

30. Do you think that legal technicalities have been brought prominently before the Court for the purpose of throwing out cases on legal quibbles?—I could not answer that question.

31. Have you read anything about the anti-strike legislation of Canada—the Lemeaux Act—which deals with optional arbitration?—I have not read it carefully; only glanced through it.

32. Do you think any such law would be applicable to New Zealand?—I would not like to express an opinion right off without more careful consideration.

33. Part I of this Bill deals with strikes and lockouts, and I see quite a resemblance between this Part of the Bill and the Lemeaux Act adopted in Canada and by Legislatures in the United States. The intention is to make it possible, if the unions are not satisfied with the awards of Arbitration Courts, to strike if they like. Do you think any legislation in the way of an Arbitration Act would repress all strikes?—No, I do not think any Act could do that. I have said before that you might lessen the number of strikes.

34. Do you think it is necessary to have optional arbitration?—No; I believe in compulsory arbitration.

35. But that may be abortive?—It may be.

36. Then, what other course is there? The position assumed is that compulsory arbitration proves to be abortive, and no agreement can be arrived at by the parties, then what follows supposing a deadlock comes in?—I cannot see how there can be any deadlock with regard to arbitration.

37. With regard to round-table conciliation: if no agreement is arrived at, then the ultimate result is—?—Then the parties refer the case to the Court.

38. And failing agreement with the decision of the Court? If the Act gives no power to compel a man to refrain from striking, then there is no finality in this legislation. Would you be in favour of the forfeitures, and privileges, and obligations of the Act when men go on strike?—Not under some conditions. If employers are allowed to victimise their men because they have taken an active part in connection with union matters, and these men cannot get redress from the Court, then I say they are justified in striking; but in the case of a union which goes on strike because it considers it has been unjustly treated by the Arbitration Court in the matter of wages or hours of work, then I say it is not justified in taking that step.

39. Then, in view of your explanation, the first part of this Bill should claim some consideration?—No; we think the present law is quite sufficient, and we base our contention on the small number of strikes that have taken place during the last seventeen or eighteen years.

40. *The Chairman.*] Is it fair to call a number of them strikes, when they were mostly of a petty description?—No; I think only about two can be called strikes.

41. The Slaughtermen's and Blackball Miners'?—Yes; and I think that where men are victimised they are quite justified in striking.

42. Have you any suggestion to make to the Committee in the way of preventing the victimisation that goes on?—No; our federation has not given us any material to work upon which we might suggest to the Committee. I confess it is a very difficult thing to deal with. An employer can discharge a man for a hundred and one reasons, but at the same time we know he has been discharged because he has taken an active part in connection with his union, and yet under the present law we cannot do anything to get redress.

43. Nor can you suggest any alteration in the law that would affect it?—I can only say this: that I will be quite willing to discuss the matter with the federation after I get back to Christchurch. In all probability we can come to some conclusion whereby we might help your Committee, and in that event I shall be only too willing to send the suggestion along. But it is such a difficult problem that up to now we have not been able to come to any definite conclusion on the matter.

44. Has any case been carried before the Court?—Yes; but in those cases the evidence has been pretty clear.

45. What decisions did you get?

*Mr. Young:* In one case the repairers brought a case before the Conciliation Board. There was a conference, which was abortive, and the case was taken to the Court. The reason given was that the man had outgrown his usefulness—and the man was only twenty-nine years old. The only suggestion feasible seems to be that of the late Mr. Seddon—that where a man is found to have been victimised the State should find him employment. That would stop it to a large extent, and there would be no object gained in victimisation.

TUESDAY, 28TH JULY, 1908.

JAMES THORN examined. (No. 3.)

1. *The Chairman.*] Will you please tell us whom you represent?—The Trades and Labour Conference recently held in Wellington.

2. What particular Council do you represent?—Canterbury.

3. Has the Canterbury Trades and Labour Council considered this Bill?—No, Mr. Chairman; they are holding a special meeting to consider it on Saturday night.

4. Have the unions which belong to the Council considered the Bill?—Some of them.

5. Do you voice their opinions?—I voice the opinions of the Christchurch Metal-workers' Assistants and the Christchurch Moulders' Union, together with the Canterbury Farm Labourers' Union.

6. Which unions have considered the Bill—or their executive officers?—Those are the only people I am connected with—those I have mentioned.