

nullify the decision of Mr. Justice Denniston in Picton. What would be the effect? Take one small portion of Wellington: from Veitch and Allan's corner along Manners Street to Willis Street there are fifty-one drapers' shops. Out of that fifty-one, forty-two would not be affected by this provision. They are running their businesses by means of themselves and members of their families. Nine of them are affected because they are employers of labour. We believe that in some of the forty-two shops bogus partners are arranged for. Those running large businesses are subjected to that competition, and if this clause were passed they could not remain open for the same time as their competitors in trade. Now, the businesses that are remaining open are not small businesses. I want to impress this upon the Committee. There are businesses carrying stocks worth from £5,000 to £8,000, and so doing a large trade. We expect to have Mr. Bush here from the Union Clothing Company, who will tell you that some of the businesses pay their whole expenses by the trade they do after the other business houses are closed. We think that Parliament should take upon themselves to close the whole of these trades at one time, although we admit that that will bring hardship upon certain people. Or, if Parliament allows an extension of hours by requisition, then it should give permission to those that employ assistants to do so in the evenings, at the same time safeguarding that no more than fifty-two hours in one week should be worked. This is a very serious matter. We submit it is absolutely unfair, wrong, and unjust that the Legislature should propose to penalise one small section of Wellington—and it applies to every place—to penalise these nine employers, and allow their competitors to remain open for the extended time. The amendment to section 50, we submit, is absolutely not required. The amendment is by omitting all words after the word "employment," and substituting the words "of any shop-assistant in feeding and tending horses used in the business of the occupier beyond the hours of employment provided by this Act, but not exceeding one hour per day." Now, section 50 of the principal Act provides that "Nothing in this Act shall render the occupier of any shop liable to any penalty in respect of the employment during the hours when the shop is required to be closed of any shop-assistant in feeding and tending horses used in the business of the occupier." In the great majority of cases throughout the Dominion the conditions of work for drivers of horses, in shops, are dealt with by the Arbitration Court awards. The fact is that no hard and fast rule can be laid down with regard to the time required for tending horses. The Court has given rates of wages to cover the time that is necessarily occupied in tending horses, and while an hour in some few cases may be considered sufficient, as one who has had very considerable experience in connection with the working of horses, and as an owner, I say that the man who says that one hour is always sufficient is not a horseman, and I am satisfied that horsemen, as such, would be the very first to object to such a proposition as this. But we say that, the Court having dealt with this matter—take carters, butchers, coal-merchants, and others throughout the Dominion—their conditions in the great majority of cases have been covered by the awards. And the Court realised that something extra is due for attendance on horses, because it has given a certain wage to the driver of one horse and a higher wage to the driver of two horses—not because of the extra work, because the man driving one horse sometimes does more than the man driving two horses, but because of the extra attendance required for two horses. The whole thing requires dealing with as circumstances arise. We submit that section 50 makes ample provision for attendance on horses. There is just another matter—the proposal to amend the Second Schedule in the principal Act by altering the hour set opposite to the trades or businesses of a dairy-produce seller and a florist, in the second column, from 1 p.m. to 10 p.m. Taking a dairy-produce seller, the hour of closing on one day is 1 p.m., on another day 10 p.m., and on other days 6 p.m. But if you make it 10 p.m. you will make it 10 o'clock on two days and 6 o'clock on four days a week. We suppose the intention is to do the same with florists. That is all I have to say in the meantime.

11. *Mr. Poole.*] What is your motive in making reference to the extended river limits in Auckland?—Just to say what I was informed.

12. Will you kindly state what was in your mind?—My motive was to show the danger of legislation such as this, which is proposed to override Arbitration Court awards. If you grant such legislation in the case of hotels and restaurant employees, then in common fairness you have to grant the same in every kind of employment. You cannot logically refuse to do the same thing for the seamen working in extended river limits when they are dissatisfied.

13. Of course you know that the extended river limits are going to be amended—provision being made in the Shipping and Seamen Act?—Yes.

14. Do you think any undue influence has been used to bring that in?—No, that has been done for altogether different reasons. I had not the Shipping and Seamen Bill in my mind at all, in any shape or form.

15. *Mr. McLaren.*] Is it within your knowledge that the seamen of this country have throughout applied for direct legislation in connection with their conditions?—I suppose, as a matter of fact, the Shipping and Seamen Bill is evidence of it.

16. That has been the case throughout, ever since the Arbitration Act came into existence?—I dare say it has.

17. With regard to the conditions affecting assistants in shops and offices, did the Act come into existence first, or the award of the Arbitration Court?—Generally speaking, the Act came into existence before the Arbitration Court awards, and the awards have been built more or less on the Shops and Offices Act.

18. You recognise that the Arbitration Court is not a legislative body?—I do not agree with you. I say it is a legislative body. It is making industrial legislation every day.

19. With regard to those who would be affected by legislation of this kind, what proportion of these shop-assistants is in industrial unions and comes under any award throughout the country?—I do not know what proportion is in industrial unions, but in each of our industrial districts