

340. We have power to prevent it in an Order in Council and in case of accidents?—You have power to prevent overcrowding. The question has never been raised as between us and the Government except as regards passengers standing on the platform.

341. If one of your cars met with an accident, the Government could step in and say that the car should not carry any more than it had accommodation for?—I am not aware of any provision by which that can be done.

342. We have the right of inspection, you say?—Under the Public Works Act, yes, but I am not aware of any further provision for restricting us in that way.

343. But suppose it was proved to the satisfaction of Government officers that an accident was caused by the overcrowding of a car, could not the Government prevent that car from being run?—I take it they would be able to prevent the car from running.

344. Have we ever exercised that power?—No.

345. Are you satisfied that we have dealt with the Auckland Tramway Company in any arbitrary manner?—In connection with the cars?

346. In connection with anything?—No, I do not call anything to mind.

347. You do not remember any case in which the Government has dealt with your company in an arbitrary manner?—No.

348. The question of speed-limit arises in subclause (d) of clause 5: have you a speed-limit on your system now?—In some instances we have.

349. And in some instances you can run as fast as you like?—In some instances there is no restriction.

350. Your Orders in Council were about the first that were issued in New Zealand in connection with tramways?—I think so.

351. And the Government officers and local officers were not quite so well up to the requirements of the traffic as they are now—do you think they were?—I am not in a position to say I was not here.

352. Do you think they would give you an Order in Council now authorizing you to run at an unlimited speed?—They do not.

353. Do you think there should be some power to limit your speed?—There is already provision for that in the City Council by-laws.

354. The fact remains that there are no speed-limits in some of your Orders in Council?—That is so.

355. Do you think we have the right to amend those Orders in Council by putting in speed-limits?—I see no necessity, seeing that the City Council has power to limit us by their by-laws.

356. Supposing the City Council limited you, say, to three miles and hour, and you wanted fifteen miles, and you appealed to us, do you think we should have the power to amend the Order in Council in that respect?—The regulations as to by-laws simply state that the by-laws may not appoint a speed in excess of the Order in Council.

357. But there is no speed mentioned in the Order in Council?—That fact would not affect the by-law.

358. Supposing they wanted to limit your speed down Queen Street to the rate of three miles an hour, and we considered that you could go at ten miles, we should have to put "ten miles" into the Order in Council, which would nullify the by-law?—I do not think it would nullify the by-law. You are taking me into a legal question.

359. We want the law altered so as to enable people to apply to us in such cases. Clause 6 is the Appeal Board. This Appeal Board has no power to deal with any of your staff unless they are dismissed or disrated. It does not give any power to deal with your men except after they have obtained a certificate and are in your employment?—That is so.

360. If they are dissatisfied with the treatment they receive from your company or the directors, do you think they should have a right of appeal to somebody?—I do not see any necessity for it beyond the Arbitration Court.

361. This does not provide for the Arbitration Court. There may be no reason why it should not be altered to the Arbitration Court, but at present it provides for a separate Board of Appeal?—My objection is that it takes the management out of the hands of the responsible officials.

362. But your management could appoint assessors on the Board?—But I do not think the assessors would be likely to agree to the appointment of a Chairman.

363. Suppose the Arbitration Court appointed a Chairman, would that lessen your objection?

Yes, but even then I do not think the matter of promoting suitable men should be taken out of the hands of the company.

364. If you could prove that the man wanting promotion was unsuitable, you do not think that the Appeal Board would promote him?—That might be, but I do not think it is a matter that should go beyond the responsible manager.

365. Do you think that a case of dismissal should go before an Appeal Board?—There is not so much objection in that.

366. Take the case of the man mentioned by Mr Rosser, Motorman Veart?—He was disrated.

367. Do you think that a man who feels that he is suffering under a grievance by having been disrated should have the right to appeal to an impartial tribunal?—I think the management in that case particularly were the best qualified to deal with it, because he had not only one, but a number of accidents, and that is an instance where it is often necessary and useful to put a man back, because it makes him much more careful.

368. Are you a certificated marine or mechanical engineer?—I am not certificated at all.

369. Take the marine engineers: do you think their employers should have the power to take away their certificates or to dismiss them even?—I certainly think the right of dismissal should lie with the employer.