

favour of it so long as it is made clear in clause 3 that the appeal from the Magistrate's Court shall be to the Arbitration Court only. There should be no appeal beyond the Arbitration Court. We think it would be sufficient if we could get meetings of the Arbitration Court more regularly in the different cities. If the meetings were held quarterly that would be sufficient. The Court could then hear compensation cases and other industrial disputes, and there would be no cases for compensation hanging over for more than three months. If we cannot get more frequent sittings of the Arbitration Court, then, no doubt, it is a good idea to allow the Magistrate to have jurisdiction up to the amount of £50. It would enable small cases to be settled with greater facility. We have full confidence in the Arbitration Court, and would prefer that these cases should be decided by it, if it could only sit regularly. At present it is often six or nine months before you can get a decision. Consequently, in small cases we think it is necessary that they should be heard at once so that a man may get his compensation as soon as possible from a Magistrate.

Mr. A. H. COOPER made a statement. (No. 8.)

*Mr. A. H. Cooper* : I am secretary to the Wellington Trades and Labour Council. Clause 3 of this Bill is asked for by the Trades and Labour Council because of the delays which were taking place in the hearing of cases by the Arbitration Court. That is the reason that the Trades and Labour Councils of the colony have in asking that a Stipendiary Magistrate should have power to adjudicate in these cases. Cases have been delayed for eight and nine and sometimes twelve months. We have endeavoured to obtain more regular sittings of the Arbitration Court, but with no success, and so we have given up hope to get more regular sittings of that Court, and we think something must be done to get quicker decisions in these cases, and therefore we propose that Stipendiary Magistrates should have jurisdiction in the cases. In coming to that decision we considered this point: that the matters for decision in regard to compensation are as a rule as to the amount of compensation to be paid, and as to law-points that may be raised. It is almost impossible for employers to prove that an accident was due to the gross negligence of a workman, and I do not think that defence has been raised in any case. The points in dispute are generally as to the amount of compensation or as to some sub-contract. To a large extent it is a question of fact as to a man's physical condition or some question of law, and we think the Magistrate in smaller cases would be perfectly competent to cover all such cases. It is not necessary to have a technical knowledge of a trade, and the Magistrate would be perfectly competent to administer the law. At the same time we desire that there should be an appeal to the Arbitration Court, but no further.

Mr. ANDREW COLLINS made a statement. (No. 9.)

*Mr. Collins* : I am a member of the Wellington Trades and Labour Council. We practically came to the conclusion at the last conference that it would be as well to have this amendment of the Act, for this reason: that we found that the delays which were taking place in relation to the dealing with compensation for accidents were causing much trouble. This arose through the Court not being able to deal with them at the moment, and we considered it would be better that a Stipendiary Magistrate should have power to deal with such cases, and that there should only be an appeal to the Arbitration Court. There is plenty of work for that Court to do, with one Judge at its head, having to travel all over the colony, and we think that the Government should appoint a Judge to deal with questions which arise out of industrial disputes—that is to say, with regard to industrial awards and compensation for accidents; and, failing that, we are content to take what is provided for in this Bill.

Mr. DAVID McLAREN made a statement. (No. 10.)

*Mr. McLaren* : I am here to represent the Canterbury Trades and Labour Council, also the Wellington wharf labourers and the Wellington building-trade labourers. With regard to the Bill itself, and as to its effect upon those who are most directly interested, we find that, particularly in regard to the wharves and building-trade work, there is great conflict of opinion as to the cause of accidents, and the delay in getting cases heard by the Arbitration Court has been so great that it disheartens the men, and in many cases men have lost compensation which they might have secured. The Wellington Wharf Labourers' Union and the Wellington Building-trades Labourers' Union both desire that cases may be heard by the Stipendiary Magistrate, with the right of appeal, on points of law only, to the Arbitration Court. We should certainly oppose any proposition to carry the appeal further. With regard to the men who are employed in the building trade, I might give one or two instances of what is likely to occur. There was a job at Ngahauranga, and a firm of Sydney contractors came over here to take it up, and they took on men for two or three days' work, so that there was a constant flux of men employed on the job; and in case of accident there should be some more ready means of settling any question that may arise. We think, therefore, that there should be power given to the unions to take action on behalf of any individual labourer. Of course, as secretary of the Wharf Labourers' Union I have taken charge of many cases, having got the authority from the individual to appear on his behalf. In that way the union has taken control of the case, and has paid the expenses necessary. In some of these cases we find that it is necessary to take legal advice, and to go to some expense. Many of the employees are unable to carry the thing through themselves, and we think it is only right that unions should be empowered to take up cases on behalf of individuals. I do not suggest that this power should be given to the exclusion of the individual: that is to say, we hold that, with the consent of the individual, the union should prosecute in these cases, and have direct control in respect to the action.