

<page>640</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=660></url>

LEGISLATIVE COUNCIL. Friday, 20th September, 1901. First Readings-Bill discharged-Friendly Societies -Waipawa Railway-siding-Education Boards Election Bill. The Hon. the SPEAKER took the chair at half- past two o'clock. PRAYERS. FIRST READINGS. Counties Bill, Statutes Compilation Bill, Miners' Rights Fee Reduction Bill, Rabbit Nuisance Bill, Shops and Shop-assistants Bill, Exportation of Arms Bill, Mortgages of Land Bill, Promissory Oaths Bill. ## BILL DISCHARGED. Mortgages of Land Bill. # FRIENDLY SOCIETIES. The Hon. Mr. JENNINGS asked the Minister of Education, Whether the Government will set up a Select Committee, consisting of members of both branches of the Legislature connected with friendly societies, for the purpose of

<page>641</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=661></url>

conferring with the representatives of friendly , details, but believed that if a conference was societies' conferences as to the desirability of amending "The Friendly Societies Act, 1882," and amendments ; also, to consider in what way the usefulness of these excellent societies can be further extended ? He would ask the Council to bear with him for a few minutes while he pointed out the great good that had been done in New Zealand by friendly societies in various ways. From a return issued from the Registrar's office, and placed on the table of the Council a few weeks ago, he found there were 38,202 members of friendly societies throughout New Zealand ; that 7,569 cases of sickness were dealt with during the year ending 1899; that \$35.117 was paid during the year for medical attendance ; and that £39,687 had been paid away in sick-pay to members. The amount paid away as funeral donations was £8,187. The sick and funeral funds amounted to the great sum of £673.590. The local management funds stood at .£54,659. The average rate of interest at which the funds were invested was 5-2 per cent. As compared with Australia, it must be highly gratifying to those connected with friendly societies throughout the colony to see the relative positions occupied by the sister societies. The New Zealand lodge funds amounted to £19 1s. 1d. per member ; Victoria, to £13 8s. 5d. ; South Australia, £11 2s. 9d. ; New South Wales, £8 12s. 7d. ; Queensland, #7 12s. 8d. These figures showed a gratifying position for the friendly societies of New Zealand, and it had been brought about to a great extent owing to the advocacy by the Registrar's Office of the placing the societies on a sound actuarial basis. It might be asked, In what direction should the Friendly Societies Act be amended, and in what way could the usefulness of these societies be extended ? He had had the pleasure of being present at a conference of friendly societies the other evening. There were present at that conference representatives of all the societies in Wellington, and he had been pleased indeed to find that in Wellington, as well as in Auckland and Taranaki, all the societies met together in friendly conference to decide on what was for the good of members and the better advancement of the objects of the friendly-society movements. The Hibernians, the Protestant Alliance, the Rechabites, the Manchester Unity of Odd Fellows, and the Foresters and Druids all met together to discuss matters on a common platform. This proved that the usefulness of friendly societies might be still further extended, because the machinery was already at hand for moving in a progressive manner for the benefit of members and also of the community generally. It had been pointed out that the Friendly Societies Act embraced at the present time a number of societies that had no bearing in any way similar to those of the Odd Fellows, Druids, Foresters, and others. These societies, in his opinion, should properly come under the Unclassified Societies Act. There were also other matters that should be taken into account in regard to the amendment of the Act. He was not going into full set up it would be proved by those representing the societies from various parts of New Zealand that various matters could be adduced that would show an amendment of the Act was necessary. He would

give one instance. The friendly societies' dispensary in Wellington, which was a sort of co-operative dispensary, could not be registered under the Act owing to the fact that the machinery provided simply for dealing with one society. One society might register, but a combination of societies could not do so. He would also like to see the Registrar of Societies empowered, after a sufficient notice had been given to societies to conform to the graduated scale of contributions, and if they failed to conform to that scale, to cancel the certificate of registration. It was admitted by all members of friendly societies who had gone into the matter that the graduated scale of contributions was sound from an actuarial point of view. Now, there were one or two other matters he wished to refer to. He thought the stamp duty that was paid by these societies in regard to purely friendly society-matters should also be taken into consideration, and that the imposition of stamp duty should be removed. They might also extend the usefulness and benefits of these societies in this direction : that the circulars that were issued and sent to members in connection with friendly societies' business -- should have the same privilege as was granted in England. There no postage was imposed upon circulars in regard to friendly societies' matters. He would leave the matter in the hands of the Minister, trusting the Government would see its way clear-if not this session perhaps next session-to set up a Committee as suggested in his question. The Hon. Mr. W. KELLY moved, That the debate be adjourned. The Hon. Mr. W. C. WALKER said there was no debate. He accepted the statement of the Hon. Mr. Jennings, who had extended his privilege in asking this question to excess, by introducing so much debatable matter. He was not prepared to debate this question, but he quite admitted that from the honourable gentleman's point of view, and also from the point of view of the general good of the community, these friendly societies should be encouraged in every way. But he did not think it was time yet that Parliament should set up a joint Select Committee to invite suggestions or to consider suggestions as regarded their constitution. The honourable gentleman spoke as if he were conscious that these bodies were on good terms with each other, as they ought to be, and were perfectly prepared to confer among themselves on these subjects. Well, let them confer among themselves. Let them bring up proposals and submit them to the Government, and he was prepared to say the Government would give them every consideration ; and if the societies could make out a good case for altering the present law, or doing anything to encourage them, the Government would be only too glad. But he did not think the matter was now ripe for Parliament to set up a Select Committee,

<page>642</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=662></url>

vited, because he did not think the honourable gentleman claimed to speak as the mouthpiece for all the friendly societies of New Zealand. If the Government had certain proposals submitted to them, they were perfectly prepared to consider them, and do everything they could to extend the usefulness of these societies, and, where the law was defective, to strengthen the law so that the object of these friendly societies should be attained. The Hon. Mr. JENNINGS just wished to say one word in reply. The Hon. the SPEAKER said the honourable gentleman had no right of reply. WAIPAWA RAILWAY-SIDING. The Hon. Mr. TOMOANA asked the Minister of Education, What steps are being taken to provide a railway-siding for the convenience of the Maoris living near Waipawa, Hawke's Bay? He might just state that this convenience had been promised by the Government, but the Natives were getting weary of waiting for the fulfilment of the promise. The Hon. Mr. W. C. WALKER was not informed that any promise had been given in this case, and the Government would only be too glad to meet every reasonable requirement ; but his information was that, owing to the grades on each side of the proposed stopping-place, it would be perfectly impossible to stop the trains at the point required, so that for the present at all events, or until the grades were altered, it was impossible to comply with the honourable gentleman's request. He might state, further, that the distance from the Maori pa to the Waipawa Station was about a mile and a half, and that a footway had been attached to the Waipawa Bridge specially to give the Natives an easy way of

getting to the railway-station. The Government would be only too glad, if they possibly could, to meet any reasonable demand, but it would be seen from the facts he had mentioned it was a matter they could not deal with at the present time, unless they were prepared to cut down the grades at that particular part of the line.

EDUCATION BOARDS ELECTION BILL. The Hon. Mr. W. C. WALKER .- Sir, last year we passed an Act which had for its object the placing of the election of Education Boards on a more satisfactory basis. It has been found, as the experience of the first election that has taken place under that Act, that there was not sufficient regard to secrecy in the matter of voting. One of the old troubles about the election of Education Boards was that the Committees used to cast their votes in a public way, that they were reported, and that before the day of election there were people who knew exactly how the "cat was going to jump." We hoped the Act of last year had spoilt that cat's work ; but apparently that cat is not quite dead yet, and some of the officers who have been acting as Returning Officers have not been conscientious enough to keep to themselves the result of the election. Hon. Mr. W. C. Walker possible, I move the present Bill, which is simply to provide that the Returning Officer and every scrutineer shall sign the declaration set forth in the schedule binding them to secrecy while they are performing the duties of their office. There is another clause also, which imposes a penalty for any breach of the Act. I beg to move the second reading of the Bill.

The Hon. Mr. W. C. SMITH. - I would just like to point out to the Minister that there was a good deal of complaint with reference to the last Education Board elections - that there was too much time given between the day on which the ballot-papers were received and the notification of the election. That is one of the causes why things have leaked out. The papers, and everybody interested, were anxious to know the result of the election, and, as there was a long time intervening between the days I have mentioned, the information in some cases leaked out. I do not know whether the Minister can see his way to shorten the time or not, but I am informed by members of the other House and others that the time was a great deal longer than was necessary. I hope the Minister will consider that point.

The Hon. Colonel PITT .- Sir, I do not want particularly to discuss the Bill at present before the Council, because I do not think any one can have any objection to the additional safeguard which the Minister is proposing here in: the secrecy of the election of Education Boards: but I should like to take this opportunity of expressing my opinion upon a matter which is very closely associated with the election of members of Education Boards, and one which I should like members of the Council seriously to consider, because I think it is really a very serious matter. Sir, it is nearly a quarter of a century since the Education Act was passed. and, although not proposed under the name of the Education Act, under other names amendments have been made in various directions from time to time. Consolidation of statute. seems to be a matter in the air just now. and no doubt at a very early date the Education Act, with others, will be consolidated. Before that is brought about I should like to see some provision made extending the disqualification of members of Education Boards in this direction : I think it should be a disqualification to any member of an Education Board if he has any blood relative, or father-in-law, mother-in-law, son-in-law, or daughter-in-law in the service of the Board as part of the teaching staff. That, perhaps, may appear at first sight a very serious reform : but I am quite satisfied it is one well worthy of consideration, and that if something of the kind were done the work of Education Boards in their relations with School Committees and with their Inspectors would run much more smoothly than at present. It would also place the members of Education Boards themselves in a much more independent position, and would prevent them being charged, wrongly, with favouritism towards any particular

<page>643</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=663></url>

particular teachers who may be related to it, that I have heard of cases where there were. It would save them also from much embarrassment at times when the question of the promotion of those who may be

so related to them came before the Education Board ; and it would render the position of the Inspectors under the Boards such as to make their work with the Board much more harmonious in many cases. I am quite sure it will be within the knowledge of honourable members that very often, if the reports of Inspectors happen to be unfavourable to a particular teacher, there is frequently a charge that they have some feeling against some member of a Board, or, at all events, their action is viewed unfavourably by some members. Or if they report too favourably upon a teacher they are regarded possibly as endeavouring to curry favour with particular members of the Board. Now, I venture to say that, although this proposition which I am submitting to the Council for consideration might deprive the colony of the services of some very excellent members of Education Boards, still I think that will not be a price too great to pay if we could relieve the members of Education Boards of the imputation which is at times made against them, and of the embarrassing positions they sometimes find themselves in, and it would render more harmonious the working of Education Boards with their Inspectors. I say I do not think it would be too high a price to pay for that. I would not like to see it the other way, that no person who was related to a member of an Education Board should be eligible as a teacher. I think that would be wrong. I think it would be disqualifying too many people. I venture to think that this is a matter worthy the consideration of the Hon. the Minister and of the Council; and when this Bill gets into Committee I propose to give honourable members an opportunity of voting on the subject. The Hon. Mr. W. C. WALKER. - I quite understand that Caesar's wife should always be above suspicion, but we may drive that principle a little too far. I believe that if the machinery for electing Boards is sufficiently improved and gives an opportunity for votes to be cast freely and independently a great deal that may have occurred in the past will disappear. I have heard of cases certainly where charges of that kind have been levelled at Boards-that they have drifted into the hands of families and cliques, and all that sort of thing ; but I would point out that that is under a different constitution, and that when Boards are elected in a different way, and an independent vote is cast by each individual Committeeman, especially protected, as I propose to make it protected, by absolute secrecy, Boards will be elected which will be free from this suspicion, and there will be no need for the charges that have been made in the past. I do not, however, for a moment admit that this has been a general state of things, or that there have been many such shortcomings on the part of Boards. I think the Boards, on the whole, have been free from all this sort of thing. Still I admit, as the honourable member has made reference was a little too much of family influence exercised in respect of Boards, Inspectors, schoolmasters, and School Committees. I contend, however, that the more independent the election is, and the greater the protection we can give to electors to know that their votes will not be scrutinised by any of those people who may "pay out " some of their unoffending relations who may be in the service of the Board, the more certainly we will find that, with such Boards elected on better and more independent lines, the better the service will be altogether. Of course, any amendment the honourable gentleman wishes to propose I shall be perfectly prepared to consider ; but I would point out that these restrictive regulations very often cut both ways. I for one, for instance, never did agree to much that now applies to members of Parliament in this colony, providing that they shall be debarred from certain public employment simply because they are members of Parliament. I always thought it one of the most unworthy things ever done by any Parliament that the members of the Parliament of New Zealand should have declared by their own voices that they were not to be trusted. I therefore trust that the Education Boards, properly elected and protected by the fact that they are independent and uninfluenced, representing the free voice of the people, may be relied upon not to perpetrate any amount of nepotism, or to continue any abuses that possibly may have existed. I beg to move the second reading of the Bill. The Hon. Mr. JENKINSON .- In the event of the declaration not being made, will that nullify the election ? The Hon. Mr. W. C. WALKER .-- He could not act unless the declaration were made. That is part of the condition of appointment. Bill read the second time. The Council adjourned

at ten minutes past three o'clock p.m. # HOUSE OF REPRESENTATIVES. Friday, 20th September, 1901. First Reading-Third Reading - Cook Islands - Li- censing Bill-Library Accommodation-Safe Accommodation for Public Documents -- Railway for Kaikorai Valley -- Ligathouse. Cape Brett - Safe Accommodation for Public Documents -- Widen- ing of Narrow Streets - Teachers' Salaries -- Patrick J. Owen -- Dunediu Hospital Trustees- Native Affairs Committee's Recommendations -- Landless Maoris in Waikato-Tewi Kingi and others -Foreign Companies trading in New Zea- land- - Maori Hostelry at the Bluff-Emily Maria Fulloon --- Native Affairs Committee's Recom- mendations --- Coroners' Inquests-Pahiatua Dis- trict Court-Money-lenders Bill-Trustees Bill. Mr. DEPUTY-SPEAKER took the chair at half-past two o'clock. PRAYERS. FIRST READING. Cook and other Islands Government Bill.

<page>644</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=664></url>

Charitable Gifts Bill. # COOK ISLANDS. Mr. SEDDON (Premier) presented a summary of the receipts and expenditure of the Cook Islands for the year ending 30th June, 1901, and moved, That it do lie on the table, and be printed. Mr. PIRANI (Palmerston) asked whether the return was for the year during which the embezzlement took place. Mr. SEDDON said it would include that period during which one or more officers in the group had helped themselves to the money belonging to the Cook Islands Government. At all events, what took place transpired before the 11th June, the date when the Cook Is- lands were made to form part of the Colony of New Zealand. He thought it should also be stated that Colonel Gudgeon, the Resident Agent, had done what very few would do- namely, he paid into the Cook Islands Public Account \$500 himself. Mr. PIRANI said Colonel Gudgeon had gua- ranteed it, and could not help himself. Mr. SEDDON said that at the time the thing took place there was no such guarantee at all. Mr. PIRANI said that Colonel Gudgeon had said so. Mr. SEDDON said he did not care what the honourable member said. Colonel Gudgeon had not guaranteed any losses prior to the de- falcations being discovered. That gentleman was not a guarantor at all. It was a spon- taneous action on his part, and he need not have paid the money at all. . He (Mr. Seddon) thought it was only right that he should say this. Motion agreed to. LICENSING BILL. Mr. SEDDON (Premier) moved for leave to introduce this Bill. Motion agreed to. On the question, That the Bill be read a first time, Mr. SEDDON said,-I may say I do not in- tend to introduce a Bill dealing with large debatable questions. This Bill is simply to remove technical difficulties in connection with the working of the Act, more particularly in connection with the removal of licenses from one part of a district to another. There is now an application for the removal of a license from one place to another over a distance of forty miles, which is quite contrary to what the Legis- lature intended. I also think the time has arrived in respect to the working of the Act to give discretionary power to Magistrates in certain cases, which would remove difficulties that exist in regard to the administration of the law, which are hampering the police. These are two points that ought to be dealt with. The question of "tied " houses is also a matter that should be attended to. And in re- spect to certain parts of the country, in regard to the tourist traffic, there ought to be some- thing done, as in the case of Hanmer and the out to the satisfaction of the colony. I just indicate this, because I am not going into an elaborate Licensing Amendment Bill, and I hope members on both sides will see that, in order to amend existing evils and introduce the necessary remedies, we should forego our opinions on large questions. Mr. HERRIES (Bay of Plenty) .- There is one point that requires to be attended to, in regard to the matter of the quorum of the Licensing Bench. The number of members of the Committee was reduced under the last Bill, but the quorum was not reduced, and in large districts it is sometimes impossible to get a quorum to conduct the business. If the quorum were reduced it would be for the bene- fit of all the large districts, and I trust the Minister will have this matter attended to. Mr. A. L. D. FRASER (Napier) .- I strongly indorse all that the honourable gentleman has just said. In the country districts the members of the Licensing Committee are invariably chosen over a very wide area. and, if one member of the Committee is unable to attend, every other member must

attend or no meeting can occur. Only this month one member of the Hawke's Bay Licensing Committee was away in England, and the meeting could not be held without my presence, and it was necessary for me to be absent three days from Parliament in order to attend the quarterly meeting. I trust the Premier will take a note of this matter, and include a section dealing with it in his proposed amending Bill. Mr. HEKE (Northern Maori District). - I should like to ask if the Premier intends in this Bill to deal with the question of prohibition in the King-country. Mr. SEDDON. - I think that matter will have to be dealt with outside the House. Mr. FLATMAN (Geraldine). - Accounts have reached me in regard to the question brought forward by the member for the Bay of Plenty, and I trust something will be done to remedy the defect. Mr. ATKINSON (Wellington City). - The chief radical alterations required in our licensing laws will be covered by the amendments of which I have given notice; but as the Premier has referred to the Bill as being of a technical character, I will urge upon the Government one important amendment of that nature. For years past -- five or six years at least - the Commissioner of Police has stated that it is impossible to enforce the provisions against trading out of hours so long as the customers' share in the offence goes unpunished. At present the publican is practically forced to break the law by customers who incur no risk in doing so. In England, customer and trade are both liable in such cases, which is obviously just; and all that is asked is that our law shall be brought into line with the English law in that respect. Colonel Hume and Commissioner Tunbridge have both urged the change, time after time, and I hope the Premier will make the necessary provision for it in his Bill. Mr. MASSEY (Franklin). - I would like to

<page>645</page>
 <url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=665></url>

point out to the Premier that there is a point which requires attention in connection with the expenses of licensing elections and Licensing Committees. This is especially the case in districts where the Counties Act is not in operation. Where the Counties Act is not in operation the local bodies have to contribute to the expenses of the licensing election and the Licensing Committee, whether they have a licensed house in the particular district or not. I think this is very unfair, and the proper arrangement would be to deduct the expenses of the election and of the Committee from the amount of the licensing-fees collected, and then hand over the balance to the local bodies of the districts where the houses are situated. I hope the Premier will consent to an amendment to that effect going into the Bill. Mr. SEDDON. - I will look into it. Mr. FISHER (Wellington City). - Sir, I was not aware there would be any discussion on this Bill at this stage, but I am prompted to make one or two remarks in consequence of the observations made by my colleague (Mr. Atkinson), who suggests that there should be a clause inserted in the Bill to bring the law of New Zealand into line with the law of Great Britain by prosecuting the persons found drinking in publichouses during prohibited hours as well as the publican. There is a recommendation to that effect, I am aware, in the annual report of the Commissioner of Police. My object in rising now to speak on the point raised by the member for Wellington City is this: that I think it would be a wise thing to do, if we are asked to adopt any portion of the English Act, to adopt other parts. Therefore I will ask the honourable gentleman who asks leave to introduce this Bill whether he will introduce into the Bill section 24 of the English "Intoxicating Liquors Act, 1872," which is as follows :- "Subject as hereinafter mentioned. all premises on which intoxicating liquors are sold or exposed for sale by retail shall be closed as follows, that is to say : on Sunday, Christmas Day, and Good Friday, during the whole day before one of the clock in the afternoon, and between the hours of three and six of the clock in the afternoon, and after the hour of eleven of the clock at night." That would do away with all illegal Sunday trading. I would like my colleague the member for Wellington City (Mr. Atkinson) to say whether he approves of the suggestion to introduce this provision of the English Act as well as the one to which he has himself called attention. I understand the honourable gentleman, by his genial laughter and his sympathetic laugh, to indicate that this provision ought to be included in the Act as well as the one he has called attention to. Therefore I

call the attention of the Premier to the fact that if he wishes to introduce a Licensing Bill that will meet with the approval of all he has only to introduce the provision which I have just read. Mr. LAWRY (Parnell). - I think, Sir, that the honourable member for Wellington City (Mr. Fisher) has put his colleague the "medium" member for Wellington City into a corner. The honourable member for Wellington City (Mr. Atkinson) says we should take an example from the English Act, and his colleague (Mr. Fisher) has shown him that he cannot take one section of the English Act without taking the whole. Sir, the honourable gentleman (Mr. Atkinson) is pursuing his usual tactics. Whenever he is placed in a corner he manages somehow to shuffle out of it. The honourable member for Wellington City (Mr. Fisher) has pointed out clearly what has been done in England. The honourable gentleman, however, does not appear to clearly understand what the English Act means. When he was speaking, one honourable gentleman interjected, "Great Britain." Now, Sir, if the honourable member who made that interjection understands what is done in the Old Country, he will realise that Great Britain as applied to the Act indicated is a misnomer. It is an English Act, but it does not apply to Wales. What has the result of that Act been? It has been proved that in Wales, where the houses are closed by statute every Sunday, there are more cases of drunkenness than in any other place in Great Britain. An Hon. MEMBER.- What about Scotland? Mr. LAWRY.- The present generation does not drink to any great extent in Scotland, but when I was a boy the old Scotsmen did drink; and no doubt the present generation will continue to drink in moderation as long as they live, and the generation after them will drink in the same way. Now, Sir, any measure the honourable member may bring down cannot, in my opinion, be a perfect measure unless it once and for all deals with the question of licensing in the King-country. Sir, I take it we have been neglecting our duty in this House. An Hon. MEMBER.- Kill the Bill. Mr. LAWRY.- If the honourable gentleman does not bring down a Bill and deal with the whole question he should bring down no Bill at all. What have we been doing here day after day? We have been playing; we have been worse than school-boys. During the whole of this Parliament we have been allowing this Parliament to be insulted by petitions that have been presented asking us to induce the Government to violate the law. An Hon. MEMBER-You did it yourself. Mr. LAWRY.- I presented no petition at all on the question, and would not do so. Sir, it comes to this: that the honourable gentleman cannot bring down a Bill that will satisfy anybody at all. That is the state of affairs, and the best thing the honourable gentleman can do is to introduce his Bill and then drop it, because any good provision that may be in it would be killed by honourable gentlemen opposite; and we moderate members on this side, in our strength, will not be strong enough to carry out anything that will be of advantage to the trade and of benefit to the people. Mr. T. MACKENZIE (Waihemo).- I hope the amendment which has just been suggested by the honourable member for Wellington City

<page>646</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=666></url>

(Mr. Fisher) will not be embodied in the New Zealand law; and I think he misconstrued entirely the attitude of the honourable member for Wellington City (Mr. Atkinson), who is not friendly disposed towards the introduction of Sunday trading. However much the honourable member his colleague may desire that, I am sure the country is not in favour of any such measure. The honourable member who has just addressed the House on behalf of the temperance people of this colony would make it appear that the introduction of Sunday trading will get away with a great deal of the evils of the trade. He also questioned my experience of such legislation in the Old Country. Why, if there is anything that is disgraceful in connection with licensing in the Old Country it is the Sunday trading you see there on a Sunday afternoon. I lived in one of the suburbs of London, and saw men and women-and as many women as men-flocking in and out of hotels between one and three o'clock in the afternoon. It is a perfect disgrace to the whole community. An Hon. MEMBER.- Why does not England alter it? Mr. T. MACKENZIE.- Because there are too many people in England of the honourable gentleman's mind

supporting liquor legislation. If there were more people there like the honourable member for Wellington City (Mr. Atkinson), I venture to say it would be removed from the statute-book. Mr. FISHER (Wellington City) -I wish to make a personal explanation. I wish to call the attention of the House to the fact that I proposed no amendment, as stated by the member for Waihemo. The honourable member, in his short speech, referred to " Mr. Fisher's amendment." I reiterate that I proposed no amendment. The honourable gentleman also said that " however much the honourable gentleman," referring to me, " might desire to see such an amendment introduced into the New Zealand law." Sir, I expressed no desire of the kind. I merely asked the honourable gentleman in charge of the Bill and the honourable gentleman, my colleague, Mr. Atkinson, whether, when we were beginning to take certain parts of the English Act, we ought not to adopt - I did not say the Act as a whole, but various other provisions of that Act. I merely wish to repudiate the ingenious suggestion of the honourable member for Waihemo that I had proposed "an amendment," which I wished to see adopted. I proposed no amendment. The honourable gentleman's ingenuity is therefore thrown away. Mr. SEDDON (Premier) .- I hope honourable members will now see that there must be a compromise arrived at if there is to be any Licensing Act Amendment Bill passed this session. But I do trust members on all sides will not lead the outside world to believe that they are insincere. There are several defects in our existing law which I say ought and must be removed ; and if we do that, and give members time to mature their ideas upon the larger questions, we shall be doing the right Mr. T. Mackenzie to be said that those who are in favour of temperance, and who on every platform preach that there ought to be an amendment of our licensing laws, were the means of blocking the legislation when an opportunity came to improve the law. I hope they will not put themselves in that position. On the other hand, I would say to the honourable gentlemen who differ from them, and who are asking for extreme amendments in another direction, not to put themselves in that position either when they have an opportunity of perfecting the existing unfortunate position of affairs by making the necessary alterations of the Act, and which I say, both in the interests of temperance and in the interests of the trade, are absolutely necessary. In cases of this kind there must be give and take, leaving the larger questions which are involved in the licensing question for a future period. I hope that the Bill I intend to bring in will receive careful consideration, and that these defects will be removed. Leave granted, and Bill read a first time.

LIBRARY ACCOMMODATION. Mr. SEDDON (Premier) said he intended to move the adoption of the report of the Joint Library Committee, which was as follows : "That all the accommodation within the outside library doors be devoted to library business," with the following addition : " but not to the exclusion of the present postal arrangements ; and, further, that the room now used as the staff room be used as a writing- and reading-room by members." If they gave effect to the report without the adoption of the first portion of his addition, members' letter-boxes would have to be removed, because at the present time they were within the library. However, the matter at issue was whether that particular room now used as a staff room should be used as members' reception-room. To force that room from the Library Committee would probably cause a conflict between the two Chambers, which he wished to avoid. At the same time he held a very strong opinion that that room was really the best room and the most convenient for the purpose of a reception-room. He knew that honourable members would agree with him in saying that really we had not a decent room in which to take visitors. Unfortunately, there was some force in the contention that the entry of strangers to that room might be an invasion of the privacy of the library, and, as he disliked to bring about any conflict with the other Chamber, he would not press the taking of that room, but he would see what could be done in the recess to provide better accommodation for members in the matter of a reception-room for next session. In the meantime he wished members to come with him and assert that this room, which was the most convenient room to the House and the lobby, should not be used simply as a store-room or staff room, at all events during session. He did not know how it came to be taken away from members, and he said that

<page>647</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=667></url>

this was the room where members should do | the Premier had come round to the opinion of their reading and writing. There were two other rooms, it was true; but smoking was allowed in both of them. He also thought that this room might be made a reference-room for political works, English Hansards, and so on. He might say he had discussed the matter with the Librarian, who said he could make other arrangements if members insisted upon having that room. He asked honourable members to recollect the previous state of affairs. In the old library the Librarian had no room at all, but he had a room now, and there was no separate place for storage, which there was now, but the staff managed to get on all right. He had been looking into the whole question, and he wondered how long members were going to stand by and allow this room to be used simply as a lumber-room when it was most convenient to the House and to the lobbies. He had not thought it necessary to mention that Committee-room G and other rooms should also be used by members after one o'clock, because he thought the necessary arrangements could be made without that. Mr. HERRIES (Bay of Plenty) was very glad to see that the Premier had come round to the same opinion as the Library Committee. This was another case of scientific adjustment. The Premier's first opinion, as given before the Library Committee, was to have the room devoted to a ladies' tea-room. Mr. SEDDON .- No; a reception-room-not a tea-room. Mr. HERRIES said he had to accept the honourable gentleman's statement, but certainly his ears must have deceived him, as he was present on the Library Committee, and certainly understood the right honourable gentleman to say so. The Premier then wished to make the room in question a reception-room for members receiving their constituents; but the Library Committee refused to agree with him, and passed the resolution as brought down to the House. He might explain that the Committee, in passing that resolution, did not mean to exclude the postal boxes from the room-at least at present. All they wanted in passing the resolution was to show that the Committee wanted the library kept for members : and they considered the introduction of strangers during the sitting of the House a grave mistake, and it was an inconvenience to members. He was glad to find out that the Premier had recognised that the Committee were right, and gave as his reason that if his original idea was persisted in there would be a conflict between the two Houses. He (Mr. Herries) ventured to assert that the Premier had found out that there would be a conflict in this House. Mr. SEDDON .- I could, had I so wished, have carried a resolution taking the room for members' reception-room ; do not trouble about that. Mr. HERRIES said it was possible that the Premier would carry it, but with only a small majority. He did not, however, want to labour that point, because he was only too glad that the Library Committee. With regard to the staff room being turned into a writing-room, the library staff were the best judges of what room they required. The Librarian was quite willing to make other arrangements in order to meet the convenience of members. The Premier was entirely wrong in his argument when he stated that the present Librarian had greater accommodation in the new library than he had in the old library, and that he could therefore do with less. Was it not the fact that the absence of conveniences in the old library was the cause of the enormous cost of the catalogue and the general state of inconvenience and chaos that existed in the old library ? The absence of convenience was a reason for the general chaos in the old library. If they reduced the conveniences for the staff, they must expect chaos like that which formerly existed. He trusted the Postmaster-General would make other arrangements with respect to the postal boxes in the library. With respect to making the room in question a general reference-room, he might say that he had suggested that to the Librarian, because it was an inconvenience for members to have to go to the stack-room for copies of English Hansards and other works of reference. He did not think any member of the Library Committee would oppose that proposal for an instant. All they opposed was the introducing of strangers into the lower rooms of the library. Mr. J. ALLEN (Bruce) did not think the House should agree to the

amendment, but should refer the report back to the Committee with the suggestions that the Premier had made, and let the Committee bring down a further report if they thought it necessary. He thought the room was being wasted by being used by the staff. Provision should be made for books of reference in these rooms. To pass the resolution as amended -as proposed by the Premier-would mean taking the control of the library out of the hands of the Library Committee. He thought it would be a pity to do that, and it would result in a more lax control of the library. The Committee had taken the whole control into their own hands, and they had adopted regulations which would be published shortly, and which, he believed, would put the library on a satisfactory footing. He thought that the right course would be to send the report back to the Committee with the Premier's suggestions, and he felt quite certain that the Committee would accept the suggestions. Sir J. G. WARD (Minister for Rail- 3.30. ways) said the member who had last spoken was apparently not aware of the fact that the Library Committee had by resolution originally resolved that the particular room referred to should be used as a staff and lumber room. Mr. HERRIES. - No; but that may have been done by the Recess Committee. Sir J. G. WARD said, Well, the Recess Committee had done so. And it was a staff room still, and it was also used as a workroom. He thought there could be no harm in agreeing to

<page>648</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=668></url>

the suggestion that it should be used for members' purposes entirely, and there could be no harm in the House passing a resolution to that effect. He did not want to go into the matter referred to by the member for the Bay of Plenty further than to say that he thought the honourable member was rather difficult to please. When the matter was before the Library Committee the Premier expressed himself to the effect-and he (Sir J. G. Ward) expressed similar views-that there should be some comfortable place to which members could take visitors who wished to see them on public or other business. At present there were only two pokey little rooms at the foot of the stairs, one of which would be wanted shortly for the Serjeant-at-Arms. The Premier had intimated that they would be wanted for the purposes he had indicated, and that they should not be used as tea-rooms, and the honourable member would bear him out when he said that he had emphatically expressed an opinion in the same direction. He was of the opinion that the room should not be used as a tea-room, and the refreshments should not be carried there on any account. That suitable accommodation could be got for the staff irrespective of that room was beyond all question. In a conversation he had had with the Librarian yesterday that officer expressed himself to the effect that suitable accommodation could be obtained for the staff with a little readjustment, and he felt sure that if his colleague the Minister for Public Works would go into the matter and confer with the Librarian he would be able to make such alterations as were necessary to meet the requirements of the staff, and at the same time to provide further necessary conveniences for members. He did not think it was necessary for the House to take further action in the matter, excepting to pass the resolution of the Premier. The Library Committee would, he felt sure, not object to that. Mr. FISHER (Wellington City) desired to call attention to the peculiar circumstance that, because the Chairman of the Library Committee was Deputy-Speaker, the member for Avon had moved the adoption of the report. Mr. DEPUTY-SPEAKER. - The Premier has moved that the report be adopted, with the addition of certain words. Mr. FISHER said the report was the report of the Joint Library Committee, and the House might wish to adopt it. He would not speak further to the point of order, but later on he intended to speak at large on the subject of the report. He would like to know what position the House would be in if it wished to adopt the report as presented by the Chairman of the Joint Committee and to reject the amendment of the Premier. Mr. DEPUTY-SPEAKER. - Any member wishing to reject any portion of the words proposed to be added by the Premier will move an amendment accordingly, and endeavour to persuade a majority of the members to agree with him. Sir J. G. Ward Mr. HUTCHESON (Wellington City). -- I suggest putting

the question down to the words recommended by the Committee. Mr. DEPUTY-SPEAKER. - Any one can move to omit any of the words in the Premier's motion. The question is that the words of the report be adopted, with the addition of the words following proposed by the Premier. Mr. J. ALLEN .- Might we ask you to put it down to " business " ? Mr. DEPUTY-SPEAKER. - If somebody moves to reject the rest of the motion I will do so. Mr. J. ALLEN .- Time and again the question has been put to certain words. Mr. DEPUTY-SPEAKER .- Yes, that is so, if an amendment is moved to omit the words. Mr. WITHEFORD (Auckland City) said, The House Committee had taken steps to prevent the intrusion of members into the lobbies, and at the last meeting the Speaker attended Sir Maurice promised to give effect to the Committee's recommendation on the subject. His indisposition however had prevented his moving in the matter. The proposal of the Premier was a most reasonable one, and, as it has been supported by such authorities as the member for Bay of Plenty and other honourable members on his side of the House, nothing was to be gained by prolonging the discussion. Mr. MONK (Waitemata) thought the report that the House had been asked to adopt was not satisfactory. As time went on they found that the arrangements of the new library building became more and more unsatisfactory. A door was wanted leading from the porch to the large reading-room in the front for the admission of strangers. That large room should be divided into four rooms, for writing, and for the convenience of members desirous of seeing strangers on business. The providing of such accommodation should be the first consideration of the House. At present an immense amount of space was wasted in the large room, and proper provision had not been made to secure the conveniences necessary for the discharge of a class of duties that members could not avoid. He thought that Ministers should agree to the suggestion that the front room be divided, and that an entrance be made to it from the outermost anteroom next to the orderly, for the convenience of members and strangers. He did not agree with the statement made against the supply of refreshments. He believed it was quite reasonable that members should be at liberty to provide tea for friends who called on them if they desired to do so. He had at times seen honourable members surrounded by a bevy of lady clients. No doubt they would be glad to have a quiet room to which they could take them for a cup of tea. Some people came great distances to interview members on what to them was important business, and at present there was no room into which they could be taken. Some provision should certainly be made. The two rooms -the room occupied by the staff and the one next to it - would be sufficient, and more than sufficient, for read-

<page>649</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=669></url>

ing and writing purposes for a House more numerous than this. The large or main library room up above was a beautiful one, but it was wasted space and waste money as it was now used. Only half that space would be sufficient for the storage of the valuable books we have here, and the other part might well be devoted to the carrying-out of the business of the country. That should be the first consideration. There was a chamber there large enough for two hundred or two hundred and fifty persons, and let members go there at any time and they would find it comparatively unoccupied, while members complained on all sides of the Chamber that there was no convenience for carrying on the incidental business of Parliament. Mr. HUTCHESON (Wellington City) said he did not know what was coming over the judgment of the Premier. He seemed to be losing his grip. What were the facts ? A debate arose in the House a few nights ago about the accommodation provided for honourable members in which to receive their constituents, and the Premier took upon himself to see that some redress was given. A little later he (Mr. Hutcheson) was in the lobby, and he saw the Premier bustling about in his endeavour to give effect to his promise to members, and the Premier said to him (Mr. Hutcheson) and to others who were with him, " Come along, I will show you the room "; and he entered the library and marched straight to the room that was occupied by the staff, and, striking an attitude, said, "There you are; you complain of the lack of a

substitute for the old tea-room ; there is an ideal room for you." He (Mr. Hutcheson) would take that back for no man. The Premier did say that : "There is the tea-room." The Premier had given them clear proof of his intention to give effect to members' wishes. He did that in good faith, in good earnest, and at once. The bulk of the members of the Legislature, however, would not agree to it. Personally, he made bold to say that this room that was now proposed to be taken was most essential to the successful working of the library, in its present use; for before a library could be properly conducted it was necessary to have a workroom where the books could be unpacked and codified, and where the members of the staff could make themselves acquainted with the works, so that they could locate the whole of them. Now, because the Premier had not been able to give effect to his wishes in this direction, he wanted to do something entirely different to show to the House that he was in earnest. Well, he thought the House would not condemn the Premier for not having given effect to its original desire, but would thank him to stay his hand and leave things as they were. He did not think it was going to do a little bit of good to the library staff or its efficiency, nor yet to the members of the House. On the other hand, he thought it would cause inconvenience, loss of time, and unnecessary cost. If the Premier would rest satisfied and say, "I have done all I can to VOL. CXVIII .- 49. supply members with the accommodation asked for, and I suggest to the House that they should use the two rooms, G and H, at the head of the main stair during certain portions of the day until more permanent arrangements can be made," the House would acquit him at once, and say he had done his very best, and thank him for it. He did not know what the Librarian's views on the subject were, but his idea was that a classifying- and unpacking- room were as necessary to the library as even & reading - room was. The area of the library was more than ample for all purposes. If one went into either of the two reading-rooms available for members one found that nothing like the accommodation provided was used at any one time during the session. What was wanted was more privacy-in the matter of subdividing the area. Reference had been made to smoking in the downstairs rooms, but, as a smoker himself, he was quite agreeable to discontinue smoking within any portion of the, library. Did honourable gentlemen know how it happened that the second room came to be used as a smoking- room? It was through the supercilious caddish- ness of one man, who did not know his way about among men. He thought the Premier must now agree that it would be well not to use this second room for social purposes; and, having come to that commendable conclusion, why go any further and seek to deal with another matter-the management of the library -while the other question of rooms was unsolved, and through no fault of the Premier at all ? He approved of the suggestion that that portion of the library contiguous to the portico should have an entry from the portico and be subdivided into several rooms for the reception of constituents by members. Mr. BOLLARD (Eden) moved, That the report, with the Premier's suggested addition, be referred back to the Committee. Mr. T. MACKENZIE (Waihemo) said, Considering the enormous expense of the new building, the conveniences were less than they used to be. He thought Bellamy's was being reduced to a mere drinking-shop, and if his vote would do any good he would vote to close it. In regard to some parts of the new building, the light was so wretchedly bad that it was almost impossible to see at all, and there was an absolute neglect of proper ventilation. He thought, too, that if any new rooms were to be added to the library they should be kept at a normal temperature. Mr. FISHER (Wellington City) did not see how the Premier could move an addition to the report. He would move, That the words proposed to be added be not so added. The House divided on the question, " That the words proposed to be added to the report be retained." AYES, 30. Allen, E. G. Flatman Carroll Gilfedder Collins Arnold Hall Duncan Barclay Field Hall-Jones - Bennet

<page>650</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=670></url>

Millar Hardy Tanner Monk Thompson, R. Heke Hornsby O'Meara Ward. Tellers. Houston Pere Carncross Seddon Laurensen Mackenzie, T. Steward Lawry. McNab NOES, 12. Thomson, J. W. Allen, J. Hutcheson

Bollard Lang Tellers. Massey Ell Atkinson Fisher. Haselden Rhodes Herries Majority for, 18. Words added, and motion as amended agreed to. ## SAFE ACCOMMODATION FOR PUBLIC DOCUMENTS. Mr. ELL (Christchurch City) asked the Minister for Public Works, If he does not think it desirable that provision should be made in Wellington for more suitable and safe accommodation for various departments of the public service now located in various parts of the city ? In the building lately occupied by the Census Department a fire took place. He believed there was only one small safe in that building, and that there was a lot of inflammable material stored there. These papers had cost the country about £17,000, and had they been destroyed it would have meant a great loss to the country. In that building there were also the Valuation Department and several other important departments, and it seemed to him that the accumulation of work there which had cost the country so much should be stored in some safer accommodation than at present existed. Mr. HALL -JONES (Minister for Public Works) said, If the honourable member would take a walk as far as the back of the Government Buildings he would see there was in course of erection a large building for the accommodation of the Railway Department, which would be' equipped with up - to-date strong . room accommodation. When he told the honourable member that the Railway Department occupied about one - fourth of the large wooden building, he would recognise that when that department occupied its own building there would be accommodation down below for pretty well the whole of the departments which now had to be housed outside the big buildings. That would relieve the pressure that had been caused by limited space up to the present time. RAILWAY FOR KAIKORAI VALLEY. Mr. BARCLAY (Dunedin City) asked the Government, If they will place a sum on the estimates for the construction of a railway-line from a suitable point on the main trunk (Hurunui-Bluff) line up the Kaikorai Valley ? This question, which was of considerable importance to the locality he came from, had, he believed, been brought under the notice of the Minister before, but he understood nothing so far had been done. This . Kaikorai Valley, which was growing in importance, was separated from Dunedin by a hill, and the suggestion was that a light line should be run up from somewhere near Green Island. Manu- factories were being established in this locality, and in the course of time it would carry a large population. He had been given to understand by business people who had gone carefully into the matter that a railway of that sort would pay handsomely. He trusted the Minister would favourably consider the matter. Mr. HALL-JONES (Minister for Public Works) said the first time this railway was brought under his personal notice was when he was in Otago in January last. A large and influential deputation then waited upon him in reference to the work ; but, while there might be some reason for its being put in hand at an early date, he very much regretted that, there being so much work in the shape of railway- construction in hand at the present time, he could not recommend his colleagues to place a vote on the estimates for this year. However, the matter would be kept steadily in view. # LIGHTHOUSE, CAPE BRETT. Mr. HOUSTON (Bay of Islands) asked the Minister of Marine, If he will, in the interests of shipping and commerce, erect a lighthouse at Cape Brett, at the entrance to the Bay of Islands Harbour? This was a matter of colonial importance, and, in fact, he considered this was about the most important question on the Order Paper. Cape Brett stood at the southern end of the Bay of Islands Harbour, and it was one of the first points sighted by ocean-going vessels, more especially those coming from America. Seafaring men had very often complained of the difficulty of picking up this point before entering the Hauraki Gulf. The Bay of Islands Harbour was one of the finest harbours in the colony, or, in fact, south of the line, and he thought it was very important. in the interests of shipping, that there should be a lighthouse erected at that point. He had brought the matter before the Government on more than one occasion, and the reply was that it would be kept in view. He wished to know now whether the Minister had yet arrived at the conclusion that this important work should be undertaken. This was a matter which concerned not only the northern part of the province, but the whole of the East Coast. Mr. HALL-JONES (Minister of Marine) said, If it were only a question of erecting one light- house he would be

very pleased to comply with the wishes of the honourable gentleman ; but in that part of the colony there was a difference of opinion as to which was the most urgently needed work-for instance, a lighthouse at Cape Brett or at the North Cape. Some people even went so far as to say that it was more necessary to have a lighthouse at Cape Kidnappers. There was no doubt, however, that a lighthouse should be erected at Cape Brett. and he hoped in the near future one would be erected there, but he was very doubtful if it could be put in hand for some little time.

<page>651</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=671></url>

SAFE ACCOMMODATION FOR PUBLIC DOCUMENTS. Mr. E. G. ALLEN (Waikouaiti) asked the Minister for Public Works, If he will, at an early date, take steps to erect a fireproof strong-room adjacent to the Government Buildings to accommodate the public records of the colony ? This was a question which concerned every one in the country. There had been a serious fire in Auckland, and also in Blenheim, which had destroyed a considerable number of public documents, and he thought it would be wise on the part of the Government to put up a large fireproof structure adjacent to the public buildings in which to preserve the valuable records of the colony. Mr. HALL-JONES (Minister for Public Works) had mentioned, in reply to a previous question, that the Government were erecting new Railway Offices near the Government Buildings, in Wellington, in which there would be ample safe accommodation for the Railway Department. It might not be within the knowledge of members that on each of the four floors of the Government Buildings there were three strong-rooms, and in the Parliamentary Buildings they had in the cellar very excellent accommodation, in which a great many of their reports and records were stored, with fireproof outer walls, ceiling, and floors. The records deposited there were at present surrounded with a wooden partition, but those wooden partitions would eventually be replaced by brick walls, so that each section would be isolated. It would be seen, therefore, that they were doing fairly well. Some time ago there were proposals for erecting a series of strong-rooms at the back of the Government Buildings, but the work now in hand would largely meet their present requirements ; but as time went on they would undoubtedly have to make further provision.

WIDENING OF NARROW STREETS. Mr. BOLLARD (Eden) asked the Minister for Public Works, If he will amend sections 20 and 21 of " The Public Works Acts Amendment Act, 1900," by bringing in a Bill this session to do so ? The amendments made in the Public Works Act last session, especially the clauses mentioned in this question, had caused a great deal of dissatisfaction in Auckland and other towns, and, he believed, throughout the colony. The provisions of the Act so far as new streets and roads were concerned were all right ; but an amendment of the Act of last session affected narrow streets, and where property was divided they had to go back a certain distance from the centre of the street, with the result that, after some time, they would have the buildings standing like the teeth of a saw, so that it was impossible to get true lines ; and this caused a great deal of inconvenience, and some properties that had a certain amount of land taken off them were left comparatively worthless. He would suggest some such provision as that which was made for the City of Wellington under the Betterment Act, where, when a piece was taken off the property on one side of a street, the property-owners on the other side were made to contribute to the cost of it, and in that way a straight line was obtained. Something like that would be very much better, so far as narrow streets were concerned, than the provisions they had at present in the Public Works Act. If the Minister went into the matter he would find that it was utterly impossible to get the buildings on a straight line. The present state of affairs was very unsatisfactory, and he hoped, therefore, the Minister would see his way clear to bring in a short Amendment Bill this session to deal with the matter. They all liked to see wide streets; they did not object to having narrow streets made wider, but better provision should be made for that purpose than was made in the Act to which he referred. Mr. HALL-JONES (Minister for Public Works) hoped the honourable member was not an advocate for narrow streets. Mr. BOLLARD had said he was not. Mr.

HALL-JONES said, Very well, if the honourable member was not an advocate for narrow streets, the whole question was in the hands of the local authorities. With regard to the Act referred to by the honourable member, which dealt with the widening of a certain street in Wellington, he might explain that the City Council brought forward a Bill enabling it to purchase land on one side of a certain street for the purpose of widening that street, and charging the property-owners on the opposite side whose land would be increased in value by the widening with a proportion of the cost. It was open for every Town or Borough Council to bring in a Bill similar to that, and he believed 90 per cent. of the members of the House would gladly lend their assistance to any local authority wishing to widen their streets in this manner. Mr. BOLLARD did not believe there were five members in the House who approved of an amendment like the one that was made in the Act last session, to which he had referred. Mr.

HALL-JONES said he had been congregated from one end of the colony to the other on the provisions of the Act. They had to look ahead, and not adopt any mere temporary expedient for the purpose of getting over a difficulty that any local body or particular set of property-owners might have to contend with. They must look ahead to the time when our cities would be very much larger than they were at the present time, and every step should be taken to obviate the inconvenience caused by these narrow streets, or blind alleys as so many of them were. As regarded some buildings being set back and others standing forward on the street-line, that was a simple question : it was a question of each property-owner, when rebuilding, setting back his buildings, and then for the local authority to arrange for the setting back of the buildings as opportunity offered where the land had not been subdivided. The whole cost would not be great for the municipality or district affected, and the conveniences so far as the citizens were concerned would be very great. However, the whole mat-

<page>652</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=672></url>

ter would be before the Cabinet in the course of a few days, and it would then be decided whether a Bill should be introduced this session or not. Mr. BOLLARD had no objection to a Bill similar to the one that was passed in the interests of Wellington. Mr. HALL-JONES said that, in the event of a Public Works Act Amendment Bill coming down this session, he would be very glad to introduce such a provision. #

TEACHERS' SALARIES. Mr. G. W. RUSSELL (Riccarton) asked the Government, If they will see that, in introducing the new scale for teachers, the status and emoluments of infant-mistresses are preserved, their duties being of a most important character ? Mr. HALL-JONES (Minister for Public Works) said that, as regarded the status of school-teachers, there was nothing in the proposed scale to interfere with the discretion of the Boards in assigning to the teacher any status they might think fit. With regard to the salaries, under the proposed Scale No. 1 he believed there were a few in Otago and one or two in Canterbury whose salaries would be affected. Under Scale No. 2 he did not know of any case of teachers who would be affected. However, this was a matter that would come before the House, and the House would have an opportunity of dealing with it. # PATRICK J. OWENS. Mr. BOLLARD (Eden) asked the Government, Why the recommendation of the Public Petitions Committee of last session in the matter of the petition of Patrick J. Owens, late asylum attendant, Auckland, was not given effect to ? The matter involved in this case was a rather painful and sad one. Mr. Owens for over twenty years had held the position of attendant in the Auckland Lunatic Asylum. In the exercise of his duties he nearly lost his sight, and he had to retire. He had splendid testimonials from the doctors who from time to time had been in charge of that institution, and also from Dr. MacGregor, Inspector-General ; and at the time he went out what then was considered fair and reasonable compensation was paid to him, but instead of a slight improvement in his sight he had got worse. He had a large family, and most of the members of it were helpless. The case came before the Public Petitions Committee last session, and they recommended his case to the favourable consideration of the Government, but up to the present time

nothing had been done. Now, there were precedents where men under similar circumstances had got compensation, and it so happened that, instead of their health improving, they had got worse, and the Government had given further compensation. He could assure the Government that this was a hard case, and unless the Government gave further relief there was nothing for it but for Mr. Owens to apply to the Charitable Aid Board for help. He did not think the Government would Mr. Hall-Jones like to see an old servant of the State being reduced to such a position, and he hoped the Government would give effect to the recommendation of the Committee. Mr. HALL - JONES (Minister for Public Works) said it was a regrettable thing that an officer who had been so long in the public service should be reduced to a position as related by the honourable member. We all regretted that sort of thing, but the question was whether this officer's eyesight was affected by his work. Now, the evidence before the department was that it did not affect his eyesight. We knew many cases in other departments, and in other walks of life, such as with private employers, where the eyesight was affected not because of the work that was done, but because of some physical defect. That seemed to be the case with this poor unfortunate man. His case was brought before the department, and he was given the fullest compensation which the law allowed ; in fact, the department went further, because when the man received compensation he was also given three months leave on full pay. He thought that was very fair treatment, and it was accorded to this man because he had been a good officer in the service ; but members must bear in mind that the Government had a duty to perform not only to Owen but to every person in the colony, and under the circumstances, and seeing that the colony had given all that the law allowed, he failed to see why the Government should be called upon to do any more. Mr. BOLLARD said the Committee had recommended further compensation. Mr. HALL-JONES said the Committee could not possibly have known all the circumstances connected with the case. The Government had the evidence which was put before the department - that the man's eyesight was not affected by his work. He might say, in reply to a remark of the honourable gentleman, that he knew of no case where a man who had received compensation had afterwards received further compensation. DUNEDIN HOSPITAL TRUSTEES. Mr. T. MACKENZIE (Waihemo) asked the Government, Whether their attention has been called to the report of the August meeting of the Dunedin Hospital Trustees, at which these gentlemen gave a direct denial regarding the charges of ill-treatment which the member for Waihemo witnessed of a patient named John Mackenzie, although these trustees had no personal knowledge of the facts, as not one of them was present when the suffering occurred of which that member complained ; and, further, whether the Minister has read the explanation made by the doctor attending the patient of his conduct in that connection, and his sweeping declarations of deceit, untruthfulness, and fabrication which he wishes the public to believe attaches to those who did not, and do not, appreciate his action in connection with this case ; and, if so, will he set up a Commission to investigate the charges made by the member for Waihemo regarding

<page>653</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=673></url>

John Mackenzie, such Commission to have power to call for persons and papers, and to report thereon to Parliament ? The public mind had been considerably disturbed by the charge he had made in connection with this hospital. The trustees of the institution had asked for a Magisterial inquiry, or, failing that, they would appoint two men to investigate the whole affair. Of course, the latter course was absurd, seeing that these men would be selected by themselves to try themselves, as their administration was accused. It would simply be a travesty of justice. However, apart from that, such a Commission would have no power to administer an oath, or compel the attendance of witnesses, nor could it enable witnesses to give evidence under such conditions as were necessary. He noticed, too, that an inspired correspondent had asked him (Mr. Mackenzie) to bear the expenses of the investigation, providing the inquiry proved

that his statements regarding John Mackenzie were incorrect. He would be only too happy to accept that challenge, because his case was too strong to be upset. He was anxious for a properly constituted investigation to be held, when he felt satisfied that no Commission could do otherwise than find for him, so that he incurred no risk in offering to stand the cost of the investigation, seeing that it would be impossible for the trustees to prove truth to be a lie. He had received sheaves of letters in connection with the hospital mismanagement in certain cases, but for the truth or otherwise of these statements he, of course, was unable to vouch ; but if half of what was therein stated was true, then there ought to be an inquiry into them by the Government, because there was very considerable room for improvement in that institution. His treatment of these charges was very different from the trustees' treatment of his charges. The trustees had said, knowing as little about the facts of his charges as he knew about the statements in these letters, that they could give a circumstantial and substantial He knew already denial to his statements. that as a result of his statements great good had been done. He had received another letter only to-day in which the writer stated that very considerable improvement had already taken place in that institution, and he was glad to hear it. There was just one point he would like to mention, and it was this: To-day he received a spontaneous letter from a correspondent, who replied to a statement which he had read in the newspapers that was made by the Chairman of the trustees, who said he had made inquiries regarding this paragon of human kindheartedness-referring to himself (Mr. Mackenzie)-and had discovered that he had never sent or taken any fruit to his friend in the institution, not even sixpence worth of apples. His correspondent wrote as follows :- "I can prove that you gave me money on several occasions to buy fruit for John Mackenzie, and also when I told the doctor that you wanted to send John to a private hospital and pay for him yourself the doctor told me that he was too weak to be moved." That showed how absolutely unreliable was the Chairman's (Mr. Millar's) statements. Now, the doctor had said that the patient was fit, at the time he (Mr. Mackenzie) saw him, to be moved to any part of New Zealand. Let them, he said, have this investigation, and before he was done with them he ventured to say the public would be satisfied he had just cause for his action. He would like to say that he saw the trustees wished the inquiry to centre wholly on the nurses. He said the doctor was involved as well as the nurses, because, according to Nurse Smith, they simply carried out the doctor's instructions. That was merely a device on their part. Mr. HALL - JONES (Minister for Public Works) said he had not had an opportunity of perusing the statements referred to in the question, but a letter had been received from the Hospital Trustees asking for a Magisterial inquiry. But, on consideration of the circumstances, it was considered there was not sufficient grounds for holding an inquiry. He was pleased to hear from the honourable member that, as a result of what he had stated here, an improvement had taken place. He hoped that improvement would continue.

NATIVE AFFAIRS COMMITTEE'S RECOMMENDATIONS. Mr. PERE (Eastern Maori) asked the Government, When it is proposed to bring down legislation to give effect to the recommendations of the Native Affairs Committee upon petitions which have been favourably reported upon by the said Committee during the past five years ? During the past five years no legislation had been introduced to give effect to recommendations which had been made by the Native Affairs Committee upon various petitions presented by Maoris, and which had been favourably reported upon. Now, the Maori representatives in the House were importuned daily and weekly by Maori petitioners from all parts of the Island, requesting them to interview the Government and endeavour to have the favourable recommendation made upon their petitions given effect to by the Government. Well, when he had personally approached the Native Minister in regard to certain of these petitions, that honourable gentleman had directed him to go to Mr. Sheridan, head of a Government department, and all the satisfaction he could get from the latter gentleman was, " We will see; it will have to wait for another year," and so on. And then when the next year was reached, he was told again, " It will be seen to." This gentleman, when he went to him, instead of treating him (Mr. Pere) as he expected to be treated, ran about and

shook his head, and he could get no satisfaction. This had gone on until he began to realise that apparently this was a much more important man than the Premier or Native Minister. Now, there was a number of these matters that required to be dealt with, and it was his opinion that a Bill should be

<page>654</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=674></url>

especially brought down to deal with them, and the House ought to go into the matter and decide how many it would deal with this year, and the next year, and so on until it got through the lot. If a member who had presented a petition on behalf of one of his constituents did not take the trouble to see that effect was given to the recommendation of the Committee upon such petition, and if he went out of the House and some other member came in to take his place, the latter gentleman could not be expected to take the trouble that the former member, who had presented the petition, would take. With regard to the favourable reports brought down by the Native Affairs Committee, his experience had been that it was only such recommendations as the Government chose to give effect to which were ever put into "the washing-up" Bill. In respect to the bulk of the recommendations nothing was done. He would urge on the Government the necessity of bringing down legislation this session to meet these cases. He was positively ashamed to say that, in spite of all his efforts in these cases, nothing was done. The Maori members were thus getting a bad name amongst their constituents on that account. But it was not the Maori members who were to blame, it was the Government. The Government were to blame for having placed Mr. Sheridan at the head of the administration of this department. Mr. CARROLL (Native Minister) might inform the honourable member that a Bill was in preparation containing clauses dealing with matters favourably reported on by the Native Affairs and other Committees. The honourable member must give the Government credit for having attempted on several occasions to pass a Special Powers and Contracts Bill for the purpose of giving effect to recommendations from Committees, but their efforts had been opposed by honourable members opposite. Hon. MEMBERS .- Oh, no. Mr. CARROLL said that some members opposite opposed the Bill on each former occasion. He proposed now to reintroduce the Bill, which would contain further cases for legislative remedy, as the result of recommendations since the Bill was last brought down. It had just been suggested to him and he thought the suggestion was a good one—that the Bill should be introduced under the fresh title of the "Maori Special Powers and Contracts Bill," confining it solely to Maori cases. He might also suggest that the honourable member should be a little fairer to the Government. The Government had not attempted in any way to mystify or deceive the honourable member. The Government was not to blame, as he would put it. The honourable member must know that there were many petitions favourably reported upon by Select Committees which upon inquiry had no foundation at all, or any claim to consideration. It took some time to make these inquiries in order to arrive at a just conclusion. The task imposed upon Mr. Sheridan, the Government officer deputed to test these cases and ascertain their merits, was Mr. Pere no light one. He had to take each report and inquire into the bona fides of each case, and the investigation always covered a wide field and a long journey into the past. Then, each case had to come before the Government for final consideration. Some of the cases were of such a complicated nature that it took years to unravel and set in order. He would ask the honourable member, instead of fault-finding, to give all the assistance he could to the Government officer in making a selection of the really deserving cases which should be legislated upon. There were cases which must be laid on one side, and others which would have to await further inquiry, but all those that could be made absolutely clear should be settled up to date. He thought they could mutually agree upon the cases to be dealt with this year—urgent cases especially. He thought when the honourable member saw the Bill he would not be dissatisfied with either the Government officer or the Government, or anybody else, as he had been very fairly dealt with. Mr. PERE was glad the Minister had suggested that he should give Mr. Sheridan his assistance in

making a selection of cases that should be dealt with. The inquiries at present made by that officer were not of a nature to enable him to come to a satisfactory conclusion. He never made inquiries from the Maoris interested. He practically only made inquiries from the same sources as those from which the Committee derived its information. He thought a Commission should be appointed to inquire into the merits of these cases. Following up the suggestion, he would ask the Minister to instruct Mr. Sheridan to appoint a special day when they could meet together and go into the matter. The Minister knew that he was at present too ill to go backwards and forwards to Government Buildings. LANDLESS MAORIS IN WAIKATO. Mr. KAIHAU (Northern Maori) asked the Government, Whether they will, this session, -(1) Introduce legislation to provide land for landless Maoris in Waikato and other northern districts ; (2) appoint a Royal Commission to inquire into the matter as soon as possible ; and (3) take steps to have sufficient areas of Crown land within the said districts reserved without delay for the above purpose ? Previous to the year 1863 the Maoris in the Waikato and other northern districts were large landowners : in fact, he supposed he was not far wrong in estimating that each individual then owned somewhere between five and ten thousand acres of land. Unfortunately, when the Waikato war took place in 1863 the result was that these lands were confiscated. Of course, that was a very great misfortune to the Maoris. But the confiscation was not confined merely to those persons who had taken an active part in the war. As a matter of fact, certain sections of the Maori people had remained loyal to the Queen throughout the war, but the land of these people had also been confiscated. The Government had been approached year after year with the request that land should be set apart

<page>655</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=675></url>

or five million acres of land should be returned, but up to the present time nothing had been given. He wanted to know what the present Government was going to do in the direction of carrying out the wishes of previous Governments who intended giving this land back. He thought that, as the Premier and the Native Minister had told them some time ago that they were considering the question of making a return of lands to these people, he would suggest that they should do it at once, and hand back a million acres of land to the people. He did not expect this Government would show the same consideration to the Maori people as previous Governments would have shown in making a return of land, and, seeing that the Government was not likely to be prepared to go to the same length of generosity, he had reduced his demand, and had asked for the smaller area he had mentioned. He did not know, indeed, that he had any right to expect the Government would carry out his request respecting even the reduced area asked for. However, as he had said before, the Premier and the Native Minister had given them a sort of a promise that they intended to do something in this direction, and, as he was waiting to see it done, he had put the question on the Order Paper. Mr. CARROLL (Native Minister) said the honourable gentleman had given them a very large order. On the general question of landless Natives it was true this Government was sensible of the moral responsibility, in that they had to make due provision for all cases where the Natives were not well-to-do and were landless. He thought that was a duty that was entailed upon every Government. He would not at the present moment argue with the honourable gentleman the merits or demerits of the confiscation of the lands of his people ; that belonged to the past. The Governments whose generosity he had alluded to in contrast to the present Government were the very Governments that had confiscated those lands ; and, though he presumed they had reasons for so doing, he failed to see how any Government thus culpable should be singled out for compliment by the honourable member. Perhaps the people who had their land confiscated as a result were responsible for the war, or perhaps they were not, but it was well known that that war plunged the country into a condition of things that had left desolation and ruin in its track. It was true, as the honourable gentleman had said, that in some cases not only those who were in rebellion lost their land, but the same punishment had over. taken

those who had remained loyal, and these, he ventured to say, were the people who had a real grievance. This was not singular to the Natives of the district the honourable gentleman represented, for all round the colony different tribes had wrongly suffered more or less through the acts of confiscation. It would have been only just for previous Governments to have given back land, because theirs were the hands that had taken it away they given back? Perhaps the honourable gentleman could tell. At any rate, it could not have been much, as the honourable member modestly asked now for half a million acres as the least possible reparation. The present Government was not responsible for the errors of the past, or those that had been committed by previous Governments. Their duty was simply to consider the present condition of the Natives and see in what way they could assist them. If the Natives had no land, the Government would do what it could to provide land for them. The fact was they were helping indigenous Natives all over the colony. There was a larger proportion of Natives maintained by the Government in the honourable gentleman's district than any other. There were more receiving aid from the Civil List and drawing pensions under the Old - age Pensions Act in the honourable member's electorate than in any other part of the colony. Every consideration had been given by the present Government to the honourable member's district. With regard to the question of landless Natives, the Government had first to be squared to enable the Government to see how matters stood, and how far they could go. They could not select his particular district for special consideration. The matter would have to be dealt with as a whole affecting the North Island. They would have to deal with the question in exactly the same manner as they dealt with the landless Natives of the South Island. In that case a Commissioner, Judge Mackay, was appointed to make inquiries into the condition of the Natives. After he had made his report the Government appointed Mr. Percy Smith, Surveyor-General at the time, as his associate. They together then set aside certain blocks of land, and made a list of the landless Natives to be provided for. The work of allocating the different awards had not yet been completed, but as soon as it was completed legislation would follow to give effect to what was done. A similar course would be followed in the case of the North Island Natives. As soon as the session was over the Government would appoint an officer to investigate the claims and petitions of the North Island Natives, and to report as to how they were circumstanced, and as to what provision should be made for them. As soon as the Government received that report they would consider the advisability of setting aside certain portions of land sufficient for the purpose required." Legislation would then follow. He was sorry that the Government could not at present accede to the honourable gentleman's request to have reserves made at once and handed over to his constituents. The Government would, however, act fairly in the interests of the Natives as a whole, and, as a first step, would make their policy a live and active one. They had on the statute-book now an Act dealing with the administration of Native lands. The machinery prescribed in that Act when set in motion would comprehend the settlement of the landless question with very little cost

<page>656</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=676></url>

and trouble. It could perform all the detail work leading right up to the final stage, requiring only legislative completion. If the honourable gentleman would restrain his impatience a little, and allow these things to work round in their proper course, he would find that what they had indicated in any public utterances on the question of providing for the landless Natives would be carried out. Mr. KAIHAU desired to say, by way of personal explanation, that he was not asking for special concessions for the Maoris of Waikato district alone. What he desired was that provision be made for all Natives whose land had been confiscated. The case of the North Island landless Natives was entirely different from that of those in the South Island. All of the Maori land in the South Island had been purchased, while the greater part of the land in the North Island had been confiscated. Not only had the land of people who took up arms against the Government been confiscated, but also the land of those who remained loyal or neutral had been

taken. That fact ought to be considered, and the question should not be dealt with in the same way as that of the landless Natives of the South Island. The Hon. Mr. CARROLL said that was not the time to discuss the matter. The Government had answered the question, and would later on decide themselves as to what course should be followed. TEWI KINGI AND OTHERS. Mr. LANG (Waikato) asked the Government, If they will give effect to the recommendation of the Native Affairs Committee of last year on the petition of Tewi Kingi and eleven others (Petition No. 261 ; - namely, "In the opinion of the Committee, petitioners have a just claim for consideration, and it is recommended that the Government should bring in the necessary legislation to give the relief prayed for " ? The petition referred to was one of the many that the honourable member for the Eastern Maori District, Mr. Pere, had mentioned when putting his question. It was -one of the many petitions that the Native Affairs Committee had favourably reported upon. The Committee's recommendations were seldom given effect to. To more fully explain the position of this petition he would read the translation of a letter which he had received from the petitioners, Tewi Kingi and others :- " Waingaro, Ngaruawahia, Waikato, 5th September, 1901. To your Honourable Member, Mr. Lang. GREETING. Continuous prosperity to you. Herewith your petitioners again write to you with reference to our petition, which was brought up by you (? presented) in the House -on Friday, the 10th August, 1900. (Vide Order Paper of the 14th August, 1900, page 308, No. 261,-viz., the petition of Tewi Kingi and -eleven others). Your servants the petitioners hereby pray that you will urgently pray the House to pass legislation to empower a second hearing of our land, in connection with which great injury was done your petitioners. We Mr. Carroll have already waited for a very long time, and our land also has been lying idle during all this. long period, through this petition preventing anything been done, and also through the award referred to. Sufficient .- From your servants, "TEWI KINGI AND OTHERS." He had a copy of the report of the Native Affairs Committee of last year on the petition :- "Petitioners pray that legislation may be passed to enable a rehearing of the partitioning of Lot 66, Waipa Survey District. "I am directed to report that, in the opinion of the Committee, petitioners have a just claim for consideration, and it is recommended that the Government should bring in the necessary legislation to give the relief prayed for." The petitioners pointed out that they had waited a long time to have the Committee's recommendations given effect to. During that time their lands had been lying idle, and it seemed to him of very little use to get a favourable recommendation from that Committee, because in nine cases out of ten the recommendations were altogether ignored. He hoped the Native Minister would give a reply to the effect that, as far as this particular petition was concerned, the necessary legislation would be introduced to remove the hardships under which these Natives were suffering. Mr. CARROLL (Native Minister) said that he would reply shortly to the honourable gentleman, that a clause dealing with the case had been drafted for insertion in a Bill which would be submitted to the House this session. Mr. LANG .- Would it deal with this particular case ? Mr. CARROLL said that it would. Referring to the tone of the honourable gentleman's remarks in condemnation of the Government, he would add that the fault did not rest with the Government, but with the petitioners themselves. They were responsible for any injustice that had befallen them. The law was at their disposal, and if they failed to take advantage of it they were to blame. Because they had failed to comply with the law they had sought the indulgence of Parliament ; and, as the Government had taken time to consider the recommendations of a Committee, and weigh the merits of the case for their own satisfaction. the Government was to blame! When a Native petition came to Parliament it went before the Native Affairs Committee. The Native Affairs Committee dealt with it, as a rule, merely on a prima facie case submitted, leaving the further and more definite investigations to be carried out in the course of departmental inquiry. Consequently, many of these petitions were referred to the Government to save lengthy investigations by the Committee and as a way of getting rid of the trouble. There might be delay from the time that the Committee reported on the petition up to the time that the matter was finally disposed of, but in many

cases that was justifiable, and could not be avoided. However, a clause had been drafted in connection with this particular matter, and it would be in the Bill submitted this session.

<page>657</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=677></url>

NEW ZEALAND. Mr. FOWLDS (Auckland City) asked the Government, What steps they propose to take to put all foreign companies trading in New Zealand on an equal footing in regard to the payment of 1s. per £100 on the amount of their capital, and so remove the existing anomaly of some companies having their goods seized in payment while other companies are never asked for payment ? This was a very important matter for all foreign companies trading in New Zealand. By the Stamp Act every company is liable to pay 1s. for every £100 of their share capital, and with some of the large houses doing business here this amounted to £200 or £300 per annum. The companies were liable for the total amount uncollected in past years from the date of the passing of the Act. He believed that only two or three companies had been called upon to pay this tax. During last session he had to intervene and plead with the Hon. the Colonial Secretary for the release of some samples of one of these firms which had been seized because they had not paid the tax. It was very unfair to put the tax upon two or three companies when all the other companies doing business in New Zealand got off without paying anything. He believed that if the department were to offer 10 per cent. on all moneys recovered it would be possible for a man to make £2,000 or £3,000 a year for the next few years in bringing to book companies trading in New Zealand who had been paying nothing. The whole thing was an undue hampering of the commercial interests of the colony ; but if one or two companies were compelled to pay the tax it ought to be enforced all round. The Government were losing a large sum of money by not enforcing it, and at the same time they were doing an injustice in enforcing it on two or three companies and letting the others escape. Mr. CARROLL (Commissioner of Stamps) said that, first of all, they did not intend to abolish the charge ; and, secondly, the Government were at one with the honourable gentleman that this tax should be enforced all round. The difficulty was to get evidence in proof of companies escaping the liability. He agreed that it was unfair that only certain companies should have this fee exacted from them while others got off. They wanted to get at them all. If the honourable gentleman could put the department on the track of some of these companies that he had spoken of, he could assure him that the machinery would be immediately set into motion for the purpose of bringing them to book.

MAORI HOSTELRY AT THE BLUFF. Mr. PARATA (Southern Maori) asked the Government, Whether they have considered the petition of the Maori residents of the Bluff, Stewart Island, and Ruapuke, praying that the Maori hostelry at the Bluff be repaired and renovated, as the said building is continually occupied by Maori visitors from Stewart Island and other kaingas in that vicinity ? Government had decided to establish a hostelry there for the benefit of the Natives on representations having been made that the building which had served that purpose in the past was dilapidated and unfit for human habitation. Since then they had found that the cost of the building they had agreed to put up was, according to the estimate, rather excessive. The honourable gentleman knew that the drain on the Civil List had been rather unusual during the past two years-the South Island had had its fair share, taking everything into consideration-and that they could not afford to be extravagant. Instead of the building costing £250 as had been thought, the estimate showed that it would cost £400. Mr. PARATA .- £200 will put it up. Mr. CARROLL said that they had agreed to give £250, and if the house could be built for that they would willingly give it.

EMILY MARIA FULLOON. Mr. HERRIES (Bay of Plenty) asked the Native Minister, Whether the Government intend to take any steps with respect to the petition of Emily Maria Fulloon, only child of the late James Fulloon, murdered by the Maoris in 1865, which has been recommended by the House of Representatives, and also by the Legislative Council, on several occasions ? The honourable gentleman, he thought, was fully acquainted with this case, which had been twice recommended by different Committees of this House ; and only last

session the Committee of the Upper House reported as follows :- " Your Committee recommend that a full inquiry into the claims of the late James Fulloon to any of the confiscated lands mentioned by the petitioner be made by any one of the Commissioners who formerly investigated the titles to land on the East Coast, and that such inquiry be held as soon as the Government can arrange for its taking place." He hoped the Minister intended to carry out the inquiry recommended by the Committee of the Upper House. He believed exhaustive inquiries were made by that Committee into the merits of the case, and that was the report which was eventually brought down. Mr. CARROLL (Native Minister) said several reports on this petition had come before the Government in the usual way, and the Government decided not to take any action on the information then before it. Personally, he thought this was a fair subject for inquiry, and he should ask the Government to reconsider the matter in so far as to having the claim investigated. As already indicated, in answer to a previous question, it was the Government's intention to get a report on certain classes of petitions of the Natives of the North Island by a competent man, and he should recommend this as one to be looked into. NATIVE AFFAIRS COMMITTEE'S RECOMMENDATIONS. Mr. KAIHAU (Western Maori) asked the Native Minister, Whether it is the intention of.

<page>658</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=678></url>

legislation to give effect to the numerous petitions from the Maori race favourably reported upon by the Native Affairs Committee during the last four sessions of Parliament ? This was practically the same question that had been asked by the member for the Eastern District, the Minister's reply to which he had heard ; but it referred more particularly to certain matters of particularly urgent importance which had come before the Native Affairs Committee, and which had been favourably reported on, but were not included in the " Washing-up Bill " of last year. The reason, therefore, he asked the question was to secure, if possible, the insertion of a clause to meet the case in the Bill to be brought down this year. He referred particularly to the Hopuhopu, Kohanga, and Moeawha Blocks, which were now in the hands of the Church Missionary Society, and he suggested that this might be adopted by the Government as a means of settling the requirements of landless Natives. These three blocks had been given for a definite purpose-namely, to be devoted to educational purposes for the benefit of the Maoris who had originally given the endowments ; but not a single one of the conditions for which they were given had been carried out. The Native Affairs Committee, when the matter was brought before it, had decided to recommend that the lands should be handed back by the religious bodies to the descendants of the Maoris who originally gave them. He hoped the necessary legislation would be introduced this year. Mr. CARROLL (Native Minister) said he would give the same answer to the honourable gentleman as he had given to the member for the East Coast. But, with respect to the new feature introduced by the honourable member, affecting endowments to mission societies for educational purposes, the Special Powers and Contracts Bill, commonly referred to as the "Washing-up Bill," was not the proper one to deal with the matter. # CORONERS' INQUESTS. Mr. WILLIS (Wanganui) asked the Minister of Justice, If he will cause the law relating to inquests to be amended in the direction of giving full power to Coroners to order that the cost of any inquest be paid by any person on whom he considers the expense of the inquest should fall ; the order of the Coroner to be signed by him, served on such person, filed in any Court, and when so filed to have the effect of a judgment of such Court and be enforceable accordingly ? The cost to the country before the passing of the Act of 1899 was as follows: In Auckland there had been 218 inquests, at a cost of \$534 13s. ; in Wellington, 161 inquests, costing \$377 16s. 3d. ; in Christchurch, 227, costing £526 11s. 5d. ; and in Dunedin, 194, costing £363 16s. 1d. : giving a total of 800 inquests, at a total cost of \$1,802 17s. 2d. Since the passing of the Act the cost had been : Auckland, 227 inquests, costing €1,000 13s. 10d. ; Wellington, 132, €396 6s. 6d. ; Christchurch, 198, \$629 9s. 5d. ; Mr. Kaihau of 748 inquests, at

a total cost of £2,672 9s. 2d. He considered the question to be an important one, because a great many inquests were held entirely at the cost of the country, and he thought it was only right, in cases where the inquests were the result of the fault of individuals, that the cost should be borne by them, as being responsible for the expense to which the colony had been committed. Mr. McGOWAN (Minister of Justice) said the question was such an important one that, without further consideration, he could not give a definite reply. He would not like to recommend that individuals should be obliged to pay these costs, as great hardship might often result in cases where the relatives of the deceased were destitute. Mr. WILLIS asked if the Minister would make further inquiries into the matter, with the view of some system of the kind being ultimately adopted. Mr. McGOWAN said he had no objection to making inquiries, and after due consideration he would inform the honourable gentleman of the result. PAHIATUA DISTRICT COURT. Mr. O'MEARA (Pahiatua) asked the Minister of Justice, If he will cause sittings of the District Court to be established at Pahiatua? It appeared to be the desire of the Government to concentrate the whole of the business in the large centres of population without considering the trouble or expense to which country residents were put. At the present time, in connection with bankruptcies or criminal or civil actions, or the obtaining of probates, the parties had to travel to Masterton or Wellington, and it was as cheap for litigants to come to the Supreme Court at Wellington as to go to Masterton. He understood that Judge Kettle had offered to hold sittings at Pahiatua. They had the Courthouse and a Clerk, and he failed to see why the Government should not extend this privilege to a large community who were endeavouring to lessen the expenses of litigation. The Stipendiary Magistrate's jurisdiction was limited to £100, and those concerned in cases over that amount had to take them to either Masterton or Wellington. It was as cheap for the litigants to go to the Supreme Court in Wellington as to go to the Masterton Court. He hoped the Minister would give a favourable reply, as by granting the request he would only be doing justice to many of those who desired to lessen the cost of litigation, and would be commensurate with the importance of the district. Mr. McGOWAN (Minister of Justice) said the honourable gentleman was, of course, justified in speaking strongly in favour of his own district, but at the same time he was not justified in saying that it was the desire of the department to concentrate all the business in Wellington. The ordinary course was that whenever it was found that the requirements of particular districts warranted it Courts were established there in the interests of the people.

<page>659</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=679></url>

provided two civil cases and four bankruptcy cases, and under those conditions he did not think the country would be justified in having all the paraphernalia of a Court set up in the district for transacting business of this limited character. # MONEY-LENDERS BILL. IN COMMITTEE. Clause 2 .- " In this Act 'money-lender ' includes every person (whether an individual, a firm, a society, or a corporate body) whose business is that of money-lending, or who advertises or announces himself or holds himself out in any way as carrying on that business ; but does not include - "(1.) Any duly licensed pawnbroker in respect of business carried on by him in accordance with the provisions of ' The Pawnbrokers Act, 1868'; or " (2.) Any society registered under ' The Building Societies Act, 1880'; "(3.) Any society registered under 'The Friendly Societies Act, 1882'; " (4.) Any body corporate, incorporated or empowered (before the passing of this Act) by a special Act of Parliament to lend money in accordance with such special Act; or " (5.) Any person bona fide carrying on the business of banking or insurance or any business not having for its primary object the lending of money, in the course of which and for the purposes whereof he lends money." Mr. HALL - JONES (Minister for Public Works) moved, That subclause (4) be struck out. Amendment agreed to. Mr. HALL-JONES moved, in subclause (5), to strike out the words "not having for its primary object the lending of money." Amendment agreed to. Mr. HUTCHESON (Wellington City) moved, That progress be reported, in order that the Bill may be referred to the Statutes

Revision Committee. Motion, by leave, withdrawn. Mr. HALL- JONES (Minister for Public Works) moved to add to subclause (5) the words " at a rate of interest not exceeding ten per centum per annum." Amendment agreed to. The Committee divided on the question, " That the clause as amended be agreed to." AYES, 44. Allen, E. G. Fisher Heke Hornsby Arnold Flatman Atkinson Fowlds Houston Barclay Fraser, A. L. D. Hutcheson Bennet Fraser, W. Kaihau Gilfedder Buddo Laurensen Graham Lethbridge Carncross Hall McGowan Carroll Mackenzie, T. Collins Hall-Jones Colvin Hanan Mckenzie, R. Ell McNab Hardy Tellers. Mills Tanner Thompson, R. Napier Rhodes O'Meara. Russell, G. W. Ward NOES, 9. Tellers. Haselden Pirani Allen, J. Smith, G. J. Lang Massey Thomson, J. W. Herries. Monk Majority for, 35. Clause as amended agreed to. Clause 3 .- "(1.) Where proceedings are taken in any Court by a money-lender for the recovery of money lent after the passing of this Act, or the enforcement of any agreement or security made or taken after the passing of this Act, in respect of money lent either before or after the passing of this Act, and it appears to the Court that the interest charged in respect of the sum actually lent is excessive, or that the amounts charged for expenses, inquiries, fines, bonus, premiums, renewals, or any other charges are excessive, and that, in either case, the trans- action is harsh and unconscionable, or is other- wise such that the Court would give relief, the Court may reopen the transaction, and take an account between the money-lender and the per- son sued. "(2.) The Court may, notwithstanding any statement or settlement of account or any agreement purporting to close previous dealings and create a new obligation, reopen any account already taken between the money-lender and the person sued, and relieve the person sued from payment of any sum in excess of the sum ad- judged by the Court to be fairly due in respect of such principal, interest, and charges as the Court, having regard to the risk and all the circumstances, considers reasonable; and if any such excess has been paid or allowed in account by the debtor, may order the creditor to repay it ; and may set aside either wholly or in part, or revise, or alter, any security given or agree- ment made in respect of money lent by the money-lender, and, if the money-lender has parted with the security, may order him to indemnify the borrower or other person sued. "(3.) Any Court in which proceedings might be taken for the recovery of money lent by a money-lender shall have and may, at the in- stance of the borrower or surety or other person liable, exercise the like powers as may be exer- cised under this section where proceedings are taken for the recovery of money lent. "(4.) On any application relating to the ad- mission or amount of a proof by a money-lender in any bankruptcy proceedings, the Court may exercise the like powers as may be exercised under this section where proceedings are taken for the recovery of money lent. " (5.) Nothing in this section shall affect the rights of any bond file assignee or holder for value without notice. " (6.) Nothing in this section shall be con- strued as derogating from the existing powers or jurisdiction of any Court." Mr .: NAPIER (Auckland City) moved to strike out the words "a money-lender " in sub-
<page>660</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=680></url>

thereof "any person." Amendment, by leave, withdrawn. Mr. HALL - JONES (Minister for Public Works) moved to strike out the word "and," between the words "are excessive " and "that," in subsection (1), with the view of inserting in lieu thereof the word " or." Amendment agreed to. Mr. ATKINSON (Wellington City) moved to strike out the words "the Court," between the words "such that " and " would give relief," in subsection (1), with the view of inserting in lieu thereof the words " a Court of equity." Amendment agreed to, and words as proposed inserted. Mr. ATKINSON moved to add to subsec- tion (3) the following words : "and the Court shall have power, notwithstanding any pro- vision or agreement to the contrary, to enter- tain any application under this Act by the borrower or surety or other person liable, not- withstanding that the time for repayment of the loan or any instalment thereof may not have arrived. Amendment agreed to. Mr. ATKINSON moved the insertion of the following new subclause :- "4A. The foregoing provisions of this section shall apply to any transaction which, whatever its form may be, is substantially one of money-

lending by a money-lender." Amendment agreed to. Mr. HALL- JONES (Minister for Public Works) moved to add the following new sub- clause :- " (7.) For the purpose of this section, but for no other purpose, the expression 'money- lender ' includes any person who lends money for interest." The Committee divided. AYES, 23. McNab Allen, E. G. Fowlds Fraser, A. L. D. Millar Arnold Gilfedder Barclay Mills Bennet Guinness O'Meara Carroll Hall-Jones Ward. Colvin Laurenson Tellers. Ell McGowan Carncross Mckenzie, R. Napier. Flatman NOES, 14. Russell, G. W. Atkinson Hornsby Smith, G. J. Hutcheson Hall Lawry Tellers. Hardy Buddo Haselden Massey Herries Collins. Rhodes Majority for, 9. Amendment agreed to, and new subclause as proposed added. Mr. HUTCHESON moved to add to new sub- clause (7) the words " except on real estate." The Committee divided. AYES, 11. Collins Smith, G. J. Lawry Hardy Massey Tellers. Atkinson Haselden Rhodes Herries Russell, G. W. Hutcheson. Mr. Napier Allen, E. G. Mills Gilfedder Arnold Hall Napier Barclay Hall-Jones O'Meara Bennet Hornsby Seddon Buddo McGowan Ward. Mckenzie, R. Carncross Tellers. Carroll McNab Fowlds Fraser, A. L. D. Ell Millar Flatman Majority against, 13. Amendment negatived. Mr. HALL- JONES (Minister for Public Works) moved to insert, in subclause (4), after " by," the words " subsection two of." Amendment agreed to, and clause as amended agreed to. Mr. ATKINSON (Wellington City) moved the addition of the following new clause :- "Nothing in this Act shall apply to any bona fide registered mortgage under the Land Transfer Act." Amendment negatived. Bill reported. # TRUSTEE BILL. IN COMMITTEE. Mr. MILLAR (Dunedin City) moved the addition of the following new clause :- "If any person shall at the time of his death have been carrying on any business, either alone or in copartnership with any other person or persons, and shall by his will have directed or empowered his executors or trustees to con- tinue to carry on such business, whether for a fixed term of years or without any such limita- tion, it shall be lawful for such executors or trustees to sell, or concur with such other per- son or persons in selling, such business to any joint-stock company to be formed for the pur- pose of acquiring such business and carrying on the same or any similar business or businesses. and such executors or trustees may accept in payment of the whole or part of the considera- tion-money for such sale fully paid-up shares in such company, in like manner as they could have done had the will of such deceased person contained an express authority for that purpose ; but if such will does not direct or empower the executors or trustees to carry on such business, they may apply to a Judge of the Supreme Court in Chambers for an order sanctioning such sale as aforesaid, and autho- rising them to accept in payment of the whole or part of the consideration-money for such sale fully paid-up shares in such company, in like manner as they could have done had the will of such deceased person contained an ex- press authority for that purpose, and such Judge may make such order, or such other order in the premises as he shall think fit." New clause negatived. Mr. BUDDO (Kaiapoi) moved the addition of the following new clause :- "2. The following provisions are hereby added to subsection (d) of section fourteen of "The Trustees Act 1883 Amendment Act 1891,' that is to say :--

<page>661</page>

<url><https://babel.hathitrust.org/cgi/pt?id=uc1.32106019788253&seq=681></url>

" (e.) In bonds, debentures, or other securities forming part of any loan of any Har- bour Board heretofore or hereafter constituted or incorporated under 'The Harbours Act, 1878,' or any other Act of the General Assembly of New Zealand, and whether or not such loan has been heretofore autho- rised or issued, or may be hereafter authorised or issued, in whole or in part: Provided always,- " (a.) That such bonds, debentures, or other securities form part of a loan issued under the authority of an Act of the General Assembly of New Zealand. " (b.) That the Board by which such bonds, debentures, or other securities are issued possesses statu- tory authority to rate its district, or allocate and levy contributions from local authorities within its district, for an amount sufficient to provide the annual interest payable in respect of the aggregate amount for which such bonds, debentures, or other securities shall at any time be issued,

or for an amount sufficient to provide for payment of such interest after taking into account whatever sums of money may be available for such payment from the revenue of the Board for the previous year, until the loan is paid off ; or, in the absence of such statutory authority, that the Auditor-General has certified in writing that in his opinion such loan affords a proper investment for trust funds. "(c.) When any such certificate is granted, a copy thereof shall be published in the Government Gazette, and production of the Gazette purporting to contain the same shall be sufficient evidence that it has been granted. "(d.) No liability shall attach to the Auditor-General for granting or withholding any such certificate, and no claim of any holder of bonds, debentures, or other securities in which trust funds are by this Act authorised to be invested shall attach to or be paid out of the public revenues of New Zealand, or by the General Government thereof." The Committee divided on the question, "That this clause be read a second time." AYES, 13. McNab. Allen, E. G. Fraser, W. Hall Atkinson Hall-Jones Tellers. Bennet Barclay Hornsby Ell Mckenzie, R. Buddo. Flatman NOES, 21. Gilfedder Arnold Collins Colvin Guinness Carncross Fowlds Haselden Carroll Herries Ward. Napier Tellers. Rhodes Lawry Seddon Millar Massoy McGowan Smith, G. J. O'Meara. Mills Majority against, 8. Second reading negatived. Bill reported, and read a third time. The House adjourned at eight minutes past one o'clock a.m. (Saturday).