that has been raised is this, that it interferes with the rights of individuals. It is on that ground.

13. You are speaking now of clause 3 of the Act of last session?—Exactly, which the Bill now before Parliament seeks to repeal. The chief objection raised to the compulsory 6-o'clock closing is that it is an interference with the rights of individuals—that it interferes with a Britisher's right to do as he pleases. That, of course, we must admit is a principle which should be applied all round. The shopkeepers, it is argued, have a perfect right to keep their places open when they please and as long as they please. But the very Bill we are now discussing and the Act already in existence interferes

with this very right in the case of the employees. This Bill restricts the hours during which the employees can work. It is of course argued that the Bill is in their defence, to prevent the sweating of employees. But surely an employee who is desirous of doing his best for his employer and improving his position in the eyes of his employer has an absolute right to work as long as he pleases? If it is contended that for the good of the State the hours worked by employees should be restricted, the State has an equal right to restrict the hours during which the shopkeepers shall keep their premises open. But the reasons why the shopping-hours should be restricted are supported by a very much stronger argument—namely, on account of the Asiatic competition in our midst. There is no doubt that the retailers here—whether it is more in evidence in Wellington than in any other city of New Zealand I cannot say—are subjected to very severe competition on the part of Chinese and other Asiatics; and, if we look at Australia, there we find that they are making a very gallant fight to secure a White Australia. Identically for the very same reason we urge that the white or European shopkeeper requires protection from this Asiatic competition. In Australia the Chinese control the furniture trade; in Sydney they control about 50 per cent. of the grocery trade, and in many other ways they are getting a very strong hold indeed on the retail business. In New Zealand we know—and again it is especially evident in Wellington—that they have the fruit and vegetable trade entirely under their control, and they threaten the grocery trade also very much indeed. The only protection that can be afforded to European traders who desire to work reasonable hours and not be made slaves of by their business, is to stipulate that shops shall only be opened during reasonable hours. The Asiatic traders will always be able to beat European traders for the reason that the ideals and ambitions of Europeans are so totally different to those of the Asiatics. In fact the Europeans belong to a higher civilisation, and if the European traders are to be subjected without restriction to the competition of the Asiatics it simply means that you are threatening to drag them down to the same level as the Asiatics. To my mind the argument is very strong indeed in favour of restrictions with regard to the hours that shops shall be allowed to keep open. The fact that the Chinese control, as I have said, the fruit and vegetable trade has a far-reaching effect in another respect, because they not only control the retail trade but also the market-gardening. There has been a very strong and very laudable endeavour made on the part of Parliament to encourage suburban agriculture. That, to my mind, will be a very difficult task if the Chinamen are left in undisputed possession of that industry, if I may call it so. It is said that the compulsory 6-o'clock closing is unfair to the small trader, but this is not so serious, to my mind, as some members of the community appear to think, for this reason, that the small trader in the suburbs or outlying districts has a trade which may be described as a personal one. If they are compelled to close at 6 o'clock they will get that trade before 6 o'clock, because they do it with their friends and immediate neighbours, and consequently, if compelled to close at 6, their trade will not be endangered as is thought by many people. Being a personal trade these small shopkeepers who have been in the habit of keeping open to 8 or 9 o'clock will continue to get it whether the hours are restricted or whether they are not. I do not know that I can add very much more to the point, but I might say that many of the retail traders of Dunedin were unable to come before the Committee, and therefore we were instructed to represent their views, and those views coincide to a very large extent with those held in the other centres.

HENRY FIELD, Secretary to the Employers' Federation of New Zealand, examined. (No. 90.)

14. *The Chairman.*] Do you wish to make a statement?—Yes. I have to say that, of the views presented by Mr. Wardell just now on behalf of the Otago Retailers' Association, the Federation emphasizes four. The Federation takes up and makes its own these four requests: That no hour be fixed for the opening of shops. I do not think it is necessary to elaborate this simple statement. (2.) That the provision for the payment of overtime be struck out, for the reason stated by Mr. Wardell. (3.) That special provision be made for the extension of the closing-hour on Christmas Eve and New Year's Eve. (4.) That all the provisions of the Shops and Offices Act be made subject to awards of the Arbitration Court instead of some only as now suggested. These are the views of the Otago Retailers' Association, and are indorsed by the Federation.

15. *Mr. Wood* (to Mr. Wardell).] In accordance with the evidence given you want a free hand in opening and closing?—No; we are here to urge that the compulsory closing enacted last year be retained—that is clause 3.

16. *Mr. Field* said just now that they wanted to open when they liked?—Yes; to open, not to close.

17. That is to have a free hand to open at any time in the morning?—No; because the opening provision interferes with the butchers and others, who under an Arbitration Court award are allowed to start at 5 or 6 o'clock in the morning.

18. They are exempt if they are working under an Arbitration Court award?—Yes; and therefore I ask that a clause be inserted providing that the whole of the Shops Act be made subject to Arbitration Court awards.

19. That is, in every business?—Yes.

20. *Mr. Laurensen* (to Mr. Field).] Do I understand that you do not agree with the recommendation of the Otago Retailers' Association, who ask that clause 3 be retained?—We do not say anything about it. I have emphasized the points which we do indorse.

21. *The Chairman* (to Mr. Wardell).] I want to ask you this question: You say that you desire that no hour should be fixed for the opening of shops?—Excepting this, that the hours are fixed in the Arbitration Court awards in most of the trades.

22. And you ask for that in the case of the butchers?—Yes; and the bakers, I think, require permission to open.

23. You say you represent some of the butchers and the bakers in common with others?—Yes.

24. Has it occurred to you that the demands of various traders whom you represent are often conflicting?—I was not aware of it. I think they are all in favour of what we are asking, that the Shops and Offices Bill should be subject to the Arbitration Court awards.

25. We are talking now of the opening-hour. You say you think it is necessary that the butchers should have greater freedom in opening their shops in the morning?—No; I was speaking in support of our request that the Act should be subject to the Arbitration Court awards, and in support of that I point out that it is necessary in some trades that they should start early in the morning. I mentioned in connection with the butchers that they are under an Arbitration Court award and have freedom to open early in the morning.

26. Would you extend that privilege to other sections of traders?—I do not see why it should not be. Most of the trades are subject to the awards. The Arbitration Court goes into details in these matters in such a way that it is impossible for provisions in an Act of Parliament to meet them.

27. But does the Arbitration Court prescribe in any case the hours that shops shall be opened and closed? Does it not rather fix the hours during which the employees shall work?—Yes; and I believe in the grocery trade it fixes the hours of opening. I believe grocers are not allowed to open before 8 o'clock in the morning. If in the butchering trade some of the hours are worked before 8 o'clock it would be unfair if the Shop Hours Act interfered with that arrangement.

28. Then, your request comes to this, that the Shops and Offices Act should not override an award of the Court, because the award now fixes the hours of opening and closing? In other words, one could easily read into what you are asking that clause 3 should be absolutely repealed, although you are telling us that you want to maintain clause 3?—That is not my meaning.

29. You ask that the Shops Act shall not override an award of the Court?—Yes, exactly.

30. The Secretary to the Labour Department tells me that in no case does an award of the Arbitration Court fix the hour for opening and closing shops, but only the hours the employees shall work. After being asked if the award is to be supreme—and if there is no Shops Act to regulate the opening and closing of shops—you are asking that there should be no hour fixed at which they should be allowed to open?—I think you are mistaken. I think the hours in the butchering trade are fifty-six a week. Part of these hours are worked before 8 in the morning. If the Shops Act is not made subject to an award of the Arbitration Court, the butchers would be unable to work their employees before 8 o'clock in the morning.

31. Let us have what you really mean: an award, you ask, shall be taken in preference to the Shops and Offices Act?—Yes.

32. Do you know that the Shops and Offices Act provides for many other things besides the opening and closing of shops—that it deals with questions of sanitation, and so on?—They are not interfered with by an award.

33. Then you would have that part of the Act not interfered with by an award given preference to?—Subsection (4) of clause 4 says, the section shall be subject to the provisions of an Arbitration Court award. We want that provision extended to the whole of the Shops Act, and the principle has already been admitted in Parliament. The people we represent say that something is necessary, because the Shops Act should not override an award of the Arbitration Court.

34. It is hard to say what is admitted in Parliament. You heard Mr. Field state that there should be no payment made for overtime?—Yes, if payment is compelled to be made for holidays.

35. Have you any idea as to whether the amount of overtime and the holidays would balance each other?—There is far more holiday-time than there is overtime.

36. Then the employees would be the better off?—Undoubtedly.

*Mr. Field:* Respecting the fixing of the hours for opening in the morning, as has been pointed out, it is not all the retail shops that are under the operation of awards, and even where retail trades are under the operation of an award all parts of the colony are not covered by the award. That is the reason why we want to emphasize the point that no opening-hour should be fixed by Act. There are places where it is necessary that the employees should be at work before 8 o'clock in the morning.

37. *Mr. Barber* (to *Mr. Field*).] You are asking that 6 o'clock closing should be enforced irrespective of the employees altogether?—*Mr. Wardell*, on behalf of the Otago Retailers' Association, announced their views. I did not refer to compulsory closing. I pointed out what clauses the federation unanimously decided to indorse.

38. (To *Mr. Wardell*.) You ask that no exemption should be allowed, but that 6 o'clock should be enforced irrespective of those employing labour?—Yes.

39. You are quite content, if that was in force, that the assistants should not work after 6 o'clock, even with delivery-carts?—Undoubtedly.

40. You are aware that delivery-carts are sent out after 6 o'clock?—I think not.

41. We have been told that they are in Christchurch?—That may be so in Christchurch. I do not think the big grocers are to blame for this kind of work, because the larger shops are compelled by enactment to work their carters a certain time. The hours of the carters in the grocery trade award are somewhat different to those of the inside employees.

42. What hours are they allowed to work?—There is a certain latitude regarding delivery-carts, and these carts that may be seen in the streets do not necessarily belong to the larger shops. My experience is that the larger shops must comply with the law, owing to the penalties enforced. The smaller establishments very often get off scot-free.

43. The evidence given here is rather against the large employer, who is said to have the advantage of delivering after 6 o'clock, whereas the small one has not, because his shop would be closed?—The injustice, if any, lies in the non-enforcement of the law.

A deputation of grocers carrying on business in Wellington attended the Committee.

*Mr. Field* (Secretary of the Wellington Employers' Association): I have been desired to arrange for a deputation of grocers carrying on business in Wellington to give evidence before the Committee. Some of these grocers are members of my association, while some are not. They will state their own case, and Mr. Wardell will make the first statement.

HENRY WARDELL examined. (No. 91.)

44. *The Chairman.*] Are you a relation of the Mr. Wardell who has just given evidence?—I am his brother. At a meeting of grocers held on the 5th July the Shops and Offices Bill was considered, and the following resolution was carried: "That this meeting strongly urges that all shops selling groceries close at 6 o'clock on four days of the week, on one day at 1 p.m., and one day at 10 p.m." In the Act passed last session the shops that employ no assistants were exempted. We consider it only fair to the shopkeepers employing labour that this exemption should be done away with, and that all shops engaged in the grocery business should close at the same time. We think if that this is done the Act will work sweetly and to the satisfaction of every class. I do not think any grocer would object to close at 6 o'clock providing it was general, and all shops closed at the same time. The Chinese are gaining a large hold on the grocery trade. They employ no labour, or if they do it is only labour of their own nationality, and it is impossible to bring them under the provisions of the Arbitration Act. They keep their shops open until very late at night. We earnestly urge the Government to protect the employers by placing the Chinese on the same footing with regard to closing-hours. If this is not done we fear that it is only a matter of time when the greater portion of the trade will drift into the hands of the Chinese, and the number of Europeans keeping grocery shops in Wellington will be greatly diminished, as well as the number of grocers' assistants. With regard to the hour for closing on the late night, we ask that it be made 10 o'clock. Our present closing-hour is 9 o'clock, but we find that there is a rush at about that time, and it is difficult to get every one served satisfactorily, and we think the difficulty experienced will be greater in the summer-time than it is at the present time of the year.

ALLAN SMITH examined. (No. 92.)

45. *The Chairman.*] What are you?—A grocer.

46. Will you go on with your statement?—Mr. Field has stated that some of the deputation are in the Employers' Union and some are not. Well, I am not. This meeting is for grocers only, I understand. I have always been shutting my shop at 6 o'clock, and found it to be a great benefit for many years. I consider that, both for the employers and the assistants, from 8 in the morning till 6 at night are long enough hours for any one to work, and we can make our living from 8 to 6. But, although I have been doing that voluntarily, I have always felt more or less annoyed when I have found that Chinamen and others were keeping open till 9 and 10 o'clock at night. Some may have had an excuse for late hours, but others have had none. Then, on the other hand, we found that the Chinamen, having a mixed business, the grocery people have more to complain of than they have in any other business in New Zealand. Owing to the competition of Chinamen and to the long hours, their keen cutting and their way of living, it is almost impossible for Europeans to compete, because they cannot live at so small an expense as Chinamen. You are all aware of what has been discovered in Wellington—that some of the Chinese shops are practically lodging houses. The Chinese pay no rent—in fact, they derive as much from the lodgers as enables them to get a shop for nothing, and consequently we cannot compete, pay our rents, and support our families on the same basis as the Chinese do. The only way legislation can meet this difficulty in our trade is by putting a law on the statute-book providing that every man who sells groceries shall be compelled to close at 6 o'clock, otherwise I cannot see that it is possible to meet the growing competition in Wellington. I only refer to the grocery trade. Another thing is that we have a growing competition in the way of dairies. There is hardly a dairy now that does not sell groceries as well. The statute law will exempt them from 6 o'clock closing, but they are still competing with us by keeping open till 9 and 10 o'clock. If the trades are classified to show whether they are dairies or grocery-shops, we shall be put on a better footing and treated all alike. I do not see why, if other trades are exempted, the Chinese should be exempt. If they sell fruit, which is a perishable article, they should not sell groceries. We think 10 o'clock would be a better hour for closing than 9 o'clock on Saturday night, as it is inconvenient to close earlier. Now that the Labour Department has been so active, every man has to stop work at 9 o'clock, and the employers are left to do the sweeping-up at night. At any rate, 10 o'clock would be more acceptable to us.

47. What you ask is that clause 3 should be enforced so far as grocers are concerned, with the exception that 10 o'clock be the hour of closing on Saturday night?—Yes.

ERNEST BOLTON examined. (No. 93.)

48. *The Chairman.*] Do you wish to make a statement?—Yes. I wish to support the previous speakers with regard to the retention of clause 3. It is my firm conviction that if the Act is given a fair trial it will operate fairly all round. I have closed my shop since the Act came into force at 6 o'clock, but previously it was later, and instead of finding my business decrease, I have found that it has increased. When I closed at 7 o'clock I found that the bulk of my business was done between 6 and 7, while now I find that the bulk of it is done between 5 and 6. I have had a long experience at Home, and it has taught me that, whatever time is fixed for closing, the business is done in the last hour. The ladies will find that they want something at the last moment. I have had a knock at the door in the morning

at 3 o'clock to serve articles. I think the Act will work all right if it is given a fair and reasonable trial, and I think it ought to be made to extend to all trades with the exception, perhaps, of fruiterers. Of course, there are large dairies which boast of selling so-much butter and so-many eggs before 7 o'clock in the morning, but at any rate I think 8 o'clock is early enough in our trade.

ROBERT WILLIAMSON examined. (No. 94.)

49. *The Chairman.*] You are a grocer?—Yes.

50. Where is your shop?—In Kent Terrace. I have closed my shop since the Act came into force at the specified time. So far as I know, I did not feel any loss of trade by that closing; in fact, I think every shop should be closed at that time, with the exception, perhaps, of small shops such as pork-butchers and so on. If I work my horse too long the Inspector comes along and tells me I must knock off, but apparently I may work my wife as long as I like, and also my children.

51. *Mr. Tanner.*] No, you cannot?—Well, the Act has not been carried out, because I know that they are working their children in the grocery trade in some instances. I think grocers' children should be given the same chance as other children. If the improved conditions are carried out in other trades the grocers will be the greatest sufferers. Some of them are so busy making money that they have not time even to read the newspapers, and if that is allowed to go on, grocers' children will be the most ignorant and depraved children in the colony, while the grocers themselves will be the most backward people. Why should a young rising colony like this allow a certain portion of its people to be degraded? It would not matter to the imported people if they were, but why should our children be made to suffer? I am perfectly satisfied that the grocery business can be carried on within reasonable hours in Wellington. I listened to the Premier speaking one night, and the only thing he could do was to define whether a wife was a member of a family. I do not know about his wife, but my wife is a considerable member of my family, and if she is I do not see why the law should not be carried out. I am not speaking from a prejudiced point of view, but there are two men keeping open alongside of me. It does not make the slightest difference to me, but is that the law for a British subject? What is the good of passing a law oppressing one man and allowing another man to do as he likes? I consider that a British subject should have the preference if there is any preference, but why should the Chinese be allowed to keep open?

52. *The Chairman* (to Mr. Field).] You are Secretary of the Wellington Employers' Association?—Yes.

53. How many members have you?—Identified with the grocery trade?

54. Yes?—Between thirty and forty.

55. How many do you think this deputation represents outside of your association?—Half the deputation here is not in the association.

56. May we say that your deputation represents about fifty?—I think you might say that.

57. Can you tell me, roughly, how many grocers there are in and around Wellington?—It is very difficult to say. Often a person carrying on a shop is employed himself during the day, and his wife looks after the shop, but in the evening he is a grocer. I should say the deputation represents the grocers proper this morning.

58. *Mr. Fisher* (to Mr. Allan Smith).] I think you said that the grocery business was going into the hands of the dairies to some extent—that they were taking to the sale of groceries?—Yes.

59. And you think that ought to be prevented?—I think they ought to be defined either as grocers or as dairy people. I am surprised that the Labour Department has not taken the matter up, because it is a very bad thing to have onions, kerosene, and similar articles alongside the milk.

60. Do not the grocers sell tobacco, patent medicines, crockery, and hardware?—Yes. It has always been recognised in the grocery business that those things were part of the trade.

61. That the tobacco business was part of the grocery business?—I never saw an up-to-date grocer who did not sell tobacco.

62. It is just a matter of right?—My objection is not to the selling of groceries, but to the fact that dairies keep open until 9 o'clock, while I have to shut at 6. If they sell groceries let them close, but if the law stops me let it stop them.

63. As far as the Chinese are concerned, you would be perfectly content if they were compelled to close their stores at 6 o'clock?—That is so, not that I would deprive them of their living.

64. *Mr. Tanner.*] You made some remark about the Chinese, saying that their shops were turned into lodginghouses, and that therefore they were living rent-free from what they derived from that source?—Yes.

65. Are they in the habit of keeping European lodgers?—No, their own countrymen. It has been known that in a room 10 ft. by 14 ft. eleven Chinamen have lived.

66. Is there any regulation by which milk-sellers are exempted from the Shops Act?—No.

67. It is simply not enforced on them?—It is not enforced.

68. *Mr. Barber.*] In reference to Mr. Fisher's question, some one said that some dairies boasted of selling butter and eggs before 7 o'clock in the morning. That is not a wrong thing to do?—No; but if I am prevented from selling goods before 8 o'clock in the morning, I do not see why they should be allowed to do so.

69. Is not butter a perishable article?—No, it will keep for a week.

70. Do you think a dairyman could conduct his business if he kept strictly to milk?—They could sell tea and sugar if they liked, but they should be restricted in the same way as we are, and the only way to restrict them would be by allowing them to sell within a limited time.

71. Do the grocers think there is no necessity for opening before 8 in the morning?—I think 8 o'clock is soon enough. I would not open my shop for any man before that.



72. Not in the Newtown business ?—No. Both shops are opened exactly at the same hour.

73. You would not allow latitude to the grocer to open in order to supply people with articles for breakfast ?—I am only speaking for myself. If my wife forgets to get anything she wants she has to go without it.

74. *Mr. Hardy.*] Have you any objection to an exemption being made to certain people in your business—the widow, for instance ?—I would have no exemption at all.

75. You would have no exceptions ?—No.

76. Then, no matter what the business was, you would like to have them all brought in whether they were widows or not ?—Widows or not widows, I should say 6-o'clock closing.

77. You think that every one in connection with your trade should be brought into line ?—Yes, I think that was the evil of the Act. If every one in New Zealand were brought into line it would be better. I would have no exceptions.

78. Have you had any experience outside the city yourself ?—Only in the suburbs.

79. You would not make a law on any question that you did not understand ?—Certainly not.

80. You think it would be better for the Labour Bills Committee to legislate after taking evidence ? You have told us that you have had no business experience outside Wellington ?—That is so.

81. Then the answer you gave to me in reference to New Zealand is incorrect ?—It only applies to Wellington.

*Mr. Bolton :* I was at Feilding, and we closed at 6 o'clock every night, and at 9 o'clock on Saturday.

82. *Mr. Hardy* (to *Mr. Bolton*).] Is Feilding the whole of the country districts ?—I can only speak for Feilding.

83. *Mr. Barber.*] The grocery business is more easily conducted with the head of the family than any other business : a mother could send her child with a slip of paper and get what she wanted, without the personal attendance, that is required, in any other trade of the head of the family ?—In some respects it might be.

84. Is it not easier for a mother to give a note to her child and to get a pound of tea or butter, than it is, say, to get a pair of boots for the father ?—It depends upon the size. It may be, of course, that the shopkeeper might give her something bad.

85. *The Chairman.*] Have you had any experience in the boot trade ?—No ; I have been in the grocery trade all my life.

A deputation of hairdressers and tobacconists in attendance.

86. *The Chairman.*] I understand that you have come this morning, gentlemen, with a view to giving evidence in connection with the Shops and Offices Bill, as showing the effect it would have upon the tobacconists' trade, and the hairdressing also, in Wellington. Is that so ?

*Members of deputation :* No ; in New Zealand.

87. *The Chairman.*] Have you your speakers selected ?

*Mr. Cusack :* Yes.

*The Chairman :* Very well. We shall be pleased to hear you. Our time, like your own, is limited, but I have only to request that you will not repeat each other's statements more than is strictly necessary.

JOHN CHARLES CUSACK examined. (No. 95.)

88. *The Chairman.*] You are a hairdresser ?—Yes.

89. And tobacconist ?—No ; a hairdresser only.

90. Your place of business is— ?—In Manners Street.

91. Have you an association in Wellington ?—Yes.

92. Do you represent the association ?—We represent the association.

93. And you say that you have had communications from other parts of the colony also ?—Yes ; from Dunedin, Christchurch, and Auckland.

94. And you speak on their behalf ?—Yes.

95. Will you just make your statement now in your own way ?—We wish to point out that, as far as our trade is concerned, we are on a totally different footing from any other trade in the colony. We have to cater for the travelling public on the same lines as the hotelkeepers, and so forth ; and our trade is done principally of an evening, after half past 6. We have to cater for the working-men also. There are blacksmiths, bootmakers, foundry hands, and men engaged in other trades of the kind, all of whom must go and wash, and change, and clean themselves before they can possibly be attended to. We would like to point out that, as far as we are concerned, it is impossible for a shop-assistant, who leaves his business at 6, to be attended to by a hairdresser and tobacconist if the latter has to close at the time specified in the present Act—viz., 6 o'clock. I wish to speak now on behalf of the Dunedin Association. At present they have there forty-nine shops. They have altogether twenty men and seventeen apprentices, the total number—masters, men, and apprentices—working in the saloons and shops being eighty-six. Their trade is done principally of an evening. Their best time in the evening is from half past 6 to 8 o'clock. They have at that time to cater for the public who wish to attend concerts, theatres, balls, banquets, &c., and who want to get dressed and prepared for them. The members of the association maintain that if a time is fixed for closing there should not be any exemptions whatever in the trade. There should be no distinction made between a man who employs hands and a man who works by himself only, because the man who pays a heavy rent should really be the man to get consideration from Parliament. They have asked that in the event of clause 21 being kept in there should be a special clause inserted dealing solely with our trade—that is, hairdressers and tobacconists—and that the hairdressers and tobacconists alone should vote on the question ; I mean that if the time of closing is to be fixed, they should say what the hour should be, and that no Chinaman or hotelkeeper should have a right to vote. Clause 21 of the Act reads as follows : " On the requisition



in writing of a majority of the occupiers of all the shops in the district of any local authority (not being one of the districts mentioned in section 3 hereof) desiring that all the shops therein shall be closed in the evening of every working-day at an hour specified in the requisition, the Minister shall, by notice in the *Gazette*, direct that from and after a day therein mentioned all shops in the district shall be closed in accordance with the requisition; and in such case, and until upon a like requisition the *Gazette* notice is cancelled or varied by the Minister, all shops in the district shall be closed accordingly." We take it from that that it is the whole of the trades throughout a town that can vote on the question; and therefore we consider that if clause 21 is retained there should be a clause inserted dealing with the different trades and providing that each one alone can vote on the question. We would also like to point out the great disadvantages under which the hairdressers and tobacconists of New Zealand are placed. Our goods are sold by very nearly every class of shop throughout the colony—by chemists, fruiterers, Chinamen, restaurant-keepers, hotelkeepers, and others. You provide for tobacconists being closed at 6 o'clock and on half-holidays, and yet you allow hotelkeepers, fruiterers, Chinamen, and clubs, to sell cigars, cigarettes, and tobacco, which we consider a very great injustice to our particular trade. These people not only sell our goods, but they sell them when we are closed. You can go into a hotel and get cigars and cigarettes up to any time. You can go to a club on a Sunday or a holiday, at any time you like, and get what smokes you like. This, we think, is a very unfair thing to our trade. The larger men have to pay very heavy rents for their shops—I mean where they employ hands. We therefore consider that they should not be compelled to close while the smaller ones are allowed to keep open. Speaking on behalf of Wellington—there are fifty-six shops in the district, and we represent fifty of them. There are employed thirty-one men, seventeen apprentices, and two women. Then there are fifty-one employers. There are thirty-three shops altogether employing hands, and twenty-three that do not. We would point out that most of these shops have to cater for the men who knock off at 5 and 6 o'clock: working-men who, as a rule, have to go home, wash, clean, and change themselves before they can possibly be attended to by a hairdresser; and then there are carters, carriers, and such like, who have to take their horses home and stable and feed them before they can possibly be attended to. The shop-assistants, who really get the benefit of this early closing, do not leave off till 6, and therefore they cannot be attended to if we have to shut at 6. We would also impress on the minds of you gentlemen that the hairdressing and tobacco businesses are absolutely one. One of them cannot very well be carried on without the other. We also claim that the men who work in the trade are not shop-assistants in any meaning of the term. We are tradesmen. A shop-assistant is a man who serves behind a counter, solely and purely. Our men are tradesmen, and have to go through a five-years apprenticeship before they can be called tradesmen. We therefore think that we should receive every possible consideration that can be given to us.

Statement of WILLIAM GILBERT, Hairdresser and Tobacconist, Manners Street, Wellington. (No. 96.)

*Witness*: I would like to point out that there are special reasons why hairdressers and tobacconists should be allowed to fix their own closing-hours, under clause 21; but the clause seems to read that all other businesses would be allowed to vote on a question affecting hairdressers. If that is so, we do not want it at all. We want the hairdressers and tobacconists to be allowed to fix their own hour. We believe they would fix an hour—in fact, we feel confident of it; but we want to be able to do it ourselves. It is also very necessary to deal with hairdressing and selling tobacco as one business: it is specially necessary, because in nearly all cases one man runs the two; the entrance to both is from the front, with no other entrance, and if he has to shut his tobacconist's shop his saloon must be closed also, whatever conditions are given to the hairdresser. There is another point that I would like to make. Several businesses that are likely to be exempt, such as a fruiterer's—chiefly Chinamen—carry on a big tobacco trade as well. In fact, I believe all the Chinese do. Well, if they are exempt, that exemption should be given for the sale of fruit and vegetables exclusively. In the case of all exempted trades I would urge that the word "exclusively" be put in, even with tobacconists. At present confectioners, hotelkeepers, and all sorts of people are selling our goods. A very large portion of our business is done after 6 o'clock, in both shop and saloon, and most of this could not possibly be done before 6. I can safely say that one-third of my business is done after 6 o'clock.

Statement of ALBERT RICHARDS, Hairdresser and Tobacconist. (No. 97.)

*Witness*: I am very much in favour of early-closing myself, and should hail it with great favour if I could close my business at 6 o'clock; but I know that it would mean ruination to me if my business were closed at that hour. I have been for twenty years in Cuba Street, and have always closed at 9. I believe our trade have got a petition before Parliament asking that 8 o'clock be the hour for closing with us; but our deputation this morning, I believe, wish a clause put in under clause 21 of the Act, to provide that we may fix the hour. I might say that if such a clause is put in the hour will be fixed at 8, because it has already been fixed in a certain way by a majority of the trade; and I think that 8 o'clock would be hailed with great favour in our business. I think it would be well to define "tobacconist"—what a tobacconist is—a seller of tobacconist's goods, &c., and hairdresser's requisites.

96. *The Chairman.*] How would you define it?—A hairdresser and tobacconist sells cigarettes, cigars, tobaccos, pipes, and fancy goods, and hairdresser's requisites and all things for the head, &c. If it were defined I think the hotels would then be brought into line, and if they sold cigarettes they would be called tobacconists; and the same with any shopkeepers who put a box of cigarettes in their window.

97. You would make the hotels close at 8?—If they sold cigarettes. They would then stop selling cigars and cigarettes. I think that is all I have to say, without going over the ground covered by the other witnesses.

## Statement of RICHARD HOLDSWORTH. (No. 98.)

*Witness* : I hope it will be made an offence, with a heavy fine, if any shopkeeper sells on Sunday. There is too much Sunday trading going on right through the colony. Some of them have side doors, and some back doors with entrances, and they can sell in that way. Others have only the one door, and do not want to do Sunday trading.

*Mr. Tanner* : They cannot do it.

*Witness* : They cannot do it; and the other man round the corner is getting fat at their expense. And it is the same on Wednesday afternoons. There is a big business done by some of them while the others are shut. The Labour Department do not seem to be able to cope with it and catch the offenders. It ought to be made a police offence.

*Mr. Tregear* (Secretary for Labour) : It is a police offence.

*Witness* : Not for Wednesdays. It is a police offence now for Sundays; but the sale has got to be made within view of the public. They can shut their front door and carry on business by means of the side or back door. All they have to do is to station some one at the front door to watch, and you cannot stop them. It should be made an offence, with a heavy fine, or six months without the option. I think that all exempted businesses, if there are any, should be made exclusive, so as to bring Chinaman into line. It would be doing the white man a good turn then. The Chinaman would have to give up stocking tobacco, cigarettes, &c., groceries, and everything other than fruit and vegetables, or else shut at 6 o'clock. But he would sooner keep on selling fruit than shut.

98. *Mr. Davey* (to Mr. Holdsworth). You say that selling on Sunday goes on all over the colony?—Yes. We have had complaints from all over the colony.

99. Also selling on the half-holiday?—Yes; on Wednesday afternoon it is very strong, especially in Wellington.

100. You say that the Labour Department seems to be unable to cope with this trouble?—Yes.

101. Has any one in the trade, or anybody else, ever given the Labour Department information to the effect that people were selling on Sunday?—Yes; I have personally.

102. Do you know what the Department have done?—I do not know that they have done anything. They have told us that they would see into it, and that is all that has ever happened. No one has been caught. If the police or the Department's officers were out at all they must catch somebody. They could not help it.

103. (To Mr. Cusack.) I would like to ask you whether it has been known in Wellington that owners of saloons have sublet chairs at so-much a week, to avoid the conditions of the Act?—No.

104. You know that it has been done in Christchurch?—Yes; it is done at the present time there.

105. *The Chairman*.] Has it in Dunedin?—No. I am not aware of its being done in Dunedin.

106. *Mr. Davey*.] It has not been done in Wellington?—No.

107. Have you any idea as to the hours of labour that would be suitable for assistants in Wellington? Let me read to you the hours of labour decided upon in Christchurch, as conveyed to me by the association, and ask whether these would suit you in Wellington. They asked for the hours to be from 8 in the morning till 8 at night on four days of the week; from 8 to 1 on one day; and from 8 in the morning till 10 at night on Saturday?—With a slight alteration. Some of the other places ask for the hour on Saturday night to be 10.30.

108. Have you mentioned that in your evidence?—Evidence in writing is also before the Committee, I believe. We have already sent in a request to the House of Representatives; and one has also been sent to this Committee by the Dunedin people, I believe.

109. To the same effect as this?—Yes.

110. And asking that hairdressers' rooms, run separately from the shops, be brought under the Act?—We ask that there be no distinction. They are one trade. Dunedin wants the hours to be from 8 in the morning till 8 at night on four days of the week; from 8 in the morning till 1 in the afternoon on Wednesday; from 8 in the morning till 10.30 at night on Saturday; and up till 11 o'clock on New Year's Eve and Christmas Eve.

111. The Christchurch people have not mentioned that to me?—That must be an oversight. We consider that an extra half-hour should be allowed for Christmas Eve and New Year's Eve—two of the busiest evenings of the year.

112. Do the Christchurch people want the hour altered to 10.30?—No; they have not definitely decided. I will read the wire: "Association heartily support your action for exemption, and consider what you do wish for us." The Dunedin Association wired to the same effect, and I believe they have notified the Chairman that I represent them. Our requisition has been sent to the House of Representatives, and it states the same hours that you have there—the hour of closing to be 8 o'clock on four nights, 1 on Wednesday, and 10.30 on Saturday.

113. Christchurch will fall in with any action you may take?—Yes. The trade practically throughout the colony ask almost the same thing. There is a slight difference of, perhaps, fifteen or thirty minutes. At one place they support 10 o'clock on Saturday night, and at others 10.30. The majority are in favour of 10.30.

*Mr. Tanner* : One speaker—I forget who it was—referred to the vexed question of hotels selling tobacco.

*Mr. Cusack* : We all spoke of it.

114. *Mr. Tanner* (to Mr. Cusack).] You are aware that under the Licensing Act hotels must keep open for the sale of drink up to 10 o'clock at night?—We are quite aware of that.

115. That they have no option?—That is so.

116. Would you recommend that hotels be forbidden to sell tobacco?—Undoubtedly.

117. Do we understand that you are all agreed as to that?

*Members of deputation* : Yes; tobacco, cigars, and cigarettes.

*Mr. Cusack* : I might also say that I have been in communication with the Licensed Victuallers' Association of Wellington, and to a certain extent they agree with us on the question ; but there are a number of smaller places—places outside the association—that will sell in spite of what the association would like to do.

118. Is the trade largest in the larger and more fashionable hotels, or the smaller beer-shop places ?—It is carried on right through. If we could get the real facts we should find that about one-third of the trade was done by the hotels.

119. (To *Mr. Holdsworth*.) With regard to the information which you have occasionally given to the Labour Department, you are aware, I suppose, that the Department publish a list of prosecutions every year ?—Yes.

120. Have you ever looked at that to see whether the Department has prosecuted the parties with regard to whom you have given the information ?—The particular party I spoke of has not been prosecuted during three years. There is one other thing I would like to say, and that is that the Act should be subject to awards of the Arbitration Court and industrial agreements.

121. *Mr. Tanner*.] The hours which have been mentioned between *Mr. Davey* and *Mr. Cusack* are practically the hours which were agreed upon in an industrial agreement by your people ?—Yes ; but an industrial agreement does not stand good in the Courts.

122. You would not have the Act override the agreement ?—No. We want an industrial agreement to stand, the same as an arbitration award—that is, the Act not to affect it at all.

123. *Mr. Barber* (to *Mr. Cusack*.) Am I to understand that you ask that the hotels be prohibited from selling cigars, cigarettes, and tobacco at any time ?—Yes ; because the Act states distinctly that any place that is open for the sale of articles other than those it is licensed for should come under the Act.

124. I understand that the Licensed Victuallers' Association have so far only asked licensed houses to refrain from selling tobacco, cigars, &c., after 6 o'clock ?—No ; on the half-holiday only, I believe. We maintain that if they sell them at any time of the day they come under the Act.

125. So that if they want to keep open up to 10 o'clock they should really not have them in the place ?—That is so. I do not think there is any other trade in the colony that is cut into so much by other trades as that of a tobacconist.

*Mr. Holdsworth* : I might state that the Auckland hotels agreed amongst themselves not to keep cigars and tobacco, but in February, when I was up there, they were still doing a big business in them. Therefore their word was worth nothing.

126. *The Chairman* (to *Mr. Cusack*.) You have a copy of the Act by you. I would call your attention to section 2 of clause 21. Your real complaint, I presume, is that the first section you think overrides the second ?—Undoubtedly. That is our reading of it, whether correct or not.

127. And your real request is that it should be amended so that — ?—It should state distinctly that each trade has the right to fix its own closing hour.

128. Independently of what the others do ?—Yes. And if that is stated clearly there should be no exemptions whatever—whether a man employs hands or whether he carries on by himself. We maintain that the man who pays a high rent and employs five or six hands is the man who should get the more consideration of the two, because such a man is undoubtedly the backbone of the country.

129. (To *Mr. Holdsworth*.) Do you not think that if the words you speak of were placed in the Act there would be a possibility—I do not say a probability—of the employer and employee making an agreement for the purpose of evading the Act ?—No ; I do not think so.

130. Do you think there would be a possibility of such a thing ?—There would be a possibility, but I do not think they would do it.

131. I am not speaking of your own trade, mind, but any trade ?—I think that ours is about the only trade that has not got an arbitration award. We have an industrial agreement.

132. Is it not possible to get that agreement made into an award by mutual consent ?—I do not know. It would mean a lot of trouble.

#### TUESDAY, 18TH JULY, 1905.

A deputation representing bank-clerks of New Zealand in attendance.

*The Chairman* : I understand, gentlemen, that you wish to give evidence on behalf of the bank-clerks of New Zealand with regard to the Shops and Offices Bill. We already have before us a very largely signed petition, and I think we know pretty well what you ask for. I suppose you have your speakers selected. We are prepared to hear everything that you have to say, but our time is limited, and I would ask you not to repeat one another more than is strictly necessary.

WILLIAM DENNETT HORNE examined. (No. 99.)

133. From what part of the colony do you come ?—I am in the Bank of New Zealand, Wellington.

134. And you represent — ?—We five represent the rank and file of the bank-clerks in New Zealand.

135. Can you tell me about how many bank-clerks there are in New Zealand ?—Well, we have 732 signatures of bank-clerks under the rank of assistant accountant. There would be, I suppose, from two to three hundred above that rank.

136. Who have not signed ?—They have not signed.

137. *Mr. Aitken*.] It is all those below that have signed ?—Below the rank of assistant accountant.

138. *The Chairman*.] How were you appointed to come here this morning ?—We just selected representatives amongst ourselves.

139. Who selected you?—We had a meeting at the Bank of New Zealand, Wellington.

140. What I want to get at is this: what communications have you had from other parts of the colony? Did they vote in connection with this matter?—They did not appoint us. We held a meeting in Wellington and discussed the Shops and Offices Bill. As a result we drew up a petition and forwarded a copy to each town in New Zealand where there was a bank, accompanied by a circular memorandum to the effect that they were to call a similar meeting, excluding chiefs, to discuss the Bill as we had done, to get all those in favour of exemption to sign the petition, and to forward it on to Wellington, and on receipt of all the petitions we would present them, and if you wish to hear us verbally we shall give evidence.

141. *Mr. Tanner.*] Then, they did not authorise you to appear on their behalf?—No.

142. *Mr. Aitken.*] You made a statement to those whom you asked to sign the petition that when it came back you would present it to Parliament, and, if necessary, appear in support of it. Is that so?—Yes.

143. *The Chairman.*] Will you make your statement now, Mr. Horne?—Yes, sir. The working system of a bank is of such a nature that it cannot be worked on similar lines to any other institution. Our day's work has to be completely balanced to its very bottom, each day in itself, whereas in other institutions when the time comes at which the officers must leave their work they can knock off and carry on the unfinished work the next day or the day after, if necessary. We are entirely dependent on the public. If the public keep away, then we get away early. If we are busy with the public then we have to stay and balance everything off to that day, and to despatch the necessary documents by the first outgoing mail. We are bound by law to do this, and in order to protect our customers. So it may be half past 4 on one day, and half past 6 the next day, when we get away, or we may have to go back for an hour in the evening. We are perfectly satisfied with a give-and-take policy as to the hours. Then, there is the question of holidays. The work is always heavier before and after holidays. Well, if we have to be paid overtime on account of these holidays, nothing is more certain than this, that either our holidays will be curtailed or that our salaries will be stopped while we are enjoying these holidays. A great deal of the overtime-work is caused by officers' own carelessness. If an officer takes his figures out wrongly it may cause him an hour's overtime—possibly more if he makes two or three mistakes. Well, if he had to receive overtime-pay on account of these mistakes we think it will be a very sorry day if we are brought under the Act. As regards the overtime worked by the junior rank and file, it is greatly exaggerated. I know of various instances where parents have complained to the banks of their sons working late, and where it has been found, on inquiry, that they have never been near the office. They have used it as a screen to hide something from their parents which they did not want known. I would also like to refer you to the year 1901 and the evidence taken at that time. I have the evidence here. It was given when you proposed to bring us under a similar Act to that passed last year. Mr. Thomson pleaded for us then, and we are pleased to say that you granted our request. I cannot help thinking that you will do so this time, because our position is much better now than it was then. The banks have taken on more hands to meet the demands of the public; the increases in our salaries have been better all round, and we have these 730 signatures which we did not have last time we spoke. I have already told you of the way in which we obtained the signatures. One instance I would like to quote. I had a letter from an official of our bank in Waihi, who informed me that the manager of the National Bank at that place refused to allow his staff to sign the petition, simply because he had heard nothing of it from the head office, and he did not think it right that he should allow his staff to sign it. I mention this to show that the petition represents the true wish of the rank and file throughout the colony. I have nothing more to say, gentlemen. Mr. Revell would like to say a few words.

WILLIE THOMAS DENNIS REVELL examined. (No. 100.)

144. *The Chairman.*] What are you?—I am in the Bank of New South Wales, Wellington.

145. Will you just make your statement in your own way?—There is one point I would like to touch on in connection with our country branches. We may do a certain amount of overtime, but the time that the clerks work in the country branches is, generally speaking, very small compared with the town offices. They get away at perhaps 4 o'clock of an afternoon. On Monday, which is a busy day with them—their weekly balance-day—they have to go back and do perhaps an hour or two's work in the evening. According to the Act they will have to be paid for that overtime. Well, they probably get four or five hours off during the week, but on Monday, when they work the two hours extra, they have to be paid overtime. It seems hardly fair to the banks that they should be paid for that overtime, and as the banks have the whip-hand of us if we are to be paid overtime like that they will simply take their own remedies. Again, there are several country places where the weekly holiday is divided. The shops and most of the offices keep their holiday on Wednesday, or perhaps Thursday—at any rate in the middle of the week—but the banks have to close on Saturday, and a few other places close then also. If the clerks are not allowed to get off to see some of the sports in the middle of the week they see no sports at all. Very often this concession is allowed, that one man in the office, perhaps, gets off on that weekly half-holiday, either to play football or perhaps to see some match. If that man has to work overtime on account of getting off then he will have to be paid for it. So that in future the banks will not give these concessions. The nature of our work is such that it cannot be proportioned so that we can work even hours right through a month. We have our extra busy days in the month when we have to work at increased pressure. Then, again, perhaps we have slack days when we have not got to work at the same pressure, and we get away earlier. The work cannot be so adjusted that we shall not have to work overtime, and if we have to work overtime of course we shall have to be paid for it under the Act, and we shall suffer accordingly. The banks will either reduce our salaries or put junior men on to do the work that we are doing now, and pay them salaries which, with overtime, will

bring their emoluments up to what we are getting at present in order to equalise things. It is a common-sense view to take of the matter—that, if a man's work was worth so-much before the Act was passed, the banks will not pay more for it afterwards. They will certainly put men on at smaller salaries if they have got to pay overtime. We would much prefer that our salaries be left as they are, and that we be not paid overtime. The reports of the overtime worked that we hear are greatly exaggerated. Because there is a light in a bank it does not necessarily mean that the staff are back. One man may be back, or it may be that one of the men is back writing a private letter. We are allowed the privilege of going to the office and writing private correspondence. I myself have heard people say "Oh, I was passing the bank last night and saw a light there. The banks are always working at night." But that is not the case. We do a small amount of overtime, but we all feel that it is not sufficient to call for legislative interference, and our petition shows that it is the almost unanimous wish of the staff that we should be exempt from the provisions of the Act.

Statement of C. T. CALLIS, of the Bank of Australasia. (No. 101.)

*Witness* : I have nothing to add to what has been stated, except that the bank-clerks do not require any legislation to curtail the night-work. They are treated very well by their employers, and the overtime that is done is done willingly, and is quite necessary.

146. *Right Hon. R. J. Seddon* (to Mr. Horne).] Supposing the banks do make any change—do not reduce the pay or put on these juniors; is there any objection to the existing conditions?—We have no objection to the existing state of affairs continuing.

147. It is for fear of changes which would be detrimental to your interests that you are advocating the change?—That is so. You said "the existing state of things." We are not complying with the Act at present. By "the existing state of things" I mean that obtaining before the Act was passed.

148. My question was a very clear one. The "existing state of things" is the state of things to-day. If I had meant as things formerly were I should have said so?—I beg your pardon. My answer, then, was wrong. We are not satisfied with the existing state of things.

149. If the banks were to make no change, as regard putting on juniors or interfering with your present privileges, you would have no objection to the existing state of things?—We should have no objection to the existing state of things obtaining before the Act was passed.

*Mr. Callis* : Excuse me. We have no guarantee that the banks would go on as they are going.

150. *Right Hon. R. J. Seddon* (to Mr. Horne).] It is because of the feeling that the banks may do this that you would prefer not to run the risk?—No, we have every confidence in our employers.

151. But you have just told us that you have no confidence in them—you have told us that the banks would in their own interests put on juniors and pay the juniors overtime. Did you not say that?

*Mr. Revell* : I think that was in my evidence.

152. *Right Hon. R. J. Seddon* (to Mr. Horne).] You heard that stated?—Yes.

153. Is it not for fear of that that you would prefer to go back to the old state of things?—That is so. We fear that this will introduce a new element—overtime—which is inimical to our interests, whether we receive overtime-pay or whether our juniors receive overtime-pay.

154. Then it is for fear that the institutions will do this that you come to ask Parliament to exempt you from the operation of the Act?—For fear of that, in conjunction with other things—that is, that certain privileges which we now enjoy will be stopped.

155. That is what I ask. You fear that the banks will be exacting with regard to sick-pay, holidays, &c., if this overtime-pay is exacted from them?—We have no guarantee, but we do fear it.

156. And having that fear causes you to move in the direction of being exempted from the Act?—Yes; but "fear" is rather a severe word, in this case, if I am at liberty to say so.

157. This is what you say in your petition: "That the Act will alter the relations at present existing between employer and employee, to the detriment of the latter, as many of the benefits now enjoyed by officers, such as occasional special holidays, full pay while on leave, and pay while absent from duty through sickness, will probably cease or be curtailed." You have said so?—Yes.

158. Do you adhere to that?—We do.

159. You not only fear it there, but you have made the statement, have you not?—Very good.

160. So that the word "fear" was not too strong a term to use, when you have made the statement and committed yourselves in writing to it. Have you had the slightest indication from the banks or the managers that the institutions are going to stop your privileges?—No, we have had no intimation of it.

161. Have you had any intimation that they will employ juniors and get the cheaper men to work if they have to pay overtime?—No. This petition has originated entirely with the rank and file. We have not discussed the matter with our senior officials. We do not know what they will do or what they will not do. As I have stated, when we sent the circular memorandum round we put in parenthesis "chiefs excluded."

162. Very well. Suppose they did nothing, and they were satisfied to allow the existing state of things to continue and to pay you for overtime: Under the circumstances would you refuse to take it?—Personally I would refuse to take it—most decidedly. I would try in some way to evade the Act, perhaps by making the bank a present of the money. I would probably take advice.

163. Do you think that your philanthropy and great interest in the institution will go right through the service, and that they will all refuse the extra pay for overtime? Do you ask this Committee to believe that where gentlemen, who are not overpaid— By the way, do you think the bank-clerks are overpaid?—Most decidedly on the contrary; they are underpaid.

164. Do you think the rest of the clerks in the banks would refuse to take this little extra emolument?—No, I certainly think they would take it. All the same they would not like it.

165. Do you not think that from the increased profits which the banks are making and the bonuses they are paying, they could well afford to pay this little extra amount to the clerks? Do you think it would stop the dividends or bonuses?—Which bank are you referring to?

166. Which bank do you belong to?—The Bank of New Zealand.

167. Do you think, in view of the Bank of New Zealand's profits last year, which amounted to over £200,000, that the payment of a few extra pounds to the clerks for overtime would "burst the show"?—I do not think it would "burst the show," but, as regards profits, they are soaked into the soil of New Zealand. It is a very big question to ask me, all the same.

168. But the money is there is it not? I suppose you do not say the profits are fictitious?—No. But what I refer to is the Assets Realisation Board.

169. The profits are there all the same, are they not, whatever is done with them?—Yes.

170. What difference do you think it would make in the course of a year? The net profits last year were about £250,000, I think. How much difference do you think it would make in the case of your bank if they had to pay this overtime?—I could not possibly give you an answer to that question.

171. Do you think it would cost a couple of thousand pounds?—I have not the remotest idea. It would take a considerable amount of working-out.

172. Do you not think it a reasonable question to put and to expect you to be in a position to answer?—If you gave me a week I should be able to give you a definite answer.

173. How many clerks have you?—In New Zealand there are about eight or nine hundred, I should say—that is, the rank and file.

174. Take it at a thousand. What would the overtime come to, taking the condition of things that has existed in the past?—It would not come to so very much, if you took the *quid pro quo*—that is, getting away at half past 4 and working undertime. It would amount to very little, perhaps.

175. Well, since the Act has been in operation, you have known the overtime, I suppose, that has been made. What do you think it would come to—say, in any office that you do know? What office are you in?—The local branch—the Lambton Quay branch.

176. Take that office. What do you think it would amount to per month or per week in that branch, supposing the overtime was paid?—What rate would it be?

*Right Hon. R. J. Seddon*: Whatever is fixed by the Act.

*Mr. H. S. Hammond*: In our office it would average about an hour per clerk every week.

177. *Right Hon. R. J. Seddon* (to *Mr. Hammond*).] How many clerks have you got?—About twenty-five.

178. How much would the hour a week amount to?—It would be about twenty-five hours a week.

179. What would the clerks get per hour? What is the average of their salaries?—About £2 10s. a week.

180. Say they got 2s. an hour. That would be £2 10s. a week for the office?—Yes; but then we often get off at half past 4. That would balance that hour.

181. At all events, as far as your office is concerned, suppose the clerks were given 2s. an hour each for overtime and they worked only an hour a week overtime, that would be £2 10s. a week for the office?—Yes, but it would be only about 2s. a week for each clerk, and, in the course of a year, that would be only about £5; and for that it is hardly worth risking the privileges which we now get.

182. But, on the other hand, it would not mean much to the bank if they had to pay it?—No, but the risk is that they might stop the existing privileges.

183. Do you think they would, in the face of its costing them so little?—I do not know their intentions at all, but we do not like to run the risk of their doing so. The amount of money that we should get for the overtime would not amount to an appreciable sum in the course of a year, and we run a very big risk.

184. (To *Mr. Horne*.) What number of clerks have you in your branch?—It varies from thirty-two to thirty-five. The overtime worked in this branch is very little.

185. Would the overtime worked average an hour per clerk per week?—Yes, it would average about that.

186. It would not have a very appreciable effect upon the big profit, would it, if that is all the overtime that is worked?—No, I should not think it would.

187. In other words, it is like a storm in a teapot. There is not much in it whether you keep the Act as it is, or whether you alter it. If there is so little overtime worked and such a small amount to be paid, why should the banks make this material alteration which you fear?—It is not altogether the overtime-pay. When our work is done at half past 4 we get away. The privileges go against the overtime.

188. And you consider it an unwarrantable interference with the liberty of the subject by the Legislature?—Yes, Sir. As I stated when I first spoke, the business is very different from that of other institutions. The work does not flow evenly.

189. These legislators who have been passing legislation for your good, as they thought—you do not thank them for it?—No.

*Other members of the deputation*: No, they were mistaken.

190. *Mr. Alison* (to *Mr. Horne*).] Are you of opinion that there should be any restriction as to the hours which bank employees should work at night, say?—On behalf of our institution, I think not. I would like you to ask that question of some other representative of one of the banks. The reason why I say this is because I am of opinion that the Bank of New Zealand clerks are better treated than the clerks of any other bank. Some of the other banks run their offices very short-handed—I know it for a fact—and it is necessary for them to do more overtime than we do in the Bank of New Zealand, right through

191. Speaking for yourself, what do you say? Do you consider there should be any restriction as to the hours bank-clerks should be employed at night?—We do not want it.

192. You do not ask for it?—No.

193. Did any of the employees of any of the banks, as far as you know, ask for the legislation to which you are now objecting?—No, not that I am aware of.

194. Are you convinced, from your knowledge of the working of the bank's business, that the employees generally are satisfied to be exempted?—Yes. When I quoted the number of the signatures to the petition, 732, I omitted to say that we have forty-five against it. Seven hundred and thirty-two signed the petition and forty-five refused. We did not ask the names. We just asked the numbers in each town, and that is the result.

195. Is the Committee to understand that the conditions under which the employees of banks have been and are now working are, in your opinion, more favourable in the interests of the employees than they would be under the provisions of the Shops and Offices Act?—Yes.

196. Has the Shops and Offices Act been enforced as far as the banks are concerned?—Not as far as the Bank of New Zealand is concerned.

197. Has it been enforced with respect to any other banks, as far as you know?

*Mr. Revell*: We are not allowed to go back to work at night any more than is absolutely necessary. There is a case pending against our Nelson office. An information was laid, and the decision went against the bank, but they are appealing, and pending the final decision very little is being done to enforce the provisions of the Act.

198. Since the Act has been passed, have the hours been minimised—the working-hours at night?—No, they have not really, because we did not do overtime before when it was not absolutely necessary; and inquiries are made now as to when we are back at night. The amount of overtime that we do has not been really minimised. The clerks often go to work early in the morning to avoid the night-work.

199. (To *Mr. Horne*.) Is it essential that a certain number of the employees should be employed at night to enable the business of the bank to be carried on?—For that day?

200. Yes?—It depends on how busy they are. I should say Yes.

201. Because they do work at night?—They do.

202. Can that be obviated?—No.

203. You have given us the number of hours that, in your opinion, the bank-clerks work overtime as being about one hour a week each?—That is taking it right through. Some may not do any for weeks.

*Mr. Callis*: Some do not do any at all.

204. (To *Mr. Callis*.) I would like to ask you the question that *Mr. Horne* did not answer. It was this: Are you of opinion that there should be any restrictions as to the hours the employees in banks should be employed at night?—I do not think there should be. At our bank we are never asked to work at night.

205. (To *Mr. Revell*.) I will ask you the question?—In my opinion, the work we do is absolutely necessary. We are never called back on any small excuse. It is always something very necessary when we do go back. So we do our work willingly. We see that it has to be done. We take it as part of the contract—part of the agreement we made when we joined the bank, that we should get the work through, and if it means working an hour or two, or even four or five hours of a night, we do it willingly.

206. (To the deputation.) Is *Mr. Horne* representing you when he gives expression to a statement. Does that represent the opinion of the whole of you?—

*Mr. Horne*: Yes.

207. *The Chairman*.] I take it that the deputation represent, as they said, the whole of the colony?—

*Members of deputation*: Yes.

208. *Mr. Davey* (to *Mr. Horne*).] Did I understand you to say that the petition originated amongst the rank and file of the clerks in Wellington?—Yes.

209. When that petition was sent out, what instructions were given, say, to Christchurch? What instructions were given or suggestions made as to what should be done with it?—I attached a communication to the petition, as far as I remember, headed up "Circular memorandum." It stated that the rank and file of the bank clerks of this city had held a meeting, chiefs excluded, on such-and-such a date—I cannot give you the exact date—and discussed the Shops and Offices Act, with a view to taking action.

210. Why did you exclude assistant accountants and those above that position?—Just to try to show that we were getting the true opinion of the rank and file, because they might be frightened to get up and speak at the meeting if their chiefs were there.

211. You would not include an assistant accountant as one of the rank and file?—No. Of course, there is no assistant accountant in some of the offices. It is only in the big offices that we have an assistant accountant.

212. Was any pressure brought to bear by those in authority over the rank and file to sign this petition?—Not as far as I am aware.

213. You never heard of any?—No.

214. Not in any part of the colony?—Not that I know of.

215. What was the method of sending the petition round?—We just posted it.

216. Take your own bank. What was the method of getting it signed?—I took it round myself. At the meeting in Wellington we appointed a Committee of one representative from each bank. I took the petition after it had left the printer's hands and handed it in to the men appointed from each bank, and they, I presume, took it round to the staff and asked them to sign it.

217. None of you took it round at the behest of the managers?—No.

218. No pressure was brought to bear?—No, I am certain on that point. We are very strong on that. We never discussed the petition with the managers.



219. Have bank-clerks, to your knowledge, ever complained of being forced to work overtime ?—No.

220. In no part of the colony ?—No.

221. Nowhere ?—No.

222. Do you know why so many refused to sign ?—Forty-five ?

223. You stated that there were a thousand in your own bank. You have a petition signed by 701 What has become of the remainder ?

*Mr. Laurenson :* He said there were eight or nine hundred.

*Mr. Davey :* He said that there were a thousand rank and file in his own bank.

*Mr. Horne :* There are over seven hundred signatures to the petition. I might say that we have had no return from Auckland.—That is the only city in New Zealand that we have not had a return from. I do not know what the other banks' staffs number, but I have counted the signatures, and there are 732 on the petition, and there were forty-five against it.

224. Did you not say there were a thousand clerks in your bank ?—I did not intend to say it. I meant in New Zealand banks.

225. Is that wrong then ?—Yes ; it speaks for itself. There are 732 signatures on the petition.

226. Did I understand you correctly to say, in reply to Mr. Seddon, that there has been no suggestion yet made by any of the managers or by those in authority that there might be reprisals ensue ?—No, there has not.

227. Nothing has been suggested in that respect ?—Nothing.

228. Do you suggest that in all probability juniors will be put on in the place of others more competent if this Act is brought into force and carried out ?—Would that tend to decrease the efficiency of the bank ? Could they do the work you are doing ?—No.

229. Then why suggest that juniors could be put on ?—Those they took the place of could be shifted up.

230. But they could not do the work ?—It could be done by training the juniors.

231. Would that not decrease the efficiency of the bank ?—It might or might not. It might take a little time to train the man alongside of you, but it might be done in about six months.

232. Supposing overtime was paid for to the clerks, do you think it would lead to a decrease of the overtime being worked ?—Not much. It might be so little that it would not be noticeable. There is no loafing going on.

233. *Mr. Wood.]* What is the number of bank-clerks in the whole of the colony ? Take the bank you represent ?—Between eight and nine hundred throughout New Zealand in all the banks below the rank of assistant accountant. I am basing the calculation on the petition : we have 730 for and forty-five against. I have no returns from Auckland.

234. Have you had any return from Palmerston North ?—Yes.

235. What bank ?—All the banks. We have one petition for each city. I have a few that have arrived since, and I am going to hand them in. Palmerston North is amongst them, because I know there are five against and fourteen for the petition, and that is the largest percentage against.

236. They waited upon me and complained very bitterly about the hours of overtime they worked in the bank ?—That is the true state. I have the statistics as they came to hand.

237. *Mr. Laurenson.]* You say this matter has been promoted by the employees ?—Yes. Of course, we drew up the petition from the one prepared in 1901. That paved the way for us. But this has entirely originated from the employees. I did the whole thing myself.

238. I have received the following telegram : " Having two sons in banks am greatly interested in defeat of petitions promoted by banking authorities towards withdrawing protection of Shops and Offices Act from clerks. Petitions are not free expression, but signed coercively, since I know as fact that many keenly desire Act's protection. Kindly lay before Committee my urgent protest." That is from a gentleman whose two sons are in banks and whose *bona fides* I can vouch for. Did the chiefs of the banks have a knowledge that the petitions were going round ?—No. I quoted one instance from Waihi, where the manager of the National Bank refused to allow his clerks to sign because he had no information about it from the head office.

239. You are representing the bank employees. Do you not think, speaking for yourself and for many young men in the banks, that it would be a good thing to discourage overtime as far as possible ?—It would be a good thing to try and discourage it, but I do not think it is possible to do away with it.

240. Do you think the best way to discourage it would be by providing that it should be paid for when overtime is worked ?—No, I would not like it at all.

241. That would not be a good way to discourage overtime ?—It would not.

242. What would be a good way to discourage overtime ?—You are asking me to frame the Act, practically.

243. You cannot suggest a better way ?—You said there were eight or nine hundred employees in the banks below the status of assistant accountant who had signed this ?—Yes.

244. In the Act there is no provision made for the payment of overtime to men receiving £200 and over. If we take off the eight or nine hundred employees three hundred who would not be paid overtime, that would leave six hundred. Would two hours' overtime per week cover the time they are called upon to work in the bank after 5 o'clock ?—Two hours would cover it in the National Bank.

245. Assuming that two hours would cover it and that 2s. an hour represented the amount paid, that would be 4s. per week. That would be an annual tax of £6,000, say, in the year, and as you indicated that one bank's profit was £300,000 for the year, do you think that would interfere with the bank's profit to any extent ?—It would interfere with a lot of the members of the staff. As I said before, if they made a mistake they would get paid overtime for finding it out, and what is to prevent them from



making mistakes of a shilling, say, if they got perhaps 10s. in overtime for doing it. There are plenty of drones who are not much good in a bank.

246. May I assume that there are clerks in Wellington who would like to come back for the sake of earning a couple of shillings and chance losing their employment?—They might come back for a whole night and make 10s.

247. There was some allusion made to a Nelson bank-manager who was fined for not paying overtime?

*Mr. Revell* : He was fined for not allowing the Inspector to see the overtime-book. It was a test case to see if the banks were under the Act. It was decided in the Court that they were, and the manager was fined 1s. I believe the bank is appealing against the decision, and if the appeal goes with it it will be decided that the banks are exempt from the provisions of the Act. It is in case the appeal goes against the banks that we are making this objection now, so as to make assurance doubly sure.

248. *Mr. Barber.*] I understand the deputation's desire for exemption from the provisions of the Act is because of the small amount of overtime they would earn, which would only amount to 2s. an hour and would not compensate them for the loss of the privileges they enjoy at the present time?—That entails an element between us.

249. You are afraid that if paid for overtime the banks will do what the drapers are doing—deduct the ten days' annual holiday and not give sick-pay, and so on, and that the amount paid you for overtime will not compensate you for that loss?—That is one reason.

250. *Mr. Callis* mentioned that. Is that not your object?

*Mr. Callis* : Yes; and another object is that our employers and ourselves are in perfect harmony at present and the proposed change might disturb that harmony.

251. And therefore that harmony you enjoy, together with certain privileges, are worth more than the amount of overtime you would earn?—Yes.

252. *Mr. Ell* (to *Mr. Horne*).] What is your position?—General ledger-keeper.

253. Have you any clerks under your control or direction?—I am general ledger-keeper and check the officers. That is, I examine the books every day and see that they are kept in proper order.

254. So that you occupy a responsible and leading position?—Yes.

255. According to what you say you are not an ordinary rank-and-file clerk?—No.

256. Who drew up the first petition?—*Mr. Menteath*, in 1901. We drew up the reasons which we framed from the 1901 petition.

257. Who asked *Mr. Menteath* to draw up the petition and made communication direct to him in 1901?—I could not say personally. The petition of 1901 was taken up by the whole of the banks, managers included, and I presume from that that it came from one of the higher officials.

258. You cannot say it came direct from the managers?—No.

259. And you cannot say it did not?—No, I cannot.

260. Who circulated the petition in the bank—how was it taken round?—It was posted to the banks throughout the colony by the correspondence clerk. I circulated it for Wellington City.

261. With regard to friction between the higher officials and the clerks, is there any sign of friction up to the present?—No.

262. No sign of it whatever?

*The deputation, unanimously* : No.

*Mr. Revell* : It is all pending the decision in this case.

263. There is perfect harmony between you and the manager?—Yes, we have taken no notice of the Act at all so far.

264. Do you keep an overtime-book?—We do in the Bank of New Zealand. We go on working just as if no Act had been passed.

265. Has an Inspector examined that book?—He has never been called upon to do so.

*Mr. Revell* : This case in Nelson was pending, and as that was so nothing was done.

266. Do you not think it is desirable to check overtime if it can be done without causing friction?—Yes.

267. If the payment of overtime is not enforced, but an overtime-book is kept, do you think that is likely to create any friction?—It would not.

268. And you think it would be a reasonable way of providing a check against overtime?—Yes. That is what we are asking.

269. You do not seriously intend to convey the impression that a clerk would make a mistake for the purpose of getting overtime-pay?—No.

270. You are asking for exemption, I understand?—Yes.

271. There is a clause in the Shops and Offices Act which provides that "The shop or office shall be kept in a cleanly state, and free from any smell or leakage arising from any drain, privy, or other nuisance," that where members of both sexes are employed there shall be separate privy accommodation for each sex so as to insure privacy, that the shop or office shall not be overcrowded, and shall be ventilated in such manner as to provide a sufficient supply of fresh air. Do you consider these provisions desirable for the health of those concerned?—Decidedly.

272. So far as those provisions are concerned you do not desire exemption?—No.

A deputation of insurance clerks representing insurance offices in New Zealand, numbering sixty, attended the Committee.

*The Chairman* : We understand you have come this morning for the purpose of giving evidence in connection with the Shops and Offices Act as affecting your own particular calling. I shall ask the insurance clerks to speak first, and afterwards those who represent the merchants' offices. I presume you have your own speakers prepared. While we consider it desirable you should make the fullest statements possible, I have to ask that you do not repeat each other more than is unavoidable. The time of the Committee is limited, and your own business is no doubt awaiting your supervision.

## DAVID SUTHERLAND MUNRO examined. (No. 102.)

272A. Whom do you represent?—The insurance clerks of Dunedin.

273. And the deputation as a whole?—The insurance clerks of the whole of New Zealand.

274. Can you tell me how many insurance clerks there are in New Zealand?—Roughly, about two hundred and fifty, and I am well within the number. I am speaking of the insurance offices only, not of those in one of the departments of a merchant's office.

275. Who appointed the deputation here this morning?—You have your own credentials from Dunedin?—Yes. Mr. Thomson, the Christchurch delegate, is here, and also Mr. Nevill, the Auckland delegate. The latter's petition has already been presented to the House, and I understand has been handed to your Committee. Mr. Nelson is the Wellington representative, and as time did not permit of getting a requisition signed, he has brought a letter showing that he represents the clerks in the Wellington district.

276. Have the clerks held meetings?—Yes, in the larger centres.

277. And passed resolutions?—Yes. The resolutions are conveyed at the top of the signatures in each case.

278. Of course, these petitions presented do not bear the signatures of all those engaged as clerks in the towns?—With very few exceptions they bear the signatures of all the *bona fide* insurance clerks in each centre—Auckland, Wellington, Christchurch, and Dunedin.

279. You say you have had your meetings where resolutions have been passed, and the insurance clerks are practically unanimous in sending you here to represent them?—I might say they are unanimous.

280. Will you please now make your statement?—In the first place, I have to thank you on behalf of the insurance employees for the courtesy you have extended to us in receiving our deputation. We will not trench too much on your valuable time. Each centre has passed resolutions at the meeting, and as I and my co-delegates, I think, have them written out, we can read them if permissible. The principal reasons advanced for asking for exemption under the Shops and Offices Act are—(1.) We have never at any time asked for legislation, but on the contrary, on a former occasion petitioned to be and were excluded from a similar Act. (2.) We are well satisfied with our present conditions of employment, which are not onerous, and in no way improved by the provisions of the Act. (3.) We at present enjoy privileges which might be seriously curtailed in the event of the provisions of the Act being enforced. (4.) Our hours of labour in Dunedin at present are—five week-days, 9 a.m. to 5 p.m., with one hour off for lunch; Saturdays, 9 a.m. to 1 p.m., equal to thirty-nine hours per week. Whereas, were we working under the Act, and its provisions strictly enforced, the above hours could be altered to—five week-days, 8 a.m. or earlier to practically 5.30 p.m.; Saturdays, 8 a.m. or earlier to 1 p.m., equal to at least 47½ hours, a difference of at least eight and a half hours per week; and if asked to work fifty-two hours per week, which we understand could be done, it would mean a difference of thirteen hours per week. (5.) The payment of overtime provided for by the Act would not compensate employees for the extra regular hours to be worked, for in insurance offices overtime is trivial. At the outside, no employee works more than six hours a week overtime on an average all the year round, this including time occupied at half-yearly and annual balances. (6.) Employees receive an annual fortnightly holiday on full pay, can get a day's leave of absence on application, for which no salary is deducted, and receive all public holidays, for all of which they receive their salary. (7.) No deduction from salary is ever made in cases of sickness. (8.) Were employers amenable to and the provisions of the Act enforced, the advantages referred to under the two preceding paragraphs might be taken away, and should this happen we should undoubtedly work under much less favourable conditions than previous to the Act being enforced. That, Mr. Chairman, is the substance of the resolutions passed by the insurance employees down South, and personally, I trust you will not think it presumption on my part if I respectfully add that if the employees were exempted in a similar way to those in solicitors' offices, it would have the effect we desire to attain.

## DAVID HOOD THOMSON examined. (No. 103.)

281. *The Chairman.*] Whom do you represent?—I am the delegate representing the insurance clerks of Christchurch, and I may say that the reasons set forth by Mr. Munro in his statement practically cover the same ground that we take up for asking for exemption from the Act. I take it that you do not wish us to repeat ourselves. We had a meeting of insurance clerks very well attended in Christchurch. I cannot say we were unanimous, because one company never have any overtime-work, and did not think it necessary to sign the requisition because they do not come under the Act at all. I can endorse all that Mr. Munro has said, having worked in the New Zealand Insurance Company, both in Dunedin and in Christchurch, and our office staffs are perfectly satisfied. If we were brought under the Act we are afraid we should be much worse off than we are at present. The resolution we passed is as follows: "That this meeting urges upon the Government the necessity of exempting insurance clerks from the provisions of the Shops and Offices Act, as the clerks have been and are still perfectly satisfied to work under the old conditions; and further, that if the present Act remains in force, privileges such as payment for sick-leave and an annual holiday, hitherto greatly enjoyed and appreciated, will probably be withdrawn." That, you will see, is the Dunedin petition in a nutshell, although perhaps not so fully stated.

## NOEL WILDMAN NELSON examined. (No. 104.)

282. *The Chairman.*] Will you please make your statement?—You have my remarks in the paper handed in. It was a resolution passed at a meeting of insurance clerks held in Wellington here. We have had nothing signed, but the clerks are here in person to back up any statement I have to make. They are not all here, but there is a pretty fair sprinkling of them. There is no good in my going over

everything contained in that paper, but there is one thing I wanted to point out, that so far as the Auckland, Christchurch, and Dunedin delegates are concerned, they have been sent to Wellington at the expense of the other clerks in the various centres from which they came. We are acting for ourselves and paying everything ourselves. It is a little thing, but it is worth mentioning that we have had to pay for this in consequence of the legislation. The number of holidays we received in Wellington last year were as follows: Three days at Christmas, two days at New Year, holidays on 22nd January, St. Patrick's Day, St. Andrew's Day, four days at Easter, Empire Day, the Sovereign's Birthday, Prince of Wales's Birthday, Labour Day, two odd days—race-days—and also a day for the annual picnic, which was provided by the insurance companies for the clerks to go to. We also received a half-day when the English cricketers were here, and the offices were closed on the half-day the English footballers were here. In all, we had twenty odd days' holiday and a fortnight's annual holiday. At the present time, our working-hours are somewhat similar to those in Dunedin, with the exception that we work half an hour less. We work 38½ hours, and they work 39. Speaking personally, I might mention that I missed my annual leave one year of two weeks, and the next year I took four weeks and obtained an additional week, which made five, when I should only have had a fortnight each year; and, as far as my office is concerned, any other officer would have received the same generous treatment that I did. Speaking for the staffs of other companies, I might say that they treat their clerks in just as liberal a manner.

GEOFFREY NEVILL examined. (No. 105.)

283. *The Chairman.*] Whom do you represent?—Auckland. On behalf of the insurance clerks whom I represent I have to confirm the statement made by Mr. Munro, the delegate for the Dunedin clerks. I do not want to take up your time, and will merely say that we receive the same liberal treatment from our heads—in fact, better if anything. The hours of employment in Auckland, in a great number of insurance offices, are even less than those mentioned in Mr. Munro's statement, being six hours and a half per ordinary week-day and three hours on Saturday, making a total of thirty-five and a half hours per week. We enjoy nineteen general regular holidays during the year, in addition to which we receive a regular fortnight's holiday yearly, for all of which no deduction is made in salary. Our reasons for wishing for exemption, as drawn up by the Auckland insurance clerks, are embodied in our petition, which, I believe, has been referred to your Committee by Parliament. I do not think I can add anything more.

284. *Mr. Alison* (to Mr. Munro).] I wish to know if the Act has been enforced so far as insurance clerks are concerned: have you been paid for overtime?—Not altogether; but I doubt if there has been any sufficient overtime to call for it. Our offices in Dunedin, I understand, have a time-book, and I think there might be one exception, but otherwise I do not think it has been done.

285. Have they paid that overtime in compliance with the law or for any other reason?—I understand it is in compliance with the law.

286. (To Mr. Thomson): You said that there were some objectors to signing the petition—that the offices were not unanimous?—Yes; that was the Alliance Assurance Company at Christchurch.

287. Were they the only objectors?—Yes. With regard to our office—the New Zealand Insurance Office—the law has been adhered to, but there has been no overtime.

288. If the Alliance Office can carry on their business during the day, cannot other insurance companies do the same?—I cannot say as to that. There are some occasions when it is advisable that a clerk should come back for a night or two in the month. He may have gone away for a holiday or on sick-leave, when it would be only natural that he would like to come back and get up the arrears of work. There is no clerk that I know of who looks for overtime.

289. You wish the existing condition of things to continue and no overtime to be paid for?—That is so.

290. *Mr. Tanner.*] I would like to ask the whole of the witnesses present if those who have spoken properly represent their views?—*Delegates unanimously:* Yes.

291. *Mr. Ell* (to Mr. Munro).] You are aware that you are included in the Act at present?—Yes.

292. Has there been any friction up to the present time?—None whatever between the employers and employees.

293. No sign of it?—None whatever. This is spontaneous on the part of the employees without the knowledge of a single chief or manager, so far as Dunedin is concerned. I think the first thing my chief knew of it was when I asked for leave to come to Wellington.

294. I am trying to find out whether the law as at present existing has caused any friction, or the sign of any friction, between you and your employers?—No, not so far.

295. There has been no trouble so far?—No.

296. Your remarks are directed generally against the payment of overtime?—Not only against overtime. We are afraid that if the Act were enforced it might create friction, and the privileges we enjoy are so paramount to the little overtime-payment we should receive, that we should much prefer to be left as we are under the existing state of things.

297. Your remarks are directed more specifically against overtime?—Yes; because that might endanger the privileges we enjoy.

298. But you are against any excessive overtime?—Certainly.

299. It would be detrimental to your interests generally to work overtime?—Yes.

300. And so long as any provisions are likely to be inserted to prevent overtime you would not object?—I do not think there would be any objection to that. No man likes to go back to work night after night.

301. There are some offices where a certain amount of overtime is worked?—Nothing much to speak of. Six hours a week would be the most, as I stated in my evidence.

302. With regard to an overtime-book being kept as a deterrent, there would be no objection?—I do not think so. I am speaking for our own centre.

303. There are provisions in the Act to the effect that the office shall be kept in a cleanly state and free from any smell or leakage arising from any drain, privy, or other nuisance, also that sufficient privy accommodation shall be provided where members of both sexes are employed, that the accommodation shall be entirely separate for each sex so as to ensure privacy, that the office shall not be overcrowded, that it shall be ventilated in such a manner as to provide a sufficient supply of fresh air and to carry off gases and so forth. These provisions are to insure your health?—Yes; and they are well attended to.

304. Do you consider them reasonable provisions?—Yes.

305. There would be no objection to those?—No; not at all. Those provisions are to preserve the public health.

306. So far as those provisions are concerned you do not desire to be exempted from them?—We are quite content with those provisions—in fact, they are for our benefit altogether.

307. You specifically object to the payment for overtime because you fear that it might cause friction between you and your employers and might have the effect of robbing you of some of your privileges?—Yes.

308. I presume you are against the working of overtime?—Certainly I am.

309. And would have a deterrent for overtime?—I should if necessary; but hitherto it has not been necessary.

310. If we had a provision as a deterrent against overtime you would not have any objection?—We have an objection if it is going to cause friction.

311. Would the mere fact of keeping an overtime-book cause any friction?—No; but it is the keeping of the book and other things that make friction. If you had two or three things in the Act no one would object to them.

312. The keeping of an overtime-book would not cause any friction in itself?—I do not know. I think most of the offices had books before the Act came into force.

313. Then there would be no objection to it?—I do not think so.

*Mr. Thomson:* I do not think an overtime-book would affect us; but you say “a reasonable amount of overtime,” and we do not know what you consider to be a reasonable amount of overtime. There would be no objection so long as we were allowed a certain amount of overtime.

*Mr. Nelson:* One office has had intimation that if all these restrictions and all these conditions in the Labour Bill are enforced the offices will not be quite so comfortable as they are at present. It is possible for an office to say “You shall start at 8 o'clock in the morning and leave at 5.”

314. *Mr. Tanner.*] The Act does not say so?—*Mr. Ell* wanted to know if we had had any threats. Well, in one office which employs a large number of hands they were told that the Act might be very detrimental to them; and if they had to go down in the morning at 8 a.m., lose their holidays, and lose their pay for sick-leave, I think it would be very detrimental, because what they made in overtime would not nearly compensate them for the loss of their fortnight's holiday.

315. *The Chairman.*] You ask to be exempted from the Act?—Yes.

316. *Mr. Ell* asked you a question with regard to keeping an overtime-book. What he wants to know is this: supposing you were exempt from the Act in every possible way, except in regard to proper sanitary arrangements specially provided for and an overtime-book kept without any restrictions at all?—I do not think there would be any objection at all to keeping such a book. Most of the offices kept books before the Act was brought into force.

317. *Mr. Ell* (to *Mr. Thomson*).] There is a clause in the Act which states, “In the case of any office assistant for the purpose of writing up the books of the day's transactions, or clearing up arrears in his office-work due to special circumstances: provided that he shall in no case be employed under this paragraph for more than three hours on any one day.” That would meet the case?—Yes.

318. “Nor for more than six days in any one month”?—Yes; that would meet the case as far as the Christchurch delegates are concerned.

*Mr. Nevill:* There would be no objection to keeping an overtime-book, with this exception, that we would much prefer to be governed by our own people. In Auckland we do not want any legislation at all. We have always been treated very liberally and do not want any restrictions placed on our governing people.

319. You do not quite agree with *Mr. Thomson*?—I must speak in compliance with the tone of our meeting in Auckland. They said up there that they did not want any legislation at all. We are quite satisfied with our governing authorities in every way.

320. With regard to the sanitary provisions for the two sexes, and so on?—With that exception. There are a few girls employed in the offices, and the accommodation is nicely arranged there. I do not think there is any need for any provisions to be placed in the Act for that purpose.

321. Then a law in that respect would not cause any trouble, because you are already provided for?—Yes.

322. (To *Mr. Nelson*): A fortnight every year on full pay is the holiday given to you?—Yes.

323. Does every clerk here receive that holiday every year?—*Deputation unanimously:* Yes; some three weeks.

*Mr. Munro:* We, of course, are quite agreeable to the overtime-book, but in regard to *Mr. Nevill's* reference we would prefer if it were possible to be left out of the legislation altogether. There is no hardship in having an overtime-book; but there is a feeling that we are in such a favourable position now that it would be better if we were left out of the Act altogether.

324. *Mr. Alison* (to *Mr. Munro*).] The deputation present to-day numbers how many?—I count

sixty. That is for Wellington only. Our representation is on the paper put in. Half a loaf is better than no bread, but we would prefer to be exempt from all the clauses of the Act.

325. *Mr. EU.*] The sanitary clauses as well?—We think we come under the Public Health Bill at present.

326. *The Chairman.*] Supposing it is a fact that an insurance company have in their office three males, two females, and one privy?—I think the Inspector of Nuisances ought to be put on to that office. All offices ought to be under proper sanitary conditions, but we would prefer to be exempt from the Act.

A deputation from merchant-office clerks attended the Committee.

JAMES FERGUSON LAING examined. (No. 106.)

327. *The Chairman.*] What are you?—I represent the juniors of the staff of W. and G. Turnbull and Co., and together we represent the office staffs of the merchants of Wellington. The remarks we are going to make are exactly on the same lines as those of the insurance people. Our hours are just the same, and we have the same privileges. We are of the same opinion with regard to friction between the employer and employee, which we feel certain would be brought about if the Act was enforced. With regard to salary, we think that if the Act was enforced, at the end of the half-year, if there happened to be a great deal of overtime to be paid for the manager would say to us, "We have to pay so much overtime that we cannot afford to give you a rise." Again, the Act does not say what time clerks have to start, and, as the insurance people have said, the managers might say they would have to bring us down at 8 o'clock. With regard to sick-pay and holidays, we are paid for these. We have a fortnight every year on full pay, and also all the public holidays, for which we get full pay.

328. What you really ask for is that you shall be exempt from the Act?—Yes.

329. That is what you have really come here for?—Yes.

330. That is the statement for the whole deputation?—Yes; we had not time to put it into writing.

331. *Mr. Alison.*] How many hours in the week and on every day do the employees work?—From 9 to 12 and from 1 to 5—that is seven hours a day, and from 9 to 1 on Saturdays.

332. And the hours on every day per week worked at night for each employee?—With regard to myself and the majority, never, except at stocktaking time, which takes about a month. For instance, I have not been at night to work after 5.15 p.m. since January.

333. You are quite satisfied with the conditions under which you have been worked?—Yes, quite satisfied.

334. And do not desire that they shall be interfered with in any way?—No.

335. Has the Shops and Offices Act been enforced so far as the warehouses are concerned?—It has not made any difference to us. So far there as been no overtime.

336. Did any of the employees ask that legislation be introduced in order to make provision for overtime in the Shops and Offices Act?—Not to my knowledge.

337. Are the employees generally in favour of the warehouses being exempted?—Yes.

338. Is that the wish generally?—Yes, so far as Wellington is concerned.

339. You represent Wellington only?—Yes.

340. *Mr. Laurensen.*] Do you represent all the merchants' offices in Wellington?—There is one representative from each. I am just the spokesman.

341. Do you all represent the merchants' offices in Wellington?—Yes. That is, not the soft goods, but the general merchants.

342. *The Chairman.*] What do you mean by "merchants"?—Warehouses like those of Levin and Co., Aitken, Wilson, and Co., Bannatyne's, A. S. Paterson and Co., and Johnston's.

343. That includes all except the soft goods and hardware houses?—Yes.

344. *Mr. EU.*] Have you read the Act?—Yes, just the part where we come in.

345. What particular part of it do you object to?—Section 23, the first part of 27, and the second, third, and fourth parts.

346. You say you do not work excessive overtime?—Yes.

347. If there are any other offices that do, you would not object to any provision being made for them in the Act? It would do no harm to provide some check, although not by way of payment?—Our views are that the little overtime that we do does not call for payment, as we get more privileges than compensate for it.

348. When a law is made it applies to the whole of New Zealand: say, for instance, that there are in Christchurch, Dunedin, or in other parts, offices where they do bring their employees back at night and make them work overtime: you would not have a law made to provide for a certain amount of overtime and for some check on it?—No.

349. You agree with the sanitary provisions of the Act being kept in?—Yes.

WEDNESDAY, 19TH JULY, 1905.

JAMES CARRUTHERS examined. (No. 107.)

1. *The Chairman.*] I understand you have come here for the purpose of giving evidence in connection with the Shops and Offices Act Amendment Bill, as representing a number of small shopkeepers about Dunedin?—Yes.

2. What are you?—To trade, I was an engineer and engine-driver, but now I am a shopkeeper at South Dunedin.

3. Do you keep a grocer's shop?—Yes, a mixed shop. Whilst I was an engineer or engine-driver I was working about ninety hours a week, acting as night-watchman and engine-driver. There was no legislation as to the hours then. The hours came down to eighty-six, and when I growled I was told that it was a free country, and if I was not satisfied I knew what to do. I left my occupation then, and bought a small store—a freehold. I run the store myself, and do not canvas for orders or send out carts. I have no horse and cart, because my trade is all done over the counter. If the closing-hour is cut down to 6 o'clock in the evening, it will ruin a lot of us. There are many people keeping small stores, and one man on crutches is trying to make a living by doing so. Near my place there is a widow woman bringing up a family by keeping a small store. An agreement was signed by sixty-six shopkeepers asking me to come here to request an extension of time—that is, for a free hand. They do not want to be compelled to close at 6 o'clock, because they say there will be a back-door trade opened again, and that is not legal if the law says they must close up. A lot of the people living in the district are poor people who have to run to the store in the evening to get what small goods they want.

4. You ask to be exempt?—I close every night at about 8 o'clock, and open about 8 in the morning.

5. Do you employ any labour?—No; my trade is all over the counter. We do not carry anything out whatever. We employ no hands at all, and, living on the premises, we have to do a little to keep the thing going.

6. What you ask is that you should not come under the Act?—Not if it can possibly be avoided. Eight o'clock would be quite soon enough to close, and also late enough for everybody.

7. *Mr. Sidey.*] So far as you are concerned, 8 o'clock would suit you very well?—Decidedly it would.

8. Are you authorised to speak on behalf of any of the others?—Yes.

9. How many?—Sixty-six. We do not refer to Roslyn, North-east Valley, Mornington, or Rose-neath.

10. You refer now to the petition sent to the Chairman?—Yes.

11. Do you know how it was that the signatures were obtained for that petition?—Yes; Mr. Mercer came round with it.

12. Who is Mr. Mercer?—He is a traveller for Messrs. Tucker and Co.

13. Has he a shop himself?—No, he was just obliging us in taking the petition round.

14. Did Mr. Mercer get all the signatures for the petition?—Yes, as far as I know. He did not go out of his beat as a traveller to get the signatures. He had not time to go down to North-east Valley, to Roslyn, or to Mornington.

15. Who arranged for you to come up here?—The small shopkeepers, through Mr. Mercer.

16. Did they approach you through anybody?—No, personally. Some of them I had never seen before; but it was through Mr. Mercer that I was authorised to come up.

17. The petition asks for no limitations whatever, but I understand that you consider the petitioners would be satisfied with 8 o'clock closing?—Decidedly they would.

18. *Mr. Ell.*] If the hour of closing were regulated by vote of the shopkeepers, would you have any objection?—Well, the big shopkeepers have the majority, and I think we would hardly submit to that.

19. You say the big shops have the majority?—Yes.

20. You do not mean to say that the shops in George Street, Princes Street, and a few of the other main streets in the city outnumber the shops in Roslyn, Mornington, South Dunedin, and Caversham?—I could not say how many shops there are.

21. You know Dunedin well, and I know it fairly well: what I want to get from you is whether you think the small shopkeepers would be outvoted?—I do not think they would be outvoted.

22. If they could not be outvoted you would be perfectly safe if the vote was taken amongst the shopkeepers themselves?—Yes.

23. *Mr. Laurensen.*] You ask that the hour for closing shops shall be extended to 8 o'clock?—Yes, seeing that we have no canvassers or carts.

24. The larger business shops closing at 6, would it not interfere with their trade if the smaller shops were allowed to keep open till 8?—I do not think so. All their goods can be put out by their canvassers and carts supposing they were closed at 5 o'clock. It is 5 or 6 o'clock in the small shops before anything much is done. It is only when the big shops are closed that there is anything doing. From half past 9 to 12 o'clock in the morning I have seen nothing sold in the place. Then from 5 to 7 o'clock the working-man comes home from work and we get our business. I do not think the big shops have anything to do with that class of trade.

25. *Mr. Tanner.*] Do you know anything of the Otago Master Grocers' Association?—I have heard of it.

26. Do you know anything of its membership?—No.

27. Do you know that witnesses have been here who represented that association and said they represented about thirty-five shopkeepers in Dunedin?—I am not aware of it.

28. Do you know that they asked this Committee to stick to the Act as it is, and close all the grocers' shops at 6 o'clock without any exemptions whatever?—I have seen that in the papers, but that is working into the hands of the big shops, which can get their orders out by carts.

29. Do you draw a line of distinction between the larger shops these witnesses claimed to represent and the smaller shops that you represent?—Yes. We do not cart our goods, but just sell them over the counter. It is the only way of obtaining a living we have.

30. You are speaking on behalf of the small shops?—Yes.

31. How would you make a distinction between the two?—The distinction is that we do not canvas or cart out goods.

32. How would you in plain, simple words define the difference between the small shops you represent and the larger shops? Have you thought of that—that there should be a distinction drawn or not?—The meaning or distinction I would take out of it is that the small shops should not canvas or cart out goods.

33. Would you base the distinction on the employment of labour for which wages are paid?—It might come in there—if they had any one working for them.

34. What class of goods do you generally sell?—All things sold in a grocery store, down to a penny-worth of lollies.

35. You sell petty groceries and fruit?—Yes; anything to make a small living, because we are not able to work.

36. *Mr. Hardy.*] What was your original business?—Engine-driver. I lost a leg in the Old Country, and came out here and made a few pounds and invested in a store.

37. Did the loss of your leg disqualify you for engine-driving?—No; I drove a stationary engine for ten years.

38. You said something about the long hours you had to work?—Yes. When I got on as night-watchman I used to do so-much engine-driving and so-much night-watching, and sometimes the hours went into ninety a week.

39. You thought it was very hard?—Yes; and when I saw it was getting too stiff I growled, and my employer said it was a free country and I could go.

40. You objected to the long hours, and considered they were telling on you?—Yes. I have wrought 360 nights in the year.

41. In this country, where we have so many labour-saving appliances, do you not think we should shorten the hours of labour?—It is a good thing. I am shortening the hours of my labour.

42. You approve of shortening the hours of labour?—Yes.

43. Do you know how many employees there are in the different shops in Dunedin and suburbs?—I am not aware of the number.

44. How many do you think there are?—I could not tell you.

45. Are there more employees than employers?—I expect there would be.

46. Do you not think we should do the greatest possible good for the greatest possible number?—That is right enough, but when a man like me wants a leg, who will employ him?

47. Well, you went into business to shorten your hours of labour?—Yes.

48. You would not like to be in a business and be the means of lengthening other people's employment, would you?—By no means.

49. You think it would be unreasonable to poach on other people's preserves when their game-keepers are probably away on a holiday?—Well, they can go away canvassing for orders, and use their carts, and we cannot do it. The struggle with us is to make a living, and if we have to close at 6 o'clock, many may have to go to the Benevolent Institution.

50. You approve in the main of the principle, "The greatest possible good to the greatest possible number"?—Decidedly.

51. It is just on account of the way you are situated that you want to make money while other people are debarred?—Making money!

52. You approve of making money when other people are debarred—when the people who employ labour are debarred?—It is the only time we can do it.

53. We only want to get at the truth, in order to devise some scheme or law which will suit all parties?—Yes, I understand that.

54. *Mr. Aitken.*] If the Act provided that all shops which employed shop-assistants were to close at 6 o'clock, and those which did not employ shop-assistants were to close at 8 o'clock on week-nights and 10 o'clock on Saturday, would that suit you?—Decidedly it would.

55. You would have no objection to a provision of that kind?—None whatever.

56. Do you think the present provision that compels you to close at 6 o'clock on week-nights and 9 o'clock on Saturday is too severe?—Yes.

57. And you think so because it does not give the working-man who buys from you an opportunity to purchase his goods?—Yes.

58. *Mr. Bedford.*] We had a petition from Dunedin shopkeepers representing thirty-five shops?—Yes; we have a petition signed by sixty-six.

59. The greater proportion of your business is done after 6 o'clock?—Yes.

60. *Mr. Alison.*] You say that you represent sixty-six grocers in Dunedin: how many small grocers' shops do you estimate there are in Dunedin—that is, in the combined district?—I do not know. We have not put in our paper the shops in the North-east Valley. This is for the outskirts of Dunedin, and the number is sixty-six.

61. Are they all grocers?—Grocers, and shops that sell a variety of everything.

62. All selling groceries?—Yes.

63. What do you estimate is the number of small shops in the combined district of Dunedin—that is, Dunedin City and the adjoining boroughs?—I could not tell you.

64. Would there be a hundred?—I have not the slightest doubt there would be that number, seeing that there are sixty-six signatures on this petition. I live in South Dunedin and cannot speak definitely, but I quite believe there would be that number.

65. What time do you close?—Eight o'clock.

66. Do you do much business after 6 o'clock?—Yes, more after 6 than generally. From half-past 9 to 12 in the morning no one comes in at all to speak of, and from 1 to 4 you might shut up again but from the time the school-children come out, business begins again.

67. Would it seriously interfere with your business if you shut at 6 o'clock?—It would. It is



only after 6 that we do business. We have no regular customers—it is just over-the-counter business. There might not be five women in during the whole of the day, but after school the children bring in small notes for goods.

68. If you were compelled to close at 6 o'clock during each of the first five nights of the week, and at 9 o'clock on Saturday night, would that prevent you carrying on your business successfully?—It would hurt it greatly.

69. It would seriously injure you?—Yes, it would, decidedly.

70. *The Chairman.*] Who went round with your petition?—Mr. Mercer.

71. He is employed by whom?—Messrs. Tucker and Co.

72. What are Messrs. Tucker and Co.?—A big wholesale shop, in Vogel Street, Dunedin.

73. Did he call on you to sign this petition?—Yes.

74. And you signed it at once?—Yes.

75. Do you know any one who refused to sign it, and he went back two or three times to persuade them to do so?—I do not.

76. It is only fair to say that I have correspondence to that effect. Why was it that a big wholesale house in Dunedin sent their servant round like this?—I did not say the firm sent him round. Mr. Mercer goes round canvassing for Messrs. Tucker and Co., and he was asked if he would carry the petition round.

77. Who asked him?—I asked him myself, seeing that he was going round the different shops, if he would take it round and get it signed.

78. So you think he did it at the request of the small shopkeepers and not at the request of his employers?—He was doing it for our good.

79. You say it was done at the request of the small shopkeepers?—Yes.

A deputation of shop-assistants (three) attended the Committee.

SIDNEY SOLOMONS examined. (No. 108.)

80. *The Chairman.*] I understand you represent some of the shop-assistants of Wellington?—Yes.

81. What are you?—A shop-assistant at Mr. Zachariah's, pawnbroker.

82. What do the three of you represent?—We represent a petition signed by 158 shop-assistants. The petition is set out to you as follows:—"To the Chairman of the Labour Bills Committee,—We, the undersigned shop-assistants in the City of Wellington, are as anxious as our employers for the repeal of clause 3 of 'The Shops and Offices Act, 1904'; that the fifty-two statutory working-hours per week should not be defined by legislation, but by mutual agreement between employer and employee; that the statutory half-holiday should be determined by the employer for Wednesday or Saturday, as best suits his interests." In presenting this petition to you, I might state that we have been round to very few, in a very small circle, and we had no difficulty in getting those we went to to sign this petition. In the business in which I am engaged it would interfere very greatly with us if we were compelled to close at 6 o'clock. Our business is done between 6 and 9 o'clock at night. Seventy-five per cent. of our business is done then. We are in accord with the proposed fifty-two hours a week, but we are willing to let our employers define the hours which he wishes to set out for us. If we did not agree to this, it would mean that the majority of us would be thrown out of work. We do not wish to work more than fifty-two hours, and, as in everything else, if we could work less it would be so much the better; but we have to study the interests of our employers, or we should have to go.

83. You represent a special class of shop-assistants?—No, there are other classes in the list; in fact, all on the list could not do without the hours after 6. Six-o'clock closing would not suit them, and, as I say, 75 per cent. of business is done between 6 and 9.

ROBERT WILLOUGHBY ARMIT examined. (No. 109.)

84. *The Chairman.*] What are you?—A tobacconist's assistant.

85. Just make your statement?—I can only bear out what Mr. Solomons has stated. I am managing a business now. There are three of us in the shop. The hours of working at present are: Every Monday and Tuesday I go on at half-past 8 to noon, and from 1 to 4.30 and 6 to 7.30. On Wednesday 8.30 till 1 o'clock. On Thursday, Friday, and Saturday, 8.30 to noon, 1 to 4.30, and from 6 to 10. That is nine hours per day. Mr. Batkin, my employer, set these hours out himself, and they are working very satisfactorily. If the Act were carried out in its entirety, one of the three assistants would have to go.

HARRY JURISS examined. (No. 110.)

86. *The Chairman.*] What is your business?—I am a bicycle canvasser. I canvass in the afternoons and make arrangements with young men who cannot come in during the day to call in during the evening to purchase machines. Most of our business is done after 7 o'clock at night. For one bicycle sold in the day there are three sold at night. It means a difference of £1 15s. a week to me alone, and it also affects the whole of the canvassers engaged in the trade, if we have to close at 6 o'clock.

86. *Mr. Alison (to Mr. Solomons).*] Do you know whether any of the employees engaged in connection with the business you represent asked that legislation should be passed to fix the hours for the opening and closing of shops?—No, because it does not suit them. I know they would like to get off at 6, or even 4, if possible; but the business will not suit.

87. You do not know of any?—They do not want to close at 6. They want to leave it to the employers to fix the fifty-two hours a week as they think fit.

88. *The Chairman.*] Did your colleagues or you ask for legislation similar to this?—No.



89. *Mr. Alison.*] Do you know of any employees who asked for it ?—There is only one that I know of, and he was in a hairdresser's saloon.
90. That is the only employee that you know of ?—Yes.
91. Does he belong to any union ?—I believe he belongs to the assistants' association ; I am not certain.
92. Is he a member of the Trades and Labour Council ?—I really could not say.
93. You consider that each employer should be allowed to regulate the hours of closing to suit his business ?—Provided the assistants were not worked more than fifty-two hours a week.
94. With that provision ?—Yes.
95. At what time do you close your shop now ?—Six o'clock.
96. You are complying with the law ?—Yes.
97. And previous to the passing of the law ?—Nine o'clock.
98. What has been the effect of closing at 6 o'clock on your business ?—We can show by our books that we have lost 50 per cent. We are losing considerably. I know, as a positive fact, that I shall have to go if the law is enforced.
99. The business will not be carried on with success ?—I know they would have to cut down expenses, and I shall have to go.
100. *Mr. Wood.*] You said you only knew of one shop-assistant favourable to 6 o'clock closing ?—That is all I have met personally.
101. Do you know that a requisition has been sent to Parliament with 27,000 signatures, asking for early closing throughout the colony ?—I have not heard of it, except last year's petition for universal Saturday closing.
102. What were your hours ?—From 9 to 1, from 2 to 6, and from 7 to 9 o'clock, except Wednesday, 9 to 1.
103. The business is that of a pawnbroker ?—Yes. The shop is opened at 8 o'clock in the morning. The license compelled us to open from 8 in the morning to 9 at night.
104. And you want to keep open longer ?—No, I want the law to leave us alone, simply that I may keep my billet.
105. How many hours do you work per week ?—I was putting in about sixty hours before the law came into force.
106. And since the law came into force ?—Fifty-two.
107. Do you find any difficulty about that ?—My employer finds that there is a great loss of business, and he has informed me that if the law is enforced I shall have to go. He could dispense with me altogether except from 6 to 9 at night, as it is during those three hours that most of his business is done.
108. *Mr. Tanner.*] In other words, it is an evening trade ?—Yes. It is the working-classes that we do business with, and it is only through them coming out at night that we are employed.
109. *Mr. Wood.*] If your employer had not told you that he would have to dispense with your services if the law were enforced, you would not have taken any notice of the Act ?—Yes, I think it is the duty of assistants to take an interest in their employers' business.
110. You just now admitted that your employer told you that if the law were enforced you would have to go ?—Yes.
111. And previous to that you took no notice of the Act ?—Yes.
112. So that it is through the threat of your employer that you are taking notice of it now ?—No, it is not a threat. It is to his interest.
113. *Mr. Aitken.*] Did your employer speak to you on the question before you took any action ?—He did.
114. He told you that if this Act were enforced you would have to go ?—Yes.
115. So that you took this step to save your own situation ?—Not only to save my own situation ; there are 150 others.
116. But the first act was to save yourself ?—To save the lot of us. It is not only myself that I am looking after. It would be very hard if 150 employees were to be thrown out of work.
117. Was the matter put to you by your employer in a threatening manner ?—No, it was not.
118. How was it put ?—In a casual talk. He said, " You have heard it is proposed that this law shall be enforced, and of course you know our principal business is done at night, as has already been proved by the books showing a big loss." He said there was only one way to get out of it, and he regretted it very much. He said I had given him every satisfaction since I had been with him—I am quite capable of doing business for him—and he would regret very much if the law were enforced, as he would have to dispense with my services.
119. *Mr. Hardy.*] You say you are a pawnbroker's assistant by profession ?—Yes.
120. It is a special trade which requires to be carried on in the evening ?—We find that the major portion of our business is done in the evening.
121. Do you do any other business besides that of pawnbroking ?—Yes, selling photographic and other goods.
122. You would not think it unfair if other people were compelled to close, and it was necessary for you to keep open, if you were prevented from selling goods ?—We pay a license-fee for our business.
123. You do not pay a license-fee for selling goods ?—We pay it for the pawnbroking business, and it does not say we shall not sell goods.
124. The question I put to you is this : Providing an exemption was made, and your pawnbroking business was exempted on account of the necessity for keeping it open in the evening, would you think it fair if you were prevented from selling goods when other people were closed ?—If other people were prevented from opening, decidedly.
125. There are people connected with tea-rooms who have signed the petition ?—Yes, there are tea-rooms upstairs adjoining us.

126. As there may be an objection to keeping tea-rooms open at night, it is hardly right to have these signatures on the petition?—Mr. Colegrove is the employer of the two signatories you have there.

127. Who is he? Is he here?—He is the “boss,” not an assistant.

128. There are special trades which require exemption?—If any exemptions were made for the pawnbroking business, and all the other shops were closed, we should not be allowed to sell goods.

129. Supposing the law permitted you to keep open and compelled other people to close, it would be unjust?—Yes, certainly.

130. Is it not a fact that under your license you can keep open until 9 o'clock, and the law cannot prevent you?—Yes, for pawnbroking only.

131. It can only prevent you from selling goods?—Yes.

132. And really if it can be shown that it is good for the masses to have early closing, you would not act the dog in the manger and try to prevent it?—No.

133. Would it not be a good thing for everybody, in these days of intelligence and labour-saving appliances, to work fewer hours?—Yes, fifty-two hours is quite long enough for any one to work.

134. If we could devise a scheme to put before Parliament by which the hours of labour could be shortened, and you might be hurt by it, you would not act the dog in the manger?—Certainly not; but we want to keep our billets, and we hope our employers will do well, and be able to keep us on.

135. You do not want to go back to last century hours?—No.

136. When you first started business, at what hour did you begin?—I went at 8 o'clock in the morning.

137. *Mr. Fisher* (to *Mr. Armit*.) What is your business worth to you in the evening?—Anything up from £1. From 6 to 10 we take from £3 to £4. Our business being open creates the demand. A man who in the evening wants a cigar and cannot get it will not smoke two the next morning.

138. If you shut your shop at 6 o'clock you do not find your takings increase in the morning? You cannot make that loss up?—No.

139. (To *Mr. Solomons*.) The class of people whom you do business with have no chance of doing their business with you in the day-time?—No, not the working-class, and it is really the working-class we cater for. They are away at work up till 5 o'clock. A working-man does not come in his working-clothes as a rule to do his business.

140. Do you think it would be better if the working-people were prevented from going to you at all?—You might just as well shut up altogether.

141. (To *Mr. Juriss*.) I suppose the same applies to you; the young men could not come to you during the day?—No.

142. So far as the three of you are concerned, you think there is a possibility that one assistant in your business will lose his billet?—*Mr. Armit*: One of our assistants has to go.

*Mr. Juriss*: I might get less wages.

143. *Mr. Ell* (to *Mr. Solomons*.) Who wrote the petition out?—I could not answer that. It was given to me to go round.

144. Who gave it to you?—*Mr. Jones*, of Jones and Ashdown.

145. He is an employer?—Yes.

146. Who took it round?—*Mr. Juriss*: I took it round.

*Mr. Solomons*: I took it round to some people.

147. (To *Mr. Solomons*.) What is your position in the shop?—I am head salesman.

148. Is there any one under you?—One.

149. Are you aware that there are sixty names of tea-rooms and restaurant-keepers' employees on the petition?—For instance, there are all *Mr. Carroll's* employees, the employees of *Mr. Godber* and of *Mr. Mawson*?—I did not read the names myself, except those whose signatures I collected myself.

150. I notice that *Mr.* and *Mrs. Carroll's* employees' names are at the head, and the same with *Mr. Godber's*. Do these employees represent tobacconists and fishmongers?—I did not go down the list.

151. (To *Mr. Armit*.) What is your position in the shop?—I am manager for *Mr. Batkin*.

152. (To *Mr. Juriss*.) What is your position?—I am town traveller for Messrs. Inglis Bros.

153. Are you the head traveller?—Yes, and have been there for eight years.

154. Are you manager of the shop?—I am head salesman.

A deputation from the Wellington Trades and Labour Council, also representing the Executive Council of the Trades and Labour Councils of the colony, attended the Commission.

*The Chairman*: I understand you have come this morning for the purpose of giving evidence in connection with the Shops and Offices Act Amendment Bill which is now before Parliament. We shall be glad to hear anything you have to say, but I presume you will not overlap one another in your statements.

WILLIAM HENRY HAMPTON examined. (No. 111.)

155. What does the deputation represent?—The Trades and Labour Council of Wellington, and also, by authority, the Executive Council of the colony.

156. Do you say you represent the Trades and Labour Councils of the whole colony?—I do. I am President of the Wellington Trades and Labour Council.

157. Can you give me any idea of the membership of your federation?—No. It will be well on to twenty thousand, at all events—that is, throughout the colony.

158. Just make your statement, please?—The position we have to put before you arises out of the decision arrived at by the annual conference held in Wellington last April. The position of the Labour party in regard to the Shops and Offices Act is this: That all shops shall be closed at 6 p.m. on five days of the week and at 1 o'clock on Saturday, subject, of course, to the necessary exemptions.

The exemptions agreed to, and which were thought to be fair, were as follows : Chemists (to be allowed to sell medicines, dressings, medical and surgical appliances, provided the purchaser produces a doctor's order), fruiterers, confectioners, pastrycooks, and restaurants, including those who supply fish and oyster suppers for consumption on the premises. These are the decisions in regard to the matter come to at the last Trades and Labour Councils Conference. In support of those we are here to-day. With regard to the hours to be worked by the assistants, these to be limited to forty-eight per week. We came to the conclusion that it was a farce to have a so-called eight-hour law and yet have workers in different branches of employment working fifty-two, fifty-four, and a considerable number of hours over and above those ; that it was not conducive to the well-being of the community, the employee as well as the employer, that longer hours than forty-eight should be worked. Of course, it has been put before this Committee, I presume—it has been put before the public—that since clause 3 of the last Act was made law there have been great losses in different lines of business, owing to the people being unable to make their purchases previous to 6 o'clock in the evening ; and it is claimed that the workers can not do their shopping within the hours set out in the Act. Well, we, representing the workers, claim that we can do the whole of the shopping necessary between the hours of 8 a.m. and 6 p.m. As a family man I might say that outside of the getting of our paper in the morning from a boy there has been no shopping by our family after 6 p.m. Large numbers of other workers that I know have also adhered to the hours set out in the Act, and they find it is the same as I have found : that the whole of the shopping can be done within those hours, and done easily. With regard to the losses that have been inflicted, according to what we hear, we say that cannot have been because of the Shops and Offices Act of last session. The great depression of trade that we hear of, on the other hand, is not caused by the Act of last session for the simple reason that within a few weeks of its passing we heard the same cry ; and up to within about a month ago the Act was not enforced in this city, so that the loss could not have occurred through the passing of the Act. If one or two individual traders have suffered any loss, it is because they themselves have strictly adhered to the law while their competitors on the other side of the street and on either hand were keeping open and robbing them of the benefit of their loyalty to Parliament's decision. If there has been any loss in individual cases it has been through that. We also are aware of the position that is taken up by some people, who say that so long as the assistants get off after their eight hours' work Labour should be satisfied. Well, the Arbitration Court has gone into the various classes of labour and has invariably decided that forty-eight hours are sufficient to constitute a week's work, and we look to Parliament, as being the supreme Arbitration Court of the colony, to arbitrate between the people as a whole and their employees, the shopkeepers, and to say, What is good for one class of employee should also be good for the shopkeeper, even if he is acting "on his own." We find in every trade, whenever an award is gone for, that a great cry of "Freedom of contract" is raised up—that so long as the men are willing the employers and themselves should agree as to the hours they should work ; that if the men want to put in a few hours' overtime no one should have the right to say whether those men should work or not. But the Arbitration Court has decided that the Court should fix the hours. And we want Parliament, as the supreme tribunal, to take up the same position in regard to the people and their employees the shopkeepers. We hold that the people of the colony should be made to understand that there are certain hours within which they should do their shopping ; and I think that no inconvenience will be inflicted upon them after the first week or two's enforcement of the Act, when they get into the run of the ropes, for they would then always be prepared to do their shopping within the statutory hours. The cry we now hear is the same as was raised when the half-holiday was first enforced ; and to-day I do not think you would find a single shopkeeper in this city who would be prepared to give up his weekly half-holiday, even if he were allowed to do so by Parliament. We hope that the Committee will recommend proposals in support of the lines laid down by the Easter Conference of the Trades and Labour Councils, and we think there would be no difficulty at all once the Act was given a fair trial ; and had the Act been enforced from the time it was passed last session up to the present the shopkeepers of this city would have been one and all in favour of it ; but those who have observed it have had to compete with those who were allowed to keep open, and therefore a slight loss has been inflicted upon them. We think the Act should have been impartially observed by all.

WILLIAM THOMAS YOUNG examined. (No. 112.)

159. *The Chairman.*] What are you ?—I am here representing the Trades and Labour Council.

160. Are you secretary or president ?—I am ex-president of the Trades and Labour Council.

161. You have been appointed by the Council to come here and give evidence ?—Yes.

162. *Mr. Fisher.*] You might also mention that you are secretary of the Seamen's Union ?—Yes.

I was chairman of the last Trades and Labour Conference.

163. *The Chairman.*] At which this resolution was carried ?—Yes.

164. Will you go on with your statement now, Mr. Young ?—I do not propose to speak on any subjects which have been dealt with by Mr. Hampton ; but, first of all, I desire to bring under the notice of the Committee the various resolutions that were passed by the Trades and Labour Councils Conference, in respect to early closing, in 1903, 1904, and 1905. The 1903 resolution was to this effect : That the Government be urged to pass the Shop Hours Bill, and that shops be closed at 6 p.m. on five days in the week and 1 p.m. on Saturday. The 1904 resolution was to this effect : That the Government be urged to pass into law a Shop Hours Bill providing for a uniform hour of closing and a compulsory Saturday half-holiday, and that shops should close at 6 o'clock on five days of the week and at 1 o'clock on Saturday. At the last Conference, held in Wellington, it was decided to recommend that all shops should be closed at 6 p.m. on five days of the week and 1 o'clock on Saturday, subject to the necessary exemptions. So it will be seen from that that the request, so far as we are concerned, is nothing new ; but that for the past few years we have been urging upon the Government the desirability of legislating

in this direction, and we very much regret that the early-closing provision in the Act does not apply to the whole colony. We believe it would meet with more approval were it made applicable to the whole of the colony. Since the Act was passed several meetings have been held in respect to the early-closing clause, and at a mass meeting which was held in the Druids' Hall on the 23rd November last, which meeting was convened by the Trades and Labour Council, this resolution was carried :—

165. Was it a public meeting?—A public meeting, and I may say that the hall was packed. This was the resolution, "That this mass meeting of citizens indorses the action of Parliament in having provided in the Shops and Offices Act for uniform closing at 6 p.m. in the combined districts of Wellington, Auckland, Christchurch, and Dunedin, and regrets that section 3 does not apply to the whole colony. Further, the meeting supports the officers of the Labour Department in their efforts to administer the Act in its entirety." I have heard it said that in asking for a provision of this kind we are ahead of our time. I would point out to the Committee that we are very much behind the times; the Australian States, or rather, three of them, have legislated in this direction—New South Wales as long ago as 1899. I have the New South Wales Act, which was passed by the Parliament there in 1899, and assented to on the 22nd December of the same year; and I propose to put the early-closing clauses on record: "Part I. The Closing of Shops.—(1.) The closing-times for all shops (except those mentioned in Schedule I) situate within the Metropolitan or the Newcastle Shopping District shall, in every week, be as follows: On Monday and Tuesday, 6 o'clock; on Wednesday, 1 o'clock or 6 o'clock, whichever of these times is chosen by the shopkeeper in pursuance of this Act; on Thursday, 6 o'clock; on Friday—(a) 6 o'clock where the closing-time on the preceding Wednesday was 1 o'clock; (b) 10 o'clock where the closing-time on the preceding Wednesday was 6 o'clock; on Saturday—(a) 1 o'clock where the closing-time on the preceding Wednesday was 6 o'clock; (b) 10 o'clock where the closing-time on the preceding Wednesday was 1 o'clock: and all such shops shall close on those days not later than the hours above mentioned, which shall be hours after the hour of noon on each day: Provided that this subsection shall not apply in so far as it fixes the closing-time before 10 o'clock to the day immediately preceding Christmas or New Year's Day, or where Christmas or New Year's Day is a Monday to the next preceding Saturday."

166. *Mr. Fisher.*] Will you read the exemptions?—I will come to them directly. "Shops mentioned in Schedule I.—5. (1.) The closing-times for shops mentioned in Part I. of Schedule I., and situated in any shopping district, shall be 10 o'clock on Friday or Saturday, whichever of those days is chosen by the shopkeeper, and half past 7 o'clock on the other week days. And all such shops shall close on those days not later than the hours above mentioned." In 1900 the New South Wales Parliament passed an amendment to the original Act of 1899, and this was assented to on the 11th December, 1900. It provides "Closing-times.—Sections 3 and 4 of the principal Act are hereby repealed, and every Proclamation made under the provisions of section 3 of the said Act is hereby rescinded, and the following shall stand in lieu thereof: (1.) The closing-times for all shops (except those mentioned in Schedule I of the principal Act) situate within a country shopping district shall be—on one week-day, 1 o'clock; on one week-day, 10 o'clock; such days (until altered in pursuance of this Act) to be those respectively now observed in each shopping district, and, on the four other week days, 6 o'clock; and all such shops shall close on those days not later than the hours above mentioned, which shall be hours after the hour of noon each day." Then section 4 of that amendment is to this effect: "The Governor may by Proclamation constitute any area not now declared a country shopping district to be a country shopping district, and shall in such Proclamation define the boundaries thereof. The closing-time for all shops (except those mentioned in Schedule I. of the principal Act) situate within such country shopping district shall be: on one week-day, 1 o'clock; on one week-day, 10 o'clock; such days (until altered in the same manner as provided in the preceding section for existing country shopping districts) to be those respectively declared in such Proclamation, and, on the four other week-days 6 o'clock; and all such shops shall close on those days not later than the hours above mentioned, which shall be hours after the hour of noon each day." Clause 5 reads "Notwithstanding anything contained in Part I. of the principal Act, the closing-time for news-agents' and booksellers' shops within the metropolitan area shall be 8 o'clock on five week-nights and 10 o'clock on Saturday. A news-agent's shop shall include a shop where newspapers, periodicals, magazines, novelettes, stationery, school requisites, or books are exposed for sale." Then, clause 6 provides that "In the case of any shop situate within the Newcastle Shopping District, and mentioned in section 1 of the principal Act, any shopkeeper who has elected to close at 1 o'clock on Wednesday may keep his shop open till 10 o'clock on Friday: provided that in such case his closing-time on Saturday shall be 6 o'clock." I will now deal with the exemptions.

167. These are the exemptions under the principal Act?—Yes. The exemptions under the New South Wales Act are these: Schedule I.—Part I.—Hairdressers' shops: 10 p.m. Friday or Saturday; 7.30 p.m. on other week-days. They can choose between Friday and Saturday for the late night.

168. *The Chairman.*] They keep open an hour and a half later than the other shops?—Yes. Part II.—Chemists' shops, druggists' shops, private dispensaries, public dispensaries, flower-shops, 11 p.m. Saturdays; 9 p.m. on other days. Part III.—Fruit-shops, vegetable-shops, tobaccoists' shops, confectioners' shops, newspaper and news-agents' shops, publichouses, hotels, and wine-shops, undertakers' shops: 11 p.m. on all week-days. Part IV.—Restaurants, refreshment-shops, eating-houses, fish-shops, oyster-shops, cooked provision shops: 12 midnight on all week-days. That is the New South Wales law in respect to early closing, and now I come to the South Australian law. The South Australian Act was passed in 1900, and assented to on the 5th December of that year. It provides as follows: "5. This Act shall not apply to the classes of shops mentioned in the First Schedule. Part I.—The Metropolitan Shopping District.—6. The Electoral Districts of North Adelaide, East Adelaide, West Adelaide, East Torrens, West Torrens, Sturt, and Port Adelaide are hereby constituted the Metropolitan Shopping District. 7. (1.) The closing-times for all shops within the Metropolitan Shop

ping District shall be in every week as follows : On Monday and Tuesday, 6 o'clock ; on Wednesday, 1 o'clock or 6 o'clock, whichever of these times is chosen by the shopkeeper in pursuance of this Act ; on Thursday, 6 o'clock ; on Friday, (a) 6 o'clock, where the closing-time on the preceding Wednesday was 1 o'clock ; (b) 9 o'clock where the closing-time on the preceding Wednesday was 6 o'clock ; on Saturday, (a) 1 o'clock where the closing-time on the preceding Wednesday was 6 o'clock ; (b) 9 o'clock where the closing-time on the preceding Wednesday was 1 o'clock : Provided that this clause shall not apply to Christmas Eve or in so far as it fixes the closing-time before 9 o'clock to the week-day immediately preceding any public holiday, but so that no shop shall remain open for trade after 6 o'clock on more than one day in any week." The Schedule is to this effect : "The First Schedule.—Chemists and druggists, restaurants, eating-houses, and refreshment-shops, cooked meats and butchers and bakers' small goods, fish and oyster shops, fruit, flower, and vegetable shops, tobacconists, hairdressers, confectioners, news-agents and book-stalls at railway-stations, undertakers, publichouses, licensed wine-shops." Those are the exemptions under that Act. The next is the Queensland law on the matter. It is embodied in the Factories and Shops Act, which was passed in 1900, and assented to on the 28th December of that year : "Part VIII.—Hours of Business in Shops.—50. (1.) Save as hereinafter mentioned, the provisions of this Part of this Act shall not apply to the shops and establishments of the classes following, namely : Chemists and druggists' shops, confectioners' shops, fish and oyster shops, fruit, vegetable, and temperance-beverages shops, hairdressers' shops, restaurants and refreshment-shops, tobacconists' shops, booksellers' and news-agents' shops, undertakers' establishments." Then, section 51 reads, "Subject to the provisions of this Act, all shops shall be closed on the business days of every week at the hours following, namely : On the evenings of Monday, Tuesday, Wednesday, and Thursday, at the hour of 6 o'clock, on the evening of Friday at the hour of 10 o'clock, and on the afternoon of Saturday at the hour of 1 o'clock : Provided that if the day appointed for the half-holiday as hereinafter provided is a day other than Saturday, all shops shall be closed at the hour of 1 o'clock in the afternoon of the day so appointed, and the occupier may keep his shop open on the evening of Saturday up to the hour of 9 o'clock, but, unless the day so appointed is Friday, shall close his shop on the evening of Friday at 6 o'clock : Provided also that on the three business days preceding Christmas Eve he may keep his shop open up to the hour of 10 o'clock in the evening, and on the business day next preceding Christmas Day up to the hour of 11 o'clock."

169. *Mr. Kirkbride.*] Is there anything in regard to the opening-hour in the morning ?—No, there is nothing in respect to the opening-hour in the morning in these three laws ; but it will be seen from these that we are considerably behind the times in this connection. It will be seen that the hours of closing in these three States is 6 o'clock, and that in Queensland they go much further inasmuch as they provide for the Saturday half-holiday or very nearly so. I can only repeat in a sense what Mr. Hampton has said, that had the measure which was passed here last session been enforced from its inception I do not think there would be a great hostility to the early-closing provisions at this juncture. In support of this statement I would like to draw the Committee's attention to the very severe criticism that was made when the original Act was passed in 1894, which provided for a half-holiday in the week. I myself can remember paragraph after paragraph and letter after letter being written, and meeting after meeting being held, at which we were told that the new law was going to drive capital out of the country, that industries would be paralysed, that plants would be lying idle, and I do not know what was not going to occur. But what is the position to-day ? After practically eleven years' experience of that measure I am open to say that the people would not now go back on that provision, notwithstanding all the criticism. We were also told on that occasion—I can remember it fairly well—that the new law would drive the small shopkeeper entirely out of business, and that it was a measure in support of the larger shopkeeper. Take the City of Wellington : we find here to-day, after this period has elapsed, that the small shopkeeper, instead of being wiped out of the business altogether, has increased by about 25 per cent., and is doing fairly well.

170. *The Chairman.*] Has increased about 25 per cent. in number ?—Yes, in number. And I venture to say that after we have had a little experience of a measure of this description the same result will eventuate. What is involved in this measure ? It is not altogether the question of the shop assistant that is involved here. You provide for him by distinct clauses which say that he shall not be worked more than fifty-two hours per week. We assert that he should not be worked more than forty-eight per week. But I say that the main principle involved in this measure is the question of competition. I know a very large number of shopkeepers in Wellington who tell me that they are anxious to close at 6—not the large shopkeepers, but the small shopkeepers—they are anxious to close at 6, and to get away from their business for the day and go to their homes—to their wives and families—and thus have some little enjoyment in the course of their lives ; they tell me that they cannot possibly do that so long as a man, probably in the same line of business, on the opposite side of the street or next door if you choose, is permitted to remain open. This man wants to keep his shop open for probably fourteen or fifteen hours out of the twenty-four, and work himself in a manner that a slave would be worked, so to speak—this man compels the fair trader next door to him to keep his shop open also. I therefore say that the main principle involved in the early-closing clause is not the question of the shop-assistant at all, but it is the question of fair competition. We must have fair competition all round. This matter can be fairly well illustrated by a petition that I have seen, which was signed by close on two hundred shopkeepers, and was in favour of the early-closing clause—section 3 of the Act—as it appears on the statute-book.

171. I presume you allude to the petition that the Shop-assistants Association got up ?—Yes, I allude to that petition. I would just like to say this : that I have taken a very keen observation of the opponents of this measure, and as a matter of fact, at their last meeting in the Theatre Royal, which several members of Parliament attended and addressed, I should say about 15 per cent. of the audience were Chinamen. In fact, I felt very uncomfortable where I was sitting, because there were ten China-

men right round me, and I could see Chinese all through the building. The Theatre Royal was not one-quarter full. This shows how feeling has died out. At the first meeting that the shopkeepers convened in the Druids' Hall, there was a good deal of excitement, and the hall was, I should say, packed on that occasion; but here three or four months afterwards —

*Mr. Hardy:* Mr. Chairman, I must take exception to this kind of evidence. We are here to listen to evidence, and not to political speeches.

172. *The Chairman.*] I think Mr. Hardy is quite right. It does not concern us what was done at the public meeting, Mr. Young?—I did not know that I was out of order, Mr. Chairman, I am sorry, and apologize. Well, I do not know that there is much more that I can add to what has already been said, but I would like to mention that there are a good many districts in the colony that have already voluntarily adopted the early-closing clause. There are eighteen different towns in the colony that have by requisition adopted the early-closing provisions of this Act, and five others are now negotiating in that direction. The towns which have adopted early closing are these: Balclutha, Dannevirke, Greytown, Hawera, Otautau, Outram, Temuka, Gisborne, Oamaru, Stratford, Manaia, Feilding, Masterton, Rongatea, Te Aroha, Pahiatua, Kaiapoi, and New Plymouth; and the question is pending as regards Blenheim, Hunterville, Picton, Wyndham, and Invercargill. That is all I have to say, and I hope the Committee will see its way clear to retain the early-closing provisions and, if possible, extend them to the whole of the colony.

ANDREW COLLINS examined. (No. 113.)

173. *The Chairman.*] Do you wish to add something to what has already been said?—I think I can add but very little to what the two previous speakers have stated. I quite agree with the evidence they have given as representing the Trades Council. I might state that I also represent unions that are not affiliated in this city, and it is their opinion that clause 3 should be retained on the statute-book. I am aware of the agitation which has been got up by a certain section of the small shopkeepers; but we put them in the same position as we are often placed in—

174. We do not want you to reply to the other depositions. Give us your side of the question?—My side is this, that where they have lost trade—take Newtown, for instance—it has not been through clause 3 at all, but it has been through the electric trams. The people come into the town. Take Cuba Street; they can make their purchases cheaper there than they can in the suburbs. It is a well-known fact that in the suburbs people have to pay a little more for their goods than they do in the town. As for as I am concerned, my wife gets a certain amount per week to keep house on, and all I can say is that, as regards our home, they can shut up on five days and open on only one, for my experience is that my wife can take the money down to town and spend the whole lot in half a day. There is one section of the community that seems to do very well. I am speaking of the Jewish people. They keep their premises open on only five days in the week. They pay the best wages, and they work their employees the shortest hours; and I think that if any one else comes to the conclusion that he cannot compete by keeping open six days in the week, when the Jews practically have only five, it does not say much for us as far as those that are in business are concerned. Personally, I hope that Parliament will keep clause 3 on the statute-book. As was pointed out by the previous speaker, Mr. Young, there was just the same howl about the Wednesday half-holiday question as there is now over the early-closing movement. My opinion is that if the Act had been enforced in the first instance there would not have been this agitation got up against it, and it would have been in operation now just the same at the half-holiday Act has been in operation for years. That is my idea, and the idea of those whom I represent.

175. *Mr. Alison* (to Mr. Hampton).] You consider that the hours for the closing of the shops should be fixed by Act of Parliament?—Decidedly.

176. Are you in favour of the retention of clause 3 in its entirety?—We are in favour of clause 3, but there is a slight discrepancy in it so far as we can understand it. Dr. McArthur decided in a case here that Wednesday counts as one of the days fixed. That allows of two late nights—on one of them the hours being unlimited. We want to see that rectified; we want to see it set out in definite language, practically on the same lines as the resolution carried at the conference—that all shops shall be closed at 6 p.m. on five days of the week and at 1 o'clock on Saturday, subject to the necessary exemptions.

177. That is what you claim?—That is what we want.

178. Then you would go further than the provision in clause 3?—Yes.

179. Is that the unanimous wish of the Council?—That is unanimous. There was not the slightest indication of dissent when the resolution was carried, although the matter was fairly well discussed.

180. Have you seen the amending Bill?—Yes, I had a glance at it.

181. Clause 3 of it reads, "Subject to the provisions of the principal Act and to any award of the Arbitration Court, a shop-assistant shall not be employed in or about the shop or its business more than fifty-two hours in one week, or at any time after 1 o'clock in the afternoon on the statutory closing-day, or after 9 o'clock in the evening on Saturday in districts where Saturday is not the closing-day, or after 6 o'clock in the evening on any other working-day"?—It merely deals with the hours of the assistants.

182. Are you in favour of that?—Provided the hours of the assistants are limited to forty-eight per week.

183. Then you would be agreeable to 9 o'clock closing on Saturday night?—No, 6 o'clock on five days of the week and 1 o'clock on Saturday.

184. Then you are not favourable to the provisions of this Bill?—No; in all cases the hours to be limited to forty-eight per week.

185. You consider that the hours for assistants should be forty-eight per week?—Not more than forty-eight.

186. Should the shop-assistants, in your Council's opinion, be permitted to work more than forty-eight hours if overtime is paid?—If it were absolutely necessary in certain cases that overtime should be worked, then a special payment should be fixed for it, such as there is in all other trades. There may be occasions for it, but we should not like to see done what is being done in Wellington at the present time—that when an employee works overtime his weekly wages are reduced for that week, so that his overtime-payment only makes up the same total as he usually draws. I have been informed by some of the assistants that that has been done here.

187. Then what you say is that your Council would not object to overtime being worked in exceptional cases only?—In exceptional cases only.

188. What do you suggest as to the rate of pay for overtime?—Well, there has been no suggestion thrown out in regard to that. In most of the trades it is time and a quarter for the first two hours and time and a half afterwards; and double time after 10 at night. It wants a good overtime clause to meet the case. That is really the opinion of all the trades—to abolish overtime as far as possible and, by providing for a heavy overtime rate, to insure that overtime shall only be worked where it is absolutely necessary.

189. You gave a list of exemptions, and amongst them you included chemists selling certain articles. What were these articles?—"Chemists to be allowed to sell medicines, dressings, and medical and surgical appliances, provided the purchaser produces a doctor's order."

190. Do you consider it is in the interests of the workers themselves that they should be compelled to pay a doctor to certify that they should have medicine when it is required after 6 o'clock?—When it is required outside of ordinary hours, the case is generally so urgent that it is necessary to call in a doctor.

191. You consider then that medicine is only urgently required after 6 o'clock in the evening when there is some serious danger to the person needing the medicine?—Yes. When there is some special occasion—if it is so urgent the case is urgent enough for a doctor.

192. You advocate that chemists should only be allowed to keep open under the conditions which you state?—That is so. The position in regard to chemists is this: they are entering into practically every trade now. What with perfumery and toilet requisites of every sort and other things, they are encroaching on almost every trade, and you must put a limit somewhere.

193. Assuming that chemists sold medicines and the articles you enumerated only, would you then have any objection to their keeping open?—I do not know what decision might be come to on the matter in that case; we were dealing with the chemists as they now are.

194. Do you not consider it is in the interests of the people as a whole, including the workers, that they should have an opportunity to get medicine at all reasonable hours?—Well, it depends on what you term "reasonable hours." We say that from 8 in the morning till 6 in the evening are reasonable hours. Any case more urgent is urgent enough for a doctor.

195. Prior to the passing of the Act last session did your Council make representations to the Minister of Labour in favour of early closing?—For the past four or five years now they have consistently advocated 6-o'clock closing on five days of the week, and at 1 o'clock on Saturdays.

196. What representations did you make? Did you interview him?—We interviewed him as a body, and the whole of the conference's proposals have been placed before the Premier. I believe that a copy has also been sent to every member of Parliament each year, which copy contains this provision.

197. What was the Premier's reply to your representations?—The usual one—that the matter would be kept steadily in view, and so on.

198. Did you ask that all shops should be closed at 6, as provided in clause 3 of the existing Act?—I believe there was no mention of exemption in the Council's proposals previously.

199. That is, that in the representations you made to the Government, you asked that all shops should be closed as set out in clause 3 of the existing Act?—Yes.

200. Did you interview any representatives of the Legislative Council?—It has been the custom of the Council to give evidence before the Labour Bills Committee of both Houses. They appeared before the Labour Bills Committee of the Legislative Council.

201. Did you advocate there the same provisions *re* early closing as you did to the Premier?—I was not a member of any of those deputations, but no doubt if they gave evidence on the Shops and Offices Act at all, they would speak in that direction.

202. Do you know whether they did give evidence before the Labour Bills Committee of the Legislative Council?—Not last year.

203. Did your Council interview, or make representations to, Mr. Tregear, the head of the Labour Department, with reference to the hours of the early closing of shops being fixed by Parliament?—I cannot say that we have done so. It has been the custom to lay the proposals before the Minister of Labour.

204. You do not think that you interviewed Mr. Tregear?—Not unless Mr. Tregear would be present at the interview which we had with the Premier, and it is generally the custom for him to be there.

205. Was Mr. Tregear present?—He is generally present when we interview the Premier as Minister of Labour.

206. You say you represent the workers generally. Is that so?—I think we can claim to represent a large proportion of the workers outside the unions and outside the Trades and Labour Councils of the colony.

207. How many workers are there in this colony—that is, in town and country?—I have not seen the figures lately, and I would not like to hazard a guess at them. It would be a hard job to compile them.

208. You say that your Council represents twenty thousand workers?—Yes; we claim that we represent that number—that is, apart from the wives and families of our union members.



209. Are twenty thousand a majority of the total number of workers in this colony?—I would not say that twenty thousand is a majority.

210. Then why do you say that you represent the workers generally?—I say that we can claim to represent a large number of those outside our unions. I am working on a job now on which there are about ten of us. Only two are unionists, but all the rest are in accord with the Council's proposals in regard to the Shops and Offices Act. We thrash these things out pretty thoroughly of a dinner-time, and get the ideas of the other men in that manner.

211. Was it an idea that was thrashed out during the dinner-hour—that all the shops should be closed at 6?—We discuss different matters, but this particular proposal was on behalf of the Trades and Labour Councils of the colony, and it had been considered at every conference held by the trades and labour people for years past. I obtain a general idea of the opinion of the outside workers by conversation.

212. *The Chairman.*] But you really represent the Councils?—Yes.

213. *Mr. Alison.*] Were representations made to the Trades and Labour Council by employees that the early closing of shops should be fixed by Act of Parliament?—I would not like to say that we had any official communication from any body in connection with that.

214. Then it was decided by the Trades and Labour Council itself?—Yes. Of course I need hardly say that every remit that comes to the conference is discussed by the local Councils prior to its being sent on. The whole Order Paper is placed before the different Councils of the colony first, and in any case these matters also go to some of the unions and are discussed by them. So a matter is thoroughly discussed before it is decided on.

215. Perhaps I did not make myself quite clear. Were representations made to your Council or kindred Councils which influenced the Conference to urge the Government to legislate for the early closing of shops?—I could not speak officially as to that.

216. You said that losses have not occurred through the passing of the Act?—I said unless it were through one man closing and his competitors on either side or over the road being allowed to remain open. A man might have lost in that case, but he would not have lost had the closing been made compulsory throughout.

217. Are you not aware that the Act has not been generally enforced?—Yes, I am aware of that.

218. Then, it not having been generally enforced, losses could not have been made through early closing?—No, that is what I tried to put before the Committee previously.

219. Representations have been made to the Committee by small shopkeepers from all parts of the colony that, if their shops are closed in compliance with clause 3, it will have a very seriously detrimental effect upon their businesses. Have you taken that into consideration?—Yes.

220. What is your opinion?—We say that the general purchasing public can make the whole of their purchases within the times set out—from 8 to 6 on week-days and from 8 to 1 on Saturday.

221. Is your Council in favour of the opening-hour—the hour at which shops shall open—being fixed by Parliament also?—It is not set out here.

222. As representing the Council, are you in favour of an hour being fixed at which all shops should open?—Yes.—

223. *All shops*?—Yes.

224. *Butchers*?—I think so, yes.

225. Then what exemptions would you suggest?—The exemptions which I read out previously.

226. That is, chemists selling certain articles?—Yes, and fruiterers, confectioners, pastrycooks, and restaurant-keepers, including those that supply fish and oyster suppers.

227. And no others?—No.

228. Does your Council advocate that the hour for the opening of shops, and of closing also, should be fixed by Act of Parliament?—Wait a minute. You asked me for my personal opinion in regard to the opening of shops, and I gave it; but the other, I stated officially, representing the whole of the Trades and Labour Councils of the colony.

229. (To Mr. Young.) You placed before the Committee a number of resolutions which were passed by your Council?—Yes.

230. Have you placed before the Committee all the resolutions passed by your Council *re* early closing of shops?—Yes.

231. Are you in favour of the opening-hour being fixed by Act of Parliament?—Yes.

232. What hour?—That specified in the Act.

233. Eight o'clock?—Yes.

234. With the exemptions which have been mentioned by Mr. Hampton?—Yes.

235. And no others?—No.

236. You are not in favour of the exemptions contained in the New South Wales law?—No; we stand to the exemptions arrived at by the conference.

237. You said that the small shopkeepers have increased 25 per cent.?—Well, of course that is a rough estimate.

238. About 25 per cent?—Yes.

239. You were referring to Wellington, I take it?—Yes.

240. And you said that they are doing fairly well?—As far as I can see.

241. Do you consider it desirable that the shopkeepers should be doing fairly well?—I would not like to see them doing other than fairly well.

242. If the closing of the shops at 6 is going to be seriously prejudicial to shopkeepers' businesses, would you still say that the closing-hour should be fixed at 6 and the opening hour at 8?—That is only a suppositious question. I contend that closing at 6 will not act in that way—will not act detrimentally to the shopkeepers.



243. Then you think you know better than they what would be the effect upon their businesses if clause 3 were enforced?—Yes, I think they are more frightened than anything else.

244. You consider it would not affect their businesses detrimentally at all?—It has not done so in the three Australian States where a similar law has been in operation for a considerable number of years.

245. Yes, but the hours fixed there are not the same as those provided in clause 3 which you urge?—No, there is no opening-hour provided for, I admit.

246. You stated that a number of small shopkeepers desire early closing—some two hundred?—I did not say two hundred. You will find their signatures on the petition which has been presented to the Committee.

247. How many would you say there are?—I could not say, but there are a number of them.

248. Are you referring to small shopkeepers in Wellington only, or small shopkeepers throughout the colony?—In Wellington only.

249. You recognise that Wellington is only a part of the colony?—Well, I always thought it was.

250. Do you know how many small shopkeepers there are throughout the colony? Have you any idea of the number?—No, I have not had any reason to go into the matter to ascertain that.

251. You heard Mr. Hampton's evidence?—Yes.

252. Do you indorse all his statements?—Yes.

253. *Mr. Hardy* (to Mr. Hampton).] I think it was you that spoke about the Saturday half-holiday. What is your occupation?—That of a carpenter.

254. Have you had any experience in country districts?—In what direction?

255. Have you had any experience regarding the question which you are now recommending Parliament to make a law upon?—I think that in the country districts the people want their holiday the same as we do, and that the most convenient holiday for all—for the whole family to get together—is the day and a half at the end of the week, from Saturday afternoon to Sunday night. When they work late on Saturday night here, it simply means that the assistants are too played out on Sunday morning to take any pleasure in having that day off.

256. I suppose you approve of the shortening of the hours of labour?—Yes, decidedly.

257. But if it would be an inconvenience for country people to make Saturday the half-holiday, would you still say it should be the half-holiday, notwithstanding the fact that they adopted other days?—I believe that in most of the country districts Saturday is the half-holiday in connection with the Factories Act and most of the other trades, and it would only be bringing the shops into line with them.

258. Is it within your knowledge that a great number of the country districts observe other days in the week than Saturday for their half-holiday—that some observe Tuesday, some Wednesday, some Thursday, and some Friday?—They have Wednesday here in Wellington, but we want to see them all brought into line and made to close on Saturday.

259. Why should twenty-six or twenty-seven thousand people dictate to eight hundred thousand?—I presume those twenty-six thousand are a greater number than the small shopkeepers.

260. Answer my question. I asked: Why should twenty-six or twenty-seven thousand people dictate to the whole colony? It is not a question of the shopkeeper or a question of the customer. We are speaking of the colony generally?—It is claimed that it is in the interests of the workers that clause 3 is to be repealed, but we say that it is not in our interests, we do not want it, and we can do all our shopping in the hours set out in our proposal.

261. That is as far as the cities are concerned?—And I think you will find the position will be the same in regard to the country districts.

262. Would you not allow the poor people who live in the country districts to decide their own affairs for themselves, if they did not interfere with yours?—Of course if you are going to make one law for one portion of the community and another law for another portion—We say, gentlemen, make it universal.

263. You think that your body of twenty-six thousand members is sufficient to dictate to the eight hundred thousand in the colony?—We are not presuming to dictate. We are merely putting forward our views, and we hope that they will receive the consideration which they may merit. We do not dictate.

264. Have you lived in a country district?—As a boy I lived down at Rakaia and the Ashburton district.

265. In your experience in Rakaia, were not the people fairly law-abiding there?—I believe so.

266. Do you know that they observe a half-holiday?—I believe they do.

267. Does the law compel them to?—As a layman I could not give legal advice.

268. You know that Rakaia is not a town district?—I believe that they could faithfully observe any law that was made in connection with the Shops and Offices Act, even if it provided for a compulsory Saturday half-holiday.

269. Do you know that it was the custom for the young men in the Costerville district to come in to their homes in Rakaia?—I believe it was.

270. They come in of a Saturday evening?—Yes.

271. You would not object to their having their sweethearts bringing them down to the stores to make their purchases on Saturday afternoon and evening?—When they go sweethearting they do not go shopping. They dodge the shops every time.

272. I suppose this labour legislation has been a blessing to a great many?—Yes.

273. Do you not think it is time that we took a round turn and stood still for a bit?—Not unless it can be proved that it has been a curse to many.

274. But do you not think that if it has been a blessing it would be wise to take a rest in order to see how the blessing will act?—If it has been such a blessing why not continue with it?

275. We do not mean to go back?—So far as I can see that is the proposal now before us—a proposal to go back. We say, No.

276. Is it not a proposal to go a bit further than Parliament thinks it wise to go?—It is going back from what Parliament thought it wise to do.

277. *The Chairman.*] You are speaking of the amending Bill?—Yes.

278. *Mr. Hardy.*] Oh, I see. I was not referring to that. Well, now, it is a fact that the number of small shopkeepers—I think it was Mr. Young who spoke about this—has been largely increased in consequence of the labour legislation driving them out of their ordinary employment?—*Mr. Young:* I did not say anything of the kind. *Mr. Hampton:* I do not think that that is the reason why they have started shopkeeping at all. *Mr. Young:* What I did say was “that I thought the small shopkeepers had increased about 25 per cent. in Wellington.”

279. Do you think they have increased in consequence of the labour legislation driving them out of their calling so that they have to seek other employment?—No, I do not think so. Probably they have made a good bit of money through the labour legislation, and have been able to go into business for themselves.

280. Do you not think that when a man has made money at any employment, as it has been good enough for him to make money out of, he will still continue in that employment?—No, perhaps he would like to become his own master. I would sooner work for myself than any one else.

281. What effect do you think this would have on the large drapers' shops where many male assistants have been driven out of employment in consequence of a number of females being engaged?—What effect the early-closing provisions would have on the large drapery establishments where the male assistant has been driven out in favour of the female?

282. Yes?—Well, I do not know what effect it would have. I do not know of any case where that has occurred.

283. Have you been in the large drapers' shops lately?—Yes.

284. Have you noticed that there are about five girls employed to one man?—I notice that in pretty well every occupation the females is ousting the male. It did not occur just since this Act was passed.

285. You have noticed that in all occupations?—Yes.

286. You do not have a female ousting a male in such an occupation, for instance, as that of a ploughman?—I have seen female ploughmen, too.

287. What steps do you propose that this Committee should take in order to prevent the females driving the males out of their—what we may fairly term—legitimate employment?—Equal pay for equal work.

288. Have you put such a proposal as that before the Minister of Labour?—Before the Government, yes.

289. And that all female assistants should receive the same pay as male assistants?—Equal pay for equal work. If a female is capable of doing the work that a male does, then she should be paid the same rate of wages.

290. *Mr. Fisher* (to Mr. Hampton).] I think you said that the Arbitration Court recognised it was a farce to have any class working more than eight hours a day?—No, that was not it. I said that the Arbitration Court as a rule fixed the hours at less than forty-eight.

291. The point I want to get at is this: do you not recognise that there is a difference between one class of business and another?—For instance, the Arbitration Court has awarded, in the case of the butchers, fifty-six hours a week?—Yes.

292. You think it possible to reduce all classes of trade to the same minimum?—To the same maximum—forty-eight hours. I believe so.

293. You are a working-man, and you work, I suppose, from 8 in the morning till 5 in the evening?—We knock off at half past 4 nowadays.

294. You have half an hour for lunch?—Yes.

295. Take the class of man who works on the wharf: They work from 8 till 5, do they not?—When they can get work at all. I heard of one man who has only made 8s. this last six weeks on the wharf.

296. What opportunities does that man get to shop?—That man on the wharf has all the week to shop.

297. I am talking about a man who is employed?—Speaking for myself, I am working out at Island Bay, and a large number of carpenters, bricklayers, labourers, and workers of every description go out that way. The majority are married men. Well, the household shopping they have nothing to do with. All they have to attend to is their bit of tobacco and a few things now and again. They have very little pocket-money, and they can easily do their shopping from the time they knock off work till they get home at between 5 and 6.

298. So that from a worker's point of view you do not want any shop to be kept open after 6?—No. I have entered no shop outside the hours set out in clause 3 since that clause was passed, and I know a large number of workers who are in the same position.

299. You are doing that on principle?—Yes.

300. You recognise, I suppose, that with this Act an attempt is being made to break down custom—habit—to a very considerable extent?—Yes.

301. Do you not think it would be better if Parliament endeavoured to meet that by a reduction of the present hours—a restriction of the hours of labour to, say, fifty-two a week so far as assistants are concerned, and allowing a shopkeeper, if he chose, to keep open till 8 or 9 in the evening?—I believe that had clause 3 been enforced in its entirety—

302. That is not the question I am asking you. Do you not think it would be possible for Par-

liament to assist you in breaking down this tradition by meeting you half-way, and closing the shops at 9 o'clock instead of allowing them to keep open till midnight?—I do not think that would do it at all. Besides, it would not be fair to those who had to close their shops through their assistants going off.

303. You want the Act to apply to the whole colony?—That is the only fair way in which it can be applied.

304. There is a proposal in the Bill to allow assistants to be kept for half an hour after closing-time?—Yes.

305. Have your Council discussed that?—We do not see why that should be necessary at all.

306. You have discussed it?—It has been talked of.

307. And you do not see any necessity for it?—No, we want a forty-eight-hours week for the assistants.

308. Do you not think that the greater part of the trouble in connection with this Act has been caused, not so much by the Act itself as by the defective administration of it?—I think so, decidedly—by its non-enforcement.

309. Now I come to the question of chemists. You submit that a chemist ought not to supply things without a doctor's order?—In the hours I stated.

310. A fresh order would be required every time a man wanted something—It might be in connection with the same illness?—Yes, it would necessitate a fresh order every time.

311. It is generally understood that the working-man is the man who has the largest family to support?—Yes, I suppose it is.

312. Do you not think that that would fall very much more heavily on the working-man than the man who can afford to pay a doctor?—No.

313. For instance, you want to go to a chemist to get something for a child; you know what you want, and the chemist can supply it; and yet you are compelled to pay an extra 10s. 6d. in order to get it from a chemist. You are a family man, are you not?—Yes.

314. You know the necessity for prescribing for children, perhaps, at any hour of the night?—Yes.

315. And you would have a man rushing round to find a doctor first?—No; I would have people do what I do, as far as that is concerned. A family man can keep the small emergency things in the house. He knows what a child is subject to—what its complaints are—and if it is anything more serious than this, I say it is serious enough to have a doctor.

316. I suppose you are satisfied that every one's children are the same as yours?—No. I say that people know what will suit their own children, and it is their duty, when they know what their children are subject to, to have the medicine that will suit those children in the house in case of emergency. If it is anything out of the common, then it is their duty to get a doctor and have them prescribed for properly.

317. I think you said that the shopkeepers, since the coming into operation of this Act, had not lost money through closing, except where similar businesses adjacent to theirs had been keeping open?—Yes.

318. Now, we have had shopkeepers who have told us the contrary. Who do you think is in a position to know best—you or the shopkeeper—from an impartial standpoint? Who knows best about his own business, do you think—you or the shopkeeper?—The shopkeeper ought to know more about his own business than we do; but whether he makes that business public or not is for himself to say.

319. But, of course, you quite recognise that as far as we are concerned we are quite justified in lending an ear to the shopkeeper?—Oh, yes, you are justified in taking evidence from all sections.

320. Is there a shopkeeper on your Council?—Yes, we have one.

321. A small shopkeeper or a large one?—He is a small shopkeeper, and he is in favour of clause 3. He signed the petition that was taken round by Mr. Hamilton.

322. (To Mr. Young.) You gave a list of the small towns that had adopted the early-closing provisions of the Act, voluntarily?—Yes.

323. Do you not recognise that there is a difference between a large city, which is a distributing centre for the population, and a small town?—Yes; that argument may carry some weight in so far as the wholesale trade is concerned in the question of distribution.

324. I mean so far as the retailer is concerned. Some of the retailers have told us that they do a very large business with people arriving by vessels of an evening, and who go away again the next morning. That would not affect the small towns, would it?—My experience of shipping is that vessels invariably get into port at about half past 7, in time to start work at 8, and leave at about a quarter to 5, when the day's work is completed.

325. What about the passengers?—It is the ship's people that are mostly affected.

326. What about the passengers that come down by the evening trains?—Well, I suppose that when a passenger comes to a city like Wellington he does not rush right through, but stops here probably for a day or more.

327. I am only putting this to you: that shopkeepers have told us that they do a very fair trade with people from the shipping and the railway passengers who come here. That would not apply to the small small towns which you read out, would it?—Certainly not; but it would apply if I were going from Wellington to one of the small towns.

328. This whole matter, so far as the Trades Council is concerned, is really based upon a humanitarian effort to equalise the conditions of labour as much as possible?—Well, I do not know whether it is.

329. Is it not?—Not altogether. As I stated in my evidence, the main principle involved is the question of competition.

330. Yes; but competition under favourable circumstances: that is what you are asking for?—Our proposal is for competition under favourable circumstances, or equal circumstances.

331. You say that a man who works late in a draper's shop on Saturday night is hardly fit to enjoy his holiday the next day?—I did not say that, but it is the case.

332. Mr. Hampton, I think, stated it. That is the sort of thing you want to get away from?—Yes; and from the other, too.

333. Do you think that a shop-assistant who works late at night on Saturday should be restricted to the same hours as a representative of a large grocery business, who is out in the sunshine all day long taking orders?—There are very few of those men about.

334. Is a man who sells fancy goods, say, in the D.I.C., to be placed on the same footing as a man who is doing hard physical work for eight hours a day?—Yes, certainly; why not? It might be light work, but he is shut up inside the D.I.C. all day, and I know myself what the effect of this confinement is on men employed in the various shops. I would sooner be outside doing hard work than in one of these shops.

335. Are you aware that engine-drivers on the railways do fifteen hours' work at a stretch?—They may do that occasionally, but I am not aware of it. They may do it, but such would be very exceptional.

336. What I want to get at is this: you want to bring every class of occupation, as far as possible, under the same restricted limits?—Yes.

337. Is that so?—That is so; under this provision, at any rate.

338. *Mr. Barber* (to Mr. Hampton).] With reference to the chemists, you said that it was possible for you to know the ailments of your children and to make provision accordingly. Supposing a child was to play with the fire and burn its hand, or suppose it were scalded. If the injury were not very serious, do you think it would be necessary to run for a doctor before you could get anything from the chemist?—It would not be necessary to run either to a doctor or a chemist.

339. At your home you provide for that?—I think that pretty well any one could provide against such a thing.

340. Do you think that any chemist would keep his shop open of an evening just on purpose to wait for these special prescriptions that are to be accompanied by a doctor's order?—He may not.

341. Do you think it would pay him, if he is limited to making up prescriptions that are accompanied by a medical man's order, to keep his shop open and perhaps keep an assistant for the purpose of that trade?—It might not.

342. (To Mr. Young.) When dealing with the New South Wales Act you mentioned "country shopping district." Do you know what the definition of "country shopping district" is?—I think it is in the Act.

343. You did not give us the definition?—Section 2 reads, "Every municipality, outside the Metropolitan and Newcastle Shopping Districts, shall be a country shopping district, and the Governor may by Proclamation constitute any other area a country shopping district, and shall in such Proclamation define the boundaries thereof."

344. They are exempt from the provisions of the Act, to a large extent?—No; they are not exempt. Country shopping districts are included. Early closing applies to them.

345. *Mr. Fisher*.] It applies to the whole colony?—Yes.

346. *Mr. Barber*.] Why is a distinction made between the districts if the same provision applies to them all?—When the original Act was passed it applied only to the Metropolitan and Newcastle Districts, and an amendment extended it to apply to the country districts.

347. You said that a petition was presented to this Committee signed by two hundred shopkeepers?—I said it was signed by somewhere about two hundred.

348. Did you see the petition?—Yes.

349. Were there any large shopkeepers whose names were not attached to that petition?—I could not say. The names of some large shopkeepers I know were attached to it, and a good number of small shopkeepers'.

350. Was there any large shopkeeper in the City of Wellington or suburbs that did not sign that petition?—I do not know, I am sure. I did not go into it sufficiently to be able to say that.

351. You say it is possible for the working-man to do his shopping between the hours of 5 and 6. Though you knock off at half past 4, the bulk of the workers really leave work between 5 and 6. You think it possible for them to do all their shopping between those hours?—I think so.

352. Where would they do their shopping, in what district?—It all depends on where they reside.

353. Would they have time to get to their home and do their shopping?—One would imagine that the only time in which a man could shop was between 5 and 6 in the evening, and that he was shopping every day in the week.

354. What other time would he have to shop?—There is the dull day.

355. He would have to go away from his work to do his shopping?—That is admitted; but there is a very large number of men in the colony who are able to get away during those hours.

356. Do you not think that the enforcement of this Act tends to concentrate trade in the large shops in the centre of the town, where the employees are working?—No; it has the opposite effect.

357. The shopkeepers themselves do not say so?—It will compel residents to shop nearer home, and thus benefit the small shopkeeper. That is my opinion.

358. One of the witnesses said that the reason why trade was bad in Newtown was that there were tramway conveniences now?—That may be so.

359. (To Mr. Hampton.) The tramways take you to a district where 6-o'clock closing has always prevailed?—Exactly.

360. (To Mr. Young.) The argument used by the shopkeepers in residential districts is that the enforcement of the Act will tend to induce the workers to shop in the City of Wellington. The Newtown

shopkeepers say that the fact of their not being open of an evening will necessitate the workman's making his purchases at the big places in the city during the daytime, because when he arrives home there is no opportunity for him to shop, and he must get what he wants in the other district?—I do not know whether the wholesale places would sell to him.

361. I do not mean the wholesale places. I am referring to the retail shops in the city?—They have got to close the same as any others.

362. Yes; but the man is in the locality of the big shops in the daytime; he is not in the locality of the small shops during shopping-hours, because his occupation keeps him in town?—Well, that might be so. But I would like to know how many men do the shopping. One would imagine that there were no wives and families at all.

363. Does the wife go out, as a rule, and buy a pair of boots for her husband?—Why not? I should say that in eight cases out of ten the wife does that. At any rate, a man does not want a pair of boots every day in the week.

364. You do not think the enforcement of the Act would divert the trade to the large shops?—No; I think it would have the opposite effect.

365. And you do not think that is the reason why the larger shopkeepers are clamouring for the enforcement of the Act?—No.

366. *Mr. EU* (to *Mr. Hampton*).] Hitherto we have had shopkeepers and shop-assistants giving evidence. I want to put a few questions to you as a customer at shops—one of the public. You lived in Christchurch before you came here, I believe?—Yes.

367. Were the hours usually observed by shopkeepers later there than they are here, or are they much later here?—They are much later here.

368. What do you attribute that to?—Competition.

369. Did you make purchases in Christchurch from the shops there?—Not to any extent. I was a single man then.

370. Did you make your own purchases?—I usually got what I wanted when going home from work after 5—between 5 and 6. I would get all I wanted and be home by half past 5.

371. You are aware that most of the drapers' shops and boot-shops there close at 6?—Yes.

372. And you found no difficulty in making your purchases before 6 o'clock?—That is so.

373. What articles does a man usually purchase?—I was trying to think what I have to buy. The wife does nearly all the shopping. There is clothing and boots, but they are not every-day matters. You do not want the shops open every night for them. I am a smoker, but I always buy my tobacco going home from work.

374. Speaking as a customer of the shops, you say that there would be no difficulty whatever in securing all that you desire to secure before 6 o'clock?—That is so.

375. And by 9 o'clock on Saturday night?—One o'clock on Saturday.

376. I am assuming that there is one late night?—We have had no difficulty at all in doing all our shopping and keeping within the limits laid down by clause 3 of the Act.

377. Your wife makes the usual household purchases?—Yes.

378. Where do you live?—In Newtown.

379. I suppose the usual things go into your home that go into any other working-man's home?—Yes.

380. And your wife secures all these things easily by 6 o'clock?—Yes, but there has been this difference. Since we have been keeping within these limits for shopping, our trade has been localised more; we have had to shop nearer home than we had been doing previously. Very often of a Saturday night previously the wife used to go down to town and do some shopping there, but now it is not worth while, because by the time she gets down town the shops are shut, or else there is a rush before shutting at 9. So she stays in Newtown and does her shopping there. And I know several of my work-mates who are in the same position.

381. Your Council represents a number of unions in the City of Wellington: about what number?—Between two thousand five hundred and three thousand unionists.

382. And the bulk of these, I suppose, are married men?—The larger portion of them are.

383. They, of course, are all customers of shopkeepers?—Yes.

384. And they are unanimous that their requirements can be well served if the shops close at 1 o'clock on Wednesday and 6 o'clock on ordinary nights?—I have never heard any members of the unions at any of their meetings, when this matter has been discussed, raise any objection to the proposal.

385. With regard to the Saturday half-holiday, speaking as one of the public, are you satisfied to have it fixed by a referendum of the people of the colony as a whole, or, say, by those in a small district, as to whether Saturday shall be the uniform half-holiday?—I think we should have it fixed, the same as Saturday is fixed under the Factories Act. At the present time, we have portion of a family working in a factory and a portion in a shop, and if they want to go anywhere on their half-holiday they have to go at different times.

386. Would you be in favour of a referendum being taken on the question whether it should be Saturday or not?—I would rather see the half-holiday fixed on the same day as is fixed under the Factories Act.

387. *The Chairman*.] That is not the question. Would you be in favour of a referendum being taken?—The Council have never considered that aspect of the question at all.

388. *Mr. Alison*.] How many members constitute the executive of the Trades and Labour Council for Wellington?—On the Wellington executive there are ten.

389. *Mr. Fisher* (to *Mr. Collins*).] You said that the Jewish people here work five days a week and compete successfully with others?—Yes.

390. Would you suggest as an innovation that five days a week should be worked generally?—

As I stated in my evidence, in my own home we can do it in three hours. My wife does the shopping. There is not a man in forty who does the shopping.

391. *Mr. Hardy.*] Is it within your knowledge that in order to do business on the Saturday, those Jewish firms employ Christians to manage their business?—I am not aware of that.

392. Would it surprise you if I told you that such is the case?—No.

393. I know that throughout the length and breadth of the colony, in order to compete with other people they employ Christian managers?—I am not aware of that.

THURSDAY, 20TH JULY, 1905.

William Burbidge and Walter Burgess attended the Committee.

*The Chairman.*] I understand that you gentlemen have come here this morning for the purpose of giving evidence in connection with the Shops and Offices Bill, as it affects the fruiterers in Wellington. Will one of you make a statement?

WILLIAM BURBIDGE examined. (No. 114.)

1. *The Chairman.*] What are you?—I am a fruiterer and greengrocer.

2. Where is your place of business?—I have two; one on Lambton Quay and one in Webb Street.

3. Do you and this other gentleman simply represent yourselves, or do you represent a number of others?—No, we represent the European fruiterers.

4. How many European fruiterers are there in Wellington and suburbs?—I suppose there are about twelve now.

5. And how many Chinamen or Assyrians—whatever they are. How many other than Europeans?—I could not say exactly. Roughly, I should think about fifty or sixty. There may be more; but at any rate there are quite that number.

6. And you represent the whole of the Europeans?—Well, of course, more would have come up if you had thought it necessary.

7. But you represent those that are not here?—Yes.

8. Will you make your statement, please?—Yes, sir. I would first like to say that we should like to be exempt from the provisions of this Act; that is, the European fruiterers and greengrocers. We are at present being exempted, but we thought it necessary to come and place our views before you, and to point out that in the main thoroughfares we have high rents to pay, and are under considerable expense, and to close us up at 6 o'clock at night—well, it would mean ruin. We could not keep the shops on; we could not pay the expenses. I would like to point out that the hotels are open in the evening till 10 o'clock, and, in the summer-time especially, there are a large number of people, both visitors and residents of Wellington, who would far rather have a little fruit—apples, pears, and bananas—than go into a hotel and get a glass of ale. Therefore, we consider that fruit is more a refreshment than is the liquor. That is one reason why we think we should be exempt from the provisions of this Bill. Another reason is our very heavy expenses. As you gentlemen are aware, the rents in the main thoroughfares are very high, and the wages of the assistants also, in view of the hours they work, come very heavy upon us. We would therefore ask to be exempt, so that we might keep our shops open to make both ends meet. There is another point that I would like to touch upon, and that is the Chinese competition. We European fruiterers do not ask that the Chinese should be exempt, because their expenses are much less than ours. There is a vast difference between their mode of living and ours. They have no wives and families to support; we have. We have also our houses to furnish and our children to provide for; and therefore we think that this Committee should give us a little consideration. We would like to see provision made in the Bill that exemption should apply only to Europeans, for the reason I have just given. I have no animosity against the Chinese personally. I think there are some very good and very decent people amongst the Chinese here in Wellington; but I must say, having been in the trade for a long time—I have been in the trade longer than any European in this city—that it is a very hard matter for a European to make a living. I think, gentlemen, that if you were to consider that, you would do a great deal towards helping to solve the Chinese question in the City of Wellington. In Wellington, a considerable number of European fruiterers have started in business since the Shop Hours Act has been in operation. I think that about half a dozen have started. Well, that is a considerable number, considering the number of European fruiterers there are in Wellington altogether. That represents nearly half. And I think this has been on account of the Shop Hours Act closing the Chinese up at 6 o'clock and allowing the Europeans to keep open. I think myself that if we were to be given that privilege there would be a far greater number of Europeans commencing business here in Wellington. Then, I would like to point out, as regards the Chinamen's assistants and our assistants, that we are only allowed to keep ours a certain number of hours per week, whereas their assistants work—well, from about a quarter past 6 till 11 or 12 at night. Therefore, it is unfair competition to us in that respect. Then there is a thing I would like to contradict. I suppose some of you gentlemen have seen statements in the papers about the price of fruit being so much lower since the Shop Hours Bill came into operation. Well, I do not think this statement is true. We European fruiterers cannot see it, and we do not hold with the statement at all. The price may be slightly lower, but I think that is more on account of the trade being rather duller this year. Trade is not so good this year as it has been in previous years. I do not think the facts bear out the statement. In closing, I would just like to state that we are quite willing to allow the assistants to work only the number of hours that they work at present, but we think Parliament might let us keep our assistants in the evenings—some evenings in the week—so as not to make the masters

go down and keep their shops open, where they are allowed to : so as not to tie the masters, but to leave it to be a matter of mutual agreement between the assistants and the masters. I do not think I have anything more to say.

WALTER BURGESS examined. (No. 115.)

9. *The Chairman.*] Where is your shop ?—I have one in Cuba Street and one in Newtown.

10. Will you make your statement ?—I have very little to say. The only thing I have to ask is that you will exempt me from the operation of the Act, so that I can keep open in the evening. The fruit trade is all done in the evening. Where we are now there is very little morning or afternoon trade. As I say, our trade is principally done in the evening. People come out in the evening and take a stroll down the town, and they fancy a little fruit. If we have to close at 6, we shall not be able to pay expenses. It would not be possible to. The general public work till perhaps 6 o'clock, and, when they go home, the shops are shut and they cannot get the fruit which they want.

11. What you ask for, then, is to be—— ?—To be exempt.

12. Totally exempt ?—Yes.

13. Have you any employees ?—Yes—well, there is my partner.

14. There are two of you ?—There are three of us altogether, and I have one assistant in the Newtown shop. I have been closing the Newtown shop at 6 o'clock, and I find it does not pay me at all. I lose more than half my ordinary takings. If I have to continue to close at 6 o'clock I shall have to close up altogether.

15. Are you satisfied with the fifty-two-hours week for assistants ?—Yes. I should have to have an extra assistant or pay overtime of an evening. I am quite willing to pay an extra assistant. I do not want my assistants to come and work till 11 o'clock. I do not think I have anything more to say. We cannot make a do of it by closing at 6, because the people cannot shop before then. Fruit is not like drapery, and such other things, it is a luxury.

16. *Mr. Tanner* (to *Mr. Burbidge*).] May I ask you whether any meeting of fruiterers was called which appointed you to come here as a witness ?—No ; we simply talked the matter over between ourselves, and the others asked us to come and represent them. There was not a meeting, we just met down in the market.

17. You talked the matter over amongst yourselves in an informal sort of way, and the others agreed that you should come and give evidence ?—Yes.

18. Did they ask you to put before the Committee a request that European fruiterers should be exempt from the Act, but that Chinese should not ?—Yes, that was mentioned and approved.

19. Is it the general wish of the rest of them ?—Yes. They think that by that means they would be better able to compete with the Chinese, and I think that is shown by the number of fruit-shops that have been opened in Wellington by Europeans since the Act has been in operation.

20. The number of fruit-shops has increased ?—Yes, about six out of about twelve—half as many again.

21. Has the number of Chinese fruit-shops increased of late years ?—Yes.

22. And also of European ?—Well, the new European shops have only started about six months. These six shops have only started since the Act has been in operation.

23. Do you think the fruit trade is passing more and more into the hands of the Chinese ?—Yes, I am sorry to say it is.

24. In face of the fact that European fruiterers are also increasing ?—Yes. I should like to state that I have two shops, but one of them is a fruiterer's and grocer's shop. I am quite prepared to close that at 6 under the Act, and I do so. But the other shop—on the Quay—is solely a fruiterer's shop. We rely there upon the passing custom—what is asked for is more fruits and drinks and lollies. I have been in business for about sixteen years in Wellington.

25. *Right Hon. R. J. Seddon.*] What do you suggest as the remedy in respect to curtailing the number of fruit-shops carried on by Chinese ?—That is a very big question. I suggested that the exemption should apply only to British subjects, and not to aliens. If the Chinamen—as I hear they intend to do—get rid of their groceries, &c., they will be exempt ; but, if there is a clause put into the Bill that the exemptions apply only to British subjects, I think that will encourage the Europeans. I think there would be a great many more Europeans start then, if they could be sure of making a living.

26. How do you account for there being so many Chinese ?—I think that is very simple. As I stated before, their expenses are very small as compared with ours. I have a wife and five children to support ; I have to buy furniture to furnish the house ; I have an assistant to pay. They have none of these expenses. They have no furniture, no household expenses, no children wanting boots and clothes. Another great item in their favour is that they have a large number of people living on the premises ; they all club together and pay so-much a week. So you see, for a European to compete successfully with them he needs to come down to their level. Europeans should all be single men and should club together in the same way, and let so-many go out working and pay the proprietor so-much a week—in fact, run a boardinghouse, as it were. But we do not want to do that. We want to uplift civilisation, not lower it.

27. Do you find that you get trade on account of sentiment ? Because you are a European do people prefer to deal with you rather than with a Chinaman ? If a Chinaman sells goods cheaper, does he draw the custom ?—Yes. There are a certain class of people who will give us their custom, but I am very sorry to say they are few and far between. Still, there are such people.

28. Are you selling vegetables ?—Yes.

29. There is not much difference between a Chinaman selling vegetables grown by himself and a white man selling vegetables grown by a Chinaman, is there ?—No.

30. I suppose you have got to get most of your vegetables from the Chinese growers ?—Yes. Of course the same thing applies to the growers. I have spoken to the farmers at the Hutt, and they



tell me just the same thing. They cannot afford to pay labour to compete against the Chinamen. A Chinaman on an acre of land has about twelve employees, and they are costing him nothing. If a European starts to grow vegetables he has to pay the proper rate of wages. The thing is in a nutshell, in my opinion.

31. Is there no union amongst the Chinamen—could they not bring their employers under the Arbitration and Conciliation Act?—They say they are all partners: that is what the Inspector tells me, and that the Department cannot tell one from another.

32. *Mr. Ell.*] You say you want exemption?—Yes, I want exemption in respect of the shop where I sell only fruit and vegetables—not the one where I sell groceries.

33. I have noticed Chinamen's shops open in this town till a very late hour—11 o'clock, and sometimes later?—Yes.

34. You do not desire to trade so many hours as that if you can help it?—No. I close at half past 9 every night now.

35. If the Chinese were brought into line would not that rid you of a certain amount of unfair competition? If an hour were fixed definitely, enabling you to serve the public and the public to purchase what they want—that is, without restricting business at all—and bringing them into line with the Europeans, would not that decrease the amount of competition?—Well, it would, very slightly. Of course it would close the Chinese up during the hours that they keep open after I do; but that is only a small item. Of course you must understand that they now close at 6.

36. But that only refers to those that sell groceries?—I think they pretty well all do that.

37. Is not this done by some of them—namely, have one partner in the shop where the grocery trade is carried on and another partner in the other shop where a fruit trade exclusively is conducted? That is what I am told?—I do not think that is so. I have not seen it. But I am told that they intend to do that. Of course the shop where fruit only is sold will be exempt, the same as we are.

38. Supposing the fruiterers were put into a class by themselves and placed under clause 21, so that all fruiterers could regulate their hours of closing and make it uniform throughout the whole town: would not that be better than leaving them absolutely free to trade any hours that they think fit—keep open till 12 at night—while you close at half past 9?—But, you see, we should not have a voice. They would swamp us. About seventy to about twelve—what hope should we have?

39. Can you suggest any hour that we can fix by statute—an hour that the fruit-shops should keep open to: I mean the latest hour—and make that uniform?—For my own part, taking into consideration the summer and winter, I think that 10 o'clock, and 11 o'clock on Saturday night, are late enough for anybody.

40. If we provided for 9 o'clock or half past 9, and made that uniform —?—That is, for the fruiterers?

41. Yes, and made it uniform right through the town?—Well, that is a bit early for the summer-time, when it is very nice in the evening. I keep open till 10 in the summer.

42. What about the winter?—I think half past 9 plenty late enough.

43. If we fixed an hour for winter, and 10 o'clock for the summer months, would that suit you?—That would suit me, but I am not voicing the fruiterers' opinions there. That is only my own opinion.

44. *Right Hon. R. J. Seddon.*] I suppose that a number of fruiterers would say, "Let us keep open until after the theatre comes out." There is business done then, is there not?—There is something in that. I will admit that.

45. *Mr. Aitken.*] You are not in a neighbourhood where you get that traffic?—No. Of course, a shop next to the Opera House would naturally cater for the Opera House trade.

46. Along Cuba Street, too, they cater for it?—Yes, where Mr. Burgess's shop is. He would do a considerable trade then, most likely. *Mr. Burgess:* Yes, that is quite right, after the Opera House comes out I do a good trade—from 10 till 11 o'clock. I do not close the Cuba Street shop till 11, and during that hour I do a lot of trade—pretty nearly as much as I do in the whole day. People start to go home at about half past 9, and the fruit is nearly all bought on the way home.

47. *Right Hon. R. J. Seddon.*] You would say half past 10, I suppose, on week-nights, and 11 o'clock on Saturday?—Yes, that would suit.

48. *Mr. Aitken.*] The Opera House is not out on some nights till 11 o'clock?—Well, we cannot altogether study the Opera House. It is half past 10 before the general public get away from the town. The hotels close at 10; and it is when the people are going home that they buy fruit.

*Right Hon. R. J. Seddon:* Still, the people who go to the Opera House are a very small minority of the people in the place.

49. *The Chairman.*] I suppose most of the business is done during the interval, rather than when they are going home?—It is mostly the people going home. People do not eat fruit in the town. Just about half past 10, I should say.

*Mr. Burbidge:* There is one thing I should like to mention. One of the fruiterers asked me to say that the Chinese in opposition to him—one-man Chinese—are allowed to keep their shops open while he has to close, and he says he feels it rather hard that he should be obliged to close and the Chinese allowed to keep open.

50. *Mr. Aitken.*] If he is a fruiterer he can keep open too?—But he sells other things than fruit. The Chinaman does too, but he employs no labour.

## APPENDIX.

### LABOUR BILLS COMMITTEE.—REPORT OF SUB-COMMITTEE ON THE EVIDENCE SENT IN TO THE COMMITTEE.

YOUR Committee has gone through a mass of written communications and telegrams which have been forwarded to the Chairman by parties who have been unable to attend and give oral evidence before the Committee. The great bulk of it is absolutely identical with the evidence taken by the Committee from witnesses engaged in the same occupations as followed by the writers, and it would only be useless repetition to print it.

A few communications (which we annex) are printed chiefly because they extend the oral evidence, and deal with phases of the subject not brought prominently before the Committee.

We must also mention that we have reviewed a number of letters and telegrams to the effect that the number of signatures attached to the petitions and representations of the clerks in banking-houses are not to be taken as the voluntary act of those signing. Some of the correspondents allege that coercion was used to increase the number of signatures, but we are under the disadvantage of suppressing this correspondence, in deference to the request that their names might be withheld.

J. F. ARNOLD.  
W. W. TANNER.  
C. A. C. HARDY.

### CORRESPONDENCE WITH THE CHAIRMAN OF THE LABOUR BILLS COMMITTEE. DUNEDIN FLORISTS.

I BEG respectfully to remind you, now you have this Shop Act before you, not to forget the florists. I am, perhaps, the oldest *bona fide* florist in New Zealand, having been in business in Dunedin for over forty years. Your new Shop Act closes us up at 6 p.m., and I would ask you to try and bring us, the florists, under the exempted shops. The greatest part of our business during the winter months is done for socials, concerts, and the theatre, which are called for between 7 and 8 p.m., on their way to the several places of amusement. If we are compelled to close at 6 we lose three parts of our business, as the public cannot get their flowers before, a great many living out of town and just calling on their way to the places of amusement. Flowers are a far more perishable commodity than fruit, as they are no good to-morrow; yet you close us up at 6, and allow fruiterers to remain open and sell flowers against us. In no part of the world is the florist restricted, as our business comes as the occasion arises; often for weddings we have to start working as soon as it is light, and for funerals till late at night. If we cannot make up our work for when it is wanted, it is no good for the next day. Trusting, dear sir, that you will try and get us exempted till 8 p.m., even if we do not open quite so early in the mornings.

Yours, &c.,  
W. REID.

Dunedin, 3rd July, 1905.

### DUNEDIN CHAMBER OF COMMERCE.

I AM instructed to inform you that, at a special meeting of this Chamber held to-day, the following resolution was carried, with only one dissentient voice, viz. :—

“That, in the opinion of this meeting, all employers who give an annual holiday of not less than ten clear days for which salary is paid, in addition to the ordinary public holidays, and who pay sick-leave to the extent of one month per annum, if necessary, to any individual, should be exempt from the provisions of the Act.”

Yours, &c.,  
PETER BARR, Secretary.

### DUNEDIN RETAIL FRUITERERS.

ON behalf of the retail fruiterers of Dunedin and suburbs, we beg to acknowledge with thanks your telegram inviting us to send delegates to give evidence before your Committee *re* Shops and Offices Amendment Act. We regret being unable to respond to your invitation to send delegates, but we respectfully beg to place before your Committee our wish respecting that portion of the Act dealing with the hours of closing. First of all, we consider that the clause in the present Act now before Parliament, which denies us the right to employ our assistants after the hour of 6 p.m., will be most injurious to our business. Plainly stated, it means one man one shop. It will, in our opinion, be simply handing over the retail fruit trade to Asiatics and Italians. At a large representative meeting of the fruit trade, it was unanimously resolved “to appeal to Parliament to give us the right to keep our shops open until 9 p.m. on five days of the week, and 10 p.m. on Saturday, retaining the present hours of labour for shop-assistants.”

During the last six months a careful record has been made of our cash-takings, and we find that fully one-third comes in between the hours of 6 p.m. and 9 p.m. On Saturday, a large trade is done

between the hours of 9 p.m. and 10 p.m. by people on their way home after the regular hours for closing—viz., 9 p.m. We are not anxious to keep our places of business open when other business places are closed merely for the love of it, but we are most anxious to conduct our business on lines that are most natural to it, and to ourselves profitable.

We beg, &c.,  
WALTER BULL, President.  
JOSEPH FELTHAM, Treasurer (Hon.).  
GEORGE EDWARDS, Secretary (Hon.).

5th July, 1905.

COPY OF RESOLUTION PASSED AT A MEETING OF SHOPKEEPERS AT PORT CHALMERS, HELD 6TH JULY, 1905.

[Copy of Advertisement.]

SHOPS AND OFFICES ACT.—MEETING AT PORT CHALMERS.

A MEETING of shopkeepers in Port Chalmers will be held this (Thursday) evening, at 8 o'clock, in the Mayor's room, to discuss the provisions of the Shops and Offices Act.

J. WATSON, Jun.

MR. DODDS then moved, Mr. Watson seconded, and it was carried unanimously, "That this meeting is in accord with clause 3 of the Act, with the exception that the shopkeepers not employing labour should be placed upon the same footing as those who do, and that fruiterers, confectioners, fishmongers, chemists, hairdressers, and keepers of refreshment-rooms should be exempted to the extent of being allowed to keep open till 8 p.m. on ordinary days; further, that butchers should be allowed to open at 6 a.m."

The Mayor then moved, and Mr. McEwen seconded, "That the statutory Saturday half-holiday should be made universal." This was carried, Mr. T. J. Harrison dissenting and giving as his reason that it did not suit butchers in the summer-time. It was on Saturday night they did the largest business.

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By Authority: JOHN MACKAY, Government Printer, Wellington.—1905.