the same "independency" as characterizes the permanent appointee. Again, when it is a question of upholding big principles affecting all unions, surely all unions should have the unqualified right to select for all of them the assessor deemed most fitted to advocate and defend those principles. Trade assessors from the industry in dispute could be added to the Court when dealing with the disputes on the motion of either of the parties to the dispute, but the permanent Court must consist of permanent though periodically appointed members.

Three or four years ago the Councils stood practically unanimously for the retention of the old Conciliation Boards as minor Courts. Probably a majority of unions still hold that opinion. There is an inherent defect in minor tribunals in an arbitration system. They are under any circumstances always a first Court. A first Court always carries with it an Appeal Court.

In 1908 the idea in union circles was that the Boards of Conciliation should be constituted so as to give finality to their decisions and to make appeals from them only possible in cases of obvious industrial injustice, the onus to be on the appealing party to prove the case. If there are to be first Courts or minor tribunals, then the permanent Conciliation Boards as asked for by the Councils would be most satisfactory to labour. In Victoria, New South Wales, and Queensland the Wages Board system operates. In the latter two States the Acts now provide for Industrial Courts, which order and grant the formation of Wages Boards. The South Australian Bill proposes the same method. In West Australia the Conciliation Boards became a dead-letter. Labour there agreed with the employers that the one and final hearing and adjudication of the dispute was most satisfactory to all parties.

If, as is asked, the guiding and basic principles of dispute-settlements are laid down in the Act, the one and final hearing and adjudication would be best here too. In the States where they exist the Industrial Courts are only Appeal Courts, and mostly it is appeals by employers to whittle down awards that are stated. If a Court or Courts for grouped sets of industries as outlined above is created, to be permanently engaged in Arbitration Court work and industrial investigation, minor tribunals would be only a duplication and unnecessary.

The success of the system depends upon the creation of an arbitration tribunal which will carry complete responsibility. That responsibility would be detracted from by the setting-up of minor tribunals. Either the main Court or Courts would become a continuous Appeal Court or a dead-letter. What the Councils in effect asked for in 1908 was a set of Industrial District Arbitration Courts, with an appeal only to the one higher Arbitration Court; but that proposal carried with it the right of appeal, and appeals always spell delay and vexation. With the one Court, and more Courts when the press of work merits their creation, there would be no appeals, no delays. Neither would there be inconsistency or conflict of decisions, because the extra Court would be set up for sets of industries as the work grew not within the scope of the other Courts, and both Courts would operate over the whole Dominion as Courts of exclusive jurisdiction in those industries.

There would, of course, be need of Act-provisions for the bringing together in conference when desired of the disputing parties, but there is no need of forming up permanent tribunals or appointing permanent officers under the Act for that purpose. All that is needed is facilities for appointing a chairman for the time being. When there is really a dispute between the union and the employers it is on matters of big import, and then the questions can only be settled by the Court with authority to decide between the parties in the matters in dispute. Disputes are settled before they reach the Court at present by conference and compromise of the parties. Generally, the settlement is because of a main already set by the Court itself and a gauging of the possibilities of Court interference. With no power to decide one way or the other no conference chairman can be said to be a force in the promotion of settlement-conditions in a trade dispute.

The final Court: Finally, as the Trades Councils' manifesto said a few years ago, the Act is only an "expedient." In the end the final Arbitration Court for the promotion of the common good is the Parliament itself. The compulsory arbitration system is backed up by labour as being a more scientific, more sensible way of settling matters of trade disputes than the old strike methods; but the system must be administered by a Court of Arbitration with faith and belief in the system and with honest intention to administer the Act in keeping with the spirit and intentions of its framers. The labour warfare will continue while the present wage system continues. Industrial unrest grows and grows. Peaceful settlements of trades-union disputes will be advocated by labour men only so long as the unions know that they will get a "square deal" under the Arbitration Court. The very continuance of the system depends upon its recognition by organized labour. With an earnest desire for the continuance of the system, and to ensure a fuller recognition of its efficacy to lessen the hardships of the struggle between the opposing factors in the industrial world, these suggestions are diffidently offered.

DAVID MCLAREN examined. (No. 3.)

1. *The Chairman.*] What bodies do you represent, Mr. McLaren?—I represent the executive of the Labour Party and a number of unions. I do not intend to occupy much of your time, but I want to say this: that I think it would be a crucial blunder if the House went on to pass legislation at this stage embodying Part VI, at a time when you will not get the evidence from the unions that are directly concerned. The unions that are affected directly at the present time by this proposed legislation are, as you know, in a complete state of ferment. I am not going into the trouble now further than to say that a complete state of ferment exists, their leading men are tied up in various ways and are therefore not here, and are not likely to be here, to give evidence on a matter which very, very directly concerns their organizations. That is a very serious position. I took part, as Mr. Carey did, in the conference at the Trades Hall—