

132. I am not speaking of the man, but the person who holds the office would you be satisfied with the Appeal Board if it provided that the Chairman should in all cases be the Stipendiary Magistrate for the district?—I am in favour of the proposal that the Chairman should be appointed by either side, or else by the Governor

133. Would you not be satisfied, instead of each side trying to collar the Chairman, as it were, to have the Stipendiary Magistrate of the district the *ex officio* Chairman of this Board?—No, I want it as it is in the Bill. That is what I consider British justice.

134. Do you not think it would be British justice if you had as Chairman of the Board one of the judiciary of the country?—It might be British justice, but I look at it just like this.

135. And I suppose you would sooner have the present position than an Appeal Board with some Chairman of whom you did not approve?—I did not consider that; but it seems to me that it is very likely we should get a Chairman we should not all like.

136. From the Minister?—From anybody It is very difficult to get a man nowadays—some might like him, and some might not.

137. You said yesterday that there was an independent Board of Appeal in Sydney similar to what is provided for in the Bill?—Similar to this.

138. I do not want to trap you at all, but I ask you if you are sure of that?—To the best of my belief it is so.

139. You led the Committee to believe that in Sydney there was what you call “an independent Board of Appeal” similarly constituted to the one proposed under clause 6 of this Bill?—With this exception: that the Government appoint the third man. I thought I said that.

140. Would it surprise you if I told you there is no such provision in the Sydney service—in 1901?—That would surprise me.

141. I will just read what the Sydney Act says: “88 (1.) The Chief Commissioner and the two Assistant Commissioners shall hear, and the majority of such Commissioners shall determine, any appeal made by an officer against the adoption or confirmation of the advice or decision of the officer at the head of his branch with regard to his right to promotion, and may confirm or modify such decision, or make such order as they think fit; and their decision shall be final. (2.) Every such appeal shall be heard within thirty days from the date of the appeal being lodged with the Commissioners.” Section 89 “(1.) Every other appeal which may be made by an officer under this Part of this Act shall be made to a Board, which shall consist of the Secretary to the Chief Commissioner, the Chief Accountant, the Chief Mechanical Engineer, the Engineer-in-Chief for Existing Lines, the Chief Traffic Manager, and one officer to be appointed by the Governor (2.) Such last-mentioned officer shall be elected by ballot of the officers, and his name shall be submitted to the Governor for appointment as aforesaid, and he shall hold office on the said Board for a term of three years.” Section 90. “(1.) Three members of the said Board shall form a quorum. (2.) All powers of the Board may be exercised by a majority of the members present at any meeting, and in case of an equality of votes the chairman of the meeting shall have a second or casting vote. (3.) The members present at each meeting of the Board shall appoint one of their number to act as chairman at such meeting” Do you not therefore see there that the system in Sydney is vastly different from the system proposed in clause 6 of the Bill?—The Appeal Board at Sydney, I understood, was very similar to this. We had as the representative of the men Mr Richards, of the Eveleigh Workshops.

142. Do you not see that, inasmuch as the quorum is to be three, there must be at least two members of the Board representing the employers. The Board appoint their own chairman?—There is no provision on their failing?

143. No, three form the quorum. The Board consists of six, only one of whom is the representative of the officers?—Not officers; I say we have a representative of the employees there.

144. “Officers” includes the employees. Do you see that you have a Board in Sydney consisting of six, of whom three are to form a quorum, and only one of whom is the representative of the officers, which includes the men?—I say the union had a representative there named Richards, of the Eveleigh Workshops. He was elected by the employees, not by the officers. And to my mind it does not convey anything, because they may have given better terms than are laid down in the Act.

145. You said yesterday that there was an Appeal Board in Sydney similar to that provided in clause 6 of the Bill, with one man appointed by the Commissioners, one by the employees, and the Chairman by the Government?—Yes, as near as I could remember about the appointment of the Chairman.

146. I have just shown you that the Board consists of six in Sydney?—It does not alter my opinion that the Commissioners may give better conditions.

147. Now, I ask you would you be satisfied with the same right of appeal that they have in Sydney, if what I read to you from the statute is correct?—I want this clause 6 in the Bill.

148. You want clause 6 and nothing but clause 6—no Arbitration Court Chairman, no Stipendiary Magistrate as Chairman, but the provisions of clause 6?—Clause 6 is what I want.

149. With regard to the car report-books, you are not satisfied with the loose leaves apparently?—No.

150. Supposing the management say that it is much more convenient for them and for the working of the trams to have the loose-leaf system, they undertaking to file the leaves and to keep them separately bound for each car, do you still say you object to the loose-leaf system?—Yes.

151. Will you not give way at all to the convenience of the employers?—I do not think it is a convenience. I think they do it for a purpose.

152. If they say it is, do you say they are not honest in what they say?—Yes.

153. Well, I suppose that applies to every tramway, because the officers conducting the trams in all the four cities use the same thing?—They are all tainted.