

33. *Mr. Arnold.*] Are you not aware that in some cases there was as much as seventeen months' delay before a dispute was heard?—Yes, but that did not come directly under my notice. I believe in some cases there was as much as two years' delay.

34. *Mr. Alison.*] You favour breaches of award being brought before and determined by a Magistrate?—Yes, with assessors, not independently.

35. Why?—I do not think a Magistrate would have the full technical knowledge of the industry in which the dispute occurred. For instance, in wharf-work it would be very difficult to make the Magistrate understand the nature of it unless he had some one present to advise him. I think, if representatives of the industry were placed alongside the Magistrate with all the powers of the Court—one on behalf of the union and one on behalf of the employers—he would arrive at a better decision.

36. Do you think it is desirable there should be representatives from either the union or the employers in a matter in which either side is directly interested?—No, but you would probably be able to get people who had been in the industry who were not in the industry at the time, failing which they would have to be taken from either side.

37. I understood you to say that there should be a representative of the union and a representative of the employers?—That was what the Conference suggested.

38. Do you think that would be a proper judicial Court?—I think so. In the case of an ordinary jury you take your men from many ranks to try civil cases.

39. Would you consider Magistrates as well qualified to hear breaches of award as the Arbitration Court which framed the award?—Equally so; that is, provided the Magistrate had the people I referred to, to advise him. My opinion of the Arbitration Court when it came along to hear our dispute was that it did not know anything about our industry, and it was very difficult to make the members of the Court understand.

40. I understand that you are opposed to Part I of the Bill?—Yes.

41. That deals with strikes and lockouts and defines "strikes" and "lockouts," and makes provision for the recovery of a penalty in certain cases. You are opposed to all that?—Yes.

42. Are you in favour of the existing Industrial Conciliation and Arbitration Act?—Yes, with a few necessary amendments.

43. Do you consider it desirable in the interests of the worker that the Act should be maintained?—I do.

44. Is it not one of the main objects of the Act to settle labour disputes without recourse to strikes?—Yes.

45. Holding that opinion, do you not consider there should be a penalty imposed on workers who do strike?—Certainly I do.

46. Then, why object to the provisions of Part I of this Bill?—Because I think you have ample provision under the present law by civil process to recover the fines.

47. It has been ineffective so far, and as strikes are prevailing throughout the whole Dominion, and there are threatening strikes, while strikers are being supported by unions who are not connected with the industry in which the strikes are taking place, do you not consider there should be a strong penalty which would prevent breaches of the law?—I think if you make the legislation too restrictive you will cause unnecessary friction. I know some cases in which, if the Government had proceeded individually against the men, although they would have been fined heavier, the fines would have been recovered. I believe the Government have recovered some of the fines, and that men have had to pay their full £10 penalty. If you sue a man for a debt in connection with the purchase of provisions or anything like that, you can take out an attachment order against him.

48. At the present time a union not connected with the industry in which men have ceased to work can incite, abet, and assist the union that is striking, and there is practically no penalty enforceable against those who act in that way. Do you consider that where a strike takes place other unions should be allowed to assist the strikers?—No, certainly not. Take my own union, for instance. We were very strongly against a strike which took place on the West Coast, and we were opposed to the continuity of that strike; and yet on strong humanitarian principles we could not see the wives and children of the strikers starve, and without making a levy on the members we agreed that those who desired to assist by voluntary subscriptions should do so. We did not touch our union fund. If we as a union were summoned before the Court for a breach we should have to pay a penalty, because we have a lot of property and could not get out of it.

49. Do you think the unions should have to pay?—Yes, if they go before the Court they have a right to pay.

50. When a dispute is heard before the Arbitration Court, and an award is made, all the parties are bound by the award during its duration?—Yes.

51. Do you consider that during the currency of the award the employers are bound?—Yes.

52. And the employer, if he commits a breach of the award, is liable to be brought before the Court and fined?—Yes.

53. And if he does not pay, then he either suffers a term of imprisonment or else his goods can be sold to pay the fine?—Yes.

54. Do you not consider that if an employer can be so penalised an employee should also be penalised if he commits a breach of the award?—Yes, that is only a matter of equity. Of course, if you fine the employee and he has not the money he should be given a certain time in which to pay. The employee has his wife and children and his home to keep, while a wealthy man is not so affected, because he has property.

55. He may or may not—it all depends upon his position?—Well, if he has not I would not put him in gaol.

56. You know that there was an employer put in gaol?—Yes.