

<page>1151</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1191></url>

LEGISLATIVE COUNCIL. Tuesday, 5th November, 1901. First Reading - Third Reading - Endowments for Primary Education - Coal-mines Bill - Maori Lands Administration Bill, The Hon. the SPEAKER took the chair at half-past two o'clock. PRAYERS. FIRST READING. Payment of Members Bill. THIRD READING. Cook and Other Islands Government Bill. ENDOWMENTS FOR PRIMARY EDUCATION. The Hon. Mr. T. KELLY moved, That this Council approves of the land proposed to be reserved as endowments for primary education, as specified in Paper 138, of 1901, being permanently set aside as endowments for primary education. He might explain that these reserves were made in the several provincial districts of the North Island, under the direction of "The Education Reserves Act, 1877," which provided that 5 per cent. of all the waste lands of the Crown in the North Island should be set aside by the Land Boards for primary education. Motion agreed to. COAL-MINES BILL. IN COMMITTEE. The Hon. Mr. REEVES moved to strike out clause 6, and substitute the following :- "6. (1.) Subject to the provisions of the Act, a miner shall not be employed underground for a longer period in any day than eight hours, exclusive of meal-times. " (2.) Such period of eight hours shall be deemed to commence from the time the miner enters the mine, and to finish when he leaves the mine. "(3.) The prescribed number of working-hours may from time to time be exceeded, but on every such occasion wages shall be paid for such extended hours at not less than one-fourth as much again as the ordinary rate. "(4.) Where in any award of the Court of Arbitration under ' The Industrial Conciliation

<page>1152</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1192></url>

commencement of this Act, provision is made limiting or extending the working-hours of miners working underground in any mine, or providing for the payment of overtime, this section shall, in respect to such mine, and so long as such award continues in force, be read and construed subject to such award." The Committee divided on the question, " That the new clause be added to the Bill." AYES, 16. Smith, W. C. Kelly, T. Bolt Feldwick Swanson Kelly, W. Pinkerton Tomoana Gourley Reeves Jenkinson Twomey Walker, W. C. Smith, A. L. Johnston Jones NOES, 8. Pitt Jennings .Bonar Williams. Louisson Bowen Peacock Harris Majority for, 8. Clause added to the Bill. Bill reported and read the third time. MAORI LANDS ADMINISTRATION BILL. The Hon. Mr. W. C. WALKER .- This Bill, I hope, will be passed by the Council. It is purely a Bill to amend an Act which was passed last year with the knowledge of every one concerned that it was of an experimental nature; but, inasmuch as for the first time in the history of the colony we had a Native Minister of the Native race, whose soul was filled with the amelioration of his own people, Parliament had the greater pleasure in passing the Act last year, because it trusted he knew what he was doing; it hoped his work would prosper, because he had behind him his knowledge of the hopes and aspirations of his own people. He is, if in describing him I may use an old academic description, " Doctor utriusque juris." He knows all about his own people, and their laws and their customs, and, at the same time, he has graduated in the pakeha law, and he knows all about that. The Hon. Mr. JENNINGS .- Who is that ? The Hon. Mr. W. C. WALKER .- I am talking of a doctor-not a Maori doctor-but a doctor both of Maori and of pakeha lore. I say, that was the pleasure which the Council had last year in passing the Bill which gave this Native Minister the opportunity of doing what he could for his own people, considering that he was helping them with his own knowledge of their wants, and what he had learnt by being a pakeha politician. And this Bill simply asks Parliament to make certain amendments of a very small and a very trifling nature to help his machinery to work. It was a very large departure last year, and therefore I am not astonished that there is opposition to it in certain directions. We all know that in a certain city called Ephesus, when the Temple of the goddess Diana was threatened, there was a great

disturbance amongst the silversmiths ; so we find there is when any attempt is made to touch any sacred cult in this country. Hon. Mr. Reeves Native interpreter or the Native agent, or of the persons engaged in dealing with Native land, we generally get a hornet's nest about our ears. That is what the Native Minister has got in this case. They are all at him. But the Council should see fair-play, and if his Bills are fair and honest it should put them through. There is nothing in this Bill I can remark upon more than this: that the measure we passed last year should be given time, and should have the advantage of this altered machinery. It may be asked, Why is this necessary? Well, no honourable gentleman has ever known a Bill passed of a large scope and large operation but that in twelve months' time the machinery. perhaps, has got to be altered, because ex- perience shows that what has been expected twelve months' before has not come off ; and I do not think any one can conceive that any- thing has eventuated which was anticipated from the proposals of last year embodied in the Act. It was that the Maoris should take their own destinies into their own hands with respect to their lands. The whole thing has to be worked up from the beginning, and the Native Minister found in certain particulars that certain alterations had got to be made. and he brought down this Bill to Parliament. and I have the greatest possible pleasure in moving, That you do leave the Chair on tias Bill in order that the Council may go into Committee. The Hon. Mr. W. KELLY .- It appears to me that the Native land legislation of this country has got into a most complicated state. There are no less than twenty-seven Native-land laws in existence at present, all passed since 1811, and we are annually passing more Native Bins. and we are getting our Native-land laws more and more complicated every year. Now, most of the Natives of the district I come from-th.e Bay of Plenty-are anxious that this Bill should not pass ; but I have no doubt, as it has passed in the other Chamber, it will be very likely to pass here also. However, I shall endeavour to put the matter before honourable members in the best way I possibly can, and show how this Bill will affect the position of the Native race at the present time. These Maori Councils that were established by last year's legislation a great majority of the Natives themselves are dissatisfied with, and the more enlightened of the Natives contend that the Act will never work. Some twenty years ago there was Native Committee established by the Araus Tribe. This Native Committee was set up to put their land through, and then to put it through the Native Land Court. Sir Douaid McLean, the Native Minister, gave them every assistance he possibly could, and Proclama- tions were issued by the Governor in Council to give that Committee certain powers. The different hapus elected the members of the Committee similarly to what is done under this Bill. They met for years, and at the end of the time all they had done was to eat and drink and spend what little money they could collect, while they were sitting endeavouring

<page>1153</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1193></url>

all the work they had done, after an experience of two or three years, had to be done over again by the Native Land Court. The large hapus generally got the land awarded to them ; and when the Government came to look into the matter they had to cancel everything that was done, and after enormous expense had been in- curred for advertising and different other things. Now, these Maori Councils that were proposed to be established were, in fact, established by the measure of last year, and this Bill is for the purpose of amending it, because the Govern- ment found, after the Bill was passed last year, the Act was unworkable, and I have no doubt, even with the amendments of this year, it will still be unworkable. But the Natives wish to be allowed to deal with their lands in their own way after the land is put through the Court. I have always advocated a system by which the Government would put the land through the Court, and give to each Native or family their own land, so that they could work on it. At present they do not know what belongs to them. They get a block of land containing ten thousand or twenty thousand acres put through the Court, and with perhaps one hun- dred or two hundred people on the block, and the various individuals of the tribes do not know where to settle on the land. Perhaps two or three families

would take up a portion and would work it for the first and second years, and perhaps in the following year another family comes in and a quarrel starts about the fences which the first family have erected, and I have seen them fighting with spades and other implements for the land which each party claimed. Until the Government takes the land and puts it through the Court and individualises it, and puts each Native or family on their portion of land, so that they can be settlers, I have no hopes of this Native-land legislation reaching finality. An Hon. MEMBER .- And may he sell it if he likes ? The Hon. Mr. W. KELLY. - No, I would not allow them to sell an inch of their land until the family was located ; then they could dispose of their surplus to Government. The land should be put through the Court, and they should be enabled to live upon it and work upon it; and if they had an excess of land which they did not require for their own use, the Government should have the first offer to purchase that land from them. If the Government would not purchase, let them sell to the best advantage. That is what I have strictly adhered to since I have had anything to do with politics. It is very difficult to get the Government to take up this matter, except in the manner they provide for themselves, by Acts such as the present. We have been told that when the Native Minister came into power he was one of those who had the welfare of the Natives at heart, and I believe he has ; and when I heard him make his first speech on Native matters in the House of Representatives, I thought that something good was going to emanate from him. He said he was going and for the Europeans. But since then that is changed, and there has been nothing but turmoil amongst the Natives. I have a list of the Native Bills that have been passed since the present party came into power. In some years several were passed, and one year only one passed. In the other years they ranged from five to two. Twenty-seven Native Bills have been passed, and, although some of them have been repealed, still it is very difficult to know where you are when dealing with Natives. As far as I know, the Government has been about the worst friend the Natives have had for many years. They have been purchasing land from them, and giving such a low price for it that they ought to be ashamed to offer. I know Natives who have been compelled to sell their lands to the Government because of their pecuniary circumstances, and the Government Land Purchase Commissioner offers them a price of, say, 2s. or 2s. 6d. an acre, the land being worth 7s. 6d. or 10s. They are not prepared to take the low price offered ; but the Commissioner, knowing the position of things, in a short time gets the land, because they cannot sell to any one else but the Government. The Government have not looked after the interests of the Natives in a proper way for some time. I would like to see the Government take a different stand in connection with the Natives. These Councils will never work, and it is practically keeping back large areas of Native land in the North Island. They attempted at one time to hand these lands over to the Waste Land Boards of the colony for them to deal with ; but that is practically done away with, and they are commencing in this Bill with a different system. I would like to see this Bill worked, if it is possible for it to work ; but my opinion is that it never can work. The Natives have sent me several letters, the Arawa Tribe especially, stating that they know where the land will go to in the end. The expenses that will be incurred when the Council is established are so heavy that it will eat the land up. They have to pay survey, roading, interpreters, and members of this Council ; and we are told to-day by the Hon. the Native Minister that they intend to have as the head of these Councils the Native Land Court Judges, and the expenses that will be incurred will probably swallow up all the land. I should have liked to see the Native Minister introduce a different Bill altogether-one simpler in its nature, and one that would practically put the Natives on their own land and allow them to become settlers. Until that is done the Natives must remain in their present false position, by having their land adjudicated upon by a Council of seven paid officers instead of a Native Land Court Judge and an Assessor. The Hon. Mr. WILLIAMS .- I expressed my disapproval of certain clauses in the Bill in the Native Affairs Committee, which I wish to have put on record. The fundamental principle underlying a satisfactory settlement of the Native-land question is that suitable and sufficient blocks of land should be set apart for each indi-

<page>1154</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1194></url>

own sole use and benefit, to be rendered absolutely inalienable, so that there shall be no chance of their becoming paupers. Provision was made in the Act of 1900 that it should be the first duty of the Native Councils to attend to this matter, and to see that each individual Maori was provided with a certificate that sufficient land had been set apart for him. Clause 21 in the Act is the one which I refer to, and is as follows :-- " With respect to all Maori lands within the district of the Council the following special provisions shall apply :- "(1.) The Council shall with all convenient speed proceed to ascertain and determine what land each Maori man, woman, or child has suitable for his, her, or its occupation and support, and to determine how much thereof and what portion is necessary to be a papakainga for each such Maori for his or her maintenance and support and to grow food upon, and shall issue & papakainga certificate declaring that such land is a papakainga for such Maori, and notice of such allocation shall be given by the Council to such Maori preparatory to the issue of a certificate therefor. " (2.) Such land shall be absolutely inalienable. " (3.) Papakainga certificates shall be prepared on parchment, in triplicate, and shall set forth a plan and description of the land, and the name of the holder thereof." And in clause 23 of the Act it provides,- "No Maori shall alienate any Maori land, either to the Crown or to any other person, unless and until he has had issued to him a papakainga certificate as hereinbefore provided, or he is able to produce the notice of the Council that lands have been allocated to him preparatory to the issue of a papakainga certificate therefor, as provided in section twenty-one hereof." Now, in this amending Bill this clause is amended by inserting at the end of the section the words "or a certificate of a Judge of the Native Land Court that he is satisfied, after due inquiry, that the Maori alienating has sufficient other lands for his maintenance and support, or for the purposes of a papakainga." Now, I maintain that by this amendment the papakainga question goes by the board. The Hon. Mr. W. C. WALKER .- No. The Hon. Mr. WILLIAMS. - Well, that is my opinion, because it is very easy for a Judge of the Native Land Court - and I must say that I have not the same veneration for the judgment of some of the Judges of the Native Land Court as some people have-it is then easy for a Judge of the Native Land Court to certify that a Maori has lands in another block- it may be miles away from his home, and not even allocated-sufficient for his maintenance. The question at issue is, that each individual shall first have allocated to him a piece of land. Mr. Williams prove, knowing that those improvements are his own. At present they have no inducement to improve their lands, because no one knows what is his individual property. He may fence in a paddock, but immediately another Native may jump his claim and put in his cattle, and say that the land is as much his as it is the other's. There is no individualisation of land. The question at issue is the individualising of the Maori title. When they have sufficient land individualised, so that each one has his own farm and home, then the question of the surplus land becomes a very easy matter. As to the machinery of the Act, I have no objection to the machinery dealing with the waste Maori estate, provided that first and foremost the individualising or the supplying of each Native with a papakainga be carried out, and that the intentions of the Act of 1900 should be given effect to. These are my objections to the Bill, and I thought it as well to place them on record before the Bill went into Committee. The Hon. Mr. T. KELLY .- I fully agree with what my honourable friend who has just said has said with regard to the securing of land for Natives to live on, and that they should get a title for it. Well, I think the Bill provides for that ; it is supposed to be provided by the Maoris themselves. The difficulty hitherto has been that the Natives themselves would not agree with regard to dealing with their own land, and would not allow the Government to deal with it. The attempt made last year was to settle the question by a mixed tribunal, called the " Maori Council." That President, together with two Europeans and one Maori to be appointed by the Governor. and not exceeding three Maoris elected by the Maoris of the district-the persons so appointed and elected from the Native Council. Now. the first process that is necessary to start this is that

the title to the land proposed to be dealt with should be investigated by a Judge of the Native Land Court, and be issues certificates to the Natives entitled to land showing their respective interests in the block dealt with. That is the first process. That certificate has to be given by the Judge of the Native Land Court. But before each person can get on his own land, which has been awarded him by the Court, there must be a survey, and that will take time. Where there is a large number of small interests in a large block of land it will take considerable time to enable the Maori Council to give the parchment certificates, with a plan attached, to the individual Natives showing where their land is. The intention of the Bill is that each individual Native shall get a parchment certificate of his land, to be secured to him from the Council after the survey has been made. That is the intention of the Bill. And this will be carried out by the Council itself with the Land Court certificate as a check. Now, I myself was very much concerned with regard to this Council. As the Bill provides, the Council will receive the lands belonging to individual Natives in trust, to be dealt with by

<page>1155</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1195></url>

the land. That was to get over the difficulty where a number of small holdings extended over a large block, so that they might get revenue out of the land not required for their own homes by leasing it. To do this the Council must make the land accessible, open up the block by forming tracks, and culverts must be constructed, so that the persons who intend to lease it may get on to the land. Well, all that requires money, and there was no way of providing it if it was left in the hands of the individual Native owner, so it could only be done by the Council acting as the trustees of the owners. They might borrow money from the lending institutions of the Government, and get revenue obtained by leasing the land that was not required for use by the Natives themselves. That would pay interest and sinking-fund on the money borrowed to improve the leasing-value of the block. Surely that is a good object, and I cannot see a better way of getting the land owned by Maoris into actual use than that. When that is done, revenue will be derived, and can be applied to those purposes. In a year or two the Natives will get possession of their own homesteads, which are under the Act inalienable. Of course, this takes time. It is impossible to deal with three or four million acres of land in a rapid or hurried fashion; it must be dealt with by accurate survey, in order to give satisfaction to the Natives and secure to them a sound title. I think myself the Bill is a very good one, and that these amendments will make the provisions of the present Act workable. An Hon. MEMBER .- How about the question of papakainga, raised by the Hon. Mr. Williams? The Hon. Mr. T. KELLY .- That is to get land for the Natives to settle on. The Natives must first get their interest defined by the Native Land Court, and the Native Council itself, after the interest is located by survey, deals with it, and then the Native owner gets a permanent title. The Natives have their interest in the land defined by the Land Court; but it is not located, but power is given to the Maori Councils for them to locate the land and give a title. It takes time, but in the meantime all these interests in the land are protected, and the land not required to be used by the Natives is utilised for the benefit of the Natives who have a claim to the surplus land. The Hon. Mr. TOMOANA .- Sir, I wish to say a few words on the Bill now before the Council. I do not think there is any necessity for honourable members now to discuss this Bill at any great length, as it is now before the Council and they have had an opportunity of seeing what the Bill proposes. For the last thirty years, since there has been a Parliament in this country, the Natives have continually petitioned to have the provisions of the Treaty of Waitangi respected. The Acts relative to the Native lands, for many years passed, have not been framed according to the wishes of the Natives, but according to the wishes of the European members of Parliament. A member of the other House, and he then urged there should be one law for the European and one for the Native. The members then said that would not do; but that the Maoris should be allowed to manage their own land, provided that the land was subdivided, and each Native's interest was defined; but instead of that being done a number of different

Acts were passed which did not carry out the wishes of the Natives. For instance, there was a separate Act passed for the West Coast settlement reserves, and then there was a Public Trustee appointed who was given power to deal with some of the lands; and we do not know to this day whether those Acts are working satisfactorily or not. When I was a member of the other branch of the Legislature I introduced a Bill myself, asking that power should be given to the Natives to set up Committees to inquire into and settle the Native titles to the land. There was a good deal of discussion on that Bill, which was eventually passed, but it was passed without furnishing any authority to the Natives, who were therefore unable to do any work under it. The members in the Parliament have never offered to point out to the Natives the direction in which legislation should go to carry out their wishes; but directly the Natives bring forward any Bill, then they are all ready to point out the defects in that Bill. What the Maoris desire is that there should be an Act passed based on the conditions stated in the Treaty of Waitangi. When the Treaty of Waitangi was first agreed upon between the two races it was equivalent to an engagement between the two parties, and the Native chiefs then all agreed that the authority over the land and over the people should be vested in the Queen; and, in return, it was stated that Her Majesty would return to the Natives the management of their lands, their fisheries, their forests, and their eel-weirs, and such like. From that time to this the Natives have been continually begging for a just and equitable law under which they may deal with their lands. They have had to come year after year asking for fresh legislation. I will not detain the Council long, but I could speak for a lengthy time on the provisions of the Treaty of Waitangi, and on the objections made by honourable members to this Bill. It has been stated that the Natives are afraid of this Act, and say they will suffer under it. It is my opinion the Natives have been spoken to by the Native agents, and have been told that they will suffer if the Bill is passed. I feel sure it is so - the Native agents have been telling the Natives they will suffer under the provisions of this Bill. I believe also that these agents are the cause of most of the trouble in the Native Land Courts in connection with the settlement of the titles to Maori blocks. I believe, too, it is owing to their proceedings in the Courts that the Judges are liable to give wrong decisions in the cases that come before them; because in certain cases where the matter is left to the Judges

<page>1156</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1196></url>

In many cases where the same Judge has dealt with other blocks, and the agents have been there, distorting the facts and endeavouring to puzzle all parties, the Judge has sometimes given a different decision to what he did in the previous case, and, therefore, trouble and sorrow have been caused to the Natives. I have seen many cases in the Hawke's Bay District such as I have described. During the time that agents were prohibited from appearing before the Native Land Court, and when the Natives themselves conducted their own cases, the system was much more satisfactory in its results. I will explain my reasons for having brought this matter before the Council. There was one case in which a large block of land was being dealt with, and the Natives giving evidence went fully into the question and explained their claims through their ancestors, and their possessions in the block, and the portions which they had worked. I myself had a large interest in the block which was being dealt with. In giving my evidence I showed that one of my ancestors had had over twenty-four eel-weirs in the lake within this block; and the other parties to this case also described their ancestral eel-weirs. One of the parties also claimed to have an ancestral eel-weir, and he was told by one of the agents that he should go and put in poles to prove that he had such an eel-weir there. Men were sent to erect something which might pass as an eel-weir in this water. Subsequently, it was arranged that the Court should adjourn to the spot and examine these eel-weirs for themselves, and when they examined the weirs that I had referred to they were all found to be as I had stated. Then they came to the eel-weir referred to by the other parties to the case, and the Judge ordered that the posts supposed to form the eel-weir should be pulled up, and it was found then

that they were newly put in, and that the timber was not even New Zealand timber, but English poplar. Now, this device was done at the instance of one of the Native agents, and the case was thrown out because it was quite evident that posts of poplar could not have been put there by our ancestors. There was another very large block of land called Otawha, and the title of it was hotly disputed in the Court, and none but Natives conducted that case on all sides. In the first instance, it was the question of ownership to the ground taken up by the railway-line, and we won this case, and were awarded all the houses and buildings and cultivations of those living on the ground. Subsequently, on appeal, this case was heard again, and it was again conducted by the Natives, and the previous decision was practically reversed, and I myself only got five hundred acres, and the rest of the block was returned to my relatives who had been living there; and this was considered by all a just decision. I had not in the first case urged that I should have all the land awarded to me. In later years the law enabled European Native agents to appear Hon. Mr. Tomoana with the decisions of the Native Land Courts. When this matter was first before Parliament in 1897 we petitioned Her Majesty, and it was as the result of that petition that we had these Bills brought before Parliament. We prayed Her Majesty to try and induce the Government of this country to pass measures which would be satisfactory to the Native people, and as the result of that prayer these Bills were first introduced. When the Act of last year was passed the Natives were well aware of what was being passed, and they were pleased when they heard what was being passed. But it was some of the Native agents that would suffer under the provisions of the Act. I do not wish anybody to suppose that I refer to the Hon. Mr. William Kelly as one of those Native agents, because I know he is only speaking from what he considers a right point of view ; but behind him there may be an agent who is prompting him as to what he should say. I am very desirous, Sir, that this Bill should pass. I feel sure that the Europeans will not allow us to destroy ourselves, and if we come back and say that this is not exactly what we want you will all be ready to assist us to correct the same. I would therefore urge the Council to pass the Bill as amended. With reference to the Native agents and their work, I would like to quote a Native saying of one of my ancestors : " A house standing out on the fields is there to be burnt ; but if the house stands within the fortified pa, that is a chief's house, and it will stand." We have been so far under the authority of Her Majesty the Queen, and now we are under the protection of His Majesty the King, and I say this Council is like Rongoma-taane, a great fortified pa for the Maori people, which cannot be taken. We are here in Parliament to consider and amend the laws, the substance of the Treaty of Waitangi. Those who are outside objecting to this Bill are outside the fortification. Should this Bill not pass, they would be unable to frame a Bul for the Maori people. If this Bill does not pass, they will laugh, ha, ha! Mr. Speaker. I pray honourable members to pass this Bill. Kia ora tatou. The Hon. Mr. W. C. WALKER. - I am sorry there should be any misunderstanding about this Bill. I quite understand those who like the old ways practically think that this new legislation is a leap in the dark. At all events it is a new departure which they do not like. but I can assure them the whole of the colony has got to feel dissatisfied with the old methods as regards Native land, and last year we passed a Bill which gave the Council a hope of a new departure. All this Bill does is to provide that the new departure shall be given effect to. I have already explained that it is almost impossible in a large Bill like this to supply all the machinery necessary. All the machinery provided was absolutely new and prospective, and therefore this Bill really provides nothing more than in the first instance to provide the necessary wheels, or supply the necessary amount of

<page>1157</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1197></url>

the operations go on as regards the Native land. I have every sympathy with the Hon. Mr. Williams, but I think he takes a mistaken view of the case, because I think he has misconceived the position; and the case he raises, if he is right, would defeat the object he has in view. I know the honourable gentleman's objects are most single-minded. We have had his valuable services on the Native Affairs Committee for

many years, and I do not think any one on that Committee can say more than that he has given long and valuable service on that Committee ; but I think he is wrong in his contention. He very properly goes to a clause of last year's Act and says " This is the keynote of the whole case ; that is the clause which says the Maoris are to get parchment documents showing they are en- titled to papakaingas ; " but after twelve months' experience the Government find it takes a little time for any Maori to get a parchment docu- ment showing he is entitled to a papakainga ; therefore the Native Minister thinks it would be in the interests of the Maoris themselves and of settlement that there should be some relaxation in this direction, and if the District Judge can certify to the fact that these Natives have got sufficient land or are entitled to suffi- cient land in the block, so that there is no fear they shall be deprived of a substantial interest in the tribal estate, the block can be dealt with, not for the benefit of any one man, not for the benefit of any pakeha exploiter, but for the benefit of the Natives themselves, because if you have got to wait until all these parch- ment documents are furnished in every part of the colony it means the Native lands would be locked up for a good many years. I am certain this is not what the Hon. Mr. Williams wants. All he wants is that every Native shall have his title clear and sure. Is not that so ? The Hon. Mr. WILLIAMS .- Individualised ; yes.

The Hon. Mr. W. C. WALKER .- Well, the original Bill says that, and this amending Bill simply emphasizes it. We found, after a year's trial of the Act, that it is impossible to get all the titles at one and the same time in parch- ment form ; but still, at the same time, a Judge of the Native Land Court who will be the Chairman of these Boards-because the Native Minister assured me that he proposed to make a Judge Chairman of the Board - in nine cases out of ten the Judge would certify that nine out of ten Natives were absolutely entitled to suffi- cient land for their own subsistence and main- tenance ; but, if these ad interim titles are not procurable, it means you will have two and a half million acres locked up until every one of the titles can be dealt with. I believe the honourable gentleman's object is the same as that of the Government. At all events, the Com- mittee showed this morning that they thought he was wrong. I would ask the honourable gentleman to look over the question again, and see whether, in the true interests of the Native race, he cannot make up his mind to abandon his present opposition to the Bill. I know the honourable gentleman is in sympathy with its also, I am sure, that the Native Minister is doing his best for his own race and the Euro- peans. The Hon. Mr. WILLIAMS .- I was in sympathy with last year's Bill. The Hon. Mr. W. C. WALKER .- Then he ought to be all the more in sympathy with this year's Bill, because it simply removes the friction that has occurred in the working of last year's Act. I have already said it is im- possible to get two and a half million acres sur- veyed and cut up in the course of a few months. If I had a black- I will give an instance. board I could do it better, but I suppose I can- not use one side of the Chamber for that purpose : Supposing there was a block of ten thousand acres-a quarter of that block would be quite sufficient - and there are two hundred members of Native families who have got to have per- manent allocations on it. A quarter of the block would probably be quite sufficient to pre- vent all these families ever being dependent on the State or anybody else, after this block has been inalienably conveyed to them. But until these parchment certificates, which last year's Act mentioned, are prepared, and the surveys are completed, and the pegs are put in, that block of ten thousand acres is absolutely locked up; whereas I say that three-fourths of it might just as well be earning an income for the benefit of the Natives concerned as not. But they cannot deal with it until the surveys have actually been gone through ; and this Bill, with regard to land like that, is wanted, so that a Judge of the Native Land Court can give a certificate that these Natives are entitled to a beneficial interest in certain land, which will prevent them being landless, and that therefore the block may be dealt with in the first instance, and the rents secured. It is not only a question for the Maori ; it is also a question for the European, because this question, which deprives of settlement all these acres, is no trifling thing. Of course, the object of the legislation in the first case was the interest of the Maori, and in their interest I ask you, Sir, to put the question, and I trust the Council will commit the Bill. We have heard a very eloquent exponent of the race



this afternoon. He approves of the Bill. Why, therefore, should certain members of the Council object ? Well, I am sure the desire last year was that this new departure in Native land transactions should have a fair show. This Bill is not new legislation. It is simply supplementing and implementing what it was attempted to do last year. Bill committed. On the question, That the Bill be read the third time, The Hon. Mr. JONES said, When it was pro- posed to-day by the honourable gentleman in charge of the Bill to go into Committee, the Hon. Mr. W. Kelly and I pointed out to the honourable gentleman that the Bill had not been circulated amongst honourable members, and we desired that we should be given time to see and peruse the Bill before proceeding with

<page>1158</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1198></url>

torted that it was very extraordinary that we should raise this objection, and said that he could only interpret our action as showing a desire to delay the progress of the measure. I want to say that that remark, so far as I was concerned, was entirely gratuitous. I had no desire to delay the progress of the Bill, because I believe it to be-although perhaps not the very best attempt possible to deal with the Na- tive land question, on account of the many difficulties surrounding it-a most genuine attempt to overcome the difficulties that en- compass the question. Sir, I give place to no gentleman in my desire to see the Native lands administration of the colony placed on a better and sounder footing than hitherto, and I have always helped the Natives to the best of my ability. The question is, however, so difficult that a layman can scarcely understand it in all its ramifications ; but I want it to be perfectly understood-and I want the honourable gentle- man to feel-that I had no desire whatever, nor did it ever enter my mind, to do anything to delay the passing of this measure. We all hope that we have at last arrived at some solution of the difficulty. Since 1891, twenty- seven Bills have been passed on this subject, and this is the twenty-eighth, as I understand, and let us hope that it will be the last for some time to come. I, at any rate, hope that the difficulties that have always encompassed the question have at last been got over. The Hon. Mr. TOMOANA .- Sir, I do not think the honourable member who has just spoken is quite justified in saying that we have not seen the Bill. I am the only mem- ber of the Council who was absent. I only returned last night, and the Bill had then been read the first time in the Council. I do not think either that the honourable gentleman should have taken this late stage of the Bill as an opportunity for speaking. If he wishes to oppose the Bill I would like to know at once. The honourable gentleman also said that there were twenty-seven Bills - or Native Acts- which had been passed affecting Native lands. Now, this Act of last year is the first one which the Natives had any hand in. I may state that, in my opinion, this Bill is really carrying out the promises made in the Treaty of Wai- tangi, and I trust that honourable members will be friendly to us, and help us in this Bill. During all these past sessions of Parliament the members have invariably been attacking the Native people. I trust, therefore, that honourable members will allow this Bill to pass. Sir, although there may be only a few members supporting this Bill, still I trust that it may be passed, because it is a very important measure. Persons are telling the Natives that if this Bill is passed they will suffer great wrong; but if the Bill were not passed, then I think they would laugh at the Natives. The Hon. Mr. TWOMEY .- I do not think there is anything very wonderful in so many Bills having been passed in all this time. We know that there are as many European Bills Hon. Mr. Jones But, so far as I can see, all those Bills were trying how not to do it, and this is the first honest attempt to try how to do it, and I trust it will be successful. The Hon. Mr. JONES .- Sir, I rise for the purpose of making a few remarks by way of personal explanation. I think the Hon. Mr. Tomoana has made an error in what he has stated. He has misinterpreted what I said. I said nothing antagonistic to him in my remarks, nor have I uttered a word in this Council in any way against the Bill. That is all I wish to say. The Hon. Mr. W. C. WALKER .- I should be sorry to allow the Bill to pass without saying a word or two of congratulation to our honour- able friend Mr. Tomoana on the eloquent and intelligent way in which he has addressed us on this subject, and

it is an additional pleasure to us in passing this measure to know that it has been to him not only a measure of present interest, but that it brings back to him and his people the traditions and the obligations which we hope to see maintained. It is all the better for us, and for our Maori friends, that all those obligations should be preserved, and it is satisfactory on the present occasion to feel that this Bill is an attempt to do our honest best in our endeavour to carry out those traditions and obligations. It is all the more to the credit of the measure. When I spoke in moving the committal I alluded to the exceptional position we are in in this colony in having a Native Minister of the Maori race, and I say it is a very great privilege indeed that we should have a Minister able to represent both races, and, with a sort of ambidexterous mind, be able to look at questions from either side. He is able to balance opinions, and through one side of his nature say whether the Maori should be most considered. and with the other side whether the pakeba should be most considered ; and no doubt on the whole his judicial mind would arrive at the conclusion that neither should be considered one before the other, but that fair play should be given to each. I am quite certain that those who sat on the Committee this morning and had the pleasure of listening to his evidence must have come to the conclusion that this measure is very near his heart, and I shall be very pleased indeed if the Council will pass its third reading to-night. Bill read the third time. The Council adjourned at a quarter to nine o'clock p.m. # HOUSE OF REPRESENTATIVES. Tuesday, 5th November, 1901. Second Reading-Third Reading-Bill Discharged -New Zealand Railway -- Public Health Bi- Government Railways Department Classification Bill-State Coal-mines Bill-City of Auckland Loans Consolidation and Auckland City Borr #- ing Bill-Cook and other Islands Government Bill-Coal-mines Bill-Maori Lands Administra-

<page>1159</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1199></url>

Ensign Bill-Criminal Code Bill-Railways Authorisation Bill-Public Trust Office Bill-School Attendance Bill-Military Pensions Bill-Old-age Pensions Bill-Factories Bill. Mr. DEPUTY-SPEAKER took the chair at twenty-five minutes past eight o'clock, p.m. PRAYERS. SECOND READING. Statutes Revision Bill. BILL DISCHARGED. Statutes Revision Bill. NEW ZEALAND RAILWAYS. Sir J. G. WARD (Minister for Railways) said he wished to lay on the table the following return, which he thought was of sufficient importance to place on record :- " Statement giving Comparison of the Cost of various Works paid for out of Revenue and Capital during the last Financial Year. Revenue. Capital. Total. - £ £ £ 29,663 172,258 Permanent - way, in- 142,595 cluding sleepers Bridge strengthening 12,193 55,593 43,400 and renewals Buildings (renewals) 33,770 33,770 . . Additions to buildings 7,834 47,680 55,514 and other works 227,599 89,536 317,135 #cc-zero " Statement giving Comparison of the Cost of Maintenance per Mile charged to Revenue during the last Ten Years. Year. Year. € £ 1896-97 1891-92 130.89 149.14 .. .. 159.34 1892-93 1897-98 139.86 .. .. 1898-99 1893-94 140.05 171.74 .. .. 1894-95 138.22 1899-00 186.42 .. .. 1895-96 140.88 1900-01 194.61 .. .. " Statement showing Amounts charged to Revenue for maintaining the New Zealand Railways, as compared with another Colonial Railway of the same Gauge. "NEW ZEALAND. Per Mile. Total. Permanent-way (cost of wages £ £ and materials) 303,460 .. 139.6 Bridges, works, and buildings 50.6 109,999 "QUEENSLAND. Per Mile. Total. Permanent-way (cost of wages and materials) . 104.8 286,426 Bridges, works, and buildings 32.8 89,712 "T. RONAYNE, General Manager. " Railway Department, Head Office, Wellington, 5th November, 1901." had been commented upon without an authoritative return showing the position, would, at all events, be useful to honourable members, and of considerable interest to those who took an interest in railway affairs. He hoped it would prevent misapprehension and misconception in the minds of those who were anxious to know what was being done out of revenue and out of capital in regard to the great railway-works in the colony. The return fully bore out all he had previously stated on the matter. He moved, That the return do lie on the table. Mr. J. ALLEN (Bruce) asked the Minister when a return that had been ordered by the House on his motion

with respect to the rails and the sleepers would be laid on the table. He could foresee there would be no difficulty in getting the return, because there had been no difficulty in getting the return the Minister now sought to lay on the table. He regretted that a return similar to this was not given earlier in the session. He did not see why these particulars that they had been clamouring for were not included in the Railways Statement, so that members might tell how much of revenue and how much of capital was being used in the maintenance of the railways. He would ask the Minister to include in the return the number of train-miles run, because it must be obvious to the House that the maintenance expenses would increase with the number of train-miles run. Mr. R. McKENZIE .- That is in the Railways Statement. Mr. J. ALLEN said, Yes, but it ought to be in this return. The Minister had quoted the Queensland railways, and said the amount spent out of revenue was so-much per mile, and he had compared it with the amount spent out of revenue in New Zealand. That, however, could be of little value unless they knew the number of train-miles run in New Zealand and compared the number run in Queensland. With that information before them they would be able to judge whether the expenditure per mile could be fairly put alongside the expenditure of another colony. For instance, he was sure of this : in the previous years, where the expenditure was shown to be less per mile, the number of train-miles was much less, and therefore the expenses would be much less too. Captain RUSSELL (Hawke's Bay) said that at this late stage of the session one was glad to see anything in the shape of a return from a Minister. This return, however, was one that it suited the Minister to lay on the table, and it was not the sort of return members had wanted. Without seeing and reading the return, and comparing it with other returns, it was practically useless at the moment. A comparison had been drawn between the expenses of repairing the New Zealand railways of ten years ago and those of to-day ; but the Minister forgot to say that the railways were now ten years older, and therefore the cost of maintenance must go on steadily increasing if, as he maintained was the case, they had not been properly maintained in the past ; and then, no doubt, the comparison

<page>1160</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1200></url>

tremely misleading. When one knew that the railways in Queensland extended over a vast area of dry country, where the decay was but little and the timber had double the strength and durability of New Zealand timber, it brought the comparison into one of comparatively little worth ; it was impossible to judge of our own expenditure from that of other different places. There was also this to bear in mind with regard to the Queensland position : that Queensland had unfortunately a deficit, and undue economy may have been practised in railway maintenance. He hoped in the future the working railways maintenance returns would be made up in such a way that there would be adjacent columns showing the amounts per mile of the expenditure out of revenue and out of capital, setting out under different headings the classes of expenditure. If they got some such return as that they would know exactly how the money was spent, which up to the present time the country and honourable members were in ignorance of. Mr. FISHER (Wellington City) said the honourable member spoke of getting returns in the last days of the session ; but he might say that "the jellyfish " had succeeded in getting from the Government a lot of things, but they had not succeeded in getting assistance from the honourable gentlemen sitting on the Opposition benches. Mr. PIRANI (Palmerston) said he did not quite understand who the honourable member for Wellington included in the term " jelly-fish," but he would like to point out that it was impossible, even for the strong-back gentleman who sat in his (Mr. Pirani's) corner, to force out of the Government anything in the shape of returns. If the department did not prepare the returns, or if they did, and the Minister did not lay them on the table, he did not see how it was possible to compel these returns to be placed before them. At the same time he must admit that there was a very great deal of work in preparing the returns that were granted towards the end of the session, and it seemed to him that there should be some arrangement by which all the returns that were needed could be granted unopposed

early in the session, and they could have them placed before them. He would also like to say that B.-1 had never been so late in being laid before Parliament as this session. It was an important return, and one that was practically prepared immediately after the end of the financial year, and it seemed rather unfair that Parliament should, on the eve of the termination of the session, not have a full statement of the accounts of last year. It had been said that in other colonies the full accounts were not available any sooner than here; but, of course, in making that statement the Minister did not take into consideration the fact that in New Zealand all our accounts were preaudited, and were therefore ready for perusal almost at the end of the financial year; whereas in the other colonies they did not audit the accounts until after payment, and therefore they could Captain Russell of the financial year, so that we were, at least, three months ahead of the other colonies in that respect. Sir J. G. WARD (Minister for Railways) said, Regarding the information asked for by the member for Bruce in the return to which he had referred, he found that that information could only be given after considerable delay, and it would involve much labour and cost to the department. The General Manager for Railways, in referring to the return, reported that it would be an extensive return, and would take a considerable time to prepare. It would take perhaps a year or two to get out the return. In reply to the member for Hawkes Bay, he might state that honourable member took exception to the absence of returns furnished by the Government, and regretted that a return such as this had not been laid on the table before. No honourable member on the other side of the House had asked for a return such as had just been laid on the table, and he laid the return on the table in consequence of strictures made by some members with respect to this matter. It would seem that the honourable member for Hawke's Bay, in making comparisons between the New Zealand railways and the Queensland railways, wished to put the Queensland railways in a superior position to those in this colony. He (Sir J. G. Ward) only wished to say that in a matter of comparison you must not only take the mileage, but you must also consider the configuration of the country through which the railways pass. With respect to the statements as to the expenditure on the railway-lines out of capital and revenue, he was glad to be able to say that the statements of some honourable members opposite were not borne out by the facts. In conclusion, he might say that he would be very glad to get the freight mileage for the honourable member as soon as be possibly could. Motion agreed to. PUBLIC HEALTH BILL. Sir J. G. WARD (Minister of Public Health) brought up the following reasons for disagreeing with the amendments made in this Bill by the Legislative Council, and moved that they be agreed to, and transmitted to the Legislative Council : - "New clause 2A : (1.) Provisions of this clause may entail some hardship upon back-country parents if they had to appear at the Stipendiary Magistrate's Court to claim certificate of exemption, and the Magistrate might be apt to give a hard-and-fast ruling. "(2.) That while small-pox is not in New Zealand the danger of unvaccination is not so great." Motion agreed to. GOVERNMENT RAILWAYS DEPARTMENT CLASSIFICATION BILL. Sir J. G. WARD (Minister for Railways) moved, That the amendments made by the Legislative Council in this Bill be agreed to. Motion agreed to.

<page>1161</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1201></url>

Mr. SEDDON (Premier) moved, That the amendments made by the Legislative Council in this Bill be agreed to. Motion agreed to. CITY OF AUCKLAND LOANS CONSOLIDATION AND AUCKLAND CITY BORROWING BILL. Mr. FOWLDS (Auckland City) moved, That the amendment made by the Legislative Council in this Bill be agreed to. Motion agreed to. COOK AND OTHER ISLANDS GOVERNMENT BILL. A message was received from the Legislative Council stating that the Cook and other Islands Government Bill had been passed with amendments. Mr. SEDDON (Premier) said there was a new clause, as follows :-- "8A. All Federal and Local Ordinances assented to by the Governor shall be laid on the table of both Houses within ten days of the meeting of Parliament." And after subsection (4) of clause 9 it was proposed to insert the following :- "9A. For the purposes of ' The Shipping and Seamen's Act,

1877,' ships trading to or going between the said Islands and New Zealand shall not be deemed to be home-trade ships." He moved, That the amendments be agreed to. Mr. HUTCHESON (Wellington City) asked the Minister to explain the meaning of the clause referring to home-trade ships. Mr. SEDDON said the clause referred to vessels trading between the colony and the Islands. The Islands now being part of New Zealand, vessels trading there under ordinary circumstances would be treated the same as vessels trading along the coast of New Zealand. An Hon. MEMBER said it was just the opposite. Mr. HUTCHESON said the term "home-trade" could be applied to New Zealand or to foreign trade. Mr. SEDDON said the clause read as follows :- "For the purposes of 'The Shipping and Seamen's Act, 1877,' ships trading to or going between the said islands and New Zealand shall not be deemed to be home-trade ships." Mr. HUTCHESON said, Although these vessels might traverse eighteen hundred or two thousand miles of open sea, yet, since we had included the Cook and other islands within the boundaries of the colony, they were now home-trade vessels. If the Government did not declare these vessels foreign traders they would, on the facts stated by the Premier, be in law coastal vessels-that was, trading between two ports of the colony, they would undoubtedly be engaged in the home-trade. In reality the extent of their traffic rendered them foreign traders, and required that they should be so forth that the foreign-going vessels were. Motion agreed to. COAL-MINES BILL. A message was received from the Legislative Council stating that the Coal-mines Bill had been passed with an amendment. Mr. MCGOWAN (Minister of Mines) said the only amendment the Legislative Council had made was to substitute one clause for another. Clause 6, as it left the House, read,- "No miner shall work longer in any day than eight hours underground in a mine ; such eight hours shall commence from the time of entering such mine until such time as the miner leaves the mine: Provided that this section shall not affect any award already given under ' The Industrial Conciliation and Arbitration Act, 1900': Provided, further, that any such miner working beyond the said eight hours shall be entitled to be paid overtime." The clause substituted was as follows :- "6. (1.) Subject to the provisions of the Act, a miner shall not be employed underground for a longer period in any day than eight hours, exclusive of meal-times. " (2.) Such period of eight hours shall be deemed to commence from the time the miner enters the mine, and to finish when he leaves the mine. "(3.) The prescribed number of working-hours may from time to time be exceeded, but on every such occasion wages shall be paid for such extended hours at not less than one-fourth as much again as the ordinary rate. "(4.) Where, in any award of the Court of Arbitration under ' The Industrial Conciliation and Arbitration Act, 1900,' made prior to the commencement of this Act, provision is made limiting or extending the working hours of miners working underground in any mine, or providing for the payment of overtime, this section shall, in respect to such mine, and so long as such award continues in force, be read and construed subject to such award." He moved, That the amendment be agreed to. Motion agreed to. MAORI LANDS ADMINISTRATION BILL. Mr. CARROLL (Native Minister) moved, That the amendments made by the Legislative Council in this Bill be agreed to. There had not been really any amendments except what had been accepted by the House when in Committee on the Bill. Some of those amendments had been put in the wrong place, and what the Council had done was to put them in their proper places. Mr. HEKE (Northern Maori District) said he only desired to make an explanation. The honourable member for Napier (Mr. A. L. D. Fraser), a short time before, had presented a petition, alleging that it contained the objection of some thirteen hundred Natives against the Maori Lands Administration Act of last year. He had perused the petition, and had discovered that it was a wholesale petition against the Public Works Act, the Rating Act,

<page>1162</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1202></url>

planation, to show that the petitioners had an objection not only to one, but to pretty well all the laws of the colony. Motion agreed to. OLD-AGE PENSIONS BILL. Mr. SEDDON (Premier) moved, That the

amendments made in this Bill in the Legislative Council be agreed to, except the amendment made in clause 8. He did not believe in what they had done in clause 8. They had struck out "for which no penalty is otherwise provided in any other Act," and the effect was that any person might do what they liked and defraud the country, and only be fined £10. Mr. HERRIES (Bay of Plenty) called attention to the amendments made in clause 3. According to the Premier these were made on the recommendation of the Law Officers ; but he would ask him to look carefully at the effect they had. The Legislative Council had made the clause read as follows :- "(1.) The Deputy Registrar may cause a preliminary inquiry to be made on any application, and on every such inquiry it shall be the duty of every person to make true answers to all questions concerning any applicant for a pension or renewal, or any of the statements contained in any application for a pension or renewal certificate put to him by the Deputy Registrar or any officer authorised in that behalf by the Deputy Registrar. " (2.) Every person commits an offence who- "(a.) Refuses to answer any such question ; or " (b.) Makes any answer knowing the same to be untrue. "(3.) This section shall apply to any officer of any bank or other corporation carrying on business in New Zealand and to any officer of the Post-Office Savings-Bank and of any other Government department which receives investments of money from the public." The words, "The Deputy Registrar may cause a preliminary inquiry to be made on any application, and on every such inquiry " were new. The effect of the alteration was that these offences could only apply to anything done before the preliminary inquiry. As the Bill left the House it meant that before a Magisterial inquiry the Deputy Registrar could ask all these questions, and a person committed an offence if he did not answer them properly. It was now confined to a preliminary inquiry. Mr. SEDDON said he saw the point; and the honourable member had better move that the House disagree with the amendments in clause 3. Mr. HERRIES (Bay of Plenty) moved, That the House disagree with the amendments in clause 3. Mr. PIRANI (Palmerston) thought the Premier might give credit to the member for Wellington City for objecting to the amendment proposed by the honourable member for Auckland City (Mr. Napier), in the dying hours When the Bill was going of last session. Mr. Heke have exactly the opposite effect to what the Premier had desired. The Premier denied that, and told the House that the amendment was all right. Mr. SEDDON .- So it is. Mr. PIRANI said the Premier had now come down with a proviso in the other direction. Mr. SEDDON .- No. Mr. PIRANI said the words the Premier accepted were "provided this section shall not apply," and the one he had put in now was -- "provided this section shall apply." Mr. SEDDON assured the honourable member that the one put in now was wrong, and the one put in previously was right. Mr. PIRANI .- Then, you will move to disagree with the amendment ? Mr. SEDDON said, At this stage of the session he was prepared to accept small mercies. Mr. PIRANI said this was an instance of the ungenerous nature of the Premier. Even now, with a chance of altering this amendment, he expressed the opinion that it was wrong: but he was going to accept it. If it was wrong, why did he disagree with it? However, he (Mr. Pirani) was a little doubtful whether the new proviso might not have the effect of causing an innocent person to suffer. Mr. SEDDON .- So am I. Mr. PIRANI said the husband and wife might die within a few days of each other, and in that case the estate of the one who had not offended would have to suffer in the same way as the estate of the one who had ; and he thought the doubt should be removed. With regard to clause 84, he was sorry it had not been made more simple. Why not put all this routine on the Registrar, instead of on the Colonial Treasurer, for that is what has caused the trouble in the past ? Instead of the Colonial Treasurer directing that these instalments should be paid. the Registrar had to do it, and the payments did not come before the Treasurer for approval until afterwards. If the Premier looked up the papers he would see that he (Mr. Pirani) was correct. It was not a very important matter, but there was no need to burden the Colonial Treasurer with the trouble of giving his authority; and surely an officer holding the position of Chief Registrar of Old-age Pensions ought to be trusted to exercise such discretion It would be simpler, quicker, and more effective. It did not matter much who was right or who was wrong. As the

Solicitor-General said the question was open to doubt, it would be just as well to settle it, and while settling it he thought they ought to settle it in the easiest possible way. Mr. TANNER (Avon) said he was glad to hear that the Premier had included clause 3 in the amendments which were objected to, but he trusted honourable members would look at what the effect of the clause would have been if it had been assented to. By an amendment which had been made the Deputy Registrar had almost magisterial powers. The result of the

<page>1163</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1203></url>

effect on the friends of the aged applicants, and large numbers of aged persons would thus probably be prevented from obtaining that which the Legislature intended they should obtain. He would watch the Bill very closely when it came back from the other branch of the Legislature. Mr. ATKINSON (Wellington City) said he had been credited with having pointed out that the proviso to clause 6 would not have the effect which had been stated. He might say that it was his colleague, Mr. Hutcheson, who made the discovery. Mr. G. W. RUSSELL (Riccarton) said it appeared to him that the words which had been added by the Upper House at the beginning of clause 3 were merely in the nature of a preamble. The two lines added only led up to the power which had been given to the Deputy Registrar in the last part of the clause. That being the position, it appeared to him hardly worth while to object to that amendment made by the Upper House. He agreed with the member for Palmerston in regard to clause 8A : It was quite impossible that the Colonial Treasurer could inquire into all the small details that might be necessary in connection with cases of old-age pensions; if the honourable gentleman was going to inquire into the particulars of every pensioner who came under that clause he would have his hands full. He regretted that the Government had not inserted a clause providing that cottage property to the value of £100 should be exempt. When a clause of this kind was proposed in the House it was not the Premier who opposed it, but another member who thought it should have been introduced by Governor's message, and opposed it therefore on technical grounds. He would suggest to the Premier that in a future amendment of the Act provision should be made in this direction. Mr. SEDDON (Premier), in reference to the remarks made by the honourable member for Riccarton, thanked that honourable member for correcting an impression which had gone throughout the colony, and which had brought adverse comment upon himself (Mr. Seddon)-namely, the statement that the Premier had raised an objection to some slight concession being given in the case of the poor cottager, or the pensioner who had a cottage worth £100. The fact was, he never raised that objection at all. He had stood the brunt of this adverse criticism, and had received all the punishment for an action that he had never committed. The next point was as regards the amendments which were made in subsection (1) of section 3. His own opinion was that the inclusion of the words "the Deputy Registrar may cause a preliminary inquiry to be made on any application, and on every such inquiry," et cetera, did not alter the clause as originally intended, only it fixed definitely that the Registrar might hold an inquiry. It made the thing more positive ; that was all. Then he came to the proviso to clause 6, which was struck out, and in this connection able member for Palmerston against the member on the Government side of the House who drafted this proviso. He (Mr. Seddon) said he was not in love with the alteration, and his own opinion was that as it stood now it would not effect what was intended and what was wanted. He believed, himself, it went further than any of them wanted. At all events, he had objected to the proviso, and he intended to have the matter looked into again by the Law Officers in order to make clear the point that had been raised. As regarded the new clause 84, the member for Palmerston was wrong entirely as to the details of the working of the Act. In the original Act it was the Colonial Treasurer who had to sanction the extension of the payments on the certificates. If the House altered this it would have to alter the original Act ; but it would not work, because the payments were made by the officers of the Post Office on behalf of the Registrars, and these payments came to the

Registrar, who submitted them to the Minister. And, he thought, properly so, because otherwise there might be a free-trade in these extensions, and it was just as well to have a check on them. Mr. PIRANI (Palmerston), in personal explanation, stated that he had said, in the case brought before the House by the Auditor-General, the fact was that the Registrar had assented to the payment of the pension, and that the matter had not been brought before the Colonial Treasurer for his approval until after the money had been paid. The papers bore out exactly what he had said. Mr. SEDDON said the honourable gentleman was wrong. The facts were these: The Post Office officials paid the money, and then the Registrar came with the papers and submitted them to him, and he approved of them. He gave a certificate for the extension after the money had been paid. The Controller and Auditor-General raised the question that the extension could not be granted after the money had been paid. Motion agreed to. Mr. SEDDON moved, That Mr. McNab, Mr. W. Fraser, and himself be appointed a Committee to draw up reasons for disagreeing with these amendments. Motion agreed to. # NEW ZEALAND ENSIGN BILL. IN COMMITTEE. Clause 5 .- Commencement of Act. Mr. SEDDON (Premier) moved to strike out the clause. Motion agreed to. Mr. SEDDON (Premier) moved to strike out the preamble. Motion agreed to. Mr. HUTCHESON (Wellington City) moved the insertion of the following preamble :- " Whereas, by Proclamation under the hand of His Excellency the Governor, dated the twenty - third day of October, one thousand eight hundred and sixty-nine, it was declared, in accordance with the Queen's Regulations

<page>1164</page>  
<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1204></url>

Defence Act, 1865,' that the flag hereinafter described should have the distinctive seal or badge of the Colony of New Zealand for all vessels belonging to, or permanently employed in, the service of the colony: And whereas the said flag has since been in general use for the purpose aforesaid, and also as the recognised ensign of the colony : And whereas it is desirable that the same flag should be by law established as the ensign of the colony for the purposes hereinafter mentioned." Motion agreed to. Bill reported, and read a third time. CRIMINAL CODE BILL. IN COMMITTEE. Clause 7 .- Punishment of defamatory libel. Mr. HORNSBY (Wairarapa) moved to insert the words " or without," so that the clause would read, "To five years' imprisonment with or without hard labour." Motion negatived. Mr. PIRANI (Palmerston) moved the following new clause :- " A plea of parliamentary privilege shall be no defence to an indictment for libel under this Act." The Committee divided. AYES, 10. Lang Allen, E. G. Tellers. Fowlds Lawry Massey Guinness Monk Pirani. Herries Rhodes. NOES, 35. Allen, J. Fraser, A. L. D. Russell, G. W. Fraser, W. Russell, W. R. Atkinson Hall Barclay Seddon Smith, G. J. Bennet Hall-Jones Buddo Hogg Symes Carroll Hutcheson Tanner Collins Laurensen Thompson, R. Colvin McGowan Thomson, J. W. Duncan Mackenzie, T. Ward. Tellers. Eli Mills Field Arnold Napier Flatman O'Meara Stevens. Majority against, 25. New clause negatived. Bill reported, and read a third time. RAILWAYS AUTHORISATION BILL. On the question, That this Bill be read a second time, Mr. HERRIES (Bay of Plenty) said he regretted to see that no provision was made for the authorisation of the extension of the railway from Waihi to Tauranga, nor from Gisborne to Opotiki. He trusted next year the Government would take into consideration the necessity of arranging for the authorisation of the East Coast line. It would have the effect of opening up an enormous area of land which at present, although possessing no railway facilities, was paying a large proportion of the expense of lines Mr. Hutcheson said to Napier. He trusted that this neglected portion of the colony would ere long receive the attention of the Government, and that the railways which had been already commenced- namely, the Paeroa to Waihi, and Gisborne to Karaka-would be continued right through the whole of the country he had mentioned. Captain RUSSELL (Hawke's Bay) had on various occasions drawn attention to the fact that there was a large tract of country on the East Coast which had derived no benefit whatever from the moneys borrowed for railway construction, and also to the injustice of imposing taxation on that large part of the country to



make up the deficiencies which were consequent upon the railways not paying a sufficient amount of interest. The land he had in his mind was the whole of the land right from the Bay of Plenty down as far as Napier, all of which was utterly unprovided with roads or railways. It had been impossible to put railways there up to the present time ; but he found that the only extension of the Gisborne-Karaka line that was provided for in this Bill was a length of half a mile to a gravel-pit. He thought: complete surveys should be made of the railway-lines that were required to open up the portion of the colony to which he had drawn attention, so that, at any rate, there might be some hope given that the large and important district extending, he would say, from Cape Colville down to Castlepoint would in time be furnished with railway facilities. At present it had no railway at all, and yet the whole of this land was subject to taxation. He had spoken several times of the neglect of the East Coast, and it was a matter that the Government ought to consider. Every other part of the colony was provided with railways, and the neglect of the East Coast made one feel there was, after all, a virtue in log-rolling. Mr. PIRANI (Palmerston) said that early this session very complete particulars of a measure dealing with light lines of railway were brought before the attention of the Premier and the Minister for Public Works with the intention of getting such a measure passed into law this year, so as to enable local bodies to construct such lines of the character dealt with in the Bill. A distinct promise was then given by the Premier that consideration would be given to this scheme, and that if possible an endeavour would be made to pass the measure into law. From the day this measure, which was a very full and complete one, which took considerable time and trouble and cost a considerable amount of money to prepare, was placed in the hands of the Premier until to-day nothing had been heard of it, and it might just as well be buried 6 ft. deep in the earth. He thought it was only due to those who went to that very heavy expense that some little consideration might have been given to it : and, at any rate, that the proposals outlined in it might have been printed and circulated throughout the colony, so that, if nothing was done in the matter this session, at any

<page>1165</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1205></url>

given effect to next session. Personally, he thought that the construction of lines like that by the local bodies was a very much better and very much safer method of dealing with public works than by so many political lines being promoted by the Ministry in power to please certain of their supporters. There could be no question about it that, if the people in a district were willing to tax themselves and borrow money on the security of their own properties for the construction of public works like that, there could be no better earnest of the importance and necessity of the lines, and the possibility of the work paying, and of these lines only being constructed where the necessities of the district required them. A railway such as that was very much better than railways promoted as they were at present by the Government. Mr.

HALL-JONES. - Do you mean cheap tramways ? Mr. PIRANI was talking of light-line railways, such as were contained in the proposals of a Bill that the Minister had in his possession, and which he had had for some three months. As the member for Ellesmere reminded him, this was foreshadowed in the Public Works Statement of 1897. What was wanted was not steam tramways, but light-line railways, meant primarily for carrying goods in country where roads were not so easily constructed, where metal was scarce, and where a better and more permanent means of transit could be obtained by light-line railways. He did not think it was an encouraging thing that settlers should go to the trouble and expense of making preparations to have this matter fully considered, and should then receive such scant courtesy at the hands of the Government. Personally, he thought it probable the Government had not had time to go fully into the matter. He had brought it up at this stage at the request of gentlemen interested, so as to find out from the Government whether it was possible in the near future that some such proposals as those in the measure alluded to would receive the sanction of the Government. He felt sure that the necessity of many districts he knew of in regard to communication could only be met by railways of the

sort mentioned ; and, even if roads were afterwards made, they could be formed much more cheaply and efficiently if the metal and other materials for the construction of the roads were carried on light-line railways. These rail- ways would be a sort of pioneer in districts like some he knew of. Take, for instance, the districts beyond Hunterville : what were merely horse- tracks had been constructed, and nearly the same amount of money spent on a light line of railway would have enabled immediate com- munication to be got, and good roads could be constructed afterwards. He did not desire to labour the point, but he had been specially asked to direct the attention of the Govern- ment publicly to it ; and he would like to ask the Minister in charge whether it was not pos- sible for him, if he had not given consideration to the proposals that had been outlined, to go VOL. CXIX .- 75. formulate some scheme on the lines proposed in the draft Bill, so that next session effect might be given to the proposals that outlined a proper and self-reliant policy on the part of the settlers interested. Mr. RHODES (Ellesmere) hoped that some consideration would be given to the matter spoken of by the honourable member for Pal- merston, and that the Minister for Public Works would look into it during the recess. He had in his hand the Public Works State- ment for 1897. In that Statement the Minister for Public Works gave a considerable amount of information concerning light-line railways. He (Mr. Rhodes) had a question on the Order Paper dealing with a light-line railway in his district. He in this question asked the Minister to send an engineer to examine that line, and he hoped the Minister would do so. This was not a line to be constructed upon the same conditions as those spoken of by the honourable member for Palmerston, but was an authorised line, as reference to a return laid on the table of the House in 1898 would show. In this list of authorised lines was the one from Little River to Akaroa, to which he referred ; and, unlike most of those in the list which had but recently been authorised, this was one which had been authorised early in the seventies. Other lines in this list were being gone on with, but no progress was being made with the line from Little River to Akaroa. That line was in a particularly favourable position, as there was an area of 72,000 acres set apart for its construction, and from year to year they saw an amount accumulating which was placed to the capital of that line. As far as Little River it had been constructed at a cost of under £108,000, and there remained now only an amount of £19,000 which had not been paid for ; and in the course of a few years the whole amount would be paid off by the land settled by the Canterbury Province, and at no direct cost to the colony like other lines. He thought the time had now come when some effort should be made to push on this work, at any rate, by means of a light line to Akaroa. Mr. O'MEARA (Pahiatua) agreed with what the honourable member for Hawke's Bay said, and he would like to add a few words in connec- tion with the opening-up of the country between Turnagain, Castlepoint, Weber, Pongaroa, and Rakaunui. The whole of that country was completely isolated owing to the want of com- munication, and he would suggest to the Minis- ter for Public Works that surveyors should at once be sent out to survey the best route for opening up the country between Pahiatua, Weber, and Waipukurau with a railway. promise had been made by the Premier that engineers would be sent out. If that were done, and a railway constructed, it would enable the settlers to send their produce to a good market. At the present time there were simply roadstead harbours, and at times it was impossible for steamers to work cargo. Settlers in that portion of the colony were prepared at the present moment to rate themselves for the

<page>1166</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1206></url>

tion to enable them to take a vote of the rate- payers, so that the construction could go on. He trusted the Minister would recommend to his colleagues the necessity of introducing legislation early next session to enable the settlers to do that, and he hoped the promise that had been given to send out surveyors at once would be given effect to. Mr. J. W. THOMSON (Clutha) asked how the Catlin's River Railway stood, as regards authorisation. There had been some difficulty regarding the survey of the line beyond Ratanui, to which place the line was now in course of construction. His own opinion was that it should be surveyed

and authorised as far as Tahakopa, which was a point to which the residents were anxious that the railway should be extended as soon as possible. Mr. McGUIRE (Hawera) was very much disappointed at not seeing his little railway provided for, as he considered it one of the most important works in New Zealand. He would remind the Minister of the question he asked in the House last year, -- "Whether he will, during the recess, have a survey made of the Eltham-Opunake line on the railway reserve from Eltham to Opunake." The Minister himself, during the recess, had made it a point to travel along the route of that railway, and he expressed himself surprised at the amount of settlement that he saw going on. It was a revelation to him. He had been met by deputations at Opunake, and had made promises that an engineer would go over the line and an estimate as to cost would be made during the recess. He wished to impress on the Government and House that the matter was a very important one, and one in which, in the interests of his constituents, he (Mr. McGuire) took a great interest. He knew the Minister for Public Works had always in the past kept his promise, as a proof of which he might refer to the Stratford line. He promised that he would turn the first sod of that line by a certain day, and he kept his word. Again, he promised that the line would be open to Toko from Stratford by Christmas, and he was satisfied that that would be done; and, in respect to the Eltham-Opunake line, he believed he would also keep his promise. Mr. MONK (Waitemata) expressed gratification at the authorisation of the Helensville Northwards line for a distance of another twelve miles. At the same time he would like to call the Minister's attention to the promise he had made last year of going over the route and by personal inspection satisfying himself as to the urgency of the work. He hoped the Minister would manage this year to fulfil the promise he made last year to visit the district. There was one thing he was sure the Minister could not give him a satisfactory answer about, and that was why such a very small amount of money had been allocated for this work. The consideration it was receiving was altogether inadequate. The Hon. the Minister had for years apportioned out the money required for railway-construction, Mr. O'Meara on as fast as was desirable, but particularly, he thought, the North of Auckland line had fared the worst. The amount that had been promised to that line was most trifling in proportion to the importance of the work, and, if he was to proceed with it only by allocating the money in the proportion which he was now doing, it would be a long time indeed before it got to Wellsford and Maungaturoto. He hoped next year, remembering how trivial were the sums that had been allocated for this work this year, the Government would put a considerable sum of money on the estimates for its construction, so as to enable it to go on at a much more rapid rate than it was at present. Mr. NAPIER (Auckland City) was pleased to see that the Minister had at last seen fit to ask Parliament to authorise the Kawakawa-Stratford line. He was sorry to notice, however, that he had not also taken the opportunity to include in the list the line from Rotorua to Gisborne. This Bill, of course, was only intended to place on the authorised list certain lines of railway, and did not make any provision for their construction, and it was nothing extravagant to urge that the line he now mentioned should also be placed on the list of lines authorised to be constructed as funds became available. This East Coast line would open up an enormous extent of highly fertile land. At present that part of the colony was just as much isolated as if it were an island, because there were no means of getting to it except by sea. The whole of the trade there was conducted with difficulty, and a line constructed from Rotorua to Gisborne would not only add new interest to the tourist traffic but would open up one of the most fertile and most picturesque districts in the North Island. He hoped the Minister would, during the recess, take this matter into consideration, and see if the line could not be authorised next session from the one terminus to the other. Mr. J. ALLEN (Bruce) asked the Minister for Railways, Whether he had been able to make up his mind what answer to give to a deputation that waited on him during the recess with respect to the construction of a railway along the coast by Brighton to the Taieri River: "Before he went home to meet his constituents he would like to know what the Minister had to say about it. He would like to know if the Brighton line was an authorised railway, and, if so, why no sum was placed on the estimates for it. He

had a grievance in that respect. Mr. BENNET (Tuapeka) said that as usual with these Railway Bills, the North Island was well to the front. This time it was a great deal more to the front than usual. Out of six railways to be constructed that figured on the schedules, four of them were situated in the North Island and two on the West Coast, In. there was nothing at all in the South. The settlers of Roxburgh and the surrounding districts had been petitioning to get one of the three lines that had been surveyed constructed. but very little consideration had been given to their petitions ; and, as there was now and had

<page>1167</page>  
<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1207></url>

districts, he thought they should have had more consideration than they had had given to them. He hoped before next session the Minister for Public Works would get a proper survey made, and that the Government would make up their minds which of the lines should be carried through. He thought it was hardly fair and just to the district he represented, where the roads were so bad and the traffic so heavy, that consideration had not been given to this question. He hoped the Minister would see his way to schedule one of the three lines that had been agitated for, whichever one might be found most suitable to the settlers and in the best interests of the colony generally. Mr. W. FRASER (Wakatipu) was rather amused that member after member should have risen expressing pleasure at finding certain railway-lines in the schedule had been authorised. They would find that there was a vast difference between lines being authorised and getting Other members of the them constructed. House knew this from painful experience. In his district there was a railway that had been authorised for over twenty years, and it was not made yet. He hoped honourable members would not expect too much simply from these lines appearing as authorised. If so they would be grievously disappointed. Mr. BENNET (Tuapeka) said, in reply to the honourable member who had just spoken, that he did not say he was glad these lines were on the schedule of new lines. He said the North Island members were to the front now as they always had been. He had simply asked that some consideration should be shown to the districts which were doing so much good to the colony. Mr. HALL (Waipawa) said he had no authorised line in his district, but he thought the Minister for Public Works could not very much longer ignore the great want of a railway somewhere between the Napier and Woodville Railway and the East Coast. There was a large tract of country there that was getting very thickly populated, and he was sure the Minister must soon see the advisability of constructing a line there. The honourable gentleman had promised to visit his district, and a visit could not fail to show the desirability of having such a line of railway as he now suggested. Mr. HALL-JONES (Minister for Public Works) said, With regard to the Brighton line, he could not say definitely whether or not that was authorised, but would make inquiry. He knew he had some information about it. It was not an expensive line, but the Government had to consider that many parts of the colony were not provided with railway and road communication, and these, very properly, should first receive attention. Regarding the honourable member for Palmerston's reference to and his suggestion about light lines, he hoped that whatever Bill might be passed - the Local Authorities Bill, or the Counties Bill, as it was now called-that it would provide for what he called in this case the construction of tramways by such local authorities to con- was provision under the present Tramways Act by which local bodies could construct tram- ways ; but there was no power for local bodies to combine among themselves for the construction of tramways through several counties, and to rate those districts for their construction and maintenance, but this provision, he hoped, would be one of the provisions in the Counties Bill before it passed the House. With reference to the matter brought forward by the honourable member for Waipawa and the honourable member for Pahi, he might say that several lines were being surveyed by the department, and he could not at present promise to have a survey made of the proposed line which had been referred to. He thought, however, that thorough surveys would be made of all proposed lines of railway, so that they would be available when required. With regard to the remarks made by the

honourable member for the Bay of Plenty and the honourable member for Hawke's Bay, there was no doubt that the East Coast should be connected. They were moving in that direction now, and were making fair progress from Gisborne to Ormond; and they had the line authorised for eleven or twelve miles beyond that point. He was of opinion that that line would eventually run from Gisborne to Opotiki, and from Opotiki to Tauranga, and from there to Rotorua. It would be a great benefit to the settlers, and advantageous to the colony generally. They must, however, go slow, and it was better to make further progress with the lines that were now in hand before dealing with others. With regard to the Cat-lin's line, when the member for the Clutha, Mr. Thomson, first brought this matter forward a few years ago, he understood him to say that if it was taken to the bridge it would meet the requirements of the district for some considerable time. The line was authorised to that point, and was making good progress. An engineer was surveying from the southern side, from Pomahaka, and was working his way through to Owaka, to the junction with the existing works. He was one of those who believed that money spent upon surveys was money well spent, and an exhaustive survey was being made of this line. The line to the Kaipara Flats had been referred to. They were making very fair progress there. They had the tunnel to Ahuroa, which was pretty nearly through. The rails were now laid up to the entrance; and beyond that there was a second tunnel, the face of which was being opened out, and the actual tunnel-work would soon be put in hand. In regard to the Akaroa line, that was constructed from the proceeds of certain reserves set apart for the purpose : The revenue had been anticipated to enable the completion of the work to Little River. There were some arrears ; but they were gradually working them off. He had promised the honourable member for Ellesmere that he would visit that part of the country during the recess and see what class of land the line ran through. In regard to the ques-

<page>1168</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1208></url>

in hand the construction of the line from Heriot towards Edievale. When the work was completed to that point it would be of great benefit to the settlers in the neighbourhood, and also those living at Roxburgh. He intended to complete the work to Edievale, and the railway was only authorised to that point. He moved the second reading of the Bill. Sir J. G. WARD (Minister for Railways) said, In reply to the question put by the honourable member for Bruce, he did not think an answer could be given to the honourable member before he returned to the South. The matter would require full and careful consideration before it could be taken in hand ; but it was a very good district, and in the future, if it went on developing, would certainly require consideration. Bill read a second and a third time. PUBLIC TRUST OFFICE BILL. IN COMMITTEE. Clause 2 .- "The principal Act is hereby amended as follows :- "(1.) As to section twenty-four thereof: By repealing the section as from its original enactment, saving only as to anything heretofore lawfully done under the same section or any rights heretofore created thereby. "(2.) As to section twenty-seven thereof : By repealing all words in the proviso after the word ' without,' and substituting in lieu thereof the words ' being authorised by resolution of the Board.'" Mr. SEDDON (Premier) moved to strike out subsection (1). Amendment agreed to. Mr. SEDDON (Premier) moved to strike out all words in subsection (2) after "thereof," with the view of inserting the following : "By adding at the end of the proviso the following words : ' Provided, further, that an order of a Judge of the Supreme Court shall not be required where the property to be dealt with under subsections one, two, three, four, and seven does not exceed the value of two thousand pounds.' " Amendment agreed to, and clause as amended agreed to. Bill reported, and read a third time. SCHOOL ATTENDANCE BILL. On the motion, That this Bill be read a third time, Mr. PIRANI (Palmerston) only wished to say that the Government had consented to embody in this measure the principal provisions of the School Attendance Bill which he had introduced this session, and he trusted that the two measures as combined would be more successful in their working than the one now on the statute-book. Mr. HALL-JONES (Minister for Public Works) thought the

Bill as now passed through the House effected a necessary alteration of the Mr. Hall-Jones working of our primary system of education. The principal amendments introduced by the member for Palmerston in his Bill had been embodied in this measure, and he congratulated honourable members upon having passed a very useful measure. Bill read a third time. MILITARY PENSIONS BILL. Mr. SEDDON (Premier) moved, That this Bill be recommitted, with a view to amending clause 2, by adding, after the word "infirmary," the words " or incapacity." Motion agreed to, and Bill committed. IN COMMITTEE. Clause 2 .- Pension payable to mother who is not a widow. Mr. SEDDON (Premier) moved to insert in this clause, after the word "infirmary," the words " or incapacity." Motion agreed to. Bill reported, and read a third time. OLD-AGE PENSIONS BILL. Mr. SEDDON (Premier) brought up reasons \-- for disagreeing with the amendments made by the Legislative Council in the Old-age Pensions Bill, as follows :- "The amendment made in clause 3 changes the original intention of the clause, and limits it to the preliminary inquiry by the Deputy Registrar. "The amendment made in clause 8 will practically limit the punishment for perjury committed by persons in respect of applications and matters connected with old-age pensions to a penalty of ten pounds." He moved, That the reasons be agreed to. The House divided on the question, " That the reasons be agreed to." AYES, 32. Fraser, A. L. D. Mills Allen, E. G. Fraser, W. Napier Allen, J. Russell, G. W. Arnold Hall Hall-Jones Seddon Buddo Smith, G. J. Carroll Heke Herries Collins Stevens Tanner Colvin Laurenson Duncan Ward. Lethbridge Ell Telkers. McGowan Mckenzie, R. Bennet Flatman McNab Field. Fowlds NOES, 7. Tellers. Rhodes Atkinson Massey Russell, W. R. Hutcheson Pirani. Lawry Majority for, 25. Motion agreed to. FACTORIES BILL. Mr. SEDDON (Premier) brought up the following reasons for disagreeing with the amendments made by the Legislative Council in this Bill, which were agreed to :- "1. The definition of 'young person' in

<page>1169</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788261&seq=1209></url>

to reduce the age of boys to sixteen, on account of the fact that they will then be liable to overtime. "2. Clause 18, subsection (1), (c) : Five hours is too great an interval between meals. "3. Clause 19 may be agreed to. "4. Clause 19A is unduly extending time of employment of women and boys engaged in woollen-mills, and an undue concession to one trade, which is liable to cause irritation in other trades. "5. The amendments in clause 20 relative to the overtime of persons employed in the saw-milling trade are objectionable, as the employment is irregular, and cannot be evenly distributed over the different days of the working week, necessitating long hours being worked on some days. "6. The amendments in clauses 21, 22, and 23 are consequential on the definition of ' boy ' in the interpretation clause. "7. Clauses 31, 32, and 33 relate to holidays in factories, and may be agreed to, being largely consequential, except in clause 32, subsection (1), (a), where provision is made for the printing of weekly papers. "8. The amendments in clause 42, subsection (2), and clause 65, subsection (1), are improvements, and may be agreed to.' The House adjourned at twenty-five minutes to one o'clock a.m. (Wednesday).